

LRVPOA

JANUARY, 2007 NEWSLETTER

Association Officers

At the annual meeting of the Association last June, the membership elected a slate of officers. However, no one was elected to the position of Vice President. The membership directed the Board to recruit someone for the position and appoint them, a process outlined in our By-laws. Subsequent to the annual meeting, the elected officers voted to appoint Glenn Thornton as the new Vice President. Glenn and Diana have enjoyed their lots on Settlers Valley Way for many years. Glenn graciously volunteered to help the Association and has been a valuable member of the Board these past few months.

The current officers of the Association are:

Bob Alcock, *President*

Glenn Thornton, *Vice President*

Mark Smith, *Secretary*

Greg Thomas, *Treasurer*

Joe Keyerleber, *Member-at-Large*

Financial Report and Assessments for 2007

Enclosed is an invoice for your annual assessment (white sheet), commonly known as road fees. Most of the money collected from assessments pays for road maintenance. Your payment is due by March 1, 2007. Please note that to avoid a late fee and interest penalties as stipulated in our Covenants, your payment must be received on time. If you have a question about your assessment, please contact Treasurer Greg Thomas at greg@aapa.org.

As discussed at the Annual Meeting in June, the Board of Directors has set a goal of establishing a reserve fund that would eventually equal one year's operating budget. The purpose is to provide a financial "cushion" in the event of particularly severe winter weather and/or unexpected road maintenance projects. The voluntary fund-raising effort undertaken in the fall of 2006 has already raised over \$5,000. Together with past savings, we begin 2007 with a reserve fund that is about one-third of our goal and a road fund that is capable of funding some significant projects in the Spring.

At the October 2006 meeting of the Board of Directors, the annual fee assessed on each property was increased by 10% (as allowed by the Covenants). That new fee structure is reflected on the enclosed annual fee assessment statement. The Board believes the increase in the annual fee is justified because most of our road maintenance costs have increased more than ten percent. Please plan to pay your 2007 fees in a timely manner to ensure that the Association maintains its

financial position as we enter the winter season and in anticipation of the Spring road work that will need to be performed.

Proposed Covenant Amendment Restricting Commercial Logging

Enclosed with this mailing is the text of a proposed amendment to our Covenants (blue sheet). The amendment would prohibit commercial logging on all properties within the Association. The proposed text was discussed at the Annual Meeting of the membership in June 2006 and is being sent to all members now for their formal action. The amendment must be agreed to, in writing, by 75% of all property holders for it to be added to the Covenants. If you are in agreement with this Covenant change, please mark the "Yes" box, and sign your name on the ballot. Similarly, if you oppose this Covenant change, please mark the "No" box and sign your name. Completed ballots must be sent to the Association at the above address. You can include your ballot in the same mailing as your assessment check. Written ballots will be accepted until the adjournment of the next annual meeting of the Association, set for June 2, 2007.

The Board of Directors recommends approval of this Covenant amendment. There have been instances in the past when property owners have contracted with a logging company to remove trees from their property. Typically, the logging company brings in their logging tractors and trucks using Association roads, extracts the trees making multiple trips with the log-laden trucks and pays the property owner for the trees. The logging company then processes the logs for pulp or lumber, sold on the open market. The Association's Covenants do not contain any restrictions on this type of commercial logging. The By-Laws of the Association do contain a provision which regulates, but does not prohibit, commercial logging.

At the June 2006 Annual meeting, the majority of members present felt that the Covenants should be amended to prohibit commercial logging. Commercial logging has the potential to destroy the natural environment that so many of us come to Lost River to enjoy. In addition, the logging operations put multiple heavy trucks on the Association's roads, resulting in added maintenance costs to the Association. Because our roads are narrow in many places, the heavy trucks disrupt normal traffic, compromise safety, and have the potential to restrict the passage of emergency vehicles.

The proposed amendment is narrowly drafted to prohibit commercial logging only. If the proposed amendment were to be adopted, property owners would not be prohibited from cutting down diseased trees, clearing trees to make room for the construction of a building (assuming the Board of the Association had approved the construction of the building), or thinning a thick tree stand to improve tree growth or the view from a deck or porch. These examples do not constitute commercial logging as defined by the proposed amendment.

Road Maintenance

At mid-Winter, our eleven miles of Association roads are in fairly good condition. Last Fall, the roads were graded and stoned where needed by our contractor, Keith Dove. In December, Keith filled potholes on all the roads. The Association has standard operating procedures in place based on previous experience over the years for road maintenance, snow removal, and ice treatment. It's been a mild winter up to now, but Derrick Strawderman is on call for snowplowing when the inevitable snow storm arrives. He has a spreader on his truck and, in icy conditions, he should be able to put down cinders in a more uniform manner than in the past.

During the late Winter months, the roads will be surveyed in order to prepare the Spring work plan. Glenn Thornton and Joe Keyerleber will jointly develop the plan for the Board's consideration. If any Association members have suggestions for road work that should be included, please contact Glenn at email or 301-631-0266, or Joe at email or 202-387-0322 and 304-897-5081.

The Board is currently reactivating the network of Road Representatives with the intention of facilitating communications and the resolution of road maintenance issues. Any property owner who would like to volunteer to perform this function, please contact either Glenn or Joe.

Please note that repair and maintenance of driveway culverts is the responsibility of the property owner. There are currently a number of bent or broken driveway culverts that need to be repaired or replaced. To assist Association members with culvert maintenance, we are thinking about scheduling a "Culvert Day" in the Spring of 2007. This proposal will be developed as part of the late Winter survey.

Hunters

Several Association members have raised questions about hunters on their property. According to the West Virginia Hunting and Trapping Regulations Summary: first, it is illegal to shoot, hunt, or trap upon the fenced or posted grounds of another person without having in your possession written permission from the landowner; and, second, it is illegal to shoot a firearm within 500 feet of a dwelling, or on or near a park or other place where persons are gathered for pleasure.

If anyone wants to post their property, signs can be purchased at most hardware stores in the area. Copies of the detailed Hunting and Trapping Regulations Summary are available free of charge at the Corner Mart in Baker. Questions or complaints can be directed to Rich Rogers (Wildlife Management) or Captain Charles Schollar (Law Enforcement) at the Romney District Office of the Division of Natural Resources. 304-822-3551 or 1-800-NET-GAME. The relevant websites are www.wvhunt.com and www.wvdnr.gov.

Construction and Renovation

Property owners are reminded that our Covenants require prior approval by the Board of Directors of any construction or renovation on your property. More specifically, prior approval is required

for the construction of any building (including sheds and garages), decks, fences, wall structures, driveways, or other improvements (including major landscaping).

Construction may not begin until the Board has had thirty days to review detailed written plans and specifications. The Board typically reviews the proposal to make sure set back and property line restrictions are met, the proposed structure is harmonious with surrounding structures and, in the case of driveways, water run-off does not adversely affect road maintenance or other properties.

Written plans should be sent to the Association's address, listed above. If you have any questions about a project, please contact President Bob Alcock at 304-897-7202 or at [email](#) .

Next Annual Meeting

Our By-Laws stipulate that the Association is to meet annually, at 1:00 PM on the first Saturday in June, which, in 2007, falls on June 2nd. We look forward to seeing you then. A more formal announcement will be sent by mail in May.