

FAIRFAX CLUB ESTATES  
BOARD OF DIRECTORS MEETING  
Wednesday, July 28, 2010, 7:30 PM – 9:00 PM  
FCE Pool

I. Call to Order

II. Verification of Quorum

Attendees:

Jim Thompson (President), Pat Ring (*Vice President*), Phil Beenhouwer (*ACC Chair and Secretary*), Karen Bates, George Reilly (Common Grounds), Dave Hardin (*Treasurer*), and Mike Krzykowski (*Tennis POC*).

Not in attendance: *Steve Holskey, Jason Regnier, Lu Wright (Board member), and Mark Eackloff.*

III. Membership Forum ----- 20 Minutes

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

IV. Review Minutes from previous Board Meeting ----- 5 Minutes

The Board approved the minutes from the June meeting.

Action Items:

- **Treasurer**: Contact GHA to ascertain how low our current checking accounts really are.
- **Secretary**: Coordinate with Webmaster to ensure that upcoming HOA meeting announcements on the website include agenda items.
- **Webmaster**: Change “FCE Architectural Review Request” (see #11) on website from “*allow 21 days to receive approval*” to “*allow 30 days to receive approval*”.
- **Treasurer**: Bring copies of the Aging reports to subsequent HOA meetings.
- **President**: Contact Nationwide about a vandalism claim for the light fixtures around the pool

and in the common areas. Also discuss the member use of grills and adding D&O insurance. (Jim contacted Nationwide, but did not have the policy number at that time. He will follow up with Nationwide by the August Board meeting.)

- **Common Grounds Chair**: Contact electricians for estimates for the light fixtures around the pool and in the common areas.
- **Board**: Create an FY11 budget line-item for the reserve study. (The 2006 Reserve Study cost ~\$2,800.)
- **Board**: Review aging reports at November and May HOA meetings to determine which aging accounts to have GHA turn-over to Association Attorney.
- ~~**Treasurer**: Ask GHA to research the accounting of the reserve fund and attend a future HOA meeting to help us understand the issues with accounting.~~
- ~~**Board**: With each invoice from GHA, identify whether the payment is operating or reserve.~~
- ~~**Secretary**: Contact AAA and American to determine what a community rate would be for trash/recycling.~~
- ~~**ACC Chair**: Contact GHA about the disclosure packet process and why it does not hold-up the sale/transfer of homes.~~

V. Review President's Report ----- 10 Minutes

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

Contributions to the reserve fund have been suspended as of July 1<sup>st</sup>. **Dave will inquire to GHA about how low our current checking accounts are.**

VII. Review Committee Reports ----- 15 Minutes

Architectural Control Committee

**ACC re-sale inspections:**

1. 10622 John Ayres Dr

**ACC reviews:**

1. 10622 John Ayres Dr (patio, deck, landscaping)
2. 10607 John Ayres Dr (deck)
3. 10661 John Ayres Dr (deck)

Common Grounds

George has received promotional materials from an electrical company that he initially contacted last month about the broken light fixtures around the pool. He will schedule an appointment for that company to get an estimate.

Neighborhood Watch

Pool

*“We are searching for the most efficient method to ensure only authorized FCE pool members and their guests are utilizing the pool. Several suggestions, to include re-instituting Guest Member fees, have been offered and are being evaluated. All suggestions on how we can make our pool better and safer should be sent to [pool@fairfaxclubestates.org](mailto:pool@fairfaxclubestates.org).”*

Social

Kelly Hood will plan the adult social for August 21, not the 28<sup>th</sup> as is currently advertized on

the sign by the pool.

Tennis

Playground

The playground equipment replacement committee has no update.

Miscellaneous

VIII. Old Business ----- 10 Minutes

1. POOL MEMBER INSPECTION

*Since the last HOA meeting, a review of the pool sign-in sheets was conducted. Names on the sign-in sheets were compared to an FCE "Member List" and a significant number of names did not appear on the "Member List". A separate HOA meeting to discuss this analysis and the near- and longer-term pool enforcement issues is being scheduled.*

**The Board agreed that we should narrow the scope of the pool meeting and then post a sign at the pool. It was proposed that the meeting be held the week of August 1, but the near-term issues that resulted from the review of the sign-in sheets would require the Board be in attendance. Therefore, the next HOA meeting on August 25<sup>th</sup> was agreed to. Jim said that we could make changes to the Crystal contract at no cost.**

IX. New Business ----- 10 Minutes

1. The ACC Chair's meeting with GHA

- No web-access for BOD

- No tenant names (GHA associates payment with address only)
- They do not have lot numbers, so they will send the ACC Chair an Excel extract of their listing of 272 homes and the ACC Chair will add lot numbers and return the listing to GHA.
- “Collection Resolution” – see below.
- GHA’s fall software update should incorporate the owner’s outstanding balance on the semi-annual invoice. (A few Board members believed that the current bills show outstanding balances and Karen said she saw it…)
- Disclosure packet contains not just the Covenants, By-Laws, etc., but also the resale inspection and a report detailing outstanding dues – but only if the seller requests the closing documents from GHA. It is the law in Virginia that a seller or seller’s agent requests this disclosure package. The ACC Chair expressed concern that even with the “Collection Resolution” in place going-forward, a homeowner could skirt any outstanding dues by not requesting the disclosure packet be provided to the buyer. GHA assured the ACC Chair that while this is possible, it really does not occur since all agents are aware of the law.

## 2. The "Collection Resolution" template

The main purpose of the ACC’s meeting with GHA was to discuss the action item “*Contact GHA about the disclosure packet process and why it does not hold-up the sale/transfer of homes.*” Based on the discussion surrounding the disclosure packet (see above), GHA advised the FCE BOD to prepare a "Collection Resolution", which would clarify, formalize, and implement collections procedures as dictated by the Covenants and the Bylaws of the

Association. The process that the BOD sets forth in the “Collection Resolution” would then be automatically implemented by GHA and the Association’s Attorney, instead of the current manual process that requires the BOD to inform GHA to take action against a homeowner on a case-by-case basis. The “Collection Resolution” would document when a homeowner would be considered late (and at what amount) in their semi-annual assessments and what action will be taken against them. If finalized, signed by the BOD, and returned to GHA by September, this Resolution would be sent to all homeowners with their fall assessment and enforcement would start effective in November.

As was raised during the meeting, the HOA pays the legal fees to the Attorney up-front, so if a homeowner does not pay their assessments, then they will likely not pay late fees, interest, and legal fees, and the HOA will have already paid the fees in the hopes of getting reimbursed. While the HOA has a line-item for legal expenses, the amount is very low and there were concerns among members of the Board that chasing overdue accounts might cost more than the benefit that might come from it.

The Board reviewed the draft “Collections Resolution” (“*FCE Collections Resolution DRAFT 2010\_July.doc*”) and agreed to the following schedule, which is documented in the “Collections Resolution”:

- ~9/15 (& ~3/15): invoices sent by GHA
- 10/1 (& 4/1): assessments due, i.e., “due date”
- 11/1 (& 5/1): assessments are considered late -- \$25/month administrative fee and 6%/year fee assessed

- 11/1 (& 5/1): 30 day late notice from GHA (letter should state that the owner “*may be subject to future legal action...*”)
- 12/1 (& 6/1): Board decides (majority vote) which overdue accounts are turned over to HOA attorney. Attorney sends letter to owner.
- 1/1: Lien (& 7/1)

### 3. Fairfax County’s Watershed Forum

Karen provided an update on last evening’s Forum. She indicated that FCE does not have representation on the Watershed Advisory Group, but Middleridge does. No easement to do the work in our common grounds.

#### X. Executive Session ----- 20 Minutes

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

#### XI. Date, Time, Place of Next Meeting (*4<sup>th</sup> Wednesday of each month*): August 25, 2010, 7:30pm, FCE Pool (weather permitting) or Bonnie Brae Lower Music Room/Theater.

#### XII. Adjournment