

**MOUNTAIN BROOK SUB-DIVISION  
ARCHITECTURAL CONTROL COMMITTEE (ACC)  
MINUTES of the December 2025 Quarterly Meeting  
December 3, 2025**

The new Chairman Michael Redmond convened the quarterly meeting at 7:05 p.m. This is the first quarterly meeting of the new Mountain Brook community Architectural Control Committee (ACC), as required by the covenants. It was held at Zion United Methodist Church. All three recently elected members of the ACC attended. There are two open positions on the ACC.

**ATTENDANCE:**

<b>ACC MEMBERS in ATTENDANCE</b>	
<b>NAME</b>	<b>POSITION</b>
Michael Redmond	Chairman
James Isbister	Treasurer
Mark Pointon	Vice Chairman/Secretary
<b>ACC MEMBERS NOT in ATTENDANCE</b>	
N/A	
Two Vacant Positions	

The meeting was attended by 6 residents of the Mountain Brook community, in the audience. See list below.

**OPENING REMARKS by (NEW) CHAIRMAN** – Chairman Redmond thanked the audience for coming and mentioned he was proud to be convening this meeting as the new chairman of the ACC. He stated that the audience should feel free to bring up any thoughts and concerns.

**NEW ACC MEMBERSHIP AND ELECTION** – Mr. Redmond welcomed anyone new to the Mountain Brook community, and asked anyone in the audience if they wanted to volunteer to join the ACC. Currently, there are two vacant open positions. This is the first meeting of the 2-year term of the newly elected ACC.

Previously, all the positions on the ACC were open to election, for a 2-year term beginning in September 2025 through September 2027. An announcement was posted on the ACC website and a request for candidates was mailed out to all lot owners/households as well. Volunteers needed to send in their resume for consideration. Only three members of the community volunteered to serve on the new ACC for the new 2-year cycle. The ballots were counted on site at the September 2025 meeting by members from the audience: JoDell Pasek, John Bates and Keyvan Masauri.

As a result, **Michael Redmond, Mark Pointon and James Isbister** were elected as members of the new ACC for September 2025 – 2027. Four others received 1 vote each as write-in candidates on submitted ballots: Al Pasek, Bart Yount, Tim Gaetano, and Patty Downs. All have declined the opportunity to serve as members of the ACC. There was some concern about how the community/ACC can perform the functions that must get done since the ACC is now short 2 members: the new ACC members expressed

their intent to do their best conducting the regular and recurring actions like paying the bills, arranging for landscaping/lawn care, managing the community-related requirements, holding quarterly meetings, etc.

**MEETING MINUTES** – The Secretary Mark Pointon summarized the minutes of the September 2025 quarterly meeting. There are no outstanding meeting minutes. The minutes of all the ACC meetings are posted on the ACC website, including for the meetings held in December 2023, March-June-September-December 2024 and March-June-September 2025.

**TREASURER’S REPORT** – The Treasurer provided copies of the financial report through November 30, 2025, for the ACC from the Blue Ridge Bank for the main account, and the Lake Reserve and Emergency Reserve accounts. He stated he paid the invoice received for the lawncare/grass cutting, and there are no outstanding checks, nor deposits. The amount in the primary account is approximately \$23,700 and the overall total of all the accounts is just over \$30,000. Payment of annual fees for 2025 have stopped. Currently, 4 lot owners have not paid the dues for 2025, and all the other lot owners have paid their annual fees for 2025. The Treasurer sent reminders to those lot owners that they are delinquent in paying multiple times. He contacted a few law offices to initiate the collection process of delinquent dues. (Addendum: the ACC has retained legal counsel for the community as of January 2026.) The Treasurer mentioned that some costs have been increasing, such as for postage and landscaping/lawncare, etc., and these costs have been absorbed. The community did not spend anything for rodent/beaver control or aquatic weed control in 2025, which has allowed the community to absorb the increased costs. The Mountain Brook Subdivision bank accounts were changed over to the new ACC Chairman, Vice Chairman and Treasurer. Previously, he stated that the removal/treatment of the watershield/aquatic plants in the lakes will be costly when the community gets into it. The ACC will check with Dave White about what he has done in the past, and any POCs who might be able to handle it for the lakes. The Treasurer noted that some costs are higher than budgeted for 2025, and the overall costs are approximately \$1,600 over for the year. It was reiterated that lot owners must be “members-in-good-standing” (have paid the annual dues) to be eligible to vote.

**ACC BUDGET for 2026** – The Treasurer handed out copies and presented the proposed ACC Budget for 2026 at the meeting. The budget was accepted and agreed to by the residents in attendance. The covenants currently in effect only allow an annual fee of \$75. See Petition item below. This restricts the possible revenue to \$10,800 (144 lots X \$75), down from \$18,000 in prior years (144 lots X \$125). The budget for 2026 is very similar to the previous year’s budget. The \$75 fee will not be enough for the community’s needs, with inflation and increasing costs. The Treasurer went through the various expenses, including administration expenses, insurance, legal costs, maintenance, easements, and lakes costs for rodent (beaver, muskrat, groundhogs) and weed control, lawncare, real estate property taxes, website maintenance and updating, etc. The audience adamantly stated that the members of the ACC should not pay for community expenses “out-of-pocket,” if the ACC/community does not have enough funds to covered the legitimate expenses. The Mountain Brook Subdivision should vote to approve the current petition to restore the annual fees to \$125 if they want to pay for these activities.

**PROGRESS/DISCUSSION of PROCEDURES for ACC PETITION** – The members of the ACC are still conducting the modified procedure to get votes from lot owners by walking around the neighborhood from house-to-house to get votes (options to vote either Yes, No or Abstain) for the current proposal to increase the annual fee from \$75 back up to \$125. The votes are “legal documents” that will be retained in the ACC records. The ACC members have each been visiting a group of lot owners. The total count of votes for this petition have yet to be totaled, as the members of the ACC are still going door-to-door for votes. The goal is to complete the voting by Christmas, before the ACC budget needs to be prepared for 2026 and invoices for the 2026 dues sent to lot owners. The ACC is targeting the next quarterly meeting

to complete the voting, if not completed before the end of 2025. (Addendum: In December 2025 and January-February 2026, members of the ACC have been going door-to-door to get votes for this proposal; the members of the ACC are still going to lot owners to get their votes, for every lot owner to get a vote.) Initially, the goal was to get enough votes “as soon as possible” in time for the September quarterly meeting. The opinion is that the \$125 level should be enough to cover necessary expenses for the next few years. Previously, it was mentioned that this has been done in the past by the HOA at Mountain Brook. This is intended to address the issue with many ballots not being returned. This modification was announced on the ACC website after the March 2025 meeting. Going house to house also helps reduce costs for mailing out ballots. The ACC will visit every house/lot in the community for their vote.

**COUNTING OF BALLOTS for CURRENT PROPOSAL of COVENANTS** – No change from previous meeting. The current ACC proposed revisions to the covenants is to amend the homeowners’ fees back to the level of \$125. Volunteers were solicited to count the submitted ballots of the proposed revisions to the current Mountain Brook Community covenants to restore the annual homeowners’ fees to \$125. Three community members volunteered and counted the ballots: Mary Daniel, Tess Verheyen and JoDell Pasek. All ballots received before the meeting from members in good standing were counted. Only 78 ballots were returned: four were returned to sender and one did not have a vote. The proposed revision to the current covenants did not pass: there were 54 votes “to approve” and 19 votes “against” the proposed revision. It is noted that four checks were sent in with the votes.

The current covenants and bylaws in effect are posted to the new ACC website, for any community member wishing to review the documents. Comments can be provided to the ACC through the website.

**ACC WEBSITE and COMMUNITY COMMUNICATION** – the ACC website was been renewed for the next year. The ACC will post all pertinent information on the ACC website. Kayvan Masouri has volunteered to maintain the ACC website for the next year. Previously, the new ACC website is up and running. It is located at [mtbrooksubdivision.com](http://mtbrooksubdivision.com). The website was designed and developed by a webmaster who lives in the community, Mr. Kayvan Masouri. Mr. Masouri also maintains the website for the community. Mr. Pasek provided guidance for the ACC and website content. It focuses on providing information, updates, and improved communication, and is intended to be a resource for the community. The old website is no longer available. The new website is not affiliated with any Facebook page. The ACC website has a menu of items to select from, including Events/Calendar, ACC Members, Updates, Documents, Residence. Mr. Masouri has volunteered to be the webmaster for the ACC. It includes a common contact email address for the ACC members, that goes to all current members of the ACC. Once the ACC gained the access rights to the old website from the previous “owner” the first order of business was to convert it from the previous Mountain Brook homeowner’s association to the ACC now in effect. The website is a public domain open to the public in general, and currently has no privacy policy or terms of use. It provides transparent and comprehensive information for the community.

**MOUNTAIN BROOK COMMUNITY EVENTS** – N/A

**OTHER DISCUSSIONS – WILLOW RIDGE LAKE DAM** – An audience member suggested that the ACC request someone from the State DCR (Virginia Department of Conservation and Recreation) come talk to the community again. At the previous meeting, a community member suggested that the DCR can write a letter to the community about the concerns with the dam. The state “dam guy” visited Mountain Brook (MB) several years ago to discuss the dam and stated, “you do not want a failure.” The issue of who owns the lakes and dams and who is responsible to repair and maintain them is very complicated. Every owner in the Mountain Brook Subdivision is a lake owner and is responsible for the lakes. You need the dams to have the lakes. The audience suggested there be an annual report or risk assessment

prepared, to determine the risk level. Any necessary work can be done in phases or spread out over years. Regardless, nothing can be done without the funds to perform it. Mr. Bart Yount explained much of the history of the dams and the covenants. Also, ownership versus liability was discussed, and it was stated that there is liability without ownership and shared ownership. As a minimum the Attorney General (AG) will “fine” MB \$25,000. Also, it was suggested that we can request the AG write a letter to the Mountain Brook homeowners about how dire the situation will become, that the minutes of the meeting with the DCR be posted to the ACC website, or a videotape of the State’s presentation be posted. It was suggested that most lot owners are not worried about the dam, it is “out of sight, out of mind.” Fixing the dam is the cheapest solution. The condition and probable necessary fixes need to be reassessed. It will likely be costly to fix it. All 144 lot owners will be assessed for the costs to fix the dam. The current in-effect covenants need to be changed to proceed with fixes to the dam.

Previously, there is concern the Commonwealth of Virginia could just take over the dam, and do necessary repairs and charge every owner. They could also potentially remove the dam, eliminating the benefits of having the lake, and the property values derived from the lake by the home owners. The drain pipe was cleaned out last year. The consensus is that “regularly” cleaning the pipe out is a good idea, as needed. It appeared that debris has accumulated over time around the drain pipe. Also, siltation over the years has reduced the depth of the lake, so it is only 3-4 feet deep around the drain pipe. This probably makes it easier for the beaver to build on that area. The community is responsible for preventive maintenance. And there is a state requirement to inspect dams once a year and submit to the state Department of Natural Resources (DNR).

Previous efforts and work for Willow Ridge Dam were stopped due to the lawsuit against the 8<sup>th</sup> Covenants. All the old existing paperwork, inundation maps and other plans are all outdated. Old estimates for various proposed work on the dam ranged between \$86K and \$422K. It was noted that these estimates are no longer valid, or likely even close any more. See the previous discussion below.

**CLOSING COMMENTS** – It was observed that some long-time neighbors had passed away in 2025, including Jeffery Testerman, a long-time member of the neighborhood who was active in the community; he attended ACC/HOA meetings, participated in voting etc.

The Treasurer noted he would be sending out invoices to the homeowners for the 2026 annual dues in early January. He hoped the petition to increase the dues to \$125 will be completed before then, but the invoices need to be sent.

The Chairman expressed his condolences for the passing of long-time neighbors, and welcomed the new families to the neighborhood. He mentioned he would lean on Jim and Mark for their institutional knowledge of the ACC and hopes it will be passed along to the ACC/community over the next 2 years. All other questions and comments from the audience were taken and addressed during the meeting proceedings.

**OTHER** – The new members of the ACC will coordinate their schedules and tentatively schedule all four of the quarterly meetings for 2026, at Zion United Methodist Church. In the near future, the next quarterly meeting will tentatively be scheduled for March 2026 at 7:00 p.m. (Addendum: the next quarterly meeting has been scheduled for March 11, 2026 at Zion UMC.) See the Calendar on the ACC website.

There being no other business, the ACC meeting was adjourned at 8:00 p.m.

## **OTHER INFORMATION and DISCUSSIONS from PRIOR MEETINGS held in 2025**

**ACC BUDGET for 2025** – The Treasurer handed out copies and presented the proposed ACC Budget for 2025 at the December 2024 meeting. The budget was agreed to by the residents in attendance. The covenants currently in effect only allow an annual fee of \$75. This reduces the possible revenue to \$10,800 (144 lots X \$75), down from \$18,000 in prior years (144 lots X \$125). Eventually the \$75 fee will not be enough for the community needs, with inflation and increasing costs. The various expenses items were discussed, including administration expenses, insurance, legal costs, maintenance, easements, and lakes costs for rodent (beaver, muskrat, groundhogs) and weed control, mowing, etc., real estate property taxes and possible website maintenance and updating. For the 2024 Budget, some of the budgeted items have exceeded the estimates, while others have been less.

**COUNTING of BALLOTS of PROPOSED UPDATES of COVENANTS** – Volunteers were solicited to count the submitted ballots of the proposed revisions to the current Mountain Brook Community covenants. Three community members volunteered and counted the ballots: Jeff Testerman, Wesley Smallwood, and Bonnie Hamalainen. All ballots received before the meeting from members in good standing were counted. The proposed revisions to the current covenants did not pass: there were 44 votes “for” and 42 votes “against” the proposed revisions.

There was a discussion of the “procedural process” to count the votes. The voting process will use the same process used previously by the homeowner’s association (HOA). Although there was “due date” included on the cover letter for the ballot, it was an attempt to encourage lot owners to vote. Subsequently, the ACC website requested community members to vote if they had not. Any ballot received before the votes are opened will be/were accepted and counted: every community member is entitled to having their vote counted if submitted before votes are counted.

An audience member recommended that the cover letter be better, with a better explanation and better transparency.

It was acknowledged that the ACC website needs to be better advertised and made more well-known and to reach a bigger audience of the community.

Previously, the ACC proposed the revisions to the current covenants now in effect, as a result of the legal ruling, primarily to amend the homeowners’ fees back to the level of \$125. The ACC coordinated with legal counsel for the recommended changes to the now-in-effect covenants. The review and revisions of the 7<sup>th</sup> Covenants by the ACC was presented at previous quarterly meetings, and the process to update the documents as recorded by the court, with input from legal counsel so the text is legally valid. The changes were tracked in the documents, so all revisions were identified. The primary focus of the updates was to restore the annual fees back to \$125, from the current \$75 in the prior covenants and clarifications to the existing text. The proposed changes (tracked) with a cover letter explaining the purpose and a form to approve the changes was sent to all lot owners. Only “members-in-good-standing” who are current in their dues are allowed to vote. The process to send out the documents will be similar to prior mailings for votes, as will the counting of the votes, in an open forum.

**ACC WEBSITE and COMMUNITY COMMUNICATION** – there was discussion of the Facebook page used by the Mountain Brook community and its use as a vehicle to communicate. There is a sentiment that Facebook is a good way to communicate. The Facebook page is not an official site of the ACC; it is not regularly monitored by the ACC; all community members are not on Facebook; the Facebook page was set up in December 2020 by the previous HOA because of the COVID pandemic.

The new ACC website has been developed and is active/available as the primary method of communications with the ACC. It includes a calendar, documents, etc. as a source of information. There was a discussion about how to make a Facebook page available to all community members, and what to do with the current “Mountain Brook” Facebook page, whether to keep it activate or disconnect it.

**MOUNTAIN BROOK COMMUNITY EVENTS (OLD)** – At the September 2025 meeting, a member of the audience noted that you cannot read many of the street signs in the community and asked how we go about getting them replaced. The roads and associated street signs are state-owned, so one should contact the Virginia Department of Transportation (VDOT). There is an office on Route 15 in Zion Crossroads. It was mentioned they/VDOT seem to quickly fill the potholes in the neighborhood.

The audience asked if there were any results from putting carp into the lakes? It was several years ago. No one was familiar with the action since it was many years ago, but no one has seen any carp in the lakes.

It was noted there have been no recent beaver sightings on the lakes. The last time the community hired an official beaver hunter in 2023-24, only 1 beaver was caught, for the cost to hire him. The fence at the entrance to Mountain Brook 2 has a broken board, the audience asked how does that get fixed? And from the June quarterly meeting, the fence along Campbell Road at Landover Street is falling down, the audience asked if it could be fixed? It is an uncertain situation; the fences are not specifically mentioned in MB documents. The fence is not owned by the community and the ACC does not have jurisdiction of or an obligation for the fence. It was put a vote last time and it did not pass. The fence at MB2 was previously repaired by volunteers from the MB2 neighborhood.

The ACC put up a sign at the entrance to MB2 for the June 4<sup>th</sup> quarterly meeting. The ACC is replacing both old signs for upcoming meetings with new ones, that are easier to read. They will be used for the next September meeting. Thanks go to Al and JoDell Pasek for handling it.

There was a short discussion of pools: Louisa County has the responsibility of pools. It was unclear if the law is different for in-ground and above-ground pools.

An audience member stated there is a rumor that the farm along Campbell and Zion Roads will be developed and have 88 new homes built on it. This rumor could not be substantiated.

A lady walking her dog was attacked by another black dog on Magnolia Circle, she was knocked down and had bruises: it is unclear who owns the dog or where it came from; the Louisa County Animal Control was called but there is nothing they can do at this time. Also, there is a report of another dog roaming the neighborhood, or is it the same dog? And it is rumored that there was a coyote sighting in the community.

Update: the abandoned car on Magnolia Circle is gone as of the past weekend. The assumption is the owner finally moved it. There was also a car reported abandoned on Magnolia Circle. It has expired license plates and no valid state inspection stickers. The Louisa County Sheriff Department was called, but they said there is nothing they can do at this time.

There is also an increasing need for aquatic plant/weed control in the lakes – for Watershield. The geese eat the seeds and then spread the seeds throughout both lakes. Chairman David White personally treated the Landover Lake last year. There currently is no funding in the budget for weed control in the lakes. Last year the chairman personally treated the Landover Lake: He received permission and a \$10 donation from each lakefront owner to treat the aquatic growth with an herbicide. He recommends this become an annual “community effort” to control the weeds and in turn the geese population.

Chairman White stated that previous committees have become dormant. He suggested these committees be reconstituted or new committees be formed to address issues in the community, and as a way for community members/owners to get involved in the community: he recommended the “Beautification Committee” be reformed to help maintain the entrance area; perhaps a rodent or “Beaver Control Committee” be formed for the periodic beaver infestations the community has experienced. He proposed listing committees on the ACC website for community members to sign up.

**DISCUSSION of WILLOW RIDGE LAKE DAM** – there is a sentiment that the State has been very lenient with the community, but it has now been several years. There is a concern the Commonwealth of Virginia could take over the dam. Plans, inundation maps and other paperwork were done several years ago – two homeowners “boards” ago. These all must be redone: any previous paperwork or proposals for the dam from several years ago are no longer valid. The costs to fix the dam is currently unknown, but it is anticipated the costs to fix the dam have increased substantially since then. A special assessment is one way to generate the necessary funding. The Commonwealth of Virginia wants the dam repaired; we can get the dam insured once it is fixed; if the dam is not repaired, the state/federal government would potentially remove the dam and allow the land to revert back to natural wetlands.

Nothing can be done at this time, until the current in-effect (7<sup>th</sup>) covenants are amended. There will need to be a separate action to assess the dam and what needs to be done. All homeowners benefit from the lakes, as the value of property increases from having lakes in the community, even if the lot is not on the lake. It was suggested by the audience that the state Department of Natural Resources (DNR), engineers and perhaps an attorney come and talk to the Mountain Brook community. The Treasurer stated that the Virginia Department of Conservation and Recreation (DCR) is concerned about the health and safety of waterways, including above and below.