

FAIRFAX CLUB ESTATES
 BOARD OF DIRECTORS MEETING
 Wednesday, December 7, 2011, 7:30 PM – 8:30PM
 Bonnie Brae E.S., Lower Theater

I. Call to Order

II. Verification of Quorum

III. Membership Forum ----- 20 Minutes

NOTE: The maximum time for any one individual is limited to 5 minutes

Attendees:

Phil Beenhouwer (ACC, Secretary, and Board member), Pat Ring (Vice President and Board member), Brian Hefner (ACC Chair and Board member), Mike Krzykowski (Tennis POC and Board member), Lauren Hefner (Common Grounds Chair and Board member), Mark Eackloff (Webmaster and Board member), and Lu Wright (Board member).

Not in attendance: Jim Thompson (President and Board member), Dave Hardin (Treasurer and Board member).

IV. Review Minutes & Action Items from previous Board Meeting ----- 15 Minutes

Action Items:

<u>Topic</u>	<u>Person Assigned</u>	<u>Date Assigned</u>	<u>Comments/Status</u>
Request financial statement training from GHA	Treasurer	5/25/11	Treasurer sent an email today indicating that GHA has offered this training for free during business hours. After hours would likely incur a fee, but there was consensus on the Board that after-hours would be worth the fee. Treasurer will check with GHA how much a two-hour financial training would cost.
Confirm that once the Board informs GHA as to which accounts should be turned-over to the Attorney, that the Attorney's actions from (1) her letter to (2) placing a lien on a homeowner are all automatic, without BOD direction.	Treasurer	7/27/11	Secretary will identify the language in the CR that authorizes Attorney to automatically file a lien after her 30-day demand notice is not resolved.
Contact Kip-Con and inform them about the	President	9/26/11	Kip-Con has requested some additional

storm water issue under the foundation in the southeastern corner, have them incorporate any new requirements of the Americans with Disabilities Act , and ensure that the current reserve amount will be an input to their analysis.			information (e.g., cash-on-hand) and Jim continues to respond to their data calls. They will start their study on January 1, including a site visit, and should be completed in 3-4 months. Common Grounds Chair said "reasonable accommodations" to the budget
Resolve the issue with two FCE pool Facebook pages, then migrate it to a general FCE page.	Secretary	9/26/11	
Resolve the negative balances (\$1,345.82) in "Delinquent and Prepaid Resident Report"	Treasurer	9/27/11	Around December 1 st , we should have a better understanding of how the fall assessments resolved these balances. Secretary will look at the availability of the BBES room for early December, targeting the 7 th for a combined November / December meeting.
Street name painting	Secretary	6/22/11	This work will be postponed until the spring due to drop in temperatures.
Prepare a draft budget for the January HOA meeting.	Treasurer	12/7/11	
Goldeneye's trees and 'path to nowhere'.	Common-Grounds	9/8/11	Premium will make a visit to the property on Thursday.
Replace the remaining six lights in the common grounds with lights to match the recently-replaced lights.	Common-Grounds	9/10/11	These lights have not been replaced yet, and the Board has not heard from the vendor. The Common Grounds Chair will contact the vendor for a status.
Correct the year-end report as a result of the recently-completed audit.	Treasurer	8/24/11	Treasurer will send out an updated end-of-year report.

V. Discussions Since Last Meeting

Based on the discussion below about Sunshine Laws, this section will capture the topics discussed between meetings so that greater discussion, decisions, and votes can occur at meetings where minutes are captured.

VI. Review President's Report ----- 5 Minutes

VII. Review Treasurer's Report ----- 15 Minutes

VIII. Review Committee Reports ----- 15 Minutes

- Architectural Control Committee
- Common Grounds
- Neighborhood Watch
- Pool

- Pool Enforcement Sub-Committee
- Social
- Tennis
- Playground
- Miscellaneous

IX. Old Business ----- 10 Minutes

1. Negative balances (\$1,345.82) in "Delinquent and Prepaid Resident Report": Based on recent email from GHA, this should be resolved in the next financial reports.
2. FCE’s Pool Facebook page: The President informed the Board that the [upper-case “P” pool Facebook page](#) is tied to the pool’s Google location, which the President felt is a reason to keep that page, despite it only having eight followers, versus the [lower-case “p” page](#), which has 24 followers. The Secretary has contacted all followers of the [lower-case “p” page](#) to follow the [upper-case “P” pool page](#), and has started the process of removing the second, and then, ultimately, converting the [upper-case “P” pool Facebook page](#) to a general FCE neighborhood page.
3. Basketball courts: the BOD needs to begin to consider replacing the courts so that the HOA is timed-well when the tennis courts need to be replaced in a few years. Erosion, storm water, and a fence should be considered as well. The BOD will wait for the results of the Reserve Study before making any decisions.

X. New Business ----- 30 Minutes

1. Delinquent Accounts: tabled without Treasurer. However, there was consensus that the Treasurer already resolved the list and recommended those that should be turned-over to the Attorney.
2. Virginia’s ‘Sunshine Laws’:
 - a. Mark explained that the County asserts that any discussion of an organized Board must be held in public. He said that policy decisions, votes on what the BOD should do, etc., must be done in public meetings and not through other channels like email. An inspector from the Fairfax County Department of Consumer Protection, Michelle Thompson, confirmed Mark’s understanding of the Law, that discussions must take place in open meetings with the Board

present.

- b. The Common Grounds Chair explained that this issue arose from another Board member providing his opinion to a business owner about the ability to advertise on FCE's website. The Common Grounds Chair explained the laws regarding fiduciary responsibility of Board members and that no single Board member should offer an opinion; that only the Board as a whole can make and communicate decisions.
- c. Secretary asked Mark to provide the URL to the relevant references to the Sunshine Laws so the Board can review, then discuss at next month's meeting. However, Lu read the sentence that Mark provided her and her opinion was that this statement references "executive sessions": that is, private discussions that the BOD holds. She referenced her many years of experience working with the County and strongly felt that there was nothing in that sentence that referred to communications between Board members outside of meetings. After some disagreement, Mark concurred with Lu that the sentence he provided did not provided the "open meetings" wording that he was referring to and that the wording was provided at the beginning of the section from which Lu was reading (Sec. 55-510.1 of the Code of Virginia) where is states that "*The board of directors shall not use work sessions or other informal gatherings of the board of directors to circumvent the open meeting requirements of this section.*"

XI. Executive Session ----- 0 Minutes

Discuss Association accounts, pending negotiations/contracts, budget and violations outstanding.

XII. Date, Time, Place of Next Meeting (*4th Wednesday of each month*): January 25, 2011.

Agenda items include: Budget, Curb-painting (Mark's issue about charging homeowners for something unrelated to common grounds.)

XIII. Adjournment