

**Mosby Mountain Community Association**  
**ANNUAL MEETING OF THE MEMBERSHIP**  
**Draft Minutes**

**Date and time:** Tuesday, December 12, 2016, 7:00 pm

**Meeting location:** Calvary Chapel, 1284 Sunset Avenue Ext., Charlottesville, Virginia

*Note: Notification of this meeting, along with the agenda and all referenced information, was emailed to the membership on November 28, 2016, and hand-delivered to the one household which does not have email.*

Attending:

Members from 15 households

Officers and directors: Matt Althoff, President; Ted Miller, Vice President; Jim Peterson, Secretary/Treasurer; and directors Diego Anderson, Joe Cantu, John Garland and Bryan Hamil.

I. Call to order

Mr. Althoff called the meeting to order at 7:05 pm.

II. Declaration of quorum

Mr. Althoff asked the secretary, Mr. Peterson, to report on quorum. With a total of 119 households, representation from 18 households would be required to achieve the 15 percent threshold necessary for action on agenda items V (Approval of December 1, 2015, Annual Meeting Minutes) and item VIII (Election of officers and board members). Fifteen households were represented in attendance and 13 proxies were received for a total of 28 households represented. Therefore, a quorum was achieved to conduct all business scheduled to come before the membership.

III. Welcome and introduction

Mr. Althoff welcomed everyone and asked the officers, board members and all association members present to introduce themselves.

IV. Adoption of agenda

Mr. Althoff suggested that a new item IX be added to the agenda for a discussion concerning the new neighborhoods surrounding Mosby, and asked if there were any other proposed changes to the agenda.

On a motion by Mr. Garland, seconded by Mr. Hamil, the agenda was adopted with the addition of the item pertaining to the surrounding neighborhoods.

V. Approval of minutes of the December 1, 2015, Annual Meeting of the membership

On a motion by Dr. Cantu, seconded by Mr. Garland, the minutes of the December 1, 2015, Annual Meeting of the Membership were approved as distributed.

VI. Year in review – board and committee reports

a. President's remarks

Mr. Althoff said he would give his general comments on the things that have been going on during the past year. The biggest thing has been the development going on around our neighborhood—Mountain Valley, Whittington and Oak Hill Farm (formerly Wintergreen Farm), especially considering that many Mosby homeowners moved here because it was a quiet, tree-lined neighborhood. Another issue was the Airbnb rentals. We received complaints from neighbors about the rentals, and we sought legal advice and it was confirmed that these arrangements are not permitted under the

provisions of our Covenants and Restrictions. Another thing was a bear that was running through the neighborhood and spreading trash around. The construction of 5<sup>th</sup> Street Station along with the cut-through to Avon Street has been a positive development. We've had a yard sale and some fun events including the summer movie night and the Halloween party.

b. Architectural Review Board (ARB)

Mr. Ted Miller, chair of the ARB, reported that there were 13 applications processed by the ARB in 2016: five for landscaping and the removal of dead trees (even though ARB approval is not required for removing dead trees, some homeowners submit requests anyway); three were for fencing; and one each for a generator, patio, deck change, cat enclosure and awning.

Questions were asked about deteriorating mailboxes and posts and where new mailboxes could be acquired and what paints to use. Mr. Miller said he would follow up on this and get information back to everyone.

A question was raised about solar panels and Mr. Miller responded that there was nothing in the Covenants and Restrictions particular to solar panels, so each request to install these is handled through the normal ARB review process.

c. Common Areas Committee

Mr. Anderson, chair of the Common Areas Committee, reported on several achievements during the year.

1. Landscaping handled by LC Marshall & Sons Landscaping Development LLC included grass cutting, common area cleaning weeding, mulching, seeding/aeration with a new addition this year of turf (grass) treatment through a subcontract with Virginia Green resulting in much thicker and green grass from treatments. This treatment will be included as part of future maintenance – twice/year. We have been very pleased with LC Marshall and team and so the contract was extended for another three-year term ending December 31, 2019.
2. Foot bridge repair completed by Serenesapes at a cost of \$1,500.00 in August 2016 along the nature trail off of Hubbard. Initiation of the work had been delayed based on weather and the need to engage a new contractor.
3. New plantings at Ambrose Common entrance were installed for the purpose to shield from view the CenturyLink equipment cabinet. The work was performed by Luke Marshall & Son at a cost of \$2,500.00 (with a budget of \$3,600.00) and completed in November 2016 with a 2-year warranty.
4. 2017 Initiative – Entrance Sign Renovation: the entrance signs at Ambrose Commons Drive and Singleton Lane are deteriorating and discoloring. Options under consideration include repainting at a cost of \$2,000.00 to \$2,400.00 per sign; replacing the signs with new wooden signs at a cost of \$5,237.00 per sign; or replacing the signs with stone signs at a cost of \$23,200.00 per sign. Further discussion will be given to the various options.

d. Community Relations Committee

Mr. Garland reported on six areas of achievement within his scope of responsibilities as chair of the Community Relations Committee:

1. A Mosby Mountain Facebook Page was created on January 16, 2016:  
<https://www.facebook.com/groups/470319089818695/>  
The Facebook page now has 86 members and growing!
2. The Mosby Mountain Yard Sale was held on May 21, 2016
3. A bulk trash pickup was conducted on May 28, 2016. Eligible items included refrigerators (with no coolant in them), dish washers, grills (no propane tanks), branch/shrub trimmings (bagged up), and couches/old chairs.

4. The 2<sup>nd</sup> Annual Mosby Movie Night was held on July 15, 2016. Mosby residents enjoyed 109 servings of Kona Ice (one more than last year).
5. The 8<sup>th</sup> Annual Halloween Celebration was held on October 31, 2016. Forty-eight families RSVP'd (nine more than last year) with a head-count of 192 for pizza (32 more than last year). An invitation had been extended to all of our neighbors in Mountain Valley Farm and Whittington, and as a result, one family from Whittington and two from Mountain Valley Farm attended.
6. The contract with our current trash provider, County Waste, was renewed for a three-year contract: January 1, 2017 through December 31, 2019, at \$14.20 per home/per month. Rate guarantees do not include and shall not encompass future increases passed along for the increase of disposal charges, governmental taxes and fees, recycle processing fees, or the decrease in recycle commodity values. County Waste does not own its own disposal site, thus they no longer can guarantee fixed rates. They still gave us a lower rate compared to surrounding communities

#### VII. Financial Report and 2017 Budget

Mr. Peterson showed a PowerPoint slide of the balance sheet and profit and loss report of actual income and expense through November 30, 2016, derived from the monthly financial statement issued by Robinson Farmer Cox Associates, CPA (see attached). He also distributed copies of the 2017 budget adopted by the board on September 15, 2016 (see attached). The budget remains at \$52,360, and the quarterly dues remain at \$110.00.

#### VIII. Election of directors and officers

As outlined in the agenda emailed to the Membership on November 28, directors Matt Althoff, Diego Anderson, Joe Cantu and John Garland will continue on the board through 2017 as they complete the second year of their two-year terms.

##### a. Slate of Officers and Directors

- i. Directors (two year terms): Bryan Hamil and Ted Miller (there will be one vacancy on the board to be filled by a nomination from the floor tonight or by appointment by the board in the new year)
  - ii. Officers (one year term): Matt Althoff, president, Ted Miller, vice president, and Bryan Hamil, secretary/treasurer
- b. Mr. Althoff asked if there were any nominations from the floor. Hearing none, he asked if there was a motion for action on the committee recommendation.
  - c. On a motion by Dr. Cantu, seconded by Mr. Peterson, it was moved and voted that the nominations be closed and that the slate be elected by acclamation.

#### IX. New neighborhoods surrounding Mosby Mountain

Bryan Hamil and Ted Miller reported on the development status of the Oak Hill Farm (formerly Wintergreen Farm) and Whittington subdivisions. Most of the concerns arise from the County's more recent decision to enforce the previously ignored requirement for all subdivisions to have at least two points of entry and egress. The issue then becomes where these points of connectivity will be located. Whittington will have an emergency-only connection to the south terminus of Ridgetop Drive, and Oak Hill will have a conventional intersection with Ambrose Commons Drive directly across from where Ridgetop Drive connects to Ambrose Commons Drive. However, a careful examination of the subdivision plans show in very fine print "future proposed connections to." The county official told Mr. Miller that if any of these connections are made in the future, they would not be paved roads but only emergency-only access points.

Extensive discussion was given to how to effectively influence the planning process. One key hurdle is the recognition that these developments are "by right" meaning that they comply with the existing zoning ordinances and therefore are not subject to the degree of input as may be desired by local residents. In any event it is important that as many individual homeowners as possible voice their

concerns directly to the various county officials. Although the Mosby board has followed the situation primarily through the efforts of Mr. Miller and Mr. Hamil and have made their concerns known, that does not replace the importance of individual residents communicating with officials. Mr. Miller will put together the contact information for various levels of the county government and this will be emailed to all members of the association.

X. Items from the membership

A question was raised about the trees that were planted several years ago on the west side of Ridgetop Drive. Many of the trees are in poor condition. The trees were planted by our association in a 50-foot wide landscaping maintenance easement, and so the trees are the responsibility of the association. Mr. Anderson, chair of the Common Areas Committee, will look into this.

XI. Adjournment

On a motion by Mr. Peterson, seconded by Mr. Preston Miller, the meeting was adjourned at 8:16 pm.

Respectfully submitted,

James R. Peterson  
Secretary/Treasurer

Draft minutes posted on [mosbymountain.org](http://mosbymountain.org): December 31, 2016

## NOVEMBER 2016 - BUDGET VS ACTUAL

	Jan - Nov 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
41000 · ASSESSMENT INCOME	52,416.00	52,360.00	56.00	100.11%
41500 · Fee Income	170.00			
43000 · INTEREST INCOME	111.13			
45010 · Returned Check Charges	25.00			
<b>Total Income</b>	<b>52,722.13</b>	<b>52,360.00</b>	<b>362.13</b>	<b>100.69%</b>
Gross Profit	52,722.13	52,360.00	362.13	100.69%
Expense				
51000 · ACCOUNTING FEES	2,403.89	4,200.00	-1,796.11	57.24%
52000 · Liability, D&O, Bonding Ins	0.00	916.67	-916.67	0.0%
53000 · LEGAL FEES	621.00			
53500 · LICENSES AND FEES	63.84	137.50	-73.66	46.43%
54500 · MEETING EXPENSE	0.00	458.33	-458.33	0.0%
55000 · OFFICE EXPENSE	169.48	458.33	-288.85	36.98%
55005 · Association Events	261.09	916.67	-655.58	28.48%
64500 · TRASH COLLECTION	16,689.75	16,689.75	0.00	100.0%
75300 · LANDSCAPING - CONTRACT	19,767.00	24,404.42	-4,637.42	81.0%
75400 · LANDSCAPING - NON-CONTRACT	5,085.00			
83000 · MISC COMMON AREA IMPROVEMENTS	1,530.00			
85500 · WEBSITE EXPENSE	179.88	165.00	14.88	109.02%
85510 · Bank Service Charges	10.00			
<b>Total Expense</b>	<b>46,780.93</b>	<b>48,346.67</b>	<b>-1,565.74</b>	<b>96.76%</b>
Net Ordinary Income	5,941.20	4,013.33	1,927.87	148.04%
Net Income	5,941.20	4,013.33	1,927.87	148.04%

## NOVEMBER 2016 - BALANCE SHEET

	Nov 30, 16
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
10300 · Cash - VNB - 6409	43,914.30
10500 · Capital One Business Savings	30,462.26
<b>Total Checking/Savings</b>	<b>74,376.56</b>
Accounts Receivable	
11000 · Accounts Receivable	-309.89
<b>Total Accounts Receivable</b>	<b>-309.89</b>
<b>Total Current Assets</b>	<b>74,066.67</b>
<b>TOTAL ASSETS</b>	<b>74,066.67</b>
<b>LIABILITIES &amp; EQUITY</b>	
Equity	
32000 · CAPITAL CONTRIBUTIONS	2,000.00
3900 · Retained Earnings	44,718.33
39996 · RETAINED EARNING	21,407.14
Net Income	5,941.20
<b>Total Equity</b>	<b>74,066.67</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>74,066.67</b>

## NOVEMBER 2016 - P & L

	Nov 16
Ordinary Income/Expense	
Income	
41000 · ASSESSMENT INCOME	10.12
41500 · Fee Income	30.00
43000 · INTEREST INCOME	9.97
<b>Total Income</b>	<b>50.09</b>
Gross Profit	50.09
Expense	
55000 · OFFICE EXPENSE	130.00
64500 · TRASH COLLECTION	1,517.25
75300 · LANDSCAPING - CONTRACT	1,797.00
<b>Total Expense</b>	<b>3,444.25</b>
Net Ordinary Income	-3,394.16
Net Income	-3,394.16

MOSBY MOUNTAIN COMMUNITY ASSOCIATION, INC. -- BUDGET 2017								
A	B	C	D	E	F	G	H	I
Categories	Code	14 Budget	14 Actual	15 Budget	15 Actual	16 Budget	16 Projected	17 Budget
Assessment Income	41000	\$ 57,596.00	\$ 57,551.00	\$ 57,596.00	\$ 57,686.32	\$ 52,360.00	\$ 52,526.00	\$ 52,360.00
Fee Income	41500		\$ 255.00		\$ 240.00		\$ 170.00	
Disclosure Packet	42000	\$ -	\$ -	\$ -	\$ 120.93	\$ -	\$ -	\$ -
Interest Income	43000	\$ -	\$ 120.44	\$ -		\$ -	\$ 121.13	\$ 150.00
Misc Income	44000	\$ -	\$ -	\$ -	\$ 25.00	\$ -	\$ 25.00	\$ -
<b>Total Income</b>		<b>\$ 57,596.00</b>	<b>\$ 57,926.44</b>	<b>\$ 57,596.00</b>	<b>\$ 58,072.25</b>	<b>\$ 52,360.00</b>	<b>\$ 52,842.13</b>	<b>\$ 52,510.00</b>
Write Off (Bad Debt Expense)					7.77		0	
Accounting	51000	\$ 4,200.00	\$ 3,159.91	\$ 4,200.00	\$ 4,771.42	\$ 4,200.00	\$ 3,503.89	\$ 4,200.00
Bank Charges	51500		\$ 6.95		\$ 10.00		\$ 10.00	
Liability, DBO, Bonding Ins/ins general 66350	52000	\$ 1,000.00	\$ 1,027.00	\$ 1,000.00	\$ 1,070.00	\$ 1,000.00	\$ 1,070.00	\$ 1,100.00
Legal	53000	\$ -	\$ 408.00	\$ -	\$ 412.00	\$ -	\$ 621.00	
Taxes and Licenses	53500	\$ 150.00	\$ 133.86	\$ 150.00	\$ 135.73	\$ 150.00	\$ 63.84	\$ 150.00
Meeting Expense	54500	\$ 100.00	\$ 200.00	\$ 100.00	\$ 100.00	\$ 500.00	\$ 100.00	\$ 100.00
Office Expense	55000	\$ 500.00	\$ 345.90	\$ 500.00	\$ 213.95	\$ 500.00	\$ 269.48	\$ 200.00
Website Expense	85500	\$ 180.00		\$ 180.00	\$ 179.88	\$ 180.00	\$ 179.88	\$ 180.00
Other Services	55500	\$ 200.00					\$ -	
Association events/activities 56200	55005	\$ 1,000.00	\$ 438.08	\$ 1,000.00	\$ 600.06	\$ 1,000.00	\$ 649.20	\$ 1,000.00
Memberships	54000	\$ 150.00					\$ -	
Miscellaneous expense	74200						\$ -	
Common area maintenance ("contract")*	75300	\$ 16,690.00	\$ 20,952.00	\$ 20,952.00	\$ 21,729.00	\$ 20,952.00	\$ 21,564.00	\$ 25,668.00
Misc Common Area Improvements	83000	\$ 5,000.00		\$ 11,307.00		\$ 4,171.00	\$ 1,530.00	
Landscaping - Noncontracting	75400		\$ 1,040.00		\$ 2,932.00	\$ 1,500.00	\$ 5,085.00	\$ 634.00
Drainage / fencing 75200-82250 maintenance	82000		\$ 480.00				\$ -	
Signage/Sign Maintenance	82500	\$ 500.00	\$ 85.00		\$ 138.53		\$ -	
Mailbox Maintenance	75800						\$ -	
Trash Collection	71450	\$ 22,880.00	\$ 16,689.75	\$ 18,207.00	\$ 18,232.00	\$ 18,207.00	\$ 18,207.00	\$ 19,278.00
Addition to reserve fund - see below	64500		0		0		\$ -	
Addition to operating reserve fund - see below	51700		0	\$ -	0	\$ -	\$ -	\$ -
Snow Removal			\$ -		\$ -		\$ -	
<b>Total Expense</b>		<b>\$ 52,550.00</b>	<b>\$ 44,966.45</b>	<b>\$ 57,596.00</b>	<b>\$ 50,532.34</b>	<b>\$ 52,360.00</b>	<b>\$ 52,853.29</b>	<b>\$ 52,510.00</b>
<b>Quarterly Dues</b>		<b>\$ 121.00</b>	<b>\$ 121.00</b>	<b>\$ 121.00</b>	<b>\$ 121.00</b>	<b>\$ 110.00</b>	<b>\$ 110.00</b>	<b>\$ 110.00</b>
Addition to special reserve fund		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Addition to operating reserve fund		\$ 5,046.00	\$ 12,959.99	\$ -	\$ 7,539.91	\$ -	\$ (11.16)	\$ -
Other Income - CenturyLink			\$ 3,600.00					
2016 includes \$2,506.00 for CenturyLink screening								
<b>Note - 2017 budget approved and adopted by the board at its regularly scheduled meeting held on September 15, 2016</b>								