

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

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Minutes: **Membership Meeting**, Saturday, October 17, 2009

Meeting called to order at 10:02 a.m. by President Jerry Monnat

Board members present: Jerry Monnat, Lee Rees, Ed Johnson, Rick Curtin, Jason Woodward,  
Barbara Flynn

Quorum requirement was met.

Barbara Sargent, Dianne Cross and Nancy Johnson previously volunteered to count ballots.

**Handouts:** Agenda  
Proposed bylaw and covenant changes – **ballot vote**  
2010 capital improvements budget – **ballot vote**  
Ballot authorizing Malvern’s BOD to ask the Board of Supervisors of  
Madison County to enact an ordinance designating our roads as  
highways for law-enforcement purposes - **ballot vote**  
2010 operating expenses budget  
Malvern Club, Inc. Directory

Minutes of the April 25, 2009 membership meeting were approved.

**Proposed bylaw/covenant changes**

Jerry read each of the proposed bylaw and proposed covenant changes. There were questions and discussion regarding several of the proposed changes.

Ed noted that the newsletters were postmarked September 18, meeting the bylaw requirement that they be mailed 25 days prior to the membership meeting.

Members were asked to mark their ballots yes or no for each of the proposed changes (results of vote reported on last page).

**Treasurer’s Report:**

Capital improvements: \$62,000 for 2010 includes \$32,500 for fuel tank, HVAC, pool area and signs; \$29,500 for road maintenance. Members were asked to mark their ballots yes or no to approve the capital improvements budget; 64 in favor of approval, 1 opposed – motion carried.

Operating expenses: The remaining operating portion of the budget was discussed and approved by a unanimous show of hands.

### **Roads:**

Lee said we need to do a good job maintaining our roads. Liberty Lane culvert repair came in under budget by \$2,000. He passed around photos that the contractor took so that members could see the damage that had been done to the culvert.

**Law enforcement of our roads:** This would not give our roads to VDOT; we will continue to maintain and repair them. This vote would allow the sheriff's office to treat our roads as highways so that they can write a ticket if they observe a traffic violation. Sheriff is open to idea. Deputies are occasionally in Malvern, but they are unable to write tickets for speeding, aggressive driving, etc. If an accident were to occur, it would have to be dealt with as a civil matter between the parties involved; no traffic or criminal charges placed. A member asked about the status of speed humps which were approved for installation in 2007. Lee said this has been put on hold in order to get the law enforcement process completed. It was suggested we may need both law enforcement and speed humps.

There will be a Public hearing Tuesday, November 10. Ed and Lee will attend; a member suggested that the community be made aware of this meeting so that other residents can attend if they choose to.

A vote was taken to authorize the Board of Directors to request that the Board of Supervisors of Madison County consider enactment of an ordinance designating roads within Malvern as "highways" for law enforcement purposes. The authorization was approved by ballot vote with 61 members in favor and 5 members opposing.

Don Nicholson will do bulk of plowing – anyone interested in helping give Lee a call.

### **Architecture:**

Jerry said that it has been a quiet year for this committee – some sheds approved and roofing on a deck approved.

### **Common Areas and Lake:**

Jason said they have been working on the entrance: changed colors, are getting some of the fence boards replaced.

There was extensive tree damage in the summer. Volunteers helped to clean it up. Six pine trees on Malvern Drive will be taken down. One is dying out and the other five have started ruining the road.

### **Clubhouse and Pool:**

A good bit of work was done to the pool this year: new gate, pool resurfaced and tiled, a safety mechanism was put over the drains, caulking of coping stones on the pool and the expansion joints on the deck. Rick said we had a good turnout this summer and people seemed very happy with the improvements. Mike Perryman has agreed to take care of pool for next year.

Clubhouse bushes have been removed, clubhouse was pressure washed, and plants/bushes will be planted in the spring. Furnace maintained this year; will be replaced in the near future.

Rick thanked the Clubhouse Committee and the many other volunteers who helped out this year.

### **New Business:**

A member asked that the Board research ways of reducing the deer population in Malvern. Lee will research and will have something to report at next regular Board meeting.

A member asked about the 30-acre track that just sold on Old Forge. She wanted to know if there was a chance they could have access through Malvern. Jerry said no; Lee to check.

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**Voting results for proposed bylaw and covenant changes**

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2/3 needed for passage or minimum of 44 votes out of 66 properties represented in person or by proxy

		<b>In favor</b>	<b>Opposed</b>	<b>Outcome</b>
<b>A.</b>	Bylaw III, Membership	26	40	Fail
<b>B.</b>	Bylaw IV, Property Rights: Rights Of Enjoyment	31	35	Fail
<b>C.</b>	Bylaw V, Organization, Purposes	30	33	Fail
<b>D.</b>	Bylaw V, Organization, Powers	26	39	Fail
<b>E.</b>	Bylaw VII, Board Of Directors	32	34	Fail
<b>F.</b>	Bylaw VIII, Officers, President	37	29	Fail
<b>G.</b>	Bylaw VIII, Officers, Appointment of Committees	35	31	Fail
<b>H.</b>	Covenant #2 (re: business)	20	46	Fail
<b>I.</b>	Covenant #5 (re: structures, locations)	13	53	Fail
<b>J.</b>	Covenant #7 (re: temporary structures)	27	39	Fail
<b>K.</b>	Covenant #10 (re: signs)	33	33	Fail
<b>L.</b>	Covenant #12 (re: maintenance of property)	17	49	Fail
<b>M.</b>	Covenant #13 (re: trees)	36	30	Fail
<b>N.</b>	Covenant #17 (re: hunting)	14	52	Fail
<b>O.</b>	Covenant #18 (re: animals)	28	38	Fail

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Jerry thanked everyone for coming out today.

Meeting adjourned at 12:00. The next Membership Meeting will be held Saturday, April 24, 2010 at 10:00 a.m. at the Malvern Clubhouse.

Submitted by Barbara Flynn, Secretary