



**Combined Board and Membership Meeting Minutes  
July 15, 2015  
Orchard House  
4599 Shepherdstown Road  
Martinsburg WV 25428**

**Board Members:** Josh Arzt, Temporary President, Maddex Farm  
RosaLee Riggins, Temporary Treasurer, Ashton Forest  
Phyllis Smock, Temporary Secretary, Stonebridge  
Anne Kask, Temporary Vice President, Crystal Lake,  
Richard Sussmann, Temporary Member-at-Large, PMP (absent)

**Other Attendees:** Bob Ayer, Spring Mills; John Barret, Falling Springs; Nance Briscoe, Cloverdale;  
Rick Caruso, Glenn Meadows; Fred Dubay, Glen Meadows HOA; Walt DeWalt,  
Glenn Meadows; Marie DeWalt, Glenn Meadows; Larry Lam, Spring Mill Farm  
HOA; Becky McCarthy, Stonebridge; Terry McSweeney, Apple Knolls; Suzanne  
Malesic, Patrick Henry Estates; Barbara May, Apple Knolls; Janis Schiltz,  
Potomac Terrace; Ted Schiltz, Potomac Terrace; Jim Ruddy, Mountain View  
HOA; and Laurie Ruddy, Mountain View HOA

**Note: This document is provided solely for informational purposes, and no one should rely on it as legal advice. You are strongly encouraged to consult a qualified attorney for advice on any particular situation.**

Josh Arzt called the meeting to order at 7:05 pm

**Introductions:** Josh Arzt introduced the newly elected EPOHOA Board Members: Josh Arzt, Acting President; RosaLee Riggins, Acting Treasurer; Phyllis Smock, Acting Secretary; Anne Kask, Acting Vice President. Richard Sussmann from PMP was also elected as a Board Member but unable to attend this meeting. Later in the meeting the Board will officially appoint new officers.

**Approval of Agenda:** Phyllis Smock moved to approve the agenda. RosaLee Riggins seconded the motion. Motion passed without objection.

**Approval of Minutes:** Nance Briscoe moved to approve minutes from June 20, 2015. Bob Ayer seconded motion. Motion passed without objection.

**Financial Report:** RosaLee Riggins announced the Board approved accounting procedures to be converted to Quick Books and she is still working on transferring all records.

No new deposits were made since the June 20, 2015 meeting. Two dispersals were made: one payment in the amount of \$98. to open a new Post Office Box for the organization; and one payment of \$25.00 was made to the Secretary of State for the annual filing fee. The checking balance is \$7,979.14 which is greater than last month's reported balance. RosaLee is still working on discrepancies in the records. RosaLee stated, however, the Quick Books balance and the bank statement do balance.

The new post office box address for EPOHOA is P.O. Box 911, Charles Town, WV 25414.

### **Committee Reports:**

#### **Membership Report:**

Nance Briscoe reported one new application received from Deerwood HOA in Berkeley County (54 homes). Mary Jo Simms, president.

Also John Barrat joined as an Individual Member from Falling Spring HOA in Jefferson County (10 homes).

Nance also reported that five HOAs have completed and submitted the Membership Update Form which is online on the website. This information is very helpful in keeping current records on HOAs who are members of EPOHOA.

#### **Education Report:**

RosaLee asked for more ideas for future workshops. Ed Thomas of PMP has agreed to offer two workshops on any topics to benefit EPOHOA. One idea is a workshop on Board Member Training, including fiduciary responsibilities, risk management, and how to run a meeting. RosaLee asked members to submit their ideas on the website.

**Nominations Report:** No report

### **Management Report:**

Josh reported the newly elected Board has met on two occasions in working sessions to organize and coordinate priorities.

#### **Appointment of Board Officers:**

Following the election held on June 20, 2015, the Board determined the following terms of service for the Board of Directors: Josh Arzt – 3 year term; Anne Kask – 1 year term; Phyllis Smock – 2 year term; RosaLee Riggins – 3 year term; and Richard Sussmann – 2 year term.

Phyllis Smock moved to approve the staggered terms of Board of Directors as stated. RosaLee Riggins seconded. Motion approved without objection.

The Board of Directors elected its own officers as follows: Josh Arzt, president; Anne Kask, vice-president; Phyllis Smock, secretary; RosaLee

Riggins, treasurer; and Richard Sussmann, member-at-large. Anne Kask moved to appoint the officers as stated. Phyllis Smock seconded the motion. Motion approved without objection.

**Committee membership discussion:**

The EPOHOA has six working committees. The Board is looking for volunteers to serve on these committees and will then appoint interested members to each committee. If members are interested in serving on a committee, please sign up online at [info@EPOHOA.org](mailto:info@EPOHOA.org).

The committees are as follows:

Business Development Committee. The purpose of this committee will be to develop a sponsorship package, find partners to support EPOHOA events and activities, and to work with other organization, such as Community Associations Institute. A goal of EPOHOA is to eventually become a chapter of CAI because of the many resources and tools it provides to assist HOAs.

Legislative Committee: This committee was previously led by Jennifer Syron. She did a lot of research on the Uniform Common Interest Act Chapter 36B as it applies to limited liability communities. The committee has not been active this past year, but there are some bills in the WV State Legislature under consideration that would amend Chapter 36B. All the house bills are currently on the EPOHOA website for review.

Marketing Committee: This committee will review the website and determine what information should be on the EPOHOA website and what information is for members only. The committee will also work on public relations and printed materials.

Nominations Committee: This committee is a standing committee and its purpose is to find and vet candidates for open seats on the Board of Directors.

Membership Committee: Nance Briscoe agreed to continue to work on this committee. Among the many duties Nance performs, she does outreach to potential members and shares information on how HOAs can register with the Secretary of State.

Education Committee: The purpose is to organize informational workshops that will benefit HOAs. Anyone who is interested in working on this committee can indicate their preference by signing up at [info@epohoa.org](mailto:info@epohoa.org).

**Pending Business - None**

**New Business-** Following a discussion of the benefits of joining Community Association Institute (CAI) which include access to educational resources, webinars, expos, and other materials otherwise not available, RosaLee moved to approve the membership fee for four members of the EPOHOA Board of

Directors to join Community Association Institute (CAI) not to exceed \$400. Phyllis Smock seconded the motion. Motion passed without objection.

Richard Sussmann is already a member of CAI.

Following a discussion of the benefits of continuing membership in the Jefferson County Chamber of Commerce, Suzanne Malesic volunteered to represent EPOHOA and attend functions held by the JCCC. Phyllis Smock moved to approve the renewal membership fee for membership in the Jefferson County Chamber of Commerce. Anne Kask seconded the motion. Motion passed without objection.

The renewal membership in the Berkeley County Chamber of Commerce will be discussed later in the year. A volunteer to represent EPOHOA is needed to represent EPOHOA at the Berkeley County Chamber events.

### **Open Forum**

\*Discussion of Jefferson County Planning & Zoning Engineering ruling that it shall not enforce deed restrictions, covenants, easements, or any other private agreement. A public hearing is scheduled for Thursday, July 16, 2015 at 2 pm to consider a request to allow a home within an HOA to become a Bed & Breakfast. A suggestion was made that the HOA should look up the deed of the owner of the home and check to see if the Covenants are attached to the deed.

\*Discussion of how to enforce violations of Covenants within an HOA. If the governing documents do not contain any process for enforcing the violations, HOA will need to seek legal counsel.

\*Discussion of UCIA Chapter 36B which allows homeowners to put excess funds into a Reserve Account or Contingency Fund.

\*Discussion of Bylaws in some HOAs that allow late fees to delinquent accounts, and the process for filing a lien.

### **Announcements**

Suzanne Malesic made two public announcements:

1. The Jefferson County Planning Commission Committee on Subdivisions will hold a public hearing on August 11, 2015. The importance of this hearing is to change the current regulations that will put the public hearing and comment period ahead of any developers or builders plans before they are presented to the P & Z Commission.
2. The Jefferson County Planning Commission Committee to handle and review campgrounds and recreational area ordinances will hold a public hearing on Tuesday, September 8, 2015. An agenda item will consider how close a campground can be constructed to a subdivision.

The public hearings will be held in the Community Room at the Charles Town Library.

Anne Kask moved to adjourn meeting. Motion seconded.

Meeting adjourned at 8:12 pm.

Minutes submitted by

Phyllis Smock, Secretary, EPOHOA

**Next Scheduled EPOHOA Meeting**

**August 19, 2015 at 7:00 pm**

**Orchard House**

**4599 Shepherdstown Road**

**Martinsburg WV 25405**