

**DRAFT - Minutes of the Emergency Board Meeting
August 1, 2017**

Board Members in Attendance:

Dave Desormeaux, President
Jeffery Harris, Vice President
Alex Dea
Manuel Vargas
Jamar Staples

Board Members Not in Attendance:

Dan Burke
Brad Whitfield

On Tuesday, August 1, 2017 at 1900 hrs an Emergency Meeting of the Pheasant Run Home Owners Association (PRHOA) was held in the Boise Road Parking Area to discuss the problems encountered with the work begun on the Boise Road retaining wall.

A review of the circumstances leading to the meeting was provided. They are:

1. The first round of proposals was reviewed in-depth. It was realized that not enough was known or understood about what was required to repair the wall by either the contractors or the Board. It was decided that a second round of proposals would be solicited to repair only three sections of the wall in the worst condition to better understand the problems with the wall and then make necessary decisions about the rest of the wall.
2. A second round of proposals was solicited from all of the original contractors plus two additional contractors. Most of the contractors choose not to bid. Several stated that the project was too small for them to consider.
3. Green Future Construction was selected as the lowest bidder and the bidder that best seemed to understand the issues with the Boise Wall.
4. Work began on the wall and the following was immediately determined:
 - a. The wall was in worse condition than previously thought. The three entire sections of the wall were brought down with minimal effort by the contractor within fifteen minutes. In fact, the contractor apologized for not having recognized the severity of the safety issue with the wall.
 - b. Only one row of brick ties was found in all three sections demolished. These brick ties were installed about one foot above grade and there were no additional ties above that level.
 - c. When the wall was re-built approximately twenty years ago, the wall was not demolished to the brick ledge and the re-built. Instead, it was demolished only to the ground-level and rebuilt. When the wall was originally constructed by the community builder, one to two feet of backfill was placed against the brick façade. This practice generally would not be followed now because placing bricks in wet soil can weaken the bricks and mortar and cause premature failure.

- d. Photos of the demolition process and the lack of brick ties have been taken, were shown to the Board Members, and were published on the PRHOA website.
5. It was determined by the contractor that the brick ledge was both too narrow and was below grade to be used to properly re-build the brick façade and that the brick ledge should be extended using poured concrete. The additional cost was discussed and agreed to. The contractor then proceeded to hand dig the area, construct the forms, and install rebar in preparation for concrete delivery.
6. The next morning the concrete was delivered, poured, and tooled. The work crew left while the concrete cured.
7. After noon, an inspector for Prince George's County arrived and issued a Stop Work Order. He stated that a resident had called the County and complained. Since the Inspector could not find an inspection on-file with the County from when the wall was originally built forty-eight years ago, he issued the Stop Work Order. He entered the address of the complainant on the Stop Work Order as 9931 Boise Road. A photo of the Stop Work Order is available.
8. The contractor was contacted and told of the issue.

Green Future Construction contacted the County to determine what had to be done to have the County lift the Stop Work Order. The first issue was that the Boise Road Wall did not appear on any of the County maps. Additionally, to be able to apply for a permit, the PRHOA had to prove that the wall was on PRHOA property. A local surveyor was contacted to survey the property line and mark it. It was found that corner markers could not be found therefore the north property line had to be determined from secondary markers.

It was explained to the Board Members that every contractor considered for performing the work on the wall was asked if a permit was required for the work. Every contractor stated that no permit was required. Several offered that no permit was required because the retaining wall itself was not being constructed or replaced, that only the brick façade was being replaced.

Photos of the demolition as the wall was taken down were exhibited to the Board Members in attendance proving the extent of the poor condition of the wall (contrary to rumors spread by others). Additionally, fewer than a dozen brick ties were noted on the felled wall along the thirty foot length.

Several Board Members objected to not being informed of the additional costs being incurred in the project, specifically the cost of the extended brick ledge. It was explained that the decision to approve the additional work was necessary to keep the project moving forward. Further, it was noted that when emails have been sent to Board Members on critical matters in the recent past, little if any response was obtained from said Board Members. In this case, the decision had to be made immediately. The decision was made and the work continued. It was agreed that more effort would be made to keep Board Members informed in the future.

The presentation continued to address the condition of the rest of the Boise Wall. Specifically, the contractor, Green Future Construction, has expressed serious concerns about the safety of the remainder of the wall. It appears as though when the wall was re-built about twenty years ago that it was very poorly done. The use of brick ties has been proven to be nearly non-existent, the

brick shelf was not carefully constructed when the wall was built and has been shown to be insufficient by today's standards, and several brick courses were covered with backfill when they were not designed for subterranean use. It was also found that the old wall was only demolished to ground-level and not to the brick-shelf, thus the wall was re-built twenty years ago on a compromised base. Additionally, since the drains in the concrete wall were not extended outside of the brick façade, there remains the possibility that draining water could freeze between the concrete wall and the brick façade and force the brick façade to collapse along with all of the brick façade in that section.

The contractor has recommended that the brick façade be replaced for the rest of the wall and that the brick shelf be extended as required. Since they are already working on our property and the bricks are still available from the manufacturer, the cost would be lower to have the wall repaired now than if we were contract the repairs for a later time. It was noted that Green Future Construction has offered to send a representative to a community meeting to explain the condition of the three sections demolished to date and to describe the need to do the rest of the work now.

After a period of discussion about the wall, about the Reserve Fund, and Board Members reviewing the photos of the Boise Wall demolition and subsequent construction, a motion was made to move forward with replacing the rest of the Boise Road wall. The motion carried three to one (the President only votes in case of a tie). A motion was then made to end the meeting and the motion carried four to zero. The meeting ended about 2030 hrs.