

**MINUTES OF THE  
COLECROFT STATION ASSOCIATION  
ANNUAL GENERAL MEETING**

**505 East Braddock Road  
Alexandria, VA**

**November 20, 2008**

**ATTENDEES:**

**Board Members Present:**

Mr. Richard Calderon, President  
Dr. John Fay, Secretary  
Mr. Paul Abramson, Commercial Director  
Ms. Catherine Drucker, Director

**Board Members Absent:**

Mr. Chris Burruss, Treasurer

**Others Present:**

Ms. Marlene Jose, Site Manager, KPA  
Ms. Diane Tschirhart, Senior Community Manager, KPA  
Ms. Molly Peacock, Legal Counsel to Colecroft Station, Chadwick Washington  
Ms. Christine Collins, Recording Secretary, Minute-By-Minute

**I. CALL TO ORDER:**

Mr. Calderon called the meeting to order at 7:04 p.m.

**II. PROOF OF QUORUM AND NOTICE OF MEETING:**

Ms. Tschirhart announced that a quorum was present and proof of notice of the meeting was given.

**III. READING OF MINUTES OF THE 2007 AGM:**

**MOTION: Mr. Ed Willis moved and Ms. Holly Hess seconded to approve the Minutes of the 2007 AGM. The motion passed by acclamation.**

**IV. PRESIDENT'S ANNUAL REPORT:**

Mr. Calderon reviewed the accomplishments of the Association during this past year.

Mr. Calderon stated that re-flashing of the perimeter of the 505 and 610 Towers had been completed. (The 545 Tower was re-flashed in 2007.) Landscaping disrupted by the re-flashing project was restored with modifications recommended by the Alexandria Police Department Security Audit. Emergency sensors and alarm systems in the 505 and 545 Towers were updated with state-of-the art electronics. (Emergency sensors and alarm systems in the 610 Tower were updated in 2007.) New sprinkler heads were installed at the penthouse-level of the three Towers. Expansion tanks and back-flow check-valves were added to the sprinkler systems in the three Towers. ADA-compliant ramps were installed at all three lower garage entrances to the Towers. Elevator cab ceilings were replaced in all six elevators. The wooden doors to the Main Lobbies and Plaza-level Lobbies were refinished. The Main Lobbies were repainted. Five-satellite TV reception dishes were installed on all three Towers. (The existing one-satellite reception dishes were left in place for residents who prefer plain vanilla satellite reception.) A broken spring was replaced in the 610 overhead garage door. New garage door warning bars were installed at garage entrances. Steel doors throughout the garage were repaired or replaced. All exterior lighting fixtures were repainted. Candy-cane and bracket lights were fitted with new white globes. Lighting throughout the property was enhanced in accordance with the Police Security Audit recommendations. Ground and Plaza-level gates, fences and handrails were repainted, as were exterior garage doors and individual balcony and patio HVAC closet doors. Balcony railings will be repainted in the spring. Site staff will repaint all of the remaining interior lobbies this winter.

**V. TREASURER'S ANNUAL REPORT:**

Ms. Tschirhart reported that the 2008 Operating Budget is expected to end the financial year with a surplus that will be deposited into the Capital Repair and Replacement Reserve Fund. The 2009 Operating Budget does not increase Members' monthly condominium fees over 2008 levels. The Operating Budget line-item contribution to the Reserve Fund in 2009 is \$218,020, or \$15,000 more than in 2008. The Reserve Fund is anticipated to be \$410,044 at the beginning of 2009.

**VI. COVENANTS COMMITTEE REPORT:**

Covenants Committee Chair, Ms. Hess, reported that the Committee was not very busy in 2008. The Committee had addressed a violation of the pet rules. Ms. Hess reminded Members attending the AGM that visiting pets are not allowed on the property.

**VII. APPOINTMENT OF INSPECTORS OF THE ELECTION:**

Election Chair, Dr. Fay, appointed Ms. Kathryn Miller and Mr. Willis Inspectors of the Election.

**VIII. PRESENTATION OF CANDIDATES:**

Mr. Calderon stated that the Board position of Commercial Director was open this year. The Commercial Director is the Board Officer whose special focus is on issues unique to

the retail and office establishments in our mixed-use condominium. Mr. Paul Abramson has served for several terms already as Commercial Director and is the sole commercial owner to present himself as a candidate for the position this time.

Mr. Abramson introduced himself to the Members and expressed his desire to continue serving on the Board. He is committed to making sure that the fabric of our complex is maintained and repaired in a cost-effective manner by well-qualified contractors under the guidance of the best engineers. He is also committed to making sure that the day-to-day upkeep of the property is meticulous and cost-effective. He believes that the Capital Reserve Fund should continue to be funded as a regular line-item in the Budget, and that it should continue to be used to cover all of our capital repairs and replacements as recommended by the Reserve Engineer.

#### **IX. VOTING RESULTS:**

**MOTION: Mr. Calderon moved and Ms. Hess seconded to elect Mr. Abramson by acclamation. The motion passed and Mr. Abramson was officially elected.**

#### **X. UNFINISHED BUSINESS:**

Mr. Calderon confirmed that insurance premiums for the property had been lowered in 2008, as expected, after an exhaustive tour of the property by an insurance company inspector. Mr. Calderon reported that the bushes around the sign at the front of the 505 Tower have been replaced so that the sign is now clearly visible from the road. Lastly, Mr. Calderon reported that the sodium vapor bulbs in the Plaza lighting fixtures and elsewhere around the property have been replaced with softer yet equally effective compact fluorescent fixtures for which there is a re-cycling plan in place.

#### **XI. NEW BUSINESS:**

A Member asked if the Association's insurance carriers provide coverage for residents' use of the Exercise Room. Mr. Calderon replied that it is the responsibility of residents to acquire insurance to cover their athletic activities. Policy Resolution No. 11 requires that residents sign an indemnification agreement as a pre-condition for being allowed to rent the Meeting Room for events and activities there. Association Counsel recently developed a similar indemnification agreement that residents will be required to sign as a pre-condition for being allowed access to the Exercise Room when the door to the Exercise Room is re-keyed in the near future.

A Member asked if the Association has a standing contract with a plumbing contractor that includes periodic clearing of the lines. Mr. Calderon responded that the contract with the specialist plumbing company includes clearing the lines out with a hydro-jetting technique at regular intervals. The hydro-jetting technique has proven very effective in preventing back-ups, unlike snaking. The vertical lines throughout the buildings and the horizontal lines above the Main Lobbies have been hydro-jetted twice in the last 6 months. Management and the plumbing company continue to identify additional lines

that it would be good to hydro-jet, such as the horizontal lines above the ceilings of the Plaza-level Entrance Lobbies.

A Member inquired if residents are fined for unauthorized after-hours and weekend moves. Mr. Calderon responded that when Management is made aware of unscheduled moves, it can sanction the responsible residents \$50 for the infraction and charge them for the cost of the move – up to \$200 for an illegal move on a weekend – plus the cost to repair any damages. He stated that unauthorized moves are a problem not only because of the disturbance to other residents but also because of the risk of expensive damage to the elevators, which need to be padded and locked down for moves. He requested that witnesses to unauthorized moves alert the Site Manager during normal business hours as soon as possible after the event, providing her with the unit number of the resident responsible for the infraction. The Site Manager will take it from there.

A Member asked what the ratio of rented to owner-occupied units might be. Mr. Calderon responded that the ratio is 1 rented unit for every 2 owner-occupied units.

A Member asked about the sequencing of Board vacancies and the length of Directors' terms of office. Did the Bylaws not establish the staggering of terms? Ms. Peacock responded that the Bylaws established 1-2-3-year terms of office for the first Board. Thereafter, Directors are elected to three-year terms of office. Mr. Calderon added that there are expected to be three Board vacancies at the next AGM.

A Member asked the Board to create a social committee to sponsor events and activities for residents to be held rent-free in the Meeting Room. Mr. Calderon replied that this request had originally been made at the January 2008 Board Meeting, at which time it had been referred formally by the Board to Association Counsel along with a parallel request for rent-free and indemnification agreement-free use of the Meeting Room for yoga classes. Mr. Calderon stated that Association Counsel Molly Peacock's advice to the Board, documented in the March and June Board Meeting Minutes, was that the Association should not sponsor social or athletic activities nor waive Policy Resolution No. 11 rental fee and indemnification agreement pre-requisites for use of the Meeting Room for liability reasons. When the Member asked to hear directly from Counsel on this matter at the AGM, Ms. Peacock responded by stating that interested residents are free to organize a social group to sponsor events and activities. For liability reasons, the social group must be a separate legal entity from the Association, and thus in no way appointed or sponsored by the Board, and must conform to all Association rules.

A Member asked if it were true that the Board was seeking to shut down an online chat group established by a Member for owners and residents of the condominium. Ms. Peacock replied that this was not the case. The Board had directed Counsel to take legal steps to restore Association control over the trademark corporate name of Colecroft Station which had been appropriated by a Member without authorization for his chat group website; to require that the unauthorized user of the trademark corporate name restrict "read access" to his website's content to owners and residents of the condominium; and to inform the unauthorized user of the trademark corporate name that

the Association is determined to protect the reputation of Colecroft Station and the privacy of its Members, many of whose names, email addresses, telephone numbers, employment information and other personal data appear in postings on his website and are therefore visible online to unknown persons and entities trolling the worldwide web.

Several Members who are registered users of the chat group expressed surprise when informed that the chat group's content was visible to all Internet users. They stated their belief that the chat group's content was visible only to registered users of the site. Ms. Peacock replied that "read access" to the chat group and its content has been freely available to all users of the Internet. She and her colleagues at Chadwick Washington located the chat group on the worldwide web by conducting a search of the corporate name. They encountered no impediment in accessing the chat group and reviewed its content freely. They are none of them registered users of the chat group.

Ms. Drucker concluded the discussion of the Board's intentions with regards to the chat group by stating that freedom of speech is more important than property values. Accordingly, she had voted against the rest of the Board on this issue.

**XII. ADJOURNMENT:**

**MOTION: Mr. Bob Woollard moved and Ms. Hess seconded to adjourn the 2008 AGM at 8:16 p.m. The motion passed by acclamation.**

Respectfully submitted,

\_\_\_\_\_  
John Fay, Secretary

DATE APPROVED: \_\_\_\_\_

ATTESTED BY: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)