

- - Malvern Traffic Issues - -

Through September 2017

The purpose of this report is to consolidate the history of discussions, proposed solutions, and actions found over the years. The sources are Board Meeting Minutes and Malvern Communicators, those in digital form since December 2004 and those in paper form prior to December 2004. This report is not complete and will never be complete. First, not all source documents are available, second the paper-only documents are of varying quality, and last, there is human error as an item may have been missed or misunderstood. Please report any missing pieces or errors.

As a quick guide, traffic control discussions have focused on:

- Appealing to community for voluntary compliance.
- Seeking Police enforcement.
- Requesting Ordinance to Designate the Private Roads within Malvern of Madison Subdivision as Highways for Law-Enforcement Purposes (2003-2010). Approved as Ordinance No. 2010-1 on March 9, 2010.
- Obtaining Engineering certification of road signs and the speed limit on Malvern streets as meeting State requirements as requested by the Madison Board of Supervisors (2009).
- Hiring Private Security Contractor (2013-2015).
- Seeking contractor "Special Conservator of the Peace" designation. Denied 2015.
- Adding (2015) Speed Humps for traffic calming.
- Removing same (2015/2016).

Note: On September 12, 2017, the Madison County Board of Supervisors repealed "*Ordinance No. 2010-1 to Designate the Private Roads within Malvern of Madison Subdivision as Highways for Law-Enforcement Purposes.*"

Malvern Traffic Issues - a Chronological Sampler

September 12, 2017 Madison County Board of Supervisors Meeting

The Madison County Board of Supervisors repealed "*Ordinance No. 2010-1 to Designate the Private Roads within Malvern of Madison Subdivision as Highways for Law-Enforcement Purposes.*"

OCTOBER 17, 2015 Membership Meeting:

Decisions and Actions

3. A motion was approved by a majority vote to remove the five speed tables on Malvern Drive and the two speed tables on Ashlawn Drive. A motion was approved by a majority not to install two additional speed tables on Malvern Drive.

Fall 2015 Malvern Communicator:

DISCUSSION ABOUT SPEED TABLES ON MALVERN DRIVE AND ASHLAWN DRIVE

The membership will be asked to address the installation of speed tables during a portion of the Regular Meeting. As most members are aware by now, the Board authorized the paving contractor to install speed tables in the approximate locations shown on the exhibit below.

Granting the authorization to install the speed tables is consistent with our Articles of Incorporation which state in part that one of the purposes of the Club is to promote the health, safety and welfare of the residents.

Installation of the speed tables came at the culmination of a long, well documented history of attempts to have the speed limit and stop signs obeyed. In fact, mention of speed humps is documented as far back as 1997, well before any current member of the Board lived in Malvern. A comprehensive history can be found at <http://www.malvernofmadison.org/DocForm/TrafficSummary.pdf> for those members interested in forming their own opinion on this issue.

A part of the history was confirming the 25 mile per hour speed limit. Reference was made to State Code sections §46.2-100 and §46.2-874, the Department of Motor Vehicles drivers manual, written information provided by the Sheriff's office who had contacted the traffic engineer with VDOT, and a certification from a Virginia Professional Engineer stating the roadway signs and speed limits conformed with criteria developed by the Commonwealth Transportation Commission.

Madison County law enforcement and emergency services were contacted prior to installation and raised no concerns or objection.

Since installation, several members living along and/or using Malvern Drive have reported a noticeable adherence to the posted speed limit and therefore a greater sense of safety has been achieved.

Allowing the speed tables to remain demonstrates your awareness that residents living along high traffic roads are entitled to the same amount of safety as those who live on less traveled or lower traffic roads. Allowing them to remain is a fiscally responsible solution. Finally, having acknowledged the need to control speeding for safety reasons, their removal could increase the community's liability exposure should they now be removed.

September 10, 2015 Board Meeting: 3. Topic of speed humps will be placed on the agenda for the Regular Membership meeting on October 17, 2015.

August 13, 2015 Board Meeting:

1) An attached map showing the agreed upon locations of four speed humps on Malvern Drive was distributed to the Board and members present.

3) The Malvern HOA is responsible to install barriers in easement adjacent to the speed humps to prevent vehicles from driving around the speed humps.

June 9, 2015 Board Meeting: Letters will be sent to the Fire Department, the Rescue Squad, and the School Board informing them that Malvern is installing speed humps.

1) Work descriptions for road repairs and speed humps were sent to seven firms. Two have returned bids. The board will vote by email on the bids received by June 15.

May 14, 2015 Board Meeting: 1) the road survey is in progress and going well. We will request bid for repairs and speed humps when the survey is complete. 2) The committee will get prices for portable speed radar.

Draft Spring 2015 Membership Meeting: There was discussion regarding installation of speed humps with the decision that it will be presented to members for vote at the October membership meeting.

April 9, 2015 Board Meeting: 2) will ask for pricing on speed humps and report back to Board.

March 12, 2015 Board Meeting: 1) Judge has denied application request for Conservator of the Peace; 2) Board will task Road Committee to research and proceed with installation of speed humps as originally approved in April 2007; 3) Board will document evidence of traffic and other incidents within Malvern for use in a future Conservator of the Peace re-application request.

February 12, 2015 Board Meeting: 1) sent request for status with regard to conservator of the Peace; 4) will get estimates for 3 speed humps with future estimate for 2015 paving repairs.

January 8, 2015 Board Meeting: 1) awaiting word from judge regarding Conservator of the Peace duties.

December 11, 2014 Board Meeting: 1) reported no action on Blakey from Sheriff; will look into courses of action;

November 13, 2014 Board Meeting: 1) continue to await Sheriff Weaver response with regard to Blakey duties as special conservator of the peace;

Fall 2014 Membership Meeting: 1) there was discussion regarding security within the community including the status of the current security person receiving a "Special Conservator of the Peace" designation that would allow limited law enforcement duties as granted by a circuit court judge. The Board of Directors is awaiting Court approval prior to assigning actual duties and conditions.

October 9, 2014 Board Meeting: 2) Mr. Blakey is still waiting to hear from the Sheriff about his responsibilities.

September 11, 2014 Board Meeting: 1) requested T.J. look into costs involved with speed humps for slowing down traffic.

August 14, 2014 Board Meeting: 1) Mr. Blakey has completed classes to become Special Conservator of the Peace (VA Code §19.2-13); awaiting final approvals; may be allowed to make traffic stops and issue tickets; 2) Board agreed to allow for member notification and comment at the October Membership meeting prior to authorizing Mr. Blakey the go-ahead to make traffic stops.

October 10, 2013 Board Meeting: Roberta extended the Security contract on a slightly reduced scale for the winter months (as approved in the Sept. meeting), and informed L & D that we would be renewing the contract again in May, 2014.

July 11, 2013 Board Meeting: Community driving habits were also discussed. It seems the County is unwilling to assist in enforcement, and in at least one case, L & B is choosing to pursue the matter on their own with the court system.

June 13, 2013 Board Meeting: 1. L & B Security staff were introduced, and made a brief presentation detailing their initial observations. They presented their Log Book for the Board's review, and discussed security in general, and specifically whether County Law Enforcement should be notified of repeat traffic offenders.

Spring 2013 Membership Meeting: 2) Roberta Jalbert explained and answered questions related to the use of a security company;

January 10, 2013 Board Meeting: 2) proposed a security company be utilized since previous attempts at controlling use of the lake, pool facilities and traffic concerns has not been effective; 5) security company will monitor and log traffic violations in order to address repeat offenders;

May 10, 2012 Board Meeting: 8) Members asked about law enforcement patrolling the neighborhood. It was stated that they do this on their own time as the Sheriff does not have enough staff to do this during their regular shifts.

October 13, 2011 Board Meeting: 3) a member asked the status of the traffic enforcement patrols in Malvern. Joe reported he had talked with Sheriff Weaver and thought they had agreed on a plan for additional patrols. Further discussion on the subject included adding speed humps as was originally discussed at the April 28, 2007 membership meeting. Joe said he would contact Sheriff Weaver again.

August 11, 2011 Board Meeting: 1. A member asked if there is a possibility to put speed-bumps on Malvern Drive. This has been discussed before and it was decided not to take this option at that time. The police have been coming into Malvern and have been ticketing people who have been violating traffic laws. This seems to have been curtailing some of the dangerous driving. A motion was passed to allocate \$1,500.00 for continued periodic police patrol through the end of 2011.

3. A member believes that the board has the authority to fine members that have received tickets for traffic violations in Malvern for covenant violations.

July 14, 2011 Board Meeting: 3. The sheriff has been patrolling and ticketing people who are violating traffic laws. It was suggested by a member to put up signs when you come in to Malvern to inform people of the police presence.

June 9, 2011 Board Meeting: 1) Joe reported on his conversation with Lee Rees. Lee had talked with Sheriff Weaver about traffic enforcement in Malvern. The Sheriff says we can arrange to have Madison officers perform the service by paying them directly at the rate of \$40 per hour. The Sheriff recommended a 3 hour shift, 3 times per week the first week, 2 times the second week and 1 time the third week. Based on these recommendations, a motion was made by Joe to budget up to \$1,000 for traffic enforcement; motion carried. Joe will coordinate with Lee to speak with Sheriff Weaver.

May 12, 2011 Board Meeting: 3. A member has observed a blatant disregard for the traffic laws in Malvern. The roads can be dangerous and something has to be done. Officers can be called in to do some extra policing, but we will have to pay for the overtime. The board will find out how much it will cost to have extra patrols in Malvern.

Fall 2010 Membership Meeting: Malvern roads are now being patrolled for speeding and other infractions. We may have the option to pay department deputies to do some additional enforcement of Malvern Roads outside of the officers' normal hours. This may be addressed in the future if necessary.

June 10, 2010 Board Meeting: 2. A member questioned the status of law enforcement along Malvern's roads. The Board will research the status.

Spring 2010 Membership Meeting: 3. Lee thanked Ed for all his hard work in getting Madison County Board of Supervisors to adopt the ordinance designating our roads as highways for law enforcement purposes.

March 11, 2010 Board Meeting: 2. Law enforcement of Malvern roads: The Board of Supervisors passed an ordinance approving law enforcement on Malvern roads, as of Wednesday March 10, 2010. This means tickets may be issued for traffic violations observed by police while in Malvern. Lee will contact the Sheriff to discuss whether other options are available for added enforcement.

January 14, 2010 Board Meeting: Law enforcement of Malvern roads: There will be a public hearing on this issue on Tuesday, February 9th, at the Board of Supervisors regular meeting -- during the 7:30 pm session. Lee will post this

information on the community bulletin board. Ed said Malvern residents can write letters to the Board of Supervisors expressing their concerns.

December 10, 2009 Board Meeting: 4. Law enforcement: This issue has gone to the next step: in February there will be a public hearing to consider passing an ordinance to designate our streets as highways for law enforcement purposes. We will have the new Board of Supervisors in place at that time. Malvern residents are encouraged to attend.

Fall 2009 Membership Meeting: 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.

October 8, 2009 Board Meeting: 1. Lee reported the results of a workshop meeting with the Board of Supervisors on September 24 regarding law enforcement along Malvern roads. The Board of Supervisors will hold a public hearing on October 13 to further consider the request. Lee and Ed plan on attending the meeting.

Fall 2009 Malvern Communicator:

A Message from our President

We have replaced our signs to meet all VDOT requirements and will be soliciting the Board of Supervisors to allow the Madison Sheriff's Department to provide traffic enforcement on Malvern's roads. The problem with speeding and running stop signs remains as both a legal and safety issue.

LAW ENFORCEMENT NOTICE

The Board of Directors will soon file a request to the Board of Supervisors of Madison County that the Supervisors enact an ordinance designating our roads as "highways" for law enforcement purposes. Passage of the ordinance would only grant police the authority to issue a ticket for a traffic violation observed along streets in Malvern. The status of our roads would otherwise remain unchanged - in other words they are still private and still maintained by Malvern residents. Notification to Malvern residents was one of the three requirements placed by the Board of Supervisors at their July 10, 2007 Board meeting. Providing a certification of speed limits and road signs, and having the Board of Directors submit a formal request were the other requirements.

September 10, 2009 Board Meeting: 2. Road issue/Board of Supervisors: announcement will be in the newsletter concerning our request that Malvern roads be patrolled by the Sheriff's Office.

August 13, 2009 Board Meeting: 1. Road issue, Board of Supervisors: Ed said that in a few days he will have the letter certifying our road signs and speed limit on Malvern streets as meeting State requirements. In accordance with previous conditions placed by the Board of Supervisors (BOS), a motion was made to send a written request to the BOS to enact an ordinance designating our streets as highways for law enforcement purposes and to simultaneously send a letter to all Malvern residents informing them of the request being made to the BOS. Motion carried unanimously. Ed mentioned the April 2008 edition of The Malvern Communicator had an article explaining the history and purpose of this request.

July 9, 2009 Board Meeting: Jerry asked that we continue with the process of having our roads designated as highways for law enforcement purposes.

June 11, 2009 Board Meeting: 3. Follow-up to speed issue: next step is to get our signs certified, then take our case to the Board of Supervisors and ask them to bring our roads into the system. This will mean the Sheriff's Office can write speeding and stop sign tickets.

Spring 2009 Membership Meeting: 1. All road signs have been replaced. This work was done by Ed Johnson, Frank Sargent and Rick Collins. We are trying to get the county to recognize our roads as highways so law enforcement can come in and patrol them.

3. As to the speeding issue: We will get an engineer to provide the required certification on road signs. Then the Board will ask the Board of Supervisors to consider adopting an ordinance designating our streets as highways for law enforcement purposes. We are still responsible for road maintenance.

6. J. Miller, asked about speed bumps. Jerry said he received a lot of negative feedback on this matter; it was put on the back burner so that we could concentrate on getting the road certified for patrol by law enforcement and hopefully cut down on speeding in this manner.

January 8, 2009 Board Meeting: 1. Lee said there are no major up-dates. Frank said he and Rick Collins finished putting up all the road signs. The next step will be to get an engineer in here to approve signs and then a letter will go to the Board of Supervisors again pleading our case for County law enforcement on our roads.

December 11, 2008 Board Meeting: Only one more stop sign and one more speed limit sign need to be put up. We will then arrange to have our road signs and speed limits certified by a professional engineer and then resubmit our request to the Board of Supervisors to have our roads designated as 'highways' for law enforcement purposes.

November 13, 2008 Board Meeting: 1. Signs are an on-going work in progress; 16 have been put up and 16 to go. Frank, Rick Collins and Ed have been doing this work.

Fall 2008 Membership Meeting: As to the speeding issue: signs meeting current State standards are being installed by Frank Sargent, Rick Collins and Ed. Once the signs have been replaced an engineer will provide a required certification. Then the Board will formally ask the Board of Supervisors to consider adopting an ordinance designating our streets as highways for law enforcement purposes.

October 9, 2008 Board Meeting: Ed reported that he, Frank Sargent and Rick Collins had already put up 18 signs; there are 16 more to do. They need to call Miss Utility before some of them are put up; materials are on site. Signs are high, but are in accordance with VDOT regulation.

July 10, 2008 Board Meeting: A new stop sign was installed at the Liberty and Covered Bridge intersection. Two existing non-conforming speed limit signs were also replaced with new signs. More signs will be ordered and installed to replace the remaining non-conforming traffic signs. The sign replacement program is part of the effort for Madison County to consider providing law enforcement along our private roadways.

May 8, 2008 Board Meeting: 7. Several people present were pleased to see deputy sheriffs' cars patrolling Malvern occasionally.

Spring 2008 Communicator

MALVERN STREETS and LAW ENFORCEMENT:

One might think that a driver committing a traffic offense along any roadway in Virginia could be pulled over and issued a citation by a duly appointed Virginia law-enforcement officer who observed the violation. Apparently there are areas in Virginia where that premise is not always true. Malvern, for example, is one of those areas where a driver committing a typical traffic offense (speeding, not coming to a full stop at a stop sign) would not be issued a citation. The difference is that the streets in Malvern are private as opposed to being public.

There are provisions in the Code of Virginia though that do allow law enforcement along private streets. So what's keeping law enforcement from happening within our subdivision? The record appears to show there have been a number of attempts by previous Malvern Boards and residents for this provision to occur.

In 1995, our Deed of Dedication was amended to add a provision whereby "any law enforcement officer may patrol the streets and roads within the subdivision and enforce the provision of the Code of Virginia, 1950, as amended". Problem solved, right? Well, apparently not.

In 2003, the Madison County Attorney advised our then Board President in a letter on how to proceed with designating our streets as "highways" for law enforcement purposes. Over the next 3 years, the Board followed what was thought to be the direction given. This included modifying and adding signage at the direction of the Sheriff and County Administrator, having the membership vote in favor of designating

our streets as highways for law enforcement purposes, recording the Resolution of the membership among the Land Records of Madison County, and having our attorney forward his certification of the Resolution back to the County Attorney.

Problem solved, right? Still the answer was no. In 2007, the Sheriff was again approached to begin law enforcement within our subdivision. We found out then that the Madison County Board of Supervisors must pass an ordinance designating our roads as highways for law enforcement purposes.

On July 10, 2007 the Board of Supervisors discussed the proposed ordinance. One might think here that the Board of Supervisors would not have a great deal to discuss on this topic. But upon an explanation of the history of the issue by the County Attorney and County Administrator, the Board was reluctant to approve an ordinance at that time. Two main issues were of concern to the Supervisors. First, the County Attorney reported an absence of communication with Malvern representatives since his 2003 letter. Second, a newly adopted Virginia statute gave the Supervisors the option of requiring a certification of street signage by a Virginia licensed professional engineer.

The outcome of the Board of Supervisors meeting was that Malvern must meet 3 requirements in order for the Supervisors to consider adopting an ordinance. First, the road signs and speed limits within Malvern must be certified by a professional engineer. Second, the Malvern Board of Directors must request the Board of Supervisors enact the ordinance to designate our roads as "highways" for law enforcement purposes. Third, residents of Malvern must be notified of the Board of Director's request to the Board of Supervisors.

So one might now think, find an engineer, get the certification, submit the request to the Board of Supervisors and notify the residents. We are closer, it is true; but unfortunately there are still several hurdles. We have found an engineer qualified to make the assessment; we have performed a study of our current signage; and we have now confirmed what requirements will be applicable to the signs. But unfortunately we now find the majority of our current signage does not meet the current criteria as to size, height above the street, and/or location relative to the pavement. There are also several intersections within Malvern where stop signs will need to be posted.

The current effort is to purchase and install the necessary signs, posts and hardware needed to meet the requirements. That work is planned to be completed this Spring. Once complete and certified, the Board of Directors will formally ask the Board of Supervisors to consider adopting an ordinance designating our streets as highways for law enforcement purposes.

Hopefully residents in Malvern will find the information and history presented above useful as to the status of this issue. If necessary, further information can be obtained by asking a Malvern Board member, attending one of the monthly Malvern Board of Director's meetings and/or attending the April membership meeting.

April 10, 2008 Board Meeting: The engineering study for road signage has been completed. 2 new signs are needed. They will be ordered and installed.

March 13, 2008 Board Meeting: Ed reported additional research for speed limit and stop signs; he suggests use of 12 foot 4 x 4 pressure treated wood posts, hot-dipped 3.5 inch lag bolts and concrete to secure posts; estimate from MWP for these materials is approximately \$600; sign estimate is approximately \$2,200; Board approved purchase and installation of 2 signs initially.

February 14, 2008 Board Meeting: An engineering study of all road signs in Malvern is complete. We do need to replace 12 speed limit signs and 20-22 stop signs to meet State required size and height. Ed J has researched cost on signs and will get an estimate for the posts. The Board has approved this budget expenditure as it is necessary to meet State requirements for signage before the town will agree to have police patrol for traffic violations in Malvern.

January 10, 2008 Board Meeting: Ed estimated the approximate cost for replacing the deficient stop and speed limit road signs will be around \$4,500. He is confirming the requirements and will be obtaining firm quotes. The information should be available by the time the Board has its next Special Meeting on the 5-year plan.

Fall 2007 Membership Meeting: Update on speeding and signs.

Fall 2007 Communicator: Addressing our road signs as a preparatory step to reining in speeding and ignoring stop signs, both activities being illegal and dangerous

October 11, 2007 Board Meeting: Several members expressed unhappiness that speeding within Malvern continues to be a problem and that to-date, nothing has been put in place to address the issue. The Board re-confirmed that it is pursuing the enforcement option over the use of speed bumps at this time.

September 13, 2007 Board Meeting: Any complaints regarding traffic violations in Malvern should be addressed to the Board, not local officials.

August 9, 2007 Board Meeting: Ed J and Lee R met with the Sheriff and County Administrator to discuss details around Police in Malvern. It should be clear that the Police have the right to patrol Malvern roads and to respond to emergencies here. What they are not able to do is ticket for traffic violations at this time. That requires an ordinance from the Board of Supervisors. The Board is working on supplying the BOS an engineering study of signage to prove compliance with State laws. This is needed before any ordinance can be enacted. More to follow in the October Communicator.

July 12, 2007 Board Meeting: Ed J attended the Board of Supervisors meeting this month to learn more about the Police patrols for Malvern. The history is: several years ago the Board voted to designate our roads as highways so that Police could patrol and cite offenders. In 2005 members voted in favor and our Attorney wrote the resolution. However, the Board of Supervisors must approve and enact an ordinance, and this has not occurred.

Since 2005 a new Virginia statute allows a professional engineer to certify roads signs and speed limits when a community makes this type request. The BOS wants Malvern to take the steps necessary to obtain such a certification and also wants Malvern residents to be made aware that the Malvern Board will be asking the BOS to adopt

the ordinance. It may take 4 to 6 weeks for the BOS to schedule and consider this ordinance once Malvern Club makes a formal request. Ed J will look into the signage issue and report back.

June 14, 2007 Board Meeting: Speed bump installation are on hold until we can assess the effectiveness of Police patrols and ticketing for speeding, etc.

The Sheriff's office will begin regular patrols along Malvern roads and will issue tickets for traffic violations, trespassing and littering.

May 10, 2007 Board Meeting: Lengthy discussion of speed humps versus police patrol ended in no clear mandate, but Lee Rees will follow up with the Sheriff's Department and invite the Sheriff to the June meeting.

Police patrols that lasted about one week did seem to reduce speeders, but the patrols have ended and no tickets were issued. Speeders will resume.

Spring 2007 Members Meeting: The Board voted to approve installation of 3 speed humps to slow traffic. These would be about 12' long, with a grade of 1" to 3" at center, tapering to 1". Recommended sites are: 1. just above Ashlawn; 2. on Malvern Drive about 1/2 in the middle of the divide; and 3. 300' from the intersection of Malvern Dr. and Carriage Lane 3-way stop.

There was lengthy discussion about the use of speed humps, with pros and cons examined. Overall agreement that speeding is a big problem led to discussion of the use of police presence to calm speeders. The new Board will investigate as an alternative to speed humps.

April 25, 2007 Committee Report: On April 5, 2007, the Board of the Malvern Club, Inc. approved funding for the installation of three Traffic Calming Speed Humps along Malvern Drive, exact locations to be determined. The Speed Humps were approved in an effort to calm traffic on Malvern Drive and, if successful, more Speed Humps will be added. The Board formed an ad hoc Committee of volunteers to recommend locations for the installation of three Speed Humps. Click  **here** for the full report

April 5, 2007 Board Meeting: Frank S. obtained a quote from Roger Robertson, Inc. for 1600 square feet of repair and installation of speed "humps". Board approved road repairs. Charles E. will head a committee to decide where and how many speed humps are needed to control speeding.

Spring 2007 Communicator: We plan to repair (pave) some damaged areas of the roads and to have one or more low traffic calming risers (speed bumps) installed

March 8, 2007 Board Meeting: Frank S will be researching a new paving supplier to do repairs and install the speed hump on Malvern Dr.

Fall 2006 Annual Budget Meeting: A speed bump will be installed on Malvern Drive just below the 1st driveway. Remarks: David D wanted to register his opposition.

September 14, 2006 Board Meeting: Installation of a speed bump between Ashlawn and the Entrance will cost somewhere between \$2500 and \$3000.

August 10, 2006 Board Meeting: Members present noted that cars are still exceeding the speed limit, particularly on Malvern Drive entering and approaching the entrance. Frank S proposed we install a speed bump near the entrance to slow traffic coming and going. Bill R moved that the board investigate cost & feasibility. Frank S will contact the paving company for costs and site requirements.

July 13, 2006 Board Meeting: There is a request to review placing a speed bump at the entrance. This will be reviewed once again by the board.

Spring 2006 Members Meeting: A comment was brought to the members about revisiting speed bumps. There is still a great concern over speeders in the neighborhood. The board will take this comment into consideration.

Question: Will the sheriff continue to patrol our community? The sheriff indicated that they will continue to patrol our roads and ticket speeders. Bill H will contact the Sheriff's office to check on their status for patrolling the roads.

February 9, 2006 Board Meeting: Speed limit and stop signs as approved by the board in the January 2006 meeting have been ordered from Todd Brown Inc.

January 12, 2006 Board Meeting: An estimate has been obtained from Todd Brown Inc., pertaining to new speed limit signs and stop signs. Speed limit signs are priced at \$20.70 while stop signs will cost \$79.00 without tax. Bill indicated that Malvern will require 3 speed limit signs and 2 stop signs. The price of the signs along with metal poles is estimated at \$300. The board nominated, voted, and approved the purchase of these five signs and associated materials.

Bill R and Bill H visited with the Madison Sheriff, Erik Weaver, in early January 2006 to discuss patrolling and ticketing in Malvern. Erik indicated his willingness to patrol Malvern and enforce speed limits and stop signs.

September 8, 2005 Board Meeting: Bill H. commented that we still need 5 more 25mph signs. The purchase of these additional signs will be researched.

August 11, 2005 Board Meeting: Bill R and Bill H removed all remaining signs that were not in compliance with the state. In addition the 15mph painted areas were repainted. At this time no other traffic signs need to be purchased.

July 14, 2005 Board Meeting: In a discussion between Bill R and the Sheriff's Office and County Administrator, it was determined that not all of our signs in Malvern meet the State requirements. Bill surveyed the signs and while most meet standards, has passed the action to Jimmy to remove several of the old fiberboard signs. In addition the 15mph written on pavement will be painted over. Once these changes are made then our roads will meet the sign requirements. At that time the board will also determine if additional signs need to be purchased. Eric Weaver and Randy have expressed their interest in working closely with Malvern to keep our community safe by enforcing traffic laws.

June 9, 2005 Board Meeting: Bill R attended a workshop pertaining to the road designation as highways for law enforcement purposes. The Spring meeting minutes will be used to verify the vote and Bill will provide the additional paperwork.

June 2005 Special Edition Communicator: The members approved by Ballot to change our roads to be designated as 'highways' for the purpose of patrolling and ticketing speeders. This change does not imply that our community and its amenities are open to the public, only that by changing the road designation allows for local law enforcement to patrol and ticket speeders.

Spring 2005 Members Meeting: A Ballot vote was taken to change our roads to be designated as highways for the purpose of patrolling and ticketing speeders. The vote was 62 in favor and 8 against.

Spring 2005 Communicator: To be approved: Malvern Roads be designated 'highways' so law-enforcement officers can patrol our roads. Please read before voting on the resolution April 30, 2005. Malvern Club Inc. is requesting the Madison County Board of Supervisors to designate Malvern roads 'highways' as defined in the Code of Virginia 1950, SECTIONS 46.2-100, 46.2-101 and 46.2-102 (referred to in the covenant regarding the operation of motor vehicles on Malvern roads). Information is provided below.

- The approved request would allow the County Sheriffs Department to issue tickets on moving violations within the boundaries of Malvern.
- Malvern now has the majority of its eight (8) plus miles of roads paved.
- Malvern consists of 234 lots with 178 homes and numerous homes in the process of being constructed.
- Speeding, especially in the late afternoon when residents are returning home from work and construction vehicles are leaving, becomes a serious danger to those residents who are walking, riding bikes, etc on our roads.
- Signs, speed limit warnings and articles in the Malvern Communicator have not resolved our problem.
- Having the Sheriffs Department patrol a few times a month and issue tickets would help resolve this problem.

January 13, 2005 Board Meeting: Bill H raised concern over the movable speed bumps and the possibility that they may be moved around by unauthorized persons. Discussion followed on use of permanent speed bumps. The option of using speed bumps to slow traffic is being considered by the Board.

SPEEDERS in our neighbor continue to be of great concern to all. It will be placed in front of the membership in April [2005] to vote on either installing numerous speed bumps to control traffic speed or as an alternative to the speed bumps vote to open the roads to the public so that the Madison Sheriff can begin to patrol and ticket speeders. There appears to be an increase in the number of complaints and now reckless driving that to date has not resulted in an accident but how long can it go on before someone is seriously injured.

December 9, 2004 Malvern Communicator: It is apparent that the numerous notices pleading for your fellow neighbors to slow down are not enough. Most drivers average between 25 and 35 mph throughout the neighborhood and are not a threat.

However, several drivers constantly are exceeding 45 and 50 mph while driving through Malvern. This reckless driving and disregard for others will soon result in the installation of speed bumps. While some people do not like these, it will be a necessary tool to control those who cannot police themselves. Several vendors are being considered. One, for example, is Barco Products out of Batavia, Illinois. They carry a wide range of speed calming devices which are mobile and easily installed by one or two individuals. Complaints have been raised in the past that some of the speed bumps are not vehicle friendly to low or dropped cars. Most of the bumps are no higher than 2.5 inches and should pose no threat to any vehicle that is made to be driven on the highways of Virginia. Signage should be placed warning drivers that they are approaching a bump and the suggested speed to overcome it. The cost of this endeavor is being researched and more information will be provided in the future. This is naturally the next step in reducing the chance of property damage or pedestrian injury due to the fact that the community as a whole decided not to allow law enforcement to monitor our streets. We are now obligated to police ourselves on several issues such as this.

Spring 2004 Malvern Communicator: The Board has been asked to remind members of the community not to drive their ATVs on the roads of Malvern. This becomes even more dangerous as the traffic that utilizes our roads increase and fails to obey speed limits. As always we encourage drivers to slow down especially with the warmer weather on the way. Many motorists can be seen doing well over 40 mph through the neighborhood. More walkers and bicyclists will be out now so please take caution. Pedestrians should wear reflective clothing, or belts to make themselves more visible.

Fall 2003 Malvern Communicator: Speeding also continues to be a problem in Malvern. Many individuals have voiced complaints about residents who continue to disregard the speed limits. Some vehicles drive as much as 45+ mph through our neighborhood. This is dangerous due to many of the blind curves, hills, and narrow roads we have. Let's not forget pedestrians and animals. The decision may be made to implement speed bumps if conditions worsen. Slow down and lets keep our roads safe.

September 11, 2003 Board Meeting: F. Sargent talked to sheriff candidate Weaver: Weaver indicated that if elected he would patrol as possible, but not enforce Malvern's speed limit.

November 14, 2002 Board Meeting: B Anderson talked to Sherriff about enforcing speed limits within Malvern and possible problem with 15 MPH limit.

July 9, 2002 Board Meeting: Three way stop signs will be installed at Malvern and Covered Bridge. F. Sargent has again warned some boys about riding 'four' wheelers and motor bikes on Malvern roads. Sheriff has been in Malvern warning speeders.

Summer 2002 Malvern Communicator:

A Message from our President. With the increase in population comes more traffic - some of it well over the speed limit. Malvern has many walkers, joggers, bikers and children. SLOW DOWN! An extra 2 or 3 minutes saved is not worth and injury death, or lawsuit. Speed limits have also been painted on the road surfaces.

Speeding in Malvern. Malvern board members continue to receive complaints - in ever increasing numbers - about speeding in Malvern. They are getting complaints from residents who are starting to feel afraid about going for a walk, or letting their kids out to ride their bikes due to speeding in our subdivision.

Our roads are narrow, with hills and curves. There is a reason for the speed limits in Malvern, and first and foremost is for the safety of our residents. Secondly, it is for the peace and quiet this subdivision was created for.

We were hoping that, by sending Sheriff Russell the license plate numbers of obvious speeders, things would change. Some of you have been contacted by the Sheriff's Department. Perhaps not enough of the residents have been reported yet. You will be. The same drivers who speed also have a tendency to run stop signs.

A large part of the problem is construction traffic we have been seeing over the past two years. Those workers for the most part don't care. They don't live here. They are also being reported to the Sheriff's Department. It would be very easy to have them declared trespasser if they don't start showing some care and caution.

Another approach has to be taken with residents though. Talk has turned to installing speed bumps. Do you really want to drive over a dozen or more when you go out? When you come in? When you decide to drive around the neighborhood? Hiring a security person has been discussed. If that happens, then speeders can be fined. Do you really want our dues to go up because some of your neighbors don't care about the speed limits or your safety?

Winter 2002 Malvern Communicator:

SPEEDING. Malvern board members are still getting complaints about speeding in Malvern. Our resident walkers and jogger are still out there, though. They are a hardy breed of people and enjoy their invigorating morning walks. During the winter, not only do they have to contend with cold weather, but also slippery road conditions. As Spring approaches there will be bicyclist out riding again.

Most of us realize that our roads are narrow, and some of the curves too sharp to have a clear view of any incoming traffic. We must slow down, and watch out for our neighbors and friends. You never know who you will meet!

January 9, 2001 Board Meeting: Roads - Night traffic on Old Forge is tearing up road and throwing gravel off. Non residents should be reported to Sheriff.

Fall 2001 Malvern Communicator: A Note from Our President. Malvern Speed Limit. Recently the Board received several complaints of speeding in Malvern. I wish I could say that the offenders were always non-residents, but this is not the case.

The primary 25 MPH speed limit was set because Malvern roads are narrow and winding in many areas. The lower speed allows drivers time to avoid sudden oncoming traffic. There have been several 'near misses' in the last few weeks. In addition, very often drivers encounter bicycles, skateboards and walkers on their drive in or out of the subdivision.

I spoke with Sheriff Bob Russell regarding one speeder, and he stated that his department would handle speeding in Malvern the same as anywhere in the County. Because we have posted speed limits, anyone exceeding them is breaking the law. If you have an accident while exceeding the speed limit, you are liable.

If you see someone speeding:

1. Take down the license number and description of the vehicle
2. Call the Sheriff's office at 948-5161

If you feel your call is not handled properly, ask to speak with Sheriff Russell.

Please -- let's slow down!. It will only take another minute or two to get out of the subdivision, and you might prevent an accident.

Worth Thinking About...

"Nothing so needs reforming as other people's habits."

--- Mark Twain

September 12, 2000 Board Meeting: Add "Speed Enforced by Radar" to signage, and he can try to borrow 'speed monitor' from another locality for sporadic use in Malvern.

Fall 2000 Malvern Communicator: Sheriff Bob Russell Meets With Board

[Question] **What can we do to deter speeding on our newly paved roads?**

[Sheriff Russell] Since the Virginia Code specifically defines highways as 'government designated roadways,' Malvern has taken the steps in the past to have our roads included in the description for the purpose of law enforcement. As such the posted speed limit is enforceable by local and state law officers, and should be obeyed.

March 10, 1998 Board Meeting: Ashlawn - 2 speed limit signs installed and beware of pets

October 13, 1998 Board Meeting: Al L. noted that the Sheriff has been cruising the road recently.

October 13, 1997 Board Meeting: Any vehicle on the road must be licensed and insured. See the minutes from the Spring meeting 3-4 years ago. At that time the board also passed a resolution saying that all State and local law will pertain within Malvern. Allowed Sheriff to come in and give tickets for speeding. Declared roads to be highways not private roads.

Note about speeding. Please send a letter to the board about any cars that you see that are speeding and we will address the situation. May put speed bumps in. We should write a letter about calling the authorities if someone is speeding.

July 8, 1997 Board Meeting: Sheriff - Can we get the sheriff to come in twice a week and drive through. Maybe we could even get them to use the radar gun to control speeders. Especially given the things happening along 29 recently.

June 6, 1995 Board Meeting: Road committee reported on the status of the work that has been done and requested for funding approval to purchase speed limit signs and caution children signs and posts for installation.

August 1993 Malvern Communicator: For those who can no longer read SPEED LIMIT 25 MPH in English: Defense de vitesse en plus de 25. Noa tem pressa mais de 25. No velocidad excesiva de 25. Elatho a 25. Stanna 25.

Is it worth saving a few seconds to kill or injure an elderly person walking on the roadway, a child on a bicycle, or even someone's loved pet? Truckers have a rule: see a rolling ball, look for a running child. Here in Malvern, people still have the right of way even though you might not want to believe it.

June 1993 Malvern Communicator: Please observe the 25 mile per hour speed limit. This is to minimize damage to the new surface and patches. Some damage has already occurred at the juncture of Ashlawn Drive and Malvern Drive. Hot weather softens the surface.

September 1990 Malvern Newsletter: Thanks for observing the new speed limit signs put up by Flora, Mildred and Charles as requested at the last annual meeting.

July 1990 Malvern Newsletter: All-terrain-vehicle operators were warned but to no avail. Now after one was observed on Old Forge Way operating in an unsafe manner - speeding, 2 riders, no safety helmets - the Board has banned All-terrain-vehicles from any Malvern Road. Virginia regulations ban them from state maintained roads.

May 1990 Malvern Newsletter: VERY IMPORTANT: We have had numerous complaints about All Terrain Vehicles (ATV), motorcycles, go carts, etc. Such as:

- racing
- excessive speed
- noisy
- being operated on other peoples property
- unsafe handling

While some operators have been warned personally, THIS IS TO NOTIFY ALL OWNERS AND OPERATORS THAT CONTINUED IMPROPER AND UNSAFE OPERATION OF SUCH VEHICLES WILL BE GROUNDS FOR THE BOARD TO BAN THE USE OF SUCH VEHICLES IN MALVERN.

September/October 1989 Malvern Newsletter: SPEEDERS OR POTENTIAL SPEEDERS: 25 mph is adequate and safe. We have children and others walking along the roads and it would be catastrophic if anything happened to anyone. Thanks for helping.

August 1987 Malvern Newsletter: PLEASE SLOW DOWN ON MALVERN ROADS. The MCI Board receives MANY COMPLAINTS about residents and guest who SPEED on our roads. The maximum limit is 25 miles per hour.

Be careful of the children, the animals, and the dues-paying members!!! Remember School starts soon.