BOARD OF DIRECTORS MEETING MINUTES
Special Meeting
June 12, 2014

PRESENT: President Knueven, Vice President Graves; Treasurer John Higgins; Directors Richard Chew, Rachel Muir, Jeff Thomas, and Lucinda Shannon by phone; Legal Counsel Ken Chadwick, Esq.; Chief Executive Officer Cate Fulkerson; Assistant Secretary Sabrina Tadele.

ABSENT WITH CAUSE: Secretary Michael Sanio

I. PROCEDURAL ITEMS

A. Call to Order & Opening Remarks
   Vice President Graves called the meeting to order at 6:06 pm and established a quorum of the Board of Directors present including: Vice President Graves, Directors Thompson, Chew, Muir and Shannon by phone.

B. Adoption of Consent Calendar (Attached)
   Director Chew, seconded by Director Muir, moved to adopt the June 12, 2014 Special Meeting Consent Calendar as written.
   The motion passed unanimously.

II. PRESENTATION, DISCUSSION & ACTION ITEMS

C. Issue Overview
   Legal Counsel Ken Chadwick, Esq. delivered a brief presentation on the context for reasonable accommodations to Section VI.2(b)(15) of the Reston Deed (attached).

D. Member & Board Comments
   1. Richard Smith, 11458 Orchard Lane - Topic: Urged the Board to be conservative in granting exceptions to the covenant. Concerned about the viability of the system. Has observed significant improvement in the performance of the system since the management of the service was turned over, and has seen further improvements to service since going onto a full-season agreement with RELAC.

   ➢ President Knueven joined the meeting at 6:17 pm.

   2. John Hunter, 1670 Chimney House Road – Topic: Expressed concerns with the title of the application and the use of the word “supplemental.” Took issue with the stated responsibility of the Association to “enhance” the value of property, as he knows realtors that claim RELAC service has been
detrimental to the sales of certain properties. Believes the phrase “under penalty of perjury” is unnecessary on the doctor’s note.

3. **Jeff Ashley, 11531 Maple Ridge Road – Topic:** Stated there is a disparity in the level of air-conditioning service among users, which can cause health problems for those living in homes with poor air quality. Has had problems with his air-conditioning service, and felt the air quality in his home has improved significantly since getting his individual air-conditioning system.

4. **Mark Waddell, 1725 Maple Ridge Road – Topic:** Spoke on behalf of RELAC, stating the central air-conditioning service is held to the same standards as conventional air-conditioning systems. Stated the goals of the service are to more regularly inspect customers’ systems and improve the chilling process. Noted RELAC customers often don’t feel compelled to let the service know when they are observing problems and encouraged users to notify the service when they are experiencing poor service.

5. **Bobbi Kennedy, 11441 Waterview Cluster – Topic:** Stated she has been a satisfied RELAC customer since 1989, due in part to the regular maintenance of her furnace. Noted her service has improved since the transition to new management. Shared she suffers from allergies, and does so equally in houses with conventional air-conditioning systems. Appreciates the quiet in her neighborhood that results from RELAC.

6. **Michael Poss, 11557 Maple Ridge Road – Topic:** Suggested the amendment should automatically allow interior supplemental fan units and only subject them to the DRB process for the exterior vent. Stated the homes in Hickory Cluster have poor circulation on upper floors due to inherent design deficiencies. While there are multiple options for cooling, most others are very expensive. Suggested the Resolution should not allow for exceptions unless RELAC does not meet minimum standard service levels, because too many exceptions could lead to the proliferation of noisy heating and cooling systems and endanger overall financial viability of RELAC.

- Director Thomas joined the meeting at 6:26 pm.

7. **Blake Travis, 11575 Maple Ridge Road – Topic:** Expressed concern over possible HIPAA violations and the liability that RA is taking on. Expressed further concerns over whether the operators of the system are qualified to run the system. Claimed no one employed by RELAC is a HVAC or plumbing licensee.

8. **Dennis McDermitt, President of Washington Plaza Cluster – Topic:** First noted RELAC’s financial viability is completely separate from the focus of this evening’s discussion. With respect to the proposed changes, prefers the use of the term “individual” unit as opposed to “supplemental,” because “supplemental” suggests the unit operates in addition to the central air-conditioning system. Regarding the language in the Resolution that allows the Covenants Committee to request updated documentation from the Resident, suggested this clause should not be interpreted to allow the Covenants Committee to ask Residents to fill out the attached form again to prove or reprove their disability. Takes issue with the phrase “under penalty of perjury” and finds it unnecessary.

9. **John Andrews 11443 Washington Plaza West – Topic:** Stated he is unsatisfied with RELAC’s service and concerned there is no requirement on RELAC to provide service at a certain level. Requested consumer protection from Reston Association.

President Knueven read three written statements submitted electronically from RA Members who were unable to attend (attached).
E. Amendments to Use & Maintenance Standards Resolution 15; Air-Conditioning Service Covenant Reasonable Accommodations (Attached)

President Knueven, seconded by Director Thompson, moved to approve the proposed revisions to Use & Maintenance Standards Resolution 15; Air-Conditioning Service Covenant Reasonable Accommodations; thereby delineating the conditions under which the Covenants Committee may grant temporary exemption permits to Members bound by Section VI.2(b)(15) of the Reston Deed.

CEO Cate Fulkerson requested the Board give Legal Counsel an opportunity to analyze the comments and suggestions of the Members regarding the specific language of the amended resolution.

President Ken Knueven called a recess at 6:53 pm, and the Board returned to open session at 7:44 pm.

- Treasurer Higgins arrived at 7:09 pm.

Legal Counsel explained that during the recess further amendments were made to the Resolution in response to member comments. The motion by President Knueven was now to the amended Resolution and form, as follows: President Knueven, seconded by Director Thompson, moved to approve the proposed revisions to Use & Maintenance Standards Resolution 15; Air-Conditioning Service Covenant Reasonable Accommodations; thereby delineating the conditions under which the Covenants Committee may grant temporary exemption permits to Members bound by Section VI.2(b)(15) of the Reston Deed, as amended.

The amended motion passed unanimously.

F. Process to Fill Open North Point District Seat on the Board of Directors

Director Chew requested the Board consider Motion 1 and Motion 2 together.

President Knueven, seconded by Director Chew, moved to fill the open North Point Director Seat vacated by Tim Cohn, on effective on Friday, May 30, 2014, whose term was to expire in April 2016 and moved to adopt the following resolution which establishes the procedures for the Board of Directors to appoint Member to fill the open North Point District Director Seat:

WHEREAS, Tim Cohn, resigned his position as the North Point District Director effective Friday, May 30, 2014; and

WHEREAS, Director Cohn’s term on the Board was set to expire in April, 2016; and

WHEREAS, Section III.5(d)(3) of the Reston Deed specifies that a vacancy on the Board of Directors may be filled by appointment by the remaining Directors, even if less than a quorum, until the next annual election at which time the Category A and C Members shall elect a Director to fill the unexpired term; and

WHEREAS, there is significant work to be accomplished by the Board and these tasks can best be accomplished with a full complement of the Board, nine members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors fill Mr. Cohn’s unexpired term as North Point District Director at the Board of Director’s regularly-scheduled meeting of July 31, 2014.
MAY IT FURTHER BE RESOLVED that the Board directs as follows:

- Staff to immediately post the open position on the Association’s web site and social media sites, including RA News, and invite all interested candidates to submit a Statement of Candidacy to the Secretary or Assistant Secretary of the Association, no later than Monday, July 21, 2014, 5:00 pm;
- Reston Association staff shall certify, no later than Tuesday, July 22, 2014 that interested candidates meet all of the qualifications to serve on the Board; and
- All qualified candidates to appear before the full Board at its regularly-scheduled meeting of July 31, 2014 for a discussion of the candidates' interest and qualifications.

The motion passed unanimously.

III. CLOSE OF MEETING

G. Adjourn

President Knueven, seconded by Vice President Graves, moved to adjourn the meeting.

The motion passed unanimously.

The meeting adjourned at 7:53 pm.

Respectfully submitted,

Sabrina Tadele
Board Assistant Secretary

Attachments to Original:

- June 12, 2014 Special Meeting Agenda
- Issue Overview by Legal Counsel
- Electronically Submitted Member Comments
- Amendments to Use & Maintenance Standards Resolution 15; Air-Conditioning Units/RELAC Cooling System