

# The Malvern Communicator

April 2012

## PRESIDENT'S REPORT – JOE GRAHAM

Sheriff Weaver has informed me that he will have his deputies start back patrolling our roads and issuing citations for traffic violations. Speeding and running stop signs have become problems again! With summer time upon us there will be a lot more people walking our roads. We need to be careful on the road!

Malvern was very fortunate this winter as far as snow plowing goes. There was only one time that our roads needed to be plowed.

The playground will stay in the same location as before, not on the other side as was reported in October. Upon approval by the members at the April 28th membership meeting, the new equipment will be ordered. It should take about a month to deliver it.

The handrails at the pool will be up in time for the pool opening.

New carpet has been purchased and installed in the dining and living rooms along with some new furniture for the living room.

The Events Committee is planning to have a second annual picnic, and Halloween event which will include a haunted house and a hay ride. All of these were great successes last year.

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## 2011-2012 Board members:

Joe Graham: .....	President
Randy Allen: .....	1 <sup>st</sup> VP & lake
Wallace Harvey: .....	acting 2 <sup>nd</sup> VP & roads
Donna Phillips: .....	Treasurer
Ed Johnson: .....	Secretary
Fran Sestak: .....	Architectural
Paul Hankla: .....	Grounds
Joe Graham: .....	Clubhouse & pool

## Other important events

### POOL KEY

A pool key will be available for pickup between 9:30 and 10:00 on April 28, 2012. One key is allotted per lot. The cost of the key is \$20 for those who hadn't already made payment with their dues.

You may request a pool key be mailed to you by sending a self-addressed stamped envelope to Joe Graham, 154 Windmill Lane, Madison, VA 22727

### COMMUNITY YARD SALE:

Date: Saturday, May 5, 2012  
Time: 8:00 am until 2:00 pm  
Rain date: Sunday, May 6, 2012  
Location: Various lots in the subdivision  
More details: Contact Shawna 540-407-1969  
<http://malvernofmadison.org/community.shtml>

### ANNUAL MEMBERSHIP MEETING

**Where:** Malvern Clubhouse  
**Date:** Saturday, April 28, 2012  
**Sign in:** 9:30 until 10:00 a.m.  
**Meeting:** 10:00 a.m.  
**Agenda:** Election of directors, committee reports, other business of the Association

### SPECIAL BOARD MEETING

**Time:** About 15 minutes after the conclusion of the Membership meeting  
**Agenda:** New Board of Directors meet to elect 2012-2013 officers and make committee assignments; Malvern members may attend and comment on topics listed on the agenda

# BOARD MEMBER CANDIDATES

## Joe Graham

My wife Barbara and I relocated to Malvern in 2006 after living in Amherst VA for 10 years. Before that, we lived in the D.C. area where I was an ironworker for 37 years. We have 6 children and 13 grandchildren. I am very active in the American Red Cross Disaster Services and in that position have been to PA to help out in the floods and to GA for the spring tornados, and in Louisa County to help out in the earthquake. I enjoy fishing, camping, woodworking and gardening. I am interested in running for a second term on the Malvern board in order to give back to our community. I have been in charge of the Malvern Clubhouse and pool for 2 years and president for the past year.

Thanks in advance for your support.

## Roberta Jalbert

I moved to Madison from the Boston area in the Fall of 2000 to work at Plow & Hearth. I chose to buy property in Malvern because I wanted a country setting with a sense of community and found that in this development.

I served 2 years on the Board a few years ago and enjoyed the experience but found working full time and travel for that job had to be my major focus. I am no longer in that position so have much more time to devote to making Malvern a great place to live.

I am running for a seat on the Board of Directors of Malvern because I truly think that we all have a responsibility to our community and neighbors.

I want to see Malvern develop and grow in a sensible manner with emphasis on individual's privacy, enhancement of property values and strengthening of that sense of community that drew me here in the first place. I think the Board of Directors have made important improvements over the past few years, with the inception of our Five Year Plan, paying off the loan on the roads, making sure that all roads and culverts are in good shape, starting community events like the picnic last year that bring people together. I hope to be able to help expand and build on these successes.

## Wallace Harvey

Originally from North Carolina, my last duty station with the US Coast Guard was the reason for my settling in Virginia. My last year in, I met my wife, Diane, and we attended Old Dominion University together. We settled in Malvern about 18 years ago. We came in when the only paved roads were Malvern Drive, part of Ashlawn and part of Covered Bridge. I was on the Malvern Board when we were still building the roads in Malvern for lot owners that had no way to get to their lots. I served as the Architectural Committee Chairman. I am looking to fill the position held by Jason Woodward, who has resigned. Due to the excellent efforts of Jason, there are few problems with our roads. I hope to have them corrected this next year with your help. I appreciate your support in getting them corrected. Thank you

## Brian Paul

I have lived in Malvern for 10 years and have served on the board previously. My family and I continue to enjoy living in Malvern. I served 6 years in the U.S. Army with an honorable discharge. Currently I am employed in the IT Department of the Virginia Department of Corrections and also as a contractor for Keane Federal Systems at Quantico. I look forward to serving on the board again.

## Karen Pilkerton

I would like to serve on the Board of Directors for two years. I have lived in Malvern with my husband Gary since 2005. We both became involved in volunteer activities in the community. I served on the clubhouse, rules, architecture and finance committees and resurrected the volunteer committee for several years. That experience should help me prioritize our maintenance and repair needs. I would like to create a policy with consistency in rational to enforce our covenants, rules and regulations in a fair, impartial manner. I would like to create a board manual and member handbook so every board and committee member knows what their job entails and members have a quick reference guide to living in our HOA. I would like to make certain the association is aware of and compliant with all pertinent federal, state and county laws and ordinances, as well as our own documents. I belong to HOA groups, receive HOA newsletters and attend HOA seminars to educate myself on HOA living and management and to keep current on laws pertaining to HOAs.

I have many years of experience throughout my adult life volunteering and working successfully within groups. I participated on the boards of the Fairfax County Association For The Gifted, The Pine Spring Elementary PTA (education committee, build a playground committee, volunteer committee), the Madison County Library Board, and was a member of the Fairfax County School Board Citizens Advisory Council, Tremont Gardens Neighborhood Watch (liaison to Fairfax County Mason District substation). I acted as a mediator in my volunteer capacity as well as in my work environments.

I was service representative for C&P of Virginia back when service was of the utmost importance and learned how to handle customers' needs while enforcing company policy. I was called upon to handle difficult customers on the phone and in person. I trained fellow employees and supervised and managed the office in the absence of management. I prepared training materials for collection of final bills. I worked for the Fairfax County Library System as secretary to the Deputy Director where I prepared meeting agendas, minutes, training materials and correspondence. I also trained fellow employees. I then transferred to the non-profit, Fairfax County Library Foundation as Administrative Assistant to the Director where I set up the office files, researched donors and prepared campaign letters. I am retired and have the time to commit to a board position.

## 2011 Year-end Statement of Income and Expenses

Income	Received	Budget	Expenses	Spent	Budget
Regular assessment	\$120,953.41	\$122,850	Administration	\$2,908.97	\$2,500
Special assessment	\$0.00	\$0	Capital improvements	\$13,047.28	\$31,000
Boat fee	\$90.00	\$105	Insurance	\$3,087.00	\$3,000
Rentals	\$3,980.00	\$3,500	Taxes/licenses	\$200.18	\$300
Late fees	\$480.00	\$95	Dam and roads loan	\$10,526.94	\$11,000
Legal fees	\$225.00	\$0.00	Bldg. grounds maintenance	\$5,535.01	\$6,500
Interest	\$16.66	\$0.00	Road maintenance	\$0.00	\$0
Road impact fee	\$0.00	\$0.00	General	\$120.00	\$6,050
Money market interest	\$582.80	\$500	Supplemental	\$4,372.90	\$10,000
Mowing & miscellaneous	\$1,225.00	\$1,400	Snow	\$0.00	\$3,000
Pool income	\$2,320.00	\$2,500	Enforcement	\$720.00	\$2,500
			Mowing and miscellaneous	\$1,220.00	\$1,400
			Clubhouse operations	\$1,944.56	\$2,150
			Pool operations	\$3,589.55	\$4,500
			Electric	\$4,020.81	\$4,400
			Fuel	\$0.00	\$0
			Telephone	\$374.74	\$400
			Legal	\$2,887.00	\$2,250
			Reserve fund	\$60,000.00	\$60,000
<b>Total income</b>	<b>\$129,872.87</b>	<b>\$130,950</b>	<b>Total expenses</b>	<b>\$114,554.94</b>	<b>\$150,950</b>



### **MONEY TALKS**

*by: Donna Phillips, Treasurer, Malvern Club, Inc.*

The above table reflects the required year end Statement of Income and Expenses for Fiscal Year 2011 to be reported to the membership. Additionally, the following items are reported:

Inventory held by the Treasurer: 1 Acer Aspire Laptop, 1 HP Office Jet Pro 8500A Plus all-in-one copier, printer, scanner, and two thumb drives.

January 1, 2012 balances for all funds on hand: Checking - \$3,517.84; Money Market - \$81,767.42; Reserve Account - \$60,048.59 (\$40,000 for roads and \$20,000 for dam).

Capital Improvements expenses in 2011 came to a total of \$13,047.28. These primarily were used to upgrade the sliding glass doors and upgrade the well pump at the clubhouse as well as begin work on the ground preparation for an upgraded playground set. Additionally, the 2006, 5-year \$150,000 road and dam loan balance of \$10,526.94 was paid off on February 11, 2011.

Budgeted Capital Improvements in the amount of \$42,500 in 2012 include: repair of the clubhouse fascia; flooring/carpet in the kitchen, dining living room, and new living room furniture within the clubhouse; a new oven/cooktop and associated fit out costs to the surrounding kitchen cabinets at the

clubhouse; additional funds for the next phase of the playground move/upgrade on clubhouse property; purchase and installation of curb stops around the clubhouse parking lot; additional carp for the lake; repairs to the Ashlawn dock and new ladders for both docks; Covered Bridge culvert and embankment maintenance (to include additional guard rails along Covered Bridge Drive); rip rap for Covered Bridge culvert and other culvert upgrades; funds for future paving requirements in the community and an additional amount to be deposited into the "Reserve Funds" for roads.

The 2011 established Finance Committee (Randy Allen, Rick Collins, Dianne Cross, Ed Johnson, and Karen Pilkerton) have been extremely busy and generous with their time. A nine page detailed monthly financial checklist was developed to be used for each monthly comprehensive review of all financial transactions. The form was created and tested for two consecutive current months and subsequently used to review each month within 2011. One application for insurance coverage required a statement as to performance of this monthly review.

Taxes, taxes, taxes. Thanks to Ed Johnson and Karen Pilkerton who have attended two POAVA Seminars for Virginia Common Interest Community Members and provided valuable updated guidance for preparation of our IRS corporation taxes that were due March 15th. Submission of these taxes became an evolutionary process because I couldn't just write a check and mail it in with the completed form. Thanks to our new Malvern homeowner, Martin Boone from Wells Fargo, who spent two hours working all options available to get our funds due wired

(See **Money Talks** on page 4)

**(Money Talks** continued from page 3)

to the IRS special bank by our deadline. Luckily Virginia's corporation taxes are due in April and won't be as difficult. The Finance Committee will be developing a Standard Operating Procedure (to include our newly established Electronic Federal Tax Payment System) for reference and use by all subsequent Treasurers.

This year has been a process of learning and growing by this member and other Board members. Research of required and recommended Home Owners Association (HOA) insurance/liability coverage has been an ongoing process this year. Several meetings have been held with insurance agents regarding these requirements and it is anticipated that more will be scheduled until we feel that we have the best coverage for our money. Our current policy remains in effect, however, it is important to make sure that our "business" and its volunteers are not exposed due to lack of the right endorsement or need for an additional policy.

Due to FDIC insurance limits, it will be necessary to move our "RESERVE FUNDS" to a new financial institution. With Board of Directors approval, it is anticipated that this will be done prior to the next Membership meeting.

Unfortunately, it has been necessary to place liens on three homes within our community due to lack of continued payment of annual assessments. This has been accomplished with the assistance of Malvern's HOA attorney hired to assist with this process, as well as review of bankruptcies filed. In one such bankruptcy filing, Malvern Club will be able to collect dues owed because our attorney filed the necessary legal paperwork in court within a specified timeframe. Additionally, demand letters sent by this attorney has resulted in assessments paid in full, in addition to charged attorney fees.

On October 13, 2011, the Board of Directors approved the Practices for Collection of Assessments and Late Fees within the Malvern Club, Inc. (Financial Policy 001-2011). It was included with the mailing of notice of assessments on February 1, 2011. Should any member find that it will be difficult to make their payments by the designated deadlines (\$300 in March and \$225 in September); a monthly payment schedule is a preferred and cheaper alternative to demand letters from Malvern's HOA, civil judgment and/or memorandum of lien which all require payment of attorney costs by delinquent members.

Please don't hesitate to contact me on my cell phone (540) 407-7117 or by email with any of your concerns or questions regarding the semi-annual payments or other financial issues: [treasurer@malvernofmadison.org](mailto:treasurer@malvernofmadison.org).

## SECRETARY'S REPORT – ED JOHNSON

The Board of Director's meets at 7:00 pm the second Thursday of each month. Members are encouraged to attend. Each meeting has an open forum where you may express relevant views, concerns or praise if desired. Correspondence may be mailed to Malvern Club, Inc., 905 Malvern Drive, Madison, VA 22727 or email the Board at: [malvernhoa@malvernofmadison.org](mailto:malvernhoa@malvernofmadison.org).

**Complaints:** The Board's policy with regard to complaints is that they be written and signed. Eventually the Board will provide a form for that purpose, the creation of which is pending Virginia legislation that has been in process for several years. Virginia established the Office of the Common Interest Community Ombudsman in 2008. The office was created for several purposes including to assist homeowner association members in understanding and exercising their rights in resolving issues. The website for more information is [www.dpor.virginia.gov/dporweb/cic\\_ombuds.cfm](http://www.dpor.virginia.gov/dporweb/cic_ombuds.cfm).

**Malvern's Website:** one unsung volunteer is our webmaster, Charlie Egen, who does a fabulous job of maintaining our community website. Here's a link to an alphabetic index of Malvern related topics: <http://malvernofmadison.org/siteindex.shtml>.

**Common area:** periodically members may notice an accumulation of brush and tree debris stockpiled in the open area between the clubhouse and the lake. The debris comes from HOA common area property and is eventually burned so that Malvern doesn't incur dump or chipping fees. The stockpile area is not intended for residents to deposit debris from their yards. Please don't dump your debris there.

**Pool:** the pool is scheduled to open over the Memorial Day weekend. Members are reminded that use of the pool is governed by a set of rules that can be referenced at: <http://malvernofmadison.org/alldocuments.shtml>.

**Lake:** the website above can also be referenced for the latest rules regarding fishing and boating on the lake as well as the form to rent boat storage space.

## GROUNDS COMMITTEE – PAUL HANKLA

Madison Mowing won the bid to mow our common areas this season. A number of Malvern residents have been using Madison Mowing for years. They just took delivery of two new mowers with Electronic Fuel Injection, or EFI, which offers better performance with lower emissions and fuel consumption. I look forward to working with Madison Mowing this season, and know they will do a fine job keeping our common areas looking great.

**This newsletter is also available on Malvern's website at:**  
<http://malvernofmadison.org/communicator.shtml>

## PROPOSED COVENANT CHANGE

One of the items we will vote on in April is to modify an existing covenant regarding signs in Malvern.

A covenant is a legal obligation built into the deeds of all the homes in a common interest development such as Malvern. Examples might be to maintain a property in a reasonable state of repair, not to run a business from a residence, or not to build on certain parts of a lot.

As time progresses certain covenants may need clarification or updating, or it may be necessary to add to the existing covenants. The Malvern By-Laws allow these periodic amendments to occur by vote of the membership. The approved amendment or resolution will then be recorded in the office of the Clerk of the Circuit Court of Madison County, Virginia.

One of our covenants states: "No sign shall be erected on any lot other than one designating the identity of the owner thereon, and in no case shall a sign exceed in size two square feet and the design of such sign shall be subject to the prior approval of the Property Owner's Association or the developer."

The current wording allows for no signs except one designating the owner of a lot. Many years ago the community approved a revision to the covenant for real estate signs but that change was never recorded.

Your Board of Directors recommends that the covenant be changed to read: ***"A sign may be erected on any lot that identifies the owner and/or street address thereof. Such sign shall not exceed two square feet in size. No other sign may be erected on any lot without prior approval of the Property Owner's Association."***

The recommended modification will allow the Board to create rules for other types of signs, including type, size, and length of time the sign may be posted. Passage of this change requires a two-thirds (2/3) majority vote by those voting in person or by proxy.

## PROPOSED PLAYGROUND IMPROVEMENTS

During the October 15, 2011 membership meeting there was discussion about replacing the aging playground equipment. The discussion led to a motion directing the Board to devise a plan to supplement the \$4,500 approved in 2011 and \$5,000 approved for 2012 to complete the entire playground project in 2012. The plan will include researching less costly alternative equipment and asking members to consider making non-deductible donations for the playground equipment. The Board will present the plan to the membership for vote at its April 28, 2012, Annual Meeting.

On December 8, 2011, the Board of Directors approved the formation of the playground committee with Joe Graham as its chairman and Frank and Barbara Sargent, Merri Woodward, Valerie Miller and Sharon Taylor as members of the committee.

The committee researched many options as well as criteria for replacing the equipment. What they found and their recommendation are contained in their 8-page report, which was presented to the Board of Directors on March 20, 2012 at a Special Board of Directors meeting. The Board of Directors approved forwarding the report to the membership for approval at its April 28<sup>th</sup> membership meeting.

Summarizing the report, the committee recommends purchasing Miracle Recreation Equipment Company model 718-S069. The total cost is about \$25,200. Of that amount \$1,200 was spent in 2011 for tree removal and grading. The total cost includes delivery, equipment, surfacing and perimeter border. The total cost excludes installation. The committee recommends installation be performed by volunteers at a substantial cost savings.



Two-thirds (2/3) of the votes of members voting either in person or by proxy is required for passage as the proposal requires adding \$19,000 to the capital improvements budget approved on October 15, 2011.

You are encouraged to review the full report at: <http://malvernofmadison.org/community.shtml>

**Proxy Form Instructions:** If you can't attend the meeting, please take a moment to review, complete and then use the enclosed envelope to return the Proxy form on the reverse side of this page. If nothing else, returning the form is a small token of your appreciation for the many hours of work that Officers, Directors, Chairmen and volunteers devote to making the community a better place to live.



October 29, 2011 trunk or treat, hay ride and the clubhouse (said to be haunted this night) – **BOO!**



**LAKE COMMITTEE – RANDY ALLEN**

The biggest lake related item this year will be the maintenance of the dock. Some of the decking boards are showing cupping or cracking and will need to be replaced as a matter of course. We are looking at also installing reinforcing boards along edges of the decking in an attempt to attenuate cupping in the future. This should also help to bring the dock into compliance with the Americans with Disabilities Act. In addition, we plan to install several cleats for tying off boats and possibly installation of a ladder which was approved by past boards.

On the basis of conversations with the hatchery and considering the current carp population from past introductions and the density of grass on the bottom of the lake, it won't be necessary to introduce any more carp into the lake this season.

**PUBLIC RELATIONS – ED JOHNSON**

The pictures depicting several of the functions put together by a group of Malvern's enthusiastic and creative volunteers are courtesy of Shawna Gates. **Mark your 2012 calendar** for the 2<sup>nd</sup> Annual Fall Picnic on September 16 and a Halloween party on October 27. Stay tuned for further details...

**ARCHITECTURAL COMMITTEE – FRAN SESTAK**

Since the October meeting, we have had the following:

- One inquiry regarding cutting down trees, which needed no application, since trees were leaning, threatening house.
- One approved application for a shed which is in process of being built.
- One resident who has a building permit and is preparing an application for a garage.
- Neighbor complaints about lawn maintenance on one property. This has not been resolved.

We get a lot of informal inquiries about what requires approval and what does not. A recurring issue is the cutting of trees. Here are the guidelines:

- The cutting of evergreen trees with a diameter of more than 4 inches, and deciduous trees with a diameter of more than 6 inches, requires prior approval from the Property Owner's Association.
- Trees which are dead or diseased, or threatening a structure, or otherwise hazardous, may be removed without prior approval.
- Tasteful pruning of trees is encouraged.

Information and forms can be found at: <http://malvernofmadison.org/alldocuments.shtml>

Malvern Club Inc.  
905 Malvern Drive  
Madison, VA 22727

ADDRESS CORRECTION REQUESTED

*December 11, 2011:  
**COOKIES! YUM!***



*Malvern Activities  
Were ya' there???  
You missed some good ones if not..*

*January 28, 2012:  
**Festivities, food and FUN!***

