

Wellington Commons Homeowners Association
Minutes of May 2008 Meeting
Lee District Government Center
May 27, 2008

Minutes prepared by Dana Madsen

The meeting was called to order at 7:30 PM with a quorum composed of the following Wellington Commons Homeowners Association (WCHA) Board members: John Tomko (president), Asfawossen Tsegay (vice president), Dick Schimkus (member at large), and Dana Madsen (treasurer/acting secretary). Also present was Olivia Dixon-Powers, who is ProCAM's management agent for WCHA. The meeting adjourned at 9:30 PM, following a short executive session.

Residents' Forum

The following topics came up during the resident's forum. Approximately 20 residents listened and/or participated in a wide-ranging and fast-paced discussion.

- **July Assessments:** Resident Laura Marsh inquired about whether a letter would be sent with instructions for payment of the July installment of the general assessment. The Board president indicated that this issue would be addressed under new business.
- **Annual Inspection:** Resident Pat Stoeffel sought an update on the annual inspection, which is being conducted by Community Inspection Services (CIS). The Board president replied that half of the property had been inspected as of 21/MAY/2008. CIS' efforts to finish the walk-through had been delayed by rain. However, they planned to conduct the remaining inspections on 28 May. Upon completion, CIS will provide a report to the Board, and residents should be notified of results for their individual properties by early June. Continuing the discussion, Ms. Marsh questioned whether the Board's plan for addressing deficiencies discovered during inspection was in effect a re-write of due process procedures. (The Board's plans are outlined in a letter dated 01/MAY/2008 from the Board president to homeowners.) In response, the Board president explained that the Board had allowed additional time—beyond what is specified in the Association's governing documents—for residents to correct deficiencies in their property care. In doing so, the Board sought to uphold the community's standards while alleviating possible contention arising from shortfalls in inspection procedures in recent years. Those shortfalls have resulted in the need for re-establishing a baseline for the community's condition and the need for addressing inconsistencies in past application of standards. Finally, Ms. Stoeffel asked who would send letters to residents to inform them of the inspection results. The Board president replied that CIS would send the letters. He explained that CIS had videotaped and narrated their inspection. They will transcribe the tape and provide results to the Board prior to sending the letters.
- **Annual Inspection (cont):** Resident Florence Daniels sought clarification on who authorized the procedures and timeline for residents to address deficiencies identified by CIS during its walk of the property. (The procedures are outlined in a letter dated 01/MAY/2008 from the Board president to homeowners.) Ms. Daniels expressed the view that properties in the community were well maintained. Characterizing the procedures as “Gestapo tactics”, she took issue with the lack of provision for amnesty or deadline extensions. She also questioned how the Association was paying for services from CIS and whether the Board was considering a special assessment. In response, the Board president rejected the notion that the Board was considering a special assessment. He stated that the cost of conducting inspections through CIS (approximately \$2K) would likely fall below ProCAM's past charges for “covenant enforcement” (\$3K). To cover the

expenses, the Board had redirected funds (\$2,400) from existing line items in the budget (covenant enforcement and snow removal).

- ***Delinquents:*** As an adjunct to her questions about inspections, Ms. Daniels inquired about the status of delinquencies in the community. The Board president indicated seven delinquents had been referred to the Association's attorney. Liens had been placed on four properties, and three additional liens are in process. This does not mean that the Association will recoup money. However, the Board has done what it can on this issue.
- ***President's Letter:*** As a further adjunct to the inspections discussion, Ms. Daniels asked who sent the letter dated 01/MAY/2008 to homeowners in the community and under whose authorization. The Board president replied that he had sent the letter in his capacity as Board president.
- ***Managerial Style:*** Ms. Daniels opined that the Board has not exhibited an inclusive management style while conducting the business of the Association. She elaborated that multiple residents had been active in the community, to include the Architectural Control Committee (ACC). However, the ACC was not involved in the overhaul of its charter. Ms. Daniels also took offense at the Board's views about performance shortfalls in prior Boards.
- ***Budget:*** Ms. Marsh asked for a copy of the budget. The Board president replied that the budget had been provided at the annual meeting last November.
- ***Verizon Damage:*** The owner of 6132 Wellington Commons (name not provided) reported that Verizon had cut away the roots of a tree behind her property while installing fiber for their FIOS service. The resident noted that the potential damage to the tree may not manifest itself for a year or more. Consequently, she photographed what Verizon had done. (Note: The resident reported this information as an aside during the course of the business meeting, after the resident's forum.)

Approval of Minutes from Previous Meeting

The Board voted unanimously to approve minutes from the April 2008 meeting. Reading of the March minutes was tabled until the June meeting.

Agenda Changes and Approval

The Board adopted the proposed agenda, but added consideration of recommendations from the Architectural Control Committee (ACC) on an architectural request submitted by the owner of 5890 Parenham Way.

Management Agent's Report

The management agent's report was provided in written form as part of the Board packet. Ms. Dixon-Powers described the report as "informational" in nature. It includes minutes from the ACC's meeting in April, as well as the grounds report.

Treasurer's Report

The following is the treasurer's written report, based on information provided in the Board packet. Ms. Dixon-Powers indicated that she would double check that \$400 had been reallocated from

snow removal to inspections, as approved by the Board during the April meeting. (Note that the packet does reflect the Board's April vote to reallocate \$2,000 from "covenant enforcement" to inspections.)

- **Assets:** As of 30/APR/2008, the Association's total assets (\$264,105.92) consisted of a cash operating account (\$95,223.38), a money market account (\$152,035.27), and accounts receivables from owners (\$16,847.27).
- **Monthly Expenses:** April expenses (\$18,149.81) were below the budgeted amount (\$20,468.08). Year-to-date expenses (\$51,090.37) were below the budgeted amount (\$59,667.82).
- **Observations:** Much of the variation in actual versus anticipated expenses to date (\$8,577.45) is based on apparent billing delays from the landscaping contractor (\$6,131.52). The budget line item for "Covenant Enforcement" has been reduced to \$1,000, pursuant to a motion passed by the Board during its April meeting. However, expenses to date for this line item are still listed as \$3,000. Tax payments (\$1,400) reflect estimated 2008 taxes (\$1,000 federal and \$400 state), as recommended by the auditor, Goldklang, Cavanaugh, and Associates, P.C. April electricity costs (\$234.16) continue to be dominated by the kiosk on Apsley House Court (\$133.76).

Continuing Business

- **Paving:** The Board president gave an update on plans by Colonial Paving and Concrete Company to conduct asphalt repair, overlay, and edge milling on walkways, roads, and parking bays in the community. As the first phase of their effort, Colonial will work on the pathways starting on or about 16/JUN/2008. The second phase of their effort—to include roads and parking bays—will begin the following week. During the second phase, Colonial will proceed from Talavera Court and work their way towards Franconia Road. The Board's at-large member will speak with Edison High School and Franconia Baptist Church about overnight overflow parking on their respective properties. The Board president indicated that the postal service can work around the repaving and will still have access to the kiosks. Trash Away, Inc. still needs to be contacted to arrange for a dumpster. Notices of the repaving schedule will be provided to each unit and posted on the kiosks. As an aside—and in response to an out-of-order comment from a resident in attendance—the Board president summarized the competitive process used to select Colonial Paving, which included issuing RFP's to five companies, from which four bids were received. Finally, the president paused the Board meeting in order to address questions from several residents concerning the asphalt project.
- **Annual Community Inspection:** This topic was addressed during the course of the resident's forum, as elaborated above.
- **Budget:** The Board president highlighted the need to begin preparing the budget for 2009. He indicated that general assessments would likely increase by 5%, particularly given the need to overcome shortfalls from recent years in the reserve fund and common area maintenance.
- **Investment Policy (Consideration):** The Board voted unanimously on a motion to consider (during subsequent meetings) whether to adopt written policies for how the Association funds and invests its reserves.

New Business

- **Architectural Application – 5890 Parenham Way:** Based on the ACC's recommendation, the Board voted unanimously to accept as written the application submitted by the owner of 5890 Parenham Way for work aimed at fixing a cracked foundation, with the following guidelines: (1) the work must be completed as described in the application; (2) any deviation from the plan must be resubmitted as a new architectural application 60 days of approval by the Board.
- **Tree Trimming Proposals:** McFall and Berry Landscape Management has been contacted in order to obtain an estimate for trimming trees in the common area that have a potential for causing property damage in adverse weather. As due diligence, the Board president verified that the trees in question were located in the common areas prior to contacting McFall and Berry. This required contacting the company that surveyed the Wellington Commons property more than 20 years ago. (Neither the current Board nor ProCAM had received survey documentation in records passed down from past Boards and management companies.)
- **Board Appointment Consideration:** A motion to appoint Ms. Catherine Fitts to fill the vacant Board secretary position did not carry, with two votes in favor and two votes against the motion. The Board will reconsider this issue during the June meeting.
- **Management Company:** The Board is conducting a competitive bid process to identify a new management company because the current company (ProCAM) will terminate its contact with the Association effective 30/JUN/2008.

Adjournment

- The public meeting concluded at 2120 hours, following a motion passed by unanimous consent for the Board to go into executive session. The executive session ended by 2130 hrs.