

**Minutes
Colonial Village III
Board of Directors Meeting
21 February 2005**

Call to order:

Ms. Bailey called the meeting to order at 6:35 p.m. A quorum consisting of Melissa Bailey, treasurer; Dennis Gerrity, secretary; and Eric Nicoll, member-at-large was present at that time. Michael McGregor, vice president, arrived shortly after the start of the meeting. Unit owners Larry Poe, Berkeley Smith and Ryan Yorkery; and association manager George Hedrick also attended this meeting.

Proof of Notice of Meeting:

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

Resident Forum:

Ms. Smith and Mr. Yorkery told the board that that cigarette smoke from an adjoining unit appeared to be drawn into their unit whenever they used their heat pump to provide heat. They said this caused them great discomfort. They told the board that they had not received a response to two requests for assistance from CVIII's maintenance engineer in determining if there was some way that air was being transferred to their unit from the other through holes in walls or improperly sealed access ways for utility lines. Mr. Hedrick said that he would have Mr. Kiman contact them to set up an appointment to inspect their unit. The board suggested that previous occupants of their unit might have been tobacco users whose smoking had contaminated the ductwork of their heating and cooling system. The board suggested that they consult a HVAC service company on this possibility.

Reading and Approval of Minutes: Mr. Nicoll moved that the minutes of the 17 January 2005 meeting be approved without change. Ms. Bailey seconded this motion, and it was approved unanimously with Mr. McGregor not yet present.

Reports of Officers:

Insurance: Mr. Nicoll reported to the board that he was actively reviewing CVIII's master insurance policy with State Farm and hoped to begin soliciting competitive bids in the near future. He told the board that one ready way that CIII could save money on this policy would be to increase its current \$1000 deductible on claims, especially so since no one at the meeting could recall a claim ever being filed against this policy. He noted one possible complication in changing the insurance company carrying CVIII's master policy: home owners or renters' insurance policies sold by State Farm to residents of CVIII tended to dovetail with the master policy, providing what Mr. Hedrick described as "seamless" coverage. If CVIII decided to go with another company, then residents might find it necessary to also change carriers in order to maintain "seamless" coverage. Other members of the board commented that if CVIII did change carriers for the master policy, the new company would make every effort to get individual unit owners' business. **Fence and Gates:** Mr. Gerrity informed the board that Arlington County's Zoning Administration on 15 February 2005 approved CVIII's application for an administrative change to its site plan allowing it to install a metal fence with a gate that could be locked between 1816 and 1817 Queens Ln. and replace the existing Wilson Blvd. gate with a gate that could be locked. The Zoning Administration issued a building permit for this fence and these gates on 16 February 2005. **Parking:** Mr. Gerrity told the board that dates for public hearings on proposed changes in Arlington County's residential permit parking program should be announced in the near future. **Science Teachers Building:** Mr. Gerrity reported to the board that the National Science Teachers Association (NSTA) and Arlington County planning officials had not resolved their differences over NSTA's proposed addition to its building at 1840 Wilson Blvd. and, therefore, consideration of NSTA's proposal by the Arlington County Planning Commission and County Board was on hold.

Management Report:

Physical Plant: The board noted that several sections of the **privacy fence behind Building One** had been knocked ajar and a number of its vertical slats were missing. Mr. Hedrick said that he would have the necessary repairs made. The board noted that residents had left **bicycles and shopping carts in storage room aisles** in violation of the Arlington County Fire Code and CVIII's Bylaws. The board asked and Mr. Hedrick agreed to have Mr. Kiman remove these items immediately. The board noted the presence of **barbeque grills, flowerpots and other belongings of residents on CVIII's lawns**. The board asked and Mr. Hedrick agreed to post a notice on hallway bulletin boards warning residents that they had a week to collect their possession before Mr. Kiman disposed of them. (Mr. Kiman did not attend this meeting because it was held on a holiday.)

January Financial Update: After making allowances for errors and omissions in the January financial report, Mr. Hedrick said CVIII had a year-to-date operating surplus of approximately \$2,861 as of the end of January. Details of the January financial report are available for unit owner review at the CVIII office.

Correspondence: Locked Security Gates: Mr. Hedrick brought to the board's attention an email from Cori Uccello, resident owner of unit #161 at 1817 Queens Ln., in which he expressed his strong opposition to the proposed installation of a locked entry gate in a fence between 1816 and 1817 Queens and replacing the existing Wilson Blvd. gate with one that could be locked. Mr. Uccello said that he could appreciate that other owners desired these gates because "some of the non-residents who use N. Queens Lane to cut between Key Boulevard and Wilson Boulevard apparently can be loud at times," but making CVIII a gated community seemed too extreme a measure. He expressed his fear that a resident fumbling for their gate key at night would be a prime target for a mugger. The board asked and Mr. Hedrick agreed to write Mr. Uccello that it had received and discussed his email. **Unleashed Dogs on the Commons:** The board reviewed a strongly worded letter from a unit owner residing in Building Three informing the board of his confrontation with a number of dog owners, several of whose unleashed dogs charged him as he brought his cat home from a visit to the vet. He warned the board that he would sue CVIII if dogs behaving in such a fashion injured him or his cat. He accused the board of effectively ignoring CVIII's longstanding problem with unleashed dogs in common areas by issuing "fainthearted" notices and putting off taking action until the next meeting, "ad nauseam." He urged the board to use "draconian" measures to enforce CVIII's Bylaws. After discussion, the board asked and Mr. Hedrick agreed to write the author of this letter of complaint explaining that the board saw the problem of dogs bothering or threatening residents in terms of irresponsible behavior on the part of specific dog owners, not all dog owners. If he could identify the dogs that charged him, then the board would consider taking action against their owners. The board asked and Mr. Hedrick agreed to post yet another notice reminding dog owners that Article XI, Section 1, Paragraph (h) of CVIII's Bylaws states that "pets shall not be permitted upon the Common Elements unless accompanied by an adult and unless carried or leashed." This letter should also warn dog owners that if the board continued to receive complaints about unleashed dogs chasing, charging or otherwise bothering residents, then the board would require all dog owners to leash their pets whenever present in common areas and force those who do not comply to remove their dogs from CVIII.

Committee Reports:

No committee reports were presented.

Old Business:

Public Safety: Mr. Nicoll asked Mr. Hedrick about recent newspaper accounts of Colonial Village storage rooms being broken into. Mr. Hedrick told the board that storage rooms in CVII had been broken into twice and there had been an unsuccessful attempt to break into the bicycle room located in 1821 N. Rhodes St. Mr. Hedrick said the Arlington County Police had been called to the property to investigate, but no arrests had been made

Common Hallway Light Fixture Replacements: Mr. Nicoll asked the board for confirmation that it had chosen the smaller circular fluorescent light fixtures installed in the hallway of 1805 N. Rhodes St. as the type of fixture to use to replace the square fixtures for which replacement lenses were no longer available. The board agreed that was the case. After further discussion, the board authorized Mr. Hedrick to have

Mr. Kiman use these fixtures to replace damaged common hallway fluorescent light in Buildings Two and Four on a worst case first basis as his work schedule permitted.

Cost Sharing Agreement for the Maintenance of “Parcel 9”: The board discussed the origin and details of the “Colonial Village Cost Sharing and Management Agreement.” This cost sharing agreement deeded 1.8760 acres of parkland to CVIII. It granted all residents of CVI, CVII, CVIII and the Commons reasonable rights of use of the parkland with costs related to the operation and maintenance, including reserves, of the parkland 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. The board came to the conclusion that the failure of CMI and CVIII to implement the cost sharing provisions of this agreement with respect to procedures and record keeping created so many questions and ambiguities that it would be best for harmonious relations with the other owner associations in Colonial Village if CVIII did not ask to be reimbursed for its past expenditures to maintain the parkland. Effective 2005, however, CVIII would implement the cost sharing provisions of this agreement.

New Business:

Snow Removal: Mr. Hedrick presented the board with three bills totaling approximately \$5,000 from McFall and Berry for snow removal service. Mr. Gerrity pointed out to the board McFall and Berry was charging CVIII for twenty-four man hours of labor at \$42 an hour to remove less than four inches of snow from twenty-eight stoops and five basement ramps. He told the board he was sure that CVIII was being overcharged because he had tasked removing a similar snow fall from stoops and ramps several years ago and found that four man hours was more than enough labor to do the job. He urged the board not to approve paying this bill until Mr. Hedrick negotiated a substantial reduction in these charges for labor. In discussion, other members of the board argued that McFall and Berry most likely did use more men than necessary to clear stoops and ramps after these storms, but no efforts were made to correct this situation while they were on the property working, and, regrettably, these bills would have to be paid. Mr. McGregor moved that CVIII authorize the payment of \$5,000 to McFall and Berry for snow removal service. Ms Bailey seconded this motion. Ms. Bailey, Mr. McGregor and Mr. Nicoll voted aye, Mr. Gerrity voted no, and the motion was approved by a three to one vote. After further discussion, the board asked Mr. Hedrick to make sure in future snow events that McFall and Berry received clear directions on how many men to supply to shovel snow from CVIII’s stoops and ramps—to wit: if four inches or less of snow had fallen, then two men would suffice. One additional man should be sent for every additional two inches of snow.

Landscaping: The landscaping committee presented the following proposals for renovations, replacements, and enhancements to lawns, ground cover shrubbery and trees in 2005 to the board. At the end of the presentation, the board discussed these proposals, and then approved them and authorized the landscaping committee to price them out.

Lawns:

1. The lawn outside the Wilson Blvd. gate and the lawn between 1737 Queens Lane and the parking lot should be dressed with ComPro or some other type of humus. These areas were aerated and overseeded by McFall and Berry in December.
2. Wood chips were used to fill in holes created when stumps were partially removed by grinding at 1721, 1733, 1737, 1808 (rear), 1812, 1816 (rear) Queens Lane and the rear of 1829 Wilson Blvd. The chips should be removed. The holes should be partially filled with topsoil and then covered with sod.
3. Soil erosion along the south side of steps leading to the sidewalk for 1813 Queens Ln. should be filled in with topsoil. Sod should be laid to prevent erosion in the future.
4. A depression in the lawn adjacent to the east side of 1829 Wilson Blvd. should be filled in with topsoil and then seeded or covered with sod.
5. Repair damage caused by a truck that drove across the lawn in front of 1737 N. Rhodes St. and behind 1728 Queens Ln. The truck belonged to a carpet cleaning service working in unit #184 at 1728 Queens Ln. The owner of this unit should be billed for repairing this damage.
6. Use topsoil and sod to bring the ground around CVIII’s various concrete catch basins up to the same level as the surface of these basins.

7. Renovate the ground in the vicinity of the new chimney behind 1729 Queens Ln., which was torn up by Consolidates Waterproofing.
8. Install a mulch ring around the Southern Magnolia in front of 1732 Queens Ln. The radius of this ring should be no greater than the distance to the nearest sidewalk.
9. Aerate, overseed and dress with humus the lawn in the vicinity of the proposed fence between 1816 and 1817 Queens Ln in the fall.

Ground Cover: The landscaping committee made the following proposals for renovations and improvements in 2005:

1. Remove all cotoneaster.
2. Experiment in-house with preparing and installing four-foot wide ivy borders along building foundations.

Shrubbery: The landscaping committee made the following proposals for renovations and improvements in 2005:

Oval-Shaped Bed outside the Wilson Blvd. Gate: Replace the plants in this bed with one of the following options:

1. An arrangement of medium (7-9') and compact (2-3') pink-flowering Crape Myrtles surrounded by a border of Crimson Pygmy Barberries. The Crape Myrtles would do well here because this location gets lots of sun. They will have flowers much of the summer.
2. Same as the above, but substitute Korean Barberry for the compact Crape Myrtle.
3. An arrangement of medium size hollies with a border of annuals on the Wilson Blvd. side of the bed. The hollies would match the Nellie Stevens at either end of the fence in terms of color and texture and create a theme for the Wilson Blvd. entrance. There would be no bare branches and dead leaves to look at during the winter and spring because they are evergreens.

1720 and 1721 Queens Ln.: Install either yews or Otto Luyken Laurels in front of these buildings as suggested in illustrations provided to the board. The Otto Luyken is ideal for 1720 Queens Ln. It grows well in full shade. It would not need a lot of pruning because its mature height is 5-6". It has white flowers for much of the summer. Its texture and dark green color would complement the large ivy borders around this building and the Nellie Stevens on the Wilson Blvd. side of both buildings, and, if the board chose them, the hollies in the oval shaped bed outside the gate. Yews would allow CVIII to make use of existing plants and would complement the yews just inside the gate and those in front of 1724 and 1725 Queens Ln. If the board chose yews, then it should consider planting azaleas for color. It would be best to buy larger yews for 1720 because they will grow very slowly because of the lack of sunlight.

1736, 1737, 1800 and 1801 Queens Lane: Remove all existing plants in front of these buildings. Replace them with hollies and azaleas as suggested in illustrations provided to the board. The hollies along the edge of the parking lot would tie these buildings together. The azaleas would break up the dark green of the hollies. Arrangements of annuals, camellias and hibiscus would do the same thing.

1816 and 1817 Queens Lane: Both of these buildings have yews and hollies planted adjacent to their front doors. The yews are a foot less in height than the windowsills behind them. The hollies are a foot higher than these sills. The yews should not be pruned for height until they reach the windowsills. The hollies get renovation pruning to reduce their size and then are allowed to regrow until they reach the windowsills. Remove the Leather Leaf Viburnum, forsythia, barberries and upright holly. Install broad-leaved evergreen shrubs such as Cherry Laurel, any of several different types of hollies or euonymus and azaleas as suggested in illustrations provided to the board.

Trees: The landscaping committee reminded the board that Arlington County's Historic Affairs and Landmark Review Board (HALRB) required CVIII to replace trees that were removed for any reason. The trees listed below had been approved by the HALRB as replacements for the specified dead, dying or otherwise defective trees:

1. Install three Eastern Redbuds (2" caliper) behind 1829 Wilson Blvd. These trees will replace two Austrian Pines that were dying because their roots had fungal infections.
2. Install three Red Maples (2½" caliper) in a Resource Protected Area (stream buffer) adjacent to the 1800 block of N. Rhodes St. These trees will replace two Yellow Poplars and a red maple. The poplars had large cavities in their trunks at ground level and posed imminent threats to life, limb and property. The red maple was dead.

3. Install a Star Magnolia and a Norway Spruce (8-10') in the vicinity of 1805 N. Rhodes St. These trees will replace a Canadian Hemlock that was removed because it was dying.
4. Install a second Norway Spruce in the vicinity of 1805 N. Rhodes St. to replace a dead Green Ash.
5. Install a Japanese Zelkova (3" caliper) in front of 1812 Queens Ln. This tree will replace a Chinese elm that was partially uprooted by Hurricane Isabel.
6. Install a Japanese Zelkova (3" caliper) between 1737 and 1801 Queens Ln. This tree will replace a Siberian Elm, two thirds of which had been snapped off by Hurricane Isabel.
7. Install a Sugar Maple (4" caliper) in front of 1733 Queens Ln. This tree will replace a London Plane that had been cut down because of severe damage done by Hurricane Isabel.
8. Install a Southern Magnolia in front of 1725 Queens Ln. This tree will replace a Siberian Elm that had been removed because of severe damage done by Hurricane Isabel.

The landscaping committee also recommended that an October Glory Red Maple (5" caliper) be installed at the eastern end of the half moon shaped piece of lawn located outside the Wilson Blvd. gate. This tree would complement a similar tree already planted at the other end of this piece of lawn.

Pruning and Trimming of Trees: The landscaping committee recommended that Southern Magnolias located in front of or adjacent to 1721, 1732, 1737, 1805, 1816, 1817 Queens Ln. and 1727, 1805, 1813, 1817 N. Rhodes St. be elevated to heights equal to second floor windowsills of the referenced addresses. This would increase the amount of sunlight reaching the front these buildings, which in turn would improve the prospects of shrubbery planted in front or along side of these building. The landscaping committee also recommended that branches of a Siberian Elm located adjacent to 1720 Queens Ln. be cut back so that they did not extend over the roof of that building.

Home Depot Account: The board told Mr. Hedrick that it had learned that CVIII's account with Home Depot had been closed because of nonpayment. The board asked for an explanation. It also asked that he get this account reopened. Home Depot was much cheaper than Virginia Hardware and convenient for Mr. Kiman to use in as much as he drove past the Home Depot in Seven Corners to and from work every day. Mr. Hedrick told the board all the communities in Colonial Village had used CVIII's charge account with Home Depot. There were charges made that could not be accounted for, and therefore were not paid. Eventually, Home Depot closed the account. Mr. Hedrick said the account could be reopened, but it would have to be based on the credit record of one CVIII's board members. The board decided to return to this issue at its next meeting.

Write-Off of Debt: The board reviewed attempts made by CMI and Chadwick, Washington, CVIII's law firm, to collect \$3,073.49 owed CVIII by a former owner whose mortgage had been foreclosed. The board decided that all reasonable courses of action had been exhausted, and Mr. Gerrity moved that this \$3,073.49 be written off. Mr. Nicoll seconded this motion, and it was approved unanimously.

Waiver of Late Fees: The board reviewed the request of a unit owner that \$60 in late fees be waived because CMI failed to provide him with the correct address to mail payments not accompanied by coupons. Mr. Hedrick told the board that he had reviewed all correspondence showing addresses where to send assessment payments that CMI might have sent this or any other unit owner. Mr. Hedrick said that he found no mention that assessments sent to CMI without coupons should be mailed to 414 Morningwood Drive, Olney MD 20832. After discussion, Ms. Bailey moved that CVIII waive this \$60 in late fees. Mr. Gerrity seconded this motion, and it was approved unanimously.

Arlington County Police Patrol of CVIII's Parking Lot: Mr. Hedrick brought the board's attention to a request from the Arlington County Police Department for an up-to-date letter of permission to enforce State and County motor vehicle registration and licensing requirements with respect to vehicles parked on CVIII's lot. After discussion, Mr. Gerrity moved that CVIII authorize the Arlington County Police Department to continue to patrol CVIII's parking lot for violations of State and County motor vehicle registration and licensing requirements. Mr. Nicoll seconded this motion, and it was approved unanimously.

CAI Membership and Dues: After some prodding, Mr. Hedrick admitted to signing up CVIII as a member of the Community Associations Institute (CAI) at a cost of \$320 a year without consulting the board. CAI bills itself as "a multidisciplinary, nonprofit alliance serving all stakeholders in community associations." The principal benefits from CAI membership are newsletters dealing with "best practice"

with respect to community association management and discounts on educational material and seminars. The board decided to test the usefulness of membership for a year.

Entrance Door–1728 Queens Ln.: Mr. Hedrick informed the board he had received a series of emails from David Schmidt, a resident unit owner at 1728 Queens Ln., asking that the exterior entrance door for the residential portion of that building be repaired because it would not close completely. Mr. Hedrick told the board Mr. Kiman had inspected this and recommended that it be replaced. The board took issue with Mr. Kiman's recommendation, saying that this door was firmly set on its hinges and the reason this door would not close properly was that its upper right corner was binding against the door's jamb. The board suggested that a less costly solution to this problem would be to have Mr. Kiman plane this corner of this door and applying a coat of sealer. Mr. Hedrick agreed to ask Mr. Kiman to repair this door as suggested by the board.

Executive Session:

Mr. Nicoll moved that the open session of this meeting be adjourned, and the board and Mr. Hedrick convene in executive session for the purpose of discussing delinquent assessments. Ms. Bailey seconded this motion, and it was approved unanimously at 8:00 p.m.

The next board meeting is scheduled for 6:30 p.m. on 21 March 2005 in the conference room in the CMI office at 1903 Key Blvd. The board took this opportunity to schedule its April meeting for the twelfth of that month at 6:30 p.m. in the conference room in the CMI office at 1903 Key Blvd.

Mr. McGregor moved that this meeting be adjourned. Mr. Nicoll seconded this motion, and it was approved unanimously at 8:19 p.m.