

**FINAL**

**FAIRLINGTON VILLAGES, A CONDOMINIUM ASSOCIATION  
MINUTES OF THE  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
COMMUNITY CENTER  
September 4, 2019**

**Directors Present:**

Terry Placek	President and At-Large Director (via telephone)
Melanie Alvord	Vice President and Ward VI Director
Harry Reem	Treasurer and Ward III Director
Anne Wasowski	Secretary and At-Large Director
Jessica Auston	Ward I Director
Andi Dies	Ward IV Director
Edward Stollof	Ward II Director

**Also Present:**

Gregory B. Roby	General Manager
Erin Moran	Office Manager
Miguel Galvez	Facilities Manager
Mark Johnson	Operations Manager
Dave Bush	Recording Secretary

**I. Residents' Comments**

Karen Weaver, the homeowner residing at 3048 S. Abingdon Street, came before the Board to ask that a comprehensive tree survey be undertaken. She asked if the Board would sanction such a survey and make a call for volunteers to participate. President Placek noted that a comprehensive survey was conducted and has been updated over time, with the last update taking place about five to seven years ago. The Board suggested Ms. Weaver submit her plan to the Grounds Committee and then return with a request for a program with volunteer participation.

**II. Call to Order**

At 7:21 p.m. Treasurer Reem called the regular agenda to order.

**III. Establishment of Quorum**

Treasurer Reem noted there was a quorum with seven members present. He reported that At-Large Director Larry Straub and Ward V Director Philip Brown were unable to attend.

**IV. Approval of Minutes – August 7, 2019 Regular Meeting**

*Ms. Alvord moved the minutes of the August 7, 2019 regular meeting of the Board of Directors be approved as revised. Seconded by Ms. Placek and passed (7-0-0).*

**V. Old Business**

There was no Old Business on the Agenda and none was presented.

**VI. New Business**

**A. Multiple Use Of Tennis Court Thirteen (13)**

Prior to voting on the resolution, the Board heard from interested owners/residents concerning the pilot program. The following owners/residents offered comments: Kathleen, Dan and Beau Branch (4822 S. 28<sup>th</sup> Street), Robert McGinnis (2874 S. Abingdon), Kenneth Venable (4834 S. 28<sup>th</sup> Street, A-2), Mehrnaz Samini (4860 28<sup>th</sup> Street, A-2), Nicki and Carter Harshman (4820 S. 28<sup>th</sup> Street), Traci Gravelle (2862 S. Buchanan Street), Amber \_\_\_\_\_ (2061 S. Buchanan Street), and Tiffany and Mike Bittenbender (4830 S. 28<sup>th</sup> Street).

The unanimous consensus among those speaking was to thank the Board for offering this pilot project and that it was well received. Other comments included (1) suggestions that the court not be locked and be open for round the clock use; (2) that the noise was not what was expected and that the bouncing of a basketball was not as loud as the bounce of a tennis ball; (3) that the installation of the hoop was as good for child development as for adult play; (4) that the hoop be made adjustable to allow for better access by children; (5) that the project be expanded to all courts rather than having it only in one location and that other activities be included at swimming pools and on other tennis courts; (6) that lighting be included so that play can continue into the winter months; (7) and, that this offers a wonderful child and team development opportunity for pre-school, elementary, middle and high school children to learn about basketball and have a place to practice after school hours.

*Ms. Placek moved that the Board of Directors approve the continued multiple use of tennis court thirteen (13) explored by the June-September, 2019 pilot program and the installation of the basketball goal/hoop as a permanent addition and fixture of that amenity. Seconded by Ms. Auston and passed (7-0-0).*

Mr. Roby asked for direction from the Board on how to proceed with access to the court, whether that access should be restricted for certain hours by locking the main gate, or unrestricted with only the secondary gate locked. The Board agreed that access should be unrestricted for the main gate. Therefore, all tennis courts will remain with unrestricted access for all hours of the day.

Mr. Roby also reported that all courts will be fitted with a counter at the gate to get an idea of usage, which will help the Board to make decisions about future use of courts.

**B. Rules Violation Enforcement – 2904 S. Buchanan Street – Noise Disturbance**

*Ms. Alvord moved that following the review and evaluation of all evidence, argument and/or comments presented to the Board of Directors of the Unit Owners Association of Fairlington Villages, the Board finds that there is a violation of the Association's Bylaws, and hereby assesses Thomas & Sue Etter owners of 2904 S. Buchanan Street, \$50.00 for the Bylaws violation noted in the August 7, 2019 letter and authorizes a \$10.00 per day fine for any continuing violations of a similar nature. Seconded by Ms. Wasowski and Tabled to allow for the gathering of further information.*

*Prior to a vote on the motion, the Board agreed, by unanimous consent, to Table the motion concerning a rules violation enforcement to allow management time to gather further information and speak with involved parties.*

*By Unanimous Consent the Board of Directors agreed to table the motion concerning a rules violation – noise disturbance, to allow management more time to gather further information and speak with involved parties.*

Mr. Roby reported he has been in conversation with the owner of the unit and that together they will be trying to resolve the issues involved in the complaint without having a determination of a violation by the Board. He will make a further report at the October meeting.

**C. Towing Reimbursement – 2854 S. Buchanan Street, B-1**

*Ms. Alvord moved the Board approve the request from the resident of 2854 S. Buchanan Street, B-1, for the reimbursement of \$105.00 for expenses, which is one-half the amount described in the attached request. Seconded by Ms. Auston and passed (7-0-0).*

To be charged to Operating Account 5000 – Administrative Miscellaneous

Mr. Roby reported that there was some confusion about the existence of pictures of the vehicle which showed that the tag was not visible. Unfortunately the towing company had ceased providing copies of pictures in their reports without advising the office, and staff told the resident that there were no pictures. The resident had stated that a decal was properly displayed and without pictures that could not be proven. Eventually the towing company provided the necessary pictures which clearly showed there was no properly displayed decal. Because of the confusion, President Placek suggested the Board compromise and grant a return of half the expense.

**D. Variance Request – 4820 S. 28<sup>th</sup> Street – Remove a Load Bearing Wall Between the Kitchen and the Living Room and Remove a non Load-Bearing Wall Between the Kitchen and the Dining Room**

*Ms. Placek moved the Board approve the July 30, 2019 variance request from the homeowner at 4820 S. 28<sup>th</sup> Street, to remove a load-bearing wall between the Kitchen and the Living Room and remove a non load-bearing wall between the Kitchen and the Dining Room in the unit in*

*accordance with the specifications outlined in the attached variance request and drawings, provided that there be of record a certified engineer's letter that includes a clear statement that the structural integrity of the building will not be impacted by this work. Approval is subject to the unit owners' acceptance of responsibility for any damage caused by the approved modifications and indemnification of the Association for all of its costs, judgments and/or expenses, including its attorneys' fees, which may arise from or relate to the approved modifications or to damages or damage claims arising therefrom. Further, the homeowner is responsible for obtaining all building permits, ensuring that the modifications are in accordance with those permits and all applicable building codes, and providing written evidence that the work was performed in accordance with the attached supporting engineer's statement and drawings, and the attached variance request form, including evidence that any major plumbing was performed under a licensed plumber. Seconded by Mr. Stolof and passed (7-0-0).*

Ms. Dies reported the Architectural Control Committee recommended the Board approve the request.

**E. Variance Request – 4638 S. 30<sup>th</sup> Road – Remove a Load Bearing Wall Between the Kitchen and the Living Room and Remove a Non Load-Bearing Wall Between the Kitchen and the Dining Room**

*Ms. Alvord moved the Board approve the August 13, 2019 variance request from the homeowner at 4638 S. 30<sup>th</sup> Road, to remove a load-bearing wall between the Kitchen and the Living Room and remove a non load-bearing wall between the Kitchen and the Dining Room in the unit in accordance with the specifications outlined in the attached variance request and drawings, provided that there be of record a certified engineer's letter that includes a clear statement that the structural integrity of the building will not be impacted by this work. Approval is subject to the unit owners' acceptance of responsibility for any damage caused by the approved modifications and indemnification of the Association for all of its costs, judgments and/or expenses, including its attorneys' fees, which may arise from or relate to the approved modifications or to damages or damage claims arising therefrom. Further, the homeowner is responsible for obtaining all building permits, ensuring that the modifications are in accordance with those permits and all applicable building codes, and providing written evidence that the work was performed in accordance with the attached supporting engineer's statement and drawings, and the attached variance request form, including evidence that any major plumbing was performed under a licensed plumber. Seconded by Mr. Stolof and passed (7-0-0).*

Ms. Dies reported the Architectural Control Committee rejected the request because no county permit was submitted. Since that time a county permit has been submitted and attached to the request and all paper work is now in order.

**F. Parking Lot Renovations**

*Ms. Placek moved the Board approve the following proposals:*

<i>Paving:</i>	<i>Pro Pave paving lots 25 (2953-2979 S. Columbus Street) and 46 (2842-2866 S. Abingdon Street</i>	<i>\$ 44,675.00</i>
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<i>Concrete:</i>	<i>Edge concrete lots 25 (2953-2979S. Columbus Street) and 46 (2842-2866 S. Abingdon Street)</i>	<b>\$ 96,948.50</b>
	<i>Contingency on Project (Landscaping and Extras)</i>	<b>\$ 20,000.00</b>
	<b><i>Project Total</i></b>	<b>\$161,623.50</b>

Seconded by Ms. Alvord and passed (7-0-0).

To be charged to Reserve Account 3700 – Parking Lots

**G. Shade Landscaping Pilot**

*Ms. Auston moved the Board approve the shade landscaping proposal from Environmental Enhancement at a cost of \$9,000.00. Seconded by Ms. Alvord and passed (7-0-0).*

To be charged to Operating Account 6145 – Landscape Improvements

**H. Buchanan Walkway**

*Ms. Placek moved the Board approve the following:*

<i>Paver purchase and sales tax</i>	<b>\$ 4,296.18</b>
<i>Installation by American Restoration</i>	<b>\$14,400.00</b>
<b><i>Total Project</i></b>	<b>\$18,696.18</b>

*Seconded by Ms. Alvord and passed (7-0-0).*

*To be charged to Reserve Account 3700 – Trash Enclosures*

In response to a question from Director Dies, President Placek affirmed that this is the last of the trash issues involving resident input.

**I. Management Agreement Renewal**

*Ms. Placek moved that the Board of Directors approve the attached management agreement extension proposal with Legum & Norman, Inc., for the period October 1, 2019 to September 30, 2021. The contract amount is \$310,406 in FY2020 (Year 1), \$316,614 in FY2021 (Year 2) and \$322,946.00 for FY 2022 (Year 3), Payroll Administrative Charges will be \$1,833.00 per month during this period. Seconded by Ms. Alvord and passed on a Roll Call Vote (7-0-0) with President Placek, Vice President Alvord, Secretary Wasowski, Treasurer Reem and Directors Auston, Dies and Stollof voting in favor.*

*To be charged to Operating Account 7040 – Management Contract*

**J. Strategic Plan for Fairlington Villages, A Condominium Association**

*Ms. Alvord moved that the Board of Directors approve and adopt the Strategic Plan of Fairlington Villages, A Condominium Association bearing a final production date of September 4, 2019. Seconded by Mr. Stolof and passed (7-0-0).*

The Board thanked Treasurer Reem, Vice President Alvord and Director Stolof for the many hours of volunteer labor undertaken for this project, and General Manager Roby and staff for their invaluable attention to detail in providing professional assistance.

**K. Community Center Trash Location**

*Ms. Placek moved the Board approve the following proposal:*

<i>Base Cost:</i>	<i>\$10,100.00</i>
<i>Contingency on Project (Landscaping and Extras)</i>	<i><u>\$ 1,010.00</u></i>
<i>Project Total</i>	<i>\$11,110.00</i>

*Seconded by Ms. Alvord and passed (6-0-1).*

*To be charged to Reserve Account 3700 – Parking Lots*

By unanimous consent the Board of Directors agreed to suspend the agenda and enter Executive Session to confer with Legal Counsel. The Board took up legal matters under IX. Executive Session at this time.

**IX. Executive Session**

Treasurer Reem asked for a motion to Adjourn into Executive Session as permitted under the Code of Virginia (Condominium Act) 55-79.75c.

*Ms. Alvord moved the Board of Directors adjourn the regular meeting into closed session as allowed under the Code of Virginia, to discuss legal matters. Seconded by Ms. Auston and passed (7-0-0).*

At 8:05 p.m., the Board recessed the Open Session and reconvened in Executive Session to discuss personnel, legal or contractual matters, as permitted by subsection [C] of Section 55-79.75 of the Code of Virginia.

At 8:23 p.m. the Board returned to Open Session to take up New Business Items L. Regarding Association’s Deed of Easement and Deed of Restriction on Lot 24 at 4800 31<sup>st</sup> Street, Arlington, Virginia, M. Request by Avery Thurston Companies, Inc. to Modify or Waive the Deed of Restriction and Modification of Deed of Easement that Exist on Lot 24 at 4800 S. 31<sup>st</sup> Street, Arlington Virginia, and N. Write-Off of Outstanding Balance to Bad Debt.

**VI. New Business (Continued)**

**L. Regarding Association's Deed of Easement and Deed of Restriction on Lot 24 at 4800 S. 31<sup>st</sup> Street, Arlington, Virginia**

*Ms. Alvord moved that the Board of Directors affirm its intent that the Deed of Restriction shall continue, uncompromised, with all rights and privileges contained therein preserved in full force and effect. Seconded by Mr. Stolof and passed on a Roll Call Vote (7-0-0) with President Placek, Vice President Alvord, Secretary Wasowski, Treasurer Reem and Directors Auston, Dies and Stolof voting in favor.*

**M. Request by Avery Thurston Companies, Inc. to Modify or Waive the Deed of Restriction and Modification of Deed of Easement that Exist on Lot 2A at 4800 S. 31<sup>st</sup> Street, Arlington Virginia**

*Ms. Placek moved that the Board of Directors of the Association hereby denies the request to modify or waive the Deeds of Restriction/Modification in connection with the proposed development of 4800 31<sup>st</sup> Street South, Arlington, Virginia as a child care facility and directs Association's legal counsel to advise Avery Thurston Companies, Inc. of its decision. Seconded by Ms. Alvord and passed on a Roll Call Vote (7-0-0) with President Placek, Vice President Alvord, Secretary Wasowski, Treasurer Reem and Directors Auston, Dies and Stolof voting in favor.*

**N. Write-Off of Outstanding Balance to Bad Debt**

*Ms. Alvord moved the Board of Directors authorize a write-off of amounts showing due for acct #2012517 in the amount of \$3,547.10 due to foreclosure, which will result in a FY 2019 expense for bad-debt, and,*

*Further, the Board of Directors authorize an adjustment in the allowance for doubtful accounts on the Association's Balance Sheet of \$10,447.10 as of September 30, 2019, which includes this write-off of \$3,547.10 as well as that of account 1125379 in the amount of \$6,900.00 which was written off in November 2018. Seconded by Ms. Wasowski and passed on a Roll Call Vote (7-0-0) with President Placek, Vice President Alvord, Secretary Wasowski, Treasurer Reem and Directors Auston, Dies and Stolof voting in favor.*

Prior to breaking telephonic communication, President Placek thanked the Members of the Strategic Plan Task Force for their dedication to the project. She stated that between the development of the Strategic Plan, the successful completion of several major projects and continued work to develop better communications between the Board, owners and residents, Fairlington Villages will be well placed to be granted the Community of the Year Award, Large Community, by the Washington Metropolitan Chapter of the Community Associations Institute.

[At this time President Placek broke telephonic communication and ceased participation in the meeting.]

[Treasurer Reem recessed the meeting at 8:26 p.m. and called the meeting back to order at 8:42 p.m.]

### **VII. Management Action Items**

There were no Management Action Items presented.

### **VIII. Reports**

President: President Placek had made her report just prior to breaking telephonic communication.

Vice President: Vice President Alvord had no report.

Secretary: Ms. Wasowski had no report.

Treasurer: Mr. Reem reported the most recent financial report, which covers the first ten months of the fiscal year, shows a \$43,247 deficit for the month and a \$88,373 surplus for the year-to-date of income over expense.

### Committee Reports

#### **Communications/Technology Committee**

**Articles for the October 2019 Issue of the *Fairlington News*:** The Board reviewed items to be included in the October 2019 Issue of the *Fairlington News*.

Management's Financial Report: There was no report, other than that provided by the Treasurer and those in writing, and there were no questions from the Board.

#### Management's Administrative Report

There was no report, other than those in writing, and there were no questions from the Board.

Maintenance Reports: There were no reports, other than those in writing, and there were no questions from the Board.

Operations Report: There were no reports, other than those in writing, and there were no questions from the Board.

### **X. Establishment of Next Board Meeting**

The next regular meeting of the Board will be held Wednesday, October 2, 2019.

### **XI. Adjournment of Meeting**

*Ms. Dies moved that the Board adjourn the meeting of September 4, 2019. Seconded by Ms. Wasowski and passed (6-0-0).*



Treasurer Reem adjourned the meeting at 8:50 p.m.

A handwritten signature in cursive script, reading "Arne Wosinski", is written over a horizontal line.

Secretary  
Fairlington Villages, a Condominium Association