

NEWBERRY STATION HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING

August 3, 2011

**I. Call to Order**

A. The meeting was called to order at 7:07

B. Roster

Board Attendees      Brandon Farlander  
                                 Michael Miller  
                                 Mark Sajbel  
                                 John Saulsbery

Management            Brian Cramp, Community Manager

**II. Approval Of Minutes**

Mr. Farlander moved to approve the minutes for the April 6, May 2, and July 6 meetings; Mr. Sajbel seconded approval of the April minutes; Mr. Miller the May, and Mr. Saulsbery the July minutes. Approved with the following abstentions: Mr. Miller for the April and July meetings; Mr. Sajbel also the July meeting; and also with modification of the April minutes to indicate service area 631, not 630.

**III. Community Forum**

A. Trees

Mr. Farlander and Mr. Sajbel will take the lead on replanting trees to replace the ash and other trees that had been removed.

B. Long-Term Financial Plans

Mr. Cramp reported that the Reserve Study does not need redoing until March 2014. Nonetheless, Mr. Miller will review the long-term financial plan associated with the last Study and report back to the Board at the next meeting, comparing actuals with the estimates in that Study.

C. Traffic Signage And Street Painting

Mr. Cramp will obtain estimates for redoing the one-way arrows on the streets. Mr. Cramp will also arrange for any necessary repainting of curbs and to prohibit parking at the handicapped access points.

Mr. Farlander lead discussion of the stop signs. Mr. Falander reported that, when he last talked with Mr. Dawson, Mr. Dawson thought the signage and height of the signs was sufficient but that we need more signs. Mr. Dawson provided Mr. Farlander with a map of the streets showing where more signs would be beneficial. Mr. Farlander will pursue the matter further.

Mr. Farlander also reported a missing stop sign at the exit to Newington Road.

#### D. Ona Road

Mr. Miller reported that, according to Mr. Budnik (our community engineer), the land between Ona Drive and Raceway Farms, behind the townhouses on Stationhouse, is owned by VDOT, not us (being an easement for the future extension of Ona Drive through to Raceway Farm). Mr. Miller opined that we should talk to VDOT about the property; that VDOT should not allow the property to erode — it's mudflats and draining and eroding. Mr. Sajbel reminded the Board that there used to be a VDOT sign prohibiting dumping that has long since vanished. Mr. Miller will contact Marsha Hanson in Gerry Hyland's office to request a meeting with VDOT representatives to discuss all our complaints about the property, including the poor lighting, soil erosion, anti-dumping signage, and drug usage.

#### E. Landscaping

Brandon Farlander moved to approve bids of \$580 from ProGrounds to install a dry stream bed of rocks near 6920 Trestle Ct. and \$375 to trim sycamore trees in the Quadrangle. Mr. Sajbel seconded; approved unanimously.

#### F. Officers

Mr. Miller moved; Mr. Sajbel seconded, that all officers remain the same. Passed unanimously.

#### G. Retaining Walls

Mr. Miller reported that Mr. Budnik said that, notwithstanding the lawyer's opinion that the Association is not responsible for retaining walls under the fences of individual lots, we still need to ask what the surveyor said about the original property lines. Mr. Cramp said that he would examine blueprints in the office. Mr. Miller and Mr. Saulsbery volunteered to go to the County in search of the original records, if the blueprints do not answer the question. Mr. Miller said that, when we do the major reconstruction of the retaining walls clearly owned by the Association, those owners that are responsible for retaining walls not the property of the Association ought to have an opportunity to ride the Association contract, both to save them money and preserve the common appearance of the walls.

#### H. Financials

Mr. Cramp reported that the financials are looking good; other than legal fees for the WMATA suit. Mr. Miller made the point that the \$10,000 previously voted for the litigation was to be treated as an extraordinary expense allocable to the Reserve Fund, not the operating budget. Invoices to date for WMATA about \$7,000. Reserve Standing — \$226,000 in CDs. Mr. Farlander will take the lead on negotiating with various banks on investing monies that come free as CDs mature.

#### I. WMATA

Phase I: Vote by the Board of Supervisors (BOS).

Phase II We filed a complaint with the Circuit Court of Fairfax County; received "Pleas in Bar and Demurrers" from the defendants (the BOS, WMATA and Iskalov); and responded to the "Pleas in Bar and Demurrers"; and prepared and filed affidavits.

The next step is a hearing on August 18, to determine whether we have standing to sue and whether our case has merit. If the judge decides against us, then for all practical purposes we are done.

Thus far, between our Association and individual contributors from the Newington Civic Association, we have raised \$13,400 for the litigation. At this point, the lawyer has spent \$12,400.

Mr. Farlander moved to add another \$5,000 from Reserve Funds to support the litigation, with a friendly amendment from Mr. Saulsbery that we develop a plan to obtain further financial support from the residents of Newington and Raceway Farms and also any interested parties. Mr. Miller seconded the motion. Mr. Miller, Mr. Farlander, and Mr. Saulsbery voted yes; Mr. Sajbel no.