



## Special Board Meeting Minutes September 12, 2009

### Opening:

An unscheduled meeting of the S.P.V.P.O.A Board Members was called to order at 4:05 P.M. on September 12, 2009 at the Pietra's Residence, Levels, West Virginia by Tom Masarick via of phone.

### Present:

Tom Masarick (Chairman) h: 703-368-8308 c: 571-238-2044  
Gene Pietra (Vice Chairman) h: 304-492-5516  
Drew Mrenna (Secretary) home: 703-433-2469 cabin: 304-492-5875  
Kathy Olmert (Treasurer) h: 304-703-1542  
Jeff Kokosinski (Board) h: 304-492-5210

Charlene Pietra (Guest)  
Susan Mrenna (Guest)  
Roger & Angie Asbury (Guest)  
Brad Harrison (Guest)

Before discussion the main issue of the meeting, the board reviewed an invoice from Roger Asbury for road work performed as well as the pending work on Apple Court. Hours for each task were documented. The Board approved the invoice.

The issue that brought the Board together today was a SPVPOA lot owner had entered into an agreement to cut and sell trees from their lot for a profit. The lot owner put everything on hold pending the outcome of today's meeting. Due to financial reasons the property owner was attempting to sell 55 trees to Shingleton Lumber Company. The lot owner agreed to repair any road damage that might result in hauling the trees away. Owners of the adjoining lots have been contacted.

From the Covenants, Article IV, Use Restriction, paragraph 14. Reasonable cutting of wood or timber for personal use or for land clearing is permitted. **However, no cutting of wood for commercial purposes is allowed.**

There was much discussion among the Board members. Does a one time sell of wood constitute a commercial purpose? To help settle this debate, a dictionary was consulted. It defines commercial as "made or done primarily for sale or profit". It was all agreed that by this definition, even a one time sale is not permitted.

Tom heard each of the board members decision and their justification. A final vote was made and it was unanimously agreed to disallow the lot owners request to cut and sell trees from his lot for a profit.

Jeff Kokosinski, Board Member, has been absent for a number of Board Meetings. Jeff had personal issues that kept him away from home this last year. Those issues have been resolved and Jeff agreed to become an active Board Member. The Board agreed to let Jeff continue as a Board Member.

After thanking the Pietra's for the use of the home, Tom adjourned the meeting at 5:15 pm.

Minutes submitted by:

*Drew Arena*