

Mosby Mountain Community Association

MEETING OF THE MEMBERSHIP

Draft Minutes

Date and time: Tuesday, December 3, 2008, 6:30 pm

Meeting location: Fry's Spring Beach Club
2512 Jefferson Park Avenue, Charlottesville, Virginia

Note: Notification of this meeting, along with the agenda and all referenced information, mailed via USPS to the membership on Monday, November 17, 2008.

Attending:

Members from 19 households

Officers and directors: Preston Miller, President; Michael Hightower, Vice President; James Peterson, Secretary/Treasurer; Barbara Strain, Board Member; and Brian Roy, Board Member.

I. Call to order and declaration of quorum

The meeting was called to order by the president, Preston Miller. He asked the secretary, James Peterson, to report on the quorum. With a total of 119 households, representation from 36 households would be required to achieve the 30 percent threshold necessary for action on the proposed budget. Nineteen households were represented in attendance and 24 proxies were received for a total of 43 households represented. A quorum was achieved.

II. Adoption of agenda

Mr. Miller welcomed everyone and asked if there were any proposed changes to the agenda.

On a motion by Mr. Pat Campbell, seconded by Ms. Strain, the agenda was adopted as distributed.

III. Approval of minutes from September 3, 2008, membership meeting

On a motion by Ms. Debra Mincarelli, seconded by Ms. Ellen Lubinsky, the minutes of the September 3, 2008, membership meeting were adopted as distributed.

IV. Year in review

Mr. Miller, Mr. Roy and Ms. Strain presented a PowerPoint presentation providing an overview of the activities of the Association for the calendar year 2008:

- Conducted 12 board meetings hosted by members.
- Held quarterly meetings of the membership.
 - March, June, September and tonight's Annual Meeting.
- Prepared nine "Disclosure Packets" required for homeowners who wished to sell their properties
- Improved coverage of liability insurance and officer bonding at a reduced cost.
- Developed and implemented policy to follow up delinquent accounts.
- Established reserve fund for future maintenance needs.
 - required by Virginia Code and the Covenants.
- Implemented MosbyMountain.org website.
 - Site regularly updated with meeting notices, agendas, minutes, announcements.

- Testified before the Board of Supervisors in support of Hatcher Court and Turnstone Drive residents who did not want sidewalks installed.
- Installed “No solicitation” signs.
- Completed first year of community-wide trash collection service.
 - aggregate annual savings of over \$10,000.
 - renegotiated contract for 2009 at no increase in cost.
- Received presentations on neighborhood safety issues.
 - Diana Edwards, community relations coordinator for the Albemarle County Police.
 - Mike Dye, biologist, Virginia Department of Game and Inland Fisheries.
- Recommended establishment of Neighborhood Watch program in cooperation with the Albemarle County Police Department.
- Alerted residents to acts of vandalism through e-mails and hand-delivered flyers.
- Researched and approved installation of improved lighting for entrance signs.
- Appointed Nominating Committee.
 - Committee developed a complete slate of directors and officers.
- Met with county officials, the developer and builder regarding erosion issues on individual properties and common areas.
- Conducted neighborhood yard sale on June 6 and 7.
- Common Areas Committee:
 - Expanded committee to 8 members to better represent neighborhood
 - Met 10 times since March.
 - Solicited and awarded contracts for lawn maintenance.
 - Walked, measured and evaluated every foot of the common areas.
 - addressed immediate landscaping needs.
 - developed recommendations for immediate and longer-term landscaping improvements.
 - Enhanced all three entrance signs with rock wall and better plant beds.
 - Improved Turnstone Circle with grading, seeding and mulching.
 - Developed three year landscaping plan based on priorities to be completed throughout the community.
 - Recommended special assessment in the amount of \$29,225.
 - \$245 per household.
 - approved by membership at the September 3 meeting.
 - bills mailed six days later.
 - work initiated October 6 with substantial completion two weeks later.
 - Organized first Community “Beautification” Day.
 - fourteen neighbors participated.
 - painted entrance signs.
 - planted flowers.
 - removed erosion fences from common areas.
 - With funds from special assessment – significant plantings added on Ambrose Commons to help beautify the entrance drive and decrease future maintenance.

- Worked with developer and county to figure out and enforce responsibilities of Beights Development
- Streets accepted into state road system by action of Board of Supervisors on November 5 (now pending acceptance by VDOT).
- Architectural Review Board:
 - Reviewed and approved 21 applications.
 - Revised and communicated ARB guidelines.
 - Conducted site reviews of all 119 properties to determine compliance.
 - Sent reminder to households regarding the need to remove trash containers from view.
 - Updated property records and continue the process of sending communication to owners with identified compliance issues.

Several questions and clarifications were raised during the discussion of the year-in-review report. One member asked about street lighting, but since the developer had chosen not to include it in the original development plans, it would be prohibitively expensive for the Association to install it now. Ms. Strain did report that solar powered flood lights have been acquired to illuminate the entrance signs and replace the current inadequate lighting. A question was raised about electrifying the signage lighting with A/C power, but this had been explored in the past and the cost to run electricity to the signs was again prohibitive. Ms. Strain said that the issue could be revisited.

Mr. Roy responded to questions about the pine trees to be planted around the basins. The developer will be required to replace the trees that had been planted previously, and the Association will add more trees. Mr. Roy once again invited a resident from Mattox Court, as he had done previously at the September meeting, to join the Common Area Committee so that the interests of Mattox Court would be represented on the committee. There was extended discussion about the continuing meetings with the developer regarding his remaining responsibilities to the neighborhood, and Mr. John Glenn requested that the requests made by the Association to the developer be posted on the website.

V. Common Area Committee report: plans for the future

A three-year plan for landscaping improvements had been developed by the Common Area Committee earlier in the year then and presented to the board at the August 17, 2008, board meeting. In the plan, the improvements for the fall of 2008 would need to be funded through a special assessment, and this was done upon the approval of the membership at its September meeting. The landscaping improvements recommended for 2009 would cost \$10,950 and are included in the regular proposed 2009 budget. The largest item for 2009 would be to address the nature trails, which are Mosby Mountain's only amenity. The improvements in 2010 were projected at \$8,000 which would result in a slightly decreased budget for that year.

Some concerns were raised that the work performed under the special assessment did not benefit all of the residents, and further that there was a difference between the work originally approved for the special assessment and that which was actually carried out. Members of the board and the Common Areas Committee responded that the original intent of the special assessment as approved by the membership at the September 3 membership meeting had been rigorously followed, and any members with continuing questions should look at the plans that were approved at the August 17 board meeting (and are appended to those minutes which are posted on the website) which was the detailed basis for the recommendation for the special assessment.

VI. Approval of 2009 Budget

Because the budget proposed for 2009 by the Board of Directors includes an increase in excess of 10 percent, the budget is subject to the approval of the membership in accordance with the provisions in the Declaration of Covenants and Restrictions. The 2009 proposed budget had been included with the meeting announcement mailing on November 17:

| | 2008 BUDGET | 2008 PROJECTED (as of August 17, 2008) | 2009 PROPOSED BUDGET |
|-----------------------------|---------------------------------|---------------------------------------------------------|-------------------------------------|
| | (Dues = \$97.15 per quarter) | | (Dues = \$129.87 per quarter) |
| INCOME | | | |
| Assessment income | 46,241 | 46,180 | 61,818 |
| Disclosure packets | -- | 90 | 39 |
| Interest income | 100 | -- | -- |
| Total income | 46,341 | 46,269 | 61,857 |
| EXPENSES | | | |
| Accounting/Management | 4,700 | 4,183 | 4,225 |
| Legal | 1,000 | 1,000 | 1,000 |
| State fees | 50 | 94 | 50 |
| Meeting expense | 250 | 250 | 250 |
| Office expense | 1,200 | 950 | 1,150 |
| Website expense | -- | 150 | 180 |
| Other professional services | 250 | 250 | 250 |
| Liability, D&O, Bonding | 900 | 815 | 897 |
| Common areas maintenance | 8,500 | 10,300 | 19,500 |
| Landscaping improvements | 5,000 | 5,200 | 10,950 |
| Signage/Sign maintenance | 450 | 316 | 450 |
| Snow removal | 2,500 | 2,200 | 2,500 |
| Community-wide trash pickup | 20,163 | 20,488 | 20,163 |
| Total expenses | 44,963 | 46,197 | 61,564 |
| To operating reserve | 1,378 | 72 | 292 |

The 2009 proposed budget includes an increase for common areas maintenance and landscaping improvements of \$16,950 while all other major items (accounting/management, trash collection, insurance, office and meeting expenses, legal, and snow removal) remain the same or slightly decreased from the 2008 budgeted amounts. The \$10,950 proposed for landscaping improvements is projected to decrease in following years. The proposed 2009 budget represents a 34 percent increase over the 2008 budget (quarterly dues increase by \$32.72, from \$97.15 to \$129.87).

Because the proposed budget was brought to the membership by the recommendation of the Board of Directors, it did not require a second for consideration.

The proposed 2009 budget was approved as presented, 28 voting yes and 13 no (of which 16 yes votes were by proxy and seven no votes).

VII. Election of 2009 officers and directors

Ms. Strain read the report from the Nominating Committee (comprised of Pat Campbell, Jana Glenn and Ron Matthews) which had been mailed with the meeting announcement on November 17:

Directors (two-year terms): Matthew Althoff; Kristie Beitz; and Todd Jenkins.

Officers (one-year terms): Barbara Strain, president; Kristie Beitz, vice president; and Jim Peterson, secretary/treasurer.

Ms. Strain asked if there were any nominations from the floor. Mr. Jerry Rainey moved that the nominations be closed and that the slate be elected by acclamation. The motion was seconded by Ms. Marsha Peterson and unanimously approved.

VIII. Vote to establish a Neighborhood Watch Program

Mr. Miller described the proposed program that, if adopted, would be sanctioned by the Albemarle County Police Department. Again, because the program is brought to the membership as a recommendation of the Board of Directors, a second is not required for action.

The implementation of a formal Neighborhood Watch Program was approved, 39 voting yes, one nay and three abstentions (of which 20 yes votes were by proxy, one nay and three abstentions).

IX. Items from the membership

Mr. Pat Campbell extended his appreciation to the board members and other volunteers for all the work they have done over the past year. Mr. Miller said he also wanted to thank the team and added that a good team is in place to go forward into the coming year. Ms. Strain thanked Pat Campbell, Jana Glenn and Ron Matthews for their work on the Nominating Committee. Finally, Ms. Strain then thanked Mr. Miller for his leadership during a challenging time.

X. Adjourn

On a motion and second, the meeting was adjourned at 8:05 pm.

Respectfully submitted,



James R. Peterson
Secretary/Treasurer