

COUNTY CENTER

PRINCE WILLIAM COUNTY CENTER OWNERS ASSOCIATION

Dear Prince William County Center Owners Association Member:

These are unprecedented times, which call for taking the unusual step of sending this information by letter.

We know all of you are dealing with the many difficult situations presented by the COVID-19 pandemic. This is why we believe it is even more important than normal that we, as your Prince William County Center (PWCC) Owners Association (OA) Board of Directors, make careful decisions about matters affecting our community which we know are very important to you.

At PWCCOA, we are proud of our community and its many amenities, including our clubhouse, pool, gym, playgrounds, and tennis courts. We have never been faced with such a challenging and potentially unsafe situation, as we now face with the COVID-19 pandemic.

As the wellbeing of the community and its residents is of the utmost importance to the Board, we have made what we consider to be the most difficult decision we have ever had to make.

In keeping with information available from the Centers for Disease Control and Prevention (CDC), our State, County, our management staff, our pool management company, our attorney, and our insurance agent, the Board has decided to follow the lead of Prince William County (among other local jurisdictions) and not open the pool for the 2020 season. According to our attorney, this decision is consistent with the decisions made by approximately 90% of their clients who operate HOA community pools.

As previously expressed, this decision was very difficult and one we hope we never have to repeat. The protection of our residents, particularly our children, as well as the safety of the young adults and teens who staff our pool was and continues to be our highest priority. Safeguarding our OA and its members from liability surrounding any COVID-19 problems was also part of this decision. Given that our insurance agent advised us that we, as an OA, do not have insurance coverage for all these COVID-19 related risks, we decided we could not put the OA against so many uninsured risks. In addition, we learned our pool management company also does not have insurance for COVID-19 related claims and wanted us to reduce their liability exposure, requiring the OA to defend and indemnify the pool company from any lawsuits. This was untenable, as it could create great financial risk to the association.

Some of you have asked why the OA cannot just require residents who want to use the pool to sign a liability waiver. Unfortunately, liability waivers are not always enforceable in Virginia and given the lack of knowledge surrounding COVID-19, the Board has determined, with the assistance of legal counsel, that the use of liability waivers would not be a prudent option for our OA at this time.

Furthermore, the adaptation and proper implementation of the numerous new mandatory restrictions, rules, protocols, and procedures required to comply with all applicable laws and governmental orders were extremely challenging, and more than we could confidently handle with our available resources. Our costs of operation would have increased significantly for a shorter pool season. Had we decided to open the pool, we would have been legally required to retain a monitoring service to screen and control crowd size and enforce social distancing in and out of the water and other new rules designed to promote safety in response to the risks caused by the pandemic. We also would have needed to retain a special cleaning company to perform high-intensity sanitation and cleaning services. These are the “operational difficulties” which the County cited when it decided not to open its public pools. These same “operational difficulties” apply to us and we have significantly less resources than the County to absorb these additional expenses and handle all the novel rules.

Adding to the many COVID-related difficulties, it was just discovered that the shell of the pool is leaking water. We need to consider diagnostic testing and, probably, some repairs. We cannot operate the pool until this situation is fully addressed. Perhaps this year, is the best time to repair our 15-year-old pool.

The Board took all these factors into consideration, while also considering the homeowners’ right to safely use the facilities. Following several rounds of lengthy discussions and deliberations, the Board voted to close the pool for the 2020 season. We are now taking action to repair the pool and otherwise prepare so that we are in a position to reopen on schedule in 2021.

Status of Other Amenities

Clubhouse, Gym: Under the Governor’s Orders, proprietors who operate indoor facilities are required to clean and disinfect shared use equipment and facilities after each use and supply hand sanitizer or hand washing stations for their members. The Board has decided these requirements are not practical for the indoor facilities of our Association; therefore, we cannot approve the use of clubhouse or gym. These facilities will remain closed until further notice.

Tennis Courts, Playgrounds: With respect to the outdoor facilities provided by the Association, these facilities are open. The Association does not clean or disinfect these facilities. Users should use them at their own risk and are responsible for complying with all applicable standards for their own safety.

We acknowledge our members are not getting the full benefits of the facilities. The Board will be exploring ways to address this concern going forward.

Sincerely,

Board of Directors