

NEWINGTON FOREST COMMUNITY ASSOCIATION, INC.
MINUTES OF THE MEETING OF NOVEMBER 17, 2009
(Held in the Community Center)

CALL TO ORDER

Mr. Crooks called the meeting to order at 7:30 p.m.

ATTENDANCE

In attendance were:

John Crooks, President
Joe Martocci, Vice-President
Robert Cooper, Treasurer
Jeff Rose, Secretary
Jeff Bailey, Board Member
Cathy Alqahtani, Board Member
Stephanie Jackson, Community Manager
Dana Mayfield, Assistant Community Manager
Wanda Walsh, Administrative Assistant

Absent:

Ken Frye, Assistant Secretary/Treasurer

Mr. Crooks asked if any of the residents in attendance or any member of the Board would like to record the meeting. No one responded with a desire to record.

READING AND APPROVAL OF THE MINUTES OF THE NOVEMBER 3, 2009
BOARD MEETING

Since the minutes of the November 3, 2009 Board meeting had been emailed to the Board for review prior to the meeting, Mr. Martocci made a motion to accept the minutes as presented. Mr. Rose seconded the motion. With there being no discussion held to change the minutes, a vote was taken on the motion. The minutes were approved as written by a unanimous vote of the Board Members present. Mr. Frye also voted in favor of approving the minutes by proxy held by Mr. Bailey.

READING AND APPROVAL OF THE NOVEMBER 3, 2009 EXECUTIVE SESSION

Since the minutes of the November 3, 2009 Executive Session had been emailed to the Board for review prior to the meeting, Mr. Martocci made a motion to accept the minutes as presented. Mr. Rose seconded the motion. With there

being no discussion held to change the minutes, a vote was taken on the motion. The minutes were approved as written by a unanimous vote of the Board Members present. Mr. Frye also voted in favor of approving the minutes by proxy held by Mr. Bailey.

HOMEOWNER'S FORUM

Several property owners from Grandview Ct. attended the meeting to discuss the assignment of a second parking space on their court. Their questions/concerns are as follows:

- Jim Bubb, 8046 Grandview Ct., noted that he has two concerns with assigning all of the blank spaces on the court: (1) any overflow parking would have to spill out onto the public portion of Grandview Ct. which is currently overcrowded and (2) the safety of his vehicle since it was broken into on three separate occasions while parked out near Southrun Rd. Mr. Bubb did not feel that the public portion of Grandview Ct. was a safe place for residents to park given the fact that cars are parked on both sides of a very narrow street. Mr. Bubb further noted that he conducted an informal survey and spoke with 8 different residents on the court (7 of which never saw the petition that was passed and all 8 felt that assigning a second space was a bad idea). Mr. Bubb questioned whether a true majority was reflected on the petition that was passed and suggested delaying the decision to paint the numbers on the second spaces. He felt that a second petition should be passed to make sure that a majority of the residents are really in favor of assigning a second space.
- Rob Mitchell, 8096 Grandview Ct., noted that he has the same concerns as Mr. Bubb. Mr. Mitchell further noted that he was not contacted by the resident who passed the petition and questioned whether those who signed the petition are actually property owners and not tenants.
- Katy Whelan, 8094 Grandview Ct., expressed concerns about the safety issue created by residents/visitors having to walk from the public portion of Grandview Ct. and the potential for vehicle vandalism while parked there. Mrs. Whelan noted that she is not happy with the fact that there will not be any blank spaces on the court if a second parking space is assigned.
- Barbara Chittum, 8092 Grandview Ct., noted that she does not agree with the petition. Ms. Chittum felt that residents should have been given an opportunity to comment before the decision was made by the Board to assign a second parking space on the court.
- Cate Reich, 8072 Grandview Ct., made everyone aware that her husband passed the petition. Mrs. Reich noted that her husband made several attempts to speak with everyone on the court but stopped when he received the signatures of a majority of the court. Mrs. Reich further noted that she is afraid of walking from the public portion of Grandview Ct. to her home late at night. Mrs. Reich informed the Board that she has seen people walk onto the court to retrieve their vehicles. If a second

space is not assigned, Mrs. Reich suggested providing stickers that can be placed inside residents' vehicles to ensure that those parking on the court are those who live on the court.

Mr. Crooks assured the residents in attendance that the signatures received on the petition were verified to be from property owners and not tenants. Mr. Crooks also provided the residents with the Association's definition of an assigned space versus an unassigned (or blank) space noting that there are no "guest" spots in the community. The Board and the residents of Grandview Ct. discussed the possible use of parking stickers/decals and the questions and potential problems regarding their implementation and use.

Mr. Crooks reminded the residents of Grandview Ct. that the Board has a petition representing a majority of the court asking that a second parking space be assigned. Mr. Crooks felt that the painting of the second spaces should be postponed to give the residents in attendance the opportunity to provide a counter-argument or an amicable parking solution worked out by the residents on the court. Mr. Crooks informed the Board and the residents in attendance that the issue would be placed on the agenda of the next meeting and invited the residents of Grandview Ct. to return to that meeting prepared to discuss a parking plan which is agreeable to a majority of the residents of the court.

TREASURER'S REPORT

Mr. Cooper reported that, as of the date of the meeting, the Association's accounts had the following balances:

- Operating: \$36,770.89
- Lockbox: \$124,705.03
- Reserve: \$213,407.82
- T-Bills: \$900,000.00
- CDs: \$300,000.00

NEW BUSINESS

Discussion/Adoption of Policy Resolution No. 10 (Fence Guidelines for Single Family Homes and Townhouses)

A copy of Policy Resolution No. 10 was provided to the Board for review. Mr. Crooks reminded the Board that the resolution had been published in the October/November newsletter and that no resident comments had been received by the Association office. Mr. Crooks pointed out that the resolution has not been changed since its publication and that it contains the fence styles recommended for use in the community by the Architectural Review Committee.

With there being no further discussion, Mr. Crooks made a motion to adopt Policy Resolution No. 09-10 as published in the newsletter; Mr. Martocci seconded the motion. A vote was taken on the motion and the motion passed with a unanimous vote of the Board Members present. Mr. Frye also voted in favor of the motion by proxy held by Mr. Bailey.

Discussion/Re-adoption of Administrative Resolution No. 1 (Architectural Review Procedures and Guidelines)

A copy of Section II (Architectural Guidelines) of Administrative Resolution No. 1 (Architectural Review Procedures and Guidelines Relating to the Requirements for Application to the ARC) was provided to the Board. Three areas of Section II pertaining to fencing were highlighted which represented the ARC's recommendations for proposed wording additions. A copy of the Fence Standards was also provided to the Board. Mrs. Jackson made the Board aware that the ARC recommended the proposed wording additions to Section II of the resolution to make it consistent with the policy resolution previously adopted by the Board as well as the fence standards which are provided to residents interested in installing a fence. The ARC Chairman, Neal McBride, explained to the Board the committee's thoughts for including the highlighted language in the administrative resolution.

The Board discussed the first proposed wording recommendation which states that no fence will be approved by the ARC that obstructs reasonable sightlines from the front windows of immediately adjacent homes. Ms. Alqahtani noted that she did not understand the language and asked where it originated from. Mrs. Jackson responded that the language is taken from the Fence Standards which is information that is a combination of the policy and administrative resolutions. Mrs. Jackson explained that the statement is used so that construction of a fence will not negatively impact another resident's home. A brief discussion was held regarding the location of homes in the community that this statement would affect. Ms. Alqahtani felt that the statement takes away the rights of a homeowner and made a motion to strike the highlighted area pertaining to sightlines from the administrative resolution. Mr. Bailey seconded the motion. A vote was taken on the motion with Mr. Bailey, Ms. Alqahtani and Mr. Frye (by proxy held by Mr. Bailey) voting in favor of the motion. Mr. Martocci, Mr. Cooper and Mr. Rose voted against the motion and Mr. Crooks abstained from voting.

Mr. Bailey asked if there is an immediate need to approve Section II of the administrative resolution. He noted that he is concerned about some of the proposed language additions and felt that further discussion should be tabled so that the entire Board could be present. An informal vote was taken on whether to table further discussion. Mr. Bailey, Ms. Alqahtani

and Mr. Frye (by proxy held by Mr. Bailey) felt the issue should be tabled. Mr. Crooks, Mr. Martocci, Mr. Cooper and Mr. Rose felt that the Board should make a decision and not table the issue. Mr. Bailey reiterated that there is no rush in adopting this section of the administrative resolution and again suggested tabling the issue. Ms. Alqahtani made the Board aware that she would like to get the opinions of those who live on pipestem driveways and have that information available for further discussion. The Board discussed the fact that the language pertaining to window sightlines would not just pertain to those who live on pipestems. Mr. Crooks stated that he did not see a problem with leaving the highlighted wording in the resolution since it could be used to reconcile any problems that may arise. Following further conversation, Mr. Crooks suggested striking the highlighted wording and readopting the administrative resolution with the fence standards being added as an attachment. Mr. Bailey responded that he would be more comfortable with voting on the resolution if the decision to strike the highlighted areas is made.

Mr. Crooks made a motion to readopt Administrative Resolution No. 1, striking the highlighted wording, with the addition of an attachment that represents the standards for fences. Mr. Crooks further motioned that the Fence Standards would have to be updated with the approved fence styles. Mr. Martocci seconded the motion. Mr. Crooks tabled a vote on the motion so that Mrs. Walsh could retrieve information needed to answer a question raised by Ms. Alqahtani regarding her fence application.

Discussion/Decision on Attorney-Recommended Account Write-Offs

A handout was provided to the Board which outlined 12 properties that the Association's attorneys were recommending writing off the balance owing. The total write-off for 11 of the properties represented money that could not be collected due to foreclosure or bankruptcy while one represented a covenants sanction for a property that eventually went to foreclosure.

Following a brief discussion, Mr. Cooper made a motion to write-off \$12,641.33 as a bad debt and uncollectible. Mr. Rose seconded the motion. A vote was taken on the motion and the motion passed with a unanimous vote of the Board Members present.

Discussion/Decision on December Meeting Date

The consensus of the Board was to hold their meeting in December on the 8th.

OLD BUSINESS

Report on Status of Annual Street-By-Street Inspections and Follow-up Inspections

A 2009 Covenants Inspection Schedule was provided to the Board for review. Ms. Mayfield made the Board aware that the schedule was started by the previous Assistant Community Manager and was followed by the inspectors while conducting the street-by-street inspections. Ms. Mayfield informed the Board that all of the streets in the community will have been inspected by the end of the week. The current schedule will be used in creating next year's inspection schedule.

CONTINUED DISCUSSION/FINAL VOTE TO APPROVE 2010 BUDGET

A copy of the proposed budget for 2010 was provided to the Board. With there being no further discussion, Mr. Crooks made a motion to approve the 2010 budget. Mr. Rose seconded the motion. A vote was taken on the motion and the motion passed with a unanimous vote of the Board Members present. Mr. Frye also voted in favor of the motion by proxy held by Mr. Bailey.

OLD BUSINESS

Continued Discussion/Decision on Existing Erosion Problem on Hickory Ridge Court

A proposal from Springfield Nursery was provided to the Board as well as pictures of the eroding area on Hickory Ridge Ct. A brief discussion was held regarding the location of the area in question as well as the steps to be taken by Springfield Nursery in their proposal to correct the erosion problem. Mr. Rose made a motion to accept the proposal from Springfield Nursery for \$2,475 to correct the erosion on Hickory Ridge Ct. Mr. Martocci seconded the motion. A vote was taken on the motion and the motion passed with a unanimous vote of the Board Members present.

Continued Discussion/Re-adoption of Administrative Resolution No. 1

Having found the answer to the question posed by Ms. Alqahtani, Mr. Crooks restated the motion he made to readopt Administrative Resolution No. 1, striking the highlighted wording, and adding an attachment that represents the updated standards for approved fence styles. A vote was taken on the motion with Mr. Crooks, Mr. Martocci, Mr. Cooper and Mr. Rose voting in favor of the motion. Mr. Bailey, Ms. Alqahtani and Mr. Frye (by proxy held by Mr. Bailey) voted against the motion. The motion carried with a majority vote.

BOARD ITEMS

Ms. Alqahtani made Mrs. Jackson aware of several picnic tables on Spring Creek Ct. that are in need of repair.

Ms. Alqahtani pointed out that she felt the ARC Action Form should be changed to reflect the fact that a clear coat preservative can be applied to fences.

Mr. Crooks asked for an update on contracting with Cox Communications to act as the Association's Internet Service Provider (ISP). Mrs. Jackson responded that Cox will not be used as the offer from Cox was a promotion that was misleading in terms of cost. Mrs. Jackson noted that the Association will continue to use Verizon as its ISP but have established web hosting services with Network Solutions. Mrs. Jackson noted that an attempt to migrate the webpage over had been made that day but problems were encountered. With Jerry Ammann's help, the staff should be able to manage the webpage by the first of December.

ADJOURNMENT

Mr. Martocci made a motion to adjourn the meeting; Mr. Rose seconded the motion. Following a unanimous vote of the Board Members present, the meeting was adjourned at 9:10 p.m.