

DRAFT

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS
October 10, 2017 Board Minutes
Fairlington Community Center**

ATTENDEES: Jay Yianilos (President), Thora Stanwood (Vice President), Bill Worsley (Secretary), Maynard Dixon (Treasurer), Lee Henry (At-Large), and Candace Lewis (Cardinal Management).

CALL TO ORDER: The board meeting was called to order by the president at 6:45 p.m.

ENVIRONMENTAL UPDATE:

Our environmental attorney has requested five letters for the five residences that had SSDS units installed from both Arlington County and Virginia Department of Health (VDH). VDH responded with the following:

“VDH will prepare a single Letter of Health Consultation (LHC) that will assess adverse health effects on the Fairlington Glen community based on sub-slab readings of each of the residences tested in Fairlington Glen as documented in the August 2017 ECS report. The VDH-DEE approach will address the entire Fairlington Glen community site, not individual properties, to align with the methodology other states and federal partners use to conduct risk assessments. The risk assessment provided by VDH-DEE will assess all tested residences, including residences not listed in the August 29, 2017, health consult request. The LHC will assess potential adverse health effects to residents based on their sub-slab test results. A summary of the test result ranges with corresponding thresholds for each risk level for PERC and its related breakdown substances that also measured detectable levels will be provided in the LHC to enable individual residences to look up and determine risk based on where their individual test results fall within specific risk categories. These categories will consider both cancer-related adverse health effects and non-cancerous adverse health effects.

“In March 2017, VDH conducted a LHC on a single Fairlington Glen residence. That residence was subsequently identified to be within the larger Fairlington Glen community where several other residences were also being tested for exposure to PERC from nearby Fairlington Cleaners. Once VDH learned the Fairlington Glen community - not just a single residence - was being tested and assessed for potential exposure to PERC, it determined a single LHC on the entire Fairlington Glen community would be conducted once the initial testing was completed.

“The purpose of the LHC is not to support property transactions that would be the work of a private risk assessor. Since the samples were taken prior to the installation of any vapor intrusion system, the LHC will assess the risk of adverse health effects determined at the time of testing. Residences impacted by recently installed vapor intrusion systems would need to be retested to assess the risk of adverse health effects after the installation of vapor intrusion systems.”

VDH anticipates the LHC will take several months to complete. VDH will make the final draft available to legal. Management clarified that VDH and VDEQ do not require ECS or the owner of the shopping center to retest the units that have had SSDS units installed. Owners with SSDS units installed would be responsible for obtaining their own test and paying for them.

RESIDENTS' FORUM:

Anna Carpenter (court 15) raised concerns about frightening small children with scary Halloween decorations and suggested that the Glen might need rules about them.

Susan Hunchar (court 10) asked about the status of redoing the covering over the French drain in court 10, which should have been topped with sod instead of rocks.

Tevis Smith (court 10) reported an incident of hit and run near his court and how the perpetrator was identified.

Laura Stuberg (court 5) also attended the meeting.

APPROVAL OF THE MINUTES:

10.10.17.01 Motion. Moved to approve the minutes of the September 12, 2017 board meeting. Motion passed unanimously.

COMMITTEE REPORTS:

Pool committee chair Monica Wiedemann (court 6) proposed purchasing some new umbrellas. She mentioned that there was some dissatisfaction with a few of the guards last year and asked how to work with the pool contractor next year to avoid similar problems. The pool committee would also like to change the allocation of pool hours. The Glen's management agent said she would meet with the committee regarding their concerns and suggestions. Other pool committee members attending were Judy Miller (court 3), Lori Derkay (court 12), and Carol Goodloe (court 10).

Landscape committee chair Barbara Dean (court 7) reported on some landscaping initiatives, especially regarding tree pruning. She said that we need to make lowering the crowns of trees a priority.

10.10.17.02 Motion. Moved to approve a contract with G&V Tree and Landscaping Services in the amount of \$1,540 to remove a dead tree in court 1. Motion passed unanimously.

10.10.17.03 Motion. Moved to approve a contract with G&V Tree and Landscaping Services in the amount of \$12,975 for tree pruning and crown lowering throughout the Glen. Motion passed unanimously.

BOARD MEMBERS' REPORTS:

President –

On September 13, the president signed the approved contract with NVM for snow removal services for the coming winter.

On September 13, the president signed the approved three-year contract with Atlantic Pool Service to provide pool services in 2018, 2019, and 2020.

On October 2, the president signed a contract with Kolas Contracting in the amount of \$975 to do some wood repairs at 4176 S. 36th Street in court 6.

The annual meeting will be on Thursday, November 2. A revised copy of the notice was sent out because of an error in the original notice.

The president gave an update on the project to replace court signs. He expects to have all bids for the project ready in time for the November board meeting.

The president recommended that the Glen purchase pool covers to reduce white-coating costs and the amount of debris that collects in the pool during the off-season.

10.10.17.04 Motion. Moved to approve a contract with Atlantic Pool Service in the amount of \$9,900 to purchase pool covers for the main pool and wading pool. Motion passed, with the treasurer and at-large member voting against.

Vice President –

The vice president recommended replacing Lancaster Landscapes with Environmental Enhancements (EE) as the Glen's grounds maintenance contractor for 2018. The Glen's terms and conditions and specifications were agreed to by EEI and the cost is approximately \$5,000 less than what we are presently paying. EEI also offered two option years at the same cost as the base year.

10.10.17.05 Motion. Moved to not exercise the option year of the Lancaster Landscapes contract effective December 31, 2017 and approve a contract with Environmental Enhancements in the amount of \$69,638.52 for grounds maintenance services, effective January 1, 2018. Motion passed unanimously.

Arlington County notified the Glen that it is not in compliance with the County's recycling requirements. One of the violations is that there must be a recycle bin next to each trash can in the Glen. The Glen has 30 days to show that it will comply or may be fined \$300 per month for its non-compliance.

10.10.17.06 Motion. Moved to remove the trash cans in the common areas to comply with Arlington County regulations and to avoid fines. Motion passed unanimously.

The management agent was asked to check with Structural Repair & Renovations (SR&R) regarding the start date for the drainage project between courts 2 and 3 and the sod correction to court 10.

Treasurer –

10.10.17.07 Motion. Moved to approve the draft handbook amendment on exterior wires and conduits. Motion passed unanimously. The amendment is attached as Appendix 1.

The treasurer reported on his proposed policy of requiring Morgan Stanley to maintain sufficient liquidity for reserve funds, as outlined below:

(1) The treasurer seeks to require Theodore Hart of Morgan Stanley Wealth Management to maintain a liquid balance of \$450,000, pending further study. The

\$450,000 = (a) a semi-permanent, absolute minimum balance of \$250,000 + (b) an additional \$200,000 designed to cover currently planned reserve expenditures:

(a) The semi-permanent, absolute minimum balance of \$250,000 is intended to allow for reserve expenditures that cannot be planned or anticipated, such as replacement of sewer lines under basement slabs, replacement of broken water lines running in the common areas, or storm-damage roof replacement costs exceeding insurance limits. The \$250,000 is only a rough estimate, but a rough estimate is better than no estimate. The estimate may change after further study of replacement costs and the likelihood of their unplanned occurrence. We may consult with REI about this.

(b) The additional \$200,000 is intended to cover planned reserve expenditures, the funds for which have not already been transferred to the Glen's operating checking account with Mutual of Omaha Bank. This amount will change as planned reserve expenditures and their timing change. (Note: Because even the best reserve studies in communities like ours provide only rough approximations of when the replacement of individual assets will actually have to take place, the timing of reserve expenditures in the Glen may differ significantly from the estimated end-of-life dates of assets in our reserve study.)

(2) The treasurer and secretary will work with Cardinal Management to develop an ongoing procedure for reporting planned reserve expenditures and their approximate timing to Morgan Stanley and the board. This will allow Morgan Stanley to ladder the investment of our reserve funds so as to ensure that CDs mature when funds are needed.

Cardinal will work with Morgan Stanley to find a way to keep the \$450,000 liquid without exposing the Glen to the risk of having funds that are not insured by the FDIC.

Secretary –

The stoop replacement work has moved from court 1 to courts 2, 3, and 15. Five stoops are under construction.

At-Large –

The at-large member reported on the Verizon FIOS project. In December it should be possible for Glen residents to order FIOS installation.

MANAGEMENT REPORT:

10.10.17.08 Motion. Moved to approve an amendment to the employee handbook requiring Glen employees to use up all their annual leave, effective December 31, 2017. Motion passed unanimously.

After learning that the Glen's employees would not have enough time to use up their annual leave by December 31 and that this action's effects may be contrary to principles of employment law, the board considered retracting Motion 10.10.17.10.

10.10.17.09 Motion. Moved to retract the previous motion to amend the employee handbook effective December 31, 2017. Motion passed unanimously.

10.10.17.10 Motion. Motion to approve a variance request for an attic renovation at 3536-B1 S. Stafford Street in court 13, with three skylights. Motion failed.

10.10.17.11 Motion. Motion to approve a variance request for an attic renovation at 3536-B1 S. Stafford Street in court 13, if the request is resubmitted with only two skylights. Motion passed unanimously.

EXECUTIVE SESSION:

10.10.17.12 Motion. Moved to go into executive session at 8:55 p.m. to discuss individual homeowner delinquencies, violations, and other legal matters. Motion passed unanimously.

The at-large member left the meeting at 8:55 p.m.

The board reconvened in regular session at 8:59 p.m. The treasurer asked Cardinal to report in detail on the status of accounts 2013 and 2113.

10.10.17.13 Motion. Moved to turn accounts 1005, 2056, 2087, and 3041 over to legal. Motion passed unanimously.

ADJOURNMENT: The meeting was adjourned by the president at 9:00 p.m.

The next scheduled meeting of the board is Tuesday, November 14, 2017, at 6:45 p.m. at the Fairlington Community Center.

Respectfully submitted,

Bill Worsley
Secretary

Appendix 1

Delete the sections on *Cables and Other Exterior Lines* at Handbook page 24 and *False Downspouts* at Handbook page 27, and the references to these provisions in the Table of Contents, and substitute the following:

EXTERIOR WIRES AND CONDUITS

This provision applies to outside wires, cables, pipes, condensate and refrigerant lines, radon or chemical gas pollution vents, and similar items, regardless of when they were installed. See the separate provision for sump pump drainage outlets.

Variance Required. A variance application from an owner, or an agent of the owner, is required for all nonconforming installations covered by this provision. The following exceptions do not require a variance:

- (1) a Comcast cable installation at or near ground level but no higher than one (1) foot above the ground (see the guidelines agreed-to with Comcast and available on the Glen's web site);
- (2) a FIOS installation that was installed under guidelines approved by the Glen and available on the Glen's web site; or
- (3) until replacement, a false downspout installation that was approved under a prior variance.

An installation diagram must be submitted along with the variance application to the variance coordinator. The best diagram is a photograph that is marked-up to portray the proposed installation (location of wires, dimensions, colors, etc.).

Location. All installations must be on the rear of the building, except as provided below for radon or similar gas evacuation systems.

Installation Options:

The installation application must propose and conform to one of the methods below. Please propose a method that best avoids a cluttered look. Horizontal portions visible above the fence will not be approved.

The Board will evaluate the variance application according to which installation method it believes best serves the interests of the Glen. If the application is denied as originally submitted, the Glen will attempt to work with the applicant to find the best solution.

1. False Gutter Downspouts

False downspouts shall: (1) match the size, profile, and color of real downspouts; (2) rise vertically without bends or angles; and (3) terminate at the roof line eave to make them look like real downspouts.

Downspouts, real and false, are to be grouped next to each other and not spread out across the rear of the unit.

2. Wires or Small Conduits Installed Beside Existing Downspouts

Wires and small conduits may be run closely alongside (not more than .25 inches from) an existing downspout, whether false or real. The wires or conduits may not exceed 1.5 inches in width. The color is limited to black or white or as approved by the Board.

3. FIOS-Type Conduits

The same type of brick-colored conduits used in FIOS installations may be used to conceal the wires and conduits that you seek to install.

FIOS-type conduits shall be vertical and have no bends or angles.

4. Wires or Small Conduits Installed Beside FIOS-Type Conduits

Wires and small conduits may be run closely alongside (not more than .25 inches from) an existing FIOS-type conduit. The wires or conduits may not exceed 1.5 inches in width. The color is limited to black, white, or the closest available color matching the brick-colored FIOS conduit.

Radon or Similar Gas Evacuation Systems

1. Location. The systems may be installed on the side of a building, unless the side faces the street. If they are installed on the side, the Board may require the owner to disguise it in part with a planting. Units installed on the side before October 10, 2017, when there was no side installation prohibition, are grandfathered-in.

2. Gas Exhaust Conduits

a. Gas exhaust conduits shall match the size, profile, and color of real gutter downspouts, except that the tops may curve out to prevent inflow of rain or snow.

b. Gas exhaust conduits may rise no higher than the roof line, except that conduits installed before October 10, 2017, when there was no such requirement, are grandfathered-in until repair or replacement.