

*These minutes are a draft of the Board Meeting Minutes and will not become a part of the Association's formal records until they are approved by the Board at the next regular meeting. They are provided in advance of approval as a courtesy to the Association membership.*

***MALA Board of Directors' Meeting Minutes  
April 14, 2009***

Mike Cottrell, Vice President, called the meeting to order in the Clarksville Public Library at 7:00 p.m.

**Present:** Mike Cottrell, Clinton Dalton, Cathy D'Amato, Martha Day, John Gilmore, Chris Henry, Kevin Hensley, Greg Sansing, Tim Tetreault, Billy Wells, Bob Wenning, Richard Wikle, Bill Woodfin

**Excused:** Richard Allen, Jerry Billingsley, FJ Hale, Ben Jackson

**Absent:** Phil Beck, Jerre Mabrey

**Observers:** Linda Carter, Sandi Silka

The minutes of the February 10, 2009, Board Meeting, having been distributed to the Board and posted on the Association website were approved without dissent upon two corrections. In the Security Committee report, Hazelwood Drive is corrected to read Hazelnut Drive. Under New Business, with regard to children-at-play signs, "such signs are not in themselves effective" is corrected to read "we could find no evidence that such signs are effective".

**Treasurer's Report.** Copies of the Operating Statement for January through March 2009 were distributed and discussed. Plans to incorporate a breakdown of monies from non-mandatory and mandatory sections to track monies for road and common areas in the budget were presented.

**Old Business:**

**President's Report.** The Governance Committee endorses President Ben's proposal that the MALA Board create a committee for the Merifield Acres non-mandatory units, specifically Fielding Development Co., Inc., and Holly Park. The motion to approve the Non-mandatory Committee was seconded but denied by a vote of 5 to 1. A substitute motion that the Board encourages the non-mandatory units to create their own such committee was seconded and did carry, however, 5 to 1.

In light of aircraft operating under power on roads being prohibited by a higher jurisdiction, the Board voted unanimously against allowing aircraft to cross Meriwether Drive under power. The motion made to table approval of the MALA Runway Safety Rules and Regulations for further revision was seconded and carried unanimously. It was suggested that the President convene a meeting to incorporate property owner comments into MALA Runway Safety Rules and Regulations (Proposed for Comment), to include property owners on the runway and on a weekend; so that property owner pilot Rick Adler is able to be present. Authority to develop rules and regulations resides in the Board of Directors.

**Secretary's Report.**

## Open Forum:

### Architectural Committee Report:

1. An application for a garage has been received.
2. Permission was given for an extension of a year for a garage.
3. The Roads and Maintenance Committee is not yet getting the plans for new structures.
4. A letter granting permission for a year was given to the Roads and Maintenance and the Common Areas and Facilities Committees to remove trees from common areas.
5. Letters to Fannie Mae regarding the Norris property have been sent with no reply.

### Standing Committee Reports:

**Appearance and Beautification.** Mulching the entrance to Merifield Acres is set for Monday, April 27, time not yet decided. Two more strong volunteers to wheel barrel the mulch are asked to contact Chair Sandi Silka.

**Aviation.** Chairman submitted a draft of the MALA Runway Safety Rules and Regulations (draft 4/10/09):

**Background:** MALA owns land, configured as a runway, that is available for landing and take-off operations of light aircraft. The runway is private and its use is available to Merifield Acres lot owners and their guests. The runway is unlighted, has a grass surface, and is outlined by white pylons. A wind soc is located on the approach end of the runway. MALA maintains the grass surface using its maintenance contractor. Management of the runway is the responsibility of the Chairman of the MALA Aviation Committee

**Authority:** The Virginia Property Owners' Association Act provides authority for MALA to establish, adopt, and enforce rules and regulations with respect to the use of the common areas and with respect to other such areas of responsibility assigned to the Association by the covenants. The Merifield Inc., covenants provide that MALA has responsibility for the "general safety" of lot owners.

**General Rule:** No unauthorized activity may be conducted on any part of the MALA runway land inside or outside of the pylons. Unauthorized activity includes the operation of any vehicle such as a golf cart, car, truck, or other motorized conveyance. (Federal law prohibits the unauthorized operation of vehicles on runways.) Other prohibited activities are those that would obstruct the runway such as picnicking, burning, or dumping of foreign material.

**Landing operations** may not be conducted after evening civil twilight (30 minutes after sunset) unless the pilot in command has an emergency. Landings after evening civil twilight should be conducted at Marks Municipal Airport (W63) or other facilities equipped for such operations. The operational pattern is left hand for runway 33 on approach, and 15 for departure. **STANDARD RADIO PROCEDURE FOR ALL OPERATIONS ON 122.9 IS MANDATORY.**

**Operation of a vehicle** on the MALA runway land may be authorized by the Chairman for purposes of carrying out official business of MALA, including maintenance.

**Radio Operation** is required on every aircraft operating from MALA on the runway and in the pattern. Every aircraft so equipped must broadcast on 122.9. Failure to comply with standard operating procedure, calling the turns and taxi operations may result in a permanent prohibition and report to the FAA.

**The runway may be closed** in the event of an obstruction on or defect in the surface that would effect safe operation.

1. Notify the Chairman, Francis Hale at 374-9922. If no answer, 919-787-4965 Raleigh, then 919-741-1329 (cell). If contact is not made, notify any other member of the Aviation Committee. (Refer to Merifield Acres Directory, Aviation Committee.) or member of the board.
2. The marker panel used to close the runway is in a plastic coffee in the custody of the maintenance contractor. Open the panel and lay it out at the approach/lake end of the runway and weight it to hold against the wind.

Any obstruction or defect requiring repair of the surface of the runway must be approved by the Chairman prior to returning the runway to service.

Aircraft may taxi across Meriwether Drive at approved crossings. Aircraft parking on MALA property will be at the north end near the posted sign to the right. Aircraft may park on private property with the owners' consent. Such violations should be reported to the Board of Directors or Aviation Committee. The Aviation Committee will investigate the complaint and make the final decision.

**Common Areas and Facilities.** Committee met with Ralph Moore and cut down dead trees in the dock area at Oak Park. Crutchfield and Associates surveyed for the additional 10 feet at the entrance. The plat was received in the last few days which will be used by the Department of Army Real Estate Office to determine the cost of the land. All required paperwork will be done shortly.

**Community Events.** Chair reports that while the annual Easter Party went smoothly and was loads of fun, it was very poorly attended this year. Most likely factors are that it was Palm Sunday weekend, and more important, the first day of Dixie Youth ball and opening ceremonies. We have always alternated Easter weekend with Palm Sunday, allowing people who travel on Easter to have a chance to come but tending to reduce the number of visiting grandchildren. Palm Sunday weekend allows for a rain day; Easter weekend does not. This year Easter was late, setting up the conflict with the baseball league. Essentially every child in the neighborhood was at the baseball field. If the party is this poorly attended again next year, we should think about eliminating it.

**Deer Control.** This deer control season, Chair Noel Corpus reports that a total of sixteen deer were harvested, possibly a record. A further permit could have been obtained to extend the hunt, but Noel is reluctant to hunt does carrying young—they will be dealt with next season.

**Finance.** Chair reports the six-month CD with Carter Bank & Trust earned interest. For the CD with Bank of America, the rollover notice has just been received.

**Governance.** Since the February 10, 2009, Board meeting, the Governance Committee has met twice, February 24 at the Becks' home on Lakepoint and March 17 at the Tierneys' on Darcy. The Committee next meets April 21 at the Cottrells' on Elm Place.

- Working with President Ben's initial draft and additional clarification received from Aviation Committee Chairman FJ, the Governance Committee prepared the proposed MALA Runway Safety Rules and Regulations published in the March Merifield Acres Newsletter for comment from the Association membership;
- Upon sufficient deliberation, the Committee endorses President Ben's proposal that the MALA Board of Directors consider creating a new MALA standing committee, a Non-Mandatory Units Committee that would enforce the respective non-mandatory units' covenants (Fielding and Holly Park, to begin with), increase contribution to the expenses of Merifield Acres, and develop polices and rules and regulations specific to the non-mandatory units;
- With Vice-President Mike acting as liaison, the Committee progresses toward a Working Relationship Between the MALA Board of Directors and the Architectural Committee. While appropriate Board and Architectural Committee members are converting the former Impact Fee to a Road Damage Charge (read *deposit*), per President Ben's direction, in the MALA Disclosure Packet the Architectural Committee guideline Road Damage Charge (p. 4) has been amended to include the following statement from the MALA Board of Directors' Meeting Minutes, December 9, 2008: "Returning to the issue of the Impact Fee, the [Governance] Committee concurred to advise the Board at this December 9 meeting to convert the Impact Fee to a Damage Charge (or some other more appropriate term). Upon considering the working document VPOAA Disclosure Packet Statement 3: Impact Fee/Damage Charge (draft 12/3/2008), the Board with input from the Architectural Committee Chair concurred and agreed to the term Road Damage Charge, details to be worked out by appropriate members of the Board and Architectural Committee". The Governance Committee would also like the Architectural Committee to anticipate how the Architectural Committee plans to conduct its Merifield, Acres, Inc., covenant-mandated election (covenant 2) this August-September 2009. In August-September 2008, one of the two candidates for the one vacancy on the Architectural Committee was elected almost 3 to 1 by the MALA membership, yet the other candidate's name appears on the Architectural Committee's current introductory letter to the Architectural Committee Guidelines that is sent lot owners seeking approval of their architectural plans. (Fielding and Holly Park lot owners in good standing are entitled to advance a candidate[s].) How does the Architectural Committee plan to clear this discrepancy with the membership?
- Until such time that the Board of Directors' Notebook is generally revised, the Governance Committee is distributing to each Board member an addendum to be placed foremost in the Notebook that contains the following directive: "Any statement prepared pursuant to the

requirements of the VPOAA should be complete and truthful to the best of your knowledge” (memo from President Ben, March 13, 2009);

- In advance of the June 9 Board meeting, the Committee will deliver to each Board member’s and Architectural Committee Chair Kevin’s home hard copies of numerous suggested Bylaws revisions for thoughtful consideration before the June 9 meeting;
- The Committee moves steadily forward on the Common Interest Community (CIC) Board-mandated Architectural Committee and MALA Internal Complaint Process for eventual Board and Architectural Committee review and membership comment; and
- In collaboration with Roads and Maintenance Committee Chair Bill Woodfin, the Committee is revisiting and updating the MALA Roads Policies for Board review.

The Governance Committee welcomes comment from Board members and property owners on mutual concerns.

**Political and Environmental.** Chair advised that Raleigh still wants our water and we should contact our elected representatives to voice our opinions on this issue.

**Roads and Maintenance.** Two bids have been received from road contractors. Staying within budget will add roads to list and will have final bids within the next month.

**Security.** Residents report picking up crack Mountain Dew cans along the Lakepoint and Hazelnut roadsides. Anyone possessing information is urged to contact the Sheriff.

**Welcoming.** Since the February 10 Board meeting, the Welcoming Committee has greeted with the 2009 Merifield Acres Directory and houseplants David and Caroline Stainback at 100 Highpoint Boulevard and Michael and Kenan Smith with their four children at 158 Merifield Drive. Kenan Smith is daughter of Clarence and Edna Neese on Maplewood Lane. Fran Townsend baked for each family one-of-a-kind cakes. Correct contact information was obtained and communicated to the Treasurer and Email Manager.

### **Communication:**

**Directory.** Nothing to report.

**Email.** Nothing to report.

**Newsletter.** Merifield Acres Newsletter, Vol. XV, No. 1, was in the mail by mid-March. Secretary Cathy D’Amato copied and collated 450 sets of the nine-sided newsletter, Assistant Database Treasurer Joyce Woodfin prepared the pre-printed labels, Treasurer Greg Sansing delivered the necessary postage, and residents Judy Millsap, Sandi Silka, and Judy Sims assembled the components and delivered the mailing to the post office.

**Website.** As of today, April 14, the MALA Website is current.

**New Business:**

President Ben proposes the development of a Disaster Response Plan. Vice President Mike and the Board delegated responsibility for development of a Disaster Response Plan to the Security Committee.

It was suggested that the 2009 Nominating Committee be formed as of this Board meeting. The entire Board constitutes the Nominating Committee. Board members are referred to their Directors' Notebook, Section 7, Nominating Committee, for guidance. Board members whose terms expire September 2009 agreed to identify and nominate their willing replacement. No one volunteered to chair the Committee; nor did the acting President appoint anyone.

A motion setting the date for the September Annual Association Meeting for Sunday, September 20, 2009, was seconded and approved.

There being no further business, the meeting was adjourned at 9:06 p.m.

The next regular Board meeting will be held Tuesday, June 9, 2009, in the Clarksville Public Library at 7:00 p.m.

Respectfully submitted,

Cathy D'Amato, Secretary