

Wintergreen Property Owners Association Inc.

Minutes September 4, 2019 –1:30 PM Community Offices Building

Members Present:

Karen Asher
Joe Ely
Jim Wright
Larry Luessen
John Coy
John Claman
Tom Steele
Rod Kessler
John Coy
Mark Fischer

WPOA Staff

Jay Roberts
Theresa Harris

PO Observing

Bill Gatewood

1. The meeting was called to order at 1:36 PM by Jim Wright, President, WPOA.
 - a. Review Agenda-Approved

2. Mr. Coy moved to accept the minutes from the June 18, 2019 Meeting

Second: Asher Carried

3. Mr. Coy gave the **Treasurer's Report** and Presented the 2020 Budget
 - a. Our Accountant is still working on the Audit for year-end 2018. The 2018 financials are much more "complicated" than prior years. Jay has been in close contact with their firm and the tax attorneys. Jay will report later.
 - b. The third quarter of the budget shows line items within budget.
 - c. The most expensive part of the year is upon us with road maintenance. These expenses will show up over the next few months as surface treatment and asphalt is underway.
 - d. The last phase of Annual Assessment collections are under way with the filing of 56 MEMOS of LEIN for unpaid 2019 Assessments. (Average for this time of year)
 - e. The 2020 Budget request for an increase of 1% in the Annual Assessment rate was presented. After discussion regarding staffing and the proposed budget:

Mr. Claman Moved to approve the 2020 Budget with a 1% increase in the Annual Assessment Rate, as presented.

Second: Asher Carried

4. Executive Directors Report – Jay Roberts

- ARB – approximately 60 active projects – 4 new homes on ARB agenda for this week.
- Owner D-base migration to new platform is 99% complete, we are fine tuning now.
- Hawes suit is ongoing. Trial is scheduled for September 27th in Lovington. We will be asking the Judge to satisfy the entire amount, not just the delinquent portion.
- WPD still on track to move away from Alpha and use same law enforcement software platform used by NCSO (late in 2019 or early 2020)
- Assessment delinquencies normal – 56 memo of liens to be filed, a few have paid in full – similar #'s to previous years.
- Cross utilizing staff, finding efficiencies and looking for ways to improve service - ongoing.
- 2018 audit is nearing completion, Theresa is working on scheduling this review.
- Working with John James and Doug Coleman to design and build a native plant area at COB and to utilize many native plants in the improvements underway along Wintergreen Drive. Native garden will help ARB educate owners when building homes or improving landscapes. Goal is to have landscapes include no less than 50% native plants going forward.
- Work on the “Dunlop Safety Plaza” at Tuckahoe to begin very soon
- Coordinating road resurfacing after CVEC completes installation and during windows where VDOT is not doing work remains a challenge.
- Additional Asphalt work will be done on Pedlars Edge Drive and Rodes Valley Drive from Monocan intersection to Rodes Farm Drive intersection.
- Pool season is winding down quickly. Increased complaints this year related to overcrowding of facilities and guest of owner (VRBO) type use. More discussion on this in New Business

Update from Mitchell Barker-DD Roads & Infrastructure:

- Tree work, ditch work and mowing ongoing.
- Leaf removal will begin with blowing ditches and leaf vacuuming in the worst areas once leaves have fallen.
- Plunge trail work complete with the exception of 2 posts and replacing Locust railings. Trail is open for use
- Replacing signs and staining fence posts ongoing. Signs being replaced include cart crossings, curves, yield, speed limit, etc.
- Recycling dumpster pad at Wintergarden is almost complete. Relocating light and new signage is part of this project.
- Painting at Chestnut Springs complete. New tables in the works for the pavilion.
- White fence SC entrance painting and board replacement complete for a second time...

- Additional pavement overlay planned for Rodes Valley from Monocan to Rodes Farm Drive. Surface treatment almost complete in the valley, work on the mountain will begin once valley is complete. Reminder- we are completing 1/3 of roads, full width, no patching. Normal complaints coming in about this work – gravel, tar, inconvenience, lack of need, etc. A few mailboxes were damaged, and these are being repaired. We are addressing problems as they come up.
- We continue to meet with owners about tree view cutting. We are trying hard to maintain a balance between enhancing property while protecting forest and other negative impacts.

Update from Curtis Sheets- Chief Fire & Rescue:

- Strategic Plan is 95% complete.
- Search continues for a full-time firefighter/medic.
- Rescue Squad Fund-Drive packet is complete.
- New Cardiac Monitors In Service.
- Currently surveying and correcting any hydrant reflectors.
- Working with 12 municipal HR managers in our region to compile compensation data. (annual task)
- Preparing grant request to replace one 12-year old ambulance and 32 air packs.
- Staff has been training for climate-change challenges. (aka water rescue)
- Facebook about to crest 4,000 followers. We continue to use this to celebrate the community.
- Interoperability upgrades between Nelson Dispatch and Wintergreen Dispatch approved and on order.
- Plans for exit parcel, Station 1, Dunlop Safety Plaza, and message signs for both stations have been revised/improved.

Update from Dennis Russell-Police Chief:

- Fourteen (14) reported crimes for 2019.
- Bear sightings have increased working with Mitchell to discover humane deterrents.
- Working in concert with the Executive Director on lawful approaches to reduce, identify and deter motorcycles visiting the community.
- Rethinking our approach on conducting DePop operations to include weapons systems and suppressive equipment. So far, 73 harvested this season.
- In the process of hiring a new police officer with over 20 years' experience with another law enforcement agency.
- New cameras operational at Stoney Creek entrance. Working to get remote viewing established.
- Fall Qualifications both day and night firing scheduled for October.

- Mock Accreditation Assessment conducted with outside assessors. Received positive feedback to prepare us for our final assessment in December.
- Recent concerns reported over coyotes in the Valley resulted in conversations with Nelson County and Augusta County Sheriff Offices, Animal Control and Game and Inland Fisheries. When DePop resumes we will collaterally take coyotes should the opportunity present itself.
- RADAR Trailer set up on Laurel Springs Drive near Lady slipper based on customer reports of speeders.
- Ordered an Electronic Speed Control Sign to be set up on Wintergreen Drive near Fortunes Ridge as a reminder of reduced speed (25 MPH).
- Annual Valley Yard Sale; assist with traffic flow and parking.
- Continuing the process to join the Sheriff's Office with a new Computer Aided Dispatch (CAD) System. Multi-year system will be online October 2020.

ACP Update:

- Very quiet, however, ACP has visited the site on a few occasions and remains committed to the project. I expect a visit soon to discuss Fortunes Ridge Drive and the tight left turn toward Fortunes Point. Should the pipeline be built, ACP will need to widen this turn slightly for truck access.
- Trees are expected to remain on the ground until Dominion is permitted to remove them and start work.
- ACP settlement funds will be discussed during the committee update
- FERC legal update will be discussed during the committee update.
- Curtis Sheets remains active on the BRP access issue. Recent Richmond Times Dispatch article highlighted the "slide" along the fire road.

5. Committee Reports and Updates

- a. Mr. Roberts gave the Carbon Credit update. Forestry has been here identifying plots. Jay is working to make sure they are exclusively on WPOA property. Chandler updated Jay on the property boundary finalization, buyers' interest, and a path forward. Mr. Coy requested criteria on pricing.
- b. Tuckahoe Clubhouse Committee: Karen Asher reported the Flea Market will be on Saturday, September 7, 2019. Set up/donations received 9/6/2019. There is a drainage problem in front of the building during periods of heavy rain. Jay will check with Maintenance regarding the parking lot lights.
- c. Nomination Committee: Chair Claman and the committee have a slate of officers for November. There are six candidates running for the two open positions. Ballots will be mailed the end of September.

- d. Mr. Luessen gave the Nature Foundation Report from the August 24, 2019 meeting. Mr. Justice's organization still owes \$15K plus penalties on the Conservation Easement Management Plan. The Endowment Campaign is under way with a goal of \$4M. There is a tentative \$1M matching gift 500/500K endowment. The Golf Tournament is this Friday, September 6, 2019.

Mr. Wright called the board into **executive session** to discuss legal tax opinions from Skeen Law firm and our Accountant, Monfalcone & Garris. Jay outlined major tax implications without spending guidelines and a tax reserve.

Returned to regular session.

- e. ACP Legal Committee/FERC Suit:

Our Attorney, Carolyn Elefant, filed final briefs against FERC and has worked with JSS to prep for possible coming oral arguments.

Request for additional \$5000.00 for Friends of Wintergreen's counsel, JSS, to help Carolyn as she prepares.

Mr. Ely made following motion:

A second request of \$5000 will be added to the FOW legal expense budget bringing the total not to exceed \$40,000.

Seconded: Luessen

Carried

Abstained: Claman

5. Mr. Wright called for **the Resort Update**. Rod reviewed Labor Day weekend and deemed it a success. The Fall 2019 forecast looks good. The Sound of Music starts 9/5 and runs for a month. An October Fest is in the works. An HR Director and a Membership Director have been hired. Other internal promotions have been announced. An R.F. ID. System is being installed and will be a game changer for ski and soon other membership uses.

6. New Business:

- a. Jay requested approval to proceed with the Laurel Springs Exit Road and site work for a tentative building at this location.

Mr. Steele moved to proceed with site and road surface work at the Laurel Springs Exit.

Second: Coy Carried

- b. Jay requested approval to restore pass ability of the Laurel Springs to Peggy's Pinch back county road where it was closed by a land slide during the heavy rains this past Spring.

A picture of this area was shown on the front page of the Richmond Times Dispatch as part of an article regarding the Hurricane Camille 50th commemoration. This is the only other way to exit the Mountain and Jay would like to at a minimum repair so an ATV could use.

Mr. Claman moved to proceed with the repair of the Laurel Springs back country road.

Second: Luessen Carried

- c. Jay and the Nelson County Administrator, Steve Carter, are in discussions regarding trash and recycling at Wintergreen. Particularly the Resorts contamination of the mixed paper bins. Nelson County wants the Resort to stop using these bins immediately, as they are having to be taken to the landfill instead of recycled. Cardboard is the issue and cannot be put in the mixed paper bin by any user. Talks with Rod and the County will be ongoing.
- d. Jay shared a series of emails regarding overcrowding at Chestnut Springs Pool this year that is a result of increased AirBnB activity. After much discussion the options will be discussed again in early 2020.

7. **Old Business:**

- a. Jay discussed the HOA act regarding sharing of owner information. Public tax records show an owner's name and address. This is the only information Jay and the board feel we should share to inside entities. Jay will draft a policy to present to the board.
- b. Mountain Entrance Improvements are under way to make it a more park like appearance upon arrival to the property. The Stoney Creek Entrance was improved this Spring and we are looking at an upgrade to the sign.
- c. Wintergreen Overlook was surveyed and a discussion going forward how to be improved, as it belongs to The Nature Foundation. This should be deeded back to WPOA in order for WPOA to proceed in making it the show place it should be.
- d. Village to Village-Karen gave an update. It is a program to keep people in their homes longer with volunteer help. They have given out the first 100 surveys to Mountain residents and will survey the Stoney Creek owners next.
- e. ARB – Fox Run update-The house is being built as approved by the ARB. Jay and Jim met with the adjoining owners. Jay also met with the contractor.

- 8. Mr. Wright **adjourned** the meeting at 3:55 PM.

Next scheduled meeting:

November 9, 2019 9:00 AM Annual Meeting in the Skyline Pavilion, followed by Organization Board of Directors meeting.