

**MINUTES OF THE ANNUAL MEETING  
OF**

South Potomac Valley Property Owners Association, Inc.  
P. O. Box 45  
Levels, WV 25431  
October 4, 2003

The Annual Meeting of the above corporation was held on October 4, 2003, at Levels Fire Department. Chairwoman Angela Asbury called the meeting to order at 1:00 p.m.

Board of Director members were:

Angela Asbury, Chairwoman  
Christ Fischer, Treasurer  
Nathalie Mundell, Secretary

Members who attended the annual meeting were: David & Mary Murray, Charles Surber, Robert Lee, Gene & Charlene Pietra, Tom & Janet Masarick, Susan & Drew, McKenna, John Miller, CWW & Mary Stultz, Alvin & Phyllis Barnes, Donald Largent, Paul Smith, Tom Matthews, Moore Family, Keith Biddlecomb,

Angela – We have hired an attorney to check out the covenants and I would like to introduce Chris Davis, Attorney at Law he is from Romney, W. VA. He has been doing some work for us on our covenants and sees if he can straighten this out a little bit.

Chris Davis – I appreciate the invitation for being here today and thank you Angela for allotting me for doing the work. Does everybody have a copy of the letter that I sent to Mrs. Asbury? There are four areas of concern was asked that I reviewed. That is the maintained assessments that how much fee should be charged or could be charged under the covenants. And also Declarations of the adjoining lots. There is in our covenants that adjoining lots paid only one fee. And if they are sold there is a fee to be paid. The second issued what changes could be made to the Declaration and how many votes you have.

The first issued is the maintained Assessments and your Declarations of May of 1985 and indicates that initially the fee is set at \$100.00 for each lot owner per year. The bylaws gave the Association once they were established, to change that amount. That the fee could be raised by the cost of living index (urban) and vote of 2/3 of the lots in the subdivision I have also gone on the Internet and print out the Consumer Price Index for that year. I have review the Consumer Price Index under the U.S. Department of Labor starting 1984 to year 2003. From 1985 is raised to today about 72%. Your fee would be increased if you voted to do so of a max of \$72.00. In my opinion these declarations were made May of 1985 so that is the date you would go from they're which would cap your increase to \$172.00 per lot. I think you would considering raising your fees since you spend around \$8,000.00 to 10,000.00 for road dues and you have only 43 lot owners. Some lot owner's own more than one lot to six lots and only paying \$100.00 per year. This will only raised about \$7,000.00 per year if you go with the cost of living increase to \$172.00 per lot owners.

Adjoining Lots as defined in the South Potomac Valley Subdivision, Declaration of Protective Covenants, Conditions, Restrictions include lots that are across the subdivision road or are not simply side by side The work adjoining is defined as "Touching, sharing a common boundary: Contiguous" Given this definition only those lots that are side by side and touch each other directly would be covered by the provision in the South Potomac Valley Subdivisions Declaration of Protective Covenants, Conditions and Restrictions. I apologize for not knowing that the property line was part of the roads. That they can be considered as joining lots.

A lot that has been exempted from paying a fee is sold and or improved, the seller and/or owner is required to pay a \$100.00 fee to the Association. The new lot owner will be required to pay the current road maintained assessment upon sale of the lot.

#### **Changes to Declarations**

Changes to the Declaration you could change a covenant or add any additional covenant or policy you want to the Declarations, by a simple vote of 2/3 of its lot owners. You have 99 lot owners and you have to have 65 lot owners to change the covenant. The first twenty years which is 2005 to change the Declaration and the covenants. Lot owners who have five lots have five votes at association meetings whether or not they pay more than one maintained fee.

## **Lot Maintenance**

Article IV of the South Potomac Valley Subdivision Declaration of Protective Covenants, Conditions, and Restrictions require all lot owners to maintain, repair and restore, the improvements and real estate in the subdivision. This requirement applies to all lot owners including the subdivision developer.

I apologize for not have in a complete understanding of the covenants and feel free to contact me for any questions. I will try to help you.

Chris Fischer – Thank you Sir we appreciate you for stopping by.

Angela - We have 34 lots owners to have a quota.

Nathalie – Can we have a cost of living increase.

Chris Davis – You all can have special elections to vote on it you must have half of the lots owners to make a special fee.

Angela – We have 48 lots that will do.

Stultz – You can add 94 to because Clarence still own 5 of them.

Angela – That's right so we do have it.

Angela - I received a letter about inflation rates and assessment fee table. All we can do is the cost of living raise.

Discussion on Mr. Stultz appraisal to raise the fee to \$100.00 for each lot (if you have 4 lots the cost would be \$400.00) and Mr. Fischer approval \$100.00 and \$25.00 for the additional lots. (4 lots the cost would be \$175.00). We cannot vote on because according to the covenants.

Tom – I herd Chris Davis said in the covenants \$100.00 plus cost of index. the cost of index go up to \$172.00.

Angela – Yes. Which I think we are going to do which the board has a right to do is to assets the lots according to the Covenants are \$172.00. That is the cost of living increase. And I will talk with the other association and tell them that there fee will be increase by the cost of living. They are paying \$850.00 right know.

Nathalie – I make a motion that we increase the cost of living fee on the road dues to up to date 2003, which is \$172.00.

Mary Murray – Second the motion.

Motion was passed vote by the lot members 34 yes and 14 no at the annual meeting.

## **Election**

Angela – It would be nice if I can get somebody to be on the Road Committee.

John Miller – I will be on the Road Committee.

Road Committee is John Miller and Donny Largent.

Angela – Secretary minutes to be read.

Charelene – I make a motion that the secretary minutes already passed out and that the minutes don't have to be read.

Motion was second by Chris and Tom.

Motion passed.

Stultz - Motion to accept Chris Fischer Treasury Report.

Motion was second.

Motion passed.

Angela – We have four officers that have to be elected today. One Board Member, Vice Chairman, Secretary and Treasury is up for election. Nominate for Vice Chairman.

Charlene - Dr. Adams said he would be Vice Chairman.

Angela – Anybody second that.

Tom – Second it.

All in favor. Passed by show of hands. That Dr. Adams is our Vice Chairman.

Angela - We have a Board Member open.

Don Largent was nominated.

Tom second that Don Largent be Board Member.

All in favor by show of hands. Don Largent is our Board Member

Angela – We have Secretary position open. No body was nominated.

Nathalie – I will be secretary again for one time.

All in the association meeting agreed that Nathalie Mundell be Secretary again

Angela – We have Treasury position open. No body was nominated

Chris – All right I do three times again.

All in the association meeting agreed that Chris Fischer be Treasury again

Meeting Adjourned around 3:03 p.m.

Respectfully yours,



Nathalie Mundell, Secretary  
SPVOPA