

**Regular Monthly Meeting Minutes
of the
Jefferson County Organization of Homeowners Association, Inc.**

October 21, 2009

**Biztech Jefferson County Telework Center
150 E. Burr Blvd, Kearneysville, WV 25430**

Board Members Present: Pete Appignani, Gap View Village – Interim President & Secretary
Elliott Simon, Blue Ridge Acres – Interim Treasurer

Members Present: Rick Pescitani, Breckenridge
Laura Taylor, Meadowbrook Farms
Nance Briscoe, Cloverdale Heights
Neal Nilsen, River View Park

Others Present: None

Call To Order: The meeting of the Jefferson County Organization of homeowners Association, Inc. was called to order at 7:05 PM by Pete Appignani.

Approval of Minutes: Elliot Simon motioned to approve the 09/16/2009 meeting minutes, Nance Briscoe seconded. Minutes approved with unanimous vote.

Treasurer's Report: Elliot Simon provided the Treasurer's Report. Elliot is to provide the EIN number to Nance.

AGENDA ITEMS

Discuss 501(3)(c) benefits and liabilities

Pete Appignani provided everyone with a copy of the Exhibit A of the West Virginia Articles of Incorporation and explained that we are a 501(3)(c) corporation. While this provides a tax benefit, it also prohibits the Organization from involvement in certain political activities. Members to be aware of the limitations associated with being a 501(3)(c) corporation.

State and local current events that affect our HOAs

The group discussed state and local current events that affect our HOAs. The Crystal Lake Property Owners Association won their court case concerning taxation of their common property. HOAs will not have to pay taxes on their common property in the future. This is an issue we should have all been involved and it is to the credit of Crystal Lake that they pursued this on their own.

The “termination” of the County Administrator by the County Commission was also briefly discussed.

Membership fees (graduated scale for initiation fee and dues)

After some discussion on membership fees for small communities, Rick Pescitani motioned to allow members to vote to waive the initiation fee for small communities, Elliot seconded. All members present approved the motion.

Communities can pay their initiation and membership fees in installments throughout the year.

Membership Committee

Discussion concerning a membership committee was tabled until the next meeting. Pete Appignani met with Bill Jablonowski and Walt Johnson of the Stonebridge Property Owners Association in Berkeley County. They had found out about our organization and had several questions. They invited Pete to their next Board meeting on 11/19/09 and they were invited to our 11/18/09 meeting.

Press Release

A press release was issued on 10/10/09 to the Martinsburg Journal, the Shepherdstown Chronicle, the Shepherdstown Observer, and the Spirit of Jefferson County. To date the Martinsburg Journal published the press release on 10/19/09. A copy of the press release has been placed on our web site.

PATH update

Nance Briscoe provided a short update to PATH. There was a public meeting held by the WV Public Service Commission limited to public comment by non-interveners on 09/22 and 09/23 at Shepherd University, Frank Arts Center, 260 University Drive, Shepherdstown WV 25443. The WV PSC Commissioners attended. Stop Path mailed donation requests to residents. They are attempting to raise \$140,000 to pay for fighting path. A significant part of the cost is for expert witnesses and attorney fees. Purchasing of rights-of-way was also discussed. Elliot Simon noted that the issue of eminent domain affects all of us. This issue of eminent domain also impacts HOAs served by the Jefferson County Public Service District (PSD) new Flowing Springs (Hall Town) Waste Water Treatment Plant (WWTP). The issue of eminent domain should be one of our important issues. (The issue has been added to our website).

Hall Town WWTP update

Rick Pescitani provided an update to the Flowing Spring WWTP. The grant funding requested by the PSD was not approved by the WV Infrastructure Jobs Development Council (WV IJDC). The PSD plans to resubmit a request for a Certificate of Convenience and Necessity to the WV PSC with a rate increase to cover the cost of the planned WWTP. This is in addition to the application the PSD is submitting to the PSC for a general rate increase to cover increased costs

of operating the current wastewater treatment system. The PSD is offering the Breckenridge HOA \$2 a linear foot of common property for new right-of-way for this project, and \$1 per linear foot to residents for new right-of-way. Again, the issue of eminent domain was discussed because the PSD had told the HOA that they have the right of eminent domain if the HOA or residents do not accept the PSDs offer.

Foreclosure update

Foreclosure update was provided during the state and local currents events group discussion agenda item above. The number of foreclosures is rising and it is expected to rise for the next few years.

Property Tax update

We will be inviting Joe Thompson, who successfully fought the county tax assessor and has learned a lot about property taxes, to discuss the issue of property tax appeals at our next meeting. With property values decreasing in our current economic climate we expect a significant number of homeowners to appeal their property appraisals.

Open Discussion

None

The meeting was adjourned at 9:00 PM.