

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**  
**January 8, 2009 Minutes**  
**Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; John Fuller, Vice President; Margaret Windus, Treasurer; Jasper Thomson, At-Large; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management);

One Glen Co-owner: Maynard Dixon (Ct. 16)

**CALL TO ORDER**

The meeting was called to order at 7:30pm by Bob Patrician.

**Agenda Item 1: RESIDENTS' FORUM**

- Maynard Dixon reported that Court 5 is without a court representative at the moment.
- Further, he has requested that all court representatives survey their courtyards for maintenance and/or landscaping issues. In particular, protruding Comcast wires, deteriorating storm doors, and unsightly window well covers.
- A brief discussion of landscaping followed. It was agreed that re-landscaping the pool area will take priority in the Spring.

**Agenda Item 2: APPROVAL OF MINUTES**

**1.08.09.01 MOTION**

**Moved to approve the minutes of December 4, 2008.**

**Motion passed unanimously.**

**Agenda Item 3: PRESIDENT'S REPORT**

- The pool renovation project is on-track, in spite of uncooperative weather. Dave Sherman is to be thanked for all of his time and effort in managing this large and complex project.
- Maynard Dixon will convene the Committee on Voting Procedures, whose members will also include Paul Coelus, Lori Derkay, and Mike Hickey. Their official Charge is attached to these minutes.

**1.08.09.02 MOTION**

**Moved to approve the formation of a Committee on Voting Procedures, as attached.**

**Motion passed unanimously.**

- In lieu of a February meeting, the Board will hold a Strategic Planning Session at 6:30

pm on Wednesday, February 4, at Margaret Windus' home. It should be publicized to the community that there will not be a board meeting at the regular time and place in February.

- The amendment to the 2009 budget specifically prohibits use of rodenticide except in an emergency situation. We will notify our contractor, Triple S, to remove all rodent traps but to continue twice-monthly visual inspections.

#### **Agenda Item 4: REVIEW OF ACTION LIST**

#### **Agenda Item 5: MANAGEMENT AGENT REPORT**

- It might be useful if a copy of the recycling policy was circulated periodically.
- Arlington County is considering a new ART route which would run through Fairlington into Shirlington. The Arlington County Board has asked for resident input.
- So far there has been no reaction to the increase in late fees.

#### **1.08.09.3 MOTION**

**Moved that the Board go into closed session to discuss and consider the personal liability of unit owners to the unit owners' association, consistent with Sec 55-79.75C  
Motion carried 5-0-0.**

#### **1.08.09.4 MOTION**

**Moved that the Board returns to open session. Motion carried 5-0-0.**

#### **1.08.09.5 MOTION**

**Moved to turn case 3115 over to counsel if payment is not forthcoming within 10 days.  
Motion carried 5-0-0.**

#### **1.08.09.6 MOTION**

**Move to adjourn. The motion carried 5-0-0. The meeting was adjourned at 9:20 pm**

The Strategic Planning Session will be held on Wednesday, February 4, at 6:30pm.  
The next scheduled meeting will be held on Thursday, March 5, 2009 at 7:30pm.

Respectfully Submitted,  
Kathy Clatanoff

Minutes Jan 8, 2009  
Addendum #1

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
January 8, 2009  
FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. Board Meeting Minutes**

**3. President's Items (Bob Patrician)**

Pool Complex Renovation

Committee on Voting Procedures 12.23.08.doc

Calendar, 2009 Planning.doc and Calendar, 2008 Planning Final.doc

Choosing a date for 2009 strategic planning meeting

Use of Rodenticide.pdf

**4. Review of Action List (Bob Patrician)**

Action List 1.2.09

**5. Management Report (Terry McGuire)**

## **COMMITTEE ON VOTING PROCEDURES**

Because of questions raised about Fairlington Glen's voting procedures in 2008 on the proposed 2009 budget and Board election, the Glen Board of Directors is establishing a Committee on Voting Procedures to recommend policies and procedures for future budget and Board elections. The objective is to design a voting system that maximizes voter participation and minimizes administrative complexity, while adhering to legal requirements.

Fairlington Glen, like most condominiums, invests authority in an elected Board of Directors to represent the Council's interests. Except where expressly noted in the Bylaws (e.g. election of directors, amending bylaws, removing directors, approving budget), Council responsibilities are delegated to the Board. The Board, in turn, seeks to gauge the sense of the community (e.g. committees, task groups, community forums, surveys) and factors feedback into its decision making. This committee is one form of seeking that feedback.

The Committee on Voting Procedures should consider at a minimum the following topics, working within a framework of the Virginia Condominium Act and Fairlington Glen's "documents" (primarily the Master Deed and Bylaws). It should recommend changes to current policies and practices where appropriate.

- Review the history of budget voting, especially as it relates to amendments and the budget amendment process in Fairlington Glen.
- Review the proxy form, compare with proxies used by other condominium associations, and prepare a proposed proxy and ballots.
- Consider what might be considered appropriate and inappropriate budget amendments and recommend guidelines for Board consideration.

The Committee should consult with other groups within the Glen as appropriate in performing its work, especially the Finance Committee and the Management Agent. A report should be provided to the Board by May 15, 2008.

Maynard Dixon, who also chairs the Court Representatives Group, will convene the Committee on Voting Procedures, whose members will also include Paul Coelus, Lori Derkay, and Mike Hickey.

(APPROVED)

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**  
**Strategic Planning Meeting**  
**February 4, 2009 Minutes**  
**Held at the home of Margaret Windus**

**ATTENDEES**

Robert Patrician, President; John Fuller, Vice President; Margaret Windus, Treasurer; Jasper Thomson, At-Large; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management);

**Opening Remarks**

The meeting opened at 8:00pm by Bob Patrician.

Bob noted that this was a planning session, intended as a forum for discussion of priorities for the coming year. As such, there was no formal agenda.

Everyone thanked Margaret for preparing a meal for the group.

**Topic 1: Composition of the Glen's Board**

- As the terms of existing board members expire, it is important to recruit new members who are interested in working within our community structure.
- The terms of current board members expire: Bob Patrician and Jasper Thomson, 2009; John Fuller, 2010; Margaret Windus and Kathy Clatanoff, 2011.

**Topic 2: Technology Issues**

- It would be helpful if we could communicate with both residents and non-resident owners via email. The difficulty of obtaining and maintaining good lists of email addresses was discussed.
- Further use of the website and the Yahoo site are both possible, however, development of a "listserv" which only allows one-way communication is preferable for such things as routine notices and newsletters.
- The question of setting up on-line voting was discussed. A third-party service is available at a cost of \$0.67 to \$2.00 per member. It was agreed that we should look into this.

**Topic 3: Cable and Satellite**

- We must finalize a contract with Comcast this spring. The issue of cables protruding out of the ground should be a part of the discussion.
- More residents are installing satellite dishes. The Glen's policy – dishes must be below the fence line – must be enforced uniformly. Is the current policy still appropriate?

#### **Topic 4: Landscaping**

- The Glen really must have a landscaping committee. Although no one has come forward to chair such a committee, there are several people who have offered to help with specific tasks. This is a start, at least. It is important that the community understand that the landscaping committee is only implementing policies made by the board, and therefore complaints should come to the board, not the committee.
- Concerning red reflectors, the Mews policy was discussed: a red reflector means that the landscaping contractor will “carve” the edge, but do nothing else in a bed. Each resident must “register” their reflector, and the contractor will have a list of registered addresses; reflectors at other addresses will be removed. Carol Goodloe has agreed to coordinate a policy proposal for the Glen.
- The policy on rejuvenation pruning was discussed. Should we do it? The consensus was yes, on a rotating schedule similar to the painting cycle. The question of whether residents should be allowed to “opt out” was also discussed. It was agreed that communication is very important, so that each year’s affected residents understand what will be happening. Use of the court reps to help with this was proposed.
- Non-use of pesticides, as required for 2009 by the budget amendment, was discussed. We have instructed our exterminator, Triple-S, to discontinue use of all rodenticides, and notified our landscaper, Environmental Enhancements, of the policy. The contractors understand our instructions, but without a landscaping committee it is difficult to monitor. We must formulate a policy for years 2010 onward, and be sure that it is adequately communicated to the contractor and monitored in the community.
- Landscaping contract – it is our intention to continue with the current contractor during 2009. We should review the contract, however, and make that intention explicit. Will Smith has offered to develop additional specifications for the contract, and the Board will be happy to consider them.

#### **Topic 5: Finance Committee**

- As the finance committee begins work in 2009, one issue which must be addressed is what sort of budget amendments are appropriate. The Committee on Voting Procedures is reviewing the overall amendment process as well.

**At 10pm, everyone again thanked Margaret for dinner and the meeting closed.**

The next scheduled meeting will be held on Thursday, March 5, 2009 at 7:30pm.

Respectfully Submitted,  
Kathy Clatanoff

## **FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**March 5, 2009 Minutes**

**Held at Fairlington Community Center**

### **ATTENDEES**

Robert Patrician, President; John Fuller, Vice President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management). Jasper Thomson, At-Large was not present

One Glen Co-owner: Maynard Dixon (Ct. 16), FCA President Sam Anthony. Carol Goodloe joined the meeting at 8pm

### **CALL TO ORDER**

The meeting was called to order at 7:30pm by Bob Patrician.

### **Agenda Item 1: RESIDENTS' FORUM**

- Sam Anthony introduced himself and reminded the Board that the Fairlington Citizens' Association (FCA) is a valuable link between the Fairlington community and Arlington County. Margaret noted that the FCA had approached the County concerning increases in the cost of water.
- Maynard Dixon thanked the Board for pursuing the list of maintenance and landscaping issues and violation compiled by the court representatives. When the committee meets later this month, they will work up a standard form for reporting.
- Maynard also reported that the voting procedures committee has been meeting, and is making great progress. They hope to be ready to report back to the Board by April.

### **Agenda Item 2: APPROVAL OF MINUTES**

#### **3.05.09.01 MOTION**

Moved to approve the minutes of January 8, 2009.

Motion passed unanimously.

#### **3.05.09.02 MOTION**

Moved to approve the minutes of February 4, 2009, as amended.

Motion passed unanimously.

### **Agenda Item 3: PRESIDENT'S REPORT**

- The initial contract proposal from Comcast would have paid the Glen \$200 per unit (\$70,400), but required the Board to engage in a significant amount of exclusive marketing on Comcast's behalf. The current proposal will pay the Glen \$25 per unit (\$8,800) but will not involve marketing beyond inclusion of Comcast information and installation guidelines in each resale package. Comcast has also agreed to conduct maintenance on existing lines.
- The Committee on Voting Procedures was discussed during the Residents' Forum.
- The regular April meeting date will be moved to Wednesday, April 8 - new date to be announced in the Glen Echo.

### **Agenda Item 4: TREASURER'S REPORT**

- Work on the pool continues to progress, in spite of the uncooperative weather. A punch-list walk through is currently scheduled for March 16.
- The following five (5) motions, 3.05.09.03 through 3.05.09.07 were each moved, seconded, and approved unanimously:

#### **3.05.09.03 MOTION**

Move to confirm approval of Johnson Building Corp. change order #1 in the amount of \$5,181 to rebuild the bathhouse entrance wall.

#### **3.05.09.04 MOTION**

Move to approve Johnson Building Corp. change order #2 in the amount of \$13,396.34 to replace concrete outside the bathhouse entrance, install a drain outside the bathhouse entrance, replace rotted decking on the bathhouse roof, install copper grounding rods outside the staff office, and miscellaneous other changes.

#### **3.05.09.05 MOTION**

Move to confirm approval of the purchase of 60 feet of roof ridge vent for the pool complex roof from Castle Metal Products at a cost of \$1,543.

#### **3.05.09.06 MOTION**

Move to approve the purchase of Gladiator equipment for the pool complex workshop from Sears in the amount of \$4,037.02 and up to 1,000 for guardhouse and staff office furnishings.

#### **3.05.09.07 MOTION**

Move to approve the 2008 audit as submitted by Goldklang, Cavanaugh and Associates with non-substantive changes as provided by the Finance Committee.

### **Agenda Item 5: LANDSCAPING**

- Carol Goodloe joined the meeting, coming directly from the airport, to present a proposed policy on red reflectors (attached). After some discussion, it was agreed that Carol will act as primary contact with Glen residents and collect the forms. After the April 15 deadline, she will turn the forms over to the Management Agent (Terry) who will maintain them and ensure that the landscape contractor understands the policy.

#### **3.05.09.08 MOTION**

Move to approve a new red reflector policy as presented by Carol Goodloe and amended.

Motion passed unanimously

- Thrive presented an estimate of \$1665 to remove a tree from the area behind courts 6 and 7. The tree is sitting directly over the sewer line, which is scheduled for relining, and it probably responsible for the backups which have occurred in that location. Thrive also presented an estimate of \$270 to

"nourish" the trees affected by the pool construction.

**3.05.09.09 MOTION**

**Move to approve a proposal from Thrive in the amount of \$1,665 to remove a tree in the Court 6-7 alley in order to reline the sewer behind 4162 S. 36<sup>th</sup> St.**

**Motion passed unanimously**

**3.05.09.10 MOTION**

**Move to approve a proposal from Thrive in the amount of \$270 for a second nutrient treatment of the trees near the pool complex renovation project.**

**Motion passed unanimously**

- Bob has developed a proposed charge to the landscaping committee (attached). Formal approval of this charge will be deferred pending review by the committee and its Chairperson once these are established.
- Will Smith has been invited to the April Board meeting to present the proposed scope of work for the landscaping contractor. He has been asked to circulate the proposal to the Board in advance of that meeting.
- A representative from the landscape contractor will also be invited to attend. At that time, we can discuss both the scope of work and a reasonable process for ensuring that it is followed.
- The "opt-out" policy suggested by Will and Regina Smith was discussed. It can be publicized this year, although it would not take effect until 2010. The current policy is to use no pesticides in 2009, so there is nothing to opt out of until next year. The Board agreed that an annual form similar to that used for red reflectors would be used by those wishing to opt-out in future years; the form should be retained by the Management Agent.
- The Landscaping Calendar of Events (attached) was discussed. It is very useful to have a visual such as this to track landscaping. Maynard asked that he be given advance notice of any walk-throughs, in order to publicize them to the affected courtyards.

**Agenda Item 6: MANAGEMENT AGENT REPORT**

- The concrete in the alley behind courts 6 and 7 will be replaced as the sidewalk repairs and replacement is completed, rather than combining with the pool work.
- Investigations into e-voting should be completed soon. It was suggested that the Management Agent look at the experience of North Fairlington, who have begun to use a system for electronic voting.
- A group of small late fees was written off at the end of 2008. We will monitor the 1<sup>st</sup> quarter of 2009 to see if any of the same residents re-appear on the list.

**3.05.09.11 MOTION**

**Moved that the Board go into closed session to discuss and consider the personal liability of unit owners to the unit owners' association, consistent with Sec 55-79.75C**

**Motion carried unanimously.**

**3.05.09.12 MOTION**

**Moved that the Board returns to open session. Motion carried unanimously.**

**3.05.09.13 MOTION**

**Moved to turn cases 2006 and 3016 over to counsel if payment is not forthcoming by the March due date. Motion carried unanimously.**

**3.05.09.14 MOTION**

**Move to adjourn. The motion carried unanimously. The meeting was adjourned at 9:15 pm**

The next scheduled board meeting will be held on Wednesday, April 8, at 7:30pm.

Respectfully Submitted,  
Kathy Clatanoff



**FAIRLINGTON GLEN  
BOARD OF DIRECTORS**  
March 5, 2009  
7:30 pm  
FCC—3308 S. Stafford St.

**1. Residents' Forum**

**2. Board Meeting Minutes**

Minutes January 8, 2009

Minutes February 4, 2009

**3. President's Items (Bob Patrician)**

Comcast Update

Committee on Voting Procedures

**4. Treasurer's Report (Margaret Windus)**

Pool Complex Update

Johnson Change Order 1

Johnson Change Order #2

Roof Ridge

Workshop

Audit Report

**5. Landscaping (Bob Patrician)**

Red Reflector Policy (Carol Goodloe)

Removal of Ct. 6 Alleyway Tree

Tree Nutrient Pool Complex

Landscape Committee Charge

Calendar of Events.Fairlington Glen

Rejuvenation Pruning

**6. Management Report (Terry McGuire)**

Violations List

Action List

## **LANDSCAPE COMMITTEE**

The objective of the Landscape Committee is to assure that the Glen's landscape is maintained in an attractive, high quality manner that is environmentally sensitive and complements the entire community. In furtherance of this objective, the committee:

- Guides the implementation of long-range landscape plans for the improvement of the common areas (all areas except those within patios)
- Proposes standards to the Board for landscape maintenance of the common areas
- Works with the management agent and contractors in planning landscape work throughout the year
- Monitors the implementation of landscaping efforts, and
- Communicates regularly with the community about landscape efforts.

The committee holds regular open meetings and also reaches out to the community in other ways (e.g. GLEN ECHO articles, e-mail, distribution of notices, coordination with Court Reps) to hear the views of co-owners and keep them informed of landscape activities.

The committee works closely with the Board to implement landscape policies and recommends policy changes. While the committee facilitates discussion of policies and practices, it is the Board that is ultimately responsible and to whom residents should turn when differences of opinion or problems arise. The Board is open to all views, and will make decisions based on what is appropriate in a condominium environment with jointly-owned common areas.





(DRAFT)

## **FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**April 8, 2009 Minutes**

**Held at Fairlington Community Center**

### **ATTENDEES**

Robert Patrician, President; John Fuller, Vice President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Jasper Thomson, At-Large; Terry McGuire (Cardinal Management).

Glen Co-owners: Dave Sherman, Alan Bow, and Amanda Deringer. Will and Regina Smith joined at 8pm. Fred Peratt from Environmental Enhancements also arrived 8pm.

### **CALL TO ORDER**

The meeting was called to order at 7:30pm by Bob Patrician.

### **Agenda Item 1: RESIDENTS' FORUM**

Maynard Dixon was not able to attend, but sent information on two items:

- Emergency Survey. We are going to distribute an improved version of the survey form in August for anyone who might not have filled in the form last year or who might want to make changes. We expect to be able to provide the board with the resulting information in a list organized by Court.
- Violations List. As chair of the CRG, Maynard would like access to the violations list (other than confidential items). The purpose is to track progress on items reported by the Court Reps.

### **Agenda Item 2: APPROVAL OF MINUTES**

#### **4.08.09.01 MOTION**

**Moved to approve the minutes of March 5, 2009.**

**Motion passed unanimously.**

### **Agenda Item 3: PRESIDENT'S REPORT**

- Fairlington FINS has requested use of the Fairlington Glen pool for one week, July 27 – 31, 2009 from the hours of 3:30 – 5:20 pm Monday through Thursday and one Friday night from 6:00 to 7:30pm.

#### **4.08.09.02 MOTION**

**Moved to approve the Fairlington FINS request.**

**Motion passed unanimously.**

- The (new) main drains in the pool do not meet newly revised guidelines, and so must be replaced. This was voted on by email but earlier in the month.

#### **4.08.09.03 MOTION**

**Moved to confirm approval of a contract to spend an additional \$3520 to replace the drains in the pool.  
Motion passed unanimously.**

- The pool contractor, CURL, mistakenly signed off on a door width for the renovated pump room which did not accommodate the width of the new sand filter system. After much discussion by those on the committee, it is suggested that a filter system using a different technology, paper filters, be purchased for both the main pool and the baby pool. This is a more environmentally sound system, saving a significant amount of water over the course of a season, although at the present time the annual maintenance cost is higher than the originally planned sand filtration system.

#### **4.08.09.04 MOTION**

**Moved to confirm approval of a contract with CURLS to spend an additional \$3440 for a paper filter system for the pool.**

**Motion passed unanimously.**

- Dave Sherman presented a report on the status of the pool complex renovation. It is nearly complete, with the fencing scheduled to come down in time to begin landscaping work. Dave emphasized the energy efficiency of the design. Kathy reported that the landscaping plan for the pool area is progressing on schedule. The entire Board expressed their gratitude to Dave for his commitment and hard work in seeing this complicated project through.
- Apparently Comcast has not yet signed the agreement on installation guidelines. Bob has instructed our attorney to pursue the matter.

#### **Agenda Item 5: LANDSCAPING**

Going out of agenda order to accommodate those who have joined the meeting to discuss landscaping:

- Amanda Deringer has volunteered to chair a landscaping committee. The proposed Charge for a landscaping committee has been circulated via the Glen Echo and no changes were proposed. Amanda, Will and Regina, and Fred Peratt all agreed that it was workable.

#### **4.08.09.05 MOTION**

**Moved to confirm Landscape Committee Charge (attached).**

**Motion passed unanimously.**

- Fred emphasized that he expected to work closely with the new committee, which should provide a forum for communication between the community and the contractor. Bob thanked Amanda on behalf of the Board and the entire community for taking on this responsibility.
- Pesticide Policy: Language for an “opt-out” policy as suggested by the landscaping work group was discussed. As with the red reflector policy, the management agent will maintain the list and coordinate information on addresses with the landscape contractor. This should be included in the April Glen Echo.

#### **4.08.09.06 MOTION**

**Moved to confirm an “opt-out” form for pesticide use as revised by Will and Regina Smith (attached).  
Motion passed unanimously.**

- Will Smith presented a proposed scope of work for the landscaping contractor, with pricing provided by Environmental Enhancements. It was agreed that we will complete 2009 working cooperatively under the existing contract, and the newly formed landscaping committee will then consider the proposed scope of work as they develop their 2010 budget request.

#### **Agenda Item 4: TREASURER’S REPORT**

- A schedule for further work on sewer laterals was circulated to the affected courts.
- The 2008 Annual Financial Report will be circulated to the community via the April Glen Echo.

#### **4.08.09.07 MOTION**

**Moved to approve the 2008 Annual Financial Report (attached).  
Motion passed unanimously.**

#### **4.08.09.08 MOTION**

**Moved to approve Goldklang, Cavanaugh & Associates PC as the auditor and tax accountant for Fairlington Glen for fiscal year 2009 at a cost of \$5,450 and 2010 at a cost of \$5,750.  
Motion passed unanimously**

#### **Agenda Item 6: MANAGEMENT AGENT REPORT**

- A contract for repairing the concrete in the alley behind courts 6 and 7 and for sidewalk repairs and replacement will be developed by Cardinal Management later in the Spring.
- Investigations into e-voting are continuing.
- Our errant painting contractor appears to have moved to Houston. We will re-bid the contract.
- We have resolved the issue of payroll taxes, and the small remaining obligation will be paid by April 23.
- The recent experience with a plumbing emergency was clarified. The Glen bears no financial responsibility as a result of emergency assistance on the part of the management agent. All financial obligations are consistent with established Glen policy. The management agent obtains and on occasion coordinates services, usually for after hours emergencies, as a part of their 24 hour service obligation. The Board thanked Terry for this clarification.

#### **4.08.09.09 MOTION**

**Move to adjourn. The motion carried unanimously. The meeting was adjourned at 9:15 pm**

The next scheduled board meeting will be held on Thursday, May 7 at 7:30pm.

Respectfully Submitted,  
Kathy Clatanoff



**FAIRLINGTON GLEN  
BOARD OF DIRECTORS**

**April 8, 2009**

**7:30 pm**

**FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. Board Meeting Minutes**  
Minutes 3 5 09.doc
- 3. President's Items (Bob Patrician)**  
FINs Approval 2009.doc  
Confirm Est\_4430\_FairGlen MainDrain2009.doc  
Comcast Implementation (Guidelines for Cable Installation.pdf)  
Pool Complex Renovation Update
- 4. Treasurer's Report (Margaret Windus)**  
Sewer Lateral Work 2009.pdf  
Annual Financial Report 2008.doc
- 5. Landscaping (Bob Patrician)**  
Landscape Committee Charge 3.5.09.doc  
Policy on Pesticide Applications for 2009.doc  
Landscape Specifications
- 6. Management Report (Terry McGuire)**  
Action List 4.1.09  
Policy Resolutions No. 03-1 and 07.1.pdf

## **LANDSCAPE COMMITTEE**

The objective of the Landscape Committee is to assure that the Glen's landscape is maintained in an attractive, high quality manner that is environmentally sensitive and complements the entire community. In furtherance of this objective, the committee:

- Guides the implementation of long-range landscape plans for the improvement of the common areas (all areas except those within patios)
- Proposes standards to the Board for landscape maintenance of the common areas
- Works with the management agent and contractors in planning landscape work throughout the year
- Monitors the implementation of landscaping efforts, and
- Communicates regularly with the community about landscape efforts.

The committee holds regular open meetings and also reaches out to the community in other ways (e.g. GLEN ECHO articles, e-mail, distribution of notices, coordination with Court Reps) to hear the views of co-owners and keep them informed of landscape activities.

The committee works closely with the Board to implement landscape policies and recommends policy changes. While the committee facilitates discussion of policies and practices, it is the Board that is ultimately responsible and to whom residents should turn when differences of opinion or problems arise. The Board is open to all views, and will make decisions based on what is appropriate in a condominium environment with jointly-owned common areas.

**FAIRLINGTON GLEN  
POLICY ON PESTICIDE APPLICATIONS FOR LANDSCAPING PURPOSES  
2009**

As required by the amendment passed at the 2008 Annual Meeting, in evaluating the appropriate pesticides to be applied for landscape purposes (on trees, lawn, shrubs) in the Glen in 2009, a three-tiered system will be used. Pesticide approaches that fall in the first tier (biologically safe pesticides) will be those initially considered for application. Only if an appropriate tier 1 pest removal approach is unavailable or inappropriate for use in a particular instance will a tier 2 (low toxicity pesticide) be considered for application. Only in an exceptional case of infestation, when even a low-toxicity pesticide is unavailable or inappropriate, will a tier 3 (higher toxicity pesticide) be considered. [In no case will a Tier 3 pesticide be of a Toxicity Category I or II, as rated and listed in EPA's National Pesticide Information Center.]

If, in such exceptional cases, you would like to opt out of such application, please fill in the information below and return this form to Regina Smith at 3525 S. Utah St. in Court 9 by April 30, 2009. She may be reached at 703-578-1076 or via e-mail at [willregina@verizon.net](mailto:willregina@verizon.net). These forms will be retained by Cardinal Management Group, Inc., the Glen's management company.

The Board has reminded our contractors that they must notify the community before they apply any pesticides.

PLEASE PRINT

Name of Co-Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_ Court # \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Signature and Date: \_\_\_\_\_

**Please return by April 30, 2009, to  
Regina Smith, 3525 S. Utah St.**

## **ANNUAL FINANCIAL REPORT TO CO-OWNERS**

During 2008, as shown on the accompanying table, the Glen had a budget surplus of \$36,551, which will be available as a contingency for the future. Areas where expenses were significantly lower than budgeted included payroll, administrative expenses, and water/sewer. Reduced water usage, which we reported in the January GLEN ECHO, bodes well for future water budgets if such reductions continue while rates climb upward. Payroll was lower than budgeted because we had provided for a possible part-time administrative person after Ricky Solares retired. As it turned out, we were able to work well with our reduced staff of two.

Interest income was lower than expected because of the dramatic reduction in interest rates during the year. However, we were able to set aside nearly \$200,000 in 4% CDs before rates went down. Other reserves had to be kept liquid because of major efforts planned in pool complex renovation and sewer relining. We relined 13 sewer laterals in 2008 and partially replaced one. In 2009, we will reline the remaining 17 laterals, completing lateral relining or replacement for all 56 buildings of World War II vintage.

Our other major effort using reserve funds in 2008 was planning for and beginning renovation of the pool complex. This includes enhanced workspace, a storage room, new pool bathrooms and guardroom, resurfaced pools, a new pool pump, and a new entrance and social space. Most pool complex construction costs occur in 2009, as construction began only in mid-November 2008. As you read this report, building construction should be concluding. Landscaping of the pool entryway and perimeter will be the final step.

Replacement reserves in 2008 were increased by a contribution of \$410,000 and reduced by expenditures of \$285,668. At the end of 2008, we had a balance of \$481,603 in replacement reserves, \$158,160 in contingency reserves (with \$35,000 contributed in 2008), and \$81,566 in Other Members' Equity, resulting in Total Members' Equity of \$721,329. Our auditors were pleased with the level of our combined contingency reserve and Other Members' Equity (excess operating funds), which they recommend be 10 to 20% of annual assessments, a level we have now reached at 19.7%. We are not continuing contingency reserve contributions in 2009.

Contributions to replacement reserves in 2009 will be \$460,000. Planned 2009 reserve expenditures will take place in the first half of the year, with contributions in the second half replenishing our savings. In 2010, we will return to replacing Bangor and asbestos roofs (the pool roof was done in 2009). We will also begin work on site drainage problem amelioration.

The Board appreciates your participation in the many volunteer activities that help the Glen do its business. Volunteer labor is highly valued and saves us substantially over what our assessments would otherwise be. Thank you.

Margaret L. Windus, Treasurer  
for the Fairlington Glen Board of Directors

## FAIRLINGTON GLEN FINANCIAL REPORT FOR CALENDAR YEAR 2008

<b><u>INCOME</u></b>		
	<u>Budget</u>	<u>Actual</u>
Assessments from Co-Owners	\$1,217,511	\$1,216,422
Interest	30,000	22,527
Other	1,000	1,520
<b>Total Income</b>	<b>\$1,248,511</b>	<b>\$1,240,469</b>
<b><u>EXPENSES</u></b>		
Management	67,584	61,934
Legal, Audit, Tax, Other Professional Fees	33,700	40,102
Insurance	64,770	64,652
Administrative	22,365	12,702
Payroll and Related	112,171	89,495
Utilities	196,000	175,994
Painting and Decorating	57,320	50,111
General Repairs	34,900	38,589
Snow Removal	6,200	3,634
Swimming Pool	49,267	45,030
Trash Removal	62,220	62,334
Grounds Maintenance	65,714	65,722
Landscaping	26,000	36,596
Bad Debt Expense	-0-	5,646
Income Taxes	5,300	6,377
<b>Total Expenses</b>	<b>\$803,511</b>	<b>\$758,918</b>
Net Income before Contribution to Reserves	\$445,000	\$481,551
Contribution to Reserves	(445,000)	(445,000)
<b>Net Income</b>	<b>-0-</b>	<b>\$ 36,551</b>

(APPROVED)

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**May 7, 2009 Minutes**

**Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; John Fuller, Vice President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management). Jasper Thomson, At-Large was not present.

Glen Co-owners: Alison Burns Trimble, Court 15, Maynard Dixon, Court 16, Regina Smith, Court 9, Paul Coelus, Court 11, Lara Robillard, Court 16, Liz Finos, Court 16, Lori Derkay, Court 12.

**CALL TO ORDER**

The meeting was called to order at 7:30pm by Bob Patrician.

**Agenda Item 1: RESIDENTS' FORUM**

- Bird Seed and Mice. There have been reports of rodent activity as a result of bird seed on the ground near Courts 16, 9 and 15. The Board has sent a note to each resident of those courts reminding them not to place any seed outside the patio areas. Cardinal has asked the exterminator to replace the rodent boxes in the areas behind those courts. We hope that this will take care of the problem.

**Agenda Item 2: SECRETARY'S ITEMS**

**5.07.09.01 MOTION**

**Moved to approve the minutes of April 8, 2009 as amended.**

**Motion passed unanimously.**

The weather has not been helpful so far this month, however, we have every expectation that EE will be able to complete the landscaping work at the pool by the time it opens on May 23. As a part of the landscaping effort, we will also purchase several items, such as planters and benches, to complement the entrance.

**5.07.09.02 MOTION**

**Moved to confirm approval of a contract with EE Landscaping for \$17,347 to landscape the grounds at the pool complex.**

**Motion passed unanimously.**

**5.07.09.03 MOTION**

**Moved to confirm approval of a contract with EE Landscaping for \$3,763 to lay sod around the pool complex.**

**Motion passed unanimously.**

#### **5.07.09.04 MOTION**

**Moved to confirm approval of an amount not to exceed \$2,000 to come from reserves for the purchase of items for the entrance to the pool complex.**

**Motion passed unanimously.**

#### **Agenda Item 3: PRESIDENT'S ITEMS**

- A series of last-minute changes were required in order to obtain the necessary permits from the County to occupy the new maintenance building at the pool. Hopefully, this is everything. The gates have been installed, the construction trailers should be removed next week, and the building is ready. We are on-track to open on Saturday, May 23.

#### **5.07.09.05 MOTION**

**Moved to confirm a change order to Johnson Construction for \$4,311.**

**Motion passed unanimously.**

- Apparently Comcast has still not signed the agreement on installation guidelines. Bob is continuing his on-going conversations with our attorney to pursue the matter.
- The FCA has arranged a Fairlington Walkthrough with Arlington County officials for Tuesday, May 12 at 6:30pm. It will start at the community center and provides an opportunity for informal interaction between Fairlington residents and Arlington County.

#### **Agenda Item 4: COMMITTEE ON VOTING PROCEDURES**

Maynard Dixon, joined by Lori Derkay and Paul Coelus, presented the report of the Committee on Voting Procedures (attached). The recommendations include expanding the time-line for initial notification of the Annual Meeting to 8 weeks, which should allow ample opportunity for discussion of proposed amendments between Fairlington residents and the Board prior to setting the final agenda. The Committee also submitted a revised proxy form, as the Board had requested.

The Board thanked the Committee for what was obviously a time-consuming and thoughtful process.

#### **Agenda Item 5: TREASURER'S REPORT**

- Out of 56 sewer laterals in Fairlington Glen, we have now relined or replaced 54. The remaining two we will leave alone for now.
- The Finance Committee will meet in early June. Note that our reserves are currently low, but we have been able to accomplish both the pool construction and the sewer work without any borrowing. We will now concentrate on re-building our reserves.

## **Agenda Item 6: MANAGEMENT AGENT REPORT**

- Terry presented the Association's tax returns for signature – they were signed and returned to him.
- Thrive has completed the tree work for individual co-owners which Terry was coordinating.
- Terry mentioned that he should have the originals of the opt-out forms for both red reflectors and pesticide use.
- We will re-bid both the painting and the landscaping contracts this year. The landscaping committee should be reviewing the SOW requirements for the landscaping contract.

### **5.07.09.06 MOTION**

**Moved that the Board go into closed session to discuss and consider the personal liability of unit owners to the unit owners' association, consistent with Sec 55-79.75C**

**Motion carried unanimously.**

### **5.07.09.07 MOTION**

**Moved that the Board returns to open session. Motion carried unanimously.**

### **5.07.09.08 MOTION**

**Moved to turn case 3078 over to counsel if payment is not forthcoming by the May due date.**

**Motion carried unanimously.**

### **5.07.09.08 MOTION**

**Moved to instruct counsel to conduct interrogatories in case 2013.**

**Motion carried unanimously.**

### **5.07.09.09 MOTION**

**Move to adjourn. The motion carried unanimously. The meeting was adjourned at 9:15 pm**

The next scheduled board meeting will be held on Thursday, June 4 at 7:30pm.

Respectfully Submitted,  
Kathy Clatanoff



**FAIRLINGTON GLEN  
BOARD OF DIRECTORS**  
May 7, 2009  
7:30 pm  
FCC—3308 S. Stafford St.

1. **Residents' Forum**
2. **Secretary's Items (Kathy Clatanoff)**  
Minutes 4 8 09.doc  
Pool Complex Landscaping.pdf (confirm)
3. **President's Items (Bob Patrician)**  
Fairlington Glen – Change Order #3.jpg (confirm)  
Comcast Update  
FCA-sponsored Walkthrough May 12.pdf
4. **Committee on Voting Procedures (Maynard Dixon)**  
Voting Procedures Report Draft (4).doc
5. **Treasurer's Items (Margaret Windus)**  
Sanitary Sewer Renovation May 2009.doc  
Budget Update
6. **Management Report (Terry McGuire)**  
Birdseed and Rodents, Court 16.pdf  
Action List 5.1.09

**Memorandum**

May 6, 2009

To: Fairlington Glen Board of Directors  
From: Committee on Voting Procedures  
Subject: Final Report

The Board directed the Committee on Voting Procedures (Committee) to consider at least the following topics and to report back to you by May 15, 2009:

- Review the history of budget voting, especially as it relates to budget amendments and the budget amendment process in the Glen.
- Review the proxy form, compare with proxies used by other condominium associations, and prepare a proposed proxy and ballots.
- Consider what might be considered appropriate and inappropriate budget amendments and recommend guidelines for Board consideration.

We hope that this report meets your expectations.

**Glen Budget Voting History**

We have reviewed Margaret Windus' historical material on Glen budget amendments. This material is attached as an appendix.

In 1977, the Board adopted a procedure requiring that the Board submit the budget to the community at least 4 weeks prior to the annual meeting, that budgetary amendments be submitted to the Board at least 2 weeks prior to the annual meeting, and that the Board submit its views to the community at least 3 days prior to the annual meeting. Although this procedure was followed fairly consistently, it was not included in the handbook for the benefit of future residents.

There has apparently never been a formal procedure that would avoid problems that might arise when owners would mail their proxies before they received amended proxies reflecting amendment proposals received after the initial proxy mailing. (For example, issues might arise over whether the earlier proxies should be votes for or against the amendments.) This may be because nobody raised such issues.

There have been at least two instances where no-funds-shall-be-expended-for amendments have been proposed: 1991 and 2008.

On the floor of the annual meetings, presiding officers determined what they considered to be the logical order of voting on the budget, and the proxies were examined and voted to determine the outcome of the individual votes. The usual procedure was (1) to vote first on whether to add an amendment to the budget proposal and then (2) to vote on (a) the budget as amended or, if the amendment did not carry, (b) the budget as originally proposed by the Board. The material provided by Margaret Windus reveals no controversies over whether the questions posed on the proxies matched the questions put to a vote, how votes were to be counted, or what constituted a majority.

### **Proper Budget Amendments**

At the 2008 Annual Meeting, the Council was asked to vote on a matter (pesticide use) which had the character of a policy statement but was presented in the form of a budget amendment. The question was raised whether such matters are properly handled as budget amendments or should instead be dealt with as stand-alone issues.

This question should be addressed from two perspectives: a broad perspective, based on how the Bylaws allocate responsibility between the Council and the Board of Directors, and a narrow perspective, based on practical considerations of taking a vote among 352 co-owners.

Fairlington Glen can accurately be described as a “direct” democracy. While the Council elects a board of directors to *administer* the Project, the Council retains policymaking authority—the “ultimate responsibility of administering the Project.” (Bylaws Article III Section 1.) In principle, therefore, the Glen’s policies are to be *determined* by the Council and *implemented* by the Board. From this perspective, any matter that rises to the level of a policy decision must be voted on by the Council at a regular or special meeting.

From a practical standpoint, however, getting even a quarter of the co-owners together for a vote is difficult and costly. The term *policy*, therefore, should be reserved for those matters which significantly affect the community (including a minority of co-owners or residents), rather than day-to-day matters best left to the managerial discretion of the Board. Whether something is significant is a matter of judgment, but at minimum this would include matters affecting health, safety, property values, or quality of life in the Glen.

In addition, voting on amendments is difficult because proxy voting (the predominant method in the Glen) is not particularly suitable for multiple rounds of voting, or for voting in the alternative.

Accordingly, we recommend the budget amendment process be used to resolve the question of the proper *amount* to be spent on a particular line item (or category), rather than the question whether the Glen ought to be engaged in a particular activity in the first place. For

example, whether the Glen should assume the responsibility of maintaining the exteriors of all residential units is probably a matter of policy, but whether we should spend \$100K or \$110K in a given year to do this is not. Matters of policy should be resolved as main motions separate from the main motion of the proposed budget.

Applying this recommendation to the pesticide amendment at the 2008 annual meeting, the Council could have voted on the budget and the pesticide issue as independent main motions (in any order).

A determination that a proposed amendment is not a “proper” budget amendment does not mean it should not be voted on at all. Policy questions such as the pesticide amendment must be voted on by the Council, but they can (and probably should) be treated as independent main motions.

### **Voting Guidelines**

We urge the Board to amend the Handbook by adding the following new provision on voting procedures:

#### **Annual Meeting Voting Process**

*At least 8 weeks before the annual meeting, the Board will distribute to eligible co-owners an initial annual meeting packet containing: (1) the proposed budget; (2) nominations for the Board; (3) any explanatory or candidate material; (4) draft minutes of the prior annual meeting; and (5) any other motions for proper consideration at an annual meeting. The initial packet will not include proxies. In the cover letter for the initial annual meeting packet, the Board will: (a) announce a deadline of at least 2 weeks for submission of (1) proposed amendments to the budget, (2) other proposed agenda items or motions, and (3) any other nominations for the Board, giving the actual expiration deadline-date; and (b) state that this deadline will be strictly observed and that no amendments or Board nominations will be allowed from the floor.*

*At least 4 weeks before the annual meeting, the Board will distribute a second annual meeting packet containing a proxy form allowing owners to vote on the budget proposed by the Board, any timely proposed amendments, nominations for the Board, and other motions that are appropriate for consideration at an annual meeting. If amendments to the budget, other motions, or other Board nominations have been timely proposed, the Board will include: (a) statements of reasonable length (to be determined by the Board) from the proponents of the amendments or other motions; (b) statements of not more than the same lengths from the Board stating its positions on the amendments or other motions; and (c) any additional candidate material.*

*Prior to distribution of the second packet, the Board will communicate with the proponents of amendments or other motions in an attempt (1) to avoid disputes over the wording of the proxy and the length of supporting material and*

*(2) to avoid budget amendments or other motions that may be inconsistent, unlawful, needlessly complex, or in violation of our bylaws.*

This provision would help to build fairness, predictability, and adequate advance consideration into the amendment process. By requiring all votes to be marked on a single proxy form, this provision would do much to avoid controversies like the one that arose over the pesticide amendment at the last annual meeting.

The prohibition on amendments or Board nominations proposed from the floor of annual meetings would preserve the integrity of the Glen's proxy voting procedure by assuring co-owners who are unable or who prefer not to attend – often the majority of co-owners – that the matters appearing on proxies will be the matters that will actually be considered at the annual meeting. Co-owners need to know that meeting agendas will not be hijacked by those who attend in person.

The proposed 8-week schedule would allow 2 weeks for the submission of amendments and nominations. Two weeks should be sufficient in light of past practice and the Board's recent practice of involving the community in budget development before the final proposed budget is mailed.

The Board and the proponents of amendments would then have 2 weeks to work-out how they are to be reflected on the voting form. This interval could also be used for analysis or negotiation.

The Board would then have 4 weeks thereafter to collect the proxies that are circulated. This should be sufficient in light of the recent bylaw reduction in the quorum requirement.

By using "at least" before the deadlines, our proposal would allow the Board to lengthen the process in return for an earlier mailing of the budget and to allow for delivery delays.

### **Revised Proxy Model**

Attached as an Appendix is a revised model proxy. The section containing "Special Instructions" will not cover every conceivable situation that could arise when amendments are proposed, but it should cover the most common situations.

The proposed proxy form makes clear that:

One. A proxy holder shall have the right to vote and exercise all powers that a co-owner would possess if personally present.

Two. If a co-owner does not write in the name of an individual to act as proxy, the co-owner shall be deemed to have appointed the Secretary as his/her proxy. In such case, the power delegated to the Secretary is limited to establishing the co-owner's presence for purposes of a quorum and voting exclusively in accordance with any instructions. This ensures against a Secretary with unconventional views imposing those views on co-owners.

Three. No witness is necessary when signing a proxy.

Four. An uninstructed proxy authorizes the holder to vote as he/she sees fit on all issues, subject to the qualification in Two above. Section 55-79.77 D. of the Virginia Code provides that “[t]he proxy shall include a brief explanation of the effect of leaving the proxy uninstructed.” The proposed proxy does just that.

The proposed proxy form differs from past Glen proxies in these ways:

One: It does not contain a blank for Vote Code, as appeared in the Glen’s 1988 proxy.

Two: It does not contain a blank for Unit Number, which most owners don’t know.

Three: It omits use of the phrase “Know all persons by these presents.”

### **Special Instructions**

Special instruction no. 1 is set forth to call for a vote on an amendment to the proposed budget *prior to* voting on the proposed budget itself. This is consistent with Roberts Rules of Order. Instruction no. 2 is set forth to call for a vote on the proposed budget without knowing the result of the vote on the amended budget. Thus, it provides for two possibilities: the amended budget was adopted or defeated. This avoids multiple rounds of voting, which is impractical at an annual meeting. It may be that an explanation of the purpose underlying instructions 1 and 2 is necessary in a cover letter accompanying the proxy form.

### **Majority of Votes**

Under the existing Bylaws, Article III, Section 1: “Except as otherwise provided, decisions and resolutions of the Council shall require approval by a majority of the votes of the co-owners voting in person or by proxy at a meeting of the council at which a quorum is present.”

We believe that our current procedures are consistent with the Bylaws. When more than 50% of those voting on an issue or amendment vote “yes,” it will be approved; when more than 50% of those voting on an issue or amendment vote “no,” it will be rejected.

An example of the voting process would be: Co-owners would review and vote on any amendments one by one. The options would be “yes” or “no.” If more than 50% of those voting vote “yes” for Amendment 1, it would be approved. Then you move on to the next item. There is no need to limit the number of amendments for the eligible voters to consider. After all amendments are voted on, you move on to review and vote on the overall budget.

We interpreted “decisions and resolutions” to exclude voting for board positions. Under Glen practice, plurality voting has been accepted when there are multiple openings and the number of candidates exceeds the number of openings. This has avoided the need for multiple rounds of voting which would not be practical, and we see nothing in the Bylaws that would compel us to change this practice. In fact, under Article IV, Section 5, plurality voting could conceivably dictate the length of board terms. E.g.: if there are two openings, one for three years and one for two years, and there are three candidates, terms will be allocated according to the candidates receiving the most votes even though each candidate may have receive only a plurality.

Next time the bylaws are up for revision, the issue of plurality voting should be considered.





## Attachment to Committee on Voting Procedures Report

### GLEN BUDGET AMENDMENTS

1977 – 2005

**1977.** Four amendments to add items to the budget had been submitted by co-owners. The Board accepted and made part of the Board-recommended budget an amendment to use \$2,000 of the “Water and Sewer” line item under “Routine Operating Expenses” for the purchase of water-saving devices, without increasing the budget. Three other amendments offered by co-owners, all of which suggested budget increases, were opposed by the Board. Each of the amendments was then offered from the floor and after extensive pro and con discussion was voted down by the Council. The Budget as recommended by the Board was then adopted.

**1978.** The President noted that there had been only one amendment proposed to the budget under policies set by the Board and the Board had accepted the amendment. The budget before the Council for vote was, therefore, that distributed on November 2, as modified by the one amendment. It was then moved and seconded that the budget recommended by the Board be adopted, and the budget was adopted by acclamation.

**1985.** Two amendments to the budget had previously been proposed and would be voted upon before the Board’s budget. Amendment #2 was first discussed. This amendment stated: “Whereas the rate of inflation is less than 5% per annum, therefore resolved that the 1986 budget increase shall not exceed 5%, in accordance with the following [long list of line items and budget numbers]. After discussion of this amendment, a vote was taken whose results showed that Amendment #2 received 26% of the votes in its favor and 34% contrary. This amendment was, accordingly, not adopted.

Discussion then focused upon Amendment #1, which stated: “Delete Reserve Account #6290, Landscape Development, in the amount of \$10,000. Proposed 1986 Condominium fees to be reduced accordingly. The logic for this amendment is (a) landscaping of a mature community such as Fairlington Glen is inherently a recurring operating type expense and thus not suitable in reserve accounts; (b) provision for \$69,750 of landscaping maintenance has been made in the proposed operating expenses; and (c) if a new and acceptable long term master package for landscape improvements is approved the implementation of these improvements can be accomplished in other manners.” Following discussion of the above amendments a vote was taken showing that 34% were in favor of it and 26% opposed. Amendments #1 was, accordingly, adopted. Having superseded the Board’s proposed budget, Amendment #1 was then put to a voice vote and carried overwhelmingly [did they mean the entire budget?].

**1986.** Two amendments to the budget were received and presented by their sponsors. Amendment #1 called for the establishment of a fencing reserve and an initial funding of \$5,000. This amendment passed 39.58% to 15.97%.

Amendment #2 called for a reduction of \$25,000 in funding for 1987 to the roof reserve. This amendment failed 34.377% to 20.435. The budget, as amended, was then passed by acclamation.

**1990.** Laura Bultmeier presented proposed Amendments I and II, for 0 and 2.3 percent increase in condominium fees, respectively. The reductions focused on the “other” landscaping account and the fence replacement reserve. She pointed out that the Meadows total fence replacement program (removing old fences, building fences, installing gates) is \$200K. Amendment I reduces budget below 1990 level; Amendment II

leaves budget at 1990 level. There were no questions from the floor. Alan Bow stated that the Board stands by its proposed budget increase of 4.8 percent. He pointed out that the Meadows fence replacement is being done by assessment. There were comments from the floor regarding poor quality of fence materials and the installation itself. Those commenting were asked to bring this to the attention of the Management Agent. Question from the floor: What was reply rate to the fencing survey of several years ago? Approximately 50 percent. MOTION MADE AND DEFEATED THAT AMENDMENT I FOR 0 PERCENT INCREASE BE ADOPTED (5 for, 40 against). MOTION MADE AND DEFEATED THAT AMENDMENT II FOR 2.3 PERCENT INCREASE BE ADOPTED. (9 for, 30 against). MOTION MADE AND APPROVED THAT THE 1991 BUDGET PROPOSED BY THE BOARD OF DIRECTORS BE PRESENTED FOR VOTE BY BALLOT. The vote was then taken. The budget was approved by the Co-Owners (48.37 percent for; 5.59 percent against).

**1991.** “No funds authorized in this Budget shall be expended for chemical [that’s all there is, something must be missing—later found in Dec. 6, 1991 letter from President Joanne O’Neal that quotes the amendment: “No funds authorized in this Budget shall be expended for chemical treatment of Fairlington Glen Lawn Turf”].

Discussion: One co-owner complained about the process of preparing the amendment, namely that there were no proponents of herbicide spraying on the review committee, the report presented two absolutes rather than discussing any alternatives, and the amendment only limited community action but did not prevent any individual from using herbicides. Others noted that this is a budget issue and is properly presented as a budget amendment.

On the substantive question, some speakers felt that herbicides appear necessary to get rid of weeds, clover and the bees attracted to the clover, and that the landscape contractor should make this decision. One speaker recommended that the Board entertain a motion to examine more alternatives if the spraying plan was rejected. After some discussion about whether those present could move to direct the Board to so act, it was determined that a weighted vote with proxies was needed for budget amendments so the motion was to be renewed as under New Business.

In response to a query whether any spraying had taken place in 1991, the Board precedent said that no spraying has been done since 1989. Nor was anything planned or done in lieu of spraying in 1991.

Motion made and approved that the amendment be presented for vote by ballot. The amendment passed, by a proxy and present vote of 43.502% for and 13.954% against.

Motion made and approved that the budget as proposed by the Board of Directors, as amended, be presented for vote by ballot. The budget, as amended, was approved, by a proxy and present vote of 52.95% for approval and 3.071% opposed.

**1992.** As there was an amendment to the Budget proposed by a community member, the procedure was (1) presentation of the Board-proposed budget, (2) presentation of the proposed amendment, (3) vote on the amendment (4) vote on the budget as amended or unamended, depending on result of step (3).

MOTION MADE AND SECONDED TO PRESENT THE AMENDMENT TO THE BUDGET. John Fuller presented the amendment. He noted that the Board budget proposal acknowledged the attention needed to roofs, having allocated \$160,000 for roof replacement in 1993, but stated that there was concern that the roof

reserves per the proposed budget will remain at the end of 1993 considerably less than likely to be needed in 1994. John stated that per the Neblett Report, Bangor slate has a life expectancy no greater than 50 years, and the Glen is now 50 years old, and that Neblett commented 9 years ago on the poor condition of some roofs. He felt that the Boards in the 1980's had been aware of poor condition of roofs but nothing was done. John noted that the Kenney report (Glen carpentry contractor) of April 1992 stated that 29 roofs (those with Bangor slate) needed replacement. He felt that the engineering study about to be contracted will not conclude anything other than that major replacement of roofs is necessary, and will merely suggest types of replacement materials and time lines. He stated that the Board declared a policy of maintaining a reserve sufficient to replace 4 roofs per year, but felt that the proposed budget did not do so. [long, long discussion followed].

A MOTION WAS MADE AND PASSED TO MOVE THE QUESTION  
THE VOTE ON THE BUDGET AMENDMENT WAS TAKEN. It was disapproved  
[It would have been nice if the minutes said what the amendment was, but they don't.]

THE VOTE ON THE PROPOSED 1993 BUDGET WAS TAKEN. It was approved.

**1998.** This was the year of the amendments proposed by a Board member (Hal Vorhies) relating to the paddleball area near Cts. 3-4, and also to proposed reserve accounts to assume responsibility for tuckpointing of bricks and for foundation repairs to units. Both the amendments and the minutes are a bit confusing, because the minutes say the amendments all failed, and yet they also say that "It was noted that since the amendments did not pass, the tuckpointing and foundation Replacement Reserve line items will remain in the budget, but the owners have not approved the policy change for the transfer of responsibility from the owners to the Association. It was also noted that the Association can choose to make the repairs or leave this responsibility to the owners. An owner noted that she had voted incorrectly and expressed concern about the possibility that other owners did not understand the wording of the amendments and also voted differently than they had intended. It was agreed that the matter will again be addressed at the 1999 Annual Meeting, the explanations will be clearer, and the amendments will be included with the initial mailing." [The proposed amendments are in a PDF file.]

## **FAIRLINGTON GLEN BUDGET AMENDMENT PROCESS**

Sources: Board Minutes, Budget documents

**Jan. 13, 1977.** "Ken Gubin and Hap Abrogast volunteered to make recommendations for improved annual meeting procedures. Their offer was accepted by the Board after discussion." [Note: The minutes are missing for the 1976 annual meeting, which was the first annual meeting after transfer from the developer. The November 1975 meeting was run by the developer and the initial Board was elected.]

**Feb. 15, 1977.** "Ken Gubin presented a proposal for handling budget amendments an annual meetings. After discussion the following procedure was adopted without dissent:

The budget as proposed by the Board of Directors will be submitted to the co-owners at least 4 weeks prior to the annual meeting. All individuals who intend to propose amendments to this budget are required to submit to the Board of Directors by 2 weeks prior to the meeting, a written statement of the subject matter and cost of their amendment. The Board will consider the change and submit its views, along with the statement of

the individual, to the co-owners at least 3 days prior to the annual meeting. Amendments from the floor at the annual meeting relative to the general subject matter previously submitted will be accepted. All other matters for which a proposal has not been previously submitted to the Board of Directors will be ruled out of order.”

The above process has been followed, with minor adjustments, even since. The only substantive change has been to tighten up the allowed amendments so that they all must be submitted ahead of time and none are allowed from the floor. Although the minutes do not reveal the rationale for the process, the comment in the Jan. 1977 minutes suggests that the 1976 meeting may have been somewhat uncontrolled in terms of amendments. A strong rationale for the process is that relatively few people attend annual meetings and the process set up in 1977 allows all co-owners to participate in voting on amendments, not just those who happen to come to the meeting. Otherwise, a small group of highly committed co-owners could, in essence, “hijack” the budget by passing amendments that co-owners might not back if they were present and voting.

The amendment process has been used from time to time (though some annual meeting minutes are missing and I don’t have all past budgets so my information may not be complete). Amendments were proposed in 1977, 1978, 1985, 1986, 1990, 1991, 1992, and 1998. Some were passed, some were not, and on a couple of occasions the Board accepted an amendment ahead of time, thus incorporating it into its recommended budget. In each case the Board discussed the proposed amendment, decided whether to support it or not, and sent out to co-owners the amendment as proposed and Board views, so that co-owners could factor the views of both sides into their votes (assuming they had not already sent in their proxies, which of course could be retrieved).

Margaret Windus  
June 15, 2005

(DRAFT)

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**June 4, 2009 Minutes**

**Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Jasper Thomson (At-Large); Terry McGuire (Cardinal Management). John Fuller, Vice President, was not present.

Glen Co-owners: Maynard Dixon, Court 16; Tevis Smith, Court 10

**CALL TO ORDER**

The meeting was called to order at 7:40 by Bob Patrician.

**Agenda Item 1: RESIDENTS' FORUM**

Maynard plans to hold a meeting of Court Reps later in the month, and will ask for updates to the emergency contact in the August Glen Echo.

Tevis expressed his thanks for the attention Nelson and Maria paid to his gutters during our recent monsoon rains. His basement remained dry throughout.

**Agenda Items 2: SECRETARY'S ITEMS**

**6.04.09.01 MOTION**

**Moved to approve the minutes of May 7, 2009 as amended. (Amendment was the addition of one page of information on the history of the budget amendment process.)**

**Motion passed unanimously.**

EE completed the landscaping work at the pool in time for our opening on May 23. Initial feedback from Glen residents has been very positive. Each of the beds or areas of sod has been "adopted" by a resident who will water as needed for the next several months. A list of these volunteers is posted on the pool bulletin board and will be published in the June GLEN ECHO.

**Agenda Item 3: PRESIDENT'S ITEMS**

Bob Patrician expressed his pleasure at the fine job done by the pool complex renovation contractor, Johnson Building Corp. Inc., by our architects at Q-DESIGN PLC, and by the task group led by Dave Sherman (also including Alan Bow and Paula Mathews) who worked closely with our contractors. It is remarkable that such a complex project renovating an old building and incorporating new structures was completed on time and within a reasonable budget for the work done. It will serve the Glen well for many years and has received plaudits from many residents. A thank you to Dave and others will appear in the June GLEN ECHO.

The agreement with Comcast has now been signed by both parties and we have received a check from Comcast. We are especially interested in implementation of the installation guidelines, including rectifying past problems. Bob Patrician has asked Comcast for a contact person for this effort.

Electric cars appear to be on the horizon, and we should consider what alternatives, if any, exist for safely recharging car batteries within the Glen. In particular, this question could impact decisions on resurfacing our parking lots. We will ask for a volunteer to help us think through this issue.

An updated 2009 planning calendar was reviewed. See Treasurer's item below.

#### **Agenda Item 4: TREASURER'S ITEMS**

On behalf of the Board, Margaret Windus thanked the Committee on Voting Procedures for its work. She then presented a modified schedule for preparation of the 2010 budget, incorporating recommendations of the Committee. Most key dates remain the same, but the call for budget amendments has been moved up so that all amendments will be received before a proxy is distributed. There will, therefore, be only one proxy form.

#### **Agenda Item 5: VARIANCE ISSUES**

##### **6.04.09.02 MOTION**

**Moved to confirm a variance request granted to 3513B S. Stafford St. for installation of radon venting fan in basement with white "downspout" on the rear exterior of the building. Motion passed unanimously.**

##### **6.04.09.03 MOTION**

**Moved to approve a variance request from 3580 S. 35<sup>th</sup> St. to attach a hose holder to the front of a building.**

**Motion approved unanimously.**

Bob Patrician will ask Greg Lukmire to propose standards for a blanket variance permitting hose holders which can be publicized and added to the Handbook.

A request about hot tubs was addressed. A non-approved patio hot tub was removed in earlier years. The Board affirmed that decision, and asked that the Handbook include a statement that hot tubs in patios are not allowed.

##### **6.04.09.04 MOTION**

**Moved to affirm prohibition of hot tubs.**

**Motion passed unanimously.**

An informal request about replacement front doors was addressed. It was agreed that if a replacement door matches the original wood door (and a neighbor's door if applicable) in style and color, it can be of substitute material such as fiberglass. This will also be published as a blanket variance. Margaret will ask Alison to publicize these decisions.

## **Agenda Item 6: MANAGEMENT REPORT**

Terry McGuire reported that the concrete contract is still on hold.

The experience of another association with e-voting was extremely positive, resulting in wider participation at approximately the same cost. We will ask for a proposal for the Glen.

### **6.04.09.05 MOTION**

**Moved that the Board go into closed session to discuss personnel matters and consider the personal liability of unit owners to the unit owners' association, consistent with Sec. 55-79-75C of the Condominium Act of Virginia.**

**Motion carried unanimously.**

### **6.04.09.06 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

### **6.04.09.07 MOTION**

**Moved to send 10-day demand letters to accounts 2059 and 2101.**

**Motion carried unanimously.**

### **6.04.09.08 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:20 pm.**

The next scheduled meeting of the Board is July 6, FCC Room 103, at 7:30 pm (Note that this is not the regularly scheduled day).

Respectfully Submitted,  
Kathy Clatanoff, Secretary

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
June 4, 2009  
7:30 pm  
FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. Secretary's Items (Kathy Clatanoff)**  
Minutes 5 7 09.doc  
Pool Landscaping.doc
- 3. President's Items (Bob Patrician)**  
Message from the President June 2009.doc  
Comcast Agreement.doc and Comcast Service Agreement.pdf  
Electric Cars and the Glen.doc  
Calendar, 2009 Planning.doc
- 4. Treasurer's Items (Margaret Windus)**  
2010 Budget and Election Schedule.doc  
Annual Meeting Policy Resolution No. 09-1.doc  
Changes to Handbook 2008 Budget Text.doc  
2010 Budget and Annual Meeting Planning Glen Echo.doc
- 5. Variance Issues (Bob Patrician)**  
Radon Confirmation  
Hose Holders  
Hot Tubs
- 6. Management Report (Terry McGuire)**  
Action List 6.1.09



**(APPROVED)**

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**July 6, 2009 Minutes**

**Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management).

Glen Co-owners:

Maynard Dixon, Court 16; James Campbell, Court 3; Charlie Robbins, Court 13

**CALL TO ORDER**

The meeting was called to order at 7:30 by Bob Patrician.

**Agenda Item 1: Election of New Directors**

There are now two vacancies on the Board, as John Fuller recently died and Jasper Thomson has moved out of the Glen. Bob spoke for a few moments about John Fuller. He will be missed by all of us in Fairlington Glen. It was suggested that we place a marker in the circle near his house, similar to one already there.

James Campbell and Charlie Robbins have volunteered to join the Board until the vacant seats can be filled at the next regularly scheduled election, in November.

**7.06.09.01 MOTION**

**Moved to approve James Campbell and Charles Robbins as interim directors of the Fairlington Glen Board.**

**Motion passed unanimously.**

It is noted that James will fill the at-large seat vacated by Jasper, and Charlie will fill the Vice President's seat vacated by John.

**Agenda Item 2: RESIDENTS' FORUM**

Maynard Dixon reported that the Court Representatives have had two meetings, and the group is working quite well. Court 5 now has a representative. The group expects to participate in the fall walk-through with the landscaping committee.

**Agenda Item 3: PRESIDENT'S ITEMS**

**7.06.09.02 MOTION**

**Moved to approve the minutes of June 4, 2009**

**Motion passed unanimously.**

Meeting Dates: It is agreed that the regular meetings of the Board will change to the second Tuesday of the month. Accordingly, the next meeting will be on August 11.

Bob and Margaret accompanied Comcast on a walk-thru of the Glen, and a set of installation guidelines have been agreed. A memo to the community asking that all residents comply with the guidelines is attached, and will be circulated shortly.

**Variance Requests:**

The resident in Court 7 with a window air conditioner was notified that window air conditioners are not permitted and it has been removed. The resident was told he could request a variance, but that it was not likely to be approved.

**7.06.09.03 MOTION**

**Moved to approve a variance request for kitchen renovations at 4210 S 35<sup>th</sup> St, subject to county permit and inspection requirements.**

**Motion passed unanimously.**

**7.06.09.04 MOTION**

**Moved to approve a variance request for kitchen renovations at 3569B S Stafford, subject to documentation, county permit, and inspection requirements.**

**Motion passed unanimously.**

A resident has asked that the large tree behind courts 11 and 12 be trimmed. Kathy and Margaret recently walked through the back areas of each court, looking for trees and shrubs which should be trimmed away from the buildings. That particular tree was not noted, but it can be checked again. The walk-thru resulted in two lists, which are attached, one for letters to co-owners noting problems within their patio areas, and one for action by the Glen. Terry will follow-up.

**Agenda Item 4: ANNUAL MEETING VOTING PROCESS**

**7.06.09.05 MOTION**

**Moved to approve Policy Resolution No. 09-1, as amended.**

**Motion passed unanimously.**

**Agenda Item 5: MANAGEMENT REPORT**

Concrete repair is ready to go out for bids, we should expect 3 proposals for the August meeting.

**7.06.09.06 MOTION**

**Moved to approve bid from NOVA painting company in the amount of \$73,292 for painting courts 1, 2, 3, and 4. Carpentry work is additional.**

**Motion passed unanimously.**

Terry will pursue options for carpentry work to be done independently of the painting.

Electronic voting for our 2009 annual meeting is a very real possibility. The sample which was demonstrated for the Board is reasonable, but did not include a budget and did not use proportional votes. Terry will inform the vendor that a budget will also be included, and James will explore the questions of proportional voting and an incomplete or inaccurate data base directly with the vendor.

We should expect to hear a presentation on Insurance at the August meeting.

**7.06.09.07 MOTION**

**Moved that the Board go into closed session to discuss personnel matters and consider the personal liability of unit owners to the unit owners' association, consistent with Sec. 55-79-75C of the Condominium Act of Virginia.**

**Motion carried unanimously.**

**7.06.09.08 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

**7.06.09.09 MOTION**

**Moved to re-institute interrogatories for account 2013-01 if required payment is not received by the due date.**

**Motion carried unanimously.**

**7.06.09.10 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:15 pm.**

The next scheduled meeting of the Board is Tuesday, August 11, 7:00 pm, at the FCC.  
(Note that this is the newly scheduled day).

Respectfully Submitted,  
Kathy Clatanoff, Secretary

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
Monday, July 6, 2009  
7:30 pm  
FCC—3308 S. Stafford Street, Room 103**

**1) Election of New Directors**

**2) Residents' Forum**

**3) President's Items (Bob Patrician)**

Minutes 6 4 09.doc

Meeting Dates

Comcast Status

Air Conditioner Request

Ct. 11-12 Tree

**4) Annual Meeting Voting Process (Bob Patrician)**

Policy Resolution No. 09-1.doc

**5) Management Report (Terry McGuire)**

Concrete Repair

Wood Repair, Courts 1-4

Painting, Courts 1-4

E-Voting, Annual Meeting

Insurance 2009-10

**Survey of Fairlington Glen Back Patio Areas  
Trees Overhanging Roofs and Gutters  
Condo Responsibility**

*June 30, 2009*

Walk-thru by Margaret Windus & Kathy Clatanoff  
(Note this does not cover areas in front of units)

**Court 3**

Entrance – Newly planted tree not doing well?

3569A – **Glen** tree at side of unit should be trimmed away from the building

3579 – 2 **Glen** trees on side of unit are dead, should be removed

3583 – **Glen** tree by a/c units should be removed

3585 – **Glen** tree at side of unit should be trimmed back from window and building

**Court 6**

4158 – **Glen** large (hemlock?) at front corner of building should be trimmed off roof

**Court 10**

4321 – **Glen** pine tree should be trimmed away from building (by play ground)

**Court 11**

4227 – **Glen** tree in front corner should be trimmed away from building

**Court 12**

? – **Glen** tree, very large, with cables, should be trimmed away from building

**Court 14**

4210 – **Glen** tree should be trimmed back from roofs of two units

**Court 15**

Next to swings – **Glen** bushes are unsightly (mostly dead?), should be heavily trimmed

**Courts 1, 2, 4, 5, 7, 8, 9, 13, 16**

No issues noted

**Survey of Fairlington Glen Patios  
Trees Overhanging Roofs and Gutters  
Co-Owner Responsibility**

*June 30, 2009*

Walk-thru by Margaret Windus & Kathy Clatanoff

**Court 1**

- 3503 – **patio** tree should be trimmed back from window and wall
- 3513B – **patio** trees should be trimmed back from roof – overhang onto 2 units
- 3517A – **patio** branch should be trimmed back from top of gate  
Ivy removed from offset wall of adjoining unit
- 3523A – **patio** tree should be trimmed back from roof
- 3523B – **patio** tree is pushing against the fence – move fence or remove tree?

**Court 3**

- 3581A1 -- **patio** (oak?) tree should be trimmed back from roof, also from 3579 adjoining

**Court 5**

- 4110 – **patio** dead tree against house and fence should be removed  
large mulberry in patio should be trimmed away from fence and building
- 4124 – bicycles, other items stored outside patio should be removed
- 4126 – **patio** extremely large tree is on roof, breaking fence, should be removed
- 4128 – **patio** two trees growing against building wall should be removed

**Court 6**

- 4146 – **patio** mulberry tree is on the roof, should be trimmed back

**Court 7**

- 4200 – **patio** tree should be trimmed back from the roof
- 4204A1 – **patio** tree is breaking fence, move fence or remove tree?
- 4206 – **patio** tree should be trimmed back from wall of 4208

**Court 8**

- 3603 – **patio** tree should be trimmed back from building and window

**Court 10**

- 4315 – **patio** tree should be trimmed back from roof, window
- 4317-A1 – **patio** large tree should be trimmed away from roof and gutter

**Court 11**

- 4219 – **patio** tree should be trimmed back from roof and building, ivy removed

**Court 12**

3574 – **patio** tree should be trimmed back from the building  
Ivy should be removed from the building

**Court 13**

3518 – **patio** ivy should be removed from the building  
3522 – **patio** ivy should be removed from the building

**Court 14**

4206 – **patio** 2 trees should be trimmed back from the roof  
Ivy should be removed from the building

**Court 15**

4252 – **patio** ivy (Va creeper?) should be removed from the building  
4270-A1 – **patio** tree should be trimmed back from the building  
Trim ivy

**Court 16**

4300A-2 – **patio** ivy should be removed from the building

**Courts 2, 4, 9**

No issues noted

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

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**POLICY RESOLUTION NO. 09-1**

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**ANNUAL MEETING PROCEDURES**

WHEREAS, Section 55-79.75 (A) and Section 55.79-77 (D) of the Virginia Condominium Act provide that notice of an annual meeting shall be provided at least twenty-one (21) days in advance and that votes may be cast pursuant to a proxy or proxies duly executed by on behalf of a unit owner;

WHEREAS, Article III, Section 4, of the Bylaws of the Fairlington Glen Condominium Council of Co-Owners ("Council) provides that the Secretary, or other Board designee, mail a notice of each annual meeting, stating the purpose thereof as well as the date, time and place where it is to be held to each co-owner at least twenty-one (21) days before such meeting;

WHEREAS, Article IV, Section 2, of the Bylaws of the Fairlington Glen Condominium Council of Co-Owners provides that the Board of Directors shall have the power and duties necessary for the administration of the affairs of the Council and may do all such acts and things as are not by law or by the Bylaws directed to be exercised and done by the Co-owners; and

WHEREAS, the Board believes that it is in the best interest of the Council to establish a formal process detailing certain procedures governing the annual meeting and the budget adoption process.

NOW, THEREFORE, be it resolved that the Board of Directors does hereby adopt the following policy:

**INITIAL ANNUAL MEETING PACKET**

Approximately (8) weeks before the annual meeting, the Board will distribute to eligible co-owners an initial annual meeting packet containing: (1) the proposed budget; (2) any explanatory material; (3) draft minutes of the prior annual meeting; and (4) other proposed agenda items. The initial packet will not include proxies.

In the cover letter for the initial annual meeting packet, the Board will: (a) announce a deadline or deadlines (which shall be at least two (2) weeks from the date the initial annual meeting packet is distributed) for submission of (1) proposed amendments to the budget, (2) other proposed agenda items, and (3) candidates for the Board. Proposed amendments to the



budget will address the proper amount to be spent on a particular line item rather than the question of whether the Glen should be engaged in a particular activity, the manner in which that activity is conducted, or other non-budget issue. The stated deadline will be strictly observed and no budget amendments will be submitted after such deadline. Candidates for the Board must be eligible co-owners and have indicated, in writing by a deadline established by the Board, a willingness to serve on the Board. Board nominations may be made from the floor where there are more vacancies than candidates.

#### ANNUAL MEETING NOTICE

Approximately four (4) weeks before the annual meeting (but in no event less than twenty-one days before the meeting), the Board will distribute the formal annual meeting notice detailing the date, time, place and purposes of the annual meeting and containing a proxy form allowing owners to vote on the budget proposed by the Board, any timely proposed amendments, the election of directors, and other motions, if any, that the Board may place before the Council. If amendments to the budget have been timely proposed, the Board will include statements of reasonable length (to be determined by the Board) from the proponents of the amendments and statements from the Board stating its positions on the amendments.

#### VOTING PROCEDURES

Election of directors shall be by plurality vote with the candidates receiving the greatest number of votes being elected and, in the event the vacancies are for differing length terms, the longer terms shall go to the candidates receiving the most votes (in order). All other decisions shall require approval of a majority of the voting members present in person or by proxy, with the exception of changes to by-laws, which shall require a vote of sixty-seven (67) percent of voting members present in person or by proxy.

The Chairperson (the President unless otherwise designated by the Board) shall preside over the meeting, appoint inspectors of election if deemed necessary, and make procedural determinations. Roberts Rules of Order shall be the parliamentary authority to be used at the meeting.

#### RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held on July 6, 2009.

(DRAFT)

## **FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**August 11, 2009 Minutes**

**Held at Fairlington Community Center**

### **ATTENDEES**

Robert Patrician, President; Charlie Robbins, Vice President, Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; James Campbell, At Large, Terry McGuire (Cardinal Management).

Glen Co-owners:

Maynard Dixon, Court 16; Amanda Deringer, Court 9; Vicki Mason, Court 6; Mike Whitfield, Court 10; Scott Truesdale, Court 10; Lauren Angelo, Court 2; Theresa Melson and Steve Dickerson, USI.

### **CALL TO ORDER**

The meeting was called to order at 7:00 by Bob Patrician

### **Agenda Item 1: Residents' Forum**

Maynard Dixon and Vicky Mason distributed a list of problems in Courts 5 and 6 that Vicky had prepared and sent to Cardinal and others on July 23. They recommended that feedback from Cardinal on such lists would be helpful, so that court reps would know what action was being taken. The list seemed to divide into three main categories (landscape, maintenance, and miscellaneous other) and it was suggested that it would be good to organize it that way for action. Bob Patrician apologized for the delay in feedback.

### **Agenda Item 2: President's Items**

#### **7.06.09.01 MOTION**

**Moved to approve the minutes of July 6, 2009 with the addition of James' address.**

**Motion passed unanimously.**

Bob reported that there has been no further action with Comcast. A memo to Glen residents asking that they comply with the new guidelines for cable installation was circulated last month. It was noted that pre-existing cable installations which do not meet the new guidelines should be corrected when resale documents are prepared.

### **Agenda Item 3: Insurance**

Our current master insurance policy expires on September 24<sup>th</sup>, 2009. Steve Dickerson and Theresa Melson, the Glen's insurance brokers, recommend that we continue with Traveller's Insurance Company. The proposed package provides for guaranteed replacement cost (GRC) for the buildings, flood coverage, landscaping replacement, and wind-driven rain coverage, with a \$5,000 deductible per occurrence. Liability, auto, and fidelity insurance cover staff, management, volunteers, and committees. Also included in the proposal is an umbrella policy from Zurich Insurance Company with a \$25 million limit.

**7.06.09.02 MOTION**

**Moved to accept the proposal for insurance as modified, with a cost of \$59,139.**

**Motion passed unanimously.**

**Agenda Item 4: Landscape**

Amanda Deringer, the chairperson of the Landscaping Committee, presented a revised Scope of Work (attached) for the Glen's landscape contract. It makes minimal use of chemicals, preferring fertilizers and pesticides which are natural and non-toxic. The landscaping committee proposes that this be used as the basis for bidding a new contract to begin January 1, 2010.

**8.11.03 MOTION**

**Moved to approve landscape contract Scope of Work.**

**Motion passed unanimously.**

We have a proposal from Thrive apply a growth regulator to the sycamore in Court 1 and remove two arborvitae in Court 2. The Landscape Committee suggests that the proposal be revised to delete one Arborvitae removal in Court 2 and add two additional Sycamores for application of growth regulator located behind Courts 12 and 13/14.

**8.11.04 MOTION**

**Moved to approve Thrive proposal #8560 as amended for a total cost NTE \$2000.**

**Motion passed unanimously.**

When the landscape committee met last month, the group debated at some length the appropriate response to the re-designed front bed at 3538 S Stafford. It is in violation of current landscaping guidelines, however, the committee is aware that enforcement of the existing guidelines has been less than rigorous over the years. It is proposed that Amanda and Kathy deliver the variance request form to 3538 personally, and discuss with the co-owners modifications which would bring the bed into compliance. At the same time, the committee would like to review the existing guidelines and possibly propose changes to the Board. The Board endorsed this action.

There will be a Fall Walk-thru on Saturday, August 29, meeting at 9:00 am in the traffic circle. All are invited. In addition to landscaping requests from residents, the group will look at common area trees.

**Agenda Item 5: E-Voting**

James has discussed our Glen voting procedures with the Vote-Now firm, and it appears that they can meet our requirements. The biggest problem is that we do not have a good email list for our co-owners, but perhaps in this way we can begin to develop one.

**8.11.05 MOTION**

**Moved to approve Vote-Now proposal for electronic voting in the Glen's 2009 election at a cost of approximately \$1585.**

**Motion passed unanimously.**

## **Agenda Item 6: Sanitary Sewer Work**

A recent sewer back-up at 4305 S 36<sup>th</sup> St in Court 10 has resulted in a re-evaluation of the work done by JED Mechanical several years ago. It appears that their efforts were not satisfactory, and this line must now be re-done.

### **8.11.06 MOTION**

**Moved to approve Dwyer Plumbing proposal for sanitary sewer work at 4162 S 36<sup>th</sup> (Court 6) and 4305 S 36<sup>th</sup> (Court 10) at a total cost of \$50,950.**

**Motion passed unanimously.**

Scott Truesdale, the co-owner of 4305 S 36<sup>th</sup>, will be reimbursed for immediate clean-up work required on his unit, but not for plumbing expenses. The line at 4333 S 36<sup>th</sup> will be snaked and jetted on a time and materials basis.

## **Agenda Item 7: 2010 Budget**

After incorporating the revised insurance figures, Margaret presented the 2010 proposed budget for the Board's consideration. The proposed total budget for 2010 is \$1,328,820, which will result in a condo fee increase of 2.9%. The budget materials can be distributed to all residents and co-owners by Sept 1, which means that any amendments would be received by Sept 15. This should give the Board enough time to consider any proposed amendments and get the final set of documents to Vote-Now for mailing. The date for the annual meeting is November 7<sup>th</sup>.

### **8.11.07 MOTION**

**Moved to approve the proposed budget for Fairlington Glen for the calendar year 2010 in the amount of \$1,328,820.**

**Motion passed unanimously.**

## **Agenda Item 8: Management Report**

### **8.11.08 MOTION**

**Moved to approve bid from Old Town Sign in the amount of \$448 for a new sign at the basketball court.**

**Motion passed unanimously.**

### **8.11.09 MOTION**

**Moved to approve bid from Leslie Engelking for carpentry work in Courts 1-4 in conjunction with painting on a time and materials basis for a price of \$45 per hour.**

**Motion passed unanimously.**

### **8.11.10 MOTION**

**Moved to approve bid from Dominion Paving for concrete replacement at a price of approximately \$6 per square foot, not to exceed \$25,000 total.**

**Motion passed unanimously.**

**8.11.11 MOTION**

**Moved that the Board go into closed session to discuss personnel matters and consider the personal liability of unit owners to the unit owners' association, consistent with Sec. 55-79-75C of the Condominium Act of Virginia.**

**Motion carried unanimously.**

**8.11.12 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

**8.11.13 MOTION**

**Moved to refer accounts 2059-01, 3015-01, and 3078-01 to attorneys for collection.**

**Motion carried unanimously.**

**8.11.14 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:00 pm.**

The next scheduled meeting of the Board is the second Tuesday, September 8, 7:30 pm, at the FCC.

Respectfully Submitted,  
Kathy Clatanoff, Secretary

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
Tuesday, August 11, 2009  
7:00 pm  
FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. President's Items (Bob Patrician)**
  - Minutes 7 6 09.doc
  - Comcast Memo and Guidelines, Fairlington Glen.pdf
- 3. Insurance (Steve Dickerson and Theresa Melson, USI)**
  - Fairlington Glen Invoices.pdf
- 4. Landscape (Amanda Deringer)**
  - Thrive Proposal.pdf
  - Revised SOW 2010.doc
  - Landscape Guidelines and 3538 S. Stafford.pdf
- 5. E-Voting (James Campbell)**
  - E-Voting, Campbell.pdf
- 6. Sanitary Sewer Work (Margaret Windus)**
  - Sanitary Sewer Work 2009.pdf
  - 2008-2011 Reserve Expenditure Options 8.1.09.doc
- 7. 2010 Budget (Margaret Windus)**
  - 2010 Glen Budget 8.4.09.xls
  - 2010 Budget Narrative 8.4.09.xls
- 8. Management Report (Terry McGuire)**
  - Basketball Sign (Fairlington Glen Courts Revised.pdf)
  - Painting Courts 1-4
  - Wood Repair Courts 1-4
  - Concrete Replacement
  - Staff Leave Schedules

**Fairlington Glen – Landscape Contractor Scope of Work**

**SECTION I – SPRING CLEAN-UP/MULCHING**

During the last week of February, the Contractor shall clean up grounds and beds and remove winter debris, taking care not to remove beneficial mulch, topsoil, and pine needles. Clean up is to include the area along the Quaker Lane sidewalk and King St. fence lines. At the same time, the Contractor shall evaluate and make any necessary proposal for turf repair due to snow plow damage, etc.

**SECTION II – LAWN CARE**

**A. TURF**

1. All lawn areas, shrubs, and ground cover beds shall be cleared of trash and other debris, including bottles, cans, sticks, rocks, paper, etc., prior to mowing each week. All debris shall be removed from the site by the Contractor the same day.
2. Beginning the first week of April, mow turf weekly (except as otherwise specified below) – on the same day each week (weather permitting) – up to the King St. fence and the Quaker Lane sidewalk (note the sidewalk is outside the fence). Use a guideline of 3 - 3 ½ inches for grass length, depending on weather conditions.

Ideally, do not remove more than 1/3 of blade length off turf at any one cutting. To ensure a high quality cut, all cutting edges of the mowers are to be kept sharpened. Consider adjusting the schedule if it has rained the previous night or morning of scheduled mowing and grass is still wet.

Note: Grass should be cut shorter – to approximately 2 ½ inches – on the last mowing date of the season.

3. During the growing season (late March/early April to mid-November), all lawn areas shall be mowed 26 times, usually every 7 days, except as specified above.
4. Remove clippings within the pool enclosure before the pool opens at 10 a.m. Note that strip bordering Quaker Lane sidewalk must be mowed.
5. Where possible, use varied mowing pattern. Avoid using large mowers in sloped or shady areas and between fences, where possible, to avoid turf damage. The mowing of lawns will be closely supervised by the Contractor to ensure that proper equipment is used, i.e., use large riding mowers in open areas only and small hand-operated mowers in close, tight areas.
6. The Contractor shall leave grass clippings on the lawns every mowing beginning at the end of dandelion season in mid-May. If not the case, schedule will need to be adjusted and the designated Glen official notified by the Contractor.)
7. After each mowing, the Contractor shall trim around the walls, fences, buildings, air conditioning and cable equipment, light poles, trees, flower and shrub beds, and recreational areas (including pool area). Special care shall be taken with trimmer not to “scalp” grass borders around flower beds or to damage trees, roots, and wooden fence posts of patios. In any areas where tree roots are exposed, a string trimmer shall be used, taking care not to strike the roots.

8. The Contractor shall remove grass clippings and other debris from the sidewalks, walkways to unit entrance ways, curbs, tennis courts and court fences, and parking lots the same day as mowing takes place. When clippings are left on lawns, they are to be well distributed and not in piles or windrows. Mowing shall be performed to minimize grass being blown into shrubs, flowerbeds, or tennis courts.

## **B. EDGING**

1. During the prime growing season, for alternate mowing, the Contractor shall edge sidewalks, walkways to unit entrance ways, and curbs – including the traffic circle, triangle areas, and entrances to courts. Total of 13.
2. Dirt and debris from edging shall be removed the same day edging takes place.
3. As needed, mechanical means shall be utilized or a biologically safe herbicide such as Scythe or Maltron II shall be applied to sidewalk cracks and curbs to eliminate weeds in these areas.

## **C. AERATING**

When soil is somewhat moist but not wet:

1. Aerate all lawn areas thoroughly in September. Use equipment with hollow core tines inserted in the turf to a depth sufficient to pull up 2-3” cores to the surface. Plugs and soil pulled up when aerating should be left in place to decompose and add nutrients. Ensure that bare, hard areas are penetrated.
2. Use tractor aerator in larger areas of village only if this will not be detrimental to grounds.
3. Fall aeration shall coincide with overseeding and fertilizing operations.

## **D. FERTILIZATION**

1. In designated Glen Courts, apply compost dressing (as approved by Glen landscape official) to the lawn areas.
2. In mid-October, and again in late November or early December (preferably following leaf removal), fertilize lawn areas, using 6,000 pounds of 9-1-4 100% Natural Fertilizer (or equivalent natural ingredient fertilizer, such as 16-2-4, a combination of poultry manure, nitrogen urea, and potassium). A minimum of 2 pounds of actual available nitrogen per thousand square feet shall be uniformly applied.
3. A soil analysis shall be taken to determine the actual type of fertilizer to be used. Based on appropriate soil testing, apply lime on an as-needed basis.

## **E. SEEDING/SODDING**

In early fall, a lawn seeding and sodding plan shall be carried out by the Contractor after conducting a walk-through of Fairlington Glen with appropriate Landscape Committee members. Careful note shall be given to any areas damaged by snow plowing, other activities.

It is important that ground covering (other than ivy) be utilized in the back (outer) areas of the Glen. Because there are some areas (such as those that are heavily shaded) on which conventional turf will not grow, any plantings shall consist of a viable alternative to conventional grass, such as mulched



beds of low-maintenance groundcovers. Watering instructions must be provided residents. The instructions shall be prepared by the Contractor and dropped through residents' mail slots.

1. Coinciding with the aerating and fertilizing programs, all bare spots, thin areas, areas overtaken by weeds or moss in the lawns, including the traffic circle and strip between parking lots and sidewalks, shall be raked and overseeded during late August or early September at a rate of four (4) pounds per 1,000 square feet.

Bare spots are defined as any areas, patches, or strips that are vacant from the typical grass or grasses found in adjacent areas of the Glen. Thin areas are defined as areas that are not fully covered by the grass or grasses that are typical of the lawn areas throughout the Glen. Areas overtaken by weeds or moss are defined as areas in which predominant growth is moss or weeds rather than grass.

2. At the appropriate time in the Fall, power-seed all lawn areas, including traffic circle and triangles. Use Virginia/Maryland Certified seed variety containing improved tall fescue broadcast at a rate of 4-5 pounds per 1,000 square feet and applied in an even and thorough application. Check with the Virginia Extension Service for recommended varieties.
3. Contractor shall contact designated Glen Landscape Committee official as to an approximate schedule for seeding sufficiently in advance to permit residents to be notified as to the need for temporarily (and lightly) watering the seed.

## **F. WEED AND PEST MANAGEMENT**

1. To control weeds, disease, and insects in lawns, emphasis shall be on biological controls and on maintaining healthy, regularly mowed lawns that discourage weed seeding and growth. Herbicides such as Trimec (with its components 2, 4-D, dicamba, and mecoprop [MCP]) that harm other plants and trees and endanger the environment shall not be used. Careful spot weed control with biologically safe herbicides may be used away from patio areas, the tot lot, and planting beds during dry weather.
2. In applying any herbicides, the Contractor shall consult the current Virginia Pest Management guide for turfgrass and shall keep in mind that the Extension Service prefers fall applications because of the lower likelihood of damage to ornamentals and garden plants.
3. As required by the Va. Condominium Act, Contractor shall provide advance notification at least 48 hours prior to all pesticide applications, including spot applications, in or upon the common elements. Such notice shall consist of (1) conspicuous sign(s) placed in or upon the common elements where the pesticide will be applied, and (2) emails to the designated Glen landscape. Notification signs shall include date(s) of applications, areas (Glen Courts or other common areas identified) where application is to take place, and name and major chemical components of sprays.
4. A relatively non-toxic safe weed control product, such as corn gluten, is to be applied to two or three designated lawn areas to prevent growth of weeds. Contractor shall recommend specific areas to focus on (such as particular Courts or the pool enclosure), on a rotating basis as needed. Seasonally, the schedule of application might be:
  - in early Spring after Crocuses bloom and Forsythias have begun to bloom; and
  - again in the fall between August 15 and September 15.

5. The Glen Management Agent or landscape official, as appropriate, shall provide the Contractor with a list of residents who wish to opt out of application of pesticides on the lawn by their units. The Contractor shall avoid applying the more toxic chemical pesticides at these addresses. Two exceptions exist to opting out:
  - when a “biologically safe” pesticide is to be applied,
  - when an emergency situation indicates there is a pressing need for Glen-wide application to protect the health and welfare of the community.

### **SECTION III – ORNAMENTAL TREES, SHRUBS, AND PLANT BED CARE**

Contractor and Landscape Committee representatives shall complete a spring “walk through” in March and a fall “walk through” in early August. When replacement of existing trees or shrubs becomes necessary, drought- and pest-resistant plants are to be given preference. After a new plant or tree is installed, the Contractor shall provide watering instructions to the designated Glen landscape official.

#### **A. PRUNING/TRIMMING**

Pruning shall be performed in accordance with commonly accepted pruning practices. Care shall be taken to ensure Contractor personnel engaged in pruning activities are thoroughly trained and have thorough knowledge of the fundamental principles and purposes of pruning:

- to restore a proper balance between root and top growth;
- to remove injured, diseased, or dead wood;
- to increase the quality of flowers;
- to control the structure of a tree or shrub; and
- to guide the rejuvenation of old trees or shrubs.

The Contractor shall prune as follows:

Group I: Flowering Shrubs (Flowers on old growth)

To be pruned in May or June, immediately following blooming period.

Examples: Forsythias, Mock Orange, Spirea, Azalea

Group II: Flowering Shrubs (Flowers on new growth)

To be pruned in early Spring (April)

Examples: Pyracantha, Privet Hedge

Group III: Evergreens

To be pruned before new growth and to be pruned in early Spring (April)

Examples: Junipers, Arborvitae, Yews

Group IV: Shrubs and Ornamental Trees

To be pruned after active growth has ceased for Winter (late November or December).

Prune out dead, dying, diseased, and overhanging branches.

Contractor shall not prune shrubs located in shrub beds displaying a red reflector.

#### **B. MULCHING**

1. The Contractor shall clear all beds in March prior to first mowing to remove all debris left from the winter.

2. In early March, carve and mulch ornamental trees and shrub beds in courts, traffic circle and triangles, tennis court areas, and perimeter plantings along Quaker Lane and King St. to a thickness of 2 ½ inches, taking care not to remove topsoil.

Mulch shall come no closer than 2-3 inches of primary stem of shrubs (this is especially critical for assuring the health of azaleas and rhododendrons). Mulch is to be double shredded hardwood and be free from any large wood debris. Contractor shall exercise great care to avoid damaging or covering flowers or shrubs in beds during mulching. When carving a bed, care must be taken not to remove edging of turf and soil, thereby excessively enlarging beds.

3. Mulch street trees after oak pollen has been removed in late Spring.

Plant beds displaying a red reflector shall not be mulched.

### **C. WEEDING**

When needed, thoroughly hand weed – no chemical herbicides – tree saucers, shrub and bedding areas, traffic circle and triangles. Exception: beds displaying red reflectors.

### **D. FERTILIZING**

Deciduous, evergreen, and ornamental trees and shrubs shall be fertilized in April with a 4-6-4 or 5-10-5 controlled release fertilizer. After blooming, azaleas shall be fertilized by hand at a surface application of five pounds per 1,000 square feet. Fertilizer shall be spread evenly over bed areas.

### **E. MANAGING PESTS**

The Contractor shall work with Fairlington Glen in moving toward an Integrated Pest Management (IPM) concept. Emphasis shall be on ‘cultural techniques’ (to keep plants healthy and growing vigorously), and ‘sanitation techniques’ (to quickly remove disease and insect infested parts of plants), with biological controls utilized whenever they exist for a particular problem. This is based on the premise that application of pesticides should usually occur after a problem has been detected that indicates a need for action rather than on an occasional preventive, wholesale basis. (Such a strategy is cost-effective when the Contractor makes frequent, e.g., once a month or more, visits to the Glen to examine plants.)

1. As required by the Va. Condominium Act, Contractor shall provide advance notification at least 48 hours prior to all pesticide applications, including spot applications, in or upon the common elements. Such notice shall consist of (1) conspicuous sign(s) placed in or upon the common elements where the pesticide will be applied, and (2) emails to the designated Glen landscape official. Notification signs shall include date(s) of applications, areas (Glen Courts or other common areas identified) where application is to take place, and name and major chemical components of sprays.
2. Pesticides in the form of relatively higher toxicity chemical controls shall be applied by the Contractor only after discussion with the designated Glen landscape official and as a last resort. They are to be employed according to the Virginia Cooperative Extension Service’s latest Va. Pest Management Guide. The intent is to minimize damage to target plants and surrounding plants of other kinds, to the environment, to beneficial insects, and to food crops that residents may grow. Spraying of chemical pesticides shall particularly be avoided around patios and the ‘Tot Lot’ area. In the event of a pesticide application, the same notification requirements as outlined in Section II. G. above apply.

3. The contractor shall have a certified inspector perform a site inspection 6 times (once a month from May through October). Except under emergency infestation circumstances, application of appropriate pesticide(s) shall first consider 'biologically safe' pesticides. If none of these are available or are deemed otherwise inappropriate, substances of relatively low toxicity shall next be evaluated for possible application. Only after these first two steps have been taken and found wanting shall pesticide(s) of higher toxicity be considered.

After IPM site inspection/treatment and before leaving the premises, the IPM Inspector shall fill out a report and give the original to the designated landscape committee official. To provide the Glen with information as to the status of its plants, the Contractor shall fill out a report form for each insect or disease problem found and mark on a Glen property map by code.

Pest and disease problems include aphids, bagworms (May), borers, cankers, chlorosis, fire blight, fungal blights, fungal leaf spots, lace bugs, gall formers, leaf-feeding caterpillars, leaf scorch and drought injury, nematodes, mealy bugs, mechanical injury, powdery mildew, salt toxicity (from deicing salts), root rot, scale, spider mites, tent-forming caterpillars, viruses, wilts, and winter injury.

4. As indicated in Section II, Subsection G., some residents may wish to opt-out from application of the more toxic pesticides on lawns next to their units. This opt-out also applies to pesticides applied on ornamental trees, shrubs, and plant beds. The exceptions to opting-out noted in Section II apply equally to Section III plantings.

## **F. LEAF REMOVAL**

The Contractor shall remove leaves from parking lots, sidewalks, lawn areas and beds: in November - not later than one week before Thanksgiving; in December - not later than one week before Christmas; and in February – after a majority of oak leaves have dropped. Debris shall be cleaned up on the same day as leaves are removed, taking care not to remove existing mulch or soil. Where Willow Oak leaves cannot be satisfactorily blown away, they must be hand raked using a broad-pronged leaf rake, again taking care not to remove top soil or mulch.

## **G. OAK POLLEN REMOVAL**

Remove fallen oak pollen from curbs and street trees. Refer above to Mulching Subsection B.5.

## **H. SCHEDULING**

With respect to specified schedules, Contractor shall not be held liable for performance of work precluded by inclement weather; such work shall be completed when weather conditions allow. Delays due to inclement weather shall be duly recorded either in writing or by telephone through the Glen's Management Agent or designated landscape official.

## **I. ADVANCE NOTICE REQUIREMENTS**

Contractor shall notify the Glen's Management Agent or designated landscape official at least two working days before any non-routine work is to commence and when such work is completed. Non-routine work is defined as everything other than mowing (e.g., pruning, chemical applications, fertilization, aeration, seeding, etc.).

The same advance notification requirement for application of pesticides stated in SECTION II – Lawn Care, Sub-section G., Weed and Pest Management, shall also apply for ornamental plants.

## **SECTION IV – CONTRACT ADMINISTRATION AND CONDITIONS**

### **A. CONTRACT PERIOD**

This contract is in effect January 1, 2010 through December 31, 2010. Contractor shall invoice the Fairlington Glen Council of Co-Owners in monthly installments. Contractor shall furnish monthly invoices of the specified materials used on the grounds, a list of all services performed, and dates of performance. Invoices received without the list of services performed and dates shall not be paid.

### **B. CONTRACTOR’S RESPONSIBILITIES**

1. Follow contract specifications.
2. Make recommendations or suggestions that the Contractor feels will enhance the appearance of the Glen’s grounds.
3. Ensure that contract employees comply with conduct and management regulations.
4. When requested by the Management Agent, submit a separate cost proposal for additional work not originally specified in this contract. Agent shall issue a Letter of Intent or signature of proposal as authorization to proceed with work.
5. Furnish qualified supervisors to oversee **all** grounds operations, with the supervisor remaining on the property at all times.
6. Notify the designated landscape official at least 48 hours in advance of the start of a special project or any chemical application (excludes mowing, weeding, edging, and leaving of grass clippings). Inform the designated official as to how project is going to be performed.
7. The Contractor’s supervisor is to leave a statement of work performed (legibly written on Contractor letterhead) in the Fairlington Glen maintenance office when a job or project is completed. A Glen official will do a walk-through the next day to monitor performance.

### **C. IDENTIFICATION**

Contractor shall ensure that his work crews are wearing a conspicuous form of identification (such as shirts with badges or armbands, etc.).

### **D. INSPECTION BY MANAGEMENT**

Contractor shall assist the Glen Management Agent or any Glen designated representatives in connection with the execution of this contract for inspection of the grounds. At the Glen Management Agent’s request, Contractor shall attend any meeting related to Glen landscape management.

### **E. EQUIPMENT, LABOR, AND MATERIAL**

1. Only trained personnel may operate landscaping equipment. Any damage caused by equipment must be reported to the Glen Management Agent on the day the damage occurs. The Contractor

shall repair damage to the grounds, buildings, cars, and personal property at his own expense.

2. The Contractor agrees to furnish all labor, machinery, fertilizer, seed, and IPM treatment materials to perform the landscaping outlined in this contract..
3. All work performed on site at Fairlington Glen shall be performed in accord with Occupational Safety and Health Act (OSHA) and state and local requirements.

#### **F. SUPERVISION**

Contractor agrees to furnish qualified supervision to oversee all operations. The supervisor for mowing operations must remain on the property at all times during the mowing to ensure a quality performance.

#### **G. DEDUCTIONS**

The Contractor agrees that the Glen may withhold any and all payments for damages or destruction, latent or otherwise, incurred to common property caused by poor performance or defective equipment or materials employed or utilized by the Contractor, or for unsatisfactory performance under this contract. The Contractor agrees that in addition to the foregoing, he is also liable to the Glen for actual damages assessed by the Glen for the replacement or repair of materials or services occurring under the Contractor's auspices. In the event of disagreement between the Contractor and the Glen in the withholding of payment or the assessment of damages, each agrees to appoint one person and these shall select a third person and the three persons shall resolve the disagreement by majority vote. The resolution shall be binding on both parties.

#### **H. COMPLIANCE/TERMINATION**

Should the Glen Managing Agent determine that the Contractor is not in compliance with this contract agreement, the Contractor shall be notified of such non-compliance in writing. Should such non-compliance not be rectified within 7 days from the date of notice, the Glen may terminate the contract with 7 additional days notice. The contract may be terminated by either party without cause upon thirty (30) days written notice. There shall be no termination fee charged by either party for any reason upon termination.

#### **I. INSURANCE**

The Contractor shall secure, pay premiums for, and keep in force until the expiration of this contract agreement, insurance written by companies acceptable to the Glen Council of Co-Owners and in the dollar amount hereinafter specified or as required by law, whichever is greater.

1. Workmans' Compensation & Employers' Liability Insurance
  - Statutory: Amounts
2. Comprehensive General Liability (or Blanket Liability), including Contractual Liability, Independent Contractors' Protective Liability, Products Liability and Completed Operations.
  - Bodily Injury Liability: At least \$1,000,000 each occurrence and \$2,000,000 annual aggregate.
  - Property Damage Liability: At least \$1,000,000 each occurrence and \$2,000,000 annual aggregate

- Broad Form Property Damage Basis: “XCU” Exclusion relating to property damage caused by explosion, collapse, shoring, grading and underground utilities shall be removed when applicable.
3. Comprehensive Automobile Liability Insurance, including coverage for owned, non-owned and hired vehicles.
    - Bodily Injury Liability: At least \$500,000 each person; \$1,000,000 each occurrence and \$1,000,000 annual aggregate.
    - Property Damage Liability: At least \$1,000,000 each occurrence and \$2,000,000 annual aggregate.

Contractor’s insurance policies shall name the Glen Council of Co-Owners and the Management Agent as additional named insureds. Any insurance required of the Contractor under this Agreement may be furnished by the Contractor under a blanket policy. Such blanket policy shall contain an endorsement that names the Glen Council of Co-Owners and Management Agent as an additional insured, references the premises, and guarantees a minimum limit available, equal to the insurance amounts required under the contract.

A copy of each paid-up policy, appropriately authenticated by the insurer, evidencing such insurance and containing the provisions specified herein, or a certificate by the insurer certifying that such policy has been issued, shall be delivered to the Council on or before the commencement of this Agreement and, upon policy renewal, not less than thirty (30) days prior to the expiration of such coverage.

The policies shall contain a provision that the insurer will not cancel or refuse to renew the policy, or reduce the coverage or limits provided by such policy, for any reasons, without first giving the Council thirty (30) days prior written notice by mail.

Contractor’s insurance policy or policies shall include a waiver by the insurer of all rights of subrogation against the Council, its directors, partners, officers, employees, representatives, members, and management agent that arises or might arise by reason of any payment under such policy or by reason of any act or omission of owner, its directors, partners, officers, employees, representatives, members, or management agent. Each policy evidencing the insurance to be carried by the Contractor under this Agreement shall contain a clause providing that such policy and the coverage evidenced thereby shall be primary with respect to any policies carried by the Council, and that any coverage carried by the Council shall be excess insurance.

4. Notice of insurance policy changes shall be furnished to the Management Agent.
5. The Contractor agrees that Fairlington Glen is exempt from any liability for damage, injury, or death caused by work performance.

**(DRAFT)**

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS  
September 8, 2009 Minutes  
Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; Charlie Robbins, Vice President, Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management). James Campbell, At Large was not present

Glen Co-owners:

Paula Matthews, Court 10; Hal Vorhies, Court 3.

**CALL TO ORDER**

The meeting was called to order at 7:30 by Bob Patrician.

**Agenda Item 1: Residents' Forum**

Hal Vorhies asked for clarification on the voting procedure for the annual meeting. Budget amendments must be received by September 15, and there will be a residents' forum at the pool on the evening of September 16 to answer questions regarding the budget and the voting process. We will be e-voting this year for the first time.

**Agenda Item 2: President's Items**

**9.08.09.01 MOTION**

**Moved to approve the minutes of August 11, 2009.**

**Motion passed unanimously.**

Bob discussed the difficulty in finding people interested in joining the Board. He will write a letter to try and generate more interest.

Margaret distributed discs to each board member with searchable pdf records of all of the pool reconstructions, including the complete set of instruction manuals. Disc 1 is the manuals, disc 2 the blueprints, and disc 3 has everything else. The cost for the set was \$507. Margaret has assembled historic information from Glen records, which she recommends also be scanned into searchable pdf files at a cost of \$821.

**9.08.09.02 MOTION**

**Moved to approve the expenditure of \$1,328 to Edge Digital Group.**

**Motion passed unanimously.**

**Agenda Item 3: Landscape**



Amanda Deringer, the chairperson of the Landscaping Committee, was not able to attend. Kathy Clatanoff reported on the Fall walk-thru which took place on August 29. One issue for the Board which came up was the large mulberry tree behind 3576 S Stafford (Wilson) . The roots are destroying the patio – it is nearly impossible to use the back half of the patio now. We do not believe that the problem can be solved except by removing the tree, which could easily cost over \$2,000. It was agreed that we would solicit bids for the removal, but at the same time, talk to other affected residents to be sure this is what they want.

#### **9.08.09.03 MOTION**

**Moved to approve out-of-contract work for Environmental Enhancements as defined by the Fall walk-thru not to exceed \$1,000.**

**Motion passed unanimously.**

The new contract for landscaping services has been sent out for bids. We would like to have three bids; at this time, we have two firms which have indicated they will be submitting bids and we are still attempting to contact Living Color. Completed bids are due back by September 28.

Paula asked about reconstruction of the patio area behind Court 10 following the extensive sewer work. Normally, the landscaping would be returned to its former condition, but if the residents would prefer some stepping stones or a walk-way, we can consider it.

#### **Agenda Item 4: E-Voting**

Although he could not attend the meeting tonight, James has been in contact with Vote-Now and is satisfied that with a few more modifications we will have a good workable system for e-voting. The point was made by our attorney that an e-vote is a ballot, not a proxy, and should be treated as such.

#### **Agenda Item 5: Glen Operations and Processes**

A list of topics for discussion (attached) was presented, many of which address communication within the Glen and between the Glen and the Management Agent. Paula discussed the way that the Pool Committee operates, everyone agreeing that it is one of the most efficient and successful Committees in the Glen.

#### **Agenda Item 8: Management Report**

Terry reported that Leslie Engelking and Nova Painting had worked out their procedures for coordinating painting with carpentry.

A contract has been signed with Dominion Paving (as approved last month) to replace the 3 patios damaged in the recent sewer construction. As soon as the weather permits, the patios should be replaced. The fences can then be returned and the landscaping work can be done.

Gutters may be contributing to the problem of rotting wood in some areas. Terry will look into caulking or other solutions. It would be ideal if Nelson and Maria could do some of the routine repair.

Because of vacation and other scheduling issues, some of Cardinal's clerical work for the Glen fell behind in August. They will be caught up this week.

**9.08.09.04 MOTION**

**Moved that the Board go into closed session to discuss personnel matters and consider the personal liability of unit owners to the unit owners' association, consistent with Sec. 55-79-75C of the Condominium Act of Virginia.**

**Motion carried unanimously.**

**9.08.09.05 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

**9.08.09.06 MOTION**

**Moved to refer to counsel the problem of a homeowner interfering with contractors.**

**Motion carried unanimously.**

**9.08.09.07 MOTION**

**Moved to refer accounts 2101 and 3124 to attorneys for 10 day demand letters.**

**Motion carried unanimously**

**9.08.09.08 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:30 pm.**

The next scheduled meeting of the Board is the second Tuesday, October 13, 7:30 pm, at the home of Bob Patrician, 3546 S Stafford, in Court 11.

Respectfully Submitted,  
Kathy Clatanoff, Secretary

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
Tuesday, September 8, 2009  
7:30 pm  
FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. President's Items (Bob Patrician)**  
Minutes 8 11 09.doc
- 3. Landscape (Amanda Deringer)**  
Status Report
- 4. E-Voting (James Campbell)**  
Status Report
- 5. Glen Operations and Processes (Bob Patrician)**  
Glen Operations and Processes 9.8.09.doc  
(Open-ended discussion of interactions among the Board, management company/agent, on-site staff, contractors, committees/coordinators, and the condominium community.)

## **GLEN OPERATIONS AND PROCESSES**

**Agenda Item:** Open-ended discussion of interactions among the Board, management company/agent, on-site staff, contractors, committees/coordinators, and the condominium community.

**Objective:** To maximize the interactive functioning of all these groups while minimizing miscommunication.

### **Community Actors**

- **Community Communication**
  - Glen Echo
  - Web site
  - Yahoo
  - Bulletin Board
  - E-mail
  - Meetings/Forums
- **Committees/Coordinators**
  - CRG--maintenance lists, emergency preparedness, welcome packages, etc.
  - Landscape
  - Pool
  - Other recreation committees
  - Variance
- **Contractors**
  - Cardinal oversight
  - On-site monitors—when appropriate, who
  - Communication with Board and community
- **On-Site Staff**
  - Roles and responsibilities
  - Cardinal interaction with
  - Community interaction with
- **Management Company/Agent**
  - Management Reports/Feedback
  - E-mail/phone/letters
  - Roles of various people at Cardinal
- **Board**
  - Roles of Board members
  - Interactions with professionals (legal, engineers, insurance, etc.)
  - Expenditure approval
  - GLEN ECHO/Website/Yahoo/E-mail

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**  
**October 13, 2009 Minutes**  
**Held at 4229 S. 36<sup>th</sup> St.**

**(DRAFT)**

**ATTENDEES**

Robert Patrician, President; Charlie Robbins, Vice President; Margaret Windus, Treasurer; Terry McGuire, Cardinal Management. Kathy Clatanoff, Secretary, and James Campbell, At Large, were not present.

Glen Co-Owners:  
Maynard Dixon, Court 16.

**CALL TO ORDER**

The meeting was called to order at 7:30 by Bob Patrician.

**Agenda Item 1: Residents' Forum**

Maynard Dixon noted that the Court Representatives Group (CRG) was meeting on Tuesday, October 20. Court representatives will share their experiences in court matters. He is sending out monthly tips to assist court reps in their efforts.

**Agenda Item 2: President's Items**

**10.13.09.01 MOTION**

**Moved to approve the minutes of September 8, 2009.**

**Motion passed unanimously.**

Board members discussed whether to have an outside Parliamentarian at the Annual Meeting and agreed to do so based on Terry McGuire's recommendation. He will seek such a person.

Margaret reviewed proposed changes to the Glen Handbook, reflecting for the most part changes agreed to over the past year (e.g. red reflector policy, annual meeting procedures, hose holders, cable installation). The Handbook will be updated online with a 2009 date. Jocelyne Corderot has agreed to act as Handbook editor in incorporating these and future changes.

The Board discussed an issue that troubles some unit owners, especially those at the "heads" of court yards—contractors or visitors parking in their spaces. Margaret demonstrated a collapsible cone that one could keep in one's car and place in one's space when leaving. It was agreed that such cones would be acceptable at the owner's cost and responsibility. Margaret will follow up.

The painters have noted that metal gutters at the corners of front porches sometimes separate, allowing water to fall on and eventually rot the wooden parts of the porch. The Board agreed to ask James R. Walls, Inc. to survey porch gutter corners and train the Glen's on-site staff in repair methods. Terry McGuire will follow through on this project.

**Agenda Item 3: Landscape**

Amanda Deringer, Landscape Committee chair, was unable to attend the meeting and met with Margaret Windus the previous day to review additional fall landscape projects and make recommendations for work. The work includes (a) restoration of the Court 10 area affected by sewer replacement and installation of a flagstone walkway, (b) trimming Glen trees impinging on roofs or buildings (to complement needed actions by co-owners within their patios); and (c) removal of the beloved Mulberry in Ct. 12, on which residents have now agreed.

#### **10.13.09.02 MOTION**

**Moved to approve \$2,945 to Environmental Enhancements to restore Ct. 10 area impacted by sewer replacement and install a flagstone path. Motion passed unanimously.**

#### **10.13.09.03 MOTION**

**Moved to approve \$2,525 to Thrive to trim Glen trees. Motion passed unanimously.**

#### **10.13.09.04 MOTION**

**Moved to provide up to \$4,000 for removal of the Ct. 12 Mulberry, with the President to choose the contractor after competitive bids are received. Motion passed unanimously.**

It was further agreed that, of the two patio trees (owners' responsibility) that are impinging on fences, the one located at 4204 S. 36<sup>th</sup> St. is too close to the alley to consider moving the fence and will have to come down. The tree at 3523B S. Stafford St. is located so that the fence can be "bumped out" to accommodate its growth, something that has occasionally been done in other locations for mature trees. Terry McGuire will follow up with the owner of 3523B S. Stafford St., who would be responsible for the cost. The Board notes that owners should in the future choose trees that are of a suitable size for patios and keep them well within the fence.

Bids have now been received for grounds care for 2010 and optional years and have been referred to Amanda Deringer, Landscape Committee chair, for committee review and recommendation. The Board will make a decision at its November 10 meeting.

### **Agenda Items 4. E-Voting**

The annual meeting package mailed by Vote-Now.com was received by most owners today. Unfortunately, the President's cover letter was corrupted in printing and was unreadable. Terry McGuire will send out a replacement cover letter tomorrow and deduct the cost from Vote-Now.com charges. The remainder of the package was fine. Each owner received an individual code by which to vote online. It was reported that the online voting process works well. The President thanked James Campbell, At-Large Board member, for his extensive work in bringing this project to fruition.

### **Agenda Item 5. Management Report**

Terry McGuire reported that concrete work was complete and would be inspected this week. Painting of Courts 1-4 by NOVA is progressing well, with twelve of seventeen buildings completed. Two Saturdays—October 17 and 24—will provide opportunities to complete door

painting for those not yet done. Finally, NOVA will bring in a lift and cycle back through all four courts to paint roof areas for which a lift is needed. L. Engelking, the company repairing rotten wood found by the painters, is following along behind to repair marked areas.

Brick work is needed in two patios at 4303 and 4305 S. 36<sup>th</sup> St. as a result of sewer replacement. Work will be done as soon as possible, followed by restoration of the outside area.

**10.13.09.05 MOTION**

**Moved to approve bid from T.C.B. Masonry for brick work in the amount of \$6,283.  
Motion carried unanimously.**

**10.13.09.06 MOTION**

**Moved that the Board go into closed session to discuss personnel matters; violations of the condominium instruments or rules and regulations promulgated pursuant thereto; and consider the personal liability of unit owners to the unit owners association, consistent with Sec. 55-79-75C of the Virginia Condominium Act.  
Motion carried unanimously.**

**10.13.09.07 MOTION**

**Moved that the Board return to open session.  
Motion carried unanimously.**

**10.13.09.08 MOTION**

**Moved to have counsel send the proposed letter as modified to a homeowner interfering with contractors.  
Motion carried unanimously.**

**10.13.09.09 MOTION**

**Moved to refer account 2001 to attorneys for a 10 day demand letter.  
Motion carried unanimously.**

**10.13.09.10 MOTION**

**Moved to approve a variance request from 4110 S. 36<sup>th</sup> St. to install French doors in the dining room.  
Motion carried unanimously.**

**10.13.09.11 MOTION**

**Moved to adjourn.  
The motion carried unanimously. The meeting was adjourned at 9:15 pm.**

The next scheduled meeting of the Board is the second Tuesday, November 10, **7:00 pm** (note **earlier time**), at the Fairlington Community Center.

Respectfully Submitted,  
Margaret Windus, Acting Secretary

**(draft)**

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS  
November 10, 2009 Minutes  
Held at Fairlington Community Center**

**ATTENDEES**

Robert Patrician, President; Charlie Robbins, Vice President; Margaret Windus, Treasurer; Kathy Clatanoff, Secretary; Terry McGuire (Cardinal Management). James Campbell, At Large was unable to attend.

Glen Co-owners:

Maynard Dixon, Court 16; Bill McShea, Court 11.

**CALL TO ORDER**

The meeting was called to order at 7:00 by Bob Patrician.

**Agenda Item 1: Residents' Forum**

Maynard reported on the activities of Court Representatives Group (CRG) October. They are looking for a representative from Court 4.

**Agenda Item 2: President's Items**

**11.10.09.01 MOTION**

**Moved to approve the minutes of October 13, 2009.**

**Motion passed unanimously.**

Arrangements for the Annual Meeting to be held on November 12 were discussed. We will have a professional parliamentarian for the first time. The Treasurer will have an award for the court which reduced its water usage.

The question of "No Trespassing" signs in the Glen was discussed. They help provide authority to police to remove disruptive visitors but also reduce the sense of friendliness in the neighborhood. Members of the Board were reflective of the larger community in expressing widely divergent views as to the optimum number and location of such signs.

**11.10.09.02 MOTION**

**Moved to place "Fairlington Glen Private Property No Trespassing" signs at the perimeter entrances to the Glen and at the triple tennis courts.**

**Motion passed unanimously.**

The old heater in the pump room at the pool has given out and must be replaced. Note that this was not done as part of the pool renovation – it is an older piece of equipment.

**11.10.09.03 MOTION**



**Moved to purchase a 7 kw heater for the pump room at the pool at a cost not to exceed \$1100.**

**Motion passed unanimously.**

### **Agenda Item 3: Treasurer's Report**

Margaret reported that it is not possible at the time to predict our year-end position, but it should not be troublesome. We will have several large bills which are due at the end of the year, including the painting contract (approximately \$50,000 additional) and the carpentry work associated with the painting. We are also encountering larger carpentry bills that anticipated, because of the large amount of rotten wood the painters are identifying. Terry will try to ensure that the contractors bill us before the end of this calendar year.

Now that we have completed the pool renovation and most of the sewer work, we should re-evaluate our schedule for capital replacement items. Specifically, we have several roofs which may need to be replaced sooner rather than later.

#### **11.10.09.04 MOTION**

**Moved to authorize Restoration Engineering, Inc to re-prioritize our replacement reserve work schedule.**

**Motion passed unanimously.**

We have a 4% CD maturing on November 22. Unfortunately, when we roll it over the new interest rate will be only 2%.

#### **11.10.09.05 MOTION**

**Moved to roll the existing CD at Chevy Chase into a new CD in the amount of the maturing balance plus \$75,000.**

**Motion passed unanimously.**

### **Agenda Item 4: Management Report**

Terry reported that the concrete work is finished, the settling problems seem to have been solved, and the contractor has been paid.

The gutter repair training session planned for Nelson and Maria was cancelled because of the weather, and will be rescheduled.

Bids for a snow removal contract will go out within the next week or so. Note that if possible, we should minimize use of chemicals on the new concrete.

Work logs kept by Nelson and Maria are available for inspection.

#### **11.10.09.06 MOTION**

**Moved to bring the discussion of the landscape contract out of executive session.**

**Motion passed unanimously.**

Amanda Deringer, chairperson of the landscaping committee, could not attend tonight's meeting, but the committee's written report to the Board is attached. The Board discussed the fact that the

landscaping committee had evaluated four contractors, presenting the Board with two who were deemed satisfactory. Given that, the Board agreed that they should accept the lower bid, which was from the incumbent contractor.

**11.10.09.07 MOTION**

**Moved to accept the bid of Environmental Enhancements for a one year contract for landscaping and maintenance work at a cost of \$67,881.76.**

**Motion passed unanimously.**

It should be noted Environmental Enhancements did offer subsequent-year pricing.

**Agenda Item 5: Executive Session**

**11.10.09.08 MOTION**

**Moved that the Board go into closed session to discuss personnel matters and consider the personal liability of unit owners to the unit owners' association, consistent with Sec. 55-79-75C of the Condominium Act of Virginia.**

**Motion carried unanimously.**

**11.10.09.09 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

**11.10.09.10 MOTION**

**Moved to refer accounts 2101 and 3026 to attorneys for 10 day demand letters.**

**Motion carried unanimously**

**11.10.09.11 MOTION**

**Moved to approve staff year-end payments as provided by the 2009 budget and staff salary increases for 2010.**

**Motion carried unanimously**

**11.10.09.12 MOTION**

**Moved to approve the variance request of Jose and Maria Costa, 3538 S Stafford St, with the restriction noted in the attached Landscape Committee report.**

**Motion carried unanimously**

**11.10.09.13 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:00 pm.**

The next scheduled meeting of the Board is the Annual Meeting on Thursday, November 12, 7:30 pm, in the Fairlington Community Center.

Respectfully Submitted,  
Kathy Clatanoff, Secretary

**FAIRLINGTON GLEN  
BOARD OF DIRECTORS  
Tuesday, November 10, 2009  
7:00 pm  
FCC—3308 S. Stafford St.**

- 1. Residents' Forum**
- 2. President's Items (Bob Patrician)**
  - Minutes 10 13 09.doc
  - Annual Meeting
  - Glen Signage
  - Pump Room Heater
- 3. Treasurer's Report (Margaret Windus)**
  - Budget status and planning
- 4. Management Report (Terry McGuire)**
- 5. Executive Session**
  - Landscape grounds contract bids
  - Snow removal bids
  - Delinquencies/other legal

Fairlington Glen Landscape Committee  
Thursday, November 5, 2009, 7pm

Amanda Deringer, Will Smith, Regina Smith, Dale May, Carol Goodloe, and Kathy Clatanoff

Landscape contract: Three companies were considered, with an annual cost as shown on the attached table.

Professional Grounds (PG) was eliminated for several reasons, including an apparent arithmetic mistake in their pricing and, based on several omissions in their proposal, a general feeling that the Glen could not be assured PG would perform as well or be as flexible working with our specific requirements as we would like.

The decision, then, was between Environmental Enhancements (EE) and Living Color (LC). The committee agreed that the cost difference was small enough that cost was not the deciding factor. Both firms are familiar with Fairlington Glen, and each member of the committee felt that it would be possible to work with either firm.

That having been said, 5 of the 6 people present preferred one over the other. Unfortunately, it was not the same one. The key factor was really trust: 3 people felt that LC's performance over a 12-year period demonstrated they could be trusted to perform to a higher standard – without direct supervision from a committee of volunteers – than could EE. Thus, even when the Glen is short of Landscape Committee volunteers, the LC supporters held that we would get first-rate service. In addition, by citing examples, those favoring LC supported their position that the on-site supervisor from LC management, specifically Beth Lawless, has more in-depth landscaping knowledge than EE. And finally, the supporters of LC point to the fact that LC has more in-house backup capability which further implies that the Glen would be assured of continued high performance.

However, others felt that our experience with EE was more than satisfactory, that EE's management was quick to respond to any requests from the Glen, and that so long as they remained competitive, it was preferable to remain with the current contractor. It was pointed out that during the time LC was our contractor, we had a functioning landscape committee, something that was not available to EE until quite recently.

The bottom line is that during 2 hours of discussions, no one's mind was changed. The committee can not offer the Board a unanimous recommendation, although it can endorse both EE and LC as acceptable. Those who favor LC feel strongly that it is the better company for the Glen. The others are not convinced.

Variance request: 3538 S Stafford

The committee was able to come to a unanimous decision to recommend approval of the DeCosta's request for a variance with the following provisions: change the color of the mulch to

match the rest of the Glen's beds, and reduce the brightness of the lights. In addition, the question of the installation of an electrical outlet that is attached to the outside of the unit and presumably provides power to the lights is brought to the Board's attention. Is such installation in compliance with existing Board policy?

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS  
ANNUAL MEETING MINUTES  
Held at Fairlington Community Center  
November 12, 2009**

**ATTENDEES**

Robert Patrician (President); Charles Robbins (Vice President); Margaret Windus (Treasurer); James Campbell, At Large; Kathy Clatanoff (Secretary); Terry McGuire (Cardinal Management); approximately 30 Glen Co-owners and interested parties.

**CALL TO ORDER AND INTRODUCTION OF THE BOARD**

Bob Patrician, President, called the meeting to order at 7:30 pm. It was established that a quorum, defined as at least 25%, was present by proxy and in person. The Board was introduced.

**APPOINTMENT OF PARLIAMENTARIAN**

Joe Hairston was introduced to the room and appointed parliamentarian. Bob Patrician explained the rules of the meeting. At his suggestion, the Council waived the rules until such time as the President determines them to be necessary.

**PROOF OF NOTICE OF MEETING**

Bob Patrician reported that the notice of the annual meeting of the Fairlington Glen Council of Co-Owners was mailed to all owners of record in accordance with the Virginia Condominium Act.

**SELECTION OF INSPECTORS OF THE ELECTION**

Bud Clatanoff and Susan Hunchar were appointed inspectors of the election.

**PRESIDENT'S REPORT**

Bob Patrician reported on the year's progress. The most significant project during 2009 was completion of the maintenance facility and swimming pool structure renovations. The new facility provides both storage space and a safer work area for our maintenance staff, and much improved bathhouse facilities for the pool.

**2010 BUDGET PRESENTATION**

Margaret Windus, Treasurer, thanked Bill Worsley, Kathy Clatanoff, Bill Boswinkle, Mike Whitfield, and Sandy Heaton for their work in putting the budget together, and everyone who attended the September 16 information forum at the pool for their interest and attention. She then presented the Board's proposed budget for 2010, with a condo fee increase of 2.9%. The long term plan to fund our reserves in on target, and we hope to reach our goal within the next few years. The study of our reserve needs is available on our yahoo site, and everyone is urged to look at it.

Margaret then presented the second annual award to the court which reduced its water usage by the largest year-over-year percentage. The winner is Court 11. Bill McShea accepted the award on behalf of his court.

### **PRESENTATION OF BOARD CANDIDATES**

The Secretary introduced five candidates for the three open positions on the Board: Ray Alexander, Amanda Deringer, Jonathan Rolbin, Dan Shapiro, and Abraham Wise. Two positions will be for a full three-year term, and one will be to fulfill the remaining one year of John Fuller's term.

### **VOTE ON 2010 BUDGET, CANDIDATES, and 2009 MINUTES**

The ballots were collected and the Inspectors of the Election retired to the corridor to count the ballots.

### **COMMITTEE REPORTS**

#### **Special Ad Hoc Committee of the Board: Thank you to Bob Patrician**

Charlie Robbins presented the community with a plaque listing all of the presidents of Fairlington Glen from 1976 until 2009. It will be mounted at the pool, near the bulletin board.

Kathy Clatanoff presented Bob with a small gift from the Board.

Paula Mathews shared a story about Bob.

#### **Court Representatives Group: Maynard Dixon, Chair**

Mr. Dixon stated that CRG members are not just another layer of bureaucracy; they are charged with taking care of their courts by doing real work. Court reps advise new residents, answer questions about Glen rules and procedures, and monitor their courts for maintenance and rules violations. They are familiar with common maintenance problems involving drains, disposals, roofs, etc., and represent their courts when landscape and maintenance decisions are being made.

#### **Pool: Paula Mathews, Chair**

Paula reported that 2009 was a great year at the new pool facility. She thanked the committee who continue to work together to ensure that everything runs smoothly.

#### **Landscaping: Amanda Deringer, Chair**

Amanda Deringer reported that the landscaping committee worked well with Environmental Enhancements during 2009 and was looking forward to a continued good working relationship with them in 2010. The committee welcomes any interested persons to join.

#### **Variance: Greg Lukmire, Chair**

#### **Tennis: Will Smith, Chair**

#### **Basketball: Pat Murray, Chair**

#### **Maintenance: Bob Wilson, Chair**

No Report

## **OLD BUSINESS**

No Old Business

## **NEW BUSINESS**

Oscar Ruiz (Court 5) asked the Board to take action concerning the traffic noise from King Street as it affects the residents of Courts 5, 6, 7, and 8.

Alan Bow recognized the late John Fuller for his commitment to Fairlington Glen. John served on the Board for over 9 years as a non-resident owner.

## **VOTE ON 2010 BUDGET, CANDIDATES, and 2009 MINUTES**

Kathy Clatanoff announced the results of the vote for Board of Directors, approval of minutes, and 2010 budget. Ray Alexander, Amanda Deringer, and Jonathan Rolbin were elected to the Board by a vote of 25.402%, 23.853%, and 21.334% of voting interest respectively. Based on the vote percentages, Ray and Amanda are elected to a full three-year term, and Jonathan will serve the remaining one year of John Fuller's term. Kathy thanked Dan Shapiro and Abraham Wise for their interest and encouraged them to continue to be involved in the Glen during the coming year.

The budget was approved with 33.841% of voting interest (94% of votes cast).

The minutes of the 2008 Annual Meeting were approved with 30.681% of voting interest (85% of votes cast).

**The meeting was adjourned at 8:25 pm.**

Respectfully submitted,  
Kathy Clatanoff  
Secretary



**(draft)**

**FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**Organizational Meeting**

**November 12, 2009 Minutes**

**Held at Fairlington Community Center, immediately following the Annual Meeting**

**ATTENDEES**

Margaret Windus, Kathy Clatanoff, Jonathan Rolbin, Amanda Deringer, Ray Alexander, Terry McGuire (Cardinal Management).

**11.12.09.01 MOTION**

**Moved to approve the following slate of officers: President, Kathy Clatanoff; Vice President, Ray Alexander; Treasurer, Margaret Windus; Secretary, Jonathan Rolbin; At Large, Amanda Deringer.**

**Motion passed unanimously.**

**11.12.09.02 MOTION**

**Move to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 8:30 pm.**

The next scheduled meeting of the Board is the second Tuesday, December 8, 7:00 pm (note earlier time), at the Fairlington Community Center.

Respectfully Submitted,  
Kathy Clatanoff, Secretary

(draft)

## **FAIRLINGTON GLEN COUNCIL OF CO-OWNERS**

**December 8, 2009 Minutes**

**Held at Fairlington Community Center**

### **ATTENDEES**

Kathy Clatanoff, President; Ray Alexander, Vice President; Margaret Windus, Treasurer; Jonathan Rolbin, Secretary; Amanda Deringer, At-Large; Terry McGuire (Cardinal Management); James Hawkins (Cardinal Management).

Glen Co-owners: Alan Bow, Court 1; Maynard Dixon, Court 16; Greg Lukmire, Court 15; Bob Wilson, Court 11.

### **CALL TO ORDER**

The meeting was called to order at 7:00 by Kathy Clatanoff.

### **Agenda Item 1: Residents' Forum**

Committee heads in attendance (Court Representative Group, Finance, Landscape, Maintenance and Variance) briefly discussed their committee's functions and background.

### **Agenda Item 2: Review of Board policies and procedures, key issues**

Those in attendance briefly addressed various issues. These included a general discussion on co-owner vs. condo responsibilities, insurance liability and long-term capital items.

### **Agenda Item 3: President's Items**

#### **12.08.09.01 MOTION**

**Moved to approve the minutes of November 10, 2009.**

**Motion passed unanimously.**

#### **12.08.09.02 MOTION**

**Moved to approve the minutes of the organizational meeting of November 10, 2009.**

**Motion passed unanimously.**

#### **12.08.09.03 MOTION**

**Moved to approve an amended blanket variance for electrical outlets.**

**Motion passed unanimously.**

The variance will now be included in the Glen Handbook and will state:

*Electrical Outlets (Blanket Variance): Electrical outlets may be installed on exterior walls provided that they conform to electrical code requirements of Arlington County. The outlet should have a weather-proof cover, be flush mounted, and be located high enough to avoid rising water but not higher than 24 inches. If installed on a front or side wall, it should be as unobtrusive as possible. The homeowner remains responsible for any damage to the building facade.*

**12.08.09.04 MOTION**

**Moved to approve selected tree removal and stump grinding.**

**Motion passed unanimously.**

Trees to be removed and costs are as follows:

Court 1, 3501 S. Stafford Street (B-Bldg) - Removal of two diseased dogwoods on either side of walkway, take down and flush stumps (\$120), grind stumps and haul away grindings (\$125);

Court 6, 4148 and 4150 S. 36th Street (B Bldg) - Removal of two arborvitae on either side of entrance, place grindings in hole (\$400), stump grinding and staking of remaining azaleas (\$188).

Total cost: \$833.

**Agenda Item 3: Treasurer's Report**

Margaret discussed the possibility of placing A-Frame signs at strategic locations in the Glen to inform residents of upcoming Glen events. The Association will purchase two A-Frame signs which will be used to announce Glen events, and will be placed, when needed, at opposite ends of the Glen street boundaries.

**12.08.09.05 MOTION**

**Moved to approve 2009 Budget Resolution and apply all or part of any excess assessment income to 2010 assessments and such final amount shall be at the Board's discretion.**

**Motion passed unanimously.**

The previously approved 2010 monthly Assessment Schedule, effective on January 2010, is as follows:

Arlington	\$417.47
Barcroft (I)	\$267.67
Barcroft (E)	\$275.38
Braddock (I)	\$214.80
Braddock (E)	\$222.51
Clarendon (I)	\$327.15
Clarendon (E)	\$334.86
Dominion	\$386.63
Edgewood (I)	\$289.70
Edgewood (E)	\$297.41

I = Inside, E= End

Margaret also discussed Policy Resolution #2 concerning responsibility for patio fences, which was approved in 1982 but not included in the handbook. A copy is attached and has also been included in the Handbook.

### **Agenda Item 5: Management Report**

Terry discussed potential association improvements in 2010, including improving several parking lots and revising the schedule for roof replacements.

Work logs kept by Nelson and Maria are available for inspection.

### **Agenda Item 6: Executive Session**

#### **12.08.09.06 MOTION**

**Moved that the Board go into closed session to discuss snow removal bids, individual homeowner delinquencies and other legal matters**

**Motion carried unanimously.**

#### **12.08.09.07 MOTION**

**Moved that the Board return to open session.**

**Motion carried unanimously.**

#### **12.08.09.08 MOTION**

**Moved to refer accounts 2064, 2101 and 3124 to attorneys for 10-day demand letters.**

**Motion carried unanimously**

#### **12.08.09.09 MOTION**

**Moved to approve contract with vendor NVM for snow removal this season.**

**Motion carried unanimously**

#### **12.08.09.10 MOTION**

**Moved to adjourn.**

**The motion carried unanimously. The meeting was adjourned at 9:00 pm.**

The next scheduled meeting of the Board is on Tuesday, January 12, 7:00 pm, in the Fairlington Community Center.

Respectfully submitted,

Jonathan Rolbin, Secretary

## **POLICY RESOLUTION NO. 2**

### **REPAIR/REPLACEMENT OF PATIO FENCES**

WHEREAS, Article IV, Section 2, of the By-Laws assigns the Board of Directors with all of the powers and duties necessary for the administration of the affairs of the Association; and further states that the Board may do all such acts and things as are not by the Declaration or these By-Laws directed to be exercised and done by the Unit Owners; and,

WHEREAS, Article IV, Section 3 of the By-Laws enables the Board to adopt any rules and regulations ("Rules and Regulations") deemed proper, respecting the use, occupancy and maintenance of the Association; and,

WHEREAS, Article VI, Section 6, Subsection 13, establishes certain limitations on the Limited Common Elements; and,

WHEREAS, in order to assure the repair/replacement of the fencing surrounding patio areas, the Board wishes to establish a Fence Repair/Replacement Policy:

NOW THEREFORE, BE IT RESOLVED that the following Fence Repair/Replacement policies be adopted by the Board:

1. Fencing Repair/Replacement. Although all Association employees are instructed to exercise reasonable care to avoid damage, some unavoidable damage does occur to brick paving, edging, plants, tool sheds, etc. Unit owners have control over what is built, placed and planted in the patio subject to Article VI, Section 6, Subsection 13. Unit owners will be notified in writing one week prior to actual repairs, by written notice through the door. Requests for special arrangements may be presented to the Board or Managing Agent during the week prior to commencement of repairs.
2. Restrictions. Posts that hold up patio fences are presently placed in concrete that are fifteen inches (15") to eighteen inches (18") in diameter. Anything built, placed or planted within a three foot (3') radius of a post in the patio area shall be done at the owner's risk.
3. Association Not Responsible. Nothing in this resolution shall be construed to hold the Owners' Association or the Board responsible for damage to anything built, placed or planted in the patio area when reasonable care is exercised during the repair/replacement of fences.

Signed by Richard Ehlke, President  
April 3, 1982