



Minutes December 17, 2011

Attendees

Board Members:

Pete Appignani, Gap View Village, President
Neal Nilsen, River View Park, Vice-President
Laura Taylor, Meadowbrook, Secretary

Additional Attendees: Donna Pierce and Susan Pierson, Schaeffers Crossroads; Craig Bartoldson, The Gallery; Mike Roberts, Woods HOA; Bob Ayler, Scott Bowen, and Ed Flake, Spring Mills Unit Owners; Phyllis Smock, Stonebridge; Ed Thomas, Property Management People; Sandra Bernardi, Greystone; Buzz Polland, Millpoint; Lyle Bivens, Mission Ridge; Pat Richards, Dry Run Commons; Linda Stacho, Clifford Stricker, and Lou Stricker, Fort Hill Farms Section 2; Larry D. Kump, Richard Waters, and Wayne Crousden, Potomac Hills; Paul Gavin, Federal Hill HOA; Michelle Schafer, Colonial Hills; Beth Shanholtzer and Larry Lam, Spring Mills Farm; Jenni Vincent, The Journal; Edward Givzik, Jr.; Jennifer Syron, Chapel View; James Bright, Grant Acres Estate; Jenny Beidler, Forest Haven POA; Monty Skelton, Hammond's Mill HOA; Debbie and Dennis Allen, Glenwood Forest; James E. Kief, Springfield Village; Russell Kitchner, Gap View Village; Bob Finch, Greystone on the Opequon; William Stubblefield, Berkeley County Council

The meeting was called to order at 9:09 am by Pete Appignani at Sissy's Restaurant.

Guest Speakers

Ed Thomas of Property Management People, a property management firm working with HOAs in MD, VA, and WV, gave an overview of a recent court case concerning a Jefferson County HOA. The Circuit Court Order, issued on October 18, 2011, declared that Owners/Members have a right to inspect certain HOA documents and the documents must be produced for inspection within ten days. A copy of the Court Order and a summary prepared by Mr. Thomas, including the list of the specific items the Court said must be available, is on www.EPOHOA.org. The items that must be available for inspection include financial documents (but not copies of checks, check registers, or payments made), a membership list, and the HOA's governing documents (including minutes of all Architectural Review Committee meetings and records of all actions taken by the Board of Directors without a meeting). The Court also found that some documents can be withheld from members, including privileged communication between the HOA and its attorney, pending litigation, meeting minutes not required to be open to all members, and personal, health, or financial records of HOA members, employees, and contractors.

Delegate Larry Kump provided an overview of the Proposed Legislative Issues elected officials are studying to help HOAs. Suggested legislation includes, protecting homeowners and counties when a developer declares bankruptcy before completing the subdivision, solutions to the common property tax issues, revising the bond release requirements, and raising the cap on HOA dues. Delegate Kump encouraged everyone to participate in the Berkeley County Legislative Summit.

Berkeley Council Person William (Bill) L. Stubblefield gave an overview of the county's legislative priorities, which includes several proposals focused on HOA issues. The County gets little support for these proposals, and EPOHOA needs to support these initiatives.

I. Approval of November 2011 meeting minutes

Neal Nilsen made a motion to approve the November meeting minutes as presented. Seconded by Laura Taylor and approved unanimously.

II. Executive Reports

- A. Treasurer's Report** – Pete Appignani reported a bank balance of \$2,335.09 as of December 17, 2011.
- B. Membership Committee** – Several organizations submitted their membership applications and dues payments at the meeting.

III. Old Business

- A. Municipal Services Act Legislation** – Jennifer Syron reported she spoke with Delegate Tiffany Lawrence who said she could not propose this legislation right now, as other HOA-related legislation is pending. The current legislation, proposed by Senator Herb Snyder, involves how to handle developers who go bankrupt before completing their project.
- B. Title I Community Fair** – Not discussed.
- C. Update on Rt. 340** – Not discussed.

IV. New Business

- A. Berkeley County Legislative Summit** – All members were encouraged to go and suggest solutions to problems you're dealing with. This forum is where Senator Snyder became aware of the problems that have arisen through provisions of 36B.
- B. Lobbying Restrictions** – As a 501(c)(3) organization, there are limits on how much money EPOHOA can spend on lobbying and influencing legislation.
- C. Proposed EPOHOA By-Laws Revision** – The proposed revisions revolve around EPOHOA becoming a chapter of the Community Associations Institute (CAI) and membership would be open to any CAI member who joined the WV chapter. As a CAI member, HOAs would have access to a wealth of resources to help communities operate smoothly and handle a problem if one arises.

V. Projects

- A. Around the Panhandle Offer** – Not discussed.
- B. EPOHOA Year End Workshops** – Not discussed.
- C. Process Analysis of HOA Establishment (FKA Chapel View Study)** – Jennifer Syron reported that the study is ongoing.
- D. Common Area Tax** – Neal Nilsen reported that the participants are still waiting for a determination from the Judge about whether the case should proceed as a tax appeal or a civil suit.
- E. Legislation – HOA Dues Collection** – Not discussed.
- F. Who's Who of Leaders in Jefferson County** – Nance Briscoe is still working on getting names and pictures of elected officials on EPOHOA's website.
- G. Incident Reporting by Sheriff's Office** – Neal Nilsen is working with the Jefferson County Sheriff's Office to help them find a way to share the crime reporting information electronically. Berkeley County law enforcement already does this, but Jefferson County is still in the planning stages.
- H. Subdivision Approval/Covenants** – Not discussed.
- I. WV Chapter of CAI** – This was discussed under IV.,C. above.
- J. Planning Commission Coordination** – Not discussed.
- K. Jefferson County Emergency Services Coordination Plan** – Not discussed.
- L. Chesapeake Bay WIP (Region IX)** – Not discussed.
- M. EPOHOA Website** – Not discussed.

Motion to adjourn meeting made by Laura Taylor and seconded by Craig Bartoldson; approved unanimously. Meeting adjourned at 10:51 am.

NEXT MEETING
Wednesday, January 18, 2012