

FAIRFAX CLUB ESTATES
BOARD OF DIRECTORS MEETING
Monday, May 25, 2011, 7:30 PM – x:xx PM
Bonnie Brae Elementary School, Lower Theater

I. Call to Order

II. Verification of Quorum

Attendees:

Jim Thompson (President and Board member), Lauren Hefner (Common Grounds Chair and Board member), Pat Ring (Vice President and Board member), Phil Beenhouwer (ACC, Secretary, and Board member), Dave Hardin (Treasurer and Board member), Mark Eackloff (Webmaster and Board member), Brian Hefner (ACC and Board member), Lu Wright (Board member).

Board Members not in attendance: *Mike Krzykowski (Tennis POC and Board member).*

III. Membership Forum ----- 20 Minutes

NOTE: The maximum time for any one individual is limited to 5 minutes

The Vice President brought an issue concerning a homeowner who although living in the home, is also renting part of the home to renters. He wondered how the new pool enforcement procedures would handle this situation. The Secretary explained that since the County allows for as many as four unrelated people to live in one house, the BOD should also allow for this as well. In this case, both the owners and the renters should be able to use the pool.

Homeowner of the month: Cindy Borer, who employed a 6th-grade student to mulch the front FCE sign area.

Review Minutes & Action Items from previous Board Meeting ----- 15 Minutes

Action Items:

<u>Topic</u>	<u>Person Assigned</u>	<u>Date Assigned</u>	<u>Comments/Status</u>
Collect questions and issues from the Board (e.g., accrual accounting) to be used to interview prospective property management companies.	Vice President	3/23/11	The ACC Chair recommended we consider AAA, who, in addition to normal property management services, also provides ACC-like services. Pinnacle has not returned the Vice President's call. Budget for this is \$8,400.
Provide the Board with written concerns documenting any inconsistencies between the By-Laws and Covenants and how they are currently enforced. Provide suggestions to resolve any issues (e.g., change provisions or enforce as written).	Mark Eackloff	3/23/11	Mark agreed to enumerate the items in our governing documentation (e.g., Covenants, By-Laws) that we <u>are</u> adhering to.
Contact GHA or the attorney to identify the risk to the BOD for not following everything in our governing documentation.	Vice President	4/27/11	Deferred, until we have specific items identified by Mark from the previous item.
Find three companies to provide estimates for the repair to the common grounds light fixtures.	Common Grounds	5/25/11	
Contact Larsen-Allen to hire them for the quote they provided for two years of taxes and audits.	Treasurer	4/27/11	Larsen-Allen's quote more than doubled to ~\$5,000. Mary Sturgill is contacting Turner-Jones and GoldKlang. Mark said that the State requires taxes and audits once a year, but the Treasurer said that GHA has told him that they advise every two years.
Request that GHA create a line-item for "penalties".	Treasurer	4/27/11	The Treasurer said that he has not asked GHA to create this line-item, but will if there is a need in the future. There was consensus that this account should be created so the Treasurer will work with GHA to create it and define what will go in there.
Coordinate the repairs of the tear in the pool fence and the tennis fence. [At the March meeting, The President stated that he had received two proposals from his Service-Magic request.]	President	3/23/11	The Secretary explained the hazard this poses now that the pool cover has been removed. The Secretary will contact The President to resolve this issue ASAP.

IV. Review President's Report ----- 5 Minutes

V. Review Treasurer's Report ----- 15 Minutes

GHA will correct the associate member budget from \$8,050 to \$7,700.

“Assessment Income”: The Treasurer would like to see this line-item reported on a cash-basis, not an accrual basis.

“Late Fee income”: apparently these funds (\$990.64), like the “Assessment income” are not actually received by GHA, but are fees that have been “charged”. Again, another issue with the accrual basis of accounting.

The President recommended that we request financial statement training from GHA and **the Treasurer took the action to look into this and see if there is an additional cost.** The Secretary recommended that we, as a Board, determine what we would like to see each month and figure out how to arrive at that information from the data GHA provides us.

VI. Review Committee Reports ----- 15 Minutes

Architectural Control Committee

Common Grounds

Lauren has contacted Premium for an estimate to mulch the playground area.

Neighborhood Watch

Pool

Pool Enforcement Sub-Committee

Social

July 23rd is the date. 8-11. Contact Kathleen Mahan as his husband Kevin manages the pool sign.

Tennis

- Playground
- Miscellaneous

VII. Old Business ----- 10 Minutes

VIII. New Business ----- 30 Minutes

1. Board vote to move Reserve amount.

The Treasurer recommended moving \$4,700 of net operating income (as of 3/31/11), but taxes & audit should be removed first. (The BOD previously moved \$42,745 into the Reserve Account and we now have a \$61,800 balance in Reserve.)

2. Board vote to transfer delinquent accounts to the Attorney.

Apparently the By-Laws state that the BOD should “foreclose the lien” on any property that is 30 days late in their assessments. The Common Grounds Chair reviewed the email from GHA and listed the following three names: Mince, Juarez, and Eagan. The BOD voted to coordinate with GHA to turn-over to the Attorney any accounts that have outstanding balances greater than \$460.

GHA also provided the following four attachments:

- “*May_1_2011_LATE_LETTERS.doc*”: certified late notices sent to 36 members (homeowners and associate members), dated May 1, 2011, stating that “*If we do not receive full payment within thirty (30) days from the date of this certified letter, your account will be identified as past due, eligible for turn-over to the Association’s attorney for appropriate action...*”. Of those, the following seven had outstanding balances greater than \$460, and are **ALL associate members**:

1. HOWARD CUNNINGHAM, 5557 ANN PEAKE DRIVE (\$533.44) – PIF 5/4
2. TONY DIGREGORIO, 10704 JOHN TURLEY PLACE (\$533.44) – PIF 5/13
3. KLOSK, 10723 JOHN TURLEY PLACE (\$533.44) – PIF 5/9
4. GREG OSTINATO, 10911 OAK PARK COURT (\$533.44) – PIF 5/2 & 5/6
5. EMILY SURMAN, 10694 JOHN AYRES DRIVE (\$533.44) – “Bad Debt”, 5/23
6. EDWARD VAUGHAN, 10904 MIDDLEGATE DRIVE (\$533.44) – PIF 5/16
7. RUSSELL HANSER, 10750 JOHN TURLEY PLACE (\$876.43) – PIF 6/6

- “*ZCND_84FX_2011-05-18.PDF*”: BOD Financial Package, dated 4/30/11, reflecting delinquent accounts as of 5/18/11. Of the members on this list, the following eight had outstanding balances greater than \$460:

1. RUSSELL HANSER (ASSOCIATE MEMBER 23), \$701.43 – PIF 6/6

2. Caby C. Smith, 10918 Fox Sparrow Ct (\$2,017.57) – No Pmts made (\$2,017.57 bal.)
 3. Brenda Fath, 10584 John Ayres Drive (\$491.34) – Pmt 6/14 (\$254.44 bal.)
 4. Susan F. Mince, 10610 John Ayres Drive (\$501.51) – Pmt 6/6 (\$14.61 bal.)
 5. Robert Swiatek, 10621 John Ayres Drive (\$498.31) – PIF 6/20
 6. Guadalupe Eagan, 10634 John Ayres Drive (\$996.15) – No Pmts made (\$996.15 bal.)
 7. Kathy Coyne PRE-PETITION, 10662 John Ayres Drive (\$2,059.55) – No Pmts made (\$2,059.55 bal.)
 8. KATHY COYNE POSTPETITION, 10662 John Ayres Drive (\$462.95) – Pmts 5/12 and 6/9 (\$388.09 bal.)
- “84FX_May_Receipts_Statement.pdf”: “...receipt statement for further comparison, which breaks down exact monies received per owner.”
 1. Frank Kelly, 10965 Adare Drive (\$1,436.73) – No Pmts made (\$247.20 bal.)
 2. Myung K Lee, 10901 Fox Sparrow Ct (\$460) – No Pmts made (\$460 bal.)
 3. Caby C. Smith, 10918 Fox Sparrow Ct (\$2,724.77) – See above.
 4. Brenda Fath, 10584 John Ayres Drive (\$491.34) – See above.
 5. Susan F. Mince, 10610 John Ayres Drive (\$501.51) – See above.
 6. Robert Swiatek, 10621 John Ayres Drive (\$498.31) – See above.
 7. Guadalupe Eagan, 10634 John Ayres Drive (\$996.15) – See above.
 8. Elizabeth C. Juarez, 10654 John Ayres Drive (\$501.51) – Pmt 6/2 (\$14.61 bal.)
 9. Kathy Coyne PREPETITION, 10662 John Ayres Drive (\$2,059.55) – See above.
 10. Ellie Oakley, 10689 John Ayres Drive (~~\$5,982.03~~ \$248.13) – PIF 5/16
 11. Erin Renee Valentine, 5605 Limpkin Court (~~\$494.40~~ \$247.20) – PIF 6/15
 12. Michelle Plunkett, 5512 Yellow Rail Court (\$494.40) – No Pmts made (\$247.20 bal.)
 - “84FX_Delinquency_and_Prepaid_Report_as_of_5252011.pdf”: “...the delinquency report as of today for balances still owed...”, dated 5/25/11
 1. Myung K Lee, 10904 Olm Drive (\$460) – See above.
 2. Caby C. Smith (\$2,017.57) – See above.
 3. Brenda Fath (\$491.34) – See above.
 4. Susan F. Mince (\$501.51) – See above.
 5. Robert Swiatek (\$498.31) – See above.
 6. Guadalupe Eagan (\$996.15) – See above.
 7. Elizabeth C. Juarez (\$501.51) – See above.
 8. Kathy Coyne PRE-PETITION (\$2,059.55) – See above.

- [As of 6/21/11, only the following four accounts had balance greater than \$460:
 1. Kathy Coyne Pre-Petition, \$2,059.55
 2. Caby C. Smith, \$2,017.57
 3. Guadalupe Eagan, \$996.15
 4. Myung K Lee, \$460 - See above.]

3. ACC / Pool Enforcement Subcommittee coordination

The President explained the need for the ACC Chair to inform the Pool Enforcement Sub-Committee (PES) when the ACC receives a resale inspection request, so that the PES can remove the sellers from the photo box at the pool. The ACC Chair agreed to inform the PES whenever he conducts a resale inspection.

4. Review of Covenants/By-Laws to identify whether the Board changes provisions or enforces as written.

Mark provided a one-page paper summary that includes:

- 55.509.3: The concern is that FCE donates money to the Cub Scouts.
- 55.510.1 (A): the FCE committees actually do not meet, but report to the BOD during the monthly HOA meeting.
- 55.510.1 (B): meeting times and places must be published in advance
- 55-510.2: despite Mark’s point of view documented in his paper, every HOA meeting includes the “membership forum”.

This is a continuing process as additional research and analysis is done on the By-Laws, Covenant, Property Owners Association Act, and State laws.

5. Reserve Study: We need to have a reserve study performed this year. **The Treasurer has a few contacts and will provide them to the President, who will contact them for estimates.**

IX. Executive Session ----- 0 Minutes

Discuss Association accounts, pending negotiations/contracts, budget and violations outstanding.

X. Date, Time, Place of Next Meeting (*4th Wednesday of each month*):

June 22, 2011, 7:30pm, FCE Pool.

Proposed agenda items:

- Street name curb-painting (\$480 for 32 locations)
- Property management contract.
- Board vote to transfer delinquent accounts to the Attorney.

XI. Adjournment