

NEWINGTON FOREST COMMUNITY ASSOCIATION, INC.
MINUTES OF THE MEETING OF SEPTEMBER 1, 2009
(Held in the Community Center)

CALL TO ORDER

Mr. Crooks called the meeting to order at 7:28 p.m.

ATTENDANCE

In attendance were:

John Crooks, President
Joe Martocci, Vice-President
Robert Cooper, Treasurer
Jeff Rose, Secretary
Ken Frye, Assistant Secretary/Treasurer
Jeff Bailey, Board Member
Cathy Alqahtani, Board Member
Wanda Walsh, Administrative Assistant
Apryl Keyes, Administrative Assistant for Covenants

Absent:

Stephanie Jackson, Community Manager

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

Mr. Crooks began the meeting by informing the Board that a draft version of the 2010 budget will have to be published in the October/November issue of the newsletter. By the second meeting in November, the budget for 2010 will have to be approved so that it can be published in the December/January issue of the newsletter. Mr. Crooks noted that, in order to meet the budget deadlines, the Board may need to consider a special budget work session.

READING AND APPROVAL OF THE MINUTES OF THE JULY 23, 2009 EXECUTIVE SESSION

The minutes of the July 23, 2009 Executive Session were read silently by the members of the Board since they were not provided for review prior to the meeting. Mr. Martocci made a motion to accept the minutes as read; Mr. Cooper seconded the motion. A vote was taken on the motion, and the motion passed with a unanimous vote.

READING AND APPROVAL OF THE MINUTES OF THE AUGUST 18, 2009 BOARD MEETING

Since the minutes of the August 18, 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. Frye seconded the motion. With there being no discussion held to change the minutes, a vote was taken on the motion. Mr. Martocci, Mr. Rose, Mr. Frye, Mr. Bailey and Ms. Alqahtani voted in favor of the motion. Mr. Crooks and Mr. Cooper abstained as they were not present at the August 18th meeting. The minutes were approved as written by a majority vote.

HOMEOWNER'S FORUM

Mr. Neal McBride noted that he was asked to provide the Board with an update on the South County Middle School (SCMS) and reminded the Board that Fairfax County Public Schools (FCPS) has proposed a land exchange with the Park Authority that would allow for the development of the SCMS on the current park site abutting the South County Secondary School. Mr. McBride noted that this location would permit FCPS to construct recreational and educational facilities in the development of the Middle School which could be shared with South County Secondary. Mr. McBride informed the Board of the upcoming School Bond Referendum scheduled to take place on November 3rd. He felt that an announcement of the upcoming election/bond vote should be placed on the front page of the upcoming newsletter as well as on the Association's website. Mr. McBride reiterated the importance of keeping Newington Forest involved in the process to ensure that the community remains in the boundary for the school.

Mr. McBride reminded the Board that he had spoken at a previous meeting about the need for a traffic signal at the intersection of Newington Forest Ave. and Pohick Rd. as well as the intersection of Southrun Rd. and Silverbrook Rd. Mr. McBride noted that he had spoken with Bud Siegel who is with VDOT's Traffic Engineering Office who noted that, following a study done in 2008, traffic signals are not needed at either intersection. At a minimum, Mr. McBride felt that another study should be conducted for the installation of a traffic light at the intersection of Southrun Rd. and Silverbrook Rd. due to the traffic and safety concerns associated with the Secondary School, new Elementary School, and proposed Middle School.

In the discussion which followed, Mr. Bailey suggested having the accident statistics available when discussing the need for a second study. At a minimum, Mr. Bailey felt that the use of a 3-way stop at the intersection is another possibility. Mr. Crooks felt that a flyer announcing the bond referendum should be placed in the next newsletter. He felt that the Mail Group could be used to disperse information closer to the election.

TREASURER'S REPORT

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

Operating:	\$25,564.44
Lockbox:	\$100,914.38
Reserve:	\$366,223.00
CDs:	\$300,000.00 (3 at \$100,000.00 each)
T-Bills:	\$700,000.00

Mr. Cooper informed the Board that a \$200,000 T-Bill will mature on November 12, 2009.

OLD BUSINESS

Discussion/Decision on GJB Engineering Involvement in Magic Leaf Rd. Trail Repairs

Mr. Crooks reminded the Board of the section of trail located behind 8357 Magic Leaf Rd. which was deemed dangerous and was subsequently closed by the Association until repairs could be done. Mr. Crooks pointed out that a copy of an email had been provided to the Board which outlined the options and fees associated with GJB Engineering's involvement in the trail repairs. Mr. Crooks noted that he felt, at a minimum, GJB should be involved in the preparation of the specifications which would be used to solicit bids on the project.

Mr. Frye brought to the Board's attention two other sections of the trail that he feels are equally dangerous and need to be addressed (pictures were provided to the Board). Mr. Frye felt that estimates to repair these two sections of the trail, along with any other sections that need to be fixed, should also be obtained. Mr. Crooks responded that specifications could possibly be written up by area and that the Board could then prioritize the repairs to the trail system.

Mr. Rose noted that he walks the trails and there are a lot of problem areas. Mr. Rose proposed fixing the worst spots this year and budgeting to make the other needed repairs on a phased basis in the coming years. The Board discussed whether there was a need to have the bid specs prepared by an engineer. One proposal was to have individual companies look at the problem areas and submit their plan and fee for fixing the areas. Mr. Crooks responded that, while it could be neglect, he felt the Association would need to find out if there is a fundamental reason why the paths are eroding. Mr. Crooks pointed out that the Association does not want to find itself in the position of having to repair the same sections of the path in the future because the issue was not properly addressed the first time.

Mr. Rose made the Board aware that he could prepare the specs himself and asked what the timeframe would be in getting the paths repaired. Mr. Rose felt that the area of the trails close to Magic Leaf Rd. should be dealt with now due to the hazardous conditions and that next year he could walk the remainder of the trail system and draw up the specs for the other problem areas. The consensus of the Board was to not engage an engineering firm and have Mr. Rose prepare the bid

specs for repairs to be done this fall to all of the sections of the trail located near Magic Leaf Rd. that are dangerous.

Continued Discussion/Decision on Non-Judicial Foreclosure Recommendation –
8421 Great Lake Lane

Mr. Crooks informed the Board that a number of good faith attempts had been made by him, Mr. Martocci and Mrs. Jackson to reach the property owners of 8421 Great Lake Lane to remedy their outstanding debt to the Association, but as of the date of the meeting, there has been no response. Mr. Crooks reminded the Board that the attorneys were recommending that the Board authorize them to begin non-judicial foreclosure proceedings based on the principal balance due and the fact that the homeowners have not responded to any correspondence from them in recent years.

In the discussion that followed, Mr. Frye asked when the last contact with the homeowners had been made. Mr. Crooks responded that he personally had last tried to speak with the homeowners 3 weeks ago, and Mr. Martocci responded that he had tried again 10 days ago. Mr. Frye questioned the non-judicial foreclosure process which would be undertaken by the attorneys. Mr. Crooks then explained the process noting that the Association would never take title to the property.

Mr. Martocci made a motion to authorize Rees Broome to initiate the execution of the non-judicial foreclosure process on 8421 Great Lake Lane. Mr. Cooper seconded the motion. Before taking the motion to a vote, Mr. Bailey noted that he would like to be given the opportunity to personally contact the homeowners. Mr. Bailey then amended the motion to delay providing direction on the non-judicial foreclosure to Rees Broome until the Tuesday following the Labor Day weekend. Mr. Rose seconded the motion. A vote was taken to amend the motion. Mr. Cooper, Mr. Rose, Mr. Frye, Mr. Bailey and Ms. Alqahtani voted in favor of the motion to amend. Mr. Crooks and Mr. Martocci voted against amending the motion. With a majority vote to amend the motion, a vote was taken on the amended motion. The amended motion passed with a unanimous vote.

Continued Discussion of ARC Recommendations for Changes to the Fence Standards

Three items were given to the Board to assist in their continued discussion of the fence standards: Policy Resolution No. 10 (Guidelines for Fences for Single Family Detached Dwellings and Townhouses), a summary of the ARC meeting held on July 8, 2009 detailing the recommendations for changes to the fence standards, as well as the minutes of the July 21, 2009 Board meeting as a reminder of the initial discussions held on the topic. Mr. Crooks made a motion to accept the recommendations of the ARC regarding the fence standards throughout the community; Mr. Rose seconded the motion.

In the discussion that followed, Mr. McBride reviewed the ARC's recommendations with respect to the new styles of fencing which should be approved for use, the styles of fencing that should be removed from the standards, the requirement that all fences be set back 5 feet from the front plane of the property and that they remain wood and unstained/unpainted, and that all fence styles (including fences 6 feet in height) be approved for use by the properties whose lot lines adjoin Newington Forest Ave. The question was raised that Policy Resolution No. 10 did not outline the setback stipulation nor did it outline the fact that fences need to remain wood and could not be painted or stained. Mr. Crooks reminded the Board that the administrative resolution would be more specific in outlining the requirements for fence installations. Mr. Crooks felt that the Board should be presented with both the policy and administrative resolutions for review at the next meeting.

Mr. Crooks amended the motion to limit the fences along Newington Forest Ave to 4 feet in height. Mr. Martocci seconded the motion. Mr. Frye reminded the Board of the petition that was signed by homeowners stating that they would like to have the ability to install privacy fences due to their close proximity to Newington Forest Ave. and the busy thoroughfare that it has become. Ms. Alqahtani felt that the combination of the petition as well as the careful consideration of the ARC members should be enough to allow 6' fences along Newington Forest Ave.

A vote was taken to amend the motion with Mr. Crooks, Mr. Martocci, Mr. Cooper, and Mr. Rose voting in favor of the motion. Mr. Frye, Mr. Bailey and Ms. Alqahtani voted against the motion. With a majority vote to amend the motion, a vote was taken on the amended motion. The amended motion carried with a vote in favor by Mr. Crooks, Mr. Martocci, Mr. Cooper, Mr. Rose, Mr. Bailey and Ms. Alqahtani. Mr. Frye voted against the motion.

NEW BUSINESS

Preliminary Discussion: Draft 2010 Budget

A draft 2010 budget worksheet was provided to the Board. Mr. Cooper noted that the Finance Committee has held two meetings every month since May and has gone through the budget line by line with extensive discussions being held on various line items. The following items were discussed by the Board while conducting a preliminary line by line review of the 2010 draft budget:

- Page 1 (Line 13): The quarterly assessments for townhouses will increase 6.88 percent to \$196.10 (an increase of \$13.50).
- Page 1 (Line 14): The quarterly assessments for single-family homes will increase 5.78 percent to \$146.30 (an increase of \$8.45).
- Ms. Alqahtani was asked to look into the cost of hosting the Association's website.

- Page 2 (Line 88): Increase the Internet line from \$200.00 to \$400.00.
- Page 3 (Payroll Line 124 – Assistant Community Manager): Salary start at \$32,500 with a possible increase following a 90-day probationary period.
- Page 3 (Covenants Assistants Payroll Lines): Possible recommendations: Move Steve Ray into an IT position working 10 hours/week (also conduct complaint-driven inspections) and hire another part-time employee for covenants.

Due to the lateness of the hour, Mr. Crooks asked the Board if they wanted to continue their review of the draft budget or schedule a special budget work session to continue the review. The consensus of the Board was to hold a Budget Work Session on Thursday, September 10th beginning at 7:30 p.m. in the Community Center.

BOARD ITEMS

Ms. Alqahtani asked for an update on the efforts to fill the vacant Assistant Community Manager position. Mr. Crooks responded that Mrs. Jackson received several resumes and will be interviewing nine of the applicants the week of September 7th. Once Mrs. Jackson has made her recommendations, Mr. Crooks noted that he and Mr. Martocci would then interview those applicants.

Mr. Frye reminded the Board that a resident of Curving Creek Ct. had attended a Board meeting to express concerns over a tree located near her home. Mr. Frye asked if the tree had ever been looked at by the Association. Mrs. Walsh responded that the handyman had taken a look at the tree and made the determination that the tree is healthy and posed no threat to the resident's home. Due to the fact that the tree is disrupting the sidewalk, Mr. Crooks asked that the tree be looked at by the arborist the next time he is in the community.

Mr. Frye asked if anything has been done with the shrubs that he noted were overgrowing the sidewalk along Burning Forest Ct. Mrs. Walsh responded that the Nursery had been directed by Mrs. Jackson to trim those bushes.

Mr. Frye noted that he had raised two questions on the Community Manager's report that were related to resident behavior. Mr. Crooks responded that he had talked with Mrs. Jackson about the two questions posed but could not remember what her response was. Mr. Crooks noted that he would have to speak with Mrs. Jackson again.

Mr. Frye asked if the survey of the sidewalks had been completed and, if so, would a report of the costs be available for Board discussion at the next meeting. Mrs. Walsh responded that the handyman had completed the inspection of the sidewalks on the Newington Forest Ave. side of the community but she did not know what the status was of preparing the costs for the needed concrete repairs.

Mr. Frye noted that, while conducting the audit, DeLeon & Stang recommended in their management letter that the Association look into lowering the credit limit on the Bank of America VISA card. Mr. Frye asked if anyone has followed up on that recommendation. Mr. Crooks responded that he was unaware of the recommendation to lower the credit card limit and would have to consult with Mrs. Jackson before implementing any changes.

Mr. Cooper announced that the property next door to him was purchased and that the new homeowners are currently working on the home.

Mr. Martocci asked if Swim Team had been scheduled to use the pool facility for their end of the season party on Friday, September 4th. Mrs. Walsh responded no as Titan was unable to staff the pool party.

ADJOURNMENT

Mr. Martocci made a motion to adjourn the meeting; Mr. Cooper seconded the motion. Following a unanimous vote, the meeting was adjourned at 9:45 p.m.