

Mosby Mountain Community Association
MEETING OF THE BOARD OF DIRECTORS

Date and time: Tuesday, February 5, 2008, 6:30 pm

Meeting location: home of Todd and Paige Pullen, 1212 Hatcher Court

Board members present:

Michael Hightower, Vice President, 1957 Ridgetop Drive

Jim Peterson, Secretary/Treasurer, 1969 Ridgetop Drive

Tom McGrath, 2041 Ridgetop Drive

Todd Pullen, 1212 Hatcher Court

Brian Roy, 1647 Hubbard Court

Barbara Strain, 1635 Hubbard Court

(Note: Preston Miller, President, 1390 Singleton Lane, had a scheduling conflict and was unable to attend).

Other members of the Association present:

Cyril Connaughton, 1336 Singleton Lane

John Glenn, 1330 Singleton Lane

Jeff Gunther, 1378 Singleton Lane

Judy Hightower, 1957 Ridgetop Drive

1. Welcome and introductions

Mr. Hightower welcomed everyone, thanked Mr. Pullen for hosting this meeting.

2. Adoption of agenda

On a motion by Mr. McGrath, seconded by Ms. Strain, the agenda was adopted unanimously.

3. Approval of January 8, 2008, board meeting minutes

On a motion by Mr. McGrath, seconded by Ms. Strain, the minutes were unanimously approved as distributed.

4. Financial statements

Mr. Peterson distributed copies of reports from Joseph Saunders, CPA, including a transmittal letter dated January 23, 2008, and a balance sheet and income and expenses as of December 31, 2007, showing a cash balance on hand December 31 of \$17,065.30. A question was raised as to the source of the \$2,000.00 "Capital Contributions" in the equity section of the "Liabilities & Equity" section of the Balance Sheet. Mr. Peterson said he would ask Saunders for an explanation and report back. (Note: Mr. Peterson subsequently contacted Saunders and they reported that they had reviewed the records of Mosby as far back as January 2006, which are the first records they were given by Real Property, Inc., and the \$2000.00 has always been shown on the reports; they added that the account implies that a member or members contributed that amount--could be "start up" money—and to find out anything more, we could try to contact the original owner).

On a motion by Mr. Roy, seconded by Ms. Strain, the December 31, 2007, Financial Reports were accepted.

5. Approval of disclosure packet

Mr. Peterson distributed copies of the Property Owners' Association Act" (Title 55, Chapter 26, Code of Virginia), which sets forth the requirements for the operation of property owners' associations in Virginia. He also distributed copies of "Directors and Officers Duties and Responsibilities and Board Meetings," authored by William A. Marr, Jr., Esq., president of the Property Owner Associations of Virginia, Inc. Copies of the proposed "Adoption of Reserve Study and Disclosure Procedure and Packet" were distributed and discussed. Mr. Peterson noted that an inventory of capital improvements requiring long-term maintenance and/or replacement is required, along with projections as to the cost over time, how these costs will be covered, and the establishment of a reserve fund dedicated to these needs (in addition to other reserve funds maintained for other purposes). The five bio-retention basins are the only items identified in the inventory for long-term maintenance. Since the plantings for the basins are not complete—and Mr. McGrath pointed out that the basins have not been turned over to the association—final projected costs for maintenance are not yet available, and this is noted in the disclosure packet. Mr. Peterson pointed out that the draft packet also shows a current reserve fund of \$17, 983.00, but it explicitly states that no portion of the fund is reserved for any specific project. Mr. Pullen suggested that the term for the fund be changed for now to "operating surplus," and eliminate the reference to any existing reserve at this time. Ms. Strain pointed out that the Declaration of Covenants and Restrictions also requires the establishment of a reserve fund in a separate account. That reserve fund would be separate from the one required by the code for long-term maintenance requirements.

On a motion by Mr. McGrath, seconded by Mr. Todd, the Reserve Study and Disclosure Procedure and Packet were approved with the deletion of the reserve fund amount, and the substitution of the term "operating surplus" in the budget instead of "reserve fund."

6. Website development status report

Mr. Gunther has volunteered to establish a website for the Mosby Mountain Community Association, and he has already captured the "MosbyMountain.org" domain. He suggested, however, that there were other ways to establish communications capabilities on the internet such as setting up a free Yahoo group. After some discussion, it was the consensus that it would be preferable to go directly with the MosbyMountain.org site which Mr. Gunther projected could possibly be initially in place by the March 4 meeting.

On a motion by Mr. McGrath, seconded by Ms. Strain, Mr. Gunther was authorized to proceed with the development of the MosbyMountain.org website.

7. Common Areas Committee (CAC)

Mr. McGrath reported that the CAC had met in his absence, and that Mr. Roy will report. He said they had a good first meeting with three new members in attendance. They identified areas to develop a beautification proposal to recommend to the board at the next meeting, one that would be big enough to make an impact, but easy on the budget and possibly using our own labor. Items included the entrances and up Ambrose, the pump house, and up Singleton where the plantings are dying. Mr. McGrath reported that since Mike Frazier at the county has left, Mr. McGrath met with Kenny Thacker (department head for erosion) regarding the basins and what we can expect, and a follow-up meeting will be held. The plantings in the basins are held up until it is determined if the pipes and filtering systems are working. Mr. McGrath said that we can expect communication and cooperation with the county. He also discussed the location of the

trail at Ambrose which needs to be adjusted due to the severe grade. Finally, an updated punch list is being developed for Beights.

Mr. Pullen reported that he had spoken with Michael Drzal who is an attorney living in Mosby and who is working on the Biscuit Run development. Mr. Drzal would be happy to come to a meeting to help get the entrances to Mosby completed. Mr. Peterson reported on the proceedings of the Planning Commission when the sidewalk waiver was considered and approved. Commission members had expressed concerns that other amenities had not been offered to the Mosby Mountain community since the developer saved the substantial cost of installing sidewalks. The developer's attorney responded that the expanded number of walking trails were provided as an extra amenity. Mr. McGrath suggested that the pump house should be screened.

Mr. Pullen commented on the LandCare trucks that have been parked on the grass on Ambrose and also a white pickup truck. It was suggested that notes should be left on their windshields, and also we should look into the possibility of towing vehicles if compliance is not achieved through informal means. Mr. Pullen also inquired about the status of curbing on Ambrose. He also distributed a proposal from Classic Signs (the company that did the entrance signs) to construct and install two "No soliciting" signs (one at each entrance) for a total cost of \$698.55. If the members wished to install the posts themselves, then the cost could be reduced by \$183.00. It was agreed that the proposal would be scanned and sent to all board members to see if there was consensus to proceed with the signs, and if so, if the members would handle the installation, and also for suggestions on the exact locations.

Mr. Glenn addressed the issue of drainage in the back yards of the four properties at the top of Singleton. Mr. Thacker had looked at the situation last summer, and Mr. Glenn had paid for a landscape consultant to develop a remediation plan and gave this to the builder (Craig). Craig responded that one solution would be a retaining wall which he would not be responsible for. However, Craig has agreed to lower the rear slope and fortify the swale that handles runoff from the adjacent property. Mr. Connaughton said that Craig is putting together a plan, and that once the plan is available, they will e-mail it to the board, ARB and CAC.

8. Architectural Review Board report

Ms. Strain confirmed that the four previous ARB members (Sue Drzal, Shawn Brydge, Ramsey Hathaway and Ashleigh Slawski), along with her as chair will comprise the ARB for 2008, and that David Stebbins, who had also been interested in an appointment to the ARB, has agreed to serve on the CAC. The ARB has had one meeting with one request which was approved. The ARB also had reviewed the list of past violations and for which no action had been taken in the past. Ms. Strain will review each individual file and then review with the ARB before sending letters to those with violations. She reported that there had been a discussion about the extensive role that had been played by RealProperty with the ARB, and that now the continuing ARB members were concerned about how to go forward from here. One specific concern was the loss of a third party to provide various services such as sending out correspondence and serving as a buffer to field questions with property owners. After board discussion, Ms. Strain agreed she did not have a problem sending letters to applicants informing them of the ARB's decision. Moving ahead, she said that the initial priorities will be to develop written guidelines as required by the Covenants and following up on the list of existing violations. Also, the ARB request form will be revised to list Ms. Strain as the contact person for requests. She will receive the requests and then scan and forward them to the other ARB members.

9. Nominating Committee report

Ms. Strain reported that Mr. Pat Campbell has agreed to serve on the nominating committee, and that two additional members (who are not members of the board) need to be recruited so that the committee can get started looking ahead.

10. Community-side trash collection status report

Mr. Peterson reported that special pickups for large items (furniture, etc.) can be arranged which would be scheduled with the resident to take place on special days and at an additional cost to the resident. Since the billing is now centralized, the procedures as to how to pass the billing through are currently under consideration (at this point the simplest procedure would be for the resident to respond to an e-mail from Allied confirming their request and the cost; the association would then include this in their next regular statement). Allied has also asked that residents be reminded that they are allowed the large trash bin and up to five trash bags. Mr. Peterson added that residents should be reminded to orient their trash container with the arrow on the lid pointing to the street. Finally, follow-up on last month's discussion about requiring residents to either keep their trash cans inside or screen them if outdoors was continued to the next meeting. In the meantime, all residents are asked to voluntarily comply with the requirement to screen the cans or take them inside.

11. Snow removal status report

The first snow and ice event since the engagement of W. A.. Wells Excavating occurred on January 17. Ice melt was applied and the streets plowed. A bill for these services has not as yet been received. No complaints have been received even though the event was widely reported as particularly challenging—both a “surprise and a delight” according to the *Daily Progress*.

12. Sidewalk waiver

This item was covered earlier, but Mr. Peterson reported that on a split vote of four to three, the Planning Commission approved the waiver of the requirement to install sidewalks on Hatcher and Turnstone.

13. Other items

Mr. McGrath commented on the mailboxes that have peeling paint or are delaminating. There was discussion that it would be helpful to find a central source for replacement mailboxes or repairs. Mr. Pullen said he would look into this.

14. Next meetings

The next general membership meeting will be held on Tuesday, March 4, 6:30 p.m., at the Covenant School auditorium.

The next meeting of the board will be held on Tuesday, April 1, 6:30 pm., at a location to be determined.

The meeting was adjourned.