

YRHOA Annual Meeting

July 18, 2015 at 10:00 a.m.

Location: Timberline Event Room

Attendees

Attendees included Neal and Jacki Defazio (YR2), John and Holly Plunkett (YR5), Nanette Seligman (YR7), Ann and Jerry Brewster (YR8), Don Austring (YR12), Ted Senator (YR13), Chris and Sue Smith (YR19), Ed and Pam Harrah (YR21), Mary McGowan (YR22 and YR48), Cliff and Teresa Essig (YR27), Julia Aucremanne (YR35), Robbie and Diane Kaufman (YR39), Larry and Nancy Ford (YR40), Bill Kirk (YR41), Lester Miller (YR42), John and Sally Grizzard (YR44), Bob and Barbara Foster (YR45), Andrew and Sue Heisey (YR47), and Ana Igal (YR50).

Welcome and Introductions

John Grizzard called the meeting to order at 10:09 a.m. and welcomed the large turnout of attendees. Members introduced themselves and where their properties are located in Yoakum Run.

Rules, Procedure, and Voting

John Grizzard announced that the meeting protocol would follow Robert's Rules of Order.

Credentials Report

According to the sign-in sheet, 20 properties were represented by members in attendance. An additional 16 proxies had been submitted prior to the meeting, for a total of 36 lots represented, which constituted a quorum for the meeting.

Approval of Minutes of 2014 Homeowners' Meeting

Minutes were included in the handout provided to members attending the meeting. Sue Smith motioned to approve the minutes; this was seconded by Barbara Foster. The motion passed unanimously.

Additions to the Agenda

The proposed agenda was included in the handout provided to members attending the meeting. John Grizzard invited members to include additional items for discussion. Andrew Heisey requested discussion over the owners' directory (to be covered under discussion of the Website), and Bob Foster requested a tribute to the previous Board.

Adoption of the Agenda

Julia Aucremanne motioned to accept the additions to the agenda; this was seconded by Ed Harrah. The motion passed unanimously.

Old Business

PCR #12

John Grizzard noted that the website homepage announces that the amendment to PCR #12 has passed, and the amendment was filed at the county clerk's office on March 16, 2015. All unlicensed vehicles are now prohibited on Yoakum Run Road. Following discussion, a recommendation was made that the Board should investigate (for insurance purposes) whether signs should be posted that Yoakum Run Road is private and that unlicensed vehicles are not permitted.

Drainage Committee Report

John Grizzard reviewed progress of the Drainage Committee over the past year. The committee had a copy of the drainage plan originally developed by Thrasher Engineering for the T4SR hotel project. Following committee meetings of November 29, 2014 and January 3, 2015, a drainage plan was formulated that was provided to the Board. However, T4SR has been working with Thrasher over the past two months to resolve continuing drainage problems; the Drainage Committee will monitor that progress and modify the Association's drainage plan within the next few weeks as needed. The Board will communicate with any property owners whose properties may be affected by the drainage plan.

Mary McGowan noted that the berm in the T4SR is not well marked in some spots so that there is no clear boundary where the parking lot ends; this is a safety hazard because cars may inadvertently drive over the edge. The committee should note this to T4SR.

Debris Pickup in 2016

Members are generally in favor of continued tree limb pickup during May (before Memorial Day). The week of May 15-22, 2016 was proposed. However, a second pickup (before July 4) was also generally favored for those property owners who don't get to their properties earlier in the Spring.

Fire Department Donation

YRHOA has historically contributed \$500 annually to the Canaan Valley fire department. However, due to the recent purchase of new fire department equipment, there is a need for increased funding. The Association should also consider the fire department's assistance in

clearing our drainage culverts last year. Don Austring moved to increase the annual contribution to \$750; this was seconded by Lester Miller. The motion passed unanimously.

Insurance Renewal

YRHOA has been with our present insurance carrier for at least the past 5 years, and the policy is due for renewal. John Grizzard is soliciting bids from insurance companies, and plans to have a recommendation for the October quarterly Board meeting. Factors to consider in selecting a new carrier are 1) cost, and 2) continued support in light of existing lawsuit.

New Business

2015 Committees

Membership participation on committees is welcome and encouraged. Following discussion, members indicated willingness to serve on the following standing committees: Drainage (Andrew Heisey, Bill Kirk, and Nanette Seligman); Nominations (Ed Harrah); Elections (Pam Harrah); ARC (Barb Foster, Julia Aucremanne, Nanette Seligman, and Larry Ford), and Social (Sally Grizzard). The Board will consider this list of volunteers when assigning committee members.

An update on the effort to update the Association's Bylaws was provided. The Association's legal consultant Bowles Rice had completed a preliminary draft to address WV Code Chapter 36B (Uniform Common Interest Ownership Act) and 31E (Nonprofit Corporation Act). This draft can be provided to property owners for review.

A question was asked who presently provides the Association's legal and financial services. The Association's attorney is Pat Nichols. The previous accountant closed his business and provided two recommendations for accountants in Elkins; John Grizzard plans to talk to each of them later in July and then select a new accountant.

Website

Following discussion, Ed Harrah and Nanette Seligman volunteered to coordinate future website support. Members wishing to post materials on the website should first submit to the Board, which will direct which materials are to be posted on the website.

Multiple members expressed the desire for a Facebook page to advertise social activities, weather conditions, and other items of interest to property owners. Following discussion, it was determined that this should be an informal, private Facebook page that will not be sanctioned by the Board.

Members should check the membership directory that is available on the website to ensure that it contains current information. Some members expressed an interest that the membership directory could contain additional information such as permanent resident, rental property, and biographical information. However, any information provided in the directory would be at the option of the property owner.

Fred Herz' Proposed Summer Amenities Club Card Program

Fred Herz (V.P. and acting CEO of T4SR) presented a preliminary concept to the YRHOA property owners for a 5-acre recreational lake to be located on Idleman's Run Road at Idleman's Run. This recreational facility would enhance attractions for summertime activities in the area. A handout was provided to the membership. T4SR is seeking feedback on the concept. Fred's e-mail address is FredHerz@gmail.com.

Tribute to Previous Board

Bob Foster described the gratitude due to members of the previous Board who dedicated much hard work to our Association. Their efforts are sincerely appreciated.

Financial Report

The Income Statement, Balance Sheet, and Budget were included in the handout provided to meeting attendees.

2014-2015 Income Statement and Balance Sheet

The Income Statement showed that 2014-2015 revenues were \$7,254.85 while expenditures were \$11,353.93; there was a net expenditure of \$4,099.08 for the fiscal year.

The Balance Sheet showed that, as of June 30, 2015, the Association had assets totaling \$71,017.97. Liabilities at that time were \$252.99, for net homeowner equity of \$70,764.98.

Included in the assets is the Road Maintenance account which totals \$43,799.74; the approved cap for this account is \$45,000. Discussion centered on whether this account could be used to pay for drainage improvements. One suggested remedy was to change the name of the account. Other discussion focused on restrictions on capital improvement funds and possible rules pertaining to refunding surplus funds to the membership. Recommended action is for the Board to look further into restrictions on the use of the Road Maintenance account.

2015-2016 Budget

Bob Foster noted that the budget was not provided to the membership at least 14 days and no more than 30 days prior to the annual meeting.¹ For that reason, the membership could not vote on the budget during the annual meeting. The discrepancy between the current WV Code and our bylaws will be addressed this coming year when the bylaws are updated.

Ted Senator moved to accept the budget as proposed by the Board after 30 days' time from the annual meeting had elapsed.

During discussion, Chris Smith motioned to move funds to fully capitalize the Road Maintenance account to \$45,000; this was seconded by Pam Harrah. The motion passed unanimously.

Nanette Seligman seconded Ted Senator's motion to pre-approve the budget as proposed. Three votes were opposed to the motion; otherwise all other votes were in favor. The motion passed.

Election Results

Don Richards and Nancy Ford were elected to 2-year positions on the Board. Bill Kirk and Julia Aucremanne were elected to 1-year positions.

Date of 2016 Homeowners' Meeting – July 16, 2016

Adjournment

Nanette Seligman moved to adjourn; this was seconded by Susan Smith. The motion was approved unanimously.

¹ Article V Paragraph 2(f) of the Bylaws requires the Board to develop and approve the budget and submit to the membership at least 30 days before assessments are imposed.