

Mosby Mountain Community Association

SPECIAL MEETING OF THE BOARD OF DIRECTORS

Date and time: Monday, May 28, 2008, 6:30 pm

Meeting location: home of Preston Miller and Debra Mincarelli, 1390 Singleton Lane

Board members present:

Preston Miller, President, 1390 Singleton Lane
Michael Hightower, Vice President, 1957 Ridgetop Drive
Jim Peterson, Secretary/Treasurer, 1969 Ridgetop Drive
Todd Pullen, Board Member, 1212 Hatcher Court
Brian Roy, Board Member, 1647 Hubbard Court
Barbara Strain, Board Member, 1635 Hubbard Court

Other members of the Association present:

Debra Mincarelli, 1390 Singleton Lane
Dave Stebbins, Common Areas Committee Member, 1629 Hubbard Court

1. Call to order

Mr. Miller called the meeting to order. This special meeting of the board was scheduled at the request of a majority of the board members for action on seven items. The membership was notified on May 20 by e-mail, on the MosbyMountain.org website, and hand-delivered notices.

2. Approval of corporate resolution establishing a reserve account with ING Direct

The board, at its meeting held on April 7, voted to establish a general reserve account in accordance with the requirements of the Covenants in the eventual amount of \$20,000.00 with an initial transfer from checking of \$10,000.00. At that time, Mr. Roy volunteered to explore the best return for opening an FDIC insured and flexible account.

On a motion by Mr. Roy, seconded by Mr. Peterson, it was unanimously voted to establish a reserve account with ING Direct with an initial deposit of \$10,000.00 to be transferred from checking.

3. Common areas maintenance

The board had met on April 7 to review the proposals for common areas maintenance and select a contractor. However, Mr. McGrath, Common Areas Committee co-chair who since last October had conducted the interviews and walked all of the common area sites with the contractors, could not attend the meeting due to a last minute conflict. A special meeting of the board was then scheduled for Monday, April 21, to select a contractor. The selection was approved, and two board members were to meet with the contractor on that Friday, April 25, at which time the first cutting of the season would be initiated that day. However, just prior to the scheduled meeting, the contractor withdrew his proposal. By this time, favorable growing conditions (lots of rain and sunshine) resulted in a significant growth of the grass in many sections of the common areas. Mr. Pullen arranged for an emergency cutting of the grass. At its regularly scheduled board meeting held on May 6, the board approved a second contract, but following the meeting, a

satisfactory final resolution to the terms with the contractor could not be achieved. Mr. Pullen then arranged with another contractor for a one-time cutting pending the execution of a contract for the season.

On a motion by Ms. Strain, seconded by Mr. Hightower, payment in the amount of \$1,050.00 to Todd Pullen for the May 9-May 11 common areas lawn maintenance was unanimously approved.

On a motion by Mr. Hightower, seconded by Ms. Strain, payment in the amount of \$525.00 to Gator Services, LLC, for the May 18 common areas lawn maintenance was unanimously approved.

On a motion by Ms. Strain, seconded by Mr. Roy it was unanimously voted to enter into a contract with Gator Services, LLC, to provide mowing and maintenance services through the remainder of 2008.

4. Approval of Architectural Review Board (ARB) guidelines

The revised proposed guidelines were initially presented by Ms. Strain at the February 5, 2008, board meeting, and then further revisions were made by the ARB during the interim. Ms. Strain presented the most recent version of the proposed guidelines, and board members suggested minor changes in wording.

On a motion by Ms. Strain, seconded by Mr. Hightower, it was unanimously voted to adopt the revised Architectural Review Board guidelines including the minor wording changes (see attached).

5. Appointments to the Architectural Review Board and the Nominating Committee

These appointments will be taken up at a subsequent meeting.

6. Next meeting

The next quarterly meeting of the membership will be held on Wednesday, June 4, 6:30 p.m. at the Albemarle County Office Building (Room B), on Fifth Street Extended.

The next meeting of the board will be held on Wednesday, July 2, 6:30 p.m., at a location to be determined.

The meeting was adjourned.



ARCHITECTURAL GUIDELINES MOSBY MOUNTAIN COMMUNITY ASSOCIATION

Introduction

In keeping with the “Declaration of Covenants and Restrictions” of the Mosby Mountain Community Association (MMCA), Architectural Guidelines have been established to set the standards and specifications to be considered including architectural, environmental and land management control of residential lots, family dwelling units and common areas. Refusal or approval of plans by the MMCA will be made through the procedures established in these guidelines by its appointed volunteer Architectural Review Board (ARB).

Procedure for Homeowners

When planning architectural or landscape projects the homeowner should first review the specifications and guidelines. If their project meets the requirements for review an “MMCA ARB Request for Improvements Form” is to be completed. The form, along with plans detailing the project, are to be submitted to the MMCA RB chair or MMCA appointed agent (if applicable) at least 30 days prior to the planned start of each project. Using the guidelines, the MMCA ARB will review the request and notify the homeowner by phone or email of the approval, recommendations or denial of their application. A hard copy letter will be sent as official documentation to the homeowner.

The MMCA reserves the right to hire contractors to repair/replace/remove non-approved homeowner improvements and bill the homeowner for such services. It is the preference of the MMCA that all issues are resolved amicably, but if necessary it does have this option available to preserve the look and feel of the community, as well as resale values.

According to Virginia state law, prior to the sale of a home in Mosby Mountain, the ARB and MMCA must review the property for any violations and must disclose this to the potential buyer. Any violations must be remedied to the satisfaction of the MMCA.

Goals of the MMCA ARB

The goals of the MMCA ARB are to work together with all residents to create a functional and beautiful neighborhood that blends with our natural environment. The ARB works diligently to maintain a level of class and continuity in Mosby Mountain, while balancing the individual homeowner’s right to personal style and preference. Comments, questions, concerns or additional guidelines on planned improvements should be sent to the MMCA ARB or its approved agent.

Guidelines

The installation and ongoing maintenance of all fences, sheds, decks, pergolas, arbors, porches, driveways, satellite dishes, exterior lighting, dog houses, mailboxes, swing sets, play sets, hardscapes, decorative rocks, landscaping, wood piles, hot tubs, etc. shall require review by the ARB.

Satellite Dishes – Satellite dishes should not be visible from the road whether attached to the house or the ground. A number of residents have moved their satellite dishes from a visible location to a non-visible location either on their own volition or at the request of the ARB. Exceptions will be considered by the ARB for extenuating circumstances.

Screen Trees – Each landscaping request is evaluated individually. Please know that the ARB considers both the current and future impact of trees on both the homeowner's lot and on the surrounding neighbors' lots with regard to both safety and maintaining views.

Tree Removal - Any living tree with a diameter greater than six inches that is to be removed or cut must receive approval from the ARB. Removal of dead trees does not require ARB approval and any dead tree in a yard area (versus a wooded area) is required to be removed with professional care and disposed of properly. No trees may be removed from a Conservation Area by a homeowner without written permission from the MMCA and Albemarle County.

Fences - Should be four feet to six feet tall, constructed of pressure treated wood and not extend beyond the back corner of the house (i.e. backyard only). After the installer designated curing period (which must be noted in the approval request), all fences must be protected using a clear stain/sealer or a white stain. The ARB will gladly review fence requests that consist of different materials, heights, colors and location.

Landscape Plans - Must be submitted if the total landscaping will cover more than 25% of the yard that is visible from any other property or street, or if there will be any plant, shrub, tree or other planting that will grow to a height of more than three feet from the ground that is visible from any other property or the street. All landscape improvements must take into consideration the various setbacks and easements applicable to each lot; with particular attention paid to plantings near the road that infringe upon the utility easement and/or obstruct the view of drivers.

Hardscape – All hardscape items that are visible from the street or from another community member's home must be approved by the ARB and shall consist only of items commonly found in nature (ie. no wire or plastic). Most items in a yard that are not alive are considered hardscape, including rocks (borders, drainage, decorative, etc.), slate, granite and retaining walls.

Permanent play structures - Play structures, including swing sets, basketball goals (in ground and attached to house) and trampolines, must be approved. All swing sets must be located in the back yard and constructed primarily of pressure treated wood. Non-permanent structures such as mobile basketball goals, play sets, toys, bicycles, etc. must be removed each evening to an area not exposed to view from any other property or street in accordance with the Mosby Mountain Covenants and Restrictions.

Parking – On Street Parking: Each home in Mosby Mountain has a garage and many have an additional parking pad. For both the aesthetics of the neighborhood and the safety of our residents and pets, please do not regularly park on the street. Driveways: commercial vehicles, boats, trailers, tractors, etc. are not to be parked in driveways.

Flags and Signs - Decorative or patriotic flags shall not be of such size as to overwhelm the look of the property e.g. no larger than 5 feet x 8 feet in size. Requests for permanent in ground flag

poles must be submitted to the ARB. Signs, including but not limited to real estate, political or for advertisement purposes shall be kept to a maximum of 36 inches in either height or width.

Trash Cans – In accordance with the Mosby Mountain Covenants and Restrictions, garbage receptacles must not be visible from the street or another community member's home except on the day or days of the week that the trash is to be collected.

Mailbox Maintenance and Replacement

An approved USPS mailbox shall be black in color with a red service flag. The mailbox will be 23.5 inches long X 11 inches wide X 15 inches high with a rounded top. If mailboxes are dented, out of alignment or otherwise damaged so as to not function properly or look unsightly they are to be replaced. Mailboxes meeting these specifications can be purchased at places such as The Contractor Yard or Lowes. If boxes are scratched or the paint is peeling they may be sanded and prepped and spray painted shiny black.

Mailboxes should be attached firmly to the post at all times. The mounting post should be prepped and repainted if the surface is peeling, scratched or extremely faded. All mounting posts should be painted the James Geddy Green and is available from Duron in Shoppers World Center on Seminole Trail. If the post becomes damaged or requires replacement it shall be of the same size, dimension and design as the original. Posts with mailboxes shall be placed at the curb at the end of the driveway in the same location.

House numbers shall be visible from the road and affixed to the outside lower portion of the supporting post on both sides. The original numbers were of different styles and sizes. If replacing your numbers they should be brass and approximately 4 ¼ inches high X 2 inches wide X 3/8 inches deep.

Repairs, maintenance or replacement should take place within 30 days of such findings, weather permitting.

Any deviations from these guidelines shall require requests be submitted in writing to the MMCA ARB for consideration of extenuating circumstances.