

**Minutes
Colonial Village III
Board of Directors Meeting
17 January 2005**

Call to order:

With a quorum present the meeting was called to order at 6:33 p.m. Present at that time were Stanton Stafford, president; Melissa Bailey, treasurer; Dennis Gerrity, secretary; Eric Nicoll, member-at-large; unit owner Larry Poe; maintenance engineer Stan Kiman; and association manager George Hedrick.

Election of a Board Member: Mr. Stafford noted the resignation of Cheryl Connelly from CVIII's board effective 31 December 2004. He was joined by the rest of the board in expressing appreciation for Ms. Connelly's contributions to CVIII as a member of its board of directors. Mr. Stafford reviewed the requirements in Article III, Section 6 of CVIII's Bylaws with respect to filling a vacant seat on the board resulting from a resignation. Mr. Stafford then moved that Melissa Bailey be elected to the board to fill the seat vacated by Ms. Connelly and hold the position of Treasurer until a successor is elected at the 2005 Annual Meeting of CVIII's Owners Association to fill the final year of the three year term to which Ms. Connelly was elected. Mr. Nicoll seconded this motion, and it was approved unanimously.

Proof of Notice of Meeting:

All unit owners in attendance acknowledged the timely receipt of notice of this meeting.

Resident Forum:

No one was present to speak

Reading and Approval of Minutes: Mr. Stafford moved that the minutes of the 15 November 2004 board meeting be approved without change. Mr. Nicoll seconded this motion, and it was approved unanimously. No board meeting was held in December 2004.

Reports of Officers:

Ms. Bailey informed the board that Arlington County's waste management facility was operating at a loss because it was charging such high tipping fees that private contractors took the trash they picked up in Arlington to dumps located outside the county. To cover this deficit, the county government was considering a proposal to require condominiums and apartment buildings to use a county designated trash service rather than their own choice of a private contractor. Mr. Hedrick estimated that this change would reduce pickups from five to two days a week and could more than triple the cost of trash service for CVIII. The board asked and Ms. Bailey agreed to monitor this proposal for CVIII.

Management Report:

Engineer: Mr. Kiman told the board that there had been no unusual maintenance problems during the past month. The board noted that a mattress set, a large television set and other bulk trash were obstructing **the trash room located in 1808 Queens Ln.** The board asked and Mr. Kiman agreed to store these items in another location in Building Four until it was economical to schedule a bulk trash pick up. The board noted that a flower box was installed in a window of a second floor unit at **1816 Queens Ln.** in violation of several sections of Article XI of CVIII's bylaws. The board asked and Mr. Hedrick agreed to contact the owner of this unit and request that this flower box be removed and give a warning that fines will be imposed if it is not removed.

December Financial Update: After making allowances for errors and omissions in the December financial report, the most notable of which was \$14,755 to remove dead and dying trees, the board noted CVIII had a year-to-date operating surplus of \$18,470 as of the end of October. The largest component of this surplus was the Water and Sewer account, which was \$13,448 under budget as of the end of December. Expenditures for insurance and legal services were also significantly under budget as of the end of October. Details of the December financial report are available for unit owner review at the CVIII office.

Correspondence: Exterior Painting: Mr. Hedrick brought to the board's attention a letter from Mr. Joseph Van Meter, a nonresident owner of a unit at 1813 N. Rhodes St., in which he expressed his pleasure with the appearance of CVIII's common areas and grounds with the exceptions of windowsills and exterior woodwork, which needed a fresh coat of white paint. The board asked and Mr. Hedrick agreed to write Mr. Van Meter to say that this exterior painting would be done in 2005.

Harassment of a Pet Owner: Mr. Hedrick brought the board's attention to a letter from Berkeley Smith, a resident owner of a unit at 1805 N. Rhodes St., in which she complained about verbal harassment about her ownership of a dog by a neighbor. Ms. Smith said that this neighbor had also posted notes saying "No Dogs" and expressing anti-pet sentiments on her building's hallway bulletin board. Ms. Smith asked the board to do all that it could to stop this harassment. After discussion, the board asked and Mr. Hedrick agreed to write the neighbor in question a letter pointing out that CVIII's Bylaws allowed a resident to keep one small dog in their unit and requesting that she stop speaking to Ms. Berkeley about her dog. The board asked Mr. Hedrick to emphasize in his letter how important polite tolerance of residents exercising rights granted to them by CVIII's Bylaws was for maintaining the friendly, civil atmosphere that made CVIII a pleasant community. The board also asked Mr. Hedrick to request the neighbor in question to stop posting material on hallway bulletin boards. These bulletin boards are reserved for official CVIII business. **Wilson Blvd. Gate:** The board reviewed an email from Linda Johnson, a resident owner of a unit at 1724 Queens Ln., in which she stated her opposition to locking the proposed Wilson Blvd. security gate. Ms. Johnson said that she was not the only resident opposed to locking this gate. She suggested that a poll of residents to determine whether or not this gated should be locked. Lastly, she requested that if a decision was made to lock this gate, then a combination lock rather than a keyed lock be installed.

Committee Reports:

Public Safety: Mr. Stafford made the board aware of a recent confrontation between a CVIII unit owner and a drunken trespasser and reports of transients loitering, sleeping and behaving in a criminal manner in hallways in other sections of Colonial Village. After discussion, the board asked and Mr. Hedrick agreed to post notices on hallway and laundry room bulletin boards alerting residents of these problems and asking them to call the police if they observed individuals behaving in a criminal or suspicious manner or sleeping or loitering in any common area of CVIII.

Old Business:

Security Fence and Gates: Mr. Hedrick informed the board that Arlington County's Historic Affairs and Landmark Review Board (HALRB) unanimously approved CVIII's application to install a security fence with a lockable gate between 1816 and 1817 Queens Ln. and to replace the existing Wilson Blvd. gate with a lockable gate at its 17 November 2004 meeting. CVIII had applied for a building permit for this fence and these gates from the Arlington County Zoning Administration on 8 December 2004. CVIII had not received a response to this application. Mr. Gerrity volunteered to visit the Zoning Administration's office to check on the status of CVIII's application.

Landscaping Update: Fall Clean-Up: Mr. Gerrity informed the board that McFall and Berry failed to show up on three separate dates in December to finish removing leaves and other seasonal debris so that CVIII's grounds would look clean and tidy for the Christmas and New Years holidays. Mr. Gerrity said that he had to resort to threatening McFall and Berry with cancellation of its 2005 contract before they finally showed up on December 27 and 28 to fulfill their contractual obligations to CVIII.

for the year 2004. **Shrubbery Renovations in 2005:** Mr. Gerrity told the board that he would provide it with proposals to renovate shrubbery arrangements on the front sides of 1720, 1721, 1736, 1737, 1800, 1801, 1816 and 1817 Queens Ln. and 1801 N. Rhodes. Mr. Gerrity told the board that he chose these addresses because they were among the most visible buildings in CVIII since they were located closest to the principal entry points to CVIII. Mr. Gerrity told the board that he would also present proposals for turf renovation and replacements for trees removed in the fall of 2004.

Tree Maintenance: Mr. Hedrick told the board that Davey Tree Exerts had completed removing trees and grinding stumps as approved by the board at its meetings. Mr. Hedrick said that Davey had agreed to reduce the height of the poplar tree south of the pedestrian bridge by an additional ten feet for \$195, and would do this later this month when they came to Colonial Village to work on trees in CVII.

Replacement Chimney–1729 Queens Ln.: Mr. Hedrick brought to the board’s attention a bill for \$600 from Consolidated Waterproofing for a change order to modify the flue opening in the replacement chimney at 1729 Queens Ln. Mr. Hedrick said that API Plumbing would take down the temporary flue in the very near future. The board asked and Mr. Hedrick agreed to have construction debris left behind 1729 Queens Ln. by Consolidated removed either by Consolidated or some other party at Consolidated’s expense.

CVIII’s Website: Mr. Gerrity informed the board that he and Lorraine Eide had completed the handover to him of management of CVIII’s website, www.colonialvillageiii.com. Ms. Eide was kind enough to say that she would be available to help with problems in the future.

1733 Queens Ln., Unit 121: The board asked Mr. Hedrick if he had received a response to the letter he had written on 15 November 2004 to the nonresident owner of unit #121 at 1733 Queens Ln. asking that she comply with Article XI, Section 1, Paragraph (f) of CVIII’s Bylaws and supply the board with a copy of her current tenants’ lease. Mr. Hedrick said that he had not received a response. The board asked and he agreed to write a second letter before turning this matter over to CVIII’s attorneys.

Laundry Room Ventilation: Mr. Hedrick and Mr. Stafford discussed setting a date to inspect laundry rooms for the best locations to install ventilation systems so that laundry room windows could be opened no more than a few inches and thus prevent unauthorized access to these rooms through these windows.

New Business:

FHA Financing for CVIII Units: The board informed Mr. Hedrick that its inspection of CMI’s “Property Unit Lists” and mailing lists indicated that investors owned only 61 of CVIII’s 172 units, and, therefore, units in CVIII currently for sale did qualify for FHA financing. The board asked Mr. Hedrick to stop telling prospective buyers, real estate brokers, mortgage bankers, and other interested parties this was not the case unless he could demonstrate that more than 50% of CVIII’s units were owned by investors.

Cost Sharing Agreement for the Maintenance of “Parcel 9”: Mr. Gerrity brought to the board’s attention a legal document circa 1999 entitled “Colonial Village Cost Sharing and Management Agreement.” This document terminated the Colonial Village Community Services Association (CVCSA). CVCSA owned two assets: (i) an office complex in the basement of 1903 Key Blvd. used by CMI, which was deeded to CVI by this agreement: (ii) a parkland area containing 1.8760 acres of land lying to the north and west of CVIII identified in Arlington County land records as “Parcel 9”. The parkland contains a lawn; more than 300 linear feet of sidewalk; two forested areas; a stream running its entire length; and significant storm water runoff management improvements. This cost sharing agreement deeded the parkland to CVIII with all residents of CVI, CVII, CVIII and the Commons having reasonable rights of use. This agreement made CVIII responsible for the maintenance and upkeep of the parkland. It directed CVIII to keep accurate records of all costs associated with the upkeep and maintenance of the parkland including management and consulting costs. It further directed CVIII, after discussions with the other owner associations, to establish an annual budget for the operation and maintenance, including reserves, of the parkland. All such costs are to be divided among CVI, CVII, CVIII, and the Commons based on the pro-rata share of each

community in the total number of units in CVI, CVII, CVIII and the Commons. All accounts related to the parkland are to be kept separate from CVIII's regular condominium accounts. Provisions for annual assessments payable on a quarterly basis, special assessments, late fees, interest penalties and reimbursement of CVIII for reasonable attorney's fees are included in this agreement. Mr. Gerrity told the board that CMI had failed to keep separate records of expenditures on the maintenance and upkeep of the parkland. No reserve account had been set up. Accounts for parkland assessment income and parkland expense did appear on CVIII's operating budgets from 1998 through 2001, but no income was ever shown as being received and no expense was ever shown as being paid. He estimated that CVIII had spent approximately \$15,000 on the parkland's maintenance and upkeep since this agreement was signed. Mr. Gerrity said that CVIII should have been reimbursed 76% or \$11,600 of this \$15,000 by CVI, CVII and the Commons, but had not received this money. The board discussed how best to get CVIII reimbursed for these expenditures and how to implement managing the maintenance and upkeep of the parkland in accord with this cost sharing agreement. Mr. Stafford said the he would add this item to the list of CVIII's concerns that he would discuss with the other Colonial Village owner association presidents at their annual meeting.

Exterior Painting: Mr. Hedrick presented the board with a proposal from Renaissance Painting, Inc. for labor and materials to the following work for \$36,000: prep, prime and paint concrete sills; pilaster trim; dormers and siding; fascia; rake trim; wood windows; soffits; entrance trim; attic vents; window panels; other wood trim; and iron lintels—excluding doors, shutters and wrought iron railings. This proposal included a three-year guarantee against peeling with peeling paint repainted at no charge. Renaissance proposed a separate price of \$5,000 to paint all of CVIII's shutters with one finish coat of paint and a separate price of \$1,200 to paint all doors, entrance and other, with one finish coat of paint. Carpentry repair to replace rotted wood would be done at a \$45 per hour rate, plus materials. After briefly reviewing this proposal, the board asked and Mr. Hedrick agreed to get proposals with comparable specifications from at least two other contractors for this project.

Common Hallway Carpet Cleaning: Mr. Hedrick reported that he had inspected common hallway carpeting as requested by the board and found that carpeting directly inside front doors and on most of the first flight of stairs of the following buildings were soiled enough to warrant immediate cleaning: 1721, 1724, 1728, 1729, 1732, 1736 and 1808 Queens Ln. and 1801 N. Rhodes St. The board authorized Mr. Hedrick to have Clean Machine Carpet Cleaning clean the soiled areas in the hallways of these buildings at a cost of \$35 per building.

Cleanliness of Common Hallway Walls: The board expressed its displeasure the cleanliness of common hallway walls, particularly the lighter colored portions above chair rails, which looked grimy in many buildings. The board asked and Mr. Hedrick agreed inspect these hallways and to determine if more thorough washing by CVIII's janitor or repainting them would do a better job of improving their appearance.

Executive Session:

Mr. Stafford moved that the open session of this meeting be adjourned, and the board go into executive session for the purposes of discussing delinquent assessments and a unit owner's request that his late fees be waived. Mr. Nicoll seconded this motion, and it was approved unanimously at 7:40 p.m.

The next board meeting is scheduled for 6:30 p.m. on 21 February 2005 in the conference room in the CMI office at 1903 Key Blvd.

Mr. Stafford moved that this meeting be adjourned. Ms. Bailey seconded this motion, and it was approved unanimously at 7:57 p.m.