

## Minutes of Annual MPOA Meeting

June 4, 2011

The annual meeting of the MPOA was held on June 4, 2011 at Jerusalem UMC. In attendance: Poole (#123); Soresnsen (# 28); Skidmore (#18); Judy & Jay Stephens (#3); Nan & Keith Wampler (#73); Uhl (#32); Paulette & Jim Sabo (#1); McHenry (#26 &27); Janet & George Epps (#29); John & Barbara Bergland (#84); Iles (#92); Art & Denise (#2); Hale (#65); Norma & Todd Schultz (#4); Carol & Bob Jamison (#9); Lois & Harvey Powers (#67); Peg & Al Muir (49); Rick & Maggie Shupe (#120); Myra & Scott Murray (#21); Hunt (#124); Ray Merritt (#24); Paul Munana (#19); Powell (#62, 63 & 64); James & Lisa Handy (#38 & 16). Proxies were received from: Johnson (#206); Gulley (121, 93, & 94); Teasdale (#91); Fisher (#17, 97 & 127); Wissing (#25); Heycock (#37); Freeland (#42); Ortiz (#59); Glenn (#72); and Sobey (#74).

Larry Uhl, Chair called the meeting to order at 1pm and gave a brief update on the board's activities for the past year, including shoring of ARC guidelines and posting the Merrymount Property.

Minutes of the 2010 annual meeting were read and approved. Treasurer's report for the July 2010-June 3, 2011 budget period was given. Total budgeted income of \$44,610, actual income \$38,438.90 plus \$7200 moved from the road fund for a total budget of \$45,638. 90. Approximately 56 % was set aside for future road repairs (\$21, 702.20). MPOA "net worth" is \$155, 583.18. Harvey also reported the MPOA Audit Committee audited financial records and several suggestions were made but found no irregularities and a clear paper trail for the association's money. Art Buckner moved to approve the budget with Paulette Sabo second, with unanimous approval.

Larry opened nominations for the Director's positions, with none forthcoming. Wilma Poole and Patty McHenry were on the ballot, with both willing to serve either 3-year term or 1-year term. Secret ballot voting occurred with Nan Wampler, Teller, collecting the ballots for counting.

The Articles concerning the Architectural Review Committee were each read. These articles were recommended by the retained attorney and the only action needed was a "Yes" or "No" vote to add them to the covenants.

Harvey Powers presented the proposed 2011-2012 budget with any changes or modifications to be made during the meeting.

Scott Murray presented information on a bill that will be introduced in the VA General Assembly in January, proposing to lift the 30-year ban on uranium mining and milling in the Commonwealth. VA Uranium, Inc. is seeking approval to mine and mill uranium on rivers that feed the Roanoke River, Kerr Lake and Lake Gaston. Uranium mining produces a tremendous amount of waste that must be wasted in above ground ponds. Catastrophic rainfall events from hurricanes could breach the holding ponds and wash downstream. If you are interested or concerned go to [WWW.Virginiauranium.com](http://WWW.Virginiauranium.com) to read their claims or [www.RRBA.org](http://www.RRBA.org) to support efforts against the proposal.

Bill Powell reported that VA has decided to opt out of the high speed railroad project. North Carolina is still looking at various routes.

Jay Stephens gave the road update and indicated the roads are in good shape, being well-maintained. However, life expectancy of asphalt is 15 years and we're approaching that time frame. Decisions need to be made whether we continue to tar and gravel or go to asphaltting the roads. The four options: (1) Do nothing at no cost; (2) Repair alligator cracks on Hawtree and Botetourt and tar and gravel Merrymount Road from Hawtree Way to cul-de-sac for \$6500; (3) Asphalt Bell Arbor and Botetourt at a cost of \$59,900 because these two streets are completely built; (4) Asphalt entire subdivision at a cost of \$215,000 (cost in 2008 was \$200,000). There was discussion of a special road assessment, increasing annual dues, increasing the road impact fee of \$1000 when new house construction starts and appointment of committee to study and make recommendations for Merrymount roads. Harvey Powers moved "that we do nothing this year, that we anticipate maintenance in the following year, not commit to it, but anticipate, that we not raise assessments and that the Board Chairman is empowered to appoint a committee to study the road issue." Nan Wampler second the motion. There was unanimous approval. John Bergland and Jessie Hale volunteered with Carl Wissing and Debbie Ortiz appointed to the committee. There was discussion of the previous commitment of dedicating 50% of the annual dues to the road fund.

Patty McHenry read from the covenants: **"Article V, Section 2. Purpose of Assessment. The Assessment shall be used: A) To maintain, renovate, improve, operate and administer the Common property including the streets, roads, shoulders and ditches and drainage easement....B): To construct, maintain, renovate, operate and administer such additional common property as the Association may designate."**

Trailer Lot: Jay Stephens shared a job quote from Lanco Paving to prep and pave the trailer lot at a cost of \$34,300 or surface treat the trailer lot for \$22,500. It was decided to continue to mow and weed eat trailer lot as opposed to paving and surfacing.

**Board election results: Patty McHenry was elected to the three year term and Wilma Poole was elected to the one year term.**

Results of the voting on the articles changing the covenants:

**Article VI, Section 10 of the Declaration. Except for any fence installed or approved by the Declarant, no fence, including any grading or alteration of the Residential Lot, shall be installed except in conformance with the Architectural Guidelines and with the prior written approval of the Architectural Control Committee, or the Board in the event of an appeal provided for in Article VII, Section 4. (34 Yes for the amendment; 8 No for the amendment) Passes**

**Article VI, Section 11 of the Declaration. Except for any outbuilding or shed installed or approved by the Declarant, no outbuilding or shed, including any grading or alteration of the Residential Lot, shall be installed except in conformance with the Architectural Guidelines and with the prior written**

**approval of the Architectural Control Committee or the Board in the event of an appeal provided for in Article VII, Section 4. (35 Yes for the amendment; 7 No for the amendment) Passes**

**Article VI, Section 12 of the Declaration. Except for any hard landscaping installed or approved by the Declarant, no hard landscaping, including any grading or alteration of the Residential Lot, shall be installed except in conformance with the Architectural Guidelines and with prior written approval of the Architectural Control Committee, or the Board in the event of an appeal provided for in Article VII, Section 4. (34 Yes for the amendment; 8 No for the amendment) Passes**

**Article VII, Section 1 of the Declaration. No residence, outbuilding, fence or wall shall be constructed or located on any Residential Lot nor shall any addition or exterior change to or modification of the Improvements be commenced until the plans and specifications therefore have been submitted and approved, in writing, by the Architectural Control Committee. If no action is taken by the Architectural Control Committee within sixty days after submission of the plans and specifications, the request shall be deemed denied. (27 Yes for the amendment; 15 No for the amendment) Passes**

**Article VIII, Section 5 of the Declaration. The Architectural Control Committee will monitor improvements it has previously approved during installation or construction, and at the conclusion of thereof, will issue a final letter of approval to the Owner if the improvement had been completed in accordance with approved specifications. ( 31 Yes for the amendment; 11 No for the amendment) Passes**

Denise Buckner brought to the attention of those present the following: “ Fourth Supplement to the Declaration of the Protective Covenants of May 28, 1996, Section 5A. Impact Fee. An Impact Fee of \$500 to help offset the normal wear of the roads from heavy construction equipment is imposed on each property owner. The impact fee is due and payable to the Association when a building permit is issued for any unimproved residential lot. Those property owners with residences in places as of May 26, 2000 shall pay a fee of \$250 for any future construction/improvement requiring a building permit.” This section needs to be changed in the covenants when the above covenants are changed since the Road Impact fee is now \$1000.

Fox Run Water: Larry urged Merrymount residents be aware of water usage and not irrigate or fill pools on weekends when lots of people are visiting Merrymount. Water usage has not been restricted by Fox Run Water. There is a possibility that Aqua VA may purchase Fox Run.

Landscaping: Discussion of grass cutting twice monthly during the summer months. Motion made by Maggie Shupe that the Board be responsible if a second cutting is necessary, with Jim Sabo second. (Vote – 8 against, passed by majority vote) Scott Murray moved to give the Board guidance that during the months of May, June and July, the grass be cut twice monthly. Judy Stephens second the motion that passed with a majority of votes with 4 voting against the motion.

Hydrilla Update: 43 Lots are participating this year, down from 53 last year. Lots may still participate at a cost of \$144 per lot. PLM anticipate the first treatment will be during the last week of June. PLM is also

developing a lympha treatment to be used next year. Lot owners may still participate by letting Jay Stephens or James Handy know.

Annual Dues: The dues are due March 1<sup>st</sup> of each year. MPOA lot owners are asked to mark their calendars so that if a notice hasn't been received, please check with the Secretary.

Harvey presented the final budget for 2011-2012, by moving \$1650 from the Road Maintenance Fund to Mowing and Plowing to make \$10, 250 in the Mowing and Plowing line item and reduce the Road Maintenance to \$17, 350. The budget was approved unanimously.

The MPOA Board will meet June 9<sup>th</sup> for an organizational meeting. Larry announced CPR class in south Hill on June and reminded everyone of the defibulator in the shelter.

The meeting adjourned at 3:15 for a picnic at the pavilion.