

Colonial Village III Minutes
20 December 1999

Call to order:

With a quorum present the meeting was called to order at 7:02pm. Present at that time were Peyton Palmore, President, Michael Bodden, Vice President, Corbin Weiss, Treasurer, Dennis Gerrity, Secretary, and Joe Sifer, Director. Also present were unit owners Betty Davis, Mahmoud Ghannam, Thomas Kareth, Shirley McAlhaney, and Scott Talbott. Also present were Paul McClennan, President of the CVI board, and James V. Ingold, an attorney with the law firm, Chadwick, Washington, Olters, Moriarty & Flynn. Also present were Maintenance Engineer Stan Kiman and Association Manager George Hedrick.

Delinquent Assessments:

To aid in the prompt and cost-effective collection of these monies the board requested a presentation on the extent of these debts, current collection methods and future options. This presentation was given by Mr. Hedrick and Mr. Ingold of Chadwick, Washington, the law firm used by CVIII in these matters. This presentation and the lengthy discussion it generated among board are summarized as follows: CVIII has delinquent assessments totaling \$15,049.25 as of 24 November 1999. Three unit owners owe more than two thirds of the \$15,049, and roughly one half of the total is more than one year old. Assessments are determined on an annual basis with equal monthly payments, each due the first of the appropriate month. If a payment is not received by the fifteenth of the month, then it is considered late and a \$10 late fee charged and a late notice mailed to the unit owner. If this overdue payment is not received after forty-five days, CVIII's law firm sends a letter to the unit owner warning that a lien for the delinquent assessment, late fee and CVIII's legal costs will be placed against the unit's title. If this overdue payment is not received after sixty days, then the legal process of obtaining a lien starts. Obtaining a lien does not get CVIII any money unless the unit is sold. The principal effect of a lien is to cloud the title of the delinquent unit owner which in turn may tarnish their credit record. If this overdue payment is not received after seventy-five days, then CVIII's law firm sends the delinquent unit owner a letter offering three options. The first is to pay immediately and in full all delinquent assessments, all late fees and all legal costs incurred by CVIII. The second is to arrange an acceptable payment schedule with CVIII's law firm and sign a promissory note for all monies owed CVIII. The third option is for CVIII's law firm to sue for judgment that CVIII is entitled to the unit owner's delinquent assessments, late fees and whatever legal costs CVIII has incurred. Choosing either of the first two options and then renegeing amounts to choosing the third option. Delinquent unit owners can be categorized into four groups: (i) those who have fallen behind in paying their condo fees but have demonstrated good faith by setting up and sticking to a payment plan; (ii) those who have fallen behind and have resorted to chicanery of one form or another to avoid paying up; (iii) those who have simply stopped paying their assessments; (iv) those who have died, disappeared or walked away from their mortgages. The board was informed that monies owed in cases falling into category (iv) usually have to be

written off. Monies owed in cases falling into categories (ii) and (iii) can be collected by garnishing wages. If garnishment is not possible, then foreclosure is the next collection method to be considered. At any time in this process the board can revoke the unit's parking process. The board has the right to accelerate payments on a quarterly basis.

Resident Forum:

Ms. McAlhaney noted that Christmas wreaths are missing from the front doors of several buildings. Mr. Hedrick explained that they had been stolen. Mr. Ghannam suggested that since the same problem occurred last year, spare wreaths should be purchased for next year. Ms. McAlhaney requested a progress report on the painting of shutters. Mr. Hedrick reported that Mr. Kiman had not made much progress in the last month because of adverse weather. Mr. Ghannam suggested that a painting contractor be hired to finish the shutters. Mr. Hedrick reported that the going rate was \$35 a pair. The board discussed the matter but put off making a decision on hiring a contractor to complete the shutters.

Reading and Approval of Minutes:

Minutes of the 18 November meeting were approved without change.

Reports of Officers:

None.

Committee Reports:

None.

Management Report:

Engineer: Mr. Kiman submitted his monthly report to the board. This report is available at the CVIII office for unit owner review.

November Financial Update: Mr. Hedrick reported that as of the end of November CVIII had a year-to-date operating deficit of \$4291.53 after accounting adjustments are made by CMI. Details of the November financial report are available for review by unit owners at the CVIII office. The board approved the purchase of two treasury bills. Motion: Purchase a \$60,000 three month Treasury bill effective 27 January 2000. Seconded and approved 5-0. Motion: Purchase a \$60,000 six month Treasury bill effective 17 February 2000. Seconded and approved 5-0.

Correspondence: Mr. Hedrick brought to the board's attention a letter from a resident owner complaining about "poor smoking etiquette" on the part of residents of 1721 N. Queens Lane. Mr. Hedrick reported that he had written to the owner of the unit about this problem and that as of 20 December 1999 the objectionable behavior seemed to have ceased. Mr. Hedrick brought to the board's attention a letter from a resident owner complaining about the presence of unleashed dogs in the laundry room closest to 1817 N. Rhodes St. The board noted CVIII's requirement that dogs be leashed whenever they are present on or in common areas but felt it could take no action without more information about the ownership of these dogs. Mr. Hedrick brought to the board's attention a letter from OSP Consultants Inc. informing CVIII that it plans to bury fiber optic conduit under Key Blvd. between Rhodes and Veitch Sts. date uncertain pending receipt of permits from Arlington County.

Old Business:

Landscaping: Mr. Hedrick reported that with the concurrence of Mr. Palmore and Mr. Weiss that he has written Brickman informing them that unless warranty replacements totaling \$2,556. are completed by 20 December 1999 he will deduct this amount from the current balance due Brickman of \$3,674. and release a full and final payment of \$1,118. to satisfy the December 1999 invoices he has received from Brickman on behalf of CVIII. Motion: Given Brickman's failure to complete warranty work, approve a final and full payment of \$1,118. to satisfy Brickman's December 1999 invoices to CVIII. Seconded and approved 5-0. The board requested that Mr. Hedrick obtain a quote from T and J Lawn Service for the warranty work Brickman failed to complete. Mr. Hedrick informed the board that McFall/Berry has failed to replace the juniper on the east side of the parking lot. This tree may no longer be under warranty. After discussion the board authorized Mr. Hedrick to inform McFall by letter that CVIII will deduct the cost of this juniper from the balance it is due from CVI if the juniper is not replaced within one month. A motion to this effect was made, seconded and approved 5-0. Mr. Hedrick informed the board that he has discovered that CVIII needs Historic Review Board approval to remove the dying hemlock trees on the Rhodes St. side of Building Three. Mr. Hedrick was requested to submit at a hearing before the HRB for permission to remove the dead and dying trees. The next HRB hearings are scheduled for the first Wednesday in February. Mr. Hedrick informed the board that Bartlett Tree has met with members of the board and has been informed of the desired height of elevation of trees on the Rhodes St. side of Building Three. Bartlett has yet to set a date when it will perform this work.

Storm Drainage: Mr. Hedrick provided the board with a copy of a letter he wrote to Arlington County in which he asked if the parking lot in the rear of the LeMar Apartments at 1720-26 N. Quinn St is constructed to code with respect to storm runoff and, if not, how can it be brought into compliance. Mr. Hedrick informed the board that Mr. Kiman has installed the correct length of downspout extension on the south side of 1732 N. Queens Lane and that Mr. Kiman continues to work on finding appropriate green roll-up downspout extensions for installation behind Building One.

Exterior Lighting: Mr. Hedrick informed the board that the HRB will hold its hearing on the installation of sodium lamps on the north side of 1727 N. Rhodes St. on 5 January 2000 at 6:45pm.

Fire Sprinkler System: Mr. Hedrick informed the board that it should disregard the proposal from Grinnell Fire Protection Systems for the annual inspection the nineteen common area fire sprinkler systems. Each of the nineteen fire sprinkler systems needs a drain pipe and a spigot installed in order to be inspected in accord the current Arlington County Fire Code. Mr. Hedrick informed the board that he is seeking a bid from a plumber for this work. Grinnell's proposal will be resubmitted after the fire sprinkler systems are upgraded.

New business:

Committee Chairs: The board asked Mr. Bodden to chair the Safety Committee and to chair a newly formed Drainage Committee, the latter deemed highly desirable given his occupation as an architect. Mr. Bodden was kind enough to accept both chairs. The board

raised the possibility of chairing a newly formed Delinquent Assessments Committee with Mr. Sifer, but, after discussion, it was decided to put off formation of this committee until the entire board acquired more experience with the delinquent assessment problem.

Storm Drainage: Mr. Hedrick presented the board with bids to correct CVIII's storm drainage problems from two firms, Hix & Sons Inc. and PCM Inc. Mr. Hedrick informed the board that both firms had done work in other sections of Colonial Village and that, while he felt both firms were capable of doing the work, he unequivocally recommended Hix over PCM on the bases of quality and experience. Unfortunately, Hix's quote was twice that of PC M. A discussion ensued and the board quickly recognized that it lacked the expertise to evaluate these two bids. The board decided to seek outside help. Mr. Bodden agreed to refer a civil engineer to the board.

Window Wells: The board requested that Mr. Hedrick have the window wells cleaned of debris.

Executive Session:

The board dealt with the delinquent assessment accounts of four unit owners in executive session.

The next board meeting is scheduled for 7:00pm on 17 January 2000 in the conference room in the CMI office at 1903 Key Blvd.

The meeting adjourned at 9:40pm.