

**Fairlington Mews Council of Co-owners
Minutes, Board of Directors Meeting, March 26, 2008
Abingdon School Library**

Call to Order/ Attendance/ Quorum

The Board of Directors meeting was called to order at 7:03 PM by president Fern Birtwistle. Quorum was established.

In attendance were board members – Tami Anderson, Julia Claypool, Tonya Dodge, and Seth Low in addition to Ms. Birtwistle. Lori Olivas of the Landscape Committee and David Biette of the Recreation Committee were present.

Manager Jason Eglin was present in addition to homeowners Chandra Burnside (3432 A2 S. Wakefield St.) and Penny Glass (4655 36th St. South).

Tom Corbin recorded the minutes.

Approval of Minutes

Ms Anderson moved to approve the minutes as submitted with a second by Mr. Low. The board approved the minutes of February 27, 2008 as submitted **5 – 0**.

Discussion

Ms. Birtwistle requested that Mr. Eglin email the board package in a PDF file and page/ index it in the future.

Homeowners' Forum

No concerns were raised by homeowners.

President's Report

Ms. Birtwistle discussed the following items in her report to the board:

1. She suggested the board consider increasing penalties for non-compliance with rules and regulations as stated in the association handbook and by-laws. The current by-laws specify that total monetary penalties cannot exceed \$900 per incident. Ms. Birtwistle suggested other penalties than exclusion of co-owners from recreational facilities such as denial of access to parking space. (In the board discussion following, Mr. Low responded that the board cannot override by-laws or change them through board resolutions. Mr. Low also stated that association by-laws, for example, are clear on pet regulations. Ms. Anderson said that the association needs to “use” the rules we have before suggesting others. Mr. Eglin will check by-laws and refer to association “due process” resolution regarding both documents’ reference to non-compliance.)
2. Ms. Birtwistle expressed concern about the current sewer work by JED Mechanical citing the “messy” conditions of the work. She also produced a photograph showing an area of recent work where two clean out valves existed. Mr. Eglin will follow up.
3. Ms. Birtwistle questioned whether or not the unsatisfactory cement repair in Court 4 had been rectified to board satisfaction noting that there was no evidence other than “X’s” marked on the pavement and cement washed onto the asphalt and turf. Mr. Eglin will follow up.
4. Ms. Birtwistle noted that Fairlington Arbor had extended fences at S. Taylor and S. Wakefield Streets from the patio fences to the King Street fence effectively blocking egress in this area. She wondered if this would impact on the Mews area adjacent to King Street and suggested the board consider erecting a fence from the Edgewood unit in Court 1 to the King Street fence. **(No board action on the suggestion.)**

5. Ms. Birtwistle noted that the work in Court 1 re: waterproofing and window well replacement has not been completed. Mr. Eglin responded that the company has not been paid for this work.
6. Ms. Birtwistle noted residents' concerns about alleged immobile and "stored" vehicles on Arlington streets adjacent to Mews property. (Ms. Anderson responded that if residents have such concerns they should be addressed to Arlington County since this is not part of Mews association responsibility.)

Secretary's Report

Ms. Anderson noted that the board needed to ratify recent on-line votes so that they are reflected in the association minutes.

Ms. Dodge moved that the association accept the Trash Hauling proposal from Capital Services approved in an on-line vote in February 2008. Ms. Anderson seconded the motion. The board approved spending \$3,047.00/ monthly for a trash hauling agreement with Capital Services. **(Action Approved 5 – 0)**

Ms. Claypool moved that the association accept the resumption of work by JED Mechanical; Mr. Low seconded the motion. **Motion: The association exercises its option to have JED Mechanical conduct the next phase of relining project under the current contract, but that no work should begin until JED Mechanical provides a description and exact measurement of sewer lines to be completed this year. (Action Approved 5 – 0)**

A motion was made to accept the Don Hook proposal to prune the King Street Photinia hedge for \$4,800.00. This action had been approved previously in an on-line vote. (Note: the work has been completed.) **(Action Approved 5 – 0)**

Ms. Anderson delayed discussion of preparation of the annual meeting until "New Business" item on the agenda.

Treasurer's Report

Ms. Claypool could not discuss the most recent "profit and loss" statement since she received this information at the beginning of tonight's meeting.

Ms. Claypool had shared the FY 07 draft audit with board members and moved that the board accept this audit since there were no changes or questions raised by board members. Mr. Low seconded the motion. The board approved acceptance of the FY 07 Goldklang audit. **(Action Approved 5 – 0)**

The association has not received the interim audit (August 1 – November 30, 2007).

Ms. Birtwistle questioned a recent \$2, 200.00 bill from Leslie Engleking (former association maintenance contractor) dated October 2007 for work performed in May 2007 re: pool house maintenance consisting of "power washing" and "floor painting". Mr. Biette, recreation committee member, stated that World Pool did prep work for the pool area before turning over the supervision to Curl Pool. Mr. Eglin will follow up.

Landscape Committee

Ms. Olivas had emailed to board members a written landscape report and proposals for consideration prior to this meeting.

Items considered:

1. Mulching and mowing of common areas will begin week of March 31.

2. Request to remove current flower bed and return to grass @ lamp post at west end of Court 15. Environmental Enhancements (EE) requests \$150.00 to level and sod the area. Ms. Claypool made a motion to spend less money by leveling and seeding the area. Mr. Low seconded the motion. Ms. Olivas will handle this with EE. No dollar amount was established. **(Action Approved 5 – 0)**
3. Request to landscape area adjacent to 4694 B 36th Street S.; this will be taken under consideration as the request came from a renter, not a co-owner.
4. Proposal from Environmental Enhancements for \$1,263.00 to create an erosion barrier at 4654 B. 36th Street S. Ms. Claypool motioned that the board accept the proposal from EE “to install approximately 8 (6 x 6) pressure treated timbers to control the existing erosion. This wall will be approximately 12 – 16 inches high and 17 feet long which will tie into the existing hillside. Install one cubic yard of topsoil and 6 ‘Blue Pacific’ junipers (3 gallon size) above wall.” Ms. Dodge seconded the motion. **(Action Approved 5 – 0)**
5. Proposal from Merrifield Garden Center for \$2,100.00 for selected rejuvenation pruning in Courts 12, 13, 14. Ms. Anderson made a motion to approve the proposal with a second by Mr. Low. **(Action Approved 4- 0; Ms. Birtwistle abstained)**
6. Discussion: Are association grounds contractors meeting proper insurance requirements? Do they employ workers with legal status? Can the association be held responsible for any problem re: illegal status of grounds workers? Ms. Anderson stated that employers are responsible for “I -9” forms to identify the legality of all workers. Can the association require a clause in all future grounds contracts stating that all association grounds work will be performed by a “legal” work force? Mr. Eglin will check with counsel.
7. Discussion: Ms. Birtwistle wants the Landscape Committee next year to include certain work which has been recently subcontracted (Merrifield Garden Center work for example) in the general Landscape Contract, allocating more hours in the contract for work such as pruning.
8. Proposal from Don Hook Tree Services for \$625.00 to remove two cedar trees/ stumps near King Street and removal of stump @ 4620 A 36th Street. Ms. Claypool motioned to accept this proposal with a second from Ms. Anderson. **(Action Approval 5 – 0)**
9. Proposal to include in future contracts for any work – roofing, sewer, building repairs - which disturbs the turf/ landscape a clause requiring the contractor to restore the turf/ landscape to its original condition to the satisfaction of the association board of directors. A monetary penalty will be assessed if restoration is not satisfactory. Mr. Eglin will take this under advisement and bring wording for future RFP’s to the next meeting.
10. Concern about continuing erosion at the rear of Court 15 near “gum” tree and drain area. Mr. Eglin said he would need to consult an engineer to determine the scope of this work.
11. Discussion: Ms. Glass asked when residents of Court 15 can expect the turf there to be restored following the recent roofing work. Mr. Eglin said “they should be working on it now” and that “Seal” and “Zimmer” have been notified of the need for such restoration.

Recreation Committee

Mr. Biette presented the following items:

1. Some pool furniture needs repairs. The committee will use the same vendor as in the past unless Mr. Eglin knows of another vendor.
2. Recreation forms will go out in mid-April.
3. Since CMC charges \$3.00 to process a recreation pass, the committee will produce the passes and hand number them.
4. Shannon Watson will coordinate requests for upkeep and repairs to the association tennis courts.
5. Discussion: Ms. Birtwistle requested some play ground appropriate “interim” wood chips be installed in the “tot lot” to improve the appearance of this area. Mr. Eglin will follow up.
6. Ms. Anderson moved that the association again allow “Fairlington FINS” the use of the association pool this summer. Motion was seconded by Mr. Low. Tom McGuire,

supervisor of this group, had signed an agreement re: insurance/ liability, etc. **(Action Approved 5 – 0)**

Newsletter

Mr. Corbin said the recently distributed April/ May newsletter cost \$189.00, an increase over the last issue. He indicated that in spite of showing Office Depot's manager past receipts for the same work at a lesser price, he was only able to have the bill reduced by \$10.00. Office Depot is still cheaper for printing than Staples or Kinko's.

There are plans for a "summer newsletter" to be distributed prior to the annual meeting with a deadline for submission around May 15.

Management Report

In addition to issues concerning management responsibilities previously discussed in the meeting, Mr. Eglin presented the following items for board consideration:

1. **JED Mechanical** sent a deposit invoice which has been paid. A list of sewer lines that will be replaced has been received. Total cost of work is \$49,970.00
2. A draft of the **2008 – 09 budget** has been started and will be presented to the Board at April's meeting.
3. **Resident (4636 S. 34th Street)** was told that the board needed more specific information from contractor "on how the roof would be supported." He has not received this information.
4. Mr. Eglin presented a **preventative maintenance proposal** from CMC maintenance to include:
 - Fence repair maintenance
 - Downspout repairs
 - Removal of tree/ shrubs against buildings
 - Reattach/ repair shifted or missing shingles
 - Paint metal railings
 - Repair rotted wood, spot prime and spot paint
 - Repair compromised chimney screens.

CMC maintenance (Jerry Deane) proposes to perform this work (detailed above) in 3 courts using "a team of two technicians" who will address the repairs in sequence. Work should take 9 days at a cost of \$10,800.00. This "test" will give a clearer idea of the amount of work/ time/ materials needed for future association repairs.

Discussion: Members of the board questioned Mr. Eglin: (a) What is the county code for placement of railings at stairs? (b) The cost seems high for the scope of the work indicated. (c) What kind of replacement materials will be used – real or synthetic? (d) We don't want non-roofers working on the roofs. (d) Eliminate items 3 and 4 from proposal: trimming overgrown trees and shingle work.

Ms. Claypool suggested that the proposal (detailed above) be reworked to reflect work only in Courts 1 and 2 as a "test" case scenario. This will enable the board to know the cost, the full scope of the work needed, and the time for its completion.

By board consensus Mr. Eglin will rework the CMC maintenance proposal and email it to the board for approval so that it still may be possible for work to begin on April 14 as planned.

5. Mr. Eglin presented for board review a sample **“pet resolution”** to penalize residents who do not abide by association rules regarding pets. The board will take this under advisement.
6. Ms. Birtwistle asked management to check on requirements for proper storage of association records re: kinds of records to be maintained; length of time to be kept; financial records, etc. Mr. Eglin will follow up.
7. CMC Maintenance (Jerry Deane) suggested (in previously discussed maintenance proposal) that the association’s previous **painting cycle** was effective, and he recommends the community again be divided into 3 areas for painting where one area is painted in a year with a year break between the three - year cycle. **He needs a board response by May 15.**
8. Discussion of preparation for 2008 Annual Meeting:
 - Electronic voting resolution
 - CMC will produce materials for annual meeting – announcement, proxies, candidate form, etc.
 - Court Reps need additional proxy forms to encourage residents to participate.
 - Suggestion of a supply of proxies and “proxy” box at pool in weeks before annual meeting.
 - Need to secure a meeting facility
 - Suggestion of raffle of “free” one month condo payment as incentive for resident participation.

Ms. Dodge left the meeting at 8:40 PM

At 8:45 PM, Ms. Claypool moved that the board move into executive session to discuss problems with delinquencies and legal/ personnel matters. Mr. Low seconded the motion. **(Board Approval 4 – 0)**

(Note: Ms. Claypool indicated in an email dated 3/27/ 08 that the board only dealt with delinquency matters and that no actions were taken. She also indicated that Mr. Eglin brought the registration form from the State Corporation Commission for signature.)

The board reconvened in regular session and adjourned at approximately 9:00 PM.

Respectfully submitted,
Tom Corbin