

BMPOA Monthly Board Meeting Minutes: February 13, 2023

Minutes recorded by Secretary Patrick Patton

Board Members Present: President Joe Giordano, Treasurer Mike Veasey, Secretary Patrick Patton, Directors –Harry Davis, Carl Herz, Erica Santana

Board Members Absent: 1st Vice President Jim Critcher, 2nd Vice President Jonathan Morrison, Director At Large David Cook

Total Number of Membership Present: 15 - 6 Board Members, 8 Members at Lodge, 1 member via Zoom

Items of discussion: President Introduction, Previous month (January 2023) BMPOA Board Meeting Minutes, Financials, Roads, Recreation, the Dam, Committee updates, any old or new business and any membership questions/open forum discussion.

President Call to Order/Opening Remarks

President Giordano (Joe) opened the meeting at 6:01pm welcoming everyone and informing them the meeting was being recorded via Zoom and read the required opening remarks. He then turned to the secretary for meeting minute approval.

Previous Meeting Minutes Approval – Secretary Patrick Patton

Patrick informed all Board members he had requested their review via the emails sent to them for their review of the January 2023 meeting minutes. As copies of the Minutes were made available to all Board members for review prior to this meeting with revisions made and reviewed again, he made a motion that, in lieu of reading the minutes, a vote for approval/disapproval happen. The motion was seconded and approved. The minutes will be posted on <https://bmppoa.org/board>. President Giordano then requested the Nominating Committee report.

Nominating Committee Report (Treasurer Mike Veasey)

Mr. Veasey informed us of the Board key position vacancies requiring election in August, 2023: Vice President, a Secretary, a Director At Large, and two people to serve on the nominating committee. Additionally, we need personnel interested in chairing the Roads Committee, Arbitration Committee, and Recreation Committee. The Roads, Arbitration, and Recreation positions are appointed by the Board. Also, the current Treasurer is looking for a replacement to train as he may be stepping down at the end of his 2024 term. An announcement was placed on the bmppoa.org home page titled 'Board Position Openings' and has received only one response from prospective candidates. Dan Zeeman requested information on the Treasurer position which Mr. Veasey provided. Dan thanked Mr. Veasey. Erica Santana asked what would happen if no one volunteered to be treasurer. The answer was a requirement to hire a Certified Public Accountant to do the work, but we still must have a Treasurer that the CPA would be working for. That ended the Nominating Committee Report. The President then asked for the Financial Report.

Financial Report (Treasurer Mike Veasey)

The BMPOA Treasurer, Mike Veasey presented the Treasurer's Report for January 2023. All reports are in the 'Board' section of <https://bmppoa.org>.

BMSD: We have \$154,157 in checking, \$63,879 in reserve for assets of \$218,036. Income this month was \$64,635 from the Warren County distribution of Sanitary District fees. We had expenses of \$9057. Expenses are shown in the 'Feb 2023 BMSD Financials' file.

BMPOA Monthly Board Meeting Minutes: February 13, 2023

BMPOA: We have \$54,164 in checking. This month we have had income of \$1,500 with a total income of \$8,302 this FY. Expenses totaled \$355. See the Feb 2023 BMPOA Financials file for details on the funds report, He informed us that the annual audit for last year was turned in to Warren County. Mr. Veasey asked if there were any questions. There were none. He informed everyone they can always contact him if they have any questions or would like to see the financial reports.

Warren County Audit: Mike informed us of the results of this audit. The only finding is the same finding we have had for the last 12 years: The person that accepts the work and approves the work should not be the person who keeps the books and writes the checks. This should be a three-person division of labor. Currently, BMPOA has one person who accepts the work, and the Treasurer who keeps the books and writes the checks. The auditor said that is not a mandatory item to fix. It is up to the Board of Directors to decide if they want to fix it, or keep things the way they are. The Board decided to keep things the way they are. By request, Mike will have Sarah put a note in the Financials section of bmpoa.org stating that says Reports such as Audits are available upon reasonable request.

Letter of Thank You from the Warren County Sheriff's Department: We received a Thank You letter for the \$250 BMPOA donated to the Youth Drug Education Fund.

Roads Report (Carl Herz)

Carl informed us the Roads Committee is in need of volunteers. The committee is working on pothole repair and ditch cleaning starting in the next few weeks.

Public Safety Report – (Dan Zeman)

Smoke and CO2 Alarm Detectors: Senie Byrne made a request to ensure Smoke and CO2 Alarm Detectors be installed immediately per Virginia and Warren County law.

Security Cameras BLUF: President Giordano informed Dan that, since there has been no movement on ordering cameras after Board approval of \$2500 at the January 2023 meeting, we are going to get quotes on professional installation and then make a decision. A long discussion ensued; however, the President's statement was final. Mr. Veasey reminded the Board and members what he had said in two previous meetings. He stated there are 4 ways to purchase the camera set (or any BMPOA approved purchases) and be reimbursed by the BMPOA Treasurer: 1 – Purchase out of pocket and provide receipt to the Treasurer; 2 – Have the company send an invoice to the BMPOA P.O. Box and the Treasurer will pay it directly. 3- Provide the Treasurer the actual cost including taxes and the treasurer will provide the purchaser a check with the authorized amount. The purchaser must then provide the Treasurer the receipt. 4. Last resort - If the purchaser doesn't know the exact amount but can provide a good estimate, the Treasurer will provide a signed blank check. The purchaser will put the correct amount on the check and send it to the company. They must then provide the final receipt of the purchase to the Treasurer.

Recreation Reports (Chairman Jonathan Morrison)

- **Lodge:** Jonathan could not attend. No report.
- **Deer Park Recreation Area:** Chairperson Dan Zeman informed us that there was nothing to report, however, when the weather is good, he will be asking for volunteers on Sundays.

Lodge Access Report (Dave Cook)

BMPOA Monthly Board Meeting Minutes: February 13, 2023

Dave Cook was unable to attend the meeting. However, he informed President Giordano he did not have any updates from last month.

Membership Committee (MC) (Beth Herz)

Beth could not attend the meeting. No report.

Legislative and Public Relations Committee (Kris Nelson)

Kris informed us the Warren County Assessment is still in process as they haven't decided what the new rate will be.

Arbitration Committee (Currently No Chair)

President Giordano informed us there was no committee Chair and stated if anyone was interested to please contact him.

Architectural Review Committee (Jim Critcher)

- ***Vinyl Siding Usage:*** Jim was not at the meeting, however President Giordano personally believes we should approve requests for vinyl siding. Patrick (member of ARC) explained Jim's reasoning that the ARC will not approve vinyl siding when requested. Per Jim's email, although there are numerous houses with vinyl siding, as the ARC, when asked, and IAW the BMPOA Covenants, we do not approve vinyl siding for new houses. Wood siding or a composite wood-look product such as T-111, composite siding such as Hardiplank, LP Smartside, etc. are what should be used. We encourage the latter because of its fire-retardant properties and insect and woodpecker resistance. *NOTE: ARC research with the Federal Emergency Management Agency (FEMA) after the meeting supports current BMPOA covenants not allowing vinyl siding. FEMA's guidance states: ??????*

Covenants Enforcement Committee (Billy Orndorff)

Billy introduced himself and informed us that he will not be policing the neighborhood. When complaints come in the first things we look at are: does it affect the property values; does it interfere with the quality of life; and does the violation fall under Warren County law. Billy will first talk with the person submitting the complaint to ensure he understands. Then he will contact the individual to attempt to resolve the issue without any written letters/notices. If one-on-one contact cannot resolve the issue, a letter/notice would be sent. If that doesn't work and the issue falls under Warren County law, Billy will send a request to Warren County.

Billy told us that Brian Elder has volunteered to help him with CEC complaints. Everyone cheered for Brian.

Covenant Review/Modernization Status (Erica Santana)

Erica's committee's research found there is a lot of inconsistency with the identity of the association. The research left numerous legal questions that should be resolved by a lawyer to ensure the covenants are proper and easily understood. To resolve the issues, Erica made a motion for the CRMC to get an attorney who would provide a legal memorandum clarifying every covenant concern. She has reached out to a couple of attorneys asking for a Consultation quote. They would not provide that stating they would have to put together some type of package. She will continue researching for good cost estimates. The motion was tabled in that the Board needs a cost estimate before reviewing the benefit and approving or disapproving the request. Erica requested access to the Lodge files as she was told the original Articles of Incorporation for Blue Mountain Inc. may be found. Patrick

BMPOA Monthly Board Meeting Minutes: February 13, 2023

volunteered to assist her and they set up a date. As the Bylaw Review/Modernization Committee (BRMC) has the same concern about what BMPOA can actually do/accomplish, Erica asked everyone concerned to email her with specific questions that need a legal review. Everyone agreed this was a good move. More to come at the March meeting. However, there are 2 temporary residents that expressed interest in joining the CRMC. Erica is talking with them and will let us know next month.

Bylaw Review/Modernization (Kris Nelson)

Kris informed us that she had talked to an attorney about amending the Bylaws and Covenants. She stated that the Articles of Incorporation (Aol) will always trump the Bylaws and believes we may need to amend the Aol. No matter what, there are so many sections in the Bylaws with unclear wording that need legal advice. She will be sending Erica questions, after she invites members and committee members to a discussion on what the questions would be. She will be contacting them over the next month. More to come next month.

Deer Lake Reports

- **Lake Operations:** Mike Veasey said there was nothing to report. President Giordano stated we will be looking for a security company to monitor Deer Lake. Senie Byrne asked if a motion would be made to monitor the lake 24/7 as most of the issues happening at the lake happen at night. President Giordano said we can poll the community by putting something on bmpoa.org and the BMPOA Facebook page. Harry will put that request in the Spring newsletter.
- **Dam Maintenance:** Carl had nothing to report.

OLD/FOLLOW-UP BUSINESS

- **BMPOA Newsletter (Harry Davis):** Newsletter was published and mailed. We've only gotten 6 undeliverable so far. He apologized for the mistake of putting Jim Critcher's name as 'Jin'. Senie Byrne complained her name was incorrect in the mailing label. Patrick explained that, per the email conversations between her and him, the mistake has been correct for future mailouts. Harry will be working on the Spring Newsletter to be mailed out the last week in April or the first week of May. The mailout will include BMPOA Recreation Passes. Everyone at the meeting applauded Harry saying this was the best BMPOA newsletter they had ever seen.
- **Vehicle Left on Road Causing Hazards (Senie Byrne):** President Giordano asked if there was still a problem. Senie said her fingers are crossed as it hasn't been there lately.
- **Company Burning Trees –** President Giordano informed us there has been no other burning and this issue is closed. He said if you see any burning call the County as they work those issues.

NEW BUSINESS

- **Firewise VA Community Hazard Mitigation Grant Program (Patrick Patton & Jim Cook - BMPOA Firewise Coordinators):** Patrick states he and Jim Cook met with the Virginia Department of Forestry on February 7th. The meeting provided guidance on how to get BMPOA to an ACTIVE status with the USA Firewise Program. Once we are ACTIVE we can request grant money for our deadwood chipping efforts. Jim stepped in and stated we are trying to get Fire Suppression Tanks put in too, and

BMPOA Monthly Board Meeting Minutes: February 13, 2023

would like to see if the dead-end roads on the mountain can be turned into roundabout cul-de-sacs for emergency vehicle turnaround. There are 2 goals for these requests: 1. Mitigate fires. 2. Lower your house insurance rate. The tanks, as well as the removal of deadfall, may get the Insurance Service Organization (ISO) to reduce our current high fire risk level by 1 or 2 points. We are currently at the highest risk rate of 9. The BMPOA 2023 Spring Wood Chipping Plan will include guidance on what members must provide to Patrick or Jim in order to meet the USA Firewise activation requirements. Any member wishing to have one of the 3 tanks placed on their property should contact Patrick or Jim. Jim provided Patrick several additional departments/companies that may provide grants for the tanks. More to come in March.

- **BMPOA 2023 Spring Wood Chipping Plan** (Patrick): The plan is to have the contractor start chipping in April. All member actions are on the bmboa.org home page.
- **Lodge Usage Sunday Baby Showers** (Morgan Fox - Lodge Coordinator): Morgan requested approval of having Baby Showers on Sundays. This will increase income to BMPOA charging \$1,000 per shower event. The Board approved the request with the stipulation that BMPOA member requests are priority, and Lodge cleanup is also a priority. Kris said her committee is planning Member days on Tuesdays and Thursdays. Morgan will get the Lodge calendar on bmboa.org in a PDF and have someone put it on Facebook.

Open Forum (President Giordano)

- **Smoke and Fire Detectors at the Lodge:** Senie Byrne asked what happened to the request for Smoke and Fire detector placement in the Lodge. President Giordano said we will get them put in.

Meeting Adjournment (President Giordano)

President Giordano asked if there were any other items for the Open Forum. There were none. The meeting was then adjourned at 7:30pm.