

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

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Minutes: Board of Directors Meeting, Thursday, November 13, 2008

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

Board members present: Jerry Monnat, Ed Johnson, Lee Rees, Pat Kaplon, Rick Curtin, Barbara Flynn

Members present: Gary & Karen Pilkerton, Ceil & Rick Collins, Frank & Barbara Sargent, Angie Wiseman, Caroline Busick, Steve Reed, Diane Cross

**Secretary/Public Relations:**

Barbara read a revised section of the October 9, 2008 minutes under New Business, item number 2. The minutes as revised were approved.

**Treasurer's Report:**

1. October's income totaled \$1,825 – most of our income has come in for the year except for some clubhouse rentals. Expenses totaled \$3,074 – nothing unexpected came in. Total cash available \$50,745. Ed noted that, during the volunteer work weekend, we were able to save a good bit of money by doing work on various projects ourselves. It was very helpful.

2. Ed presented a 2009 Budget Resolution for approval as required by the By-Laws. Board voted to approve resolution – motion carried (copy of resolution is attached).

**Common Areas and Lake:**

1. Rick said that there hasn't been a lot going on since the volunteer weekend. There were some lighting issues at the entrance which Kemper Deane fixed. Karen mentioned that the lake area needs a replacement light.

2. Frank, Gary and Rick put together an informal plan to put a boat ramp at the lake.

3. Karen thanked Gary for staining the wood at paper cubbies and mailbox areas.

4. Ed brought up the dam certification. He said he had talked to an engineer who gave him a budget (not a contract) of \$2,000 -- \$1750 was budgeted for this expense. We should be aware that dam standards have changed in the last year and that this could require future dam modifications. Ed said he doesn't know if the new criteria will be a part of the engineer's report. Will have to wait and see. However the focus right now is renewal of our current permit before it expires in March, 2009.

**Clubhouse and Pool:**

1. There was a discussion regarding a suggestion made by a resident. He put forth that perhaps not renting the clubhouse during January, February and March would save on heat and electric. To date there is only one rental for those months, plus the Board meetings once a month and Committee meetings once a week. The consensus of the Board was there wouldn't be much of a cost savings since the clubhouse would still require some heating to prevent other problems from occurring. A suggestion was made that the clubhouse committee might want to evaluate whether the current rental rate offsets the additional expense of heating and electric during a rental period.

**Roads:**

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.

2. No update on road repairs. Now that the budget has been approved, Lee will be looking into decent quotes.

3. It was noted that the roadway pavement, shoulders and ditch lines generally fall within the 50 wide foot easement and that the Association has the right to maintain this area when needed.

3. The Board discussed a previous homeowner request to vacate easements associated with the proposed 2<sup>nd</sup> lake on his lot. The concept seems feasible but Ed felt it would be prudent to have definitive information to confirm the membership had voted to not build the lake. It was noted other homeowners having the lake easement on their property should also be notified of the request as they too might want their portion of the easement vacated. Another condition that was discussed was that any cost associated with the vacation would have to be paid by the respective homeowner(s).

#### **Architectural Committee:**

1. No new applications.

2. As to the Malvern Drive structure, Pat hasn't been able to reach homeowner yet, and application hasn't been returned. But she is working on it.

3. She received a request regarding a backyard fence. Pat spoke to homeowner. There are no covenants regarding fencing other than that the fence can't be on property line. Pat will call and convey our wishes that the fence be tasteful.

#### **New Business:**

1. Sand for snow removal. Lee said he is trying to get sand; Jason Woodward might be interested, but we need a way to get it on his truck. Frank felt it would not be a problem at all loading it. Lee will check with Don and Kemper as to status for plowing this year.

2. Rick said he would assist in shoveling the mailbox area and around the clubhouse.

3. Boat storage fees: A member requested the boat rules be modified to include a statement that "boat storage is available for a fee to be paid each year." The Board had no objection to add the wording.

4. There was discussion regarding the following By-Law: "**Information to the Treasurer.** All members shall notify the treasurer, in writing, of any changes in address, telephone number, status of Malvern property ownership, and family membership." Ed keeps a list of names, address and phone numbers but it was suggested a more formal request for information be included with dues statements.

5. The Clubhouse Committee has a new member Ceil Collins, in addition to Frank and Barbara Sargent and Gary and Karen Pilkerton. The committee will look at clubhouse rules, i.e., possibly increasing charges for overnight stay and large parties. The Committee will set a date to meet and hope that John Haines can attend. If not, the Committee will go ahead with the meeting and make recommendations to John.

#### **Old Business:**

1. There was discussion regarding a previous complaint that several lot owners were not maintaining the appearance of their lots as required by covenants. Most Board members stated they had observed the lots in question. The Board consensus was that the conditions of the lots do not warrant Board action at this time. There were several differing views by members including discussion that there are times when homeowners should just talk to one another amicably about such issues.

2. Jerry will call the homeowner about the blue bus – unlicensed vehicles can't be on Malvern property.

3. Jerry made a motion the Board convene in executive session to discuss the alternatives available to the Board regarding covenant violations by the owner of Lot 158 and to reconvene the normal meeting immediately thereafter. Motion carried. The Board convened in executive session at 8:07.

4. The Board reconvened the open meeting at 8:25. Lee made a motion the owner of Lot 158 be assessed a fee of \$10 per day for each covenant infraction. There are 4 infractions: excessive noise emanating from the property, excessive and late night outdoor lighting, excessive traffic coming to and leaving the property and a commercial dumpster on the property. The assessment will continue no longer

than 90 days or until the homeowner corrects the violations – whichever event shall occur first. The motion was seconded by Rick. Motion carried. Jerry will notify the homeowner of the decision by mail.

5. It was noted the Board of Supervisors had directed the Board's attorney to work with the Association's attorney to determine whether a zoning violation is occurring on Lot 158. Jerry will ask our attorney to call Mr. Shackelford.

Meeting adjourned at 9:05. Next meeting will be Thursday, December 11 at 7:00 pm.

Submitted by Barbara Flynn, Secretary

## 2009 BUDGET RESOLUTION

The meeting of the Board of Directors following the October 18, 2008 regular membership meeting was held November 13, 2008. At that meeting the Board reviewed the minutes of the October 18, 2008 regular membership meeting in which a balanced budget of \$136,250 was adopted. The budget was predicated on a \$525 per lot regular assessment for 2009. The membership on motion which was seconded and carried approved the following:

1. Revoke the \$125 special assessment that had been in place since 1992 and approve moving the \$125 amount into regular dues; passed with a ballot vote of 73 approved and 4 disapproved
2. Approve a budget for capital improvements in 2009 of \$35,000; passed with a ballot vote of 54 approved and 25 disapproved (received a required 2/3<sup>rd</sup>s affirmative vote)
3. Approve the 2009 budget for operating expenses; passed with a majority vote of 68 approved and 7 disapproved

Based on the membership approvals as presented above, the Board of Director's hereby sets the regular dues assessment for the 2009 operating expenses and capital improvements at the rate of \$525 per lot. Members will retain the option to pay the total \$525 per lot assessment in 2 installments: the first installment of \$300 will be due by March 1<sup>st</sup>, 2009; the second installment of \$225 will be due by August 31<sup>st</sup>, 2009.

A motion was made and seconded to approve this resolution as presented. Motion carried by an affirmative vote of 5 ; and a no vote of (none) ; motion carried.

For: Malvern Club, Inc.

**\*\* signed \*\***

**11-13-2008**

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Jerry Monnat, President

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Date

**\*\* signed \*\***

**11-13-2008**

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Barbara Flynn, Secretary

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Date