

Residents Request Prioritization of Covenants; Answer from Staff:

Some residents felt there should be a prioritization of covenants for the enforcement process. This was not received well with the ARB or other residents, who felt if the smallest violation was not cited, it would become more noticeable. The Standard Department personnel, Mrs. Talty and Mr. Raimo, gave the following statement:

The staff goes into a neighborhood for a variety of reasons, i.e. going to a specific property to follow-up or to review a complaint. If they come across a serious violation at another property, they will site that violation. This method could cause some confusion and possibly give the appearance of not prioritizing. In order to maximize the limited resources of the department, the staff must stay focused on the original reason for visiting an area.

In order to apply consistency to property reviews, they schedule an entire neighborhood for visits. At these times, they alert the homeowners so they will have sufficient time to schedule cleanups.

The staff now follows up on disclosure statements; ARB approvals (to insure projects are completed in a timely fashion) and specific neighborhood reviews where the entire property is walked. This method places a premium on focusing on the potential for uncovering “major” violations and getting closer to prioritizing.

Tom Jacobson, Director of Revitalization for Chesterfield reviewed this statement when he spoke at our April meeting. He found this method to be very efficient.

The following suggestions have been discussed with the staff and will be addressed by both the staff and the CCC:

- 1) More neighborhood clean-up sponsored by the BCA
- 2) Positive feedback: Send thank you or good job notes when a violation is corrected. Recognize neighborhoods and homes as selections of the month to receive gift certificates. Brandermill Country Club is on board to offer dinner gift certificates. The CCC will work with other businesses in Brandermill to request more certificates.
- 3) Instead of a general article by Mrs. Talty, her article will be of a more informative nature. Some of the most violated standards will be stated over a period of time with the number and page of the violation from the Standards manual.
- 4) The CCC will develop a systematic method for identifying newcomers and discussing covenants utilizing the services of the Neighborhood Rep Council

Has the Standards Department Personnel experienced improvement in covenant compliance since the onset of neighborhood meetings with the CCC?

Mr. Raimo remarks that residents' attitudes recently have been pretty positive. Many residents in some neighborhoods have resolved their violations in a timely manner, requiring only one notice.

Mrs. Talty reports that while attitudes have not necessarily improved, more residents are willing to report possible violations. This helps the staff in citing properties that might otherwise be missed. Also, Mrs. Talty reports the Judge has just started to impose a fine of \$50 to \$100 per day on the last two cases if they are not brought into compliance within 30 days.

The Standards personnel will soon be aided by technology in the form of hand held devices to use in the field.

Recommendations to Board of Directors:

The two consistent statements that we have heard from residents in the neighborhood meetings have been: 1) how can we expect adequate coverage for covenant violations with only two and a half personnel for 3800 properties; and 2) why are residents cited for unsightly yards when the BCA is not cleaning up their own property?

Based on these statements, the CCC makes the following recommendations to the Board:

1) We recommend hiring one more person to bring the Standards Department Staff up to three and a half personnel. We would suggest that with this additional person, one member of the Standards Department is in the field 75% of the time with the remaining 25% used for completing office work. The residents feel there is a great need for a yearly inspection of entire neighborhoods with notification being given prior to the staff member's visit.

2) The CCC Chairman and Mrs. Pritz has consulted with Grant Miller of Miller's Landscaping to determine a way for providing an immediate impact of clean-up and beautification for the community. Mr. Miller's suggestion was the front entrance of Brandermill, the median strip and the turn area from Old Hundred onto Millridge Parkway. The area at the entrance and median strip would be cleaned of shrubs and trees that have been planted in an improper environment; are spent and growing into other plantings. Mr. Miller's crew will remove these and install plantings that are indicative of the area. These new plantings can be dug and reused in other areas once the plans for the Cheatham property is ready to move forward.

We realize that this is an area that has not been considered for beautification because of the Cheatham property issue, but it is also an area that will provide an immediate impact for residents and visitors as they enter Brandermill. It is a message to the residents that work on the Master Plan for revitalization of Brandermill has begun!

These two items are the actionable items requested by the CCC on the MPOC list, which will be forwarded to the Board by the financial officer. We ask that you consider our request favorably.

During a meeting with Mrs. Pritz, the CCC Chair was advised of a procedural item that requires Board approval for a change:

Method for Quarterly Assessment Billing: We have learned that the staff (8-9 personnel including VM staff) spends an entire morning each quarter reading assessment notices for mailing. The cost of this mailing, over 3 quarters, is \$4620 in postage. This is based on almost 4200 properties – 700 (charge cards) = 3500×0.44 for postage. Additionally, 108 man-hours are used inefficiently: $9 \times 4\text{hrs.} \times 3$ quarterly mailings. Assessment notices in other neighborhoods are mailed at the beginning of the year with one sheet of perforated coupons and receipts dated for the appropriate quarter. The resident can assume the responsibility for making his payments on time. This is the same as making mortgage payments with coupon books.

Assessments: We have received a surprising number of suggestions from residents for a special assessment. Specifically, the residents have spoken to this assessment for providing funds for outsourcing maintenance contracts to help in the cleanup of BCA properties. Additionally, they have suggested these monies be used for providing new street signage using metal posts. If the Board wishes, the CCC could be responsible for investigating the level of community support for implementation of these Master Plan items in exchange for a specific dues increase.

Mailboxes: The CCC has been working with Vern Akins (Mailboxes by Akins) and the ARB to design new mailboxes for the Brandermill community. Our brown mailboxes are no longer manufactured which requires residents to purchase and paint new mailboxes. Also, many of the posts are in need of being replaced. A bracket will be added under the paper shoot; different types of wood will be used to provide longevity of the post; the names will be replaced with the house number to provide better visibility for Chesterfield Fire and EMS. The CCC will do an independent pricing to insure the residents are receiving the best deal. A new ARB standard will be directed to the Board with the stipulation that this project is phased in over a three-year period.

July 4th fireworks: The CCC requests the Board to consider deleting the 4th of July fireworks from the 2011 BCA budget. The charge of \$13,000 for 15 minutes of show time appears to be a very extravagant expenditure in these economic times. This amount is increased by the expense of cleanup requiring 1.5 days of man-hours by the BCA maintenance staff. The golf course suffers damage on the 14th and 15th greens and must secure enforcement officers to protect the property. Property owners who live along the area used for parking fear that emergency vehicles would be unable to pass along the road because of visitors' cars parked along both sides of the road.

CCC Continued Involvement in the Community:

We continue to work with the staff and hold neighborhood meetings in an effort to improve the covenant enforcement process, for both a speedier compliance and better communication between the staff and residents.

The members of the CCC have been involved with their BWGA and BMGA to beautify the tee boxes on the golf course through a plan put in action by Mike Hatch.

There have been quite a few complaints issued about house colors. We instigated a change in the way housing paint colors are approved by the ARB. The new process will have the entire committee look at the colors and determine if it matches the approved color chip. If a decision cannot be reached, the committee will ask the resident to apply his choice of paint on the house for the ARB to consider.

In the near future, we hope to have a web page established so residents will be able to access information about their Community Character Committee on the BCA website.

Respectfully submitted,
Dianne Cardea, Chairman

MINUTES

April 20, 2010, 7p.m.

Community Character Committee
Ivy Room, Brandermill Woods

Tom Jacobson, Director of Revitalization for Chesterfield County was our guest speaker for the evening. Tom spoke to the reports that Dave and Dianne had requested from the Va. Center for Urban Development when we were the Covenant Task Force. He did not recommend the proposal and felt we were already undertaking many of the ideas they had proposed. Additionally, we are taking our lead from the Master Plan. It was agreed by members, we would not go forward with the proposal.

Tom felt that we must have proactive inspections for covenant enforcement; must look at neighborhoods with most violations and narrow covenant enforcement of small items unless a complaint is issued by a neighbor. He considered the major violations to be streetscape, i.e. violations that affect neighbors such as debris in the yard; grass too tall – overall appearance from the street. He also noted that deferred maintenance of broken windows, stairs in disrepair, etc and vehicles in the yard with overdue stickers or plates or vehicles that appear to have work being done on them.

He felt that we definitely needed to prioritize our recommendations for covenant enforcement. Our goal should be voluntary compliance and he felt it was necessary to send letters to the residents notifying them of covenant inspection.

Pictures taken by Jerry Barnes of commercial properties surrounding the BCA complex were presented. Tom insisted the BCA should lead by example. We should ask for the Board to provide more funding for the BCA to clean up their property whether it is commercial or common space. Following the BCA clean up, we should ask for residents to do the same.

Additionally, Tom suggested we should speak with the BCA about having Ted Barkley from the County Planning Compliance Unit and Richard Witt, Building Inspector speak to the staff in a joint meeting with us. Tom would be willing to come also.

When asked if he felt our covenants were relevant today, he commented that the covenants are set up to maintain design and, therefore, very relevant.

The meeting was called to order

Those present: Dianne Cardea, Joe Covolo, Jerry Barnes, Judy Malek, Glen Hinton, Katherine Wiesendanger, Julane Johndrow & Dick Johndrow

The minutes of the March 16, 2010 meeting were approved.

Old Business: A spreadsheet with information from our covenant surveys was presented. It was decided that the entire sheet should accompany the annual report from the Covenant Task Force. Dianne will prepare the annual report of both the Covenant Task Force and the Community Character and forward to the CCC members for review before sending to Jane Pritz on April 29, 2010.

The time frame used by the Standards Committee for residents to correct violations was presented.

Clarification of Mission statement for CCC charter and clarification of standards and the enforcement process was sent to members earlier. There was no discussion on these two items.

New Business: Dianne discussed her meeting with Jane Pritz on items that were to be under our domain as the Community Character Committee. Also, there was a hand out on the same subject that had just recently been sent from MPOC. Notations were made regarding several items, and Dianne will present the amended list at the upcoming MPOC meeting on May 6. After our list is approved by the Committee, the CCC will prioritize the items at their next meeting in May.

Dianne discussed her meeting with Director Friedel and presented the changes to the CCC charter that were made. Several items were reworded. Item 1d, which was directed to working with staff to improve skills, was deleted. This was considered an internal administrative item. The Charter was approved. Notification of the approval will be sent to Director Friedel and Jane Pritz for inclusion on the agenda at the Board's May meeting.

Dianne will also communicate with Jane Pritz and present the pictures taken by Jerry of the commercial properties.

The next meeting date was set for May 18 at 7p.m. in the Ivy Room at Brandermill Woods. The room has been reserved.

Having no other business, the meeting was adjourned.

Respectfully submitted, Dianne Cardea, Chairman



Chesterfield County, Virginia

James J. L. Stegmaier, County Administrator

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BOARD OF SUPERVISORS

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June 3, 2010

Mr. Bob Malek
Chairman, Resource Management Group
14330 Regatta Pointe Road
Midlothian, VA 23112

Dear Mr. Malek:

At the May 26, 2010 Board of Supervisors meeting, the Board approved a request to transfer \$25,000 from the Clover Hill District Improvement Fund to the Chesterfield County Department of Utilities to fight hydrilla in the Swift Creek Reservoir. We are pleased to be able to assist with this endeavor. Along with the funding, we look forward to working with volunteers from Clover Hill and Matoaca districts in cleaning up the reservoir.

If you have any questions regarding the funding, please contact Ms. Kimberly Conley, County Administration at 748-1567.

Sincerely,

Arthur S. Warren
Clover Hill District Supervisor

Marleen K. Durfee
Matoaca District Supervisor

ASW/jb

c: Ms. Jane Pritz, Community Manager, Brandermill Community Association
Ms. Joyce Rowe, President, BCA Board of Directors
Ms. Julie Joyner, Community Manager, Woodlake Community Association
Ms. Caryl Quinn, President, WCA Board of Directors
Ms. Wendy Parker, Editor, Village Mill
Mr. Charlie Davis, Davis Consultants
Mr. Roy Covington, Director of Utilities
Ms. Kimberly Conley, County Administration

Subject: minutes for May meeting

From: "Theresa Biagioli" <tlbiagioli@comcast.net>

Date: Mon, 24 May 2010 07:58:57 -0400

To: "Mary Jane Zander" <timber2012@yahoo.com>, "Katherine Nastanovich"

<kcn1229@comcast.net>, "Dick Guthrie" <dgflyers@aol.com>, "Jane Pritz"

<manager@brandermill.com>, "Susan Smith" <mark.susan.smith@verizon.net>, "Ken Berger"

<Ken_Berger@dom.com>, "Tom Pakurar" <pak00@comcast.net>, "Chuck Rayfield"

<therayfields@comcast.net>, "Betty Clapp" <bfnnini@aol.com>, "Ed Applequist"

<eaapple@verizon.net>

CC: "Bobbi Glenn" <bobbi@brandermill.com>

Natural Resources Committee Minutes

May 20, 2010

Attending: Susan Smith, Chuck Rayfield, Tom Pakurar, Mary Jane Zander, Katy Nastanovich, and Theresa Biagioli

1. Application submitted by Shelley Bartelink at 13812 Rockport Landing for a 4 foot wide S-shaped path to the water made of rock (gravel) and stepping stones. There will be not root disruption or plant /tree removal. Motion to pass the application on to the county with support from the BCA Natural Resources Committee was made by Chuck. The motion was seconded by Tom. The vote was unanimous.
2. The Landing Project- a power point presentation that was prepared by Mary Jane was shown and supported by a landscape plan done by Theresa. Susan motioned that the Landing Project be put forth as a short term goal for our committee. Chuck seconded the motion. The vote was unanimous.
3. Short term goals for MPOC- The following goals were suggested after discussion
 - The Landing-budget estimate will be prepared by Theresa before June 3rd for Susan to present at the next MPOC meeting.
 - Shoreline study- Theresa has requested suggestion of firms that are qualified to do a shoreline study from Scott Flanigan, Chesterfield County Department of Water Quality. Estimate of total BCA owned linear feet of shoreline and linear feet of need for attention from data collected by Theresa will be provided by June 3rd.
 - Childrens' Garden at Nuttree park – preliminary estimate will be provided by Theresa for June 3rd meeting.
4. Rain Barrel- Susan Smith has presented a standard for rain barrels to the committee. Tom Motioned that the rain barrel standard be accepted as written and be submitted to the BCA ARB to be considered. The motion was seconded by Katy. The vote was unanimous. If the standard is accepted the committee will try to work with the county extension to provide clinic on how to build a rain barrel at market square.
5. Green Market - The next Green Market is May 27th. The theme will be attracting Birds to your garden. The First Green Market in June will be on recycling tips, Katy will be the lead on this topic.

The next meeting is June 16th 2010

Meeting Adjourned

Minutes of the Reservoir Management Group
May 12, 2010
7:00 p.m.

I. WELCOME & INTRODUCTIONS

Bob Malek, Chairman, welcomed attendees to the third meeting of the Reservoir Management Group and called the meeting to order at 7:00 pm. There were twelve attendees:

Brandermill: Bob Malek
Susan Smith
Jane Pritz
Chuck Rayfield
Joyce Rowe
Charlie Davis
Woodlake: Tom Hoekstra
Todd Janeski
Chesterfield County Utilities: Roy Covington
George Hayes
Hands Across The Lake: Tom Pakurar
Community Member: Joel Smith

II. READING AND APPROVAL OF MINUTES

The minutes from last meeting of March 9, 2010 were five pages long, so rather than reading them again a motion was made to approve them as submitted. The motion passed.

III. CARP UPDATE

Roy Covington, Director of Chesterfield County Utilities, was asked for an update on the addition of carp to the Swift Creek Reservoir. Roy related that the original recommendation for carp was to add 8,500 at an expected price of \$10/carp. They were able to purchase the carp for less and so they purchased 10,500. Mr. J.M. Malone of Arkansas was selected as the vendor and was the premier of fish stockers in the country, who developed Triploid grass carp. He was here at 5:30 a.m. and offloaded 1,000 carp in both the Tomahawk and Swift Creek forebays, then 8,500 in the main body of the lake. The operation went well due to internal planning, with logistical details being well taken care of and the reduced traffic flow at that time of day. Marleen Durfee and Art Warren were both on hand to participate in the fish stocking and the fish all appeared to be lively. Fish were seen at the Water Treatment Plant the next day, so Roy felt good that fish were moving all over the lake. The Utilities Department had installed a barrier across the spillway in the week prior to April 26th. They feel confident that they can retain fish in the lake. Also, a perimeter barrier was established at the intake structure of the Water Treatment Plant.

In terms of a monitoring program – Dr. Ken Wagner will be coming down to do workshops with the biologists and lab staff of the Utilities Department several times this summer. No time frame has been set, but probably the first workshop will be in 30 days. The work shops will be on-water training. Roy opened up the meeting to questions:

Q: Is it routine to add fish after the initial stocking?

A: Probably 1,500 more carp will be added in year #2, based on monitoring.

Q: If we only add 1,500 carp in the second year will the truck be smaller and will it be able to go places other than Genito Road?

A: Yes, but remember that we found fish the next day at the intake structure to the Water Treatment Plant, so we know that they are traveling all over the lake.

Q: Have any dead carp been seen?

A: No.

Q: This summer will the County go after the hydrilla in other ways?

A: The County has taken care of hydrilla in the long-term. We have to be patient. In the meantime any other activities like harvesting, or benthic barriers will have to be done by the Reservoir Management Group, who will have to fund the activity themselves.

Q: Presumably these fish will grow to 40lbs and then die. How do we deal with dead 40lb carp?

A: There is no difference between carp and any other dead fish. We hope that they all don't die at once. We'll have to deal with this as it comes. We haven't made plans for that scenario.

Q: Is the Army Corps of Engineers a resource that you can tap into for help in dealing with hydrilla and carp?

A: In the State, state regulations have authority over this. The Department of Fish and Game is involved. The Army Corps of Engineers only deals with changes in the structure of the lake.

Q: Isn't Lake Gaston using herbicides in their fight against hydrilla?

A: Lake Gaston is using herbicides in remote coves. The current that flows down the middle of Swift Creek makes herbicide usage almost impossible.

Q: Are you the bottleneck to herbicide usage? Is there any other discussion or are you and George making this decision?

A: The Utilities Department will adamantly oppose the use of herbicides in this drinking water supply for the numerous reasons we have stated on previous occasions.

Q: Does Art Warren have any money for a cleanup?

A: Mr. Warren has asked me to prepare an agenda item for the May Board of Supervisor's meeting and he's prepared to allocate funds to the Reservoir Management Group to address some of the concerns related to the hydrilla. If the funds are approved, it will be up to the Reservoir Management Group (stakeholders) to decide what is the best use of the funds to address the hydrilla issue.

Q: Can you give us a clue when the funds might be received?

A: This fiscal year. I prepared a request and sent it to the County Attorney's Office. They will present it at the Board of Supervisors May meeting and the Board will vote on it.

Q: What will the money be spent on?

A: The spending of funds will be up to the Reservoir Management Group. The Utilities Department has agreed to administer the fund.

Q: Will we be required to follow County procurement rules?

A: No. We don't have to spend the money this fiscal year.

Jane Pritz reported that Art Warren does have suggestions for how the money should be spent.

Charlie Davis spoke and told the group that "Roy Covington, George Hayes and Art Warren have been involved with the problem. It's important that Marleen voice her concerns along with Art Warren at the Board of Supervisor's meeting."

Bob Malek spoke and said that "we should invite the Board of Supervisors for a boat ride. Art Warren brought a bucket of hydrilla to a Board of Supervisors meeting to show them what the problem looks like."

Tom Hoekstra spoke and said "Marleen will not turn her back on hydrilla."

Charlie Davis responded that "we're six months away from having a big Mess."

Chuck Rayfield spoke and said "I have talked with Marleen directly and she is fully supportive of the effort against hydrilla. She just doesn't have any money left."

Joyce Rowe added that "perhaps we as a BCA Board could invite the Board of Supervisors for a September boat ride when the hydrilla is at its peak."

- Q: Is there any concern in your department about hydrilla blocking the intake structure?
- A: No, the physical depth is so deep that it is not growing there. Additional nutrients provided by the carp may need more sophisticated treatment, but we are equipped.
- Q: How do you treat carp poop?
- A: We have existing capabilities to remove organic nutrients. We are looking at optimizing our filters. We are constantly monitoring and we are in a good position to treat.
- Q: Are there any issues with boats and barriers on the spillway or intake structure?
- A: No.
- Q: Are there any fishing clubs that run fishing tournaments that are being affected by the hydrilla?
- A: The Woodlake/Brandermill Lions Club didn't run their tournament last year because of the hydrilla. This year the tournament has been moved to Lake Chesdin because of it.
- Q: We have been seeing large boats with large motors up. Boats are coming from other places. Where do these people come from; there are no hoses to clean these boats? Shouldn't we restrict access?
- A: Hydrilla is here, so it becomes less of an issue. Driving boats through hydrilla spreads the seeds.

George Hayes added "there is no public access provided by the County to the Swift Creek Reservoir."

Chuck Rayfield suggested that "maybe we should contact Mr. Thacker and let him know the extent of the problem. Contaminated boats are leaving the Thacker property to go elsewhere."

Charlie Davis agreed to write a proposed letter to the Thackers and bring it to the next Reservoir Management Group meeting. Perhaps they will allow signage?

Per Tom Hoekstra "Woodlake residents who rent pontoon boats are told not to go past The Boathouse Restaurant to keep hydrilla from spreading. Have Brandermill residents and boat captains been told the same thing?"

Bob Malek responded "to get out to clear water I've got to go through hydrilla. It's hard to avoid."

Roy Covington also added "the Greater Richmond Sailing Association is fully encapsulated in hydrilla. If harvesting were implemented they would probably be the first customer, since they can't get out otherwise."

IV. SIGNAGE PRESENTATION

George Hayes spoke regarding the efforts of his signage committee. Doug Keadle, Tom Hoekstra and George developed two possible signs. One sign is in English and the other is in both English and Spanish. The signs are 12"x18". The cost for 50 signs will be approximately \$1148, each sign costing \$22.96. This was a preliminary cost estimate from the sign vendor and costs may increase as we have added more pictures and verbiage to the sign since the original quote. The Utilities Department will pay for signs and they will be turned over to the Reservoir Management Group to mount on approved posts within the different lakefront communities. Chesterfield County, with the approval of the Virginia Department of Transportation will install the signs in the Genito and Wooldridge Road's rights of way. George requested review and approval of the proposed signs and a decision about which sign is appropriate. A combination of both signs would be more expensive. George also requested a count of signs needed fairly soon by each community.

A vote was taken among attendees and it was decided to go with the English and Spanish signs. It was also decided to capitalize the first bulleted action words on the signs, lending emphasis to the actions we want residents to take.

V. UPDATE ON FEDERAL FUNDING

Charlie Davis spoke about the status of the County's application for a grant through the Army Corps of Engineers. He stated that "Federal funds aren't happening and may not happen until the end of the year." Roy Covington and George Hayes developed and advanced the \$2.8m application, but the Republican Caucus decided not to submit any earmark requests until mid-term elections are done. There is an existing fund and Congressman Randy Forbes will have the Army Corps of Engineers come up and do an analysis on this specific request. Meanwhile, Art Warren has stated that he is going to turn back some of his District Funds for Roy Covington's use.

VI. WHAT'S THE NEXT STEP

Tom Hoekstra brought up the subject of the three people who wanted to address our group with ideas about mechanical harvesting. Where are we on that subject? One of those three people attended the meeting this evening – Joel Smith. Mr. Smith talked to the group of his interest in being the operator of a mechanical harvester on the lake. He stated that he had spent approximately 100 hours so far in researching mechanical

harvesters and their use on other lakes. He stated that he has found a machine to purchase that would be \$175,000 and that he estimates that he would be charging between \$800-\$1,000 per acre to do that harvesting. He is looking for a commitment from the Reservoir Management Group of a guaranteed contract for a number of years before he would purchase the harvester. Mr. Smith was told that our group does not have funds to do that and that perhaps he should contact the Greater Richmond Sailing Association to determine their interest in his services.

Jane Pritz stated that the second person who had expressed an interest in mechanical harvesting had subsequently withdrawn their request to speak to our group.

The third person, Mr. Jes Sprouse, has not been invited to address our group because it is felt that he is also looking for payment for harvesting services and we have no money to do that.

Tom Hoekstra asked to speak on another subject – that our committee currently has no procedures in place for resolving differences in ideas about addressing the hydrilla problem. Roy Covington agreed with him. Jane Pritz brought up the idea that differences need to be resolved by a committee vote. Two people were chosen to be on the committee from both Brandermill and Woodlake, based on their size. Each of the other communities on the lake were invited to send one attendee. Roy Covington emphasized that if and when we get funding, we need to get all these people to attend the committee meeting and vote.

Tom Hoekstra stated that he felt there were other priorities that we needed to address, such as Benthic Barriers and controlling pollution sources. Bob Malek responded by reading a portion of an article from a University of Florida publication that referenced nutrient levels affecting the growth of hydrilla. The article stated that hydrilla grows in water that has both low and high levels of nutrients. Given that statement Bob felt that our committee should not be focusing its efforts on worrying about nutrient levels.

Todd Janeski responded that “we have the perfect storm. Although hydrilla can grow anywhere, excess nutrients create optimal growing conditions. We need to decide whether our function as a committee is short-term or long-term.”

Roy Covington spoke to the point that “other larger environmental concerns are long-term. This committee is short-term for boating and recreational access until the carp can get going. I have faith that the carp will be the long term solution to control the hydrilla. I think that we need to focus on what we do until then. We have enough to focus on with how the lake looks this next two years.”

VII. ADJOURNMENT – 9:00 p.m.

Susan Smith
Secretary

BCA ORGANIZATION & COMMITTEE CHARTER

DRAFT: version 04/11/10

TITLE: MASTER PLAN OVERSIGHT COMMITTEE (MPOC)

COMMITTEE TYPE: STANDING COMMITTEE

MISSION:

To improve the community lives and property values of the residential and commercial members of the Brandermill Community Association by guiding and monitoring the implementation of the Master Plan of the Association, and by making recommendations and reports to the Board of Directors.

GOALS:

1. Evaluate, discuss and prioritize projects and action plans of all Committees, including their approximate costs, that are intended to implement the Master Plan;
2. Review regularly the progress of all Master Plan projects and action plans that are in process;
3. Report regularly to the Board of Directors through the Community Manager and the Assistant Community Manager (the Community Planner) as needed for project approvals, and to update the Board on project progress and scheduling;
4. Engage residents, and commercial members in discussions aimed at continually improving the Master Plan; and
5. Develop strategies, including the Brandermill Village Mill and the approved websites of the Association, to communicate regularly with members to inform them of the purposes of, and actions taken by, the Committee.

ORGANIZATIONAL STRUCTURE and PROCESSES:

The MPOC reports to the Board of Directors of the BCA (the Board), and operates according to the provisions of this Charter, the By Laws of the Association, the BCA General Policies for Committee Operations (Committee Policies), and any other regulations that may be promulgated by the Board from time to time.

The MPOC shall meet once a month, or when deemed necessary by the Chair.

COMMITTEE POLICIES:

The MPOC will be made up of the Chair of each Committee of the Association, or a designated

Committee member in their absence, the Community Manager and the Community Planner. The Chair of the MPOC will be elected annually by the members of the Committee. The MPOC may find it useful at times to engage a non-voting consultant to the Committee.

Written reports to the Board will be submitted when indicated.

The Chair, and each member of the MPOC, will attempt to attend one BCA Board Meeting each year in order to be familiar with the activities of the Association, and to inform the MPOC of recent developments.

It is the responsibility of the Chair and the members of the MPOC to ensure the smooth integration and a minimum of duplication of its projects and action plans.

EXPENDITURES

The MPOC, with guidance from the Finance Committee or BCA Staff, will develop an estimate of the anticipated annual expenditures of the projects and action plans proposed, and submit this proposal to the Board of Directors for inclusion in the Annual Budget of the Association. The MPOC will also prepare an estimate of the anticipated operating expenses of the Committee as a component of its Annual Work Plan.

REVIEW

This Charter will be reviewed annually by the Board.

APPROVAL

This Charter was approved by the BCA Board of Directors at the Board Meeting held on _____, and supersedes all previous charters approved prior to this date.

The Brandermill Community Association
RESIDENTIAL ARCHITECTURAL REVIEW BOARD
3001 East Boundary Terrace, Midlothian, Virginia 23112

Date: May 25, 2010

To: BCA Board of Directors

RE: Proposed Revision to Residential Design Standards - April 2010

The ARB has reviewed proposed language that would amend the Design Standards to allow sculptures made from trees in front yards. We strongly recommend rejection of the amendment. The logic provided for the amendment is based entirely on a judgement of the content or subject matter or an art piece. It is reasoned that if the judgement is favorable based on generally agreed societal standards, it should be considered, whereas something that is "obscene" would be judged unfavorably and not considered.

The ARB's position is that it is not a homeowner association's role to judge content, or subject matter of art. Where such things as societal standards (obscenity) are breached, government has the responsibility - either directly or through the courts - to address this. Anything short of that becomes a matter of "taste" in art, which is highly subjective and which should be left to the individual to decide for themselves.

The primary goal of architectural review in any community is to preserve a uniform and predictable character as originally envisioned by its designers. That is why communities like Brandermill are called "planned communities". This preservation is accomplished by controlling everything from the architecture of houses down to landscaping and landscape ornaments.

In judging the question of a large sculpture in a front yard, the question for the Brandermill Community Association is simply: "What standard of expectation should owners, visitors, buyers and the public have of the visual appearance of this community?" If your answer, as envisioned in the proposed language, is a community where large tree sculptures are generally appropriate, and perhaps encouraged, for front yards; then the Board should adopt this amendment.

The ARB strongly recommends, however, that such language and such a policy approach not be adopted in Brandermill. This language has the power to change the character of Brandermill from what it has been for 30 years, and there is no compelling reason to do this simply to accommodate a large sculpture installed without approval - in violation of the covenants.

In this case, the ARB found the request to be simply inconsistent with the character of Brandermill front yards, and applied a common test to this request: "If it had been submitted prior to construction, would it have been approved?" The ARB concluded that it would not.

We ask the Board to reject this amendment and to uphold the denial of the sculpture - in its present location - and to recommend that it be removed or relocated to the rear yard.

Signed:


Andy Wyman, Chair

Sherry Blom

Graham Henderson

Chuck Rayfield


Nanette Parsons

The Brandermill Community Association

RESIDENTIAL ARCHITECTURAL REVIEW BOARD

3001 East Boundary Terrace, Midlothian, Virginia 23112

Date: May 25, 2010

To: BCA Board of Directors

RE: Alternate Proposed Revision to paragraph 8.6 Landscape Accessories - Residential Design Standards

The ARB has approved the attached proposed amendment to the Brandermill Residential Design Standards, and requests that it be adopted by the Board of Directors.

Signed:



Andy Wynan, Chair

Sherry Blom

Graham Henderson



Chuck Rayfield

Nanette Parsons

8.6 LANDSCAPE ACCESSORIES

8.6.1 General Requirements: Landscape accessories including firewood sheds, arbors, trellises, benches, fountains, flagpoles, permanent barbecues, decorative objects, etc. must be approved by the ARB as to design and location.

8.6.2 Decorative Objects: Decorative Objects, including but not limited to, statues, urns, pottery, artifacts, etc. must be approved by the ARB for design and location.

a) Decorative Objects may be approved if they meet one of the conditions below:

1. The Object is located in the rear yard and is not visible when viewed from a street. This means that the Object is generally screened from view by the house or landscaping, to maintain a harmonious streetscape. Visibility from neighbor's yards or homes will be considered, but will not be the sole reason for denial.

2. The Object is located in a front or side yard and is fully screened from view from any street by evergreen landscaping or other means acceptable to the ARB.

3. The Object is visible from a street and, in the opinion of the ARB, it supports the overall design and character of the house, landscaping, and streetscape. Criteria to be used in judging this include:

Size: Generally consistent with typical small to medium shrub sizes typical to that lot.

Color: harmonious with house color scheme if on the house, porch, steps; natural and neutral if in the yard; etc.

Location: well integrated with the landscape so that it is part of the overall design scheme

Design: neutral and consistent, examples are Objects that imitate nature, support plants (planters) or artifacts that support an overall design theme, or act as a welcoming gesture (benches). Objects that make "statements" will not be approved in visible locations. This includes any word messages, known symbols, animal or human statues, and figurines.

b) Initial installation of landscape screening must be maintained as approved, or the ornament must be removed.

8.6.3 Mailboxes: Mailboxes must be installed utilizing the standard Brandermill post design, and the approved mailbox size and color. Paint kits are available through the BCA office for a nominal fee. If requested, the BCA Maintenance Department will replace mailboxes, posts and name boards for a fee. Name boards are optional. Mailboxes must also meet federal postal regulations. Contact the Association office for information on obtaining posts, boxes, and for color information.

From: JASON LIVINGSTON

**Proposed Revision to Residential Design Standards
April 2010**

Purpose: The purpose of this revision is to recognize and permit the creation of appropriate decorative sculptures by residents from existing trees within their properties. The proposed policy recognizes the rights of residents to expression, while retaining the right of the Association through the ARB to be free from obscene sculptures. This new policy shall be limited to sculptures carved from trees.

Background: The need for this policy revision was highlighted by a request from a resident for the Association to approve a sculpture carved from a damaged pine tree located in the front of the resident's home. The sculpture is a large hawk, a bird indigenous to the area. Upon review, the ARB determined only that the sculpture was not located behind the front plane of the home and thus, it could not be approved. The resident appealed to the Board of Directors in October 2009. The ARB noted that its denial was not based on the content of the sculpture, but solely on the location of the sculpture as it interpreted the Residential Design Standards. This discussion also revealed that the ARB could not and would not deny approval of an obviously obscene sculpture so long as that obscene sculpture was located behind the rear plane of the home. The result is that a seemingly appropriate sculpture located in a front yard must be taken down while an obscene sculpture located in a rear yard may remain indefinitely.

Based on these concerns, the Board delayed taking action on the ARB denial of the request, and requested that the ARB attempt to create a workable and enforceable policy for tree sculptures. The ARB did not present a policy for tree sculptures to the Board of Directors for consideration. The following proposed new policy to address these issues is presented for consideration by the Board of Directors:

Proposed Policy Language:

8.6 LANDSCAPE ACCESSORIES

8.6.1 General Requirements: Landscape accessories including firewood sheds, arbors, trellises, benches, fountains, flagpoles, permanent barbecues, decorative objects, etc. must be approved by the ARB as to design and location.

8.6.1.1 Tree Sculpture. Residents may create a single non-obscene sculpture carved from any tree situated upon their property, with prior approval of the ARB. The review of the ARB shall be limited to a review of whether the proposed sculpture is "obscene" as that term is defined in the Virginia Code at Section 18.1-372. No tree may be cut for the purpose of creating tree sculpture pursuant to this section without prior approval of the Association consistent with the Residential Design Standards. Residents are encouraged to use damaged trees for such sculptures prior to requesting the cutting of a healthy tree.

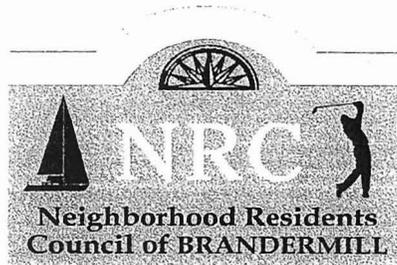
8.6.2 Mailboxes: Mailboxes must be installed utilizing the standard Brandermill post design, and the approved mailbox size and color. Paint kits are available through the BCA office for a nominal fee. If requested, the BCA Maintenance Department will replace mailboxes, posts and name boards for a fee. Name boards are optional. Mailboxes must also meet federal postal regulations. Contact the Association office for information on obtaining posts, boxes, and for color information.

Effective Date: This new policy 8.6.1.1 (Tree Sculpture) shall be effective upon approval of the Board of Directors.

References:

Virginia Code Section 18.2-372. "Obscene" defined.

“The word "obscene" where it appears in this article shall mean that which, considered as a whole, has as its dominant theme or purpose an appeal to the prurient interest in sex, that is, a shameful or morbid interest in nudity, sexual conduct, sexual excitement, excretory functions or products thereof or sadomasochistic abuse, and which goes substantially beyond customary limits of candor in description or representation of such matters and which, taken as a whole, does not have serious literary, artistic, political or scientific value.”



Suggested Rules for Blogging on the NRC Web Site
Presented to the BCA Board for Review
June 7, 2010

The purpose of this blog is to **build relationships**, particularly among Brandermill residents who share common interests in our community. The intent of this blog is to **discuss topics of interest pertaining to the Brandermill community**. Although the nature of a blog is to enable visitors to state their views and perceptions, we must also realize that these views and perceptions may not always be positive. It would be the goal of the NRC to learn and refer potential issues to relevant BCA entities for further study.

1. Blog when you have something to say. Write a comment focused on the topic/issue.
2. Stay on topic. Length of your blog doesn't matter; content does. But please do try and keep it to a reasonable length.
3. Comments should be comprehensible.
4. Avoid setting the whole blog ablaze when flaming a topic. In other words, avoid writing comments with the intent of insulting a group. Flaming comments are often filled with coarse language and personal insults. It is meant to hurt people's feelings, get them fired up, and not to further conversation on an issue. It is never conversational, but it may be meant to upset an entire group. Profanity and name-calling are not allowed, nor are slanderous or libelous comments. The publisher reserves the right to delete any comments that violate this basic rule.
5. Link to your sources.
6. Although the use of aliases/pseudonyms is allowed, anonymous commenting is not permitted. We ask that blog contributors use a consistent alias/pseudonym so others can more easily track who is saying what.
7. Respect and obey the rules and try to be, at all times, courteous, even when flaming.

Notes:

¹The NRC reserves the right to delete any postings without advance notice that do not follow the rules above or if it feels posted comments are inappropriate for the intent of this blog.

²The NRC will not reveal the identity of anyone posting to this blog without the expressed permission of that person except as required by the ruling documents of the BCA and/or NRC.

Disclaimer: Comments made on this blog do not necessarily reflect the views of the NRC on any particular topic. All comments posted here are personal reflections of the individual posting the comment. Nothing in this blog should be construed as the NRC supporting or opposing any specific position on an issue/topic.

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May 19, 2010

**Deferral Request for New Wireless
Telecommunications Facility Located at 4225 South Old Hundred Road**

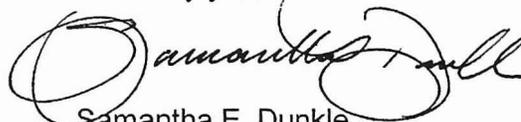
Dear Neighbor:

As you may know, Richmond 20 MHz LLC (d/b/a NTELOS) has submitted a request to Chesterfield County to construct a wireless telecommunications facility on an approximately 28 acre parcel located at 4225 South Old Hundred Road and owned by Henry Coalter (the "Property").

NTELOS has requested that the Chesterfield County Board of Supervisors defer the case from the May 26, 2010 Board hearing to the July 28, 2010 Board hearing. The purpose of this deferral is to allow NTELOS to explore whether the proposed telecommunications facility site can be shifted to a different location on the Property. The Board of Supervisors will consider NTELOS' deferral request at the May 26, 2010 hearing.

If you have any questions regarding the deferral request, please do not hesitate to call me at 775-1104 or Brennen Keene at 775-1005. With kind regards, I am

Sincerely yours,



Samantha E. Dunkle
Land Use Planner

cc: Mr. Art Warren
Mr. Russell Gulley
Mr. Robert Clay
Mr. Marc Cornell
D. Brennen Keene, Esquire

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