

FAIRLINGTON GLEN COUNCIL OF CO-OWNERS
November 10, 2020 Board Minutes
Online via Zoom

ATTENDEES: Charlie Robbins (President), William Layer (Vice President), Maynard Dixon (Treasurer), Jeremy Wiedemann (Secretary), TJ Doyle (At-Large Member), Candace Lewis (Cardinal Management), Ben Mengstab (On-Site Manager).

CALL TO ORDER: The meeting was called to order at 6:30 by the President via Zoom.

ENVIRONMENTAL UPDATE:

There was no environmental issue update.

RESIDENTS' FORUM:

Residents attending: Susan Hunchar (court 10), Tina Collier(court 3), Angela Donatelli (court 6), and Elise Anderson (court 4).

No issues were raised during the resident's forum.

BOARD MEETING MINUTES:

11.10.20.01 Motion. Moved to approve the meeting minutes from the October 14, 2020 board meeting. Motion passed unanimously.

BOARD MEMBERS' REPORTS:

President –

The President communicated that the Glen continues to do a decent job of handling the challenges that the COVID pandemic sends our way. He noted that the current projections seem to indicate that the status quo will continue with most residents working and studying from home for the near future.

The President reminded the community that the annual meeting will be coming up on November 12th at 7 PM via Zoom. Residents can log on and register beginning at 6:30 PM and meeting information is available on the Fairlington Glen website <fairlingtonglen.com>.

Vice President –

The Vice President commented that he had a tree removed and would be happy to recommend the contractor he used to other residents as they did good work. The Vice President also noted he had a landscape concern that he would discuss with the President off-line, after the meeting.

Treasurer –

The Treasurer asked the management agent about the status of Motion 10.14.20.06 informing Morgan Stanley of the Glen reinvestment strategy. The management agent responded that she will be following up with Morgan Stanley in the coming weeks.

The Treasurer reported that he completed a letter and survey for the impacted residents of Court 4 regarding the installation of a security light. The onsite manager will work with the onsite staff to get the information delivered to the appropriate residences in Court 4.

The Treasurer asked the management agent to please ensure the \$2,030 Hemax Construction Services & Landscaping French Drain installation be charged to reserves. The Treasurer had several motions for voting, approval:

11.10.20.02 Motion. Moved to approve the Sherman variance request application for a kitchen remodel at 3511 S. Stafford Street. Motion passed unanimously.

11.10.20.03 Motion. Moved to approve the additional language for the resale package regarding owner's responsibilities (attached to these minutes as Appendix A). Motion passed unanimously.

11.10.20.04 Motion. Moved to approve the pool contract with Atlantic Pools for years 2021, 2022, and 2023, as shown in management report exhibit C. Motion passed unanimously.

11.10.20.05 Motion. Moved to authorize the management agent to work with the Tennis committee chair Will Smith to solicit a bid for replacing the single tennis court surface and repairing the sinkhole and resurfacing the basketball court, as outlined in the attached memo (Appendix B). Also, Smith will work with the onsite manager to inspect the work completed and final bill prior to making payment in full to the contractor. Motion passed unanimously. The onsite manager will reach out to Smith to begin discussions on how to proceed.

11.10.20.06 Motion. Moved to revise the handbook section on common use requests to have them submitted to the management agent and then sent to the President for approval. Motion passed unanimously.

11.10.20.07 Motion. Moved to approve the contract with District Clean, in exhibit E of the management report, for temporary maintenance work effective immediately to support onsite staff while they are on leave (Nelson out beginning 11/10 and Maria out beginning 12/11). Motion passed unanimously.

Secretary –

The Secretary thanked the co-owners who voted and the management agent and court reps for encouraging all to vote as the Glen has surpassed the number of votes required for quorum.

At-Large -

The At-Large Member seconded the Secretary's thank you to co-owners for voting and noted that one more communication would be going out to remind everyone of the

annual meeting on Thursday 11/12 at 7 PM on Zoom with registration beginning at 6:30 PM.

COMMITTEE REPORTS:

Pool

The Secretary noted that the pool remains closed and he plans to work with the onsite manager on a new lock solution.

Landscape

Landscape chair Tina Collier noted that she has purchased a number of shrubs and trees to be planted which are currently being stored in the pool enclosure. She is working with the onsite manager and the management agent to find a bonded and licensed company to plant the plantings around the grounds. Tina asked about the status of the landscape contract and the management agent said the bids will be discussed during the executive session. Tina and the management agent planned to touch base after the meeting to discuss the emails exchanged regarding the potential planting companies and budget items.

Court Representatives

Court Rep chair Mike Wells was not able to attend the meeting. The Secretary again acknowledged the effort from the court reps that allowed us to meet quorum.

Maintenance

The Treasurer noted concern about the backup with REI projects outstanding including outstanding bids for parking lot resurfacing and the upcoming roof spot and gutter inspections planned for spring 2021 in courts 13-16. The management agent plans to set up a call with the President, Treasurer, the onsite manager, and REI to communicate the boards concerns and manage the expectations for 2021.

Website

No update

MANAGEMENT REPORT:

The management agent reported that 24.15% of owners currently reside offsite. The onsite manager's report was submitted prior to the meeting and included in the management packet and the Secretary commented on the completeness and noted that the structure was perfect for communicating monthly information without disclosing any concerns with individual units. The management agent reported she will be out of the office during the planned December meeting and the board plans to hold the meeting with the assistance with the onsite manager and management agents back up.

NEW BUSINESS

None reported.

OLD BUSINESS

None reported.

Miscellaneous

REI responded regarding the issues with 3511 S. Stafford St and the management agent will work with REI to remedy the outstanding issue. Landscape chair Tina Collier inquired about the potential of cleaning the surfaces around windows prior to painting and the Treasurer noted that this is being discussed in the maintenance committee as part of the soft wash plan for courts 1-5.

EXECUTIVE SESSION

11.10.20.08 Motion. Moved to go into executive session at 7:20 p.m. Motion passed unanimously.

The board reconvened in regular session at 7:45 p.m.

11.10.20.09 Motion. Moved to ratify the decision to give the management agent and onsite manager administration and oversight authority of the Landscape Contract currently being bid. Motion passed unanimously.

11.10.20.10 Motion. Moved to ratify the decision to give the Landscape Committee administration and oversight authority for all discretionary budget item spending within the limits of the annual budget. Motion passed unanimously.

11.10.20.11 Motion. Moved to ratify the decision to award the Landscape contract to Professional Grounds in the amount of \$86,478.84 for year 1, 2021, with the option to extend to years 2022 and 2023 in the amount of \$88,208.42, annually. Motion passed unanimously.

ADJOURNMENT: The meeting was adjourned by the President at 7:51 p.m.

The next scheduled meeting of the board is Tuesday, December 15, 2020, at 6:30 p.m. at the Fairlington Community Center – *as of the completion of these minutes the community center will be closed as part of Arlington County's emergency response to the COVID-19 outbreak and the meeting will likely be held virtually again via Zoom.*

Respectfully submitted,

Jeremy Wiedemann
Secretary

Appendix A

Author: Maynard Dixon

Author email: maynarddixon@verizon.net

Subject: Management Report -- Addition to Disclosure Packet

Sent datetime: 11/02/2020 14:56:11

Candace advised me to prepare an addition to our resale disclosure packet that would alert purchasers about our bylaw provisions pertaining to owner responsibility for repairs and responsibility for damage arising from conditions in the common elements.

I agree. Over the years, we have seen owners wrongfully assume that they have little responsibility for repairs and that, if any damage to their property arises out of the condition of the common elements, the Glen must always reimburse the owner. This assumption is not in accord with our bylaws. To avoid having to deal continually with this misconception, I propose adding the following to our disclosure packet:

Owner Responsibility. Condominiums have differing provisions concerning owner responsibility for repairs and responsibility for damage arising out of the condition of the common elements. Unlike some other associations, particularly those with high rise buildings, Fairlington Glen imposes some of this responsibility on owners. To understand the scope of this responsibility, potential owners should read the following three provisions of Article VI our Bylaws: Section 2(b); Section 2(d); and Section 2(e).

FYI Here is the text of these provisions in full context:

Section 2. Maintenance Repair.

(a) Every co-owner shall maintain his unit in good order and repair and must perform promptly all maintenance and repair work to and within his own Family Unit which, if omitted, would affect the project in its entirety or in a part belonging to other co-owners, and is expressly responsible for the damages and liabilities which may result from his failure to do so.

(b) Except to the extent covered by proceeds from the Council's master insurance policy or as otherwise specified in the Maintenance Chart attached to these Bylaws as Exhibit A, all maintenance, repairs and replacement of the Family Unit and of internal installations of the Family Unit, such as water, light, gas, power, sewage, telephone, air-conditioners, sanitary installations, doors, windows, lamps and other accessories located within the Family Unit shall be the co-owner's responsibility and be performed at the co-owner's expense.

(c) A co-owner shall reimburse the Council for any expenditures incurred in repairing or replacing any common element or limited common element damaged through his or her fault or negligence or which originates in his or her Family Unit (including but not limited to any master insurance deductible amount). The Board shall be empowered to allocate the master insurance deductible among the responsible and/or benefited co-owners.

(d) Notwithstanding anything else herein to the contrary, the Council shall not be liable for any damages to the Family Units or property therein due to causes originating in or through the common elements unless the Council's negligence was the sole cause of such damage and then only to the extent of available insurance proceeds (except in the case where such damages were caused by the gross negligence or reckless acts of the Council or its agents or employees).

Appendix B

Author: Maynard Dixon

Author email: maynard.dixon@hotmail.com

Subject: Management Report -- Tennis and basketball courts

Sent datetime: 11/01/2020 15:13:58

At the next Board meeting, I plan to move to authorize management to work with Tennis Committee chair Will Smith to procure contracts with the features described below, which were previously recommended by him. The funds would be charged to reserves.

Will: Is there anything below that needs to be changed? Are you comfortable with this process?

Tennis –

For the 3 Courts: \$30K - Clean-up and Resurface Pro-Bounce Courts (5-year Checkup).

For the Single Court: \$50K - Install New Surface (such as Pro-Cushion Surface Meadows recently had installed - note: as has been the case with our 3 Courts, in subsequent years, resurfacing should be less expensive).

In addition to the above, some ancillary expenses are recommended: e.g., extra nets (to be stored), Windscreens (to be installed on single court), new locks for each court (to be welded to each gate), a small message box attached to the fence at each court.

Basketball - \$12K - resurface and attempt to eliminate water problem.

Synthetic Nova (Pro-Bounce) System

A typical “hard court” tennis court is made of asphalt, which looks fine when new. But when subjected to the elements, asphalt court surfaces begin to crack, and by 1½ years, just get worse as time marches on.

Nova Pro-Bounce is a synthetic overlay system that was installed on the Triple Courts in 2011. It consists of a sand-filled artificial grass turf overlay covered over the existing asphalt surface. As the overlay surface prevents moisture and water from penetrating the playing surface, it is weather resistant. Maintenance costs are minimized, as there is no cracking of the surface. As compared to the typical asphalt surface, the Pro-Bounce surface also provides a somewhat cushioned feel during play and thus is easier on players’ legs. It is also quieter than is play on asphalt.

While the system was more expensive to install, it is cheaper to maintain. To ensure the court stays in top condition, once every 5 years, the surface is inspected by the installer and recoated/overlaid as necessary, a step that is required to obtain another 5-year warranty. (Note that the amount paid the installer every 5 years is a good deal less than the original overlay).