

**Kempton Park Homeowner's Association Board of Directors Meeting**  
**July 19 2007**  
**Fire Station No. 5 – Bridge Road, Suffolk, VA**

Members Attending: President: Raymond Laffoon  
Vice President: Cheryl Hendricks  
Secretary: Raymond Bailey  
Member-at-Large: Shirley McGill

Members Absent: Treasurer: Denise Crawford

United Properties: Ralph Leslie

**1800 – Architectural Review Board (ARB) Meeting:** Applications and results follow.

<u>Last Name</u>	<u>Address</u>	<u>Project</u>	<u>Result</u>
Smith	3506LC	Sunroom	Approved
Escalante	3500KC	Fence	Approved
Bell	3060KR	Deck	Approved
Pence	3009CC	Fence	Approved
Almendras	3500SS	Shed	Approved
Hodges/Epser	5091KS	Deck Extension	Approved (Resubmission)
Vaughan	5021KS	Screened Porch	Disapproved – Lacking information
Thomas	3005NC	Deck	Disapproved – Lacking information

**1840 – Board of Directors Meeting:** The meeting was called to order.

**1840 - Homeowners Forum:** Two residents attended. The following issues were raised:

- Bickley/5089KS: [Received via email.] Voiced opposition to the proposal to move the playground. *[June minutes reflected the fact that there will be no efforts in the near future to move the playground. We will continue to research additional equipment.]*
- Toporek/UNK: [Received via email.] Voiced concern on two issues – 1) Stated that pool damage should have been found earlier before needing immediate repair. *[The pool was inspected by Douglas Aquatics before opening this season. Reportedly, the liner didn't start to crack and slough off until swimmers began walking on the areas. They were reported to the Board and a special meeting was held on 7 June at the cabana. June minutes detail decisions and actions. See Pool Repair item under Unfinished Business.]* 2) Commented on apparent decline of property care throughout the subdivision. *[The Board is currently addressing the need to take stronger steps to enforce standards. See Discrepancy Resolution under Unfinished Business.]*
- There was a general discussion about pool issues and repair options. *[See Unfinished Business.]*

**1910 –** The minutes from the June 21, 2007 Board of Directors meeting were approved.

**1910 - Committee Reports:**

- Treasurers Report – Mr. Bailey presented the June report:

Operating Cash	\$ 30,802.69
Reserve Cash	\$ 32,573.36
Replacement Reserve	<u>\$ 53,472.74</u>
Total Assets	\$ 116,848.79

General & Admin. Expenses	\$ 3,173.30
Utilities	\$ 2,215.93
Maintenance Expenses	<u>\$ 5,587.00</u>
Total Operating Expenses	\$ 11,086.89

Net Operating Income \$ 110.66

Net Association Income \$ (1,016.25)

- Motion was made and passed to accept the Treasurer's Report.

- Manager's Report – Mr. Leslie presented the following:

- Grounds Repair -3507 Fontwell Ct: Basnight estimates \$193 to repair sod damage and replace shrubs. A bill has been sent to the owner.
- Pond Aerator: Feeling that we were not pursuing the most expeditious way to get the aerator installed due to the time involved, Mr. Leslie discussed our problem with Relay Electric, the contractor approved to do the electrical work after the power line is installed. Relay said that they could track the project, coordinate with Dominion Power, complete required electrical work and install the aerators for a single price. Ms. Shannon Lee of Relay Electric attended and provided estimates for work on ponds #1 and #2. [See Unfinished Business]
- Landscaping: Mulching has been completed. The current contract includes one mulch application per year.
- Pool Repair: The pool was reopened 7 July; 3 days later than the estimate. Invited Douglas Aquatics to send a representative to the meeting. [See Unfinished Business.]
- Email Issues: As noted in Homeowners Forum.
- Maintenance: Plumbing repairs were necessary at the cabana.
- Inspection Report: Violation letters were sent for lawn maintenance, a basketball goal on the driveway and a satellite dish on a porch roof.
- Current Contract Status
  - Insurance 2/08
  - Pool 5/26/07 – 9/16/07
  - Landscape Maintenance 1/08
  - Lake and Pond Maintenance 8/07
  - Web Technologies (No end date.)
  - UPA 2/11 [Automatically renews for 5 years unless challenged.]

**1925 – Unfinished Business:**

- Benches for Bennett's Creek Park Road [Resident Issue]: Installation was completed in May but the left front leg of the bench nearest the school still has no bolts. [Rechecked 24 July - one bolt in place; bench is secure. REB] Issue Closed
- Web Site [Board Issue]: A flyer was placed in all residence mailboxes 27 June announcing the web site at "kemptonparkhoa.org." Residents raised the issue that when using Google to

locate Kempton Park, the privately-owned, “kemptonpark.org” site is the primary result. Since this site is not kept up to date, this may cause confusion. It was suggested that we contact the site owner and request that he either close the site or add a link to our official site. Since Ms. McGill is a neighbor, she offered to speak with him. It was also suggested that we add an “Urgent Notice” link on our site for issues such as the pool repairs. Mr. Bailey will contact Mr. Christian of Web Technologies to investigate. He will also ask if there is a way to improve our chances during searches.

- Pond #1 Aerator [Board Issue]: The Board discussed the length of time this has been worked and the problems encountered during the last year. Ms. Lee gave us an explanation of the process her company will follow to complete installation, estimating completion in approximately one month. Relay Electric provided estimates for both ponds along Kempton Park Rd as follows –
  - Pond #1: Behind 3004KR; access from Highland Greens (Silver charm Cir) \$1,750.
  - Pond #2: Access from behind 3022 Kempton Park Rd. \$1,750.

Discussed and a decision was reached to approve Relay Electric’s work on both aerators.

- Tree Replacement [Board Issue]: Crepe myrtles have been planted at two sites but River Birch trees are still pending.
- Playground Equipment Upgrade [Board Issue]: Deferred pending more research.
- In-Ground Pool Installation at 3507 Fontwell Ct: As noted in the Manager’s Report.
- Landscaping: Mulch was laid during the second week of July. Since the current contract includes only one mulching per year, we will consider including two mulch applications when working the next contract with the first being in the Spring.
- Pool Repair: A flyer was delivered to residences on 27 June for notification that the pool would be closed for repair from 29 June to 3 July. Although the repairs were complete and pool refill was started on 31 June, the pool level did not reach the skimmers until 7 July; 3 days late. (The two faucets at the pool were used but could not deliver sufficient flow to fill by the 4<sup>th</sup>. The Board did check with the Fire Department but they do not fill pools.) A concern is that although Douglas Aquatics had posted a sign on the pool gate that they would open on the 4<sup>th</sup>, they never posted a sign when the goal was missed. The Board posted an update sign on the 5<sup>th</sup> - in the bulletin board and another in the plastic sleeve on the gate – but someone removed the gate sign. Related issues -
  - Pool Use During Repairs: The Steeplechase Board rejected our request to us their pool during repairs.
  - Douglas Aquatics: Susan Edmonds of Douglas Aquatics attended and addressed concerns of the Board and residents. Besides the above issues concerning repairs, Ms. Hendricks raised other areas of concern including scheduling of swim lessons and lack of attention by some of the lifeguards. Ms. Edmonds said that the company was facing a lack of enough instructors and marginal performance by several of the lifeguards. She stated that the company and she personally were addressing these issues and that she welcomes calls concerning any problem issues.
- Off-Season Pool Repairs: There is a need to continue research on options for off-season repair of the liner; either total resurfacing or purchasing of a fiberglass liner. The issue will remain active as we get other estimates in the near future.
- Garage Sale: Held as scheduled on June 23 with a good showing. Issue Closed
- Discrepancy Resolution/ Handing of Delinquencies: [UPA Issue] As noted in last month’s minutes, there are residents who are continually in arrears for dues payment and many who routinely disregard discrepancy letters. In order to improve compliance, the proper avenues

for dealing with residents must be followed. Although the overall goal is to fairly enforce Association standards in accordance with our governing documents, procedures should ensure that residents are:

1. Provided formal notification of delinquency or discrepancy.
2. Provided the right to be heard.
3. Provided confidentiality.

In an effort to provide information and guidance to the Board, Mr. Leslie invited Ms. Vonda Dunn, our Collections Attorney, to attend the meeting. [Discussed during Executive Session.]

### **2035 – New Business:**

- National Night Out Against Crime: Ms. Hendricks raised the issue of whether we should participate this year. (Last year we sponsored ice cream sundaes at the cabana and the turnout was poor.) Since there is limited time and interest by residents, it was decided to forego activities this year.

**2040** - Motion was made and passed to close the open meeting and enter into Executive Session.

### **Executive Session:**

- Discrepancy Resolution/ Handing of Delinquencies: Ms. Vonda Dunn, Collections Attorney, explained the process her office follows to resolve dues delinquencies through a procedure of formal notifications and court filings. She then offered guidance on legal paths to dealing with discrepancy resolution (i.e., issues raised to residents using notification letters) in accordance with HOA governing documents. The preferred method involves the following:
  1. Formal Notification – A letter is sent by First Class mail. The resident is given 30 days to correct the discrepancy or provide additional information for consideration.
  2. Formal Notification of Tribunal – If not resolved, the resident is invited by Certified Letter to a tribunal with Board members to plead their case. The notice will be delivered at least 14 days prior to the tribunal date.
  3. Tribunal Results – A letter is sent by Certified Mail within 7 days after the tribunal.
    - If the member attends, the Board uses their input to decide on resolution; including sanctions and/or fines.
    - If the member does not attend, the Board may decide on resolution without resident input, including sanctions and/or fines.
  4. Legal Action – Will be pursued as appropriate for nonpayment issues.

NOTE: Refer to Declaration of Covenants, Conditions, Restrictions and Easements, especially Sections V, VII, IX and X concerning the rights and responsibilities of the Board and residents.

Mr. Leslie will provide the Board with a list of residents that should be scheduled for tribunal via email and schedule accordingly.

**2110** – Motion was made and passed to come out of Executive Session.

### • **Issue Decisions:**

- Pond #1 Aerators: Motion made and passed to approve work on both Ponds; #1 & 2.

- **Action Pending for Next Meeting:**
  - Web Site: Ms. McGill will contact the owner of kemptonpark.org and Mr. Bailey will discuss current site issues with the web master.
  - Pond Aerators: Mr. Leslie will track progress with Relay Electric.
  - Tree Replacement: Mr. Leslie will follow-up with landscape contractor.
  - Pool Installation Grounds Repair: Mr. Leslie will track bill payment.
  - Delinquencies: Mr. Leslie will initiate letters to the parties concerned.
  
- **Homeowner's Forum Responses:** Since all issues raised at the meeting or via email are answered in the minutes and/or direct email, this section will no longer be used.

2115 – The next Board meeting will be Thursday, August 16, 2007 at Fire Station No. 5 on Bridge Rd.

2115 - Board of Directors Meeting adjourned.

Submitted By: R. E. Bailey