

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

Minutes: Board of Directors Meeting, Thursday, September 11, 2008

Meeting called to order 7:00 p.m. by President Jerry Monnat

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

Members present: Frank and Barbara Sargent, Gary and Karen Pilkerton, Barry Cliver, Norman and Kathy Hensel, Ceil and Rick Collins, Angie Wiseman, Pattie Rees, Joe Graham, Dianne Cross, Jason Woodward, Steve Reed

Jerry noted that there was a lot to cover during the meeting. He asked people to raise their hands if they wanted to ask questions or make comments; each comment and discussion would be limited to two or three minutes.

Secretary/Public Relations:

1. The board approved the August 14 minutes.
2. Barbara asked the Board to get articles for the Communicator to her as soon as possible. The newsletter needs to be in the mail several weeks before the October 18th annual budget meeting.
3. Barbara will call around to several churches, fire department and the high school to find a location for the October 18th membership meeting, as Madison Presbyterian Church is unavailable for that date.

President:

Jerry noted that an Executive Board Meeting was held on September 7th in order to discuss the 5-year plan. Because the amount of work the volunteers can do on the October 4/5 weekend will save expenses and thus impact the budget, the Board also prioritized the volunteer projects. Jerry read the list of projects. Karen Pilkerton said the volunteers could do everything on the list. She will prepare a sign-up sheet.

Treasurer's Report:

1. August balances: income totaled \$7,800 (\$7,000 came from special assessments); 46 lots remain unpaid. A second notice will go out on Monday. Expenses totaled \$3,317. Total cash available \$49,184.
2. Preliminary 2009 Budget: budget is based on approval of the \$100 dues increase. Income with dues increase: \$130,500; income without dues increase: \$107,100. Items of note include a new income line item "withdraw from reserve", needed to balance anticipated income and expenses, and no 2009 expense listed to replace the HVAC system in the clubhouse in the hope the recent furnace repair will last until 2010.
3. There was a discussion of the special assessment. The original purpose of the assessment was to pay for roads. That money (\$125 per year per lot) still goes to roads only. Karen read the bylaw allowing for a special assessment. A member then suggested we do away with the special assessment designation and incorporate the \$125 into regular dues in addition to the recommended \$100 increase. After further discussion, a motion was made by Ed and duly seconded to (1) modify the regular dues income category to reflect \$525 per lot, (2) reduce the per lot special assessment category from \$125 to \$0, (3) make no further changes to the remainder of the proposed budget and, (4) forward the budget, as revised, to the October 18, 2008, membership meeting with the Board recommendation that it be approved by the membership. Motion carried unanimously.

Architectural Committee:

1. No new applications for buildings.
2. Requests to take down dead and diseased trees and brush were ok'd
3. We have verbal approval to cut down the tree at the Malvern Drive and Covered Bridge intersection, but Pat wants written approval for the record.

Common Areas and Lake:

1. Entrance, two docks, play equipment have all been cleaned.
2. Sign at entrance: Rick suggested painting the background forest green and the letters ivory or off-white to match the large metal sign near the newspaper boxes. Also suggested: seal and stain the sign.
3. Mulching: oak, double shredded – volunteers to do.
4. Gary confirmed he would perform the annual dam inspection in October. A separate issue is that the state permit for the dam expires in March 2009. Malvern must reapply for renewal 90 days before the permit expires. Rick will need to hire an engineer to perform the work before the end of the year and asked Ed to help fill him in with some of the details.

Clubhouse and Pool:

1. Pool gate has been replaced; cost \$500, as estimated.
2. Repair of the oil furnace is in the process of being completed. It will hopefully function for at least one more year with either no service or minimum service required. John recommends eventually going to the heat pump system.
3. John is reviewing a new system for key control. One possibility is replacing two or more lock sets with electronic locks that can be coded as needed so that keys would not have to be handed out to renters or workers. Prices seem to run between \$150 to \$500 per door/lockset. He will know more next week.
4. Bob Davis of Aqua Clean Pools provided a very rough estimate of \$15000 for caulking, tiling and surfacing. He will call John about a date to actually come out and look at the pool and give a more accurate estimate.

Roads:

1. The final cost for Sleigh Bell Road came in a little under budget. Lee's article for the Communicator will include notes from Blakey on how to maintain roads.

New Business:

1. A member said she was advised that a property owner on Ashlawn cuts across his lot to Oak Park Road. Lee said this would probably be a VDOT matter, but he will look into it.
2. Letter was received from a property owner regarding an easement on his property for a road and parking lot to a lake that was never built. Easement still stands. Jerry reported that our attorney said the board can vacate this easement. There was discussion on whether the County needed to be involved but this was discounted since the County has no rights in the easement. Ed would like a letter from our attorney confirming the easement can be vacated solely on a Board motion. Once obtained, the Board can supply the owner the conditions that he will need to be met in order to vacate the easement.
3. A written complaint was received from a property owner regarding an alleged harassment incident while driving on roads within Malvern by another Malvern owner. Jerry stated he had researched the complaint further but hasn't been able to corroborate the incident and therefore doesn't feel there is much the Board can do except to reinforce with the membership that this of type action is not condoned by the Board.
4. A member would like a decision to be made as to who bears responsibility for the upkeep of the property with the roadway easements. Is it the individual homeowners, or do HOA dues need to be

expended for upkeep? Since most owners already maintain the property within their easement area, this is not a prevalent issue. But there are several lots where the easement area is being neglected and so Pat will prepare a letter for the Communicator about this subject while the Board researches the issue further.

5. There will be two October meetings – the regular Board meeting on October 9 and membership meeting on October 18.

6. Pat Kaplon noted that it has come to the attention of the Rules Committee that some home businesses in residential districts may be allowed by the County under a By Right provision. Certain criteria would have to be met, among them are: it can't be visible from the outside that a business is going on inside, no traffic may come to the home for the business, and no parking may be specifically provided for customers. The Rules Committee is thinking of revising our covenants to reflect this. They are doing an in-depth study of the covenants and it will take time but they hope to have it ready in time for the annual meeting in the spring. A member suggested that, if this is approved, a list could be put in our newsletter and on the website with names of people operating "by right" businesses. This would enable property owners to support the businesses if they choose to do so.

7. A member gave a letter to the board about a lawn business he wants to run from his home – nothing involved but his truck and mower. No outward signs of a business. Pat will get appropriate forms to him.

Old Business:

1. Jerry gave an update on his contact with our attorney on the automobile repair business including the necessary documentation needed to file an injunction. There was additional discussion and suggestions on other possible approaches including whether noise generated from the property exceeded the standard of that which could be reasonably expected from lots within residential neighborhoods. It was noted this condition violates one of Malvern's covenants and that the homeowner had already been notified of this violation. Jerry stated he would pursue additional advice.

Meeting adjourned at 9:04 p.m. Next Board meeting scheduled for Thursday, **October 9, at 7:00 p.m.**

Submitted by Barbara Flynn, Secretary