

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

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Minutes: Board of Directors Meeting, Thursday, February 12, 2009

Meeting called to order at 7:05 p.m. by President Jerry Monnat

Board members present: Lee Rees, Ed Johnson, John Haines, Pat Kaplon, Barbara Flynn

Members present: Barbara & Frank Sargent, Joe Graham, Don Nicholson, Karen Pilkerton, Ceil & Rick Collins, Cathy & Norm Hensel, Chas Egen, Travis Rosser & Carol Valentine, Charles & Betty Cottrill, and Brian Paul

The Board approved the January 9 minutes. The Board then went into Executive Session regarding Lot 158 and reconvened at 7:45.

With regard to the Lot 158 covenant violations, a motion was made and approved that the Board will meet with our attorney as soon as possible to discuss the legal remedies and implications of proceeding. A member asked about the business side of this conflict. Jerry reported Madison County has contacted the lot owners and is awaiting a reply. This will also be one of the topics of discussion when we meet with our attorney.

**Secretary and Public Relations:**

1. Barbara to call Madison Presbyterian Church to reserve the hall for the April 25<sup>th</sup> membership meeting.
2. She said she will need the Board's input for the Communicator which will be mailed out in late March. It will be a lengthy newsletter because it will also contain proposed changes to the by-laws and covenants for membership review prior to the April 25<sup>th</sup> meeting.

**Treasurer's Report:**

1. Slow month: \$360 income from rentals, expenses \$602; cash on hand \$48,196.
2. Ed had a correction to the 2008 end-of-year balance: change to \$48,438 due to interest statements received after the last reporting period.
3. Ed read a report from Jo Ann Egen highlighting that after her review of all 2008 invoices, check stubs, deposit tickets, bank statements and check registers, all appeared up-to-date and accurate. Ed expressed his appreciation to Jo Ann for agreeing to do the review. The report will be presented again at the annual meeting in April.

**Architecture Committee:**

No new applications were received.

**Buildings and Grounds:**

With regard to our current dam permit which will expire in March, Ed reported he submitted an application for a one year Conditional Operations and Maintenance Certificate to the Virginia Department of Recreation and Conservation. He expects the application will be approved.

**Clubhouse and Pool:**

1. Joe reported on the Clubhouse rental status. He asked the Board to approve the revised Clubhouse Rental Agreement so that he could get it to Chas for the website. Approved.

2. Joe said the refrigerator in the Clubhouse is still not working properly. The Board approved his request to call Greystone and have someone come out and check it.

3. The contracts and a down payment in the amount of \$5,575 to Aqua-Clean Pool Service have been signed and returned. The pool company is currently scheduling the work which is to remove old tile and install new 6 x 6 frost proof tile, drain the pool for re-plaster with white plaster, and install an anti-entrapment main drain cover with automatic pump shutoff system. Total cost for the work is \$15,889.18.

4. Karen said the Clubhouse Committee did vote on raising rental fees and voted to bring this matter before the Board. Jerry said the Board will discuss at a later time.

5. Because Rick was not present, it was decided to postpone the camera discussion until the next meeting.

### **Roads:**

1. Lee said he had one formal proposal for the repairs to Liberty Lane. A section of road on the side is starting to collapse and will undermine the road itself. Estimate right now is a little over \$19,000. Once approved, we want to act quickly – the road will be shut down for about 3 or 4 days. Ed said it will be necessary to coordinate the work with other scheduled cash requirements for this year.

2. Lee said our supply of the material spread on the roads when it snows is now depleted. He has made inquiries on getting a new batch delivered but has held off until he is sure we get the same material we had. Don will get the name of the material – in his opinion this substance provides better traction, lasts longer and doesn't leave a residue when compared with sand.

3. Question was asked by a member if anything had been done regarding Lot 147. Barbara said a letter had been drafted. The draft was reviewed and a motion was made and approved to send the letter.

4. Chas mentioned that he put a form on the website which members can use to let the Board know of road problems. Just fill it out, and get it to a Board member. Jerry told Barbara to make sure this form gets in the Communicator.

### **New Business:**

Jerry asked Barbara Flynn to chair the nominating committee and Frank Sargent to be on the committee. There are four positions that need to be filled this year. The committee will search and entertain motions for candidates to fill the positions. Ed, Jerry and Lee have agreed to have their names included on the ballot. All of the bios will go in the Communicator.

### **Old Business:**

1. The Board addressed several written inquiries: a) a suggestion to send a letter to the lot 65 owner giving two weeks notice to remove the tree house. It was noted previous attempts to contact the owner by telephone, knocking on the door and mail have failed. It therefore appears we will have to await a sale of the house (the house is currently for sale) to take action; b) status of Lots 25-C and 106: advertising on the bulletin board. Jerry said he spoke to homeowner of Lot 106; Pat will check her files for both of these; c) status of Lot 97 – although it had been reported the Board had received a written complaint none of the Board members could produce or recall seeing the letter. A member then composed a letter of complaint and 4 members signed it. The Board will agree to send a letter to the owner based on this written complaint.

2. Jerry mentioned Virginia statutes dealing with the Common Interest Community Board were modified in 2008 which affect how the Board must handle complaints. Another statute change allows for increasing the fee for disclosure packets – our current fee is \$25 and the statute change allows for it to be increased to as much as \$150.

3. A member questioned if he had to get the Board's permission to circulate a petition around the community. He was told it was not necessary.

4. Ed said he had no time this past month to work on easement situations. These issues will be continued.

5. A motion was made and approved that the Board hold an executive session with the Rules Committee regarding the Committee's recommended changes to the by-laws and covenants: Sunday, February 15<sup>th</sup> at 3:00.

Meeting adjourned at 8:45 p.m. Next meeting will be Thursday, March 12 at 7:00 p.m.

Submitted by Barbara Flynn, Secretary