

FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS
MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
SOUTH FAIRLINGTON COMMUNITY CENTER
JUNE 27, 2006

- IN ATTENDANCE** John Thurber - President
David Andrews - 1st Vice President
Debbie Diener - Treasurer
Diane Thurber - Recording Secretary
Jack Clark - Maintenance Manager
Iolaire and Susan McFadden - 3473-B S. Stafford Street
Cynthia Puskar - 4265 S. 35th Street
Caroline Trupp Gil - 3373 S. Stafford Street, A-2
- CALL TO ORDER AND QUORUM** 7:06 p.m. Quorum established.
- EXECUTIVE SESSION** By UNANIMOUS CONSENT, the meeting was moved into Executive Session to discuss a workmen's compensation claim and a delinquent account. Following discussion, by UNANIMOUS CONSENT, the meeting was moved out of Executive Session and into regular session at 7:21 p.m.
- APPROVAL OF MINUTES** By MOTION duly MADE, SECONDED and CARRIED by a vote of 2-0-1 (Diener), the minutes of the May 17, 2006, meeting were approved as submitted.
- RODENTS** Mole and rat sightings have been reported. The Board is not certain of the extent of the problem, and will continue to monitor those areas. The proposals received from exterminators have all been "open-ended," with site visits alone costing \$300.00 to \$500.00.
- BUDGET** Mr. Kilkenny already has prepared the draft budget for 2007, and the Board will begin discussing it at the July meeting.
- ANNUAL MEETING** October 26 was selected as the tentative date for the Annual Meeting, pending Mr. Kilkenny's schedule and the availability of a meeting room at the FCC.
- MEADOWS MESSENGER** A new Editor is needed, as Ms. Utan has given notice that the July/August issue will be her last.
- EXTERIOR ARCHITECTURAL CRITERIA** The Board would like to release this document to the Association next month.
- SEWERS** The Board is soliciting proposals for an independent supervisor to provide oversight of the lateral relining work. Contractors charge between 10% and 20% of the contract price for this service.
- SIDEWALK LIGHTING** The two bids received for this project were higher than expected. Mr. Clark has been told by a number of electrical contractors that wiring costs are escalating. Wires currently in place must be removed, new wires run, and twelve-foot posts and light heads installed. Additional consideration will be given to this project; it is not within the capability of our maintenance crew.

RESIDENT REQUEST The Board received a request from a resident on S. 35th Street to replace his air conditioning and heating system, with work to be performed both inside and outside the unit. By UNANIMOUS CONSENT, the Board approved the request, with the caveat that there will be no additional holes made in the building, either through the wall or through the roof, that the foundation will not be altered, that all trash will be removed from the premises and hauled away, and that no trucks will be driven on the lawns to access the unit. These stipulations will be provided in the Board's approval letter.

RESIDENTS' FORUM:

Flooding Residents in attendance were provided with three hand-outs -- (1) "Procedures for Discussion of Flooding of 25-27 June 2006"; (2) "An Important Change in the Condominium Insurance Policy" mailed to co-owners in January 2004; and (3) "Policy Resolution No. 03-30-04" and cover letter from Board President Thurber dated May 12, 2004. Mr. Thurber then made a presentation, highlighting the following:

- The Board is being pro-active on sewer issues. They have replaced several damaged sewer laterals that run from the manholes in the lots to the buildings, and have installed clean-outs on every line to provide better access for inspection and maintenance. A regular clean-out schedule is in place, and lines are replaced on an as-needed basis.

- Flooding is an unfortunate fact of life. Built in 1942, some of the foundations have cracks. The basements were built as basements, and it was not until renovations began in the 1970s that they were transformed into family living areas -- until that point, they were simply "rough" basements.

- The storm drains are only 8" in diameter, 6" in the lots. During the most recent storm, there was simply no place for the water to go. The drains could not remove it fast enough, water built up in the ground, and pressure squeezed it into the cracks. Ground water caused "back pressure," and forced sewage into some of the units. Ground water enters clear; water containing sewage is brown, murky and unhealthy.

- The Board spent a year since February 2003 creating a Flood Resolution Policy. Source documents included the 1978 Master Deed, the Bylaws, all policies and previous resolutions, and the Resident's Manual. Further, the Board consulted with our management company, our insurance company, and legal counsel. The intent of the Flood Resolution was only to clarify what was already in place, but that may have been confusing or unclear. Some previous Boards had, essentially, "give-away" programs. The Association's umbrella policy was tapped into too frequently and the insurance company doubled our premiums due to the number of claims. Monies in excess of \$50-\$60,000.00 were expended from Association funds, which put our budget in jeopardy and threw our financial well-being off track.

- Even if the Board wanted to do so, they have no fiduciary right or duty to spend Association funds in such a manner and, in fact, a few claims were rescinded. The Resolution is now in place and the Board will not vary or grant waivers. They do, however, recognize that sewage is a health hazard, so the *only* exception is if the intruding water contained sewage. In that event, the Association will pay for the initial visit from ServiceMaster or another water extraction company, disinfecting, use of fans, removal of old carpet, and basic cleaning. If that is someone's circumstance, then verified bills may be submitted to the Board for consideration. Mr. Clark will inspect any basements where sewage was an issue and confirm that with the Board. If the water was simply ground water that infiltrated through the walls or floor, it is entirely the homeowner's responsibility.

- We have two independent systems -- the storm water system (the grates along the sidewalks, curbs and in the parking lots) and the sanitary sewer system (the pipes under the buildings, including floor drains). Anything that comes up through the interior drains is not ground water; anything penetrating the floor or walls, is. The storm water system is owned by the County and is not part of our sewer system; it is only for storm run-off.

Residents who live in Court 6 said they believe this is an inherent problem in "low units" such as theirs. The water from this past flood and the one they experienced previously came from the floor drains. Upon inquiring who owns the drains, they were informed that anything below the bottom of the slab is a common element. The Association owns out to the manhole in the parking lot, and from that point on it is the County's line. One measure of protection to take when flooding has occurred is to ask neighbors to stop using water and flushing toilets at least until the water has gone down in the street. Plugging up the floor drains just passes the problem on to others. Mr. Clark has a list of which sanitary sewer lines are known "problems" and therefore receive additional maintenance attention.

Resident in Court 8 said that after reviewing the governing documents, she believes the Board is being generous in paying for ServiceMaster. Any information on the laterals would be "a good thing to make public [on the Association's web site] so people know we're working on it." She suggests posting the "water policy" and the sewer line priority/ problem list and encouraging residents to report their experiences to the Board. For example, when she had a previous foundation leak, one contractor recommended jack-hammering around the corners of her basement and running a line into the sewer line in the bathroom, which she believes is illegal, and further overloads the system. Residents should know that they can't do such things, which only serve to exacerbate the problem. Also, she inquired if the Board checks permits for renovations. The Board does require them when they are aware of work taking place. Resident inquired if the County has any plans to enlarge the lines and if the Board knows how often they are cleaned out because the storm drains all seemed to be blocked, and it took a very long time for the water to finally go down. The Board is not aware of any plans to replace the lines, but feels that the County does respond well when called. It is Mr. Clark's experience that the County comes to clean out the lines only when called (i.e., it is not a routine procedure). The County did tell him that they had come out either during or after the storm. The Board would like to know if they actually did come and, if so, what they did. Mr. Clark was asked to follow up on this issue with the County.

Lead Abatement

Resident in attendance to follow up on the lead testing in her unit.

The Board's position on this matter remains unchanged. The Inspector confirmed that testing was done for "presence only" and not to define a health hazard, which is another test entirely. The test was conducted by taking random samples approximately a square centimeter in size and measured in parts-per-million. In order for levels on the door frame to be considered a lead-based hazard there would need to be visible teeth marks; otherwise, it is considered to be "contained." Two options for covering the door frame were discussed with resident. Regarding the porch canopy, it remains basically untouched, so it is unknown if that is an issue as far as any dust on the porch. Mr. Clark will inspect the canopy, collect any paint chips and cover the canopy with special containment paint if it is determined to be a problem. The Board will deal with any chipping or flaking paint if it is determined to be in an area of the Association's responsibility; they will ask the residents to pay for anything not considered to be the Association's responsibility. The cost of the polyurethane coating for the door frame is unknown, but the Board suggested they may want to pursue it for their own peace of mind. Resident inquired if the Inspector speculated on the amount of lead presence; she was told it was reported to be "a very minor issue."

POOL

- Board President received a call from our Pool Manager on Sunday, June 25, at 11:00 a.m., telling him that she had been instructed by Century to close the pool, despite the fact that it was not raining and only cloudy. He contacted Century and the pool remained open. It needs to be clarified with Century that we have paid for a certain number of hours, and while no one should be in the pool when visibility is impaired or during a thunderstorm, the pool is not to be closed just because it *might* storm.

- The Pool Committee is investigating the purchase of pool covers. Covers help extend the life of the white coat, among other things, and the Board may wish to invest in them.

NEXT MEETING The next meeting of the Board will be held on Thursday, August 3, 2006, at the FCC. Executive Session starts at 7:00 p.m., followed by the regular meeting, beginning with Residents' Forum.

ADJOURNMENT By UNANIMOUS CONSENT, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Diane L. Thurber
Recording Secretary