

The Malvern Communicator

Fall 2008

A Message From our President



This has been a busy year so far. One of the most important products of the Board has been revising the 5 Year Plan and arriving at a budget for 2009. We have had to prioritize the projects that require significant expenditures. These will be discussed at the Budget meeting on October 18th along with the need to increase dues in order to meet infrastructure requirements.

We are proceeding with the replacement of the old stop signs to meet VDOT requirements and to obtain more law enforcement presence in Malvern. Also, we will be replacing some of the speed limit signs. Please note that we have had to replace a couple of signs due to theft – not exactly the kind of souvenir I would care to collect but.... We also have a new sign at the entrance which means solicitors and others not invited to our community are now guilty of trespassing.

We have had COMCAST continue to upgrade service to our community to include high speed internet and phone service to add to new and improved cable television. We are still requesting COMCAST to provide new service to areas that do not have lines run as yet. Hopefully they will respond quickly.

We had at least one significant complaint which has required a great deal of attention by the Board. We are addressing the situation as quickly, within legal constraints, as we can.

We have, and are working on, numerous projects to maintain and enhance our common areas, thanks to board members and volunteers who provide their valuable time to the community.

We hope all residents of Malvern will either attend in person or submit proxies to Board members in order to have maximum participation at our October 18th membership meeting.

Respectfully,
Gerald Monnat, President BOD



Fall Membership Meeting

Where: *Malvern Clubhouse*
Date: *Saturday, October 18, 2008*
Time: *10:00 am*
Agenda: *Proposed dues increase*
Approve 2009 Budget
5-year plan update
Committee reports

Rules Committee Formed

A Rules Committee consisting of Pat Kaplon, Chairperson, and Malvern HOA Board Representative, Karen Pilkerton, Flora May, Kathy and Norm Hensel, and Ceil and Rick Collins was formed at the July 10th meeting of the Malvern HOA.

The purpose of the committee is to educate the community about the covenants and by-laws of Malvern, to review Malvern Inc. documents, to become familiar with the state and county laws that apply to the community, and to propose amendments to or up-dates that would be in the best interests of all Malvern residents.

Committee meetings are open to all Malvern HOA residents. All suggestions and concerns brought before the committee will be given the utmost respect and consideration.

To this date, August 30th, the committee has met five times, and two residents have attended at least one of the meetings. The committee members have carefully read and reread the Malvern covenants and are attempting to determine which ones will need to be amended or up-dated and which ones will stay as they are. At such time as these things can be decided upon, the committee will present its proposals to the HOA Board for approval, then to the residents of Malvern for their vote.



Community Matters

Malvern has welcomed many new residents in the last ten years and has now grown into a large and vibrant community. With the growth of our human population, we've had a corresponding increase in the number of dogs living amongst us – and this can sometimes create problems.

We all love our pets and look out for their health and well-being. But, besides our responsibility to care for them, we also have the responsibility to make sure that they do not annoy, frighten or disturb our fellow residents.

Most homeowners in Malvern act as very responsible dog owners. There are many fences, both visible and electronic, all over the neighborhood. Almost everyone who is walking a dog has their dog on a leash.

However, there have been some complaints to our HOA about dogs running loose over the neighborhood, sometimes frightening people who are walking or biking on our roads – especially when they have their young children with them, are walking their own dogs on leashes, or are pushing strollers or baby carriages. Some dogs run out on to the street, barking at pedestrians in threatening ways. There has been at least one complaint of a dog running into a neighbor's electronically fenced yard and attacking the family dog. Also, some fawns have been taken down by large dogs.

There is, at present, no leash law pertaining to dogs in Madison County. Perhaps this is due to the fact that Madison has always been a rural county with few houses. But Malvern is a subdivision with many homes closer together. Consequently, we must be more conscientious about how we control our pets.

We urge everyone who owns a dog in Malvern to take the very important responsibility of being sure his/her animals are under control at all times. Keep them in their own yards with fences of some type if necessary so that you can be sure your pet is not the one running all over the neighborhood. Always put them on a leash when walking the roads of Malvern.

If all of us who own dogs in Malvern will take these two simple steps, we can contribute much to keeping our community a safe and peaceful place for everyone.

We all love our dogs, but we must also take seriously the responsibilities that accompany our ownership and enjoyment of them.

** The Animal Control Officers of Madison County will answer calls about roaming dogs by impounding them. Don't let this happen to your pet.**

Volunteers!

Fall Volunteer Weekend

Where: *Malvern Clubhouse*
Date: *Sat. & Sun, 8:30am to 5:30pm*
October 4th & 5th, 2008
Time: *8:30 am*
Contact: *Karen at 948-3230*

*We work on projects that help preserve Malvern's amenities as well as save some money. It's also a **great** way to meet your neighbors and have some fun at the same time.*

Secretary/Public Relations Report

First, I want to thank Pattie Rees for her help in putting together the Communicator for submission to the printer. It is greatly appreciated. We have had fairly good attendance at the monthly board meetings, but encourage even more of you to attend: **the second Thursday of each month at 7:00 at the Clubhouse.** A reminder to all homeowners: the minutes of each Board meeting are posted on the bulletin board near the mailboxes. Also, there 25 copies put in the box under the bulletin board for anyone who wants them AND minutes are posted on our website:

<http://malvernofmadison.org/minutes.shtml>

We Need Your Help!

To all Malvern Homeowners:

In the interests of economy, beauty, and ease of plowing in the event of snow, your HOA is requesting that you take the responsibility of mowing and keeping clear of weeds, brush, debris, etc. the six (6) foot area on the side of the roadway that runs the length of your property.

To all of you who have already assumed this responsibility, and have been doing so for years, we thank you.

If we all work together, we can keep our community a beautiful and pleasant place to live. We know that all of us want that.

Sincerely,
Malvern Homeowners' Association

Architectural Committee Report

Shared Responsibilities –

Covenant No. 5 in the Deed of Dedication of Malvern, Inc., states, in part:

“No structure, whether residence, accessory building or other improvement shall be constructed or maintained upon any building lot and no alterations to the exterior of the structure shall be made unless there shall have been first submitted to and written approval obtained from the Property Owner’s Association of the complete final plans, specifications, and design thereof showing the exterior, height, elevation, building material, color scheme, and further setting forth the location of said structure plotted on a plat of said lot ... “

This is where your Architectural Committee comes in. It is our duty to review all requests for any structure to be built on any building lot and any alterations to be done to those buildings. We must carefully consider the requirements of Covenant No. 5 as well as any County ordinances, such as building permits that apply. We, then, present our approval or disapproval to the Board for their consent to or rejection of our recommendations. The final decision of the Board is then given to the homeowner petitioner.

This is where the residents come in. Anyone who desires to build a home, an accessory building, or do any alterations to existing buildings must be responsible for reporting this to the Architectural Committee, and filling out the required application for approval.

These forms may be found on line at the Malvern website or may be obtained from an Architectural Committee member. Members of the committee are Pat Kaplon, Chairperson, Garth Bagley, Kemper Dean, Wallace Harvey and Don Nicholson. Phone numbers of these committee members may be found in the Malvern directory.

Your Malvern Board Members:

Jerry Monnat President
Lee Rees Vice President and roads
Barbara Flynn Secretary
Pat Allen Kaplon Architecture and rules
Rick Curtin Grounds and lake
John Haines Clubhouse and pool
Ed Johnson..... Treasurer

THE GIRLS OF SUMMER

Here’s to the plucky ladies
Who meet at Malvern pool
Each Monday, Wednesday, Thursday
In weather hot or cool.

They meet to do aerobics
And twirl their bodies ‘round
In hopes of making muscles
All strong and firm and sound.

And while they exercise there
The chatter freely flows
They talk of all the things they do
And all the folks they know.

They gossip about family
As they twist and flex and turn
Just maybe they’ll discuss the news
Or how their dinner burned.

But, on and on they struggle
Through stormy days or fair
To keep their bodies flexible
And guard them against wear.

They’re brave when water’s icy
And strong when cold winds blow
They jump right in and swing their arms
As ‘round and ‘round they go.

So, give the ladies credit
For standing firm and true
And showing up to swim each day
They are a hardy crew!

Dedicated to the brave women who showed up to swim all summer in the Water Aerobics Program , and to one special woman who was swimming 50 laps of the pool every morning even before the aerobics group arrived.

Pat Allen Kaplon

Lots more information about Malvern at <http://malvernofmadison.org>

Board of Director's Recommended 2009 Budget

	<i>2007</i>	<i>2008</i>	<i>YTD *</i>	2009	
	<i>Actual</i>	<i>Budget</i>	<i>Actual</i>	Budget	
1 Regular Assessment	\$69,915	\$70,200	\$69,500	\$122,850	<i>234 lots at \$525 per lot</i>
2 Special Assessment	\$29,000	\$29,250	\$23,500	\$0	<i>Move \$125 per lot into regular dues</i>
3 Boat Fee	\$150	\$100	\$120	\$105	<i>7 lots at \$15 per lot</i>
4 Rentals	\$2,590	\$2,000	\$2,640	\$2,750	
5 Late Fees	\$336	\$250	\$30	\$100	
6 Road Impact Fee	\$2,000				<i>0 lots at \$1,000 per lot</i>
7 Money Market Interest	\$637	\$900	\$480	\$700	
8 Mowing & Misc	\$1,158	\$1,000	\$1,325	\$1,500	<i>Bush hogging and packets</i>
9 Pool Income	\$2,600	\$2,500	\$2,535	\$2,500	<i>125 keys at \$20 per key</i>
10 Withdraw from reserve				\$5,745	
11					
12 Total Income	\$108,386	\$106,200	\$100,130	\$136,250	
13					
14					
15 Administration	\$1,027	\$1,500	\$707	\$1,500	
16 Capital Improvements	\$828	\$7,250	\$1,990	\$35,000	<i>Pool repairs, culvert</i>
17 Insurance	\$2,694	\$3,000	\$2,723	\$3,000	
18 Taxes/Licenses (MCI)	\$25	\$25	\$25	\$25	
19 Loan - Dam & Roads	\$59,398	\$37,100	\$37,070	\$35,000	<i>Required minimum payment</i>
20 Loan - Roads (original)	\$23,776	\$23,775	\$23,776	\$23,775	<i>Required minimum payment</i>
21 Maintenance - Bldg, Grounds	\$8,861	\$9,500	\$5,705	\$9,500	<i>Mowing, routine maintenance</i>
22 Maintenance - Roads	\$7,033	\$10,000	\$3,453	\$10,000	<i>Snow, routine maintenance</i>
23 Mowing & Misc.	\$1,108	\$1,000	\$610	\$1,400	<i>Bush hogging</i>
24 Operations - Clubhouse	\$1,636	\$2,000	\$1,349	\$2,000	
25 Operations - Pool	\$4,244	\$4,000	\$2,902	\$4,000	<i>Keys, chemicals, operations</i>
26 Electric	\$2,217	\$3,400	\$1,865	\$4,400	<i>Average daily cost of \$12.00</i>
27 Fuel	\$2,939	\$2,750	\$1,439	\$4,000	<i>1000 gallons at \$4.00 per gallon</i>
28 Telephone	\$309	\$400	\$245	\$400	
29 Legal/consultant	\$480	\$500	\$0	\$2,250	<i>Legal, dam inspection</i>
30					
31 Total Expenses	\$116,575	\$106,200	\$83,859	\$136,250	

The Board of Director's recommends the membership approve the following:

1. Delete the previously approved \$125 special assessment income category which has been in place from 1991/1992 through 2008 and incorporate the \$125 into the regular dues income category
2. Increase the regular dues amount by an additional \$100
3. The net result of the 2 items above would mean a lot owner would pay a total of \$525 per lot beginning in 2009 instead of a total assessment of \$425 per lot which had been in place the previous 4 years
4. Approve the remainder of the 2009 recommended budget shown above

* The year to date (YTD) amount shown above reflects income and expenses from January 1, 2008 through September 7, 2008

Questions & Answers Regarding Recommended Dues Increase

Q1. What is the Board of Director's recommending the membership approve?

A1. Increase dues by \$100 per year; from the current total annual assessment of \$425 to a total annual assessment of \$525.

Q2. What else is the Board recommending?

A2. Deleting the "Special Assessment" designation of our dues structure and incorporating the "Special Assessment" amount of \$125 per year into "Regular dues".

Q3. Why is the Board of Director's recommending the membership approve raising dues by \$100 per year?

A3. It would be easy to say the increase is due to higher costs. Although true, it's neither the sole nor the more important reason for the recommendation. The more critical reason is Malvern doesn't have sufficient reserves needed to maintain, repair and/or replace the infrastructure and amenities in Malvern.

Q4. What infrastructure and amenities?

A4. Malvern has over 8 miles of roadways including pavement, shoulders and culverts, a clubhouse, pool, playground, lake, dam, docks, mailbox area and common areas. These items are owned in common by all Malvern residents.

Q5. What basis are you using to raise the dues?

A5. In 2008, the Board of Director's updated the 5-year plan for Malvern including the preparation of a spreadsheet itemizing tasks and estimating associated costs. Last year's plan can be found on our Malvern website at <http://malvernofmadison.org/DocForm/fiveyear.pdf> - it's a 2 page document which also shows the effect of keeping dues at their current level as opposed to the recommended \$100 increase. An updated 5-year plan will be presented at the October membership meeting.

Q6. What's the history on previous dues increases?

A6. The Board of Director's proposed deleting the "Special Assessment" designation and raising total annual dues to \$500 in 2004. The membership approved raising dues to a total assessment of \$425 and did not approve deleting the "Special Assessment" designation. From 1991 through 2004, the total annual assessment was \$350.

Q7. Why is the Board recommending deleting the "Special Assessment" designation?

A7. Preliminary research of 1990 meeting minutes shows the Malvern membership approved the Board recommendation to add a "special capital improvement assessment for roads" to the 1991 dues structure. Although not a part of the 1990 Membership Meeting written minutes, earlier Board minutes indicate the assessment was "to be rescinded when the basic roads

are in place". At that time not all roads in Malvern had been completed although there was some urgency to do so since many lot owner's had no way to access the lot they had purchased. But without a funding source there simply was no money to accomplish this in a timely fashion. Hence the "special capital improvement assessment for roads" (please keep in mind the view presented here may be overly simplistic and is based solely on reviewing minutes from 1990 meetings). As of several years ago, all roads in Malvern are "in place" and therefore the Board deems it appropriate to suggest dispensing with the "special" designation.

Q8. So you're saying there's no longer a need for paying the additional \$125?

A8. Unfortunately not, as is evidenced by the needs shown in the 5-year plan.

Q9. Can the membership vote to not follow the recommendation of the Board?

A9. Yes they can. Doing so however increases the risk where members will have no choice but to approve a future special assessment. For example, let's say due to the lack of maintenance, Malvern Drive deteriorates to the point where repaving is the only solution. Let's say for the sake of argument the cost is \$200,000. Divide that by 234 lots and the onetime special assessment would be an unplanned \$850 per lot owner. This is just one example but certainly one that is not hypothetical - we will have to repave Malvern Drive as well as other roads in Malvern in future years. Another "real" example is the repair to the dam Malvern was faced with several years ago. The cost for the repair was over \$150,000. Needless to say, the Board can't predict every eventuality; but it is foreseeable that the items shown in the 5-year plan are predictable and that it is prudent to have funds available to maintain, repair and/or replace these items on a scheduled basis rather than a haphazard one.

Q10. What is planned to be done in 2009 over and above normal expenses?

A10. If the budget is approved as presented, the Board intends to have a culvert repair done on Liberty Lane. This is a somewhat newly discovered and potentially serious condition which could result in a roadway failure if not addressed. Additionally we are planning for several pool repairs, another culvert replacement at Sylvan Lane and Malvern Drive, and adding shoulder gravel along several of our roadways.

Q11. Will the option of 2 payments remain?

A11. Yes; \$300 due by March 1 and \$225 due by September 1.

More questions? Please ask a Board member and/or bring them with you to the October 18 membership meeting.

PROXY

(I)(We), _____ and _____ as owner(s) of the following Lot(s)** _____ Malvern Club, Inc. under the provisions of the duly recorded legal instruments governing said Club, do hereby grant my/our Proxy to _____ of Malvern Club Inc., owner of Lot # _____. This proxy is executed and carries with it the full right of the members. This Proxy is executed for the Fall 2008 Membership Meeting, to be held on Saturday, October 18, 2008, 10:00 AM, at Malvern's **Clubhouse**.

Signature (Owner): _____ Date _____

Signature (Owner): _____ Date _____

** Each lot is entitled to one vote. Please indicate all lots owned. Fold in half, with proxy facing inward and return.

Malvern By-Laws define **QUORUM** as *50 votes by members voting in person or by proxy*... If you are unable to attend the meeting on October 18th, please fill out, sign and have a member bring the form above to the meeting or mail the form to Malvern Club, Inc., 905 Malvern Drive, Madison, VA 22727. You may also assign your proxy to the "Board of Directors".

Malvern Club Inc.
905 Malvern Drive
Madison, VA 22727



ADDRESS CORRECTION REQUESTED