

NEWBERRY STATION HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING

March 4, 2020

I. Call to Order

A. The meeting was called to order at 7:09 PM.

B. Roster

Board Attendees Brandon Farlander
 Michael Miller
 Susy M. Mikhail
 Alana McCullough
 Mark Dalton

Pool/Clubhouse Sean Carey
Comm.

Management Fred Bell

II. Approval Of Minutes

Mr. Farlander moved to approve the minutes of the February 5 and 6, 2020 meetings. Ms. McCullough seconded, with this statement the February 5 minutes “Mr. Bell had called several lot owners to a hearing before the Board for being more than three months in arrears; none failed to show” revised to read “Mr. Bell had called several lot owners to a hearing before the Board for being more than three months in arrears; none showed”. Approved unanimously with this correction.

III. Pool Committee

Mr. Carey, representing the pool committee, discussed potential changes to the pool rules with the Board. The Board tasked Mr. Carey to return to the Board at its next meeting with a draft of the changes.

IV. Contracts

A. Swing Sets

At the February 5 meeting, the Board had tasked Mr. Bell to solicit an offer from for rebuilding the swing sets from All Recreation of Virginia (just to obtain some sense of the cost of rebuilding the swing sets) and invite a representative from All Recreation to the March meeting to discuss the offer; with the notion that the next step would be to bring the matter to the attention of the Association at the next annual meeting (and announce that as a topic in the mailing to the Association setting up the meeting).

B. Pool Contracts

By email vote on February 6, the Board had accepted the \$22,000 offer from K.R. Jenkins, Pool Service, Inc., to construct pool steps. K.R. Jenkins also offered an option for white coating the entire pool for \$21,500; the Board tasked Mr. Bell to solicit a proposal from Mr. Jenkins to exercise this option. Mr. Carey, representing the pool committee, further recommended that Mr. Bell task Mr. Jenkins to submit offers to (1) move the chlorinators from the pump room (where the gases from the chlorinators had done damage to the exterior of the electrical panels and can corrode other metal fixtures in that room) to the chlorine shed and (2) replace the underwater lights with LED fixtures. Several Board members had expressed interest in creating a racing/lap lane; this interest was also conveyed to Mr. Jenkins. Whereupon Mr. Jenkins submitted the following proposals:

WORK TO CONSTRUCT STAIRS WILL CONSIST OF THE FOLLOWING:

- Sawcut concrete – approx. 12 ft. wide by 6 ft. deep located in the middle of shallow end
- Remove concrete and pool wall structure between pool edge and sawcut line
- Excavate earth beneath concrete
- Relocate skimmer in proposed area to back wall of new steps
- Relocate any pool piping in affected area
- Install steel support cage using #3 and #4 steel re-enforcement bars
- Install new ADA compliant steps with Shotcrete- a high strength concrete mixture
- Install new Dual handrails at entry steps
- Install black 2” x 2” non-slip tile at edge of each step
- Install tile and coping stones to match the pool perimeter
- Plaster finish to match existing pool

Total Price: \$22,000

PERMIT PROCESS Architectural drawings, permit fees, etc. Total Price: \$1,500.00 - Waived

OPTION 1

- Prepare MAIN POOL for the resurfacing of their plaster whitecoat:
- Saw cut and chip under/around existing water band
- Saw, cut and chip around all existing fittings and inlets
- Identify and remove any hollow (delaminated) sections of plaster up to a 100 sq ft. area. Any additional work required to remove additional hollow areas will be billed on the square foot basis of \$4.00 sq. foot and treated as a change order
- Saw, cut (if necessary) and chip plaster and install caulk in non-structural surface fractures. This excludes structural fracturing that may require “additional” gunite and/or bond beam work to be performed. Any necessary structural repair of gunite and/or bond beam will be treated like a change order
- Apply a scratch coat application for the surface of the main pool prior to the application of the new plaster white coat
- Apply “wet edge” plaster

Total Price \$21,000

OPTION 2

- Prepare Wading Pool for the resurfacing of their plaster whitecoat
- Saw cut and chip under/around existing water band
- Saw, cut and chip around all existing fittings and inlets
- Identify and remove any hollow (delaminated) sections of plaster up to a 10sq ft area. Any additional work required to remove additional hollow areas will be billed on the square foot basis of \$4.00sq foot and treated as a change order
- Saw, cut (if necessary) and chip plaster and install caulk in non-structural surface fractures. This excludes structural fracturing that may require “additional” gunite and/or bond beam work to be performed. Any necessary structural repair of gunite and/or bond beam will be treated like a change order
- Apply a scratch coat application for the surface of the main pool prior to the application of the new plaster white coat
- Apply “wet edge” plaster

Total Price \$2,000

OPTION 3

- Provide and Install 1 (one) frost free tile racing lane and targets with rope cup anchors at each side of pool

Total Price \$2,900

OPTION 4

- Provide and install LED pool lights in pool where existing light are currently. Existing niches to be abandoned. LED lights require photo transformer located in filter room of panel box. LED lights to be a much smaller version of existing lights with longer life expectancy

Total Price \$4,600

OPTION 5

- Move chlorinators from existing pump room to new chlorine room. This consists of adding an electric outlet to chlorine room. Building shelf to accommodate chlorinators and running new tubing to new injectors at pool.

Total Price \$1,600

Mr. Dalton moved to accept all options; to be paid out of Reserve Funds. Mr. Miller seconded. Passed unanimously,

C. Clubhouse Internet & Web Design

Mr. Bell obtained a final offer from Verizon Fios for internet and digital phone service at a price of \$95 a month. Mr Dalton moved to accept this offer, Ms. McCullough seconded.

At the September 4, 2019, meeting, Ms. Mikhail reported that she had met with Mr. Miller to redesign the Association web site and had solicited an offer to redesign it. The offer: A T&M contract for \$45 an hour; estimating 20 hours maximum for a new design. Ms. Mikhail moved to accept the offer at a not to exceed ceiling price of \$900; Mr. Miller seconded the offer. The Board moved to table the motion until next budget year.

Ms. Mikhail moved to take the motion off the table and approve it; Mr. Miller seconded the motion. Passed unanimously.

D. Pool Management Contracts

Mr. Bell provided the Board with three bids for pool management services, as follows:

- American Pool \$38,190
- Paradise Pool Service \$41,030
- Sunset Pool \$17,618

The Board directed Mr. Bell to contact American Pool to clarify its proposal; to ensure that Sunset Pool revises its proposal to remove opening and closing tasks performed by K.R. Jenkins; to contact Paradise pool and let Paradise know that its proposal is outside the competitive range (not disclosing the prices of the other offers and offering Paradise an opportunity to revise its bid); and solicit an offer from Continental Pools. Also to require a clause obliging the awarded contractor to reimburse the Association if the contractor prematurely terminates the contract due to visa problems.

E. Landscaping

Ms. McCullough reported that there are more dead trees. Mr. Miller informed the Board that, according to Mr. Zalewski of Professional Grounds, the dying trees are a consequence of last summer's drought; Mr. Miller will ensure that dead trees are spotted during the next walk through with Mr. Zalewski.

V. Parking Rules

The current parking rules, last revised in 2016, include this language:

“The following vehicles may NOT be kept on any part of the property of Newberry Station except for such equipment and machinery:

- *As may be necessary in connection with reasonable and necessary repairs or maintenance to any dwelling or upon the common areas.*
- *As the Association may require in connection with the maintenance and operation of the common areas and community facilities*

“1. Boats, campers, camptrucks, commercial vehicles, farm vehicles, motor homes, trailers of any kind, or other similar machinery or equipment of any kind or character. The parking of such vehicles is prohibited under Fairfax County Code, Section 82-5-7 and/or the Covenants, Article VII, Section 7, ¶ d. Per the Fairfax County Zoning Ordinance (Chapter 112 of the County Code), a commercial vehicle is defined as any vehicle:

- (a) With a rated carrying capacity of 1500 pounds (3/4 ton) or more, or*
- (b) Which displays advertising lettered thereon, or*
- (c) Which is licensed as a “for hire” vehicle (taxicab, limousine, etc.).*

Exempted from this definition is any vehicle operated by a public agency with a capacity of less than 3/4 ton.

“2. Any vehicle visibly laden with supplies and equipment for construction, electrical work, plumbing, painting, and/or other such trades. This prohibition applies whether or not the vehicle has been lettered with a business name or logo. Such vehicles may be parked on Newberry Station roads only if the supplies and equipment are fully concealed from public view. If found in the Community, they will be subject to towing pursuant to Va. State Code, Chap. 8, Section 46.1-551.”

Ms. Mikhail questioned whether the Association should be more restrictive in banning vehicles that are obviously commercial even if the vehicle lacks “advertised lettered thereon”. She noted that other townhouse communities ban vans and like vehicles; and that such vehicles may detract from the values of our properties. The Board tasked her to draft a rewrite of the parking policy for consideration at the next Board meeting.

VI. Hearings Before The Board; The Power To Fine

Mr. Bell had called several lot owners for a hearing by the Board, they failed to attend or otherwise communicate with him. Mr. Bell announced that he is pursuing the administrative remedy of denying access to common areas, including parking, for those owners.

The Board has been frustrated by the inability to fine residents for violations of Association policies; the remedies for violations established by the Covenants are costly and time consuming to implement and not practical for minor violations such as putting out trash on the wrong days. Mr. Miller noted that the Association did use fines when permitted by Commonwealth law but had to cease fining when the Supreme Court of the Commonwealth ruled that Associations could only take advantage of laws permitting the use of fines if the Association’s Covenants explicitly allowed fines as a remedy for violations of Association policies Ms. Mikhail volunteered to lead an effort to persuade Association members to revise the Covenants to permit fines. Mr. Miller volunteered to draft changes to the Covenants for that purpose.

VII. Welcoming New Members And Committees

Ms. McCullough reported that three homes at Shannons Landing Way have new residents; that it would be nice to have welcome kits for new residents. Mr. Miller noted that once upon a time the Association had a communications committee for that purpose, among others. Mr. Miller pledged to send the Board the charters for past committees.

VIII. Executive Session and Closing

A. Mr. Dalton moved to enter Executive Session, Mr. Miller seconded. Approved unanimously.

B. Mr. Dalton moved to close the meeting; Mr. Miller seconded. Approved unanimously.