

**Kempton Park Homeowner's Association Board of Directors Meeting
April 15, 2009
Glebe Episcopal Church, 4400 Nansemond Parkway, Suffolk, VA**

Members Attending: President: Raymond Laffoon
Secretary: Raymond Bailey
Treasurer: Shirley McGill
Member-At-Large: Steve Dorman

Members Absent: Vice President: Cheryl Hendricks

United Properties: Tiffani Lucas

1800 – Architectural Review Board (ARB) Meeting: No applications received.

<u>Last Name</u>	<u>Address</u>	<u>Project</u>	<u>Result</u>
Dyson	3035KR	Fence; white vinyl.	Approved as submitted
Stopyra	3054KR	Trim wrap with white vinyl-clad aluminum.	Approved as submitted
Pickett	5011KS	Window replacement.	Approved as submitted
Querry	5056KS	Fence; white vinyl.	Approved as submitted
Montgomery	3007NC	Retractable awning on back deck.	Approved as submitted

1835 – Board of Directors Meeting: The meeting was called to order.

1835 - Homeowners Forum: No residents attended.

1836 – The minutes from the March 18, 2008 Board of Directors meeting were approved.

1836 - Committee Reports:

- Treasurers Report – Ms. McGill presented the March report:

<u>INCOME AND EXPENSES</u>	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>
TOTAL INCOME	\$13,044.81	\$13,241.82	(\$197.01)
EXPENSES			
Administrative	\$3,540.22	\$3,852.18	\$311.96
Utilities	\$113.95	\$1,317.75	\$1,203.80
Maintenance	\$2,724.30	\$6,937.77	\$4,213.47
Replacement Reserves	\$600.83	\$600.84	\$0.01
Operating Reserves	\$533.33	\$533.34	\$0.01
TOTAL EXPENSES	\$7,512.63	\$13,241.88	\$5,729.25
NET INCOME	\$5,532.18	(\$0.06)	\$5,532.24
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<u>INCOME & EXPENSES YEAR TO DATE</u>			
INCOME	\$40,394.48	\$39,725.50	\$668.98
EXPENSES			
Administrative	\$11,018.90	\$11,556.50	\$537.60

Utilities	\$457.93	\$3,953.25	\$3,495.32
Maintenance	\$12,146.82	\$20,813.25	\$8,666.43
Replacement Reserves	\$1,802.49	\$1,802.50	\$0.01
Operating Reserves	\$1,599.99	\$1,600.00	\$0.01
TOTAL EXPENSES	\$27,026.13	\$39,725.50	\$12,699.37
NET INCOME	\$13,368.35	\$0.00	\$13,368.35

BALANCE SHEET

		Maturity Date	APR
OPERATING ACCOUNT	\$24,561.06		
OPERATING RESERVES	\$17,572.15		
REPLACEMENT RESERVES	\$21,001.28		
REPL RES / CD / TOWNE BANK	\$48,561.86	2/18/2010	4.35%
TOTAL	\$111,696.35		

- Ms. McGill asked about a late charge posted by Web Technologies. Ms. Lucas will check into why the payment wasn't paid on time.
- Motion made and passed to accept the Treasurer's Report.
- **Manager's Report** – Ms. Lucas presented the following:
 - **Pond #2 Aerator**: Tabled until further notice.
 - **Audit**: Desroches & Company is completing the report.
 - **Annual Meeting**: A packet was emailed to the Board for approval on April 7 and mailed to homeowners on April 9. It included the meeting notice, a vote proxy, proxy example, BOD interest form, garage sale flyer and website flyer.
 - **Worker's Compensation**: Information regarding Worker's Compensation in the state of Virginia is included in the Board packet. There was a case where an Association was called before the Virginia Worker's Compensation Commission to explain why it lacked coverage. Based on this information, Board officers are considered non-paid employees. In addition, Association volunteers who perform work on the property must have coverage. This information was provided by an agent of Nationwide insurance. It is highly recommended and mandated under the Virginia Code definition of "employee" that this coverage be obtained. The cost is \$526 per year.
 - **Financials**: See Treasurer's Report.
 - **Lawn Maintenance**: Met with PGM on April 13 to discuss several areas that need attention.
 - **Pool – Drain Covers**: AAA completed work on March 30.
 - **Irrigation**: The revised contract with Heads Up Sprinkler Systems was emailed to the Board and approved on March 30. It was signed by Mr. Laffoon on April 2 and faxed to the company.
 - **Violations/Inspections**: A copy of the most recent violation logs is included in the Board Packet. Violations include trash cans, pressure washing and jet skis.
 - **Email/Correspondence Issues**: No new issues were raised.
 - **Delinquencies**: The Delinquency and Collections Reports for those more than 30 days past due are included in the Board packet. Also included the collections report from Vonda Dunn, P.C.
 - **Resale Requests**: Received no new resale requests.

○ Contract Status:

<u>Service</u>	<u>Company</u>	<u>Expiration</u>	<u>Notice Requirement</u>	<u>Action Month</u>
Insurance	Nationwide	2/13/10	None specified.	2/10
Pool	AAA – Winter Maint.	4/15/09	None specified.	N/A
	AAA – 2009 Season	9/7/09	None Specified.	8/09
Landscaping	Professional Grounds Management	2/15/10	30-day or automatic	10/09
Lawn Irrigation [Newly added.]	Heads Up Sprinkler Systems	12/09	None specified.	2/10
Pond Maintenance	Virginia Lake Mgmt.	9/30/09	30-day or automatic	7/09
Website Management	Web Technologies UPA	None 2/2011	Ongoing Renews for 5 years unless challenged.	N/A 9/10

1905 – Unfinished Business:

- Pond #2 Aerator: [Board Issue] Tabled until spring.
- Audit: [Board Issue] As noted in the Manager’s Report; awaiting the final report.
- Spring Fling: [Board Issue] Despite notices on the community sign and web site, we have received no input or volunteers from the community. Issue Closed
- Garage Sale: [Board Issue] Rescheduled for 18 April, 8AM-12PM, with a rain date of 25 April. Ms. Hendricks placed ads as authorized during the February meeting. Mr. Dorman will place the community sign at Shoulders Hill and Bennett’s Creek Park Rds.
- Irrigation Sensors: [Board Issue] Have not received an estimate from Heads Up.
- Playground Mulching: [Board Issue] PGM should lay the mulch within the next 2 weeks.
- Pool Drain Covers: [Management Issue] As noted in the Manager’s Report. Issue Closed
- ARB Guidelines: [Board Issue] An ARB meeting was held at Mr. Dorman’s home on 25 March to finalize the revision. This version was emailed to the Board for final review and was approved. Mr. Dorman will convert it to a PDF file and provide it to UPA for copying and delivery to the homeowners.
- Pool Passes: [Board Issue] Decided at March meeting to require residents to pick up pool passes at UPA. A notice will be included in the ARB Guide mailing. Residents will be asked to complete an emergency information card when picking up the passes.
- Irrigation Contract: [Board Issue] As noted in the Manager’s Report. The new contract is in effect. Issue Closed
- Annual Meeting: [Management Issue] As noted in the Manager’s Report; scheduled for 29 April at Glebe church. Registration is at 1830 and the meeting will start at 1900. So far, UPA has received 2 inputs from residents interested in serving on the Board. Ms. Lucas suggested that tribunals be held at 1730 before the meeting and the Board agreed.

1920 – New Business:

- Workers Compensation: [Management Issue] Discussed the issue of a Virginia precedent for carrying the coverage. As all of the Board members have completed volunteer work (such as cleaning pool furniture and removing stumps at the playground) we can not envision suing the Association for an injury. However, there seems to be a possibility that contractors may not be covered for the entire length of their contract. Although UPA requires proof of

insurance in order to add vendors to the “approved” list, this does not mean that the company maintains the coverage. This is also not a requirement in current contracts. Suggested the following options:

- Obtain 1 year of coverage and add a clause to all new contracts.
- Review current contracts and attempt to add addendums to require continued coverage.
- Add a clause to all new contracts that requires that the company maintain coverage for the entire length of the contract.

Before making a decision, asked Ms. Lucas to check with legal as to our liability if we add a clause to contracts.

- Pond Issue: [Resident Issue] Mr. Dorman states that there are many muskrats around Pond #1 causing damage to the pond walls. Asked Ms. Lucas to contact Virginia Lake Management as to possible control methods.

Executive Session: Not required.

- **Issue Decisions:**

- ARB Guidelines: Motion made and approved to accept the revised ARB guidelines.
- Workman’s Compensation: Motion made and approved for Ms. Lucas to obtain legal advice on contract issue.
- Pond Issue: Motion made and passed to obtain information from Virginia Lake Management on muskrat control.

- **Action Pending for Next Meeting:**

- Financials: Ms. Lucas will ask why Web Technologies bill was not paid on time.
- Audit: Ms. Lucas will track completion with Desroches & Company.
- Irrigation Sensors: Ms. Lucas will follow-up on Heads Up estimate.
- Playground Mulching: Ms. Lucas will follow-up with PGM on completion.
- ARB Guidelines: Mr. Dorman will provide a PDF file to UPA and Ms. Lucas will mail to homeowners.
- Pool Passes: Ms. Lucas will have the passes prepared and provide a notice to residents in the ARB Guide mailing.
- Workman’s Compensation: Ms. Lucas will obtain a legal opinion on the coverage.
- Pond Issue: Ms. Lucas will contact Virginia Lake Management on muskrat control methods.

1935 – The Annual meeting will be held on April 29, 2009 at Glebe Church; registration at 1830, meeting at 1900. The next monthly Board meeting will be held on Wednesday, May 20, 2009 at Glebe Church. [NOTE: May 20 is the follow-up date if a quorum is not reached on April 29.]

1935 – Meeting adjourned.

Submitted By: R. E. Bailey