

**Kempton Park Homeowner's Association Board of Directors Meeting
February 18, 2009
Glebe Episcopal Church, 4400 Nansemond Parkway, Suffolk, VA**

Members Attending: President: Raymond Laffoon
 Vice President: Cheryl Hendricks
 Secretary: Raymond Bailey
 Treasurer: Shirley McGill
 Member-At-Large: Steve Dorman

Members Absent: None

United Properties: Tiffani Lucas

1800 – Architectural Review Board (ARB) Meeting: No applications received.

1830 – Board of Directors Meeting: The meeting was called to order.

1830 - Homeowners Forum: Two residents attended.

- Bart Rasic/3015KR: Raised the following issues –
 - Lives across from Pond 2 and asked why running power to the pond has not occurred. *[Discussed the history of the project and plans to reconsider this year.]*
 - Since the pool is an expensive item on our budget and many residents do not use it, suggested charging a Pass Fee for those who do to generate additional income.
 - Asked why trash cans could not be stored on the side of the residence. *[Discussed ongoing issue of residents leaving cans in clear view and ongoing revision of the ARB Guide.]*
 - Feels that basketball goals should be allowed as long as they are put away when not in use.

1859 – The minutes from the January 21, 2008 Board of Directors meeting were approved.

1902 - Committee Reports:

- Treasurers Report – Ms. McGill presented the January report:

<u>INCOME AND EXPENSES</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>
TOTAL INCOME	\$12,685.62	\$13,241.84	(\$556.22)
EXPENSES			
Administrative	\$3,552.85	\$3,852.16	\$299.31
Utilities [See Note 1]	\$123.18	\$1,317.75	\$1,194.57
Maintenance	\$5,708.76	\$6,937.74	\$1,228.98
Replacement Reserves	\$600.83	\$600.83	\$0.00
Operating Reserves	\$533.33	\$533.33	\$0.00
TOTAL EXPENSES	\$10,518.95	\$13,241.81	\$2,722.86
NET INCOME	\$2,166.67	\$0.03	\$2,166.64

INCOME & EXPENSES YEAR TO DATE

INCOME	\$12,685.62	\$13,241.84	(\$556.22)
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BALANCE SHEET

		Maturity Date	APR
OPERATING ACCOUNT	\$13,374.57		
OPERATING ERSERVES	\$16,498.58		
REPLACEMENT RESERVES	\$19,791.34		
REPL RES / CD / TOWNE BANK	\$48,561.86	2/18/2010	4.35%
TOTAL	\$98,226.35		

- Motion made and passed to accept the Treasurer’s Report.
- Manager’s Report – Ms. Lucas presented the following:
 - Pond #2 Aerator: Tabled until further notice.
 - Financials: See Treasurer’s Report.
 - Lawn Maintenance: The new contractor, PGM, will start on 16 February.
 - Pool – Drain Covers: The proposal was faxed to AAA; pending scheduling.
 - Insurance: Renewal from last meeting was passed to Nationwide.
 - Termite Inspection: A copy of the annual inspection is included in the Board packet. There were no issues noted.
 - Solar Equipment: There is a new law concerning solar equipment. A copy of the pertinent articles is included in the Board packet.
 - Worker’s Compensation: Information is included in the Board packet concerning a case for compensation that was won by a contractor who was hired by an association and injured on the job. The article presents considerations about obtaining Worker’s Compensation insurance.
 - Violations/Inspections: Included a copy of the most recent violation logs in the Board Packet. Violations include trash cans, decorations and a trailer.
 - Email/Correspondence Issues: *[Discussed in Executive Session.]*
 - Received a formal complaint from a homeowner regarding a trailer parked in the neighborhood.
 - Received one email regarding ARB revisions. Passed to Mr. Dorman.
 - Received an email from corporate based on a telephone call pertaining to a delinquent account.
 - Received information from a resident concerning recent police responses to a neighborhood residence.

- Delinquencies: The Delinquency and Collections Reports are included in the Board packet. *[Discussed in Executive Session.]*
- Contract Status:

<u>Service</u>	<u>Company</u>	<u>Expiration</u>	<u>Notice Requirement</u>	<u>Action Month</u>
Insurance	Nationwide	2/13/10	None specified.	2/10
Pool	AAA – Winter Maint.	4/15/09	None specified.	2/09
	AAA – 2009 Season	9/7/09	None Specified.	8/09
Landscaping	Professional Grounds Management	2/15/10	30-day or automatic	10/09
Pond Maintenance	Virginia Lake Mgmt.	9/30/09	30-day or automatic	7/09
Website	Web Technologies	None	Ongoing	N/A
Management	UPA	2/2011	Renews for 5 years unless challenged.	9/10

1920 – Unfinished Business:

- Pond #2 Aerator: [Board Issue] Tabled until spring.
- Audit Proposal: [Board Issue] Ms. Lucas will track scheduling.
- Yard of the Month Program: [Board Issue] Discussed the issue realizing that there were many aspects that would need to be taken into consideration before starting such a program. Decided to drop it from consideration until further notice. Issue Closed
- Spring Fling: [Board Issue] A notice was placed on the web site requesting resident assistance. There have been no responses so far. Mr. Dorman will place a notice on the community sign and post it.
- Irrigation: [Board Issue] Possible installation of moisture sensors tabled. Will consider at the March meeting.
- Playground Mulching: [Board Issue] Tabled; will consider at March meeting.
- Pool Drain Covers: [Management Issue] AAA has received authorization as was passed last month to purchase and install anti-entrapment code compliant drain lids for the 2 drains in the main pool and 2 in the wader pool. The new covers will place us in compliance with the Virginia Graeme Baker Pool & Spa Safety Act. Work is pending.
- Insurance Renewal: [Management Issue] Renewed with Nationwide during the last meeting. Issue Closed
- ARB Guidelines: [Board Issue] A notice was posted on the web site requesting resident suggestions for updating the ARB Guide. Received one input so far. Mr. Dorman is coordinating the project and has forwarded some preliminary suggestions to the Board for consideration. It was suggested that after significant input has been received that a special meeting be held to review the changes and complete the revision.

1939 – New Business:

- Garage Sale: Ms. Hendricks suggested setting a date for a summer garage sale. Decided to schedule it for 20 June, 8AM-12PM; rain date 27 June. Ms. Hendricks volunteered to place the ads in local papers; estimated cost - \$50.
- Solar Equipment: The Virginia Energy Plan, Chapter 7, dictates that Associations can not restrict the use of solar energy collection devices. *[The pertinent articles are included as*

Attachment A to the minutes.] Will retain for ARB reference when considering external improvements but no action is necessary at this time.

- Workman's Compensation Issue: [Management Issue] As mentioned in the Manager's Report. Since UPA policy requires that all vendors provide proof of insurance before being placed on their approved list, it was decided that there is no need to obtain additional insurance. Issue Closed

1945 - Executive Session: Motion made and approved to enter Executive Session.

2030 – Motion made and approved to come out of Executive Session. Discussed resident correspondence and violation issues.

- **Issue Decisions:**

- Garage Sale: Motion made and passed to schedule the annual garage sale for 20 June and authorize reimbursement to Ms. Hendricks for placing newspaper ads.
- Violations – Trash Cans: Motion made and passed to reduce the requirement for scheduling a Tribunal. For trash can violations, a tribunal may be scheduled after the second violation letter. *[Discussed during Executive Session.]*

- **Action Pending for Next Meeting:**

- Pool Covers: Ms. Lucas will follow-up on installation with AAA.
- Audit Proposal: Ms. Lucas will track scheduling with Desroches & Company.
- Spring Fling: Mr. Dorman will post the community sign.
- ARB Guideline Revision: Ms. Lucas will forward any input and Mr. Dorman will coordinate the revision.
- Correspondence: Ms. Lucas will prepare correspondence as addressed in Executive Session.

2033 – The next monthly Board meeting will be held on Wednesday, March 18, 2009 at Fire Station No. 5.

1933 – Meeting adjourned.

Submitted By: R. E. Bailey

Virginia Energy Plan

Chapter 7

Covenants Restricting Solar energy Collection Devices

67-700. Definitions. – As used in this chapter:

“*Community association*” means an unincorporated association or corporation that owns or has under its care, custody or control real estate subject to a recorded declaration of covenants that obligates a person, by virtue of ownership of specific real estate, to be a member of the unincorporated association or corporation.

“*Solar energy collection device*” means any device that facilitates the collection and beneficial use of solar energy, including passive heating panels or building components and solar photovoltaic apparatus.

67-701. Covenants regarding solar power. – A. Except to the extent provided in the condominium instruments, declarations, or rules and regulations duly adopted pursuant thereto, no community association shall enact any provisions restricting solar power or the use of solar energy collection device on units or lots that are part of the development.

B. The community association may prohibit or restrict the installation and use of solar energy collection devices on the common elements or common areas.