

Malvern Club, Inc.
905 Malvern Drive
Malvern VA 22727
<http://malvernofmadison.org/>

Minutes: Board of Directors Meeting, Thursday, August 14, 2008

Meeting called to order 7:02 p.m. by President Jerry Monnat

Board members present: Jerry Monnat, Lee Rees, Ed Johnson, Pat Kaplon, Barbara Flynn

Members present: Frank and Barbara Sargent, Gary and Karen Pilkerton, Barry Cliver, Norman and Kathy Hensel, Steve Reed, Bob and Clair Anderson, Liz O'Neil, Bonnie Connor, Ceil and Rick Collins, Joe Graham, Dianne Cross, Don Nicholson, Merri and Jason Woodward

Secretary/Public Relations:

1. The board approved the July 10 minutes.

President:

1. Jerry reported that the Board members held an Executive Board meeting on July 20, 2008, to discuss the continuing covenant violations occurring on Lot 158. The consensus of the Board members was to draft another letter for our attorney to review and approve. Jerry confirmed the letter had been drafted, reviewed by the attorney and sent to the homeowner on August 8, 2008. The letter advises the homeowner of a defined time period within which he must correct the covenant violations or otherwise face legal and/or monetary fines.
2. A member asked what could be done to prevent this kind of thing from happening in the future. Answer: if someone sees a violation that concerns them, let the Board know. Pat said that the Board will be watching more carefully, but that members need to report things in writing.

Treasurer's Report:

1. July balances: income totaled \$537; expenses totaled \$2,772; total available funds \$46,035
2. On or about July 31, 125 assessment bills were mailed; payment is due September 1.
To date, only 19 have paid.
3. Board needs to meet to discuss the 5-year plan. Ed is working on the budget for 2009 and needs Committee chairmen to give him their input. The 2009 budget is to be approved by membership at the October meeting, which will include an increase in annual dues.
4. Ed confirmed Malvern's money market fund held by IndyMac Bank remains intact despite the recent FDIC takeover and name change of the bank.
5. A member had concerns about the following issue:
 - a) Member asked Ed whether Malvern funds were being spent to maintain areas that were not specifically common areas. Ed replied that there are portions of the median on Malvern Drive that are technically owned by individual lot owners. There are several similar areas near the bridge on Covered Bridge Drive. Both of these are areas where the Board has approved and budgeted Malvern funds to pay a contractor to mow. He also said there were several other areas where grass was mowed along the pavement edge and a payment, not necessarily previously approved by the Board, had been made. He felt these areas fell sufficiently within the common areas of roads that should be maintained for drainage and safety purposes and therefore felt justified in paying the \$30 invoice he had received so far this year.
 - b) Member had no problem with median and bridge expenses but expressed 3 concerns with any other areas in Malvern: funds spent on areas where individual lot owners do not

reimburse Malvern; an undefined selection process of additional roadside areas needing to be mowed; and the potential that a conflict of interest may exist since the invoice was paid to another Malvern resident.

c) Ed voluntarily agreed to reimburse Malvern for the \$30 invoice he had paid without having prior Board approval in an effort to allay the concerns of the member.

6. Malvern requires all homeowners to maintain a 6 foot cleared area along the frontage of their property – site distance for driving and snow removal being the main reasons for the requirement. Most homeowners voluntarily comply with the requirement. Jerry will ask Rick to notify owners of any non-complying lots in writing of the requirement and ask they maintain the required minimum clear area. Malvern will have to charge owners in the event Malvern must contract to have the work performed.

Architectural Committee:

1. An application was received from Lot 222 to put two brick columns at the end of their driveway. Committee checked everything; they do not need a building permit because the columns will be more than 10 feet back from the road. Board approved.
2. Another request was received from Lot 192; Pat told the homeowner she needed to give them more information. Pat will give her a form for this purpose after the meeting.
3. Question was asked if homeowners are allowed to do anything to their property, such as build a shed, without Board approval. Answer: homeowners need to get not only Board approval but also a County building permit for anything over a certain size.

Common Areas and Lake:

1. Regarding the dam inspection, Ed gave pertinent information to Jerry and Gary. Dam inspection needs to be put on the agenda so we don't lose track of timing. The report has to be in the mail before Christmas. Jerry and Ed will go over list of potential engineers for the job.

Clubhouse and Pool:

1. Replacing pool gate: will reweave section of fence that is damaged; remove plywood sign and attach the sign to the fence; the gate will go to the top of fence. John got a verbal estimate of \$500 and is waiting for a written estimate. John recommends that we go ahead with the work. Jerry says we can spend up to \$600 on this now; if more than that, it will have to wait for the next meeting.
2. John is planning to meet with Aqua Pools to discuss resurfacing the pool bottom.
3. Nixon's Heating and Air Conditioning provided several alternatives to address heating issues at the clubhouse:
 - a) Fix what we now have - \$1564. Can be put back into working order, but can't tell us how long it will last because of rust on outside of boiler and venting.
 - b) Wall-hung propane-fired boiler including labor would be \$10,900 – 98% efficient
 - c) Oil-fired boiler – replace what we have with a new one -- would be \$7,500 – 80% efficientHeating oil is \$3.91 per gallon; we average 1,000 gallons per year. Liquid propane \$3.00 per gallon; Jerry will call Southern States to get cost comparatives between fuel oil and propane. Ed will call Madison Plumbing. There is a short time frame on this – by third week in October at the latest.
4. Ed reminded members that we are only discussing heating issues. The entire HVAC system including the air conditioning and the duct work will need attention in the near future also. In addition, the condition of the underground oil tank is unknown.
5. Karen Pinkerton said that she will need a list of priorities from the Board for her next volunteer work weekend October 4 and 5. She will post a notice on the bulletin board asking for neighborhood input.

Roads:

1. Lee and Ed spent two hours with Blakey driving the roads in Malvern and discussing appropriate actions to take in order to prolong the life of our roads.

2. The Sylvan Lane culvert is smashed and water is running over the road rather than through it. Repairs need to be made asap.
3. Shoulders on Malvern Drive need to be repaired and improved.
4. Powder Horn culvert has water running under it.
5. Liberty Lane culvert: 30" culvert has separated underground causing the roadside embankment to sink. Has to be addressed asap. Quotes for repair work are expected to be high and involve at least several days worth of work and heavy equipment. An estimate will be given at September board meeting.
6. Don Nicholson asked for a "No Parking" sign at the end of the fence on the opposite side of the road from the mail boxes.

New Business:

1. A member raised a question regarding several Malvern residents placing their business cards on the bulletin board in the mailbox area:
 - a) The cards list a Malvern address as part of their contact information. The member felt this could be an indication that residents may be operating businesses from their homes, which is a violation of one of Malvern's covenants and could potentially subject Malvern Club, Inc. to fines for knowingly allowing an owner to violate Madison County zoning standards.
 - b) Jerry replied that the act of placing a business card giving a Malvern address as part of the contact information was insufficient cause to conclude that the covenant had been violated and would take time away from the numerous duties the Board members are otherwise charged to perform.
 - c) Member wanted the following on record: I am asking you to enforce the covenants and you are not going to do it. I am asking all Board members if they agree with Jerry's assessment that the Board will not go after all home businesses. The board did not disagree with Jerry.
 - d) Jerry said that if the Board gets a written complaint, it will then decide what to do about it. Member said she will get a written complaint to the Board. Jerry asked Pat and Barbara to work on a draft letter that could be used if it is needed.
2. Pat brought up an issue with Lot 143 regarding railroad ties that have been lying on property for the past 8 months or so, along with piles of weed-covered topsoil and mulch, one pile of which has a large blue tarp draped over it and another has a garden cart on top of it. Jerry said a letter can go out to homeowner stating Board's concerns and asking what their intentions are and when they intend to complete the work.
3. Board discussed the need for clubhouse locks to be replaced. We have no idea who has keys and where keys are. This should be done as soon as possible.
4. Question about leash-laws in Malvern. No leash laws in Madison County so we have none here in Malvern.

Old Business:

1. Five-year plan: an executive meeting needs to be scheduled.
2. Karen said the Rules Committee is working hard to review current covenants and restrictions and the need to possibly update them.

Meeting adjourned at 9:00 p.m. Next Board meeting scheduled for Thursday, **September 11, at 7:00 p.m.**

Submitted by Barbara Flynn, Secretary