

FINAL

**FAIRLINGTON VILLAGES, A CONDOMINIUM ASSOCIATION
MINUTES OF THE
REGULAR MEETING OF THE BOARD OF DIRECTORS
COMMUNITY CENTER
August 3, 2022**

Directors Present:

Melanie Alvord	President and Ward VI Director
Ed Stoloff	Vice President and Ward II Director (Via Zoom Video)
Anne Wasowski	Secretary and At-Large Director
Harry Reem	Treasurer and Ward III Director
Philip Brown	Ward V Director (Via Zoom Video)
Kate Lankford	Ward I Director (Via Zoom Video)
Joe Torres	At-Large Director (Via Zoom Video)
Larry Straub	Ward IV Director (Via Zoom Video)
Karen Olson Weaver	At-Large Director (Via Zoom Video)

Also Present:

Gregory B. Roby	General Manager
Mark Johnson	Operations Manager
Victoria Gomillion	Office Administrator (Via Zoom Video)
Marcus Reed	Office Administrator (Via Zoom Video)
Dave Bush	Recording Secretary

President Alvord announced that due to the continuing nation-wide emergency caused by the Covid-19 (Corona) Virus, the meeting was being held in person and via Zoom Video.

I. Residents' Comments

Linda Robinson, the homeowner residing at 2891 S. Abingdon Street, A-2, came before the Board to raise concerns about various elements of the grounds and landscaping, including proper maintenance of walkways and the use of stepping stones, and that the memorial has not been well maintained.

Jason Schmeltzer, the homeowner residing at 2889 S. Abingdon Street, came before the Board to discuss ways in which tennis courts can be adapted or used for Pickleball. He reported that this sport is growing exponentially across the nation and that the current court at Fairlington is well used. He asked the Board to set aside funding for dedicating one tennis court, preferably at the Community Center, for adaptation to four Pickleball courts.

Jeff Vollmer, the homeowner residing at 3016 S. Buchanan Street, came before the Board to back Mr. Schmeltzer on his request. He reported that Pickleball is a community building sport and it would be well worth the expense to dedicate a tennis court for this use.

Alexandra Staeben, the homeowner residing at 2742 S. Buchanan Street, came before the Board to state that she was very disappointed that the Board agreed to lower the Cola for employees to allow for inclusion of funds for pruning of trees. She stated that the need for proper tree maintenance should not be undertaken by diminished funding for employees who perform dedicated work for the Association.

Mark Friend, the homeowner residing at 2968 S. Columbus Street, A-1, came before the Board to (1) request that the hours for trash placement be expanded to anytime throughout the day and not the current three hour limit; (2) the need for better attention to landscaping, particularly to the proper pruning and maintenance of trees; and, that the Board should bid out the landscaping contract and obtain multi-bids.

Matthew Mezger, the homeowner residing at 2812-A S. Abingdon Street, came before the Board to discuss aspects of the proposed policy on asbestos abatement when construction is being performed in a unit by an owner. He noted that the policy does not account for times when there is an emergency, such as a water pipe bursting causing damage to a popcorn ceiling; that there needs to be a preamble statement clearly showing the reason for the policy and its purpose because there is a good deal of confusion now evident; and, that there be rigorous records kept of each so there is a history to review if needed.

Anne Knabel, the homeowner residing at 2854 S. Buchanan Street, A-1 came before the Board to voice her agreement with speakers advocating expansion of facilities to support Pickleball. She agreed that this sport is a real community builder.

Lee Thompson, the homeowner residing at 4601 S. 31st Road, A-02 came before the Board to share her knowledge concerning asbestos containment areas. She noted that some areas, such as popcorn ceiling covering, should not be viewed as generally containing asbestos, as some do not, and there is a need to carefully denote areas and types when creating a general policy and the definitions contained in that policy.

II. Presentation – David Dunn, Capitol Trash Services

President Alvord introduced David Dunn, President of Capitol Trash Services, the service provider for general trash and recycling pickup at Fairlington Villages. Mr. Dunn gave a brief review of the services Capitol has provided to the community for about a quarter century and answered questions. He noted that Fairlington Villages is at the top of the Arlington County list of the best communities when it comes to recycling and he urged the Board to continue to educate owners on the need for, and the proper way to, recycle.

III. Call to Order

At 7:55 p.m. President Alvord called the regular agenda to order.

IV. Establishment of Quorum

President Alvord noted there was a quorum with eight members present either in person or by Zoom Video connection. She reported that Vice President Stollof was in transit and would be joining the meeting at some point.

V. Approval of Minutes

July 6, 2022 Regular Meeting

Mr. Reem moved to approve the minutes of the July 6, 2022 regular meeting of the Board of Directors, as revised. Seconded by Ms. Wasowski and passed (8-0-0).

VI. Old Business

A. Asbestos Testing and Abatement When Removing, Replacing or Disturbing Certain Finished Surfaces

Ms. Lankford moved the Board of Directors determines that requests to allow renovation, alteration, and or modification of the interior of units which disturb certain finished surfaces described with more particularity below are subject to Article XV, Section 1 of the By-Laws and shall only be considered subject to a Variance Request; AND

That the following policy be, and is hereby, adopted and shall govern the review, vetting and approval by the Board of Directors, or its designated architectural control committee, of any Variance contemplating the removal, replacement, or disturbance of certain finished surfaces in, on, about or within the Units of Fairlington Villages in which asbestos fibers have previously been found to exist:

POLICY

- *Renovations contemplated to a unit that include: (1) Removal of original vinyl flooring, (2) Replacement of attic insulation, or that (3) Impact/disturb popcorn textured ceiling finishes in any manner (scraping the texture, cutting holes for recess lighting, drilling, putting drywall over it, etc.) or (4) Cut or otherwise disturb drywall finished with joint compound manufactured prior to 1982, are required to contract with a licensed asbestos abatement control inspector to test for the presence of asbestos fibers in each of the rooms in which the removal/replacement is contemplated, or in which a likelihood of disturbing certain finished surfaces exists (Subject areas) A copy of the findings of the test shall be attached as an exhibit to the Variance prior to its submission.*
- *Unit Owners shall be responsible for confirming that the licensed asbestos abatement control inspector selected to test for the presence of asbestos fibers is capable of complying fully with the monitoring program established by NESHAP [e.g., reporting testing results to the VA Department of Environmental Quality (DEQ) and/or the Federal Environmental Protection Agency (EPA).]*

- *In the event that testing confirms that asbestos fibers are not present in the Subject Areas, and in the further event that all other requirements and conditions precedent to completing a Variance Request for the submission to the Board of Directors, or its designated architectural control committee, have been completed, the Variance Request shall be accepted for processing by the Management Team.*
- *In the event that testing confirms asbestos fibers are present in the subject areas, the Unit Owner shall be required to arrange for its abatement and removal by a qualified, licensed, and certified contractor, employing industry best practices and standards, in full compliance with the monitoring program established by NESHAP and to retest for the presence of asbestos fibers following abatement and removal.*
- *In the event that retesting of the Subject Area confirms that asbestos fibers are not present in the Subject Areas, and in the further event that all other requirements and conditions precedent to completing a Variance Request for the submission to the Board of Directors, or its designated architectural control committee, have been completed the Variance Request shall be complete and accepted for processing by Management.*
- *This policy will take effect ten days after notice has been sent to all owners explaining the need for the policy*
- *the Board delegates to the General Manager the right to receive updates in language from Board Members, due not later than Friday, August 5 at the close of business, and to empower him to make any technical adjustments to the policy he deems are needed.*

Seconded by Mr. Brown and passed on a Roll Call Vote (7-0-1) with President Alvord, Treasurer Reem, Secretary Wasowski and Directors Brown, Lankford, Olson Weaver and Straub in favor; and, Director Torres abstaining.

Prior to adoption of the resolution, the Board unanimously accepted a recommendation by Director Lankford to place the words “*licensed asbestos abatement control inspector*” in the first two bulleted sections.

Prior to adoption of the resolution, Mr. Brown made the following amending motion:

Mr. Brown moved that the Board amend the resolution on Asbestos Testing and Remediation Policy to state that:

- 1) *the policy will take effect ten days after notice has been sent to all owners explaining the need for the policy; and*
- 2) *that the Board delegate to the General Manager the right to receive updates in language from Board Members, due not later than Friday, August 5 at the close of business, and to empower him to make any technical adjustments to the policy he deems are needed.*

Seconded by Ms. Lankford and passed on a Roll Call Vote (7-0-1) with President Alvord, Treasurer Reem, Secretary Wasowski and Directors Brown, Lankford, Olson Weaver and Straub in favor; and, Director Torres abstaining.

VII. New Business

A. Ratification of Unanimous Written Consent in Lieu of a Meeting, Thursday, July 7, 2022, FY23 Budget Homeowners Draft Revision

WHEREAS, the Board of Directors acted by Unanimous Written Consent in Lieu of a Meeting on Thursday, July 7, 2022 to approve scrivener revisions to the Resolution approved at the July 6, 2022 regular meeting approving the proposed FY23 budget for publication to unit owners.

Mr. Reem moved the Board of Directors hereby ratifies said action for purposes of the record and to ensure an audit trail for approval of the FY23 Budget. Seconded by Ms. Wasowski and passed (8-0-0).

B. Fiscal Year 2023 Budget Adoption

Mr. Reem moved that the Board of Directors adopt the FY 2023 budget, as published for comment and with amendments, if any, increasing condominium fees by 3.96%, effective October 1, 2022, and summarized as follows and as shown in the attached comparison sheet:

<u>Total Expenditures</u>	<u>\$8,461,064</u>
Operating expenses:	\$5,279,599
Reserve contributions:	\$3,181,465
<u>Total Estimated Revenue</u>	<u>\$8,461,064</u>
Condominium fees:	\$8,279,425
Other Income:	\$ 181,989

Seconded by Ms. Lankford and passed (8-0-0) on a Roll Call Vote with President Alvord, Treasurer Reem, Secretary Wasowski and Directors Brown, Lankford, Olson Weaver, Straub and Torres in favor.

During review of the proposed budget Directors Olson Weaver, Straub and Torres stated they felt that the Board had not given enough time for Board Members and owners to review, comment or provide revisions to the preliminary budget as presented by the Treasurer and Management, and that a more rigorous undertaking should be performed with the next budget. President Alvord, Treasurer Reem and Secretary Wasowski noted that all Board Members had been given ample time to present opinions and suggested changes to the proposed budget, that there was a full review of the preliminary budget at the June meeting of the Board when a number of amendments were made, and at the review meeting open to all owners. It was generally agreed that the Board will review the procedures for development and review of a budget when development of the FY24 Budget begins.

C. Ratification of Expenditures for July 19, 2022, Emergency Repairs to Storm Drain System

WHEREAS, the General Manager, exercising emergency authority, engaged the services of PMG, Inc., to effect unbudgeted repairs to the storm drain system on July 19, 2022, at a cost of Nine Thousand Seven Hundred Eighty-Five Dollars (\$9,785.00); and

WHEREAS, such action was for the purpose of protecting the Association from loss as would be done by a person of ordinary prudence, in his own case, under similar circumstances:

Ms. Wasowski moved the Board of Directors hereby ratifies said action for purposes of the record and to ensure an audit trail for the unbudgeted expenditure. Seconded by Mr. Reem and passed (8-0-0).

To be charged to Reserves 3700 – Water & Sewer Expense

D. Tennis Court Repairs

Mr. Torres moved the Board approve the proposals from Sport Systems for repairs at tennis courts 6, 9, 10, 11, & 12 at a total cost of \$67,273.00. Seconded by Mr. Straub and passed (5-4-0) on a Roll Call Vote with President Alvord, Vice President Stolof, Treasurer Reem, Secretary Wasowski and Director Lankford in favor; and Directors Brown, Olson Weaver, Straub and Torres opposed.

Prior to a final vote on the motion, there was a motion to table:

Mr. Torres moved the Board table the resolution concerning Tennis Court Repairs. Seconded by Ms. Olson Weaver and failed on a Roll Call Vote (3-5-0) with Directors Olson Weaver, Straub and Torres in favor; and, President Alvord, Treasurer Reem, Secretary Wasowski and Directors Brown and Lankford opposed.

Prior to a final vote on the motion, there was a motion to amend:

Mr. Brown moved that repairs be made only to courts 9 and 10. Seconded by Mr. Straub and failed on a Roll Call Vote (4-4-1) with Vice President Stolof and Directors Brown, Olson Weaver and Straub in favor; and, President Alvord, Treasurer Reem, Secretary Wasowski and Director Torres opposed; and, Director Lankford abstaining.

To be charged to Tennis Court Reserve - \$67,273.00

Discussion centered around the need to adapt one or more tennis courts to allow for Pickleball play, as suggested by Director Torres; whether repairs could be delayed to allow for a full review of the use of all courts; a need to have data on whether all courts are being fully utilized, given that Director Olson Weaver had suggested that Court 10 could be closed and used for another purpose; whether, as suggested by Treasurer Reem, the Board is not maintaining its proper fiduciary responsibility if repairs to these tangible assets are not made; whether repairs would

interfere with dedication of one or more courts to other uses; and, whether one of the courts behind the Community Center could be easily adapted to Pickelball use.

[During the discussion of Item D. Vice President Stolof joined the meeting at 9:27 p.m.]

E. Association Management Services

Mr. Reem moved that the Board of Directors approve the Fifth Addendum to the Management Agreement between Fairlington Villages, A Condominium, and Legum & Norman, for three (3) one-year extensions to the existing Management Agreement for the provision of Management Services from October 1, 2022, to September 31, 2025:

<i>FY23 Extension (Year 1)</i>	<i>\$322,946.04</i>	<i>0% increase</i>
<i>FY24 Extension (Year 2)</i>	<i>\$329,405.04</i>	<i>2% increase</i>
<i>FY25 Extension (Year 3)</i>	<i>\$339,287.28</i>	<i>3% increase</i>

Payroll Administrative charges will increase to \$1,886.25 per month in FY23 and be re-evaluated annually thereafter. Seconded by Mr. Brown and passed (9-0-0) on a Roll Call Vote with President Alvord, Vice President Stolof, Treasurer Reem, Secretary Wasowski and Directors Brown, Lankford, Olson Weaver, Straub and Torres in favor.

To be charged to GL Account 7040 – Management Contract

F. Ratification of Unanimous Written Consent In Lieu of a Meeting Wednesday, July 27, 2022 (Variance Request)

WHEREAS, the homeowner of a Bradford unit has submitted a variance request for approval grandfather the conversion of an attic into living space on their unit and the Architectural Control Committee, in accordance with the Board’s procedures, has reviewed the request and recommends that the request be approved.

WHEREAS, the Board of Directors acted by Unanimous Written Consent in Lieu of a Meeting on Thursday, July 27, 2022 to approve the Variance Request dated June 30, 2022 to grandfather the conversion of an attic into a living space.

Mr. Brown moved the Board of Directors hereby ratifies said action for purposes of the record. Seconded by Mr. Reem and passed (9-0-0).

G. Patrol Service Contract

Ms. Lankford moved the Board approve the proposal from Master Security for the following periods:

<i>October 1, 2022 – September 30, 2023</i>	<i>\$69,810.44</i>
<i>October 1, 2023 – September 20, 2024</i>	<i>\$73,297.91</i>
<i>October 1, 2024 – September 2025</i>	<i>\$76,969.20</i>

Seconded by Mr. Stolof and passed (9-0-0).

To be charged to Operating Account 6440 (Patrol Services) - \$68,810.44

H. Tree Removals

Mr. Reem moved the Board approve the proposal from Brightview TreeCare at a total cost of \$8,392.00. Seconded by Ms. Wasowski and passed (9-0-0).

To be charged to Operating Account 6160 Tree Maintenance - \$8,392.00

[Director Straub broke connection at 9:56 p.m.]

I. High Sierra COVID-19 Surcharge for Summer 2022 Pool Management Services

Ms. Wasowski moved the Board of Directors hereby approve the request for additional payment to High Sierra Pools for Management Services in 2022 in an amount not to exceed Six Thousand Dollars (\$6,000.00). Seconded by Ms. Lankford and superseded by a substitute motion.

Prior to a final vote on the motion, a substitute motion was presented:

Mr. Reem moved that the Board approve a requested surcharge for Summer 2022 Pool Management Services and that the General Manager be directed to negotiate that surcharge cost beginning with \$500.00 per pool, and not to exceed \$750.00 per pool, for a total not to exceed \$4,500.00. Seconded by Mr. Stolof and passed (7-1-0) on a Roll Call Vote with President Alvord, Vice President Stolof, Treasurer Reem, Secretary Wasowski and Directors Brown, Lankford and Olson Weaver in favor; and Director Torres opposed.

To be charged to Operating Account 6438 Pool Management Services

J. Variance Request – 2868 S. Buchanan Street – Grandfather the Installation of Kitchen Vent

Mr. Brown moved the Board approve the August 1, 2022 variance request from the homeowner at 2868 S. Buchanan Street to grandfather the installation of a kitchen vent and to remove the penultimate Whereas concerning approval by the Architectural Control Committee because that committee did not review or comment on the request. Seconded by Mr. Reem and passed (8-0-0).

K. Variance Request – 2868 S. Buchanan Street – Grandfather the Freon Line Penetration of the Soffit

Mr. Brown moved the Board approve the August 1, 2022 variance request from the homeowner at 2868 S. Buchanan Street to grandfather a Freon line penetration of the soffit and to remove the penultimate Whereas concerning approval by the Architectural Control Committee because that committee did not review or comment on the request. Seconded by Mr. Reem and passed (8-0-0).

L. 2022 Parking Lot Renovations – Engineering Services

Mr. Reem moved the Board approve the proposal from Pennoni Associates, Inc., for engineering services related to the renovation of parking lots 2 (3003-3023 S. Buchanan Street, 13 (3057-3073 S. Buchanan Street, 22 (4902-4922 S. 29th Road, and 45 (2826-2836 S. Abingdon Street) at a cost not to exceed \$75,000.00. Seconded by Ms. Wasowski and passed (8-0-0).

To be charged to Parking Lot Reserves - \$75,000.00

During review of the backup material, Operations Manager Mark Johnson and Engineering Consultant Paul Noursi provided information about the project and answered questions.

VIII. Reports

President: Ms. Alvord reported she had appointed Director Torres to review Association user fees to assure these comport with Commonwealth law and are-up-to date. She also reported that the Grounds Committee is reviewing a project for a barrier fence/plantings along the King Street corridor.

Vice President: Mr. Stollof had no report.

Treasurer: Mr. Reem reported the Association remains in sound financial condition. He stated that the most current financial report shows a \$79,925.00 excess of income over expense for the year-to-date. He noted that the reported excess funds will undoubtedly diminish with the inclusion of outstanding bills and larger-than-expected expenses in certain categories. He also reported that \$200,000 has been placed in short term FDIC insured investments and \$600,000 placed in long term laddered FDIC insured investments.

Secretary: Ms. Wasowski reported that the Activities Committee is planning for the September 24th celebration of Octoberfest.

Articles for the September 2022 Issue of the *North Fairlington News*: The Board reviewed items to be included in the September 2022 issue of the *North Fairlington News*.

Committee Reports: There were no reports, other than those in writing, and none were presented.

Management's Financial Report: There were no reports, other than those in writing, and there were no questions from the Board.

Management's Administrative Report: There were no reports, other than those in writing, and there were no questions from the Board.

Management's Project & Status Report: There were no reports, other than those in writing, and there were no questions from the Board.

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

Facilities Report: 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.

IX. Other Business

There was no Other Business presented.

X. Establishment of Next Board Meeting

The next regular meeting of the Board will be held Wednesday, September 7, 2022.

XI. Adjournment of Meeting

Mr. Brown moved the Board adjourn the meeting of August 3, 2022. Seconded by Mr. Reem and passed (8-0-0).

President Alvord adjourned the meeting at 10:35 p.m.



Secretary
Fairlington Villages, a Condominium Association