

The Malvern Communicator

October 2015

PRESIDENT'S REPORT – ROBERTA JALBERT

Well it's certainly been an interesting and busy few months! Since April we have two new homes being built and a lot of improvements to other homes here.

The back deck at the Clubhouse was one of those improvements.

A few homes which stood empty are now happily occupied by new owners – welcome to Malvern!

There's been a lot of sentiment around speed tables-both positive and negative. The results so far support the fact that speed tables cause traffic to slow down. I hope everyone can appreciate the increased safety in slower traffic and the wear and tear to our roads decreasing.

The October meeting is the Budget meeting where the membership establishes the Budget for the following year. It looks like we need to have a rather sizable repair to the Pool deck/roof so that will be a focus for discussion.

The Board will also ask the membership to vote on a proposal for hunting deer in Malvern with archery tackle only. This is in response to many complaints from members that deer have overrun their property and are doing a lot of damage to landscaping since the deer are hungry. They've browsed away their normal choices!

We are also looking at ways to reduce the number of Canada Geese nesting near the lake. Members that border the lake have a huge mess from the geese and if left unchecked they will cause further e-coli bacteria to build up in the lake.

So I look forward to seeing lots of people at the **Madison Presbyterian Church** the third Saturday in October!

Inside this edition:

| | |
|----------------------------------|------------|
| Discussion on Speed Tables | Page 2 |
| Archery Hunting Proposal | Page 3 |
| 2016 Proposed Budget | Pages 4, 5 |
| Clubhouse and Pool Report | Page 6 |
| Current Board Members | Page 6 |
| Proxy form | Page 7 |

PROPOSED AMENDMENT TO MINUTES

The membership will be asked to approve the minutes of the Annual Meeting held April 25, 2015.

Under the Roads portion of the Draft Minutes of the meeting there is this sentence, "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."

This erroneously implies a membership vote was taken when in fact it was just one of the comments made during the discussion of the topic.

Therefore, it is proposed to amend the sentence to read: "There was discussion regarding installation of speed humps with the suggestion that it will be presented to members for vote at the October membership meeting."

Members are encouraged to accept the amendment in order to correct the error.

October Membership Meeting

Where: →→ **Madison Presbyterian Church** ←←
1236 Fishback Road, Madison, VA

Date: Saturday, October 17, 2015

Sign in: 9:30 until 10:00 a.m.

Meeting: 10:00 a.m.

Agenda: Approval of April 25, 2015 minutes
Speed table resolution
Deer hunting application
2016 budget approval
Committee reports
Open forum

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.

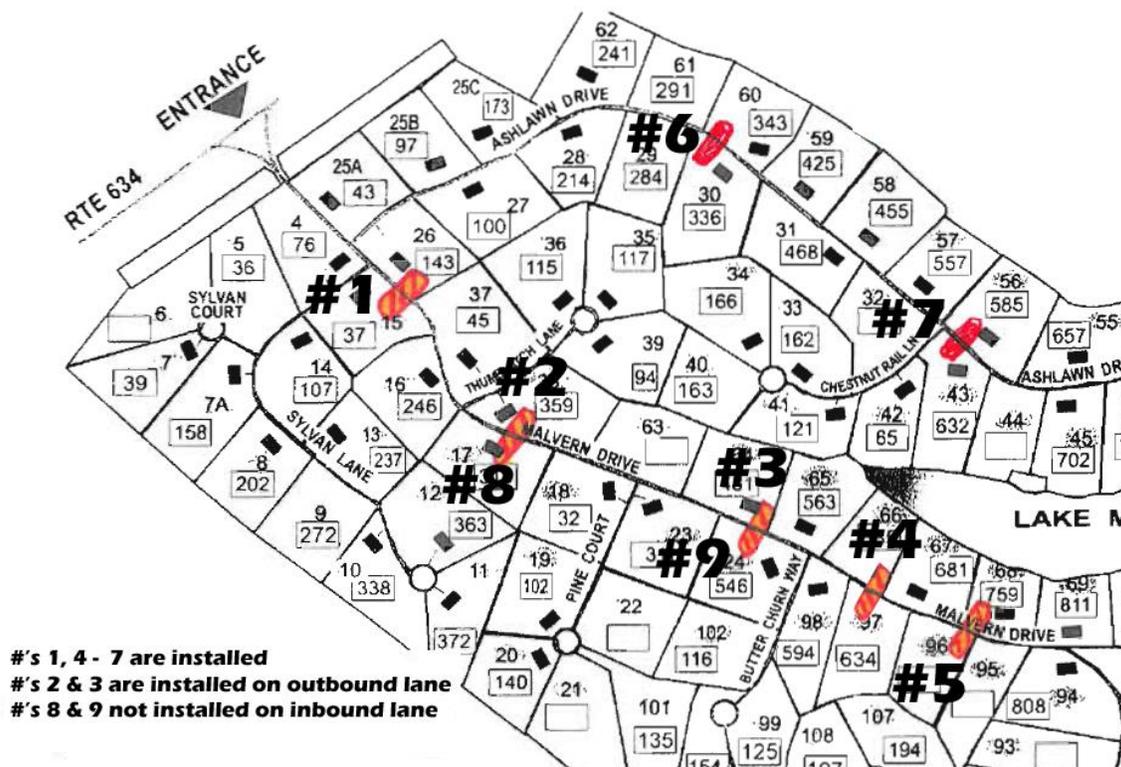


Exhibit Showing Approximate Location of Speed Tables

PROPOSED APPLICATION TO ALLOW DEER HUNTING WITHIN MALVERN

The membership will be asked to consider and allow hunting of deer on his/her property after agreeing to certain conditions such as those specified in the application below.

APPLICATION FOR HUNTING DEER

This application is required for the Malvern Club, Inc. Board of Directors to consider a request from a member to be authorized to hunt deer on his property. The Board of Directors may only consider said request within defined areas of the Malvern of Madison subdivision upon submission of a formal request by lot owner.

To be considered the request must adhere to the following:

- Be submitted by the lot owner, not by any tenant
- Specify the name of the person(s) proposed to be engaged in hunting
- Show proof that the person engaged in hunting has a valid VA State hunting license (per State law)
- Provide a plat or map defining the area within the lot(s) where the hunting will take place
- Mark the corners of the lot where hunting is to take place
- Provide proof that the lot owner has notified adjoining lots that hunting is to take place and provide written proof that adjoining lot owners will allow the hunter to enter their property to retrieve a dead or injured deer (per State law)
- Provide a signed Assumption of Risk and Indemnification to the Malvern Club, Inc. and agree to abide by all requirements of VA State Hunting Laws
- Must hunt with archery tackle only (crossbows included) – no firearms are allowed

Approval may be granted for the current hunting season only. Member is required to submit a new application for each subsequent hunting season.

ASSUMPTION OF RISK AND INDEMNIFICATION

I, _____ (print name), the undersigned, assume all risks and shall be responsible for all personal or bodily injury to myself and others; and damage to my property or adjoining properties arising from the hunting activities I may be approved to conduct.

Furthermore, I agree to indemnify and defend the Malvern Club, Inc. and hold it harmless from and against any and all claims, suits, damages, liabilities and expenses, including attorney fees and the Malvern Club, Inc. cost of defense in connection with loss of life, personal or bodily injury and/or damage to or loss of property that arises from my participation in the deer hunting activities I may be approved to conduct.

Signature of lot owner

Date

Furthermore, the applicant agrees to abide by these requirements:

- Archery tackle must be discharged from an elevated position. Manufactured tree stands are accepted on a temporary basis only for the hunting season. Homemade tree stands are not allowed.
- Deer are the only animals to be hunted
- Hunters must abide by all VA State Hunting regulations and local ordinances
- Hunting must be conducted no less than 75 feet from any roadway and 150 feet from any bus stop or any common area of the Association
- Field dressing will be performed only on lot approved for the hunt or outside of Malvern property; proper disposal of remains is required; no hanging of deer in plain sight of other residences; deer should be covered completely while transporting from the subdivision.

Signature of lot owner

Date

VA State License # of hunter

DRAFT MALVERN OF MADISON 2016 BUDGET

| Line items | 2013 Actual | 2014 Actual | 2015 Actual ¹ | 2015 Budget | 2016 Budget | Comments |
|--------------------------------------|------------------|------------------|--------------------------|------------------|------------------|---|
| Income and other fund sources | | | | | | |
| 1. Regular assessment | \$119,325 | \$119,983 | \$112,680 | \$128,700 | \$128,700 | 234 lots at \$550 per lot |
| 2. Special assessment | | | | | | Not currently necessary |
| 3. Banking interest (all accounts) | \$390 | \$469 | \$334 | \$400 | \$400 | |
| 4. Boat fees | \$135 | \$120 | \$135 | \$135 | \$135 | 9 lots at \$15 per lot |
| 5. Clubhouse fees | \$3,140 | \$4,132 | \$3,460 | \$3,000 | \$3,500 | |
| 6. Interest from legal issues | | | | | | |
| 7. Late fees | \$858 | \$779 | \$604 | \$450 | \$450 | 15 lots at \$30 per lot |
| 8. Legal fees | 1,356 | \$1,247 | \$601 | | | Recoupable and return of legal fees |
| 9. Insurance claim reimbursements | | | | | | |
| 10. Packets | \$400 | \$455 | \$390 | \$325 | \$325 | 5 lots at \$65 per lot |
| 11. Road impact fee | | | | | | |
| 12. Road impact fee non-refundable | | | \$1,000 | | | |
| 13. Vacant lot bush hogging | \$1,680 | \$1,300 | \$1,050 | \$1,400 | \$1,400 | Lots 88, 93, 95-96, 120, 122, 131, 203 |
| 14. Pool income | \$2,500 | \$2,375 | \$2,360 | \$2,500 | \$2,400 | 120 keys at \$20 per key |
| 15. Dues from previous year(s) | \$2,753 | \$2,206 | \$425 | | | |
| 16. Carry-over from previous year | | | | | \$4,800 | From 2015 upper deck repair budget not spent |
| 17. Sale of materials / other | \$1,033 | \$1,069 | \$975 | | | |
| 18. Totals | \$133,570 | \$134,135 | \$124,014 | \$136,910 | \$142,110 | Total predicted income and funds |
| Expenses | | | | | | |
| 19. Accounting | \$2,400 | | | \$6,000 | \$6,000 | Accounting services, bookkeeping |
| 20. Administration | \$2,518 | \$1,355 | \$604 | \$2,750 | \$2,250 | Postage, printing, ads, bank charges, supplies |
| 21. Bad debt | | \$810 | | \$2,750 | \$2,750 | Lost revenue from assessments |
| 22. Building & grounds | \$21,815 | \$5,402 | \$5,991 | \$8,450 | \$8,950 | Repairs, maintenance, mowing, signs, supplies |
| 23. Licenses & permits | \$200 | \$201 | \$96 | \$250 | \$240 | SCC as corporation in VA, CIC as HOA in VA |
| 24. Insurance | \$3,598 | \$4,073 | \$4,503 | \$4,350 | \$4,850 | Liability, fidelity, officers |
| 25. Legal fees | \$7,756 | \$3,433 | \$1,931 | \$4,000 | \$4,000 | Consulting and collections |
| 26. Vacant lot bush hogging | \$1,325 | \$1,250 | \$775 | \$1,400 | \$1,400 | Once in June and again in October |
| 27. Clubhouse | \$8,837 | \$8,060 | \$4,922 | \$9,600 | \$2,600 | Cleaning, management, supplies, renovations |
| 28. Pool | \$5,280 | \$7,508 | \$5,144 | \$13,100 | \$36,700 | Chemicals, keys, passes, service, roof ² |
| 29. Playground | | \$709 | | \$750 | \$750 | Maintenance, mulch |
| 30. Roads | \$13,107 | \$43,645 | \$5,731 | \$55,000 | \$35,000 | Roadway infrastructure ³ , snow removal |
| 31. Security | \$10,440 | \$16,491 | \$9,480 | \$14,200 | \$13,020 | Contract services |
| 32. Social events | \$1,500 | \$1,000 | \$421 | \$1,500 | \$1,500 | Periodic social events |
| 33. Electric | \$4,589 | \$5,494 | \$4,159 | \$6,600 | \$7,200 | Clubhouse, mail and entrance area |
| 34. Telephone, cable, internet | \$1,081 | \$1,476 | \$1,135 | \$1,800 | \$2,100 | At clubhouse |
| 35. Taxes | | | | \$0 | \$0 | IRS and State, if required |
| 36. Reserves | \$30,000 | \$30,000 | \$4,470 | \$4,410 | \$12,800 | Into reserve |
| 37. Totals | \$114,446 | \$130,907 | \$49,362 | \$136,910 | \$142,110 | Total predicted annual expenses |

2016 Budget approved by Board of Directors September 10, 2015 for presentation to the membership for final approval on October 17, 2015.

¹ Year-to-date is through August 31, 2015

² For 2016, \$29,800 budgeted for roof maintenance over pump room

³ For 2016, \$30,000 for repairs and maintenance of roadway infrastructure; \$5,000 for snow removal

2016 BUDGET – LINE ITEM DETAIL OF EXPENSES

| | | |
|-----------------------------------|------------------|--|
| Accounting | \$6,000 | Accounting services, bookkeeping |
| Administrative | \$2,250 | |
| General | \$500 | Advertising, collection costs, bank charges |
| Postage | \$750 | Newsletters, bills, postcards |
| Printing | \$500 | Newsletters, disclosure packets |
| Supplies | \$500 | Envelopes, ink, paper, banking supplies |
| Bad debt | \$2,750 | |
| Grounds | \$8,950 | |
| Dock repairs | \$500 | As needed |
| Landscaping | \$1,500 | Mulch, planting at entrance + common areas |
| Maintenance | \$200 | Mailbox area |
| Mowing | \$5,000 | Clubhouse, median, bridge, Ashlawn dock |
| Signs | \$500 | Replacement, repairs, maintenance |
| Supplies | \$250 | Lights and miscellaneous for mail area, bulletin board |
| Tree services | \$1,000 | Removal when necessary |
| Licenses | \$240 | |
| CIC renewal | \$210 | Required annual renewal as HOA in VA |
| SCC renewal | \$30 | Required annual renewal as corporation in VA |
| Insurance | \$4,850 | |
| Fidelity | \$500 | |
| General liability | \$3,750 | Clubhouse, officers |
| Umbrella | \$600 | |
| Legal fees | \$4,000 | Collections and consulting |
| Vacant lot mowing | \$1,400 | |
| Clubhouse | \$2,600 | |
| Capital Expenditures | \$0 | |
| Cleaning | \$750 | |
| Maintenance | \$1,000 | As needed |
| Management | \$350 | |
| Supplies | \$500 | |
| Pool | \$36,700 | |
| Capital Expenditures | \$0 | |
| Chemicals | \$1,800 | |
| Keys | \$600 | |
| Maintenance | \$3,500 | 7 days/week x \$20/day x 16 weeks + opening |
| Passes | \$500 | |
| Repairs | \$30,300 | Upper deck roof repairs, general repairs |
| Playground | \$750 | |
| Equipment | | |
| Maintenance | \$750 | |
| Roads | \$35,000 | |
| Easement | \$0 | |
| Maintenance | \$30,000 | Repairs and maintenance of roadway infrastructure |
| Capital Expenditures | \$0 | |
| Snow removal | \$5,000 | |
| Security | \$13,020 | |
| Equipment | \$0 | |
| Contract services | \$13,020 | |
| Social events | \$1,500 | Yard sales, Easter, winter social, picnic, Halloween |
| Electric | \$7,200 | Clubhouse, entrance and mail area \$600 x 12 |
| Telephone, cable, internet | \$2,100 | \$175 per month x 12 months |
| Taxes | \$0 | IRS and VA |
| Reserve | \$12,800 | |
| | \$142,110 | |

CLUBHOUSE AND POOL – JOE GRAHAM

This has been a good year for the pool, we had only one little hiccup with the pool where we had to close it down one afternoon and reopened it the next morning. I am very thankful for having Christine Haines taking care of the pool. Fantastic job Christine! We bought eight more new lounge chairs and ten new straight back chairs this year. We do have a major problem with the pump house roof. We had a structural engineer inspect the roof and informed us that it is failing and needs to be replaced. I am in the process of getting estimates to remove and replace it. The work should be done over the winter so as not to interfere with the use of the pool next summer.

We replaced the deck floor and handrail at the clubhouse and upgraded the men's bathroom . We are looking at renovating the front bedroom. I want to thank Valerie Cruz for her good work of checking and cleaning the clubhouse and pool bathroom. Great job Valerie! Rentals have increased this year.

2015-2016 Board members:

Roberta Jalbert: President
Rick Collins: 1st VP & lake, grounds
Joe Graham: 2nd VP, Clubhouse & pool
Bill Rowe: Secretary
Ed Johnson: Treasurer
T. J. Wright: Roads
Jerry Monnat: Architectural

THE "MALVERN NEWS" – A MONTHLY (OR AS NEEDED) ELECTRONIC NEWSLETTER

The Board prepares a monthly online newsletter of what's currently occurring in the community. You can sign up to receive the newsletter delivered via email by clicking the "Subscribe" button at <http://www.malvernofmadison.org/> and entering your email address. It's a great way to stay informed about what's going on!



Proxy

(I)(We), _____ the owner(s) in good-standing of record of Lot(s) _____, Malvern of Madison Subdivision, do hereby appoint _____, owner in good-standing of Lot # _____, Malvern of Madison Subdivision, as my proxy, with power of substitution, to represent me/us and to vote on my/our behalf as instructed on any and all matters which may come before the Members at the Regular Meeting, to be held on Saturday, October 17, 2015 at 10:00 AM, at the **Madison Presbyterian Church**, 1236 Fishback Road, Madison, VA.

I instruct my proxy to vote as follows, and understand that my proxy is permitted to vote as they see fit on any changes, modification, additions or revisions that may arise for a vote at the meeting where this proxy is used as my vote, as indicated:

| | | | |
|-----|--|---|---|
| 1. | Approve as amended the minutes of April 25, 2015 Annual Meeting (majority of votes cast will prevail) | Board recommends membership vote in favor of approval as amended | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 2. | Remove speed table labeled as #1 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 3. | Remove speed table labeled as #2 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 4. | Remove speed table labeled as #3 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 5. | Remove speed table labeled as #4 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 6. | Remove speed table labeled as #5 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 7. | Remove speed table labeled as #6 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 8. | Remove speed table labeled as #7 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail) | Board recommends membership vote against removal | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 9. | Install speed table labeled as #8 on the attached exhibit at an approximate cost of \$2,700 (majority of votes cast will prevail) | Board recommends membership vote in favor of installation | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 10. | Install speed table labeled as #9 on the attached exhibit at an approximate cost of \$2,700 (majority of votes cast will prevail) | Board recommends membership vote in favor of installation | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 11. | Allow bow-hunting of deer on individual lots in Malvern upon submission of an application to the Board (majority of votes cast will prevail) | Board takes no position on this question | <input type="checkbox"/> In favor <input type="checkbox"/> Against |
| 12. | Approve 2016 operations budget (majority of votes cast will prevail) | Board recommends membership vote in favor of approval | <input type="checkbox"/> In favor <input type="checkbox"/> Against |

Signature (Owner): _____ Date _____

Signature (Owner): _____ Date _____

Malvern Club Inc.
905 Malvern Drive
Madison, VA 22727

ADDRESS CORRECTION REQUESTED