



**Meeting Minutes**  
**April 16, 2014**  
**Bedington Ruritan**  
**3947 Williamsport Pike**  
**Martinsburg WV 25401 Berkeley County**

**Board Members:** Neal Nilsen, River View Park, Acting President  
Phyllis Smock, Stonebridge, Secretary  
Elliot Simon, Blue Ridge Acres Civic Association, Treasurer  
Nance Briscoe, Cloverdale Heights, Membership Chair

**Other Attendees:** Bob Ayer, Spring Mills; David Bailey, North Lake HOA, Tucker County;  
Susan Files and Mr. Files, Crown Pointe HOA; Bruce Hochtje, White Tail  
Ridge; Kathy Hochtje, White Tail Ridge; James Kief, Springfield Village;  
Joe Jacobs, Hammond's Mill; Jean Kopper, Aston Forest HOA; Larry  
Lam, Spring Mills Farm HOA; Mary McLean, Mark McLean, The  
Townes of Inwood; Suzanne Malesic, Patrick Henry Estates; Bob Miller,  
Duchess Estates HOA; Robert Ryan, Hammond's Mill; Ted Schiltz,  
Potomac Terrace; Jan Schiltz, Potomac Terrace; Richard Sussmann, PMP;  
Gary Wilfong, Crossing on the Potomac

At 7:00 p.m. Neal Nilsen welcomed everyone to the meeting. He announced that Pete Appignani resigned as president of the EPOHOA effective March 13, 2014. His resignation letter was placed into the record. Neal noted with gratitude that Pete was a leader in forming the organization as early as April, 2005 when a small group met informally and 4 years later in 2009, under Pete's leadership the Jefferson County Organization of Homeowners Association was formed. The name was changed to the Eastern Panhandle Organization Homeowners Association on June 25, 2011 to include all the counties in the Eastern Panhandle of West Virginia and in addition include Tucker County which is outside the Eastern Panhandle. Neal is now acting president until a special election is held.

**Membership Sharing**

Nance Briscoe, Membership Chairman, introduced David Bailey from North Lake HOA in Tucker County and prospective new members Mary & Mark McLean from The Townes at Inwood, Berkeley County, and Bob Miller from Duchess Estates. Nance also introduced Susan Files from Crown Pointe HOA in Berkeley County, who was the winner of the EPOHOA table raffle at the Home Show.

Mary McLean, president of The Townes at Inwood (60 homes) and her husband, Mark, vice president have recently become active in organizing their HOA and have found they are faced with many problems to solve, including lack of enforcement of Covenants, lack

of support from renters, unpaid assessments, and maintenance of common areas. Homeowners are 100 percent responsible for abiding by the governing documents and payment of assessments and this should be conveyed to renters. The Townes at Inwood is registered as a HOA with the Secretary of State and the HOA has paid taxes. It was generally agreed that the important starting point in a planned community is to know the governing documents and communicate to all homeowners that they are required by law to abide by these documents. Suzanne pointed out that the Covenants are restrictions that run with the land so even new homeowners who may be unaware of the documents are still required to abide by the DCCRs.

Richard Sussmann stated that the cancelled Workshop on “How to Obtain, Read and Understand HOA Governing Documents” will be rescheduled in May and will include a section on how these documents also applies to renters.

Neal also advised Mary McLean that she should consult an attorney regarding how to redress violations of covenants. Nance suggested consulting the EPOHOA website to access West Virginia Code Chapter 36B for understanding the language that allows an increase in assessments.

David Bailey from North Lake HOA in Tucker County introduced himself and stated that he was interested in the interface between HOAs and the West Virginia Legislature. He said there are about 40 HOAs in Tucker County. In his particular HOA there are 55 units and 12 homes built. He is the only full time resident. Some of the homes are on the public sewer system and some homes have a septic system.

Local ordinances control whether or not homes are on public sewer systems. Jefferson County does not require a mandatory hook up to public service if the home is within 300 feet but Berkeley County does require a mandatory hook up. Larry Lam of Spring Mills HOA, offered his understanding of the Berkeley County sewer use ordinance that the State DEP and the Public Service Commission may require a hook up to the county sewer system. West Virginia Code Chapter 8A states the duties of the County Commission and zoning.

Delegate Kump has introduced a Bill in the State Legislature that if an owner has a working well; the owner cannot be forced to hook up to public system. Nance noted that some owners on a well are also receiving a service bill from the public utility.

Neal said he would invite Sue Lawton, general manager for Jefferson County Public Service District, to come to an EPOHOA meeting to discuss this issue.

In answer to David Bailey’s initial question about an interface between HOAs and State Legislature, Elliot Simon noted that the EPOHOA does have a Legislative liaison, Jennifer Syron, who has been working on a Bill that would amend Chapter 36B.

Suzanne Malesic stated that she and Jan Schlitz are members of the 2035 Envision Jefferson County Steering Committee. The Committee is getting ready to present their

plan to the Jefferson County Commission. One of the important issues being considered is personal property rights in Jefferson County including anything being mandated on a homeowner. The Steering Committee is recommending inspections of septic systems.

Berkeley County does not have a comprehensive plan because they do not have a zoning ordinance.

Joe Jacobs of Hammond's Mill raised a question regarding procedure for changing Covenants especially in regard to towing vehicles in a subdivision. Neal recommended that Mr. Jacobs needs to know if the HOA owns its own roads, and what is the specific language in the covenant regarding parking. Richard Sussmann noted an HOA must be consistent in enforcement. He referred Mr. Jacobs to West Virginia Chapter 17 regarding traffic laws. A minimum of clearly marked signs must be in place and appropriate notice given when violations occur.

### **Guest Presentation**

Neal Nilsen, a professional in technology solutions, made a presentation on Security Surveillance Systems. The 23 slides with his notes regarding both private home security and commercial security systems have been added to the EPOHOA website. Neal also mentioned another type of security measure that can be useful in an HOA. The company, EDMCO, makes stop signs with a warning notice on them that states these premises are protected by electronic surveillance.

### **EPOHOA Board Business Meeting**

The meeting held on March 15, 2014 did not have a quorum. Discussion meeting notes are on the website.

Nance moved to approve the minutes taken on Feb. 19, 2014. Elliot seconded the motion. Motion passed without objection.

## **I. Executive & Committee Reports:**

**Treasurer Report** –Elliot reported for the period March 16, 2014 through April 16, 2014, opening balance \$7,526.41, deposits of \$300., and a closing balance of \$7,826.41. There have been 7 renewals of memberships. Elliot provided the membership report to Nance.

Nance asked for a reimbursement of \$106. for expenses related to the Home Show. Nance also stated the EPOHOA owes a donation to the Independent Fire Company for two meetings in the amount of \$70. The Independent Fire Company is scheduled to do a renovation, so Nance is searching for a new location for the remaining meetings scheduled in Jefferson County for the August and November.

Elliot reported he completed the 501(c)(3) application form online and the form disappeared before he could submit it. He will redo the form and submit it this week.

**Membership Report** –No further report.

**Ad Hoc Bylaws Committee** – Richard Sussmann reported the committee has met one time and plans to meet again on Sat. April 19, 2014 to complete revisions to the Bylaws. A draft will be presented at next month’s meeting.

**Nominating Committee** – Pending adoption of Bylaw Revisions.

**Legislative Review Committee**— No report.

**Education Committee**—Richard stated the workshops will be rescheduled once the meeting locations are confirmed. The workshop on Governing Documents will be held in May and advertised in the newspaper. Suzanne spoke for the Education Committee which has many topics they are considering for future workshops. Once they have decided on next year’s schedule, the information will be given to the Sponsorship Committee to help them in seeking sponsors.

**Sponsorship Committee** –Richard suggested that since many of the decisions of this committee depends on the 501 (c ) (3) status, he suggested this be put on hold. Nance also has some businesses on hold waiting to participate as sponsors. There is an outline of minimum rules for sponsorship on the EPOHOA website, but Nance stated this needs to be refined by the committee.

**CAI Exploratory Committee**—Elliot said this committee would move forward once the Bylaws have been completed and the 501 (c ) (3) status has been submitted. Nance, Richard, and Jennifer and Neal all volunteered to be on the committee.

**Unfinished Business—none**

**New Business**

Insurance Policy for EPOHOA. Suzanne contacted one insurance company. Based on the fact that EPOHOA is functioning as a 501 (c ) (3) legally, Suzanne was asked to present at least 3 estimates at the next meeting.

Activities/meetings in the past month -- Nance reported that Richard Sussmann, Phyllis Smock and Jennifer Syron along with herself attended the all-day Washington DC Chapter Community Association Institute (CAI) Expo on March 22, 2014 at the Washington DC Convention Center. She summarized the event as being an excellent learning experience. She also learned about a specific type of CAI membership, “Allied Partners,” which is specific to sharing information. Maryland and Virginia are Allied Partners. EPOHOA was welcomed by both Maryland and Virginia representatives who were interested to see what EPOHOA is doing to assist WV homeowners.

Nance moved to adjourn at 9:02 pm. Elliot seconded. Motion passed without objection.

Phyllis Smock, secretary EPOHOA