



**Meeting Minutes
February 15, 2012**

Bedington Ruritan
3947 Williamsport Pike, Martinsburg WV
Berkeley County

Board Members: Pete Appignani, Gap View Village, President
Neal Nilsen, River View Park, Vice-President
Elliot Simon, Blue Ridge Acres, Treasurer
Phyllis Smock, Stonebridge, Secretary
Nance Briscoe, Cloverdale Heights, Membership Chair

Other Attendees: Don Smith, *The Journal*; John D. Wilgeroth, Round Top Estates POA; Mike Roberts, The Woods HOA; James Kief; Janice Smith, Forest Heights HOA; Judi Roberts; Steve Howell, Spring Mill Farm; Susan Beidler, Forest Haven POA; Fred & Nancy Riggelman, Tabler Station Manor; Harry C. Rice, Potomac Heights; Beth Shanholtzer, Spring Mill Farm; John Pattishall, Hidden Timbers POA; Ton Donlon, Breckenridge North HOA; David Miskus, Breckenridge North HOA; Jim Rickard, Hidden Timber; Bill Stubblefield, Berkeley County Councilman; Jim Yates, Hollis Manor; Rick McLaughlin, Hollis Manor; Larry Lam, Spring Mill Farm; Gearl Raynes, Berkeley County Tax Assessor; Bob Ayer, Spring Mills; Scott Bowen, Spring Mills; Bobby Pevarnik, Timberwood Village; Kathy Knight, Carriage Park; Joyce Garrison, Shenanwood SD; Gary Dungan, Bolivar Heights; Thomas Moler, Panhandle Pumping; Jim Whitacre, Berkeley County Councilman; Jenni Vincent, *The Journal*; Bill Weis, Whittings Glen; Ann & Ken Kammer, Fairways East; Elaine Mauck, Berkeley County Council; Gary Heichel, Whittings Neck Farm Estates; Angela Banks, Jefferson County Tax Assessor; Peg McNally, Summerhill POA; John Rohan, Summerhill; Lewis McIntyre, Spring Mill; Beverly Allead, Webber Springs; Cy Kammeier, Webber Springs; Ron Agnir, *The Journal*; Rob Izes, Birch Creek; Pastor Farinas, Birch Creek

The meeting was called to order at 7:10 pm by Pete Appignani at Bedington, Berkeley Cty

- I. Approval of February meeting minutes**
Elliot Simon moved to approve the February meeting minutes as presented. Motion was seconded by Phyllis Smock and approved unanimously.
- II. Executive Reports:**
Treasurer Report -Elliot Simon submitted the Treasurer's report showing a balance of \$4,085.09 as of 2/15/12. Report was put into the record.

Membership Report -Nance Briscoe reported EPOHOA has a total membership of 27 representing more than 6,000 homeowners. Clagett Management and Breckenridge North are new members.

Guest Speakers:

Angela Banks, Jefferson County Tax Assessor, presented background information regarding her recent position to exempt “common areas” owned by HOAs in Jefferson County. She noted that developments created before or after West Virginia Code Section 36B—103 & 105 became law, the selling price of the individual lots/units should include the common areas owned by the HOA and therefore none of the common areas will be assessed separately according to the fair and uniform taxation law.

Gearl Raynes, Interim Berkeley County Tax Assessor, noted it was too late this year to make any changes in the Berkeley County budget. He said some guidance from the State Tax Department was needed in order to determine the requirements needed from HOAs for exemption. Mr. Raynes also stated he would work with the newly elected Tax Assessor in November to become familiar with Section 36B.

III. Old Business

Legislative Update: Upon request by EPOHOA, Senators Snyder and Klempa introduced Senate Concurrent Resolution 38, requesting the Joint Committee on the Judiciary to study whether the State of West Virginia should revise its current Uniform Common Interest Ownership Act.

HB 4465 was introduced by Kump & Ellem requesting counties protect liens filed by HOAs in the event of foreclosures;

HB 2515 was introduced by Hunt and Shaver relating to liens for assessments on common interest HOA property;

SB 98 was introduced by Senator Sypolt exempting HOA fees from consumer sales and service tax;

HB 2740 was introduced by Doyle, et al, to allow solar panels in HOA communities and make covenants against installation of panels unenforceable;

HB 2741 was introduced by Doyle, et al, exempting solar energy from property taxation;

HB 4383 was introduced by Klempa allowing DEP zone waived by affected water intake owners.

Mike Roberts, EPOHOA Legislative Liaison, intends to meet with delegates before next legislative session.

Update on Rt. 340 – Kathy Knight reported several options were under consideration by planning board and the final outcome will be announced on March 8, 2012.

Incident Reporting by Sheriff’s Office—Neal Nilsen reported the Jefferson County Sheriff’s Incident reports are now online. This project has concluded. He also noted that Berkeley County Sheriff’s Incident reports are regularly reported in *The Journal*.

Jefferson County Day update The Board approved expenses for three members of EPOHOA to attend Jefferson County Days in Charleston on February 20, 2012. Nance provided new brochures and handouts for use in Charleston.

Member Directory—Nance Briscoe reported the member directory is online at EPOHOA. Total membership is 27.

IV New Business

By-Laws Committee -- Pete Appagnani stated the EOHOA By-Laws need to be updated to accommodate the expansion of the organization. He appointed John Wilgeroth, Susan Biedler and Kathy Knight to be the ad hoc Committee to Update the EPOHOA By-Laws. Candidate Forums – Jefferson County and Berkeley County will hold primary elections on May 8th. Following discussion of holding candidate forums, the consensus of the meeting was to invite Jefferson County candidates for Tax Assessor, County Council, and State Legislature to the next meeting on Saturday, March 17, 2012 at the Independent Fire Co. in Ranson at 9 a.m.

The public and members of EPOHOA are invited to submit their questions in advance at Primary2012@epohoa.org. Gary Dungan will contact the Party Chairmen to invite the candidates to participate.

At the April 18, 2012 meeting, Berkeley County candidates for Tax Assessor, County Council and State Legislature will be invited to take questions from the audience. The meeting will be held at the Bedington Ruritan at 7 pm. Mike Roberts will contact the Party Chairmen to invite the candidates to participate.

EPOHOA Credit Card Nance Briscoe and Elliot Simon will work together to obtain a debit card to cover out of pocket expenses for printing and will report at next meeting.

Status of Jefferson and Berkeley County Chambers of Commerce—Nance Briscoe moved to renew membership in the Jefferson County Chamber of Commerce. Elliot Simon seconded motion and it passed unanimously. Nance moved the EPOHOA become a member of the Martinsburg Berkeley County Chamber of Commerce providing membership does not exceed \$100. Elliot Simon seconded motion and it was passed unanimously.

V. Executive Session

Elliot moved to go into Executive Session and Neal Nilsen seconded motion. Motion carried.

Neal Nilsen moved to come out of Executive session and Nance Briscoe seconded motion. Motion carried.

Elliot Simon moved to defer collections of dues from Patrick Henry Estates until July, 2012, keeping their membership in good standing. Neal seconded the motion and the motion carried.

Motion to adjourn meeting was made by Phyllis Smock and seconded by Elliot Simon. Motion carried. Meeting adjourned at 9:00 pm

Minutes submitted by
Phyllis Smock, EPOHOA Secretary

Next Meeting
Saturday, March 17, 2012
9:00 AM
Independent Fire Company
Ranson, WV