

Minutes from Meadowlands Property Owners Association (MLPOA) meeting 8/3/14

Property owners checked in as they arrived, and were given cards with which to vote on any motions brought forth during the meeting. Green cards were given to residents who own one property, and therefore get one vote. Pink cards were given to residents who own two properties (2 votes), and blue cards were given to residents who were given proxy by those unable to attend. Fifty-seven property owners were in attendance. One late arrival made the total 58.

The meeting was called to order by Paul Kritschgau at 7:10 pm. He began the meeting by reading a letter to acknowledge the generosity of Stephen K. Shuman, as Mr. Shuman has paid for services (snow removal, mowing, electricity for street lights) provided to the neighborhood throughout the years. The letter stated:

“ Your support in the form of snow removal contracts, street lighting, and keeping the properties along Meadowland Dr. and Sylvan Dr. mowed for almost 27 years has been appreciated. Additionally, you have not assessed any fees to date for these services and for that ... it has been truly generous financially to the property owners of the subdivision.”

Paul K. then turned the meeting over to Patty Hill. Patty is a long-time resident of Meadowlands, and an attorney. She had been contacted by Stephen Shuman and Steve Prunty (a local real-estate attorney) to go over information that should be shared with the residents at the meeting. Patty stated that:

- MLPOA chartered with the Secretary of State on September 21, 1987
- Every homeowner should have a copy of MLPOA declarations and covenants, as every property owner is a member of the MLPOA.
- MLPOA, as operated by a board consisting of Stephen Shuman and Claire Hawkins, could have assessed fees at any time.
- Mr. Shuman does not know how long he will continue to pay for snow removal, mowing and electric. He states that he is not responsible for, and will not pay for road improvements/maintenance.
- By 1997, 75% of the parcels/lots in Meadowlands were sold. At this point, Mr. Shuman's rights to control the board were eliminated. Unit owners were legally obligated to elect a board and officers. Mr. Shuman was under no obligation to call a meeting. At this point it was up to the property owners.
- The declarations and covenants state that property owners are responsible for upkeep of all common elements (roads). As of 1997, it was up to the property owners to elect a board and officers, and assess fees for maintenance.

Several members had questions after learning the information shared by Patty H. Questions included:

- “Are we required by law to have officers?” and “Are we liable for any accidents in the development after the board is elected?” Patty H. responded that, in accordance with the declarations and covenants, we are required to elect 6 property owners to the board. Once elected, the 6 members will decide and vote on who is taking which position. As far as the liability, the current policy held by Mr. Shuman will be transferred to the new MLPOA board. The board may decide whether to keep that policy or look for a new one.

Paul K. explained his research on the covenants and declarations as well as the budget. He acknowledged that he had made a mistake in the wording, and that no budget would be ratified at this meeting. The budget he worked on will be given to the newly-elected board to review. Discussion on budget followed:

- The newly-elected board will adopt a budget. A letter will be mailed to property owners 14 days prior to voting on said budget.
- Louis Smith asked if the budget could be discussed by property owners before voting to pass. Patty H. stated that board members are not required to discuss budget with property owners before passing it. This is in accordance with the current MLPOA declarations.
- Paul explained the costs of snow removal fees, electricity and road maintenance. He noted that, to date, no money has accumulated to pay these fees.
- A property owner (?) asked about the \$200 fees paid by property owners when they close on a property in the development. Paul explained that at \$400/trip for snow removal, it would certainly not take long to deplete that money.
- Rob Acciavatti asked if Mr. Shuman has indicated whether or not he would pay for snow removal for this upcoming winter. Patty H. said that he has not made an official statement, but that he is not hostile toward the development.
- Amir Mohammadi asked if anyone will be talking with Mr. Shuman after the meeting and if he (Mr. Shuman) had representation at the meeting. Paul K. stated that, as a board member of the MLPOA and board member of the Meadow Land Development Corp (MLDC), Mr. Shuman is entitled to (and will receive) minutes from the meeting.

Louis S. stated that he believes we should no longer depend on Mr. Shuman's generosity, and made a motion to continue with the agenda and begin the process of electing a board. The motion was seconded.

Before voting could occur, Frances Hollinger proposed a motion to nominate a board, but hold elections at a later date. She felt this would give the property owners the opportunity to get to know the candidates before voting.

After much discussion, the first motion was voted on. With 38 votes to pass the motion, the property owners decided to begin the process of electing a board. Paul K. asked any property owners interested in serving on the board to introduce themselves. The following residents expressed interest in serving on the board:

- Heather Billings--3409 Laurel Ct.
- Paul Kritschgau (nominated by a property owner Mark Sperow)--3306 Darrah Ave.
- JoAnne Fairbanks 3107 Sylvan Dr.
- John Quaranta--3112 Sylvan Dr.
- Liz Shaeffer--3317 Darrah Ave.
- Andrew Morgan--3207 Lemley St.
- Adam Heller--3417 Darrah Ct. Although not present, Mr. Heller had prepared in advance a letter expressing his interest in serving on the board. The letter was read by Paul K.:

I write this message with a little hesitation because I don't want to create any further debate within the Meadowlands community. However, due to a planned vacation we can't make the meeting on Sunday. While my wife and I support the idea of moving to a resident controlled

community association, we hoped the process would unify the neighborhood rather than divide. Perhaps a slightly more methodical process of transferring control where a resident board is elected first and then develops a budget and presents a reasonable assessment would gain more resident support than trying to establish everything in one meeting.

However, regardless of how or when a resident board is elected to control the Meadowlands community association, I would formally like to voice my interest in volunteering for a treasurer or member-at-large position and serving the Meadowlands community. I'm a Certified Public Accountant (CPA) licensed in WV and the Manager of Accounting for the WVU Foundation. I have experience in all the regulatory and tax requirements that currently exist for non-profit entities. I routinely develop, monitor, and manage the budgeting process in my current role with the Foundation.

I plan to have my wife post this note on Facebook (I'm not cool enough to have my own account) and will send it to the meeting organizers at meadowlands.wv@gmail.com. If elections are held on Sunday 8/3, I am hopeful someone will voice my interest in serving on the board. I think it also may be beneficial if minutes or summary could be posted on Facebook and sent to residents not able to attend. My email is listed below...Thank you!

Thanks for your consideration,

Adam Heller, CPA

3417 Darrah Ct – ar.heller@yahoo.com

Brad Wright made a motion to vote on candidates this evening. The motion was seconded. Thirty-three property owners present voted to proceed with voting.

Ballots (prepared in advance by Paul) were handed out, and property owners voted for the six members they would like to see serving on the MLPOA board. Three property owners not on the ballot volunteered to tally the votes. Results of the voting:

- Heather Billings (39 votes)
- Adam Heller (55 votes)
- Paul Kritschgau (36 votes)
- JoAnne Fairbanks (43 votes)
- John Quaranta (54 votes)
- Liz Shaeffer (48 votes)
- Andrew Morgan (53 votes)

The six members elected to serve on the board are the six with the highest number of votes: Heather B., Adam H., JoAnne F., John Q., Liz S., and Andrew M.

A motion was made to hold the next MPLOA meeting on August 25, 2014. The motion was seconded, and a vote by the property owners passed it.

A motion was made and passed to adjourn the meeting.

Minutes prepared by Susan Chipley