

FAIRFAX CLUB ESTATES
 BOARD OF DIRECTORS MEETING
 Wednesday, July 27, 2011, 7:30 PM – 8:45 PM
 FCE Pool

I. Call to Order

II. Verification of Quorum

III. Membership Forum ----- 20 Minutes

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

Attendees:

Phil Beenhouwer (ACC, Secretary, and Board member), Mark Eackloff (Webmaster and Board member), Pat Ring (Vice President and Board member), Dave Hardin (Treasurer and Board member), Mike Krzykowski (Tennis POC and Board member), Lauren Hefner (Common Grounds Chair and Board member), and Brian Hefner (ACC Chair and Board member).

Board Members not in attendance: Lu Wright (Board member), *Jim Thompson (President and Board member)*,

IV. 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>
Review Mark's analysis of our governing documentation.	BOD	7/27/11	...written concerns documenting any inconsistencies between the By-Laws and Covenants and how they are currently enforced.
Request financial statement training from GHA	Treasurer	5/25/11	Is there an additional cost? Mary has not responded.
Contact prospective Reserve Study companies for estimates.	Treasurer and President	5/25/11	President has three estimates: 1. Mason & Mason: They did our first Reserve Study - their price is \$3,000 2. Kipcon: \$1,650 for a Basic reserve Study Update, \$2150 for a Detailed Reserve Study Update 3. PM+: \$2200 for Level 2 Update of Previous Study, \$2400 for Level 1 Full Study

			<p>The Reserve Study should include the storm water issue coming from under the south-eastern corner of the pool's foundation.</p> <p>The BOD should review the contracts that the President has forwarded and provide comments. The Vice President stated that the reserve account is approaching \$100,000 and the Board should consider how it should be spent.</p> <p>The Secretary recommended that the current balance be provided to the company who the BOD chooses to complete the Reserve Study so that they can incorporate this amount into their analysis.</p>
Review the contracts received from Reserve Study companies that the President has forwarded and provide comments.	BOD	7/27/11	
Contact the HOA Attorney for her interpretation of Virginia Property Owners Association Act (55.509.3), concerning FCE's donation to our neighborhood Cub Scout troop.	President	6/22/11	<i>"no association may (i) make an assessment or impose a charge against a lot or a lot owner unless the charge is a fee for services provided or related to use of the common area..."</i>
Contact VDOT to determine if street name painting is legal.	Lu Wright	6/22/11	A line-item in the budget will need to be created.
Research enforcement, lien capabilities that the State might offer to HOAs	Common Grounds Chair	6/22/11	Common Grounds Chair provided a four-page summary of her research into State law. The BOD will review this information and provide comment at our next meeting.
Review summary of State Law concerning HOA enforcement (e.g., liens).	BOD	7/27/11	
Remove May meeting minutes from the website and replace with updated minutes provided by the Secretary.	Webmaster	7/27/11	
Speak with GHA to 1) identify which homeowners have liens on them, and 2) confirm that all homeowner's with overdue balances exceeding \$460 have been turned-over to the Attorney.	Treasurer	7/27/11	<p>Lee has not been turned-over to Attorney. Treasurer recommends that we turn that account over to the lawyer. GHA needs an email from the President.</p> <p>Eagan's lien is in process. President will sign the required letter from GHA.</p> <p>Smith has a lien on his account.</p> <p>Coyne has a lien, but is in bankruptcy proceedings.</p>
Confirm that once the Board informs GHA as to which accounts should be turned-over to the Attorney, that the Attorney's actions from (1) her letter to (2) placing a lien on a homeowner are all automatic, without BOD direction.	Treasurer	7/27/11	
Email the Board by August 10 th requesting input on whether or not we should hold a meeting.	Secretary	7/27/11	

V. Discussions Since Last Meeting

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

We had a very successful and well attend Adult Social this year! Many people were in the water enjoying volleyball and beer (not necessarily in that order!). Many thanks for Lauren and Brian Hefner for all their help in organizing and putting on this event!

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

VIII. Review Committee Reports ----- 15 Minutes

- Architectural Control Committee
- Common Grounds
- Neighborhood Watch
- Pool

We continue to sign up Summer Members, far exceeding the required 50 Summer Members we budgeted for this year. I have received fewer complaints this year than almost any previous year, a testament to the experience of the lifeguards staff and particular the Pool Manager, Joe, and the Assistant Manager, Lindsay.

Crystal Aquatics has submitted to their insurance company the claim by the pool member who was hurt by the falling table top.

- Pool Enforcement Sub-Committee
- Social
- Tennis
- Playground
- Miscellaneous

IX. Old Business ----- 10 Minutes

1. GHA contract: The contract was reviewed and it was determined that each year is automatically renewed on

October 1 for an amount not to exceed an increase of 1.5%. The first year's \$8,400 is now \$8,700, so GHA has applied increases over the past two years. (Next year's monthly amount should not exceed \$735.88.)

2. 55-509.3: *"no association may (i) make an assessment or impose a charge against a lot or a lot owner unless the charge is a fee for services provided or related to use of the common area..."* Mike clarified that the issue concerns Cub Scouts and not Boy Scouts. The Board reached a consensus that we needed an opinion from our attorney. The Secretary proposes that we consider requiring the Cub Scouts to perform a "service" for the money we provide them. The Board voted 7-0 in favor of waiting for the legal opinion.

3. Homeowners with Outstanding balances exceeding \$460: The Treasurer stated that since the Attorney sent letters to the approximately 15 homeowners after the spring assessment, all but four have reduced their balances to below \$460. A discussion ensued as to whether or not these four have liens placed on their homes as a result of the Attorney letters and **the Treasurer took the action to speak with GHA to 1) identify which homeowners have liens on them, and 2) confirm that all homeowner's with overdue balances exceeding \$460 have been turned-over to the Attorney. He will also confirm that once the Board informs GHA as to which accounts should be turned-over to the Attorney, that the Attorney's actions from her letter to placing a lien on a homeowner are all automatic, without BOD direction.**

X. New Business ----- 30 Minutes

1. Use of remaining tennis budget: *"...the money be used either for continuing maintenance/upkeep of the courts, or for something to improve the players' and visitors' experience at our courts. I'm thinking in particular of the giant hole in the fence at the back of the courts; the rotting benches up on the hill where visitors sit to watch matches; or the ever-encroaching growth of weeds/poison ivy/etc. around the perimeter of the courts."*

Michael explained that the tennis and tennis team line-items were combined a couple of years ago, and that Michael and the tennis team POC have coordinated that the team will spend what they need to for the end of year party and they will provide the unspent funds to be used for tennis court-related maintenance issues.

XI. Executive Session ----- 0 Minutes

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

XII. Date, Time, Place of Next Meeting (*4th Wednesday of each month*): **The Secretary will email the Board two weeks prior to the August meeting requesting input (agenda items) on whether or not we should hold a meeting.**

XIII. Adjournment