



## Minutes August 17, 2011

### Attendees

#### **Board Members:**

Pete Appignani, Gap View Village, President  
Neal Nilsen, River View Park, Vice President  
Elliot Simon, Blue Ridge Acres, Treasurer  
Nance Briscoe, Cloverdale, Membership Chair  
Laura Taylor, Meadowbrook, Secretary

**Additional Attendees:** Suzanne Malesic from Patrick Henry Estates; Betty J. Hersch, Whispering Falls; Bob Tansill, Tuscowilla Hills; Jacquelyn Milliron, Breckenridge; Kathy Knight from Carriage Park; Angelita White from Spruce Hill North.

**The meeting was called to order at 7:20 pm by Pete Appignani at the Citizens Fire Company.**

### Guest Speakers

Joe Brown from Patriot Land and Wildlife Management Services spoke to the group about Potomac River Environmental Stewardship. Joe gave several examples of how new technology is being used to improve water quality throughout the United States. Patriot Land and Wildlife Management Services has been involved in the emerging issue of nutrient credits, which would potentially allow HOA's with well-functioning storm water systems to "sell" their credits to businesses or other entities which do not meet the stringent Chesapeake Bay requirements. This could be a potential source of non-dues income for HOA's. Patriot is also available to visit HOA's and make recommendations about maintaining and improving retention ponds.

### **I. Approval of July 2011 meeting minutes**

Nance Briscoe made a motion to approve the July meeting minutes. Seconded by Neal Nilsen and approved unanimously.

### **II. Executive Reports**

- A. **Treasurer's Report** – Elliot reported a bank balance of \$1,885.09 as of August 10, 2011. Disbursements totaling \$100.00 and deposits totaling \$200.00 were made.
- B. **Nominations for Secretary** – Laura Taylor volunteered to fulfill the rest of the term until December 2012. Pete made a motion to elect Laura as Secretary, seconded by Neal, approved unanimously.

### **III. Old Business**

- A. **EPOHOA Year End Workshops** – Suzanne Malesic proposed a series of workshops to promote the EPOHOA and increase membership. The workshop topics would include an overview of EPOHOA, covenants review, by-laws review, and HOA finances. Neal Nilsen made a motion to schedule the first workshop, an orientation to EPOHOA, on October 15, 2011. Seconded by Suzanne Malesic and approved unanimously.
- B. **Chapel View Study** – No report.

- C. Flowing Springs WWTP** – Jackie reported that the project has been denied by the WV Public Service Commission. This is a huge victory for citizen advocates as the entire intervention process that led to the denial of the project was spearheaded by two Breckenridge residents, Heidi Parker and Jacquelyn Milliron.

#### IV. New Business

- A. Jefferson County Fair** – Nance distributed a copy of the schedule and sought additional volunteers to help at the booth.
- B. EPOHOA Structure and By-Laws** – Suzanne Malesic proposed changes to the EPOHOA by-laws that would allow for the development of committees and streamline the meetings by only having guest speakers three times a year, having projects/committees submit written reports before the meeting, and balancing the discussion time between prospective members and on-going issues. After lengthy discussion, most members agreed with the suggested changes but did not feel changing the by-laws was necessary to incorporate them. This issue will be discussed further at the September meeting.
- C. West Virginia Community Association Day** – Pete gave an overview of the WV Community Association Day sponsored by Property Management People (PMP) held on August 13<sup>th</sup>. Lots of great information was presented, including an overview of covenants enforcement by attorney Ami Papi and a review of debt collection practices by attorney Tammy McWilliams.
- D. WV Chapter of CAI** – For those who attended the Community Association Day, it was apparent that state legislation is needed to address many of the problems facing WV HOA's. Individuals and HOA's can join the Community Associations Institute (CAI) and when there are 50 members, a WV Chapter of CAI can be formed. A portion of the CAI membership dues are given to the chapter to hire a staff person to address local needs and once there is a chapter in WV, the CAI legislative staff will begin identifying the existing WV laws hampering HOA operations.
- E. Update on Route 340 Project** – Kathy Knight gave an overview of the project, difficulties with interacting with the County Commission and the Planning Commission, Border Patrol stated they only wanted a signal light – never requested a road or removal of homes/businesses. This is an ongoing issue. Photos have been obtained that show the four options originally proposed. None of the photos used is recent and they do not show the houses that will have to be razed for the construction of the road. The two HOA's in the path of the road project, Carriage Park and Sheridan Estates, are consulting an attorney.
- F. Resurrecting an HOA** – no discussion.
- G. Radio Time for EPOHOA Membership** – Elliot announced that he has a radio show on 89.7 WSHC at Shepherd University from 9-11 am on Wednesdays. Elliot is always looking for guests to discuss topical issues. To be a guest on the show, contact Elliot Simon. **ADDITION: Kathy Knight volunteered for interview concerning US 340/Border Patrol proposal.**

#### V. Projects

- A. Planning Commission Coordination** – Nance Briscoe and Suzanne Malesic met with Jennifer Brockman and the Planning Department staff. The Planning Department confirmed that the State and County don't own any roads, all roads are owned by the Department of Highways. **ADDITIONAL COMMENT: how does the County & State qualify for financial assistance when owning no roads and HOAs own their roads and are disqualified – there was no answer. The Planning Commission requires per Section 20.103 Private Restrictions that all subdividers shall submit the proposed private restrictions to the County with or before submitting the final plat or site plan. Covenants shall be consistent with the requirements of the County Zoning Ordinance and these Subdivision Regulations will not be reviewed.**
- B. Jefferson County Emergency Services Coordination Plan** – Neal is still working with the Sheriff to get

- C. Chesapeake Bay WIP (Region IX)** – The Chesapeake Bay WIP is holding a summit on August 31<sup>st</sup> to present their findings to the EPA and other interested parties.
- D. EPOHOA Website** – Neal is updating the website regularly, but minutes and agendas still need to be added to the website.
- E. Subdivision Approval/Covenants** – no report.
- F. Common Area Tax** – Neal and Elliot reported that the Judge has denied the motion to dismiss the case and use the decision previously granted. There is an issue with additional parties joining the case, but Elliot and Neal are going to clarify this with the attorney handling the case.
- G. Who's Who of Leaders in Jefferson County** –Nance requests that the name and photograph of each elected and appointed official is added to the EPOHOA website so as to correctly identify the members.
- H. Legislation – HOA Dues Collection** – no discussion.

**Motion to adjourn meeting made by Suzanne Malesic and seconded by Neal Nilsen; approved unanimously. Meeting adjourned at 9:10pm.**