

NEWINGTON FOREST COMMUNITY ASSOCIATION, INC.
MINUTES OF THE BOARD MEETING OF JUNE 15, 2021
(Held Remotely Via Zoom)

CALL TO ORDER

Ms. Ward called the meeting to order at 7:09 p.m.

ATTENDANCE

In attendance were:

Tina Ward, President
Charlie Wood, Vice-President
Robert Cooper, Treasurer
Kenneth Frye, Secretary
Clayton Vieg, Asst. Secretary/Treasurer
Diane Rea, Board Member
Zaynabb Imran, Board Member
Dana Neese-Paxton, Community Manager
Wanda Walsh, Assistant Community Manager

READING AND APPROVAL OF THE MINUTES OF THE MAY 18, 2021 BOARD MEETING

The minutes of the May 18, 2021 Board meeting were reviewed by the Board. Mr. Vieg made a motion to approve the minutes as presented; Mr. Frye seconded the motion. The motion passed with a unanimous vote.

TREASURER'S REPORT

Mr. Cooper presented the Treasurer's Report to provide an overview of the accounts as follows:

- Operating: \$652,530.89
- Reserve Checking: \$183,779.02
- T-Bills: \$600,000.00
- Investments: \$4,088,317.50

HOMEOWNER'S FORUM

- Mr. Omar Pinon, 8326 Bark Tree Court, attended the meeting to speak with the Board about the property located next door to him at 8324 Bark Tree Court. Mr. Pinon made the Board aware that he has owned his property for over 4 years and described the issues that he has had during that time with the home next door. Mr. Pinon noted that he has spoken with the office and help has been given through the years (by either the Association or Fairfax County). However, he noted that he is looking for a more long-term solution to the property maintenance issues next door. Mr. Pinon stated that he is renting his home now but will be listing it next month. He's afraid that no one will want to live in his home because of the condition of the property next door.

In the discussion that followed, Ms. Ward outlined the steps that the Association has/is taking to get some of the property maintenance issues resolved. Ms. Ward noted that the Board's hands have been somewhat tied given the unusual circumstances involving the vacated property. Ms. Ward informed Mr. Pinon that a second citation will be mailed the following week and that, at the next meeting, the Board can decide the options that are available to remedy some of the issues.

Since complaints have been made through the years to Fairfax County's Office of Code Compliance, Mr. Vieg suggested contacting Supervisor Storck's office to ascertain what assistance they can provide. Mr. Wood suggested taking action (even if we do not recoup the costs) on behalf of the other residents on the court.

Mr. Frye made a motion that, if the grass is not cut within 10 days, the option for a Board Hearing be skipped and "self help" be instituted. Mr. Wood seconded the motion. The motion passed with a unanimous vote. It should be noted that the property has apparently been vacant this entire year, no grass maintenance has occurred, and no response has been received to recent prior correspondence. The second citation to be sent to the address of record would include notification that self-help would occur at the end of the 10-day period (which is consistent with Section 6.13 of the Declaration).

- Mr. Miguel Rodriguez, 8356 Magic Leaf Road, attended the meeting to bring a drainage issue to the attention of the Board. Mr. Rodriguez made the Board aware of a ditch/drain that was installed by Fairfax County 40+ years ago to direct runoff water into a storm drain located in the backyard of a neighboring property. About four months ago, the owner of the neighboring property installed a fence. Now every neighboring property is suffering because the homeowner with the new fence has installed stone in the ditch/drain as well as 4x4 timbers along her fence line to block the flow of water into her yard and into the storm drain.

Mr. Cooper felt that a letter should be sent to the property owner who installed the fence and timbers informing her that the drain/culvert cannot be blocked. Ms. Ward asked Mr. Rodriguez to send a letter and pictures to the Association office detailing the drainage issues so that the Board has a better idea of the problem and to also ensure that they are properly addressed.

OLD BUSINESS

Continued Discussion of Community Center Lighting (Camera Installation/Security Camera Options)

Information from Walsh Electric pertaining to the pole lighting, PVC conduit cable, and a diagram of the placement of the poles in the Community Center parking lot was presented to the Board. Ms. Neese-Paxton informed the Board that she has received only one estimate (from Walsh Electric) for two security cameras and would like to get other cost estimates for Board review.

Ms. Neese-Paxton noted that she and Mr. Wood met with a representative from ADT who provided information on the type of video camera that would be needed. The representative from ADT agreed with Walsh Electric who felt that a wired camera would give the best video quality. It was agreed that one camera should be placed on the building itself and a second camera should be placed on the light pole closest to the dumpster enclosure.

A brief discussion followed regarding the need for two cameras, whether both cameras needed to be high resolution, concerns regarding vandalism of the cameras, and what type of camera would be required if the need arose for a civil case (picture quality to capture license plates).

Mr. Frye made a motion to approve \$4,120 to install approximately 500 feet of PVC conduit cable and other equipment for mounting a camera system to be determined at a later date. Mr. Vieg seconded the motion. The motion passed with a majority vote (6-1-0). Mr. Cooper voted in opposition to the motion. It was noted that the expenditure would be taken from the Community Center/ Bathhouse Reserve Account (#31381).

POOL DISCUSSION

Following a brief discussion on numerous topics concerning the pool, the decisions made are as follows:

- **Formal Vote on Policy Resolution No. 6 (Pool Rules):** A formal vote was not needed since the resolution had been approved by a unanimous online vote of the Board on May 21, 2021.
- **Guests and Pool Parties:** The consensus was to continue to not allow guests or pool parties.
- **Daycare, Nanny, and Grandchild Passes:** Mr. Frye made a motion to allow Daycare, Nanny, and Grandchild Passes beginning July 6, 2021 at no additional cost. Mr. Cooper seconded the motion. The motion passed with a unanimous vote.
- **Food Deliveries:** Mr. Vieg made a motion to allow food deliveries at the pool. Mr. Wood seconded the motion. The motion passed with a unanimous vote.
- **Swim Team Revenue (Soda Machine):** Mr. Wood made a motion to allow Swim Team to stock and operate the soda machine located on the pool deck. Ms. Rea seconded the motion. The motion passed with a majority vote (6-1-0). Mr. Frye voted in opposition to the motion.
- **Swim Team Request (End of the Season Party):** Mr. Vieg made a motion to authorize Swim Team to hold an end of the season "gathering" on July 24th beginning at 5 p.m. Mr. Vieg further motioned that Swim Team would be responsible for cleaning the pool and bathhouse so that it is ready for opening the next day. Mr. Cooper seconded the motion. The motion passed with a unanimous vote.

NEW BUSINESS

Review/Adoption of Policy Resolution No. 2 (Vehicular Parking on Association Property)

Ms. Deanna Frizol, 8430 Great Lake Lane, noted that she was in attendance so that she could discuss the resolution and how it pertains to the parking of recreational vehicles (RVs) in the community. Ms. Frizol noted that, when she purchased her home over 10 years ago, RVs were not permitted. Since then, she has noticed that residents are able to park their RVs in their driveway so long as they have permission from the ARC. Ms. Frizol noted that one of the reasons that she bought a home in Newington Forest was because RVs were not permitted, and she went on to express her displeasure with the allowance of these types of vehicles now. Ms. Frizol felt that the Board needed to be transparent and notify the community when reviewing the guidelines since she felt that the Board is acquiescing to a minority of the community.

Mr. Frye responded to Ms. Frizol's assertions by reading Section 6.08 of the Declaration that allows recreational vehicles (since creation of the HOA) and provides for written approval for extended periods of parking. He noted that the Board publishes its agenda and draft resolutions that are up for consideration. (Staff is tasked with putting this information on the website.) Mr. Frye also indicated that, although the Board cannot rescind written approvals that have been issued by the HOA, it could revise the resolution covering this issue for future approvals and suggested that Ms. Frizol draft language for the Board's consideration.

The Board went on to review Policy Resolution No. 2 and made some formatting and grammatical changes while deciding to omit a footnote and a paragraph found in the section of the resolution pertaining to the towing of a vehicle that has been abandoned. Mr. Frye noted that the section of the resolution pertaining to the definition of a commercial vehicle has been updated to reflect the current verbiage used by Fairfax County.

Mr. Frye made a motion to adopt Policy Resolution No. 2 as amended. Mr. Cooper seconded the motion. The motion passed with a unanimous vote.

Brief Discussion of Draft 2020 Audit and 2021 Contract Renewals

A copy of the draft 2020 audit was provided to the Board. Mr. Frye noted that the draft audit is dated June 8, 2021 and that the Association has 60 days from that date to sign and return the representation letter so that the audit can be finalized. Mr. Frye informed the Board that he will review the audit and send any questions that he has to the Board and staff.

Ms. Ward noted that two of the Association's contracts (financial management and audit and tax) are up for renewal in 2021. Ms. Ward further noted that the staff

needs to begin the work of sending out the RFPs in preparation for a Board vote in August.

Discussion of Replacing Community Sign at Pohick and Southrun Roads

Following a brief discussion, Mr. Wood made a motion to direct the staff to get estimates to replace the community sign at the intersection of Pohick and Southrun Roads. Ms. Rea seconded the motion. The motion passed with a majority vote (5-2-0). Mr. Cooper and Mr. Frye voted in opposition to the motion. It was determined that the sign should resemble the type and size of the one located at the intersection of Newington Forest Avenue and Hooes Road.

Review/Adoption of Policy Resolution No. 4 (Use of Tennis Courts and Multi-Use Court)

With there being no discussion, Mr. Cooper made a motion to readopt Policy Resolution No. 4. Mr. Wood seconded the motion. The motion passed with a unanimous vote.

Homeowners' Request for Common Area Use (Zuberi: 8470 Yellow Leaf Court)

A copy of the multi-page letter and accompanying email from the homeowners on Yellow Leaf Court were provided to the Board for review prior to the meeting. A discussion was held regarding changes made to the common area behind 8470 Yellow Leaf Court by the homeowners and the suggestions they were proposing the Association make to this same common area behind their home. Mr. Cooper made a motion to disapprove the request from the residents at 8470 Yellow Leaf Court. Ms. Rea seconded the motion. The motion passed with a unanimous vote.

RECESS INTO EXECUTIVE SESSION

Mr. Vieg made a motion to recess into Executive Session to discuss legal matters. Mr. Cooper seconded the motion. The Board recessed into Executive Session at 9:50 p.m. following a unanimous vote.

RECONVENE/VOTE ON DECISIONS MADE IN EXECUTIVE SESSION

The Board meeting was reconvened at 10:14 p.m.

Mr. Vieg made a motion to instruct Ms. Neese-Paxton to proceed on the two legal matters discussed and to communicate what the Board's consensus was on both matters. Mr. Cooper seconded the motion. The motion passed with a unanimous vote.

BOARD ITEMS

Update on South County Federation/Mt. Vernon Council

A meeting update was not provided for the South County Federation nor the Mt. Vernon Council.

Grounds Update: Becht Engineering and Advantage Landscape

Ms. Neese-Paxton reminded the Board of the meetings scheduled for June 23rd and June 24th with Becht Engineering and Advantage Landscape, respectively.

General Board Items

Mr. Frye asked about the strip of land at the entrance of Diving Cliff Lane that has not been mowed. Mr. Wood responded that he looked into that strip of land and found out, through his research, that it does not belong to Newington Forest.

Mr. Wood suggested that the topic of the installation of a traffic light at the intersection of Pohick Road and Newington Forest Avenue be placed on an upcoming meeting agenda.

Since legal counsel will be at the next meeting in July, Mr. Cooper asked if the meeting would take place in-person at the Community Center vs. remote via Zoom. Ms. Neese-Paxton responded that she didn't know how the attorney wished to attend the meeting and was awaiting a response from her. Ms. Ward felt that the meeting should be in-person and asked that the building be reserved. Ms. Neese-Paxton reminded the Board that the purpose of the meeting is to give an HOA legislative update and that Rees Broome would bill the Association for any other questions posed by the Board that required additional work/research.

ADJOURNMENT

Mr. Wood made a motion to adjourn the meeting; Mr. Vieg seconded the motion. The meeting was adjourned at 10:25 p.m. following a unanimous vote.