

FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS
MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
SOUTH FAIRLINGTON COMMUNITY CENTER
MARCH 7, 2006

- IN ATTENDANCE** John Thurber - President
 Lisa Farbstein - 2nd Vice President/B&G Committee Liaison
 Debra Diener - Treasurer
 Diane Thurber - Recording Secretary
 John Kilkenny - Community Manager, Condo Division, CMC
- CALL TO ORDER AND QUORUM** The meeting was called to order at 7:00 p.m. by President Thurber. A quorum was established.
- PURPOSE OF MEETING** The purpose of this meeting is to discuss a plan of action and milestones for due process for a number of residents who are in long-term violation of various Bylaws of the Association. The Board will not be addressing other agenda items at this meeting.
- HISTORY** Only a few cases have reached the due process stage in the past, including two related to pets and one for a violation of the satellite dish resolution.
- PROCEDURE** The Board requires a summary of all violators. The B&G Committee has provided a list of those pertaining to grounds and architectural violations. Mr. Thurber will review past minutes to determine what letters were requested to be sent, and CMC will confirm what was, in fact, done. The list then will be turned over to Mr. Clark, who will check to determine if the violations continue or if they have been corrected. He will then do a camera recordation of each violation from outside the patio area, and CMC will set up a file for each case. Expect this step to take a week or so.
- NOTICES** In cases where residents already have received notices of violations (as in most of the window violations), those shall be considered to serve the purpose of initial notice. Those who have not been so notified will be, and will have fourteen days in which to respond. The next correspondence shall include formal notification of complaint, and notice of due process hearing, including location, date and time. Along with the complaint, the Board may, at its discretion, issue a "cease and desist" request, as set forth in Section 1(G) of the Resolution. Also included will be a post card for the homeowner to respond back to the Board with any "Notice of Defense." The Notice of Hearing will include language informing respondent that a copy of "Special Resolution No. 1 Relating to Due Process Procedures" is enclosed. The Resolution addresses respondent's right to discovery. All letters and/or notices prepared by CMC will be reviewed by the Board President prior to mailing.
- TIMETABLE** Fifteen days' notice of the hearing is required. Respondent then has five days to respond to the complaint, and if any objections are filed, then the Board has ten days to determine whether or not the objections have merit. Plan on thirty days for the entire notification and return process. The date of the hearing will be separate and apart from the Board's monthly working meeting; some time in April likely will be the earliest date possible.
- ATTENDANCE** The respondent may choose to attend the hearing or not. He or she may also request that the hearing be held in Executive Session. The Board may reschedule the hearing date at respondent's request, but is under no obligation to do so. The hearing may be held with or without the respondent present. Cases will be heard in the order in which the respondents arrive and sign in.

- WITNESSES** The respondent may choose to bring witnesses to the hearing. In that case, witnesses will be called into the room individually in order to maintain control of the hearing. A second room will be reserved as a waiting room.
- RULINGS** The Board will not make a determination on any case on the night of the hearing, but must schedule another meeting within five to seven working days for that purpose. The respondent is notified of the Board's decision by registered mail. All decisions must be reviewed by legal counsel prior to notification.
- PENALTIES** The Board may impose penalties as specified in the Resolution. Monetary penalties are generally most effective, versus suspension of recreational privileges. Monetary penalties are recorded against the homeowner's account for the entire month. If the violation is corrected within that time, any monies not accrued in fines are credited to the account.
- ADDITIONAL REVIEW** Mr. Thurber requested that Board members review the Special Resolution in its entirety in order to be fully prepared for the hearings. The Resolution lays out the entire process in detail.
- WORD OF THANKS** Mr. Thurber expressed the Board's gratitude to Mr. Kilkenny for getting up to speed so quickly after having been assigned to the Meadows, and said there has been good dialoguing with the President. The Board has not seen this kind of responsiveness and responsibility in a long, long time, and they greatly appreciate it. The hope is to get things under control reasonably quickly and then it will just be a matter of handling things on a month-to-month basis.
- ADJOURNMENT** By UNANIMOUS CONSENT, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Diane L. Thurber
Recording Secretary