



**Meeting Minutes  
February 19, 2014  
Independent Fire Company  
200 West 2<sup>nd</sup> Avenue  
Ranson WV 25438 Jefferson County**

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

**Other Attendees:** Bob Ayrer, Spring Mills; James Corey, Lake Forest; Drew Ewing, Bentwood; Jean Kopper, Ashton Forest; Cheryl McConnell, Ryans Glen; Suzanne Malesic, Patrick Henry Estates; Barbara May, Apple Knolls; RosaLee Riggins, Ashton Forest HOA; Ted Schiltz, Potomac Terrace; Jan Schiltz, Potomac Terrace; Charles Smith, Apple Knolls; Frank Stottlemeyer, Apple Knolls; Tina Stottlemeyer, Apple Knolls, George Steg, Applefields; Richard Sussmann, PMP; Jennifer Syron; Mike Tervo.

The meeting was called to order at 7:03 pm by Neal Nilsen, Vice President at the Independent Fire Company. Pete Appignani, President was unable to attend.

**Approval of January 15, 2014, meeting minutes**

Nance asked if the meeting location for the first Education Committee Seminar on April 5, 2014, at the Kingdom of Life Church is a confirmed location. Minutes should reflect it is a tentative location which will be confirmed at a later date.

Richard Sussmann noted a correction on page 1 in reference to WV Code 31, which should read WV Code 31E-8-806.

Bob Ayrer moved to approve minutes as amended. Cheryl McConnell seconded the motion. Motion passed as amended.

**Executive & Committee Reports**

**Treasurer's Report:** Elliot Simon reported for the period from Jan. 16 through Feb. 19, 2014, opening balance of \$5,158.16; deposits of \$2,650; dispersals of \$218,78 (for opinion letter for 501(c) 3 application); closing balance of \$7,589.41. The application will be sent in after a review by Richard Sussmann to see if everything on the application is complete. Nance presented Elliot with an invoice for the Home Show Exhibit.

**Education Committee:** RosaLee Riggins reported the committee has the first workshop organized. It will be held Saturday, April 5, 2014, from 9 to 11 am at the Kingdom of Life Cathedral. The location will be confirmed on Saturday. Richard Sussmann from PMP will be the speaker and the topic is “How to Obtain, Read and Understand Your HOA Governing Documents.” RosaLee asked participating HOAs to send in their documents so they could be used for demonstration purposes. Nance and Neal will be working with the committee on getting attendee packets and other marketing materials including a Press Release ready. The total budget for this workshop is approximately \$200.

On the question from Bob Ayer regarding the reason for not charging for workshops, Nance responded that Educational Workshops are offered as a benefit of membership in EPOHOA and also are offered as a marketing tool to attract new members. Nance follows up with all people who attend workshops who are not members by sending them information about joining EPOHOA.

**Legislative Review Committee:** Jennifer Syron reported the new legislation amending Chapter 36B was introduced on Feb. 6<sup>th</sup> in the Senate and on Feb. 13<sup>th</sup> in the House. Senator Snyder advised Jennifer that the bill will not be voted on in this year’s legislative session. The bill is available for anyone to read on the website.

Jennifer briefly summarized the Uniform Common Interest Ownership Act (Chapter 36B) which was adopted by West Virginia in 1982. But noted WV did not amend the law in subsequent years. The Bill being introduced in the Legislature is focused on amending the 2008 Uniform Common Interest Act which allows for exemption of limited expense liability HOAs and therefore most HOAs are only covered by 3 clauses in the Act. The new legislation will have some protections for homeowners such as requiring developers to provide financial disclosure packages, timeline for amenities promised, and requiring information on the financial stability of the HOA in the case of resale.

When the final Bill is presented, there will be an opportunity for people to make public comment. Jennifer will notify EPOHOA when this opportunity becomes available which will probably not be until next year.

**Membership Committee Report:** Nance introduced two new individual members, Barbara May of Apple Knolls (244 Homes in HOA) and Mike Tervo of Hampshire County, Secretary and Treasurer of Applefields of Haven (30 homes).

Nance said a member had a question concerning Community Association Institute. She stated EPOHOA has 18 members who are also CAI members. 50 members are needed to become a CAI Chapter. CAI has a strong national and international presence and is a 501(c)4 organization which places them on a Federal level to lobby on behalf of homeowners associations.

### **Discussion of becoming CAI Chapter:**

EPOHOA has 28 paid members, of which 5 are individuals, 3 are business memberships and 20 are HOAs. Of these members 18 are also CAI members. To start a chapter a minimum of 50 is required and within two years 100 members are needed.

Richard Sussmann led a general discussion regarding the pros and cons of EPOHOA becoming a CAI Chapter. Richard moved to form a CAI Exploratory Committee to conduct an in depth investigation and recommendation on the benefits and drawbacks of becoming a CAI Chapter. Nance seconded the motion. Motion passed without objection.

Elliot volunteered to Chair the Committee. Jennifer requested the committee should not be comprised of only CAI members and should be staffed by an uneven number of members. Elliot requested Nance to post a notice on the website that a CAI Exploratory Committee has been formed and volunteers are requested to serve on it. The posting should also ask if the volunteers are already knowledgeable about CAI.

### **Nominating Committee**

Richard Sussmann stated the current By-Laws prohibit nominations from the floor. All nominations must be submitted 15 days in advance of a special election. In view of the need to allow sufficient time for nominations and the need to amend the By-Laws, Suzanne moved to postpone the special election until further notice. Elliot seconded the motion. Motion passed. Nance will put a notice on the website to hold nominations pending By-Law revisions.

### **Discussion of By-Laws**

During discussion Suzanne pointed out only 20 members have renewed their membership. Elliot raised the question as per the current By-Laws that “no officer or director-at-large shall serve more than 2 consecutive terms in one office.” And he asked if this meant that any one of the current officers could be nominated for a different position on the Board. Richard suggested that Committee Chairs should not automatically be Board Members and this might be one of the revisions to the By-Laws. Elliot also noted the By-Laws require a 2/3rds majority vote of the voting membership in order to waive the requirement to allow non-voting members to participate.

Elliot stated he thought the Nomination Committee should qualify people based on their previous term limit and/or experience to serve in a particular position.

Richard recommended that the By-Laws need to be amended before the special election is held. All current officers and Board members can be held over in accordance with WV Code 31E.

Richard moved for all Board Members and Directors-at-Large to convene to discuss and propose By-Law amendments to be presented before the membership for a vote. Elliot seconded the motion. Motion passed.

Neal will notify the current members of the By-Laws Committee, John Wilgeroth and Susan Biedler, and ask for information they have regarding the By-Laws.

### **EPOHOA Home Show Participation**

Nance called for volunteers to sign up to help in the EPOHOA booth at the Home Show March 14-15-16, 2014 at the Martinsburg Mall.

Phyllis moved to increase Nance's budget in the amount of \$100 to buy a Fiskers set of Homeowners Garden tools for the silent auction. Neal seconded the motion. Motion passed without objection.

### **Discussion of Landscaping Experience within HOAs**

Jennifer Syron asked for some discussion regarding landscaping requirements and what other HOAs have experienced. Bob Ayrrer stated that he sends out an RFQ (Request for Quote) listing specific range of work to be accomplished. He said he has a spread sheet and plat for his community. Neal asked Bob if he would be willing to put together a 15 minute presentation including all elements, cuttings, averaging bids, etc. for the benefit of other members at the next meeting. Bob agreed.

Barbara May told the group that Apple Knolls has a storm management pond area. She contacted the Department of Forestry and they are going to plant trees free and only asked that volunteers in the community help dig holes.

Suzanne asked if anyone had any experience with hiring a hydrologist to examine drainage in their community.

### **Insurance Policy for EPOHOA**

General discussion was held regarding need for obtaining a Simple Officers & Directors policy to cover EPOHOA as a 501(c)3 non-profit organization. While there are no physical assets, the EPOHOA does present and share information and therefore should be covered. Neal asked Elliot to get some insurance quotes to present at the next meeting.

Neal adjourned the meeting at 9:03 pm

**Next Scheduled Meeting**  
**Sat. March 15, 2014 9am – 12 pm**  
**St. Leo's Catholic Church**  
**2109 Sulphur Springs Road, Inwood WV 25428**