



**Meeting Minutes
June 16, 2012
Bedington Ruritan
3947 Williamsport Pike
Martinsburg WV 25401
Berkeley County**

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

Other Attendees: Kurt Acker, Lake Forest Estates; Betty Beckley, Whiting's Neck Farm Estates; Ray Bielicki, Orchards on the Potomac; Niles and Rosalie Bernick, Orchards on the Potomac; Chris Cody, Breckenridge HOA; Angel Colon, Lake Forest Estates; Aileen Curfman, Potomac River Farm Sec. 182; Jim Farmer, Orchards on the Potomac; Martha Glover, Duchess Estates; Martha Harris, Riverside; Darryl Johnson, Spring Mill Farm; James Kief, Springfield Village HOA; Larry Kump, Potomac Hills HOA; Julie Litwan, Mountain View Solar; Suzanne Malesic, Patrick Henry Estates; Donn Marshall; Don Mullin, Orchards on the Potomac; Kenneth Smith, Spring Mills; Krista Steiding, Riverside Acres; Richard Sussmann, PMP; Jennifer Syron, Chapel View HOA; Laura Taylor, Meadow Brook Farms; John Wilgeroth, Round Top Estates POA; Colin Williams, Mountain View Solar

Guest Speaker: Colin Williams, Vice President of Sales & Marketing, Mountain View Solar

Mr. Williams presented an overview on how solar panels work to produce renewable energy in homes and in communities. More complete information about solar energy guidelines are available on Mountain View website at www.mtvnsolar.com. Mr. Williams answered several questions from the audience regarding tax incentives and federal and state tax credits.

Mr. Williams offered to visit any HOA upon request to do an assessment at no cost.

The meeting was called to order at 9:05 am by Pete Appignani at the Independent Fire Company

Approval of May meeting minutes

Nance Briscoe moved to approve May meeting minutes as presented. Motion was seconded by Elliot. Motion passed without objection.

I. Executive Reports:

Treasurer Report -Elliot Simon submitted the Treasurer's report. Opening balance of \$4,712.05, deposits \$224.75.and closing balance of \$4,936.80 as of 6/16/12. Report was put into the record.

Membership Report –Nance Briscoe reported new members in EPOHOA include: Maddox Farms, The Woods, and Breckinridge and Crossing on the Potomac.

II. Old Business:

Legislative Update– Jennifer Syron asked for volunteers to work on reviewing the Uniform Common Interest Ownership Act in meetings during the summer.

Delegate Larry Kump reported on the Interim Legislative Committee meetings scheduled to meet 3 days each month until the next Legislative Session in 2013. In particular, two specific resolutions introduced in the last Legislative Session (HR 115 and SR 38) regarding amending the UCIO Act 36B have been combined and referred to the Judiciary Study Committee. Delegate Kump stated this presents a good opportunity for the EPOHOA to submit information to the Interim Study Committee by (1) contacting Delegate Ellem to express EPOHOA concerns; (2) asking that the Study Committee share information with the EPOHOA; and (3) sending a representative of the EPOHOA to testify before the Interim Committee regarding legislation that is needed specific to HOAs in West Virginia.

EPOHOA Survey—Nance Briscoe reported on response to survey to date. The preliminary response will help EPOHOA do a better job and help HOAs prioritize issues. Survey is not complete and will continue online for an additional month. Jennifer suggested July 6th as final deadline for response to survey. Survey is not limited to EPOHOA members only; individuals can respond to the survey as well. Delegate Kump suggested the EPOHOA share the final survey report with the Interim Study Committee. The Board will have to approve the final survey before it is released.

Update on Rt. 340—Suzanne Malesic, a member of the Citizens Advisory Committee, reported that a draft proposal regarding changes on Rt. 340, was presented to the Jefferson County Planning Commission and to the Jefferson County Commissioners. There was a public hearing in May and many people spoke out on the plan regarding persevering walking trails, roads, etc. The EPOHOA became interested in this issue because it potentially would take private roads in an HOA and turn some roads into a public thoroughfare. On July 12, the study will be presented to the Jefferson County Commission with the support of the Citizens Advisory Commission and the Jefferson County Planning and Zoning Commission urging the Commissioners to accept the Rt.340 study in its long range plan. Suzanne urged people to go online to express their opinions.

Member Directory—Nance reported that she has been collecting information about HOAs including number of lots within the HOA, number of homes, amount of common area, etc. Nance would like produce a Member Directory that will be as thorough as possible. In addition to all HOA members, the directory will include civic associations, business associations, and individual members. Pete urged everyone to respond to Nance's inquiry online as soon as possible.

Ad Hoc Committee on Bylaws—John Wilgeroth, member of the Bylaw committee submitted the following amendment to the Bylaws:

Article IV

Officers and Directors at Large

“The Officers and Directors at Large shall be elected by the voting membership to serve a two-year term of office or until such time as his/her successor is elected as hereinafter provided. No Officer or Director at Large.....”

At the Annual meeting the Bylaws were suspended since there were no contests for positions that were open. Bylaws cannot ever be suspended so the committee is recommending the above change.

Mr. Wilgeroth reported there are several other items the committee is looking at and will bring another report to next meeting.

Berkeley County Chamber of Commerce Membership—Elliot stated the EPOHOA is now a member. The Board is looking for a volunteer, preferably someone who lives in Berkeley County, to attend the Chamber meetings and represent EPOHOA.

III. New Business:

Jefferson and Berkeley County fairs—Nance sent out a request for volunteers to participate in the county fairs and received no responses. The EPOHOA will not be participating in the fairs this year.

Candidate Forum for General Elections—Following a lengthy discussion about the merits of hosting candidate forums for the General Election, Jennifer moved to designate EPOHOA members to attend local candidate forums for the purpose of asking questions on behalf of the EPOHOA. Laura Taylor seconded the motion. Motion was passed by membership voice vote. Another discussion followed about how to implement the motion. Suzanne moved to post all the local candidate forums and schedules on the EPOHOA website and encourage members to attend these public forums and ask questions of the candidates relevant to their position on issues regarding HOAs, and also post candidate websites on the EPOHOA website for information about the candidate. Laura Taylor seconded the motion. Motion approved.

Jefferson county Clerk Request to post Election Schedule Signs at entrance to HOAs—Nance said that the Jefferson County Clerk will make available election signs to be posted at the front entrance of HOA communities, if they so desire, one week to ten days prior to the General Election on Nov. 6th. The clerk may or may not contact Berkeley and Morgan county clerks.

EPOHOA Survey—Jennifer Syron has postponed analyzing survey until after the Legislative Session.

Tolling Subdivisions—Pete reported that he wrote a letter on behalf of EPOHOA to the Jefferson County Commission asking questions about the impact of tolling in subdivisions. The letter is on the website. Pete said he did not have enough information about Berkeley County to send a similar letter and stated it would be helpful to have more volunteers from Berkeley County to help in these matters.

ATV issues—Berkeley County has an ordinance in place prohibiting ATVs within a subdivision. An HOA in Berkeley County can petition the County Council to add their community to the list. Nance said she has posted this ordinance on the EPOHOA website. Jefferson County has a similar Ordinance.

Requests for assistance—Nance has been contacted and asked a lot of questions about HOAs governance. She directs people to the EPOHOA website. EPOHOA will offer guidance on Article 36B, declarations, bylaws, and association functions. Pete suggested the need to document the type of questions being asked.

Project Updates--Suzanne said she will analyze the survey results and prioritize what kind of EPOHOA workshops are needed.

Elliot announced that his HOA, Blue Ridge Acres, refused to pay taxes on common areas, which were subsequently auctioned off. When the Jefferson County Clerk exempted HOAs from paying taxes on common areas, Blue Ridge paid a little over \$3500 to redeem the common areas and receive a refund of \$1200, approximately 1/3 of the cost.

Elliot moved to adjourn the meeting. Nance seconded and meeting adjourned at 11:20 am.

NEXT SCHEDULED MEETING
July 18, 2012 (Wednesday) 7:00 pm
Independent Fire Company
200 West 2nd Avenue, Ransom WV
Jefferson County

Guest Speaker
Bret Hersh-- HOA taxes, foreclosures, and more

www.epohoa.org/info@epohoa.org