



The Commons A Condominium Association

Board Meeting Minutes – February 17, 2009

Location

The Commons Cabana
1400 Pebblebrook Way
Virginia Beach, Virginia

Members Present

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

Members Absent

None

Others Present

Mike Minor, UPA Association Manager

1. CALL TO ORDER

With the establishment of a quorum, the President called the meeting to order at 6:28 PM.

2. UNIT OWNERS' FORUM (30 Minutes)

Three Unit Owners, 1541 CSW, 1525 PBW and 1604 CSW, were in attendance. Ms. Doris Butler read a letter she received from UPA indicating an alleged delinquency in her payments. Her issue was with the content, as well as with the harshness of the letter, especially in light of the fact that it was completely inaccurate and unjustified. UPA explained their process. The Association Manager was directed by the President to determine the reason for the incorrect information by UPA Accounting Department and to insure the problem is corrected as soon as possible.

3. APPROVAL OF MINUTES FROM JANUARY 20, 2009

The BOD reviewed the minutes. Robert questioned why the Treasurer's Report was not approved in his absence. The Board indicated they did not feel it was appropriate to approve the report without Robert being available to answer any possible questions.

This month's minutes contained the Board's vote for the various motions presented. Mike made a motion to include the vote count in the meeting minutes for each motion made during BOD meeting. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

The goal of the Board is to publish the actions from the BOD meetings within one week of the meeting. Dave indicated that the Board Action Items from each meeting cannot be posted until each Board Member responds with an approval.

Dave made a motion to approve the minutes from the January 20, 2009 BOD meeting. Tom seconded the motion. By a vote of 3-0, with 1 in abstention, the motion was accepted and adopted.

4. FINANCIAL REPORT

Treasurer's Report, 2/17/09, as of 1/31/09

BALANCE SHEET:	
ASSETS	
Operating Account	\$ 14,323.27
Petty Cash	\$ 750.00
Operating Reserve	\$ 24,377.27
Replacement Reserve	\$ 328,665.96
TOTAL ASSETS	\$ 368,116.50
LIABILITIES & EQUITY	
Loan from Replacement Resv	\$ 29,597.50
Equity	
Accum Operating Reserve	\$ 24,377.27
Accum Repl Resrv Interest	\$ 15,623.68
Accum Gate Loan Reserves	\$ 2,522.27
Accum. Replacement Reserve	\$ 310,520.01
Retained Earnings	\$ -17,974.87
Current Earnings	\$ 3,450.64
TOTAL EQUITY & LIABILITIES	\$ 368,116.50

INCOME STATEMENT			VARIANCE
	JANUARY	YEAR TO DATE	YEAR TO DATE
Total Assoc. Income	\$ 30,763.63	\$ 30,763.63	\$ -263.61
Gen'l & Admin Expenses	\$ -5,395.74	\$ -5,395.74	\$ 1,723.49
Maint. Expenses	\$ -5,490.52	\$ -5,490.52	\$ 2,418.31
Operating Income	\$ 19,877.37	\$ 19,877.37	\$ 3,878.19
Xfer Interest Earned on Reserves	\$ -37.69	\$ -37.69	\$ 902.55
Transferred to Operating Reserves	\$ -8.33	\$ -8.33	\$ -8.33
Transferred to Gate Loan Reserves	\$ -2,522.27	\$ -2,522.27	\$ 0.00

Transferred to Replacement Resvs	\$ -8,625.25	\$ -8,625.25	\$ 0.00
Net Ordinary Income	\$ 8,683.83	\$ 8,683.83	\$ 4,772.41
Income from Water Sales(Jan.)	\$ 3,617.20	\$ 3,617.20	\$ 447.03
Cost of Water	\$ -4,334.19	\$ -4,334.19	\$ -2,250.86
Meter Fees	\$ 0.00	\$ 0.00	\$ 270.83
Sewer Fees	\$ -5,512.70	\$ -5,512.70	\$ -3,429.37
Net Water Income	\$ -5,233.19	\$ -5,233.19	\$ -4,962.37
Net Income	\$ 3,450.64	\$ 3,450.64	\$ -189.96

Notes:

1. Contrary to last month's note, all of the 2007 Sewer Fees had not been paid. HRSD had a major crash of their accounting system in 2007 with the result that we have had to pay two year's worth of sewer fees over the last 13 months. The last of the 2007 fees were paid in January 2009. Thus, the major variance in sewer fees this year, (\$3,429.37). The other large variances in the Water Company are not significant; they reflect the fact that the Water Company budget has not yet been organized on a two-month cycle that reflects the actual billing cycle.

2. The large positive variance in the Maintenance expenses is not significant. As above, the budget has not yet been organized to reflect the estimated timing of the maintenance expenses. Most of the maintenance expenses are incurred in the warmer months.

With the effects of Notes 1 through 2 considered, this report is a fair and accurate representation of the condition of the Association as of January 31, 2009.

Robert W. Chapin, Jr., Treasurer.

Robert stated the Associations balance is looking well. He indicated there is now over \$80K in the Reserves and it is time to obtain a \$50K CD; one with at least one option to withdraw. Robert made a motion to purchase a \$50K CD from the Replacement Reserves. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted. Ms. Andrea Zarge inquired if the Treasurer or UPA had determined what rates were available. Diane requested UPA to investigate the rates and purchase the CD.

Robert brought to our attention that the HRSD payment (ck #2375) appears to be for the 2008 billing period. UPA indicated the water and sewage expenses are broken out into multiple line items. A review of the monthly statement questions whether this is from the previous year or is it from the current month's water/sewage expense.

Dave made a motion to accept the Treasurer's Report with the caveat for UPA and the Treasurer to investigate the water/sewage expenses. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

5. OFFICER REPORTS

A. PRESIDENT

- Diane received a couple of calls from For Sale By Owner (FSBO) Unit Owners. They would like to place the Unit selling information - such as contact info, address, and cost - on The Commons website. Dave stated there may be a cost to implement a new web page, a process would have to be developed, and there would have to be a disclaimer for the accuracy of the posted information. This item will be deferred to the March meeting to allow for a review of the issue.
- Diane has received emails and phone calls questioning the petition circulating the neighborhood to increase the maximum number of rental Units allowed from six. None of the emails or calls was in favor of the petition. One reason the maximum number of rental Units allowed is six is to prevent The Commons from becoming a rental community.

B. VICE PRESIDENT

- Tom had to fix the gate again after it was vandalized and pushed into the open position. Dave High from the gate company was able to adjust the arm to allow for smooth operation.

C. TREASURER

- It is time to audit the financial records. UPA indicated this is the second year of a two year contract for DeRoach to conduct the audit, and it is already in progress.

D. SECRETARY

- Replaced numerous lights throughout the Association and is in need of more replacement bulbs. The lamp to the left of 1480 CSW is broken and will not light.

E. MEMBER-at-LARGE

- Attended a HRSD community meeting to learn about the upcoming pipe replacement to occur near the corner of Kempsville Rd. and Indian River Rd. this summer. The construction will not impede either of our entrances. He will keep us informed of any changes in the construction as he learns of them.

6. COMMITTEE REPORTS

A. COMMUNICATIONS COMMITTEE

- Dave submitted Communications Committee meeting minutes from the January 5th meeting.
- The meeting minutes discuss the March newsletter proposed articles, its proposed timeline, and the upcoming meetings and important dates.
- The next meeting will be held on March 3rd.

B. GROUNDS COMMITTEE

- During the last clean-up the STOP sign at the main entrance was plumbed and set with concrete, and staked a number of trees.
- An association Member suggested providing a \$50 gift certificate for 1) providing video proof of Owners not picking up after their pet in the common areas, and 2) providing information for those vandalizing the gate.
- Next community cleanup is March 7th; the next meeting will be held on March 9th.

C. MAINTENANCE COMMITTEE

- There was not a meeting this month.
- UPA was asked to investigate the status of the trim inspection.
- UPA questioned where the sidewalk was falling in that needed repair. Robert indicated it was near the west side of the bridge.
- The next meeting will be held on March 4th.

D. SOCIAL COMMITTEE

- No report.

7. MANAGEMENT REPORT

Robert mentioned there are five Certificates of Deposits (CD) that are expiring within a week. UPA's policy is to automatically renew each CD upon its expiration. Mike noticed the financial data on the Budget report is incorrect. The data is actually from last year's report and has not been updated to reflect the budget. UPA stated this will be corrected on future reports. Dave inquired as to when UPA performed his property inspections and was any Board member informed of the results of these inspections. Diane requested UPA to contact the Board when he performs a property inspection and especially when there is a problem.

The Board would like to meet with SwimKare to discuss the future maintenance of the pool. The requested UPA inform SwimKare of the Board's desires to meet them on April 21st at 7:00 pm.

The Board requested UPA to contact Lawrence Landscaping and find out the schedule to remove the stump at the corner of CSW.

The Board requested UPA to contact Arcbell Signs to quote a price to manufacture the letter "C" to replace the missing letter on the front sign.

The Board requested UPA to contact Aquatic Resource Management to determine the schedule to perform maintenance on the two lake fountains.

Robert made a motion to accept the Management's Report. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

8. UNFINISHED BUSINESS

A. Goals/Projects for 2009

- Diane distributed a list of proposed goals and projects for the Board Members. She requested the Board review the list and tabled the issue to the March BOD meeting to allow time for a review.

B. CA Day Plans

- Diane has scheduled the attendance to each workshop such that every workshop will be covered. She requested each individual obtain as much information possible and to share the info with the other BOD Members.
- Mike Minor (UPA) will attend the CA Day workshops in place of Mike D'Ambra, who will be unable to attend.

C. Bulletin Board Usage

- A discussion was held to determine the extent of usage to be allowed for the Bulletin Board.

- Robert made a motion to modify the Rules for posting to the Bulletin Board to state, “The Bulletin Board is for official communications of the BOD only.” Dave seconded the motion. By a vote of 3-1, the motion was accepted and adopted.
 - Diane will place this information on the Bulletin Board.
- D. Advertising Rates and Policies for Common Interests
- This issue will be tabled to allow Robert time to speak with Dennis Allard, the publisher of Common Interests.
- E. SPSA Fees
- There is no info on a proposed increase by SPSA. UPA will continue to monitor.
 - Lorraine Jackson found a new garbage container. Diane indicated she has noticed the container lids have been left open after they were emptied. She requested that UPA contact Waste Management to inform them again to keep the lids closed.
- F. 1545 CSW Painting
- UPA was requested to contact the Unit Owner to make an appointment, with Robert, to discuss the painting issues with the Target Group that occurred on his Unit. Diane indicated she wants the painting issue with 1545 CSW completed by April 1st.
 - Tom indicated that the last painting cycle with the Target Group we had a crew that did not perform well. When UPA contacts the Target Group, Mike should request only Jerry to discuss the painting issues. During the painting process, the Association requests a new supervisor from the Target Group, rather than John. According to the painting contract, the Units are supposed to be painted in accordance with the paint matrix identified on The Commons website. It was a consensus of the Board Members there needs to be an on-site representative to monitor the painting contractor.

9. NEW BUSINESS

- A. Application for Architectural Review
- UPA has approved a request from a Unit Owner to install an approved front storm door.
- B. Purchase Orders
- Robert made a motion to approve a purchase order in the amount of \$62.98 to reimburse Diane for printer cartridges. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
 - Dave made a motion to approve a purchase order in the amount of \$21.39 to reimburse Tom for lumber and concrete required to perform community maintenance. Robert seconded the motion. By a vote of 3-0, with 1 in abstention, the motion was accepted and adopted.
 - Tom requested UPA verify a check has been written for \$72.24 and distributed for a prior approved purchase. Tom was unsure if he had received the check.
- C. Gate Security
- To minimize the number of vehicles crossing through The Commons, only to be turned around by the gate, or attempting to push the gate arm up, thus damaging it, Tom proposed purchasing and installing two “No Outlet” signs at the Indian River entrance. Tom made a motion to spend up to \$150 to procure two signs. There was no second to the motion.
- D. Voting Results in Minutes
- This item was discussed during the approval of the previous meeting minutes.
- E. Gang Activity
- There is concern about the increasing evidence of possible gang activity near our neighborhood, as seen with the graffiti on the Neighborhood Watch sign at the Kempsville

Road entrance. The Grounds Committee will attempt to clean up the sign during the next clean-up day. It was noted that Acetone will remove the paint from the sign.

- Robert will contact the 4th Precinct to request an increase in patrols to monitor for gang activity. It was suggested to all Unit Owners that if you see suspicious activity to call the police right away. The more calls they receive, the more likely we will have increased police presence.

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

10. EXECUTIVE SESSION

- A. Violations
- B. Delinquency Report
- C. Legal Opinions
- D. Bids

Robert made a motion to leave Executive Session. Dave 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 violation letters to two Unit Owners for improperly parked vehicles. Robert 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 one Unit Owner for failing to keep trash container within the Unit garage or fenced area outside of the allotted time during trash pickup days. Robert seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- B. Delinquency Report
 - Dave made a motion requesting UPA to accelerate the payments of four Unit Owners that have failed to pay their required condominium fees and/or water bills.. Robert seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
- C. Legal Opinion
 - Based on the advice from the legal opinion, Robert made a motion to disapprove the payment of \$150 to Ms. Jackson for reimbursement for pest control within her Unit. Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
 - Based on the advice from the legal opinion, Dave made a motion to disapprove the payment of \$776 to Mr. Giles for reimbursement to roof repairs. Mike seconded the motion. By a vote of 4-0, the motion was accepted and adopted.
 - Diane requested UPA to send the legal opinions to the two Unit Owners explaining the reasoning for the disapproval of their respective reimbursement requests.

D. Bids

- Hortico Lawn and Landscape: Robert made a motion to approve the \$758 to cut down the tall underbrush located on one side of the pond to a manageable height of 6". Dave seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

E. Leasing

- Dave made a motion to send a letter to a Unit Owner with the information that permission to rent the Unit expires when the current renter vacates the Unit. Tom seconded the motion. By a vote of 4-0, the motion was accepted and adopted.

12. RFP – Association Management Contract

- A. The Board reviewed a draft of the Request for Proposal for a follow-on Association Management Contract.

13. ADJOURNMENT

Dave made the motion to adjourn. Robert seconded the motion. By a vote of 4-0, the motion was accepted and adopted. The meeting adjourned at 10:15 PM.

Respectfully submitted by Mike D'Ambra, Secretary.

Approved

Date