

**Minutes  
Colonial Village III  
Annual Meeting  
22 October 2007**

**Call to order:**

With a quorum of unit owners voting by proxy and in person of 30.781%, the meeting was called to order at 7:07 P.M. Present at that time were Eric Nicoll, president; Michael McGregor, vice president; Dennis Gerrity, secretary; and Cheryl Concelman, member at large. Unit owners Michael Brooks, Amanda Hunt, Carl Johnson, Shirley McAlhaney, Peyton Palmore, David Reizes, Shelly Seaver, Charles Vanderlyn, and Robert and Risa Vandermark were present at that time. Association manager David McPherson and maintenance engineer Stan Kiman were also present at that time.

**Proof of Notice of Meeting:**

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

**Reading and Approval of Minutes:**

Mr. Nicoll moved that the minutes of the 17 October 2006 Annual Meeting be approved without change. Mr. McGregor seconded this motion, and all approved it except unit owners Amanda Hunt, Shirley McAlhaney, Peyton Palmore, Shelly Seaver, Charles Vanderlyn, and Robert and Risa Vandermark, who abstained because they did not attend that meeting.

**Unit Owners Forum: Dog Park:** Mr. Vanderlyn, a former member of CVIII's Board of Directors, said that he was in favor of a dog park on CVIII's property. He said a dog park would limit the damage dogs did to CVIII's lawns and shrubbery. Ms McAlhaney, a former member of CVIII's Board of Directors, said that she was opposed to a dog park because she did not know enough about the details of the proposed park. She said there were security and liability issues that had to be addressed. She questioned how many of CVIII's residents would inconvenience themselves to use it. Mr. Vandermark said that a dog park was worth discussing but he opposed it at the present time because there not enough details available to make a sound decision on it. He criticized a recent proposal for a dog park made by a CVIII owner, saying that it mistakenly asserted that Arlington County's Animal Control Regulations were applicable on private property such as CVIII. He also criticized this proposal's assertion that allowing CVIII residents to have pets lowered property values in CVIII. He said that few other condominiums allowed pets and realtors had told him that allowing CVIII residents to have a pet actually increased the property values of CVIII units. He furthered criticized the this proposal's assertion that dogs urinating on CVIII lawns caused significant damage, claiming that the type of grass and the time of day it was watered were why CVIII lawns looked bad. Ms. Hunt said that she supported looking into the proposal for a dog park, which she said was obviously not a formal proposal. Ms. Hunt said she liked dogs and liked seeing them on CVIII's property, but she understood the frustrations of those who were uncomfortable with them running about unleashed. She said that if CVIII built a dog park, it most likely would become the whole neighborhood's dog park, and the added costs and liabilities this would impose on CVIII should be addressed in future discussions of a dog park. **Unleashed Dogs:** Mr. Reizes said he felt discussion of building a dog park in CVIII was irrelevant because CVIII already had a dog park. Mr. Reizes said this was the entire property because dogs were allowed to run unleashed in all common areas of CVIII at all hours of the day. He told the board that he did not feel that it was safe for him to walk his own dog in common areas of CVIII because of what he considered to be the aggressive behavior of other dogs running unleashed in these areas. Mr. Reizes said the board's decision to enforce the requirement in CVIII's Bylaws that dogs be leashed when present common areas only when there was a complaint about a specific dog left CVIII's Owners Association vulnerable to a lawsuit if a dog bit a person or another dog in a common area of CVIII, and this would happen sooner or latter. Mr. Reizes suggested if CVIII's Board would not enforce the leash requirement for dogs in CVIII's Bylaws, then residents and guests (and CVIII's Owners Association) would be better off if the board acted to remove this provision from CVIII's Bylaws so that no one would go about common areas of CVIII under the false

impression that they enjoyed any sort of safety from dogs running loose in common areas of CVIII. Ms. Seaver said that she did not like dogs running up to her and jumping on her. She said she was in favor of strict enforcement of the leashing regulation in CVIII's By-Laws. **Parking Garage:** Mr. Vanderlyn said that he was in favor of CVIII building an underground parking garage. He asked the board what percentage of approval from CVIII's unit owners it would need to proceed with this project. The board said that it would need the approval of two-thirds in number of CVIII's unit owners to finance the construction of such a garage with a loan. Ms. McAlhaney said that the board must work through details such as design, financing, and security before it asked CVIII's owners to seriously consider building a parking garage. Mr. Vandermark said that he had reviewed the minutes of past meetings and noticed that cost estimates and design and construction issues had led past boards to table their considerations of building a parking garage. He questioned whether it was worth the board's time to retrace ground that that it had covered twice before. Ms. Hunt said that parking problems in CVIII's neighborhood would only get worse in future years, and this should be taken into consideration in discussions of a parking garage. **Verizon Fiber Optic Cable Installation:** Ms. Seaver asked for an update on Verizon's proposal to install fiber optic cable connections in CVIII units. Mr. Nicoll told Ms. Seaver that CVIII had been in discussions with Verizon for almost a year on the installation of fiber optic cable connections in CVIII units. Mr. Nicoll said that the sticking point in these discussions was Verizon's desire for 100% access to CVIII units, which the board felt it did not have the right to give Verizon. Mr. Nicoll said that the board had agreed to allow Verizon to install fiber optic cable and related equipment in common areas of CVIII, but it was the board's position that only unit owners had the right to authorize Verizon to install anything inside their units. Ms. Seaver said she owned a second floor unit, and she was concerned that the owner the unit below her had control over her access to a Verizon fiber optic connection. Mr. Nicoll said that the board was hopeful that Verizon would offer incentives so that the owners of first floor units would not block access to Verizon's fiber optic system to those living above them. **Locking System for Building Entry Doors:** Ms. Seaver asked if it would possible to install some sort of locking system controlled by a keypad on the entry door to buildings. The board told Ms. Seaver that past boards had agreed to allow the front door of a building to be locked by activating its existing lock if all residents of the building agreed to it. Objections had been raised to this because building hallways are common areas belonging to all of CVIII's unit owners not just those of units in the building in question. Questions were raised over access for first responders, guests, tradesmen, postmen, and those who deliver newspapers and parcels. Mr. Vandermark said that CVII had experimented with door handles with keypads on them and found them expensive to maintain. **Selling CVIII:** Ms. Seaver asked if it were possible for CVIII to be sold for redevelopment given its historic status and if a potential buyer had ever approached CVIII. The board said that there was some threshold in terms of percentage of agreement among owners that, if reached, would allow CVIII to be sold for the purpose of redevelopment. The board said it was unaware of anyone interested in buying CVIII. **Laundry Machines:** Mr. Vandermark asked if the board planned an increase in the per load fee to use the washing machines and dryers in CVIII's laundry rooms. Mr. Nicoll said that the board discussed increasing this fee but it decided to leave it at the current level of seventy-five cents per load. **Bulk Trash:** Mr. Reizes said CVIII could never hope for compliance with its bulk trash regulations given that tenants occupied forty percent of CVIII's units. He suggested the board consider scheduling bulk trash pick-ups on a regular basis. The board said that it had discussed scheduling bulk trash pickups on semi-annual, quarterly and even a monthly basis but it had not reached a consensus on which would be most cost-effective. Mr. McGregor suggested that Mr. McPherson be asked to find out how other condominiums deal with this problem. Mr. Vandermark suggested that the board try a system where residents would notify CVIII's management office they had bulk trash to be picked up, and when a threshold, say twenty units, was reached, a pick-up would be scheduled.

**Reports of Officers:**

None.

**Management Report:**

None.

**Committee Reports:**

None:

**Election of Members of the Board of Directors:**

Mr. Nicoll explained the requirements of the CVIII By-Laws with respect to the election of members of the board of directors. Mr. Nicoll said that there were two vacancies this year, both for three-year terms. **Inspectors of Election:** Unit owners Michael Brooks and Charles Vanderlyn were appointed inspectors of the election of members of CVIII's board of directors. **Candidates for Election to Board of Directors:** The names of Dennis Gerrity, Eric Nicoll and Robert Vandermark appeared as candidates on the proxy statements distributed prior to this meeting. Mr. Nicoll asked if anyone else present was interested in standing for election to the board, and if so, to please step forward. No one did. Messrs. Gerrity, Nicoll and Vandermark then briefly introduced themselves to the rest of the meeting's attendees. **Election Results:** The common element interest voted by proxy and in person for these three candidates at this meeting totaled 28.361%. Mr. Nicoll received a vote of 25.385%; Mr. Gerrity received a vote of 25.015%; and Mr. Vandermark received a vote of 5.846%. Therefore, Mr. Gerrity and Mr. Nicoll were elected to three-year terms as members of CVIII's board of directors.

**Seating of Officers:**

Mr. Nicoll noted that Mr. Haley had not been able to attend this meeting, and moved the seating of officers of CVIII's Board of Directors on an acting basis until all members were present as follows: Eric Nicoll, president; Michael McGregor, vice president; Kevin Haley, treasurer; Dennis Gerrity, secretary; and Cheryl Concelman, member-at-large. Mr. Gerrity seconded this motion, and it was approved unanimously.

**2008 Budget:**

Mr. Nicoll reviewed Mr. McPherson's proposed 2008 budget for CVIII. He pointed out those line items for which costs were expected to increase in 2008 and briefly explained why. He said that a three percent increase in annual assessments was necessary to balance this budget. In discussion of this budget, Mr. Vandermark said that CVIII's assessments were high in comparison to new condominiums in CVIII's neighborhood. Mr. McGregor said that Mr. Vandermark was comparing an apple to oranges and that a seventy-year-old property like CVIII would always have higher maintenance and replacement expenses than brand new buildings. Mr. Vandermark said that CVIII had increased its assessments by a total of ten percent over the past three years, and no other condominium within five miles of CVIII had raised their assessments by as much during the same time period. Mr. Gerrity pointed out to those attending the meeting that CVI was going to raise its assessments by twenty-five percent in 2008 and CVII by seventeen percent also in 2008. Ms. Hunt said that she felt CVIII's assessments were reasonable in comparison to other condominiums. Ms. Hunt said that the average CVIII unit owner probably did not have a good grasp on what it cost to operate and maintain CVIII. She urged the board to make more efforts to educate CVIII owners on how their assessments were being spent. Ms. Seaver said she knew of condominiums roughly comparable to hers that had assessments of \$500 to \$600 a month. She said she preferred increases of three percent to twenty-five percent a year. Mr. Gerrity pointed out that Mr. McPherson's allocations to specific reserve accounts were inconsistent with those recommended by the consulting engineer hired to advise CVIII on these accounts. Mr. Nicoll said these reallocations would not change the bottom line numbers for the 2008 budget, and he and Mr. Gerrity agreed they could be made at a future board meeting. Mr. Nicoll moved that the board approve this budget. Ms. Concelman seconded this motion, and it was approved unanimously.

**Executive Session:**

None.

**2008 Annual Meeting:**

The date, time and location of CVIII's 2008 Annual Meeting will be announced in September 2008.

**Adjournment:**

Mr. Nicoll moved that this meeting be adjourned. Ms Concelman seconded this motion, and it was approved unanimously at 7:54 P.M.