

# Lost River Valley Property Owners Association

Annual Meeting, June 2, 2018  
The Inn at Lost River

## **Board Members Present:**

Belynda Hicks, President;  
Jason Peschau, Vice President.  
Bob Earl, Treasurer;  
Glenn Cudaback-Cox, Secretary;  
Absent: Dewayne Lawrence, Member-at-Large (Roads).

## **Call To Order and Welcome**

The meeting commenced at 1:04 p.m. with a quorum of members in attendance as determined by Belynda Hicks, President; verified by Glenn Cudaback, Secretary.

The meeting was called to order by a 1st motion from Bob Dillard and a 2nd motion by Peter Lefkin. **Members were notified that the meeting was being recording for the sole purpose of translating notes for the final minutes of the meeting.**

Belynda directed the membership's attention to the meeting agenda and asked if there were any additions, to which the membership responded that there were none.

## **Approval of Minutes from 2017 Meeting**

After a 1<sup>st</sup> motion to approve from Jamie Baisden, and a 2<sup>nd</sup> motion to approve from Al Amori, the minutes from the June 3, 2017, LRVPOA annual meeting were approved unanimously.

## **Treasurer's Report**

### **2017 Actual Fiscal Year Statement:**

Bob Earl reported that actual 2017 expenses were \$66,009.35, and that most line item areas were in line with original budget of \$49,960.00. It was noted that the board did make a decision to proceed with improvements in a couple of areas during the year.

A budget line item was added for mailboxes in the amount of \$5,520.60. This was for replacing and expanding the mailbox structure at the end of Settlers Valley Way due to safety issues, lack of USPS requirements, rust, and to accommodate the needs of additional property owners who need boxes.

It was clarified that this was an association investment, and that members with mailboxes in the structure were not charged for this replacement and expansion, as there was no historical precedent of prior charges to owners for mailboxes. It was also noted that the post office shared in the cost for keying and locking the boxes, with the majority of the improvement paid by the association. The post office also worked closely with the board to provide guidance on requirements.

It was clarified that the boxes in the association do not have a fee, like the fee charged to have a box at the post office in Lost City or Baker. It was also clarified that association owners were required to show the USPS proof of ownership to secure a new box in the structure. It was noted that there were still available boxes at the structure.

The budget line item for tree trimming and removal was discussed. This investment is for a systematic comb of the entire association to remove hazardous trees and branches to improve overall safety. It was noted that only unsafe trees within the right of way of the association will be removed, as property owners are responsible for trees on their respective lots. It was reported that half of this work was completed, and that the Board would budget accordingly for additional future work as funds became available.

It was noted that the Board purchased a low-cost laptop with the required Microsoft Office software suite to house the LRVPOA database. This laptop, for Board member use only, keeps LRVPOA information in one secure location, and allows for easy access/transfer to current and future Board members. This expenditure is noted in the budget as an overage in the line item 'Mailings and Postage; Other office supplies'.

The mild winter kept expenses related to snow removal at a low level. Expenses for Fall road work fell in line with what was expected in our budget.

Our investment assets above budgeted expenses remain strong. We have cash on hand in a low-interest savings account at Summit bank. The remainder of the assets are held in Certificates of Deposit at Summit Bank.

#### **2018 Projected Fiscal Year Statement:**

For 2018, expenses are expected to be \$49,318.00, with estimated income at \$44,675.00. The forecast for additional investments is expected to be approximately \$65,000.00.

Most 2018-2019 budget areas will stay relatively same as the prior year

One uncertainty in the budget is tree trimming expenditure, which will depend on variables related to weather/emergencies, cash on hand, payment of dues, and the cost of road work.

The board reported that it has done well with dues payments to date, and if there is another light-snow year it will help with the budget.

There were slightly higher investments this year related to web hosting and upgrading to a new website platform to enable access to additional features that allow us to do business with greater facilitation

Our additional reserve investments are still in line, and we haven't had to make additional contributions or increase dues. It was noted that about 95% of the reserve fund is held in certificates of deposit.

#### **Delinquent Accounts and Updated Lien Process:**

The collection of dues in arrears and delinquencies was discussed. Bob Earl reported that as of the meeting, there were 34 owners with delinquent dues, ranging from 'one year' to 'eight-or-more years' out of the total of 272 association properties. Some are multiple lot holders, and half are one-year delinquencies. Only four are delinquent for five+ years, plus one extreme delinquency. Liens are being filed on all five.

It was noted moving forward that a procedure/policy to follow in placing liens on properties is being formed, with guidance from counsel. This will give property owners 30-45 days to pay dues after invoicing, then a 60 day period with late notices, and after another 30 days - after board consultation with counsel - a legal letter will be used to notify owner of dues and arrears, with total amounts and provide a 30-day period to pay or make other arrangements. If the 30 days passes without payment or arrangement/communication with the board, we will immediately place a lien on a property.

It was clarified that the lien would be against the property, not the owner. There are currently several liens already in place from previous years. To date no delinquencies have been written off by the LRVPOA; this topic is still being explored with counsel.

After a 1<sup>st</sup> motion to approve from Bob Dillard, and a 2<sup>nd</sup> motion to approve from Jesse Halpern, the Treasurer's report was approved unanimously.

## **Road Maintenance**

Belynda Hicks provided a roads report on behalf of DeWayne Lawrence.

**Spring Road Work:** Due to the volume of rain creating extremely soft roads, spring road work was still underway at the time of the property owners meeting and scheduled to be completed in the next two weeks. Attendees were reminded to report any road issues to the board via the contact form on the homepage of the website ([Irvpoa.org](http://Irvpoa.org)).

The importance of keeping culverts clear of debris and leaves was addressed, with the reminder that this activity is a property owner's responsibility.

**Snow Removal:** Snow removal was minimal this year, with the need to plow in only one instance of light snow with one cinder spreading. It was noted that the snow savings would help fund the tree boom trimming that will commence in the fall.

**Tree Trimming and Removal:** The boom trimming will continue to be a roads project every other year. Road maintenance will continue to work with owners in sensitive areas to minimize impact on redbuds and sensitive vegetation; property owners in these sensitive areas are encouraged to hand trim prior to Columbus day weekend, when the boom trimming will start. The trim guidelines are 15 feet high over the ditch, and 20-25 feet over the center of the road. This is to allow for easy access by emergency vehicles or maintenance vehicles.

**New Signage:** Jason Peschau provided an update on new "drive slow, keep dust down" signs. These are created, and will be placed with cedar posts for more permanency vs. the use of metal posts. Jason will work with a contractor to gradually install the signs. There will be some new signs as well that will state "Private Drive, Residents Only" to combat unwanted solicitation, and the dog-running trucks during bear hunting season.

It was encouraged that property owners help the situation by posting "No Trespassing" and/or purple no-hunting markings on their properties. WV law dictates that a purple blaze (paint) on trees, no higher than six feet up, 8 inches long and four inches wide is the official "No Hunting" property marking.

After a 1<sup>st</sup> motion to approve from Jaime Baisden, and a 2<sup>nd</sup> motion to approve from Bob Dillard, the Road's report was approved unanimously.

## **Construction Requests**

Belynda Hicks reminded property owners that when residents plan any home updates, changes, improvements, or building a new house, the plans need to be approved by the board prior to plan commencement. The process is filling out the LRVPOA Project Approval Form available on the Association website, and then submitting it to the board for approval. This is done to make sure the plans abide by the LRVPOA covenants.

## **Open Discussion**

### **Speeding on Association Roads:**

Speeding was brought up as a continuing problem from visitors, residents, delivery vehicles, and home service providers' vehicles. Speed bumps were discussed as a possible solution if the problem continues.

Positive feedback on the new speed signs was provided by attendees, including thanks to Jason Peschau for his work on the project.

It was noted that speed 'dips' are not a solution because they are dangerous - they are more likely to make drivers lose control of the car, cause severe damage to vehicles, and pose a liability risk for the association. Therefore, the association will not advocate the use of speed dips.

It was also noted that the water bar halfway up Settlers Valley Way was not a speed dip, but a protective road feature to divert the water flow around the hard-to-maintain curve. On that stretch of road, the focus is to maintain as much visibility and water control as possible, given the terrain. Meeting participants agreed that keeping visibility through trimming was important to increase safety. It was requested that trimming on problematic corners in the association occur twice per summer.

It was explained that the issue of speed bumps is that it makes it extremely difficult to plow snow, and causes immediate damage to plow equipment; this is the case with either fixed or 'movable, speed bumps. Movable speed bumps are not only expensive, but would be labor intensive as they would need to be removed prior to each plowing.

For these reasons, the association has not moved forward with any speed bumps.

As mentioned in previous years, the board suggested that LRVPOA members let us know who continues to speed, and we can reach out to them. It was reiterated that the board does not act a police, but can provide gentle feedback to the offenders.

## **Hardy County Planning Updates**

Belynda Hicks reported that Hardy County Planning (HCP) was still in the process of working on updating the Hardy County zoning use ordinances. Melissa Scott, from HCP informed the board that there are no projected firm dates for completion, but she did offer to come out to Lost River for a special meeting if we wanted it to have people discuss things with her, and also noted that the planning commission meets the first Tuesday of every month in Moorefield, and residents were encouraged to attend.

Belynda reminded the members in attendance that there had been questions of acceptable use of association properties, and the board tried to have a special meeting last December about it. There was not a quorum present for the meeting to allow for discussion in an official way.

Belynda noted that the board had consulted with legal counsel about things that can and can't be done as far as regulating use of association property, and opened the topic up for questions and discussion. Owners were reminded that some of the issues that led to the prior special meeting were not in existence anymore, and some issues resolved themselves. There were requests to continue the discussion in the future when more information is provided by HCP, so that next time any similar issues come up, the association has answers.

Belynda shared some general feedback from counsel, which was that when the association comes upon a situation where we feel that properties are not being used in line with our covenants, we have the option to do some legal notification or letters to a resident, but eventually the option would be to go to the court and ask for declaratory relief where we would need to show that the use is violation is covenants; that the use is in violation of zoning restrictions; and that the use is harmful to the community. Because of these requirements, the association is in a holding pattern until the HCP zoning use ordinances are updated.

### **Website development**

Glenn Cudaback-Cox reported that the new website had been launched on to the Wordpress website management platform, had new functionality to allow for the "plug in" more robust features via software that is free or low cost. The first free functionality implemented was a better forms feature, allowing members to send send one message from the forms on Irvpoa.org that all board members receive simultaneously.

It was explained that the forms would be developed to help make new construction project submissions easier, and to allow the submission of PDFs. It was also noted that the old ecommerce solution was moved from the old website to the new one, but would be improved upon prior to the next annual dues cycle. It was also noted that a GIS maps resource link was added.

Suggestions on improvements in the website functionality discussion included the ability for members to subscribe to notifications for website updates; the need for community updates; a private "members only" directory of the association, a membership portal. The desire to cross-post between Facebook was expressed, with the caveat that the group is closed, and it would need to be part of a member-only section of the website.

### **Other New Business...**

The question of reopening the pond up for water for emergency vehicles came up, and the board noted that the issue had not been explored yet.

**Election of officers** the officers slate was presented for approval:

President: Phil Robey

Vice President: Jesse Halpern

Treasurer: Bob Earl

Secretary: Glenn Cudaback-Cox

Member-at-large: Belynda Hicks

There was a brief discussion on why the officer's slate was announce at the meeting and not prior. Belynda noted that it was due to delays of finding, hearing from, and getting commitments from potential officers until just days before the meeting. It was agreed that the board would push communications to recruit future officers for the slate to remedy the situation.

There was a subsequent question on whether regular board meetings were open to the public. It was explained that since a lot of communication between the board members was done electronically, it resulted in fewer in-person meetings. Belynda explained that in her eight year tenure on the board, they had not been open, but would be open explore the possibility.

After a 1<sup>st</sup> motion to approve from Bob Dillard, and a 2<sup>nd</sup> motion to approve from Tom Robertson, the officers slate was approved unanimously.

The meeting was adjourned at 2:25 p.m.