

**MOUNTAIN BROOK SUB-DIVISION
ARCHITECTURAL CONTROL COMMITTEE (ACC)
MINUTES of the June 2026 Quarterly Meeting
June 10, 2026**

The quarterly meeting convened at 7:15 p.m. This is the third 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 recently elected members of the ACC attended. There remains one open position on the ACC.

ATTENDANCE:

ACC MEMBERS in ATTENDANCE	
NAME	POSITION
Michael Redmond	Chairman
James Isbister	Treasurer
Mark Pointon	Vice Chairman/Secretary
Garrett McGowan	Member at Large
ACC MEMBERS NOT in ATTENDANCE	
N/A	
One Vacant Position	

OPENING REMARKS by (NEW) CHAIRMAN – Chairman Redmond welcomed everyone to the meeting.

NEW ACC MEMBERSHIP AND ELECTION – No change. Earlier in March the ACC asked Garrett McGowan if he was interested in joining the ACC, and he volunteered to fill one of the open positions, which was accepted. Mr. Redmond asked if anyone in the audience was interesting in volunteering to join the Mountain Brook ACC.

As a result, **Michael Redmond, Mark Pointon, James Isbister and Garrett McGowan** are now members of the new ACC for September 2025 – 2027. There is still one vacant open position.

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. Ballots were counted on site at the September 2025 meeting by members from the audience: JoDell Pasek, John Bates and Keyvan Masauri. Four others received 1 vote each as write-in candidates on submitted ballots: Al Pasek, Bart Yount, Tim Gaetano, and Patty Downs. All 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 – There are no outstanding meeting minutes. The minutes of all the ACC meetings are posted on the ACC website, including the March meeting, the meetings held March-June-September-December 2025, meetings held March-June-September-December 2024 and the meeting held December 2023.

TREASURER'S REPORT – The Treasurer had available the financial report through May 31, 2026, for the ACC from the Blue Ridge Bank for the main account, and the Lake Reserve and Emergency Reserve accounts. There are no outstanding checks, nor deposits. The amount in the primary account is about \$31,400 and the overall total of all the accounts is approximately \$38,200. Currently, there are only 2 lot owners who have not paid the dues for 2026, all the other lot owners have paid their annual fees for 2026. For 2025, the payment of annual fees has ended, with 4 lot owners who have not paid the dues for 2025. The Treasurer sent reminders to those lot owners who are delinquent in paying multiple times. There was a discussion about requesting those lot owners to pay their dues in arrears, to be considered by the ACC, with legal counsel.

Lot owners must be “members-in-good-standing” (have paid the annual dues) to be eligible to vote.

The ACC has now retained legal counsel for the community as of January 2026, with MartinWren, P.C.

The Treasurer noted 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 for other items, such as postage, lawncare, etc.

Previously, the Mountain Brook Subdivision bank accounts were changed over to the new ACC Chairman, Vice Chairman and Treasurer. The Treasurer noted that some costs are higher than budgeted for 2025, and the overall costs are approximately \$1,600 over for the year.

ACC BUDGET for 2026 – No change from the December 2025 meeting: 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 door-to-door modified procedure, the petition still needs a few more yes votes for the measure to pass. The members of the ACC are using a 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 official 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 initial goal was to get enough voters “as soon as possible” in time for the September 2025 quarterly meeting, which was revised to try and 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. (As of March 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.) 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.

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 as the webmaster for the ACC. The ACC website is located at 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. 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. 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 has no privacy policy or terms of use. It provides transparent and comprehensive information for the community.

MOUNTAIN BROOK COMMUNITY EVENTS – N/A

NEW BUSINESS

It was noted that the house at 467 Landover Road installed solar panels at the end of May, without getting approval from the ACC, as required by the bylaws.

The current **covenants and bylaws** in effect are posted to the ACC website, for any community member wishing to review the documents. Comments can be provided to the ACC through the website. There was a discussion about what activities lot owners need to get approved by the ACC, per the covenants in effect. Specifically, there was concern about what permission is needed to cut down trees on a lot: what is the reason to cut down a tree(s) – is it dead, is it damaging, is it causing a safety concern, etc.?

OLD BUSINESS

Regarding **watershield/aquatic plants** on the lakes, the ACC has talked with the company Aqua Doc about treating the aquatic plants on the lakes. The ACC is evaluating the proposal from the company to treat Willow Ridge Lake this year. Landover Lake does not need treatment this year. Previously, it was stated that the removal/treatment of the watershield/aquatic plants in the lakes will be costly when the community gets to it.

During the March meeting, the proposed **Valley Link electric transmission line** was briefly discussed. The ACC does not have a position on the proposed Valley Link line. The currently proposed alternate routes are not near Mountain Brook. It was noted that Louisa County voted 5-0 to oppose the proposed electric transmission line.

OTHER DISCUSSIONS – WILLOW RIDGE LAKE DAM – No change. Previously, 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 a 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.

Also 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 8th 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 – All other questions and comments from the audience were taken and addressed during the meeting proceedings.

OTHER – All four of the quarterly meetings for 2026 have been scheduled, at Zion United Methodist Church. The next quarterly meeting is tentatively scheduled for September 9, 2026 at 7:00 p.m. at Zion UMC. See the Calendar on the ACC website.

There being no other business, the ACC quarterly meeting ended at 7:45 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 for CURRENT PROPOSAL of COVENANTS – 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.

PREVIOUS BALLOTS of PROPOSED UPDATES of COVENANTS – Previously, the initial proposed revisions to the current Mountain Brook Community covenants did not pass: there were 44 votes "for" and 42 votes "against" the proposed revisions. 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 7th 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 was similar to prior mailings for votes, as was 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 December 2025 meeting, 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 activity in the community; he attended ACC/HOA meetings, participated in voting etc. The ACC expressed condolences for the passing of long-time neighbors.

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 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.

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 (7th) 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.