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## Malvern Club, Inc.

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### ANNUAL MEMBERSHIP MEETING April 27, 2019 Approved Minutes

**Location:** Malvern Clubhouse, 905 Malvern Drive, Madison, Virginia.

**Sign-in:** Members signed in as they arrived, beginning at 9:30 a.m. Proxies were collected and tallied. Members with proxies were given cards showing the number of ballots they could cast during the meeting. Members who had paid for a pool key received a key.

**Quorum Present:** The Secretary reported that 79 lots were represented by members attending or proxies executed. The President announced that the minimum 50-member quorum requirement was met and called the meeting to order at 10:09 a.m.

#### **Board Members Present**

President:	Rodney Taylor
1 <sup>st</sup> VP & Secretary:	Fred Bourque
Director:	Rick Collins
Director:	John Shanley

#### **Decisions & Actions**

1. The minutes of the October 20, 2018, Regular Membership Meeting were approved.
2. Directors were elected to fill three full-term Board vacancies: Doug Beaver, Fred Bourque, and Grover Dean.
3. The pool will open on May 24<sup>th</sup>. Operating hours will be from 7:00 a.m. to 10:00 p.m. every day through Labor Day.
4. A Spring Pot Luck will be held at the Clubhouse on May 11<sup>th</sup>. It will go from 4 to 7 p.m.
5. A community yard sale will be held on Saturday, June 1<sup>st</sup>, from 8:00 a.m. to 3:00 p.m.
6. The members voted to repair the Activity Center according to what the Board decides, without setting a spending limit.
7. The members voted to proceed with developing a covenant to prohibit short-term rentals.
8. The Board advised that golf carts are not prohibited on Malvern roads.

### Committee Reports

**President.** Rodney opened the meeting. He said the membership meetings held twice a year are for the association members to tell the Board of Directors what the members want the association to do. He said the Board does not have information that the members don't have. The one exception is information regarding a member's association status, which is not to be disclosed to anyone other than that member and the Board. He encouraged the members to volunteer and to attend Board meetings to voice their opinions.

**Treasurer.** Fred reported that Diana had purchased two certificates of deposit for \$100,000 each earning 3% per annum. This was money that was in a money market account earning 0.25%. The CDs will earn about \$500 per month rather than \$500 per year, as before. Rodney commended Diana for taking the initiative to do that, then reported her report of the association's financial status as of April 11, 2019. We currently have \$198,604.61 in our Operating Funds accounts and \$256,039.19 in our Reserve Funds accounts, for a total of \$454,643.80 on hand.

**Architecture.** Fred said properties are being bought and sold in Malvern at an accelerated pace and that property values seem to be rising over the past several years.

**Clubhouse & Pool.** Fred said that repairs were made to the Clubhouse heat pump, which is now working well and not making noise. The work to get the pool ready for the summer began the first week of April. He said the pool looks much better than it did last year at this time. It is clear and sparkly, but still cold. The pool will open on May 24<sup>th</sup>, which is the last day of school in Madison County. It will be open daily from 7:00 a.m. to 10:00 p.m. through Labor Day.

**Lake & Grounds.** Rick said he ordered the carp to take care of the grass problem in the lake. The carp will be delivered on May 2<sup>nd</sup>. He plans to put in a barrier at the spillway end to prevent the fish from escaping into Dark Run. The carp cost \$25-\$30 each. Richard Hinz, who lives on that end of the lake, said he's seen blowing grass clippings collecting in the lake and at the spillway. Rick asked that members on the lake lots be careful to mow so that the clippings are ejected away from the lake. Fred asked Rick to tell the MSL people not to blow grass clippings into the pool. Rick said there is no news on the emergency drawdown system at the dam. Rick thanked Debra and Grover Dean and Don Nicholson for beautifying the entrance. It looks great. He asked that members let him know when they see lights out after dark at the mailbox area so he can replace burnt-out bulbs. He also asked that members trim their trees and bushes back 6 to 8 feet from the road pavement and 12 to 15 feet above the pavement. This is the clearance required for firetrucks and other large emergency vehicles. The Clubhouse dock needs new decking. Rick asked for volunteers to help with that.

**Roads.** Rodney said TJ said that the patch at the entrance is rough and the paving contractor will redo it. Rodney said TJ is leaving the Board after 6 years, so we will likely have a new Roads Committee chair. Rodney asked anyone who knows about road maintenance to please volunteer for that committee.

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**Social Events.** Fred said Diana has planned a Spring Pot Luck at the Clubhouse on May 11<sup>th</sup>. It will go from 4 to 7 p.m. and will be open to all Malvern members and their families.

**Firewise.** Susan Korfanty encouraged members to participate in the revived Firewise Program. She showed the logs, posted on the Malvern website, that members can use to keep track of the hours expended and expenses incurred mowing, trimming, dead-tree clearing, underbrush removal, and other fire-prevention activities. She said she would announce the date for the chipper when she has it scheduled. She said there is information on Firewise on the Malvern website.

**Yard Sale.** Rodney said Ellie Tarbous is planning a community yard sale on Saturday, June 1<sup>st</sup>, from 8:00 to 3:00. Contact Ellie to participate.

**Trash Pickup.** Fred said Nancy Negrón is planning a spring pickup, dates not yet set. Malvern has accepted responsibility for a 2-mile stretch of Oak Park Road, from the Dark Run bridge south to Carpenter's Mill. Contact Nancy to participate.

### **Board of Directors Election**

Rodney said there are three seats to be filled: Fred's, TJ's, and Jason Woodward's. TJ has reached the 6-year limit for continuous Board service; and Jason is unable to continue due to his work schedule. Rodney cautioned people coming onto the Board that the Board is not the place to try to accomplish something personal. Everything the Board does is according to the Bylaws, the Deed of Dedication (covenants), and the Virginia Property Owners Association Act. He said the rules in place in the community are not arbitrary; they are in each property owner's deed, and we all agreed to abide by those rules when we bought our properties. The Board's responsibility is to manage the affairs of the association. If the members want to change a rule, they can do so by amending the covenants, which takes a two-thirds vote of all lots. Six members have agreed to serve if elected: Fred, Doug and Carol Beaver, Grover Dean, Don Nicholson, and Tanya Klemick. Each, in turn, made a statement; and the vote was then taken by secret written ballot.

### **Old Business**

**Activity Center.** Rodney reminded everyone that the Activity Center is now available for member activities. Members in good standing may reserve the facility at no charge. To make reservations, contact Fred at 540.738.2200. Rodney said that some members have requested that the flooring in the big room be replaced. After discussion, Bud Kreh moved to repair the Activity Center according to what the Board decides, without setting a spending limit. The motion carried unanimously on a voice vote.

**Boat Rack.** Rodney described several options for installing a new boat rack somewhere near the lake. He said none of the options are cost-effective. There was no motion to continue exploring this initiative.

**Escape Route.** John said he has been researching the possibility of establishing a second exit at the end of Aroda Road. He is trying to determine whether VDOT still has a right-of-way through the adjacent external property. So far, he doesn't have an answer. Rodney said another option would be along Surrey Court. Those lots back up to a field that connects to a private driveway that connects to a state-maintained road that leads out to Elly Road. He said it would take a complicated legal arrangement involving several external property owners and would require the services of the association's attorney. He cautioned that legal services are expensive, and the Board would not engage with our attorney of record until the membership had expressed a willingness to expend the effort and spend the money. He said the Board is not equipped to take this on but that a member or group of members could form a committee to research this option. There was no motion to continue this initiative at this time.

### New Business

**Reserve Study/5-Year Plan.** Rodney thanked Ed Johnson and the Reserve Study Committee for their work. The documents are viewable on the Malvern website. He then described the paving plan that is at the heart of the study and explains the need for periodic dues increases. He said the plan includes a \$25 dues increase in 2020 to help pay for repaving Malvern Drive and Covered Bridge up to Powderhorn. Then in 2024 another \$25 increase would help pay for paving the rest of Covered Bridge, Liberty Lane, and Ashlawn. That way, in 5 years (2020-2024) we would have new paving for 85 to 90 percent of the traffic in the community. The Reserve Study and the 5-Year Plan do not require membership approval; they are planning tools the Board uses to develop budgets for short- and long-term requirements.

**Short-term Rentals.** Rodney talked about potential Airbnb activity in Malvern. He said other HOAs in Madison County have contacted him to see if Malvern had a policy, which they would like to copy, to prohibit short-term rentals, which have become a concern, not just in our area but across the country. We don't have such a policy, but Rodney said we might consider having one. After discussion, Susan Korfanty moved to proceed with developing a covenant to prohibit short-term rentals; Lore Bourque seconded. Rodney reminded the members that this covenant would require the agreement of two-thirds of the community, or 156 lots. He said the development activity would take time, requiring research and legal counsel. He said the vote itself would have to be written but that it could be done over several months. Carol Beaver volunteered to be on a committee to work on this. The motion carried on a voice vote.

### Open Forum

**Golf Carts.** Tammy Bionelli asked whether golf carts are permitted on Malvern roads. Grover Dean said that they would have been prohibited under the old, rescinded ordinance permitting the Sheriff to patrol Malvern. As a private community with its own roads, however, golf carts are not prohibited by the State. Rodney said there is nothing in the covenants prohibiting them.

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**Rocks.** Valerie Cruz thanked everyone who helped her and José toss big rocks off her driveway down the embankment to fill the hole at the edge of Dark Run. She said they have more rocks coming and could use more help. She will advise the Board when that is so an announcement could be made.

### **Election Results & 2019 Board Assignments**

Directors were elected to fill three full-term Board vacancies: Doug Beaver, Fred Bourque, and Grover Dean.

Following the meeting, the Board met to elect officers and make committee assignments for 2019, as follows:

President:	Rodney Taylor
1 <sup>st</sup> VP & Secretary:	Fred Bourque
2 <sup>nd</sup> VP:	Grover Dean
Treasurer:	Diana Wright
Architecture:	Fred Bourque
Clubhouse & Pool:	Fred Bourque
Lake & Grounds:	Rick Collins
Roads:	Grover Dean
Social Events:	Diana Wright

**Meeting Adjourned at 12:18 p.m.** The next membership meeting is the Regular Membership Meeting, October 19, 2019, at the Clubhouse.