

# THE MALVERN COMMUNICATOR

October 2010

## A Message From our President

It has been a successful year so far. We have upgraded the pool, both functionally and cosmetically. It appears to be appreciated, judging by the number of residents and guests that have been using the pool. The one change regarding use is that you must use your pool key to access the restroom.

We repaired one culvert problem, repaired a runoff problem on Ashlawn Drive and had another possible problem hole filled. We still have a culvert problem or two to address and a guardrail problem and will keep working the issues. We are getting estimates on the required repairs.

We have ordered new signs for the Lake and the Pool. They will show all the rules and regulations enforced

by the Malvern Club and, for the Lake, the State as their requirements take precedence. That primarily involves license and safety regulations, but also provides emphasis on the illegal use of the Lake by non-residents who are not there as accompanied guests.

We are updating our five year plan, continuing an ongoing evolution.

There could be a couple of openings on the board at the yearly April membership meeting. We have at least one board member who has to leave due to the six year requirement. If you have any interest please make it known. For anyone who cannot make either the October Budget meeting or the April meeting please provide your proxy to a board member or resident to bring to the

meeting.

The Sheriff's department has begun to patrol Malvern to ticket speeders and those individuals who persist in running stop signs. We still have individuals who continue doing both but hopefully that will decrease as law enforcement gets fully engaged.

Our next biannual meeting is for the budget and will be held 16 October at the clubhouse. One of the most important issues will be the snow removal budget. I hope to see every household represented at the meeting.

Respectfully,

Gerald Monnat, Board President



### SEMI-ANNUAL MEMBERSHIP MEETING

**What:** Regular Meeting (bylaw requirement)  
**Where:** Malvern Clubhouse  
**Date:** Saturday, October 16, 2010  
**Sign in:** 9:30 until 10:00 a.m.  
**Meeting:** 10:00 a.m.  
**Why:** 2011 budget; resolution to vacate easements associated with second lake and bridle path easements

### COMMUNITY YARD SALE

**Date:** Saturday, October 2, 2010  
**Time:** 8:00 am until 2:00 pm  
**Rain date:** Sunday, October 3, 2010  
**Location:** Malvern Clubhouse  
**More details:** Contact Joe Graham at 948-7060  
<http://malvernofmadison.org/community.shtml>

### 2010 BOARD MEMBERS

**President:**  
Gerald Monnat

**1st vice president and roads:**  
Lee Rees

**2nd vice president and clubhouse committee:**  
Joe Graham

**Secretary:**  
Barry Gates

**Treasurer:**  
Ed Johnson

**Director and architectural committee:**  
Fran Sestak

**Director and grounds committee:**  
Jason Woodward

Contacting the Board:

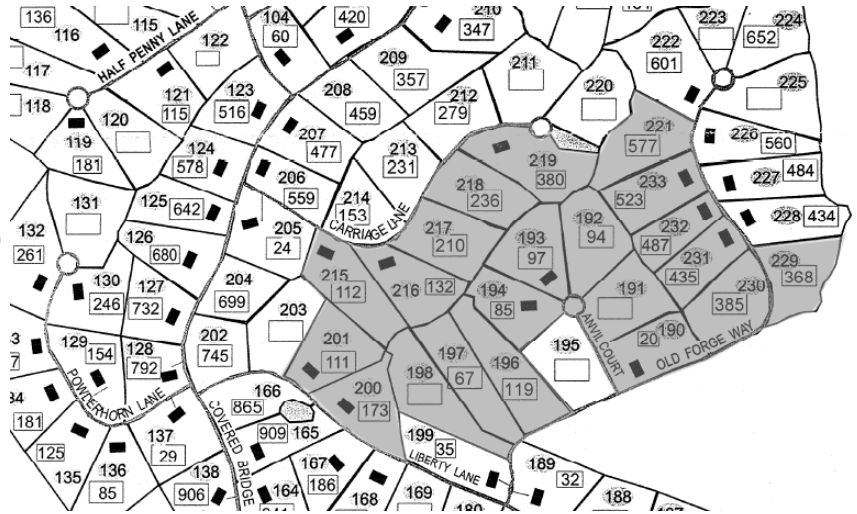
by letter—905 Malvern Drive, Madison, VA 22727  
by email—malvernhoa@malvernofmadison.org

## LAKE 2 – PROPOSED VACATION OF EXISTING EASEMENTS

The original developer of Malvern envisioned building several amenities including a clubhouse, pool, bridle trails, tennis court and 2 lakes. This was over 40 years ago. Most residents know that some of the amenities exist while others do not. The so-called second lake is one of the amenities that doesn't exist.

The second lake was proposed to be located within easements on 21 lots between Old Forge Way and Carriage Lane (21 lots shown as shaded). In laymen's terms, an easement grants the right to use something that someone else owns. In this case, if the lake was built, all Malvern residents would have the right to access and use the lake on the land of 21 other Malvern residents. This is unlike the majority of Lake Malvern (the existing lake) where the lake is mostly located on its own parcel, thus there are few easement needs.

Research of past minutes and newsletters shows the general consensus (not necessarily unanimous) is that the impact of flooding the property of several of the 21 lot owners as well as the construction and maintenance costs involved with building the lake makes it impractical to consider. The most recent membership vote on this issue occurred on April 30, 2005, when a motion to sell a 0.346 acre parcel identified as the location for the Lake 2 dam was approved.



Given the history, the Board of Directors recommends the membership approve a resolution that clearly states the second lake will not be built, that the easements associated with the second lake will be vacated and that a document vacating the easements be recorded among the land records of Madison County, Virginia.

### BRIDLE PATH EASEMENTS

A 1972 marketing brochure proclaimed, "outdoor living at Malvern includes ... a professionally managed equestrian center with miles of bridle trails". This is another example of an early vision for the community that never came about.

In 2000, the community approved selling the common space that contained the stable for the equestrian center as a residential lot with the funds from the sale helping to finance paving more of the gravel roads in Malvern.

The Board therefore recommends that the membership approve a resolution vacating the easements associated with the bridle trail.

### DEER MANAGEMENT IN MALVERN

Malvern has a covenant which states, "No hunting shall be allowed upon any lot or common area, and no firearms shall be discharged in the subdivision except as authorized by the Property Owner's Association".

Several members have asked the Board to consider circumstances where limited hunting within the subdivision could be allowed in an effort to reduce what they feel is an overpopulation of deer.

Prior to taking any action the Board felt it necessary to notify the entire membership that it had been asked to address deer management so that all members of the community are aware of and have the opportunity to present their views and/or con-

cerns, if any.

If agreeable to the membership, the next step will be to prepare a comprehensive set of criteria whereby a request could be considered and granted. The criteria might include designating a minimum number of adjoining lots in the area to be hunted, notification requirements, removal and disposal, minimum "no hunt" perimeters/zones, weapon type, precautions hunters will adhere to, hours, and compliance with Virginia laws.

Please attend the membership meeting to voice your views or forward them to the Board if you are unable to attend.

### CLUBHOUSE AND POOL REPORT

This year the HVAC has been replaced and the old furnace removed. It seems to make a difference in the cooling of the clubhouse, and we hope the heating will work the same. We have had to raise the rates on rentals for larger parties. The new rates effective November 1, 2010, will be: parties over 26 and up to and including 100 people will be \$100. Parties over 100 people will be \$200. The deposit will remain the same at \$50.

In regard to the pool, a new cover has been installed. New rule signs have been made and put up. The bathroom door lock has been rekeyed the same as the pool gate. By doing this, it will make it unnecessary to leave the pool gate open. Take your pool key with you whenever you leave the pool area. The pool gate must be kept closed at all times.

# Proposed budget for 2011

	2009 <i>Actual</i>	2010 <i>Budget</i>	2010 YTD <i>Actual *</i>	2011 <b>Budget</b>	
1	\$121,750	\$122,850	\$107,255	<b>\$122,850</b>	234 lots at \$525 per lot
2	\$250	\$0	\$0	<b>\$0</b>	Not currently necessary
3	\$135	\$105	\$105	<b>\$105</b>	7 lots at \$15 per lot
4	\$3,300	\$3,500	\$2,580	<b>\$3,500</b>	
5	\$475	\$100	\$185	<b>\$95</b>	
6			\$1,000	<b>\$0</b>	0 lots at \$1,000 per lot
7	\$719	\$700	\$393	<b>\$500</b>	
8	\$1,305	\$1,500	\$1,075	<b>\$1,400</b>	Bush hogging and packets
9	\$2,500	\$2,500	\$2,505	<b>\$2,500</b>	125 keys at \$20 per key
10					Withdraw from reserve
11					
12	\$130,434	\$131,255	\$115,098	<b>\$130,950</b>	
13					
14					
15	\$1,043	\$1,505	\$486	<b>\$1,500</b>	
16	\$35,000	\$32,500	\$19,854	<b>\$31,000</b>	MB, signs, dock, pool, play, well
17	\$2,781	\$3,000	\$2,787	<b>\$3,000</b>	
18	\$205	\$250	\$461	<b>\$300</b>	
19	\$34,974	\$32,900	\$32,839	<b>\$11,000</b>	Required minimum payment
20	\$23,669	\$0	\$0	<b>\$0</b>	Required minimum payment
21	\$6,233	\$9,500	\$3,164	<b>\$7,500</b>	Mowing, routine maintenance
22	\$5,994	\$33,000	\$14,341	<b>\$21,550</b>	Snow, patching, Sylvan culvert
23	\$1,220	\$1,400	\$610	<b>\$1,400</b>	Bush hogging
24	\$1,036	\$2,150	\$1,270	<b>\$2,150</b>	
25	\$3,410	\$4,500	\$3,513	<b>\$4,500</b>	Keys, chemicals, operations
26	\$2,363	\$4,400	\$1,773	<b>\$4,400</b>	Average daily cost of \$12.00
27	\$1,998	\$3,500	\$331	<b>\$0</b>	Fuel oil furnace removed in 2010
28	\$333	\$400	\$276	<b>\$400</b>	
29	\$1,230	\$2,250	\$0	<b>\$2,250</b>	
30	\$0	\$0	\$0	<b>\$40,000</b>	Per 5-year plan
31					
32	\$121,489	\$131,255	\$81,705	<b>\$130,950</b>	

The Board of Director's recommends the membership approve the following:

1. Capital Improvement in the amount of \$31,000 for renovations at clubhouse, dock repairs, begin replacing playground equipment, pool area and deck, mailbox area, addressing low water pressure at clubhouse and pool, signs. Approval requires two-thirds affirmative vote of members voting either in person or by proxy.
2. Approval of the annual budget insofar as it relates to current operating expenses. Approval requires a majority of the votes cast.

\* YTD (year-to-date) is through September 9, 2010



905 Malvern Drive  
Madison, VA 22727

Address correction requested

### PROXY

I/We, \_\_\_\_\_ and \_\_\_\_\_ as owner(s) of the following Lot(s) \_\_\_\_\_ Malvern Club, Inc. under the provisions of the duly recorded legal instruments governing said Club, do hereby grant this Proxy to \_\_\_\_\_

\_\_\_\_\_ of Malvern Club Inc., owner of Lot # \_\_\_\_\_. This proxy is executed for the 2010 Regular Meeting, to be held on Saturday, October 16, 2010, 10:00 AM, at Malvern’s Clubhouse and carries with it the full right of the members. This includes use of this proxy to meet quorum requirements and to vote on the following items which require a two-thirds vote of members voting either in person or by proxy:

- 1) approve the 2010 capital improvements budget
- 2) approve resolution vacating Lake 2 easements
- 3) approve resolution vacating bridle path easements

You may ask the member you assign this proxy to vote your wishes or to vote in the same manner as the member will vote. If you assign this proxy to the Board of Directors you must indicate your choice (yes or no) for your vote to be counted.

Signature (Owner): \_\_\_\_\_ Date \_\_\_\_\_

Signature (Owner): \_\_\_\_\_ Date \_\_\_\_\_