



# The Commons A Condominium Association

## Board Meeting Minutes – January 26, 2010

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### **Location**

The Commons Cabana  
1400 Pebblebrook Way  
Virginia Beach, Virginia 23464

### **Members Present**

Diane Standridge, President  
Tom Pelech, Vice President  
Jeff Mosher, Treasurer  
Mike D'Ambra, Secretary  
Dave Grant, Member-at-Large

### **Members Absent**

None

### **Others Present**

Jill Albright, The Select Group Association Manager

### **1. CALL TO ORDER**

With the establishment of a quorum, the President called the meeting to order at 6:26 PM.

### **2. UNIT OWNERS' FORUM (30 Minutes)**

Three Unit Owners were present for the Board meeting, Roberta Gilbert (1425 PBW), Pam Chow (1421 PBW), and Doris Butler (1537 CSW).

Roberta handed in a gate pass request. Additionally, she is concerned about two Leyland Cypress trees leaning against her fence and against another tree. She also had two chairs removed from her deck and the outside water was running. Roberta and Pam are worried the trees will damage the fence and would like them straightened. The Board informed them that these trees are too large for Volunteers to straighten and Basnight is in the process of removing damaged trees and replacing them with relatively fast growing Wax Myrtles. At least 20 of the identified 42 damaged trees have already been removed. The trees behind her Unit are scheduled to be replaced. Roberta is concerned that the smaller replacement trees will not provide the privacy they once had from the neighboring car wash. She would like them planted dense enough and high enough to afford her privacy. Jill informed the Board that Basnight is aware of the privacy issues.

Pam inquired if the community has a termite issue since her Unit was recently inspected and found to have termites. Diane recommended that all Units should be inspected regularly and that National Termite performs inspections on a majority of the Units in The Commons.

Doris inquired if the Board knew of anyone who performed maintenance on GE appliances and she asked on the status of the Trellis repairs. Jill provided Doris a name and phone number for local appliance repair issues.

### 3. APPROVAL OF MINUTES FROM DECEMBER 15, 2009

After reviewing the Minutes, minor editorial changes were identified. Jeff made a motion to approve the minutes from the December 15, 2009, BOD Meeting as amended. Tom seconded the motion. By a vote of 4-0 the motion was accepted and adopted.

### 4. FINANCIAL REPORT

Treasurer's Report, 01/26/10, as of 12/31/09

<b>BALANCE SHEET:</b>	
<b>ASSETS</b>	
Operating Account	\$ 17,845.82
Accounts Receivable	\$ 35,536.74
Other Assets:Prepays	\$ 3,730.46
Petty Cash	\$ 750.00
Operating Reserve	\$ 24,615.43
Replacement Reserve	\$ 451,854.07
<b>TOTAL ASSETS</b>	<b>\$ 534,332.51</b>
<b>LIABILITIES &amp; EQUITY</b>	
Accounts Payable	\$ 19,627.20
Loan from Replacement Resv	\$ 29,597.50
Prepaid Owner Assessments	\$ 12,534.42
Accelerated Owner Assessments	\$ 336.32
<b>Total Liabilities</b>	<b>\$ 62,095.44</b>
Reserves	
Accum Operating Reserve	\$ 24,615.43
Accum Repl Resrv Interest	\$ 21,295.65
Accum. Replacement Reserve	\$ 436,513.03
Total Reserves	\$ 482,424.11
Retained Earnings	\$ -17,974.87
Current Earnings	\$ 8,814.69
<b>TOTAL EQUITY &amp; LIABILITIES</b>	<b>\$ 534,332.51</b>

<b>INCOME STATEMENT</b>			VARIANCES
	Dec	YEAR TO DATE	YEAR TO DATE
Total Assoc. Income	\$ 30,552.73	\$ 375,774.19	\$ 3,447.24
Gen'l & Admin Expenses	\$ 6,239.94	\$ 71,287.01	\$ -11,630.81
Maint. Expenses	\$ 13,011.70	\$ 143,108.63	\$ 8,202.63
<b>Operating Income</b>	<b>\$ 11,301.09</b>	<b>\$ 161,378.55</b>	<b>\$ 6,875.42</b>
Xfer Interest Earned on Reserves	\$ 282.73	\$ 6,787.52	\$ -4,495.43
Transferred to Operating Reserves	\$ 0.00	16.66	\$ 16.66
Transferred to Gate Loan Reserves	\$ 2,522.27	\$ 30,267.24	\$ 0.06
Transferred to Replacement Resvs	\$ 8,625.25	\$ 103,503.00	\$ 0.00
<b>Net Ordinary Income</b>	<b>\$ -129.16</b>	<b>\$ 20,804.13</b>	<b>\$ 11,354.13</b>

<b>"Water Company"</b>			
Income from Water Sales (Dec)	\$ 9,191.08	\$ 67,298.47	\$ 17,298.47
Cost of Water	\$ 25,901.30	\$ 53,409.29	\$ 28,409.29
Meter Fees	\$ 532.25	\$ 3,815.75	\$ 565.75
Sewer Fees	\$ 2,293.58	\$ 19,043.25	\$ -5,956.75
Storm Water Fees	\$ 0.00	\$ -3,019.62	\$ -3,180.38
<b>Net Water Income</b>	<b>\$ -19,536.05</b>	<b>\$ -1,989.44</b>	<b>\$ -2,539.44</b>
<b>Net Income</b>	<b>\$ -19,665.21</b>	<b>\$ 8,814.69</b>	<b>\$ 8,814.69</b>

Notes:

With the effects of Notes 1 – 3 considered, this report is a fair and accurate representation of the financial condition of the Association as of December 31, 2009.

1. Change in the display of variances – positive income equals more, negative expenses equals less
2. The negative figure in "Net Water Income" is the result of receiving a water bill covering two periods instead of one period.
3. Interest transferred from the reserves was less than total budgeted due to the downward trend in interest rates in 2009.

Additionally, the following is the resolution of the \$1065.65 discrepancy.

- The beginning cash balance was off by \$1065.65.
- UPA was doing cash accounting, offsetting \$1000 by assessments
- Leaving a difference of \$65.65
- Difference was placed into 7890 miscellaneous expenses and noted for the auditors.
- Desroches has been made aware of the situation and will be auditing all balances received from UPA to ensure that all balances are accounted.

Jeffrey L Mosher, Treasurer.

Diane turned over a \$60 check to Jeff from a Unit Owner for a Gate ID fee. Additionally, Jeff indicated that the actual interest gained on the gate fees is \$218.18 less than the estimated amount calculated over a year ago. Therefore, there is a balance in the accounts that must be accounted.

Jeff made a motion for the Board of Directors to remove the needed amount of funds from the Operating Reserves to the Replacement Reserves to pay for the cost of the gate plus interest. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

Dave made a motion to accept the Treasurer's Report as written. Tom seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

## **5. OFFICER REPORTS**

### **A. PRESIDENT**

- Diane indicated that Robert will be out of town from 28 Feb. through 17 Mar. Therefore, the Board members will need to be vigilant and act on new work orders during that time.
- A Gang and Prevention Workshop is scheduled for 16 Feb. at 6:30 pm. Diane informed Robert by e-mail that this is a good neighborhood watch item.
- For the February BOD meeting, the following dues dates are noted:
  - a. Jill sends the Action List to the Board by 29 Jan.
  - b. Mike sends the draft BOD meeting minutes to the BOD by 2 Feb.
  - c. BOD sends corrections to Mike by 7 Feb.
  - d. Final draft sent to all by 16 Feb.
  - e. Last day to add agenda items is 16 Feb.
  - f. Diane sends BOD Meeting agenda to BOD and Jill by 17 Feb.
  - g. Jill sends the Board Meeting packets to the BOD by 18 Feb.
- By 10 Feb. Diane requested each Board member to send her a list of suggested Social functions they would like to see this year.

### **B. VICE PRESIDENT**

- Ordered and received a timer for the north fountain.
- Changed the outside Cabana light.
- Tom indicated there was water on the Cabana floor that appears to have come from holes in the door. He noted that Jerry Standridge cleaned up water in the Cabana from these holes.
- He assisted the Brasher's Unit with a water meter issue.

### **C. TREASURER**

- Nothing to report.

### **D. SECRETARY**

- Nothing to report.

### **E. MEMBER-at-LARGE**

- Dave will be out of town from 19 Feb. to 7 Mar.

## **6. COMMITTEE REPORTS**

### **A. COMMUNICATIONS COMMITTEE**

- The Communications Committee did not meet in January.
- Since Dave and Robert are the only members of the committee, they have decided to formally meet every other month.
- The next meeting will be held on February 9<sup>th</sup> at 8:00 PM in the Cabana.

### **B. GROUNDS COMMITTEE**

- The Grounds Committee did not meet in January.
- The January cleanup was postponed due to inclement weather. Because of this the perimeter contains excessive trash.

- The next cleanup will be February 6<sup>th</sup> and the next meeting will be February 8<sup>th</sup> at 7:00 PM in the Cabana.

**C. MAINTENANCE COMMITTEE**

- No meeting will be held in March.
- During the last meeting the committee approved the maintenance budget.
- The Pool budget is allotted \$1600.00. This amount is more than anticipated, but the committee recommended maintaining this level until it is needed for other maintenance.
- The next meeting will be held on February 11<sup>th</sup> beginning at 7:30 PM in The Cabana.

**D. SOCIAL COMMITTEE**

- The Social Committee did not meet in January.

**7. MANAGEMENT REPORT**

Jill presented the Management report from The Select Group. The report was reviewed and the following comments were noted:

- The repairs to the garage door at 1453 PBW are complete with the exception of painting the trim. Tom asked Jeff if the Maintenance Committee could accomplish this task. Jeff anticipates it can be completed as long as the weather remains warm and dry during the process.
- Jill indicated she has not received a status of the Trellis repairs from the contractor. She will investigate and determine when repairs will be made to the nine major offenders.

**8. UNFINISHED BUSINESS**

**A. Roof Repairs**

- Diane will request Robert to provide a Statement of Work for the north end of the lake and to provide a listing of Units that need repairs to stepflashing.

**B. Gate Light**

- After discussions, it was decided the light was not necessary since the cost outweighed the benefits and the Board would like more time to determine if the “No Outlet” signs recently posted might mitigate the problem.

**C. Drainage Issues**

- It has been determined the drainage issue at 1440 CSW is the Unit Owner’s responsibility and therefore no further action is required.
- One bid has been submitted to repair the drainage issue behind 5249 SCW and 5253 SCW. The Board would like to see additional bids and asked Jill to query other contractors for bids.

**D. Lights for Evergreen Units**

- Tom will investigate the options and provide a recommendation at the February Board Meeting.

**9. NEW BUSINESS**

**A. Applications for Architectural Review**

- 1544 CSW submitted an AAR to replace the damaged garage door. Mike made a motion to approve the new garage door with type as noted in the AAR. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- 5253 SCW submitted an AAR to install storm door. Dave made a motion to approve the new storm door with an approved type as noted in the AAR. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

- B. Purchase Orders
  - Dave made a motion to approve a purchase order from Jeff in the amount of \$15.88 for reimbursement for the duplication of Community keys. Mike seconded the motion. By a vote of 3-0, with 1 in abstention, the motion was accepted and adopted.
  - Jeff made a motion to approve a purchase order from Tom in the amount of \$42.44 for reimbursement for a replacement pond fountain timer. Dave seconded the motion. By a vote of 3-0, with 1 in abstention, the motion was accepted and adopted.
- C. Leasing Request and Problems
  - Mike made a motion to approve a one time lease extension for 5289 SCW to September 30, 2012. After this time the Owner will have to occupy the Unit, place it up for sale, or let it sit empty. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
  - The Unit Owners of 1540 CSW have leased their Unit without the Board's approval. Diane noted the original Lease request was dated 12 SEP 2008, which was subsequently denied by the BOD during the October Board Meeting. However, the Lease agreement between the Unit Owner and the lessee was dated 31 AUG 2008. This matter is being referred to a Covenant Hearing scheduled an hour before the February Board Meeting.
- D. Resolution
  - A Resolution, change, to the Rules and Regulations, allowing The Commons to assess charges for violations and suspension of services for nonpayment of the condominium assessments and water bills, was reviewed and discussed.
  - Dave made a motion to accept the Resolution of the Board of Directors of The Commons Condominium Association's Rules and Regulations. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- E. Tree Removal
  - After discussions, this item is tabled to allow Atlantic Tree Services time to remove the remainder of the tagged trees (approximately 22) and provide a recommendation for the removal of additional trees, if necessary, and the planted scheme for where the trees were removed.
  - Tom made a motion to authorize Atlantic Tree Services one additional day to remove the tagged trees. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

Dave made a motion to enter Executive Session. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

## **10. EXECUTIVE SESSION**

- A. Violations
- B. Aged Owner Balances

Dave made a motion to leave Executive Session. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

## **11. MOTIONS FROM EXECUTIVE SESSION**

- A. Violations:
  - Dave made a motion to send a letter to a Unit Owner to reschedule a Covenant Hearing an hour before the February Board Meeting. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

- Tom made a motion to send a violation letter to a Unit Owner for leaving his trash container outside of their Unit for an undue length of time. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Dave made a motion to send a violation letter to a Unit Owner for noise violations and parking violations. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Dave made a motion to send a violation letter to a Unit Owner to replace the front door hardware with regulation hardware. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Dave made a motion to send a violation letter to a Unit Owner to repair her backyard fence that they had previously damaged. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

B. Aged Owner Balances

- Dave made a motion to approve the Unit Owners payment plan dated January 11, 2010. Tom seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Dave made a motion to schedule a Unit Owner for a Covenant Hearing and to begin foreclosure proceedings for failure to pay Condominium Assessments and water bills. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Tom made a motion to schedule a Unit Owner for a Covenant Hearing and to begin foreclosure proceedings for failure to pay Condominium Assessments and water bills. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Dave made a motion to proceed with garnishing the wages of a Unit Owner for failure to pay Condominium Assessments and water bills. Jeff seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- Mike made a motion to authorize The Select Group to send Covenant Hearing letters to Unit Owners that are 60 days delinquent in their payments.

**12. ADJOURNMENT**

Dave made the motion to adjourn. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted. The meeting adjourned at 8:42 PM.

Respectfully submitted by Mike D'Ambra, Secretary.

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Approved

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Date