

**PARKFAIRFAX CONDOMINIUMS
BOARD OF DIRECTORS
VIRTUAL MEETING**

**October 20, 2021
3360 Gunston Road:
Alexandria, VA 22302**

ATTENDANCE:

Directors Present: Dave Bush, President; Jeff Lisanick, Vice President; Scott Buchanan, Treasurer, Peter Ferrell, Secretary; Peggy Clancy, Claire Eberwein, James Konkel, Hector Mares, and Robin Woods, Directors.

Others Present: Dana Cross, Acting General Manager, Donna Young, Recording Secretary

CALL TO ORDER:

President Bush called the virtual Board meeting to order at 7:02 p.m. and welcomed everyone to the meeting.

APPROVAL OF THE AGENDA:

- (R) **MOVED** by Mr. Ferrell, **SECONDED** by Mr. Buchanan, to approve the agenda as amended. The motion passed unanimously (9-0-0).

ACKNOWLEDGEMENT OF THE SEPTEMBER 2, 2021, TOWN HALL MEETING MINUTES & APPROVAL OF THE SEPTEMBER 15, 2021, BOARD MEETING MINUTES:

- (R) **MOVED** by Mr. Ferrell , **SECONDED** by Mr. Buchanan to approve the September 15, 2021, Board meeting minutes as presented. Motion passed unanimously (9-0-0).

POLICE REPORT:

Officer Fromm reported on the following incidents for the month of September/October 2021: On September 19, 2021, there was a hit and run on Preston Drive; on October 11, 2021 a car was reported stolen in the 3700 block of Lyons Lane (the spare key to the vehicle was left in the car); on October 13, 2021 a car was reported stolen in the 1600 block of Fitzgerald Lane (the key to the vehicle was left in the car); hit and run on Martha Custis and Valley Drive on October 4, 2021; on October 11, 2021 an unlocked vehicle was entered at Martha Custis and Preston Drive, contents were scattered about. Officer from stated these matters were addressed on Face Book as well as on the unit owner's page regarding securing your vehicles and not leaving anything of value in the car. Officer Fromm pleaded please do not leave spare keys to your vehicle in the car; leaving a spare key in the car is **NEVER** a good idea.

Officer Fromm continued that on Valley Drive, beginning in September 2021 and continuing through the first week of October 2021, there have been a series of peeping tom incidents; there have been no further incident reports since October 5, 2021. Several operations and patrols have been devoted to addressing this matter and catching this person; unfortunately, this person has not been caught and there have been no further incidents. Officer Fromm reported that the steps that residents have taken to enhance the lighting near their units along with the community's awareness of the incidents have made the person stop what they are doing. Officer Fromm concluded that this Saturday, October 23, 2021, at the Police Department (3600 Wheeler Avenue) is Drug Take Back Day, if you have unused or expired prescriptions you can turn them in to the Police Department.

Sergeant Mark Jessup with the Alexandria Sheriff's Office shared that the Drug Take Back Day will also be held at the neighborhood pharmacy on Mount Vernon Avenue and at the INOVA Hospital on Seminary Road. Sergeant Jessup also shared that the Alexandria Sheriff's Department is looking forward to continuing their recruiting efforts and if anyone you know is looking for a career in law enforcement with the Sheriff's Department, please don't hesitate to reach out through the sheriff's office website and/or by calling the Sheriff's office, and someone will assist you. Sergeant Jessup continued that Sheriff Dana Lawhorne is retiring at the end of this year, please wish him well. Sergeant Jessup further shared that the Virginia Department of Corrections made a surprise visit on the Sheriff's Office and gave 100% approval of the Sheriff's Office performance. Officer Jessup concluded that he provided information regarding the Sheriff's Office News Bulletin to Dana Cross if anyone needs additional information.

Paula Matori asked that if the Police Department or the Sheriff's Office are hosting holiday programs or food drives for the inmates' families, to please ensure that it gets into the weekly updates so that Parkfairfax can participate. Sergeant Jessup and Officer Fromm each stated they will forward information to Dana Cross addressing the request.

RESIDENTS FORUM: There were no resident comments.

PRESENTATION AND APPROVAL:

2020-2021 Draft Audit – Michelle Lizama, Goldklang Group: Michelle Lizama, Auditor with the Goldklang Group provided a financial update of the Parkfairfax 2020-2021 Audit and financial picture. Ms. Lizama reported that over all the Associations financial picture is very healthy and the Goldklang Group gave a clean opinion on the audit. Ms. Lizama reported that they look a few key items such as assessments receivables which is only 2% of annual assessments, which is very good. Ms. Lizama reported that the unappropriated members equity is 16% of the annual assessments which we recommend a target of 10-20% , and Parkfairfax falls in line with our recommendation. Ms. Lizama further reported that for the fiscal year ending May 31, 2021, the Association's Net Income is \$442,000; Replacement Reserves holds \$3.2 million, which was funded by cash and interest bearing deposits and are in line with the Reserve Study recommendations. Ms. Lizama shared information regarding the Management Letter that was presented by Goldklang Group. Mr. Bush raised questions regarding some outstanding items, accounts payable, 401K match payable and insurance claim activities. Ms. Lizama provided clarification. After further discussion, questions raised and concerns, the Board

concluded to table the approval of the Audit until additional information is provided and amendments are made, and the final Audit is submitted. The Board concluded to table the matter and revisit it at the November 17, 2021, Board meeting for approval and decision.

COMMITTEE REPORTS:

A&PB –Party Room Renovation – Update and Discussion: Ann McCord, Architecture and Planning Board (A&PB) Committee Chair began her presentation by thanking her Committee Members for the herculean efforts they have put forth in such a short amount of time. Ms. McCord shared that she will be presenting to the Board and community a couple of design options for the Party Room and patio space as well as a budget for this project. Ms. McCord shared a detailed presentation of the renovations which were well received. Ms. McCord stated that the new space will function well as a party space and a meeting space. The Board shared their concerns and posed questions, as well as discussed, the financial expectations for the renovations. This matter will be revisited at the November 17, 2021, Board meeting under Matters for Board Decision.

Buildings & Utilities Committee: Mr. Chuck Lunati, Chair of the Buildings & Utilities Committee (BUC), introduced himself and shared that he has been living in Parkfairfax on and off since 1997. Mr. Lunati stated that the reformation meeting of the BUC was held on October 14, 2021, with seven members in attendance. Mr. Lunati reported that the Committee discussed the terms of reference and identified the scope of what they are supposed to do. Mr. Lunati reported that the Committee discussed a draft charter and what their governance was going to be. Mr. Lunati continued that the Committee also discussed their tasks and that their overall mission is to assist and advise the Board by conducting various reviews and studies within the Committee's scope. Mr. Lunati shared that the committee has been tasked to perform a study of the laundry rooms. Mr. Lunati concluded that the Committee has a list of questions for the Boards which they will submit by way of their Board Liaison, Mr. James Konkel. Mr. Lunati stated that the BUC will meet twice a month and that the target times will be the 1st and 3rd week of the month.

Community Outreach Committee: Mr. Lisanick reported that the new resident's reception held on September 18, 2021, was fantastic and the residents had a great time. Mr. Bush added that he met with Mr. Rick Fletcher, who was very much involved in the original setting up of the website. Mr. Bush stated that Mr. Fletcher stated that the website is a very good website but that it needed some personal work performed by a web master and that person should be on staff.

Landscape Committee: Ms. Eberwein shared some concerns regarding the woodlands and/or invasives. Ms. Eberwein stated that if the invasives are removed from the ground that we should ensure that we have the money to provide to the committee to replant the area with the proper native species or you will just be creating a bare slope. Robin Davis, Chair of the Landscape committee responded that the Committee's intention was never to leave bare ground. Mr. Bush added that in his opinion we spend far too less money on landscaping, and this is a matter that will be taken up at budget time.

Transportation and Land Use Committee: Mr. Konkel raised questions regarding where the Committee is on the electric charging stations project. Mr. Konkel also raised questions regarding the capital bike share stations; that he hopes there is no idea of parking spaces being used, there is already an issue with parking in that area. Mr. Bush added that his understanding is that they are going to use the green space. Mr. Konkel also visited the subject matter that DASH is currently free for this year

MATTERS FOR BOARD DECISION:

August 2021 Reserve Expenditures:

- (R) MOVED by Mr. Buchanan, SECONDED by Ms. Eberwein, to approve the August 2021 Reserve Expenditures in the amount of \$75,606.89 with funds to come from GL 9901.01, Reserve Expenditures. The motion passed unanimously (9-0-0).**

Covenants Application – 3757 Gunston Road Handicapped Parking:

- (R) MOVED by Ms. Eberwein, SECONDED by Mr. Bush, to approve the Non-Routine Change application submitted by the owners of 3757 Gunston Road requesting the installation of a handicapped parking space and that the space to be provided be chosen by mutual agreement between management and the applicant. The motion passed unanimously (9-0-0).**

Recording of Zoom Meetings:

Mr. Ferrell stated that Mr. Buchanan raised the subject matter that we as an Association should not be recording the audio and visuals of our Board meetings. Mr. Ferrell stated that Legal Counsel pointed out that one of the issues of having these visual and audio recordings of our meetings is that they could be bound in discovery if we were ever in a lawsuit. Mr. Ferrell stated that what's required by law is that the Association only maintain the written brief minutes of the proceeding. Mr. Ferrell further stated that Legal Counsel has recommended, and both he and Scott Buchanan agree, that we should discontinue the use of recording meetings from here onward. This does not mean we cannot continue the use of Zoom Meetings; this only means that the recording feature that we use for these meetings will cease. Mr. Ferrell continued that looking at this from a liability perspective this is something that our lawyers don't think we should continue doing and the recordings of the meetings should cease. Mr. Ferrell stated that the audio and visual video recordings of the meetings that the Board has already approved the minutes of should be deleted and destroyed and that moving forward, after this meeting, that the recording function of the meetings be stopped. Mr. Ferrell stated this just means the Association would return to how things were done before COVID and that this is to ensure that we are in a good place to protect the Association. Mr. Bush reminded the Board that under AR#32, as well as under the condominium act, as well as through an email by legal counsel that individual unit owners have the right to tape a meeting (via video or audio), but they have to let us know before they

do so for approval; we are not stopping anybody from actually recording the meeting, but they should be apprised of how the new legislation and new laws would affect them particularly. Mr. Ferrell stated that if someone wants to record the meetings, they can do so, the Board is just taking steps to remove the Association out of the equation. Ms. Eberwein commented on Mr. Ferrell's motion and Donna Young's ability to access these recordings makes for accurate minutes. Ms. Eberwein restated legal counsel's comments that **"any recordings made in order to compose any draft minutes be subsequently and routinely destroyed, literally leaving the corporate record to be the written minutes of the meeting. Any recordings should be destroyed after the minutes are either transcribed into draft written form or upon approval of the minutes by the Board"**. Ms. Eberwein suggested a friendly amendment to Mr. Ferrell's motion that any and all recordings be destroyed after the minutes are transcribed and approved by the Board. Mr. Lisanick added that he understands what Legal Counsel is saying but at the same time we want to balance that out by being transparent and being able to obtain a master copy of the recordings. Mr. Ferrell stated that the Association should **NOT** get into the practice of holding on to recordings because they don't serve us any real purpose down the road. Mr. Konkel raised the subject that if the motion is passed it should be further amended to say that the Association would not record the residents who attended and what was said in the chat lines during the meetings. Robin Davis stated that she has recommended to Dana Cross not hold the recordings due to the limited amount of storage space the Association has on the Zoom software. Mr. Bush clarified that Board members have asked for copies of the recordings in the past as well as residents; but no residents have received copies of the recordings. After further discussion the Board proceeded to vote on the matter.

- (R) **MOVED by Mr. Ferrell moved, SECONDED by Mr. Buchanan, that management shall delete and destroy all audio and visual recordings of minutes approved by the Board of Directors and the meetings would be anonymous and the recording of resident's personal information would only be recorded with the purpose of transcribing the minutes for the Board of Directors to approve at the upcoming meeting. The motion passed (8-1-0). Mr. Bush opposed.**

MATTERS FOR BOARD DISCUSSION:

Tree Maintenance – Increase Line item: Mr. Buchanan raised the subject matter that it is clear that the Association will be overbudget on the tree maintenance line item and it needs to be decided how it will be addressed. Mr. Bush stated that this matter will need a well-crafted motion to address the amendment to the budget/line item. After further discussion on the matter, the Board agreed to move this item to the November 17, 2021, Board meeting agenda under Matters for Board decision.

Laundry Room Conversions – Possible Directive to the Buildings & Utilities Committee BUC: Mr. Bush inquired is the Board ready to pass on the tasks to the BUC that the Board would like to see addressed to include the closing of the Laundry Rooms, the renegotiating if the contract, to putting in new windows, etc. Mr. Konkel provided an update regarding the laundry contract and income. Mr. Buchanan suggested that the BUC develop a plan and

present it to the Board for a discussion item then the Board would proceed through its normal process of reviewing the plan, then on to decision. The Board discussed the matter and concluded by consensus to pass this matter on to the BUC.

Storage Unit Damage - Reimbursement: The Board discussed the matter and concluded that there will be no further action taken on this matter.

Christopher Consultants – Landscape Concepts Review: The Board discussed the matter and concluded that Christopher Consultants should attend the November 17, 2021, Zoom Board meeting to answer to questions and concerns from Board members related to this matter. Mr. Bush directed Management to reach out to Christopher Consultants to secure their attendance at the next meeting.

MOTION TO EXTEND THE MEETING:

- (R) MOVED by Mr. Ferrell, SECONDED by Mr. Bush, to extend the Board meeting for 20 minutes. The motion passed (6-3-0). Mr. Buchanan, Mr. Mares and Ms. Woods opposed.**

MATTERS FOR BOARD INFORMATION:

Manager & Maintenance Report – Dumpsters: Ms. Cross directed the Board’s attention to the Maintenance and Management report that an On-call attendant will spot check the dumpsters on Saturdays and Sundays from 12-2:00 p.m., ensuring that unwanted items are not placed in the trash compactor and removed immediately. Mr. Lisanick asked could Management be more vigilant in checking cameras. Ms. Eberwein recommended a warning letter be composed by Legal Counsel to the vendors stating Parkfairfax policies and that they need to comply with the rules and regulations of Parkfairfax or they can and will be prosecuted .

THE BOARD MOVED INTO EXECUTIVE SESSION:

- (R) The Board moved to recess Open Session at 9:30 p.m., and convene in Executive Session to discuss personnel, legal, or contractual matters, as permitted by subsection (C) of Section 55-79.75 of the Code of Virginia. The motion passed unanimously (9-0-0).**

ADJOURN THE MEETING:

- (R) The October 20, 2021, Board of Directors meeting was adjourned at 9:50 p.m.**

Meeting Adjourned at 9:50 p.m.