

SOUTH POTOMAC VALLEY PROPERTY OWNERS ASSOCIATION  
Minutes of General Meeting  
October 3, 1987

The Annual Membership Meeting of the South Potomac Valley Property Owners Association convened at 1:10 p.m. in the Levels, West Virginia, Volunteer Fire Department Hall. Chairman Tom Masarick presided. A sign-in sheet (copy attached) was provided. Secretary pro tem Jodie Jago announced that a quorum was present.

Agenda Item 1. Introduction of Board and Guests.

Chairman Masarick introduced the board, and noted that the terms of two members had expired September 30. The association resolved to extend Messrs. Carpenter and Gorham in office through the end of the meeting. The Chairman also indicated that Bill Judy, Homer Feller, and the Hampshire County Sheriff were invited to this meeting.

A member of the Levels Volunteer Fire Department then spoke to members about emergency services available in the area. The department serves an area of about 15 square miles and owns two fire trucks, both of which are getting old. A new truck is needed, at an estimated \$50,000 cost. Donations from the association are most welcome. Donations made after this meeting may be mailed to: Levels Volunteer Fire Department, Merle D. Lambert, Jr., Treasurer, Star Rt., Box 55-1, Levels, West Virginia, 25431.

The following information will be useful to association property owners:

- o In case of fire, call 492-5111 or 492-5833; or push the button inside the red box at the fire department hall. Hampshire County plans to have a central dispatch, but it is not ready yet.
- o The fire department may not enter locked private property without the owner's permission. Either leave a key or written permission with the fire department.
- o An ambulance will need at least 30 minutes to get down the mountain into the development.
- o Four firemen are qualified EMTs. The department has access to four helicopters, on an if-available basis.
- o John Miller volunteered assistance to any property owner in an emergency. His phone number is 492-5317.
- o Hampshire County laws stipulate that from March through May and October through December fires may not be started before 5:00 p.m. and must be out before 9:00 a.m. During these months brush fires during the day must be reported to the Department of Natural Resources, who may fine the property owner for violating the "burn rules."

Agenda Item 2. Minutes of the Previous Meeting.

It was proposed and agreed to dispense with reading the minutes of the minutes of the previous general meeting October 4, 1986.

Agenda Item 3. Treasurer's Report.

Treasurer Ralph Hofer presented interim financial statements showing an excess of \$5,486.06 revenue over expense, and a draft budget for 1988. He noted that two accounts payable, (\$5,150 for road maintenance and an estimated \$1,100 legal fees) will eradicate the 1987 excess. Moreover, some prior year assessments are being disputed, one as the result of a lot sale and one under covenant provisions for adjacent lots. If this revenue is not collectible, the 1988 budget will have a \$25 deficit.

**ACTION:** The Chairman stated that he and Ralph Hofer will confer with Bill Judy on defining "adjacency," so that the 1988 budget may be completed quickly.

It was agreed that the association would donate funds to the fire department. The amount of the donation was left undetermined until the total of individual contributions from association members is known. The members then voted to accept the treasurer's report as modified.

There was some discussion as to whether expenditures for development security should come from regular association dues. Dick Gorham pointed out that the covenants indicate the assessment is for maintenance of the roads, the right-of-way and common facilities only. It was also noted by the Chairman that the trend toward purchase of lots by owners of adjacent lots will continue to erode available revenue. This problem needs to be addressed in the near future.

**ACTION:** The Chairman appointed a committee to review the covenants regarding assessments. Committee members are: Charlene Pietra, Chairman; Ralph Hofer; Angie Asbury; and Tom Masarick ex officio.

Agenda Item 5. Committee Chairmen Reports.

**Roads Committee** -- Committee chairman Bruce Dunn reported that Blair Hose completed the road repairs contracted for during the fiscal year. The river road was elevated by more than a foot; and Big Buck Road was repaired as far as John Miller's place. Mr. Dunn stated that sometime in the near future the roads will need shale or gravel. He noted that the common road between SPVPOA and the Price and Heywood groups is in poor condition, as is the road down the mountain.

**ACTION:** Chairman Masarick indicated he will consult with Bill Judy and write the Heywood Group regarding joint maintenance.

Association members unanimously endorsed Bill Palmer as Roads Committee Chairman during the next year. Other committee members appointed are: Bruce Dunn and Roger Asbury.

**ACTION:** The committee's tasking is two-fold: To continue to pursue action on the roads outside the development; and to conceive a long-term plan to bring development roads up to standard.

It was further noted that Homer Feller has an obligation to reimburse the association for wear and tear on development roads. Mr. Judy is writing Mr. Feller and suggesting \$500 per year as an equitable reimbursement.

**Utilities Committee -- ACTION:** The Utilities Committee was disbanded as having fulfilled its function.

**Security Committee --** Committee chairman Roger Asbury reported that keeping the access gate closed has really deterred would-be trespassers. He also noted that he has obtained "no hunting" signs, and will put them up soon. Members authorized Mr. Asbury to spend up to \$50 for local newspaper notices prohibiting hunting within the development. **ACTION:** Roger Asbury was reappointed chairman of the Security Committee. Other members are: Dick Collins and Gene Pietra.

Agenda Item 6. Status of Oil and Gas Leases.

The Chairman announced that the oil and gas leases on association property will expire November 3, but have not been paid for two years. The amount due is \$100 per acre per year. If these amounts have been paid to Mr. Feller, he owes the association. **ACTION:** The Chairman indicated he will pursue this matter with Mr. Judy and Mr. Feller.

Agenda Item 7. Gate/Access Control Signs.

Two issues were discussed: Whether the access gate should be kept closed or open, and whether to move the gate itself, since it is not located on common property. It was agreed in principle that the members prefer the gate closed, and will make a good faith attempt to keep it closed, weather conditions and common sense prevailing. The Chairman suggested that whether or not the gate is moved, the association should have written permission from the owner whose lot the gate is on.

**ACTION:** The Chairman and Ralph Hofer will work on this problem and report back to the board.

Agenda Item 8. Identification Cards.

Jim Curtis reviewed the problem of how to prevent trespassing in the development. The board has discussed the matter several times and now proposes to issue cards to the owners to hang from their automobile rear-view mirrors. The cards will be numbered and recorded, and issued in two colors -- one for members, one for guests. It was pointed out that caution and common sense should prevail in any attempt to evict suspected trespassers.

**ACTION:** When the tags are delivered, one tag of each color will be mailed to each lot owner, with a request for and the amount of payment by return mail.

Agenda Item 9. Incorporation Vote.

The Chairman announced that the association now has a mail box (#23) at the Levels Post Office, and all association mail should be sent there. The final draft of the articles of incorporation should be signed by the incumbent board members at this meeting to complete action on incorporating the association. John Miller moved to accept the articles, Jim Curtis seconded, and the articles of incorporation were adopted by unanimous affirmative vote.

Agenda Item 10. Election of Board Members.

Jim Gorham presided over the election of the two vacancies on the board. Gene Pietra was elected to fill one vacant seat, and Dave Carpenter reelected to another term. Tom Masarick was elected as Chairman by acclamation, John Miller was elected Vice Chairman.

Agenda Item 11. Appointment of Committee Chairmen.

This item was discussed earlier on the agenda.

Agenda Item 12. River Access.

It was pointed out that there is no common area for parking at the river access, and the new cable installed there restricts auto turn-around.

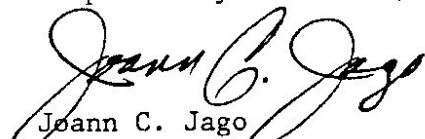
**ACTION:** The Chairman and John Miller will work out the parking problem, since it is Mr. Miller's land that is affected. Also, Mr. Miller volunteered to reposition the cable to ease the turn-around problem.

Before adjournment, one lot owner commented on the inequity of charging only one assessment for ownership of adjoining lots, but awarding one vote per lot to owners of several lots. It was pointed out that these provisions are in the original covenants, which require a 90% majority vote to change. This matter will be addressed by the ad hoc committee appointed earlier in the meeting.

The next meeting of the South Potomac Valley Property Owners Association will be the first Saturday in October 1988.

The meeting adjourned at 3:45 p.m.

Respectfully submitted,



Joann C. Jago  
Secretary pro tem, SPVPOA