

MERIFIELD ACRES LANDOWNERS' ASSOCIATION
ROUTE 1, BOX 59B
CLARKSVILLE, VIRGINIA 23927

Minutes

of the

March 3, 1991

Board of Directors Meeting

The March 3, 1991, Board of Directors' meeting was called to order by President Frank Simes at 2:00 p.m. with the following directors present: Tom Parker, Clyde Mull, Frank Clippinger, Vance Rucker, Betty Noah, Roger Greenhalgh, Mike Gupton, Joe Tucker, Michael Racey, Ronny Pittman, David Gowarty, John Floreth, Ann Leigh and Sam Perry. Also present was Mary Fran Lewis.

ACTION

On a motion made, properly seconded and passed, the minutes of the December 2, 1990, Board Meeting was approved as mailed.

Treasurer's Report:

The financial summary for the Association as of March 1, indicated assets of \$92,634 with income since September 16, 1990, of \$31,693 and expenses for the same period of \$17,161 resulting in a net income of \$14,533. Only \$4,300 of the special assessments, due by May 15, had been collected by March 1. Only about half of the \$55,000 of the regular dues had been collected as of the March 1 due date.

ACTION

On a motion made, properly seconded and passed, the Treasurer's Report was approved as reported.

Architectural Committee:

From December 2, 1990 to March 3, 1991, there were two changes; a bath addition to Don Ellington's house on Hazel Nut and a complete plan change to Paul Grady's spec. home on Royster Court.

Security:

A truck was stolen in Chase City in January and deposited in Merifield. The truck has since been removed. A shotgun was fired by a resident of Merifield after another resident drove by. The resident who was driving by did not know whether the armed resident actually fired at his car or not therefore no charges have been filed.

Roads:

A little ditch work has been done over the winter. After such a mild winter, it looks as if there is no need to bring in a contractor to do any patch work. It was thought best to wait until more work was needed before calling in the contractor.

President Simes discussed Mary Fran Lewis' counter offer.

Mary Fran Lewis addressed the Board and indicated she had only the best interest of Merifield at heart. She expressed her sincere hope that all could work together to make Merifield Acres a better place to live.

Mary Fran Lewis requested permission to combine two non-perk lots with a perk lot on Ridge Road. It would be necessary to dig a two-inch effluent line along MALA's road right-of-way to pump the effluent to the perk lot. Mrs. Lewis also requested permission to use Lot 2 on Cedar Lane as the perk lot for Lot 5 across the street.

President Simes asked that she put her requests in writing and the Board would consider both requests at the June Board meeting.

The Board discussed Mary Fran Lewis' counter offer especially regarding the issue of the Board forgiving her of any dues or special assessments on the lots she acquired from David Wilson. There seems to be some question as whether she is legally required to pay any assessment since she originally owned the land. This question is a legal one and would need to be researched. In addition the Board questioned whether it had the power to forgive the payment of dues or special assessments.

ACTION

On a motion made, properly seconded and passed, the MALA Board agreed to accept Mary Fran Lewis' proposal plus requesting she include Lot 7 Unit 10 and Hazel Nut Park. The acceptance of her offer was subject to legal interpretation to forgive both regular dues and special assessments on land owned by her.

It should be noted Margaret White, Tom Parker, Frank Clippinger and Vance Rucker voted against the motion.

President Simes presented the request of Kevin N. Hensley and wife, Anne P. Hensley, to combine Lot 83, 84 and 85, Unit 9 - Section A, Roanoke Point. Their request was drawn up by their attorney, Andy Nelson. Margaret White explained that the zoning board verbally indicated to her that any individual could combine lots by simply having their neighbors agree to the re-combination in writing and then having the lots re-platted into one. Margaret had requested the zoning board to put these instructions in writing back in October so she could distribute these regulations to those who wanted to recombine lots. To date nothing has been received.

ACTION

On a motion made, properly seconded and passed, Kevin Hensley request was refused on the grounds there were county regulations regarding his request and any action by the board could be in violation of county statues.

The court case appealed by Mr. Foote went to court last Wednesday. It was appealed from a lower court in which ruled Mr. Foote was obligated to pay the 1990 assessments. Mr. Foote appealed before the higher court and declared the Board of Directors of MALA was illegally constituted. The judge allowed Mr. Foote 30 days to submit a written brief. Tom Parker entered an Order declaring that Mr. Foote should not be allowed to practice law before the court without a license. The Board approved a resolution to be presented to the judge asking that Terry Foote be required to pay the Association's attorney fees.

It was agreed the Association's fiscal year be changed to coincide with the calendar year.

Margaret White mentioned she had talked with the cablevision company serving just up the road from Merifield and asked them if they had plans to extend their service into the subdivision. They indicated to her they had built all lines they planned to for this year. She mentioned there were a number of people in Merifield who would be interested in their service. It was felt by the Board that a survey of the residences in Merifield should be taken to determine their interest in having cable brought into the subdivision. Lannie White agreed to head this effort up.

With no further business, the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

S-P-y
Sam Perry, Secretary

WSP:pcw

Attachments