



# SHEHOA Newsletter

March 2016

Volume 2, Number 1

## In This Issue

- 2016 Executive Board Meeting Schedule
- Election Results
- SHEHOA Website News
- Agreed Upon Procedures
- 2016 Budget
- Birthdays and Anniversaries
- Spring Cleanup

## SHEHOA Executive Board and Officers

**President:** Miya Brown

**Vice President:** Jane Carter

**Director:** Holly Brewer

**Treasurer:** Donna Miller

**Secretary:** Jody Yager

## Property Management

Property Management People, Inc.  
[www.pmpbiz.com](http://www.pmpbiz.com)

**Community Manager:** Richard Sussmann  
([richard.sussmann@pmpbiz.com](mailto:richard.sussmann@pmpbiz.com))

681-252-0214

## 2016 Executive Board Meeting Schedule

Executive Board meetings for 2016 will take place bimonthly, every third Tuesday at 7pm. The first upcoming meeting is scheduled for Tuesday, March 15 at 7pm at PMP's Kearneysville office (340 Edmond Rd, Suite E). Upcoming meetings will take place on May 17, July 19, Sept 20, and Nov 15. Mark your calendars! All homeowners are invited and welcome to attend.

## Election Results

At the January Lot Owner's meeting, Holly Brewer was elected to fill the vacant board position. Due to Article 5, Section 5 of the SHEHOA Covenants, the HOA was not able to include all votes cast. As an independent contractor, PMP was asked to remove votes that were cast by neighbors in arrears and made the final vote count. Only one vote was removed, and it did not change the results of the election. Congratulations, Holly!

## SHEHOA Website News



It has been brought to the board's attention that the log on process for the current HOA website is unsecure. The board has reached out to the current web developer to seek a more secure login, but the current developer does not offer the security needed. As a result, the current HOA site ([www.SpruceHillEstatesHOA.com](http://www.SpruceHillEstatesHOA.com)) will be removed by Monday, March 7. If there is information you need on the site, please access it before that date.

Because PMP offers a secure login on their website (<https://myaccount.pmpbiz.com>) and will host all important HOA documents, the Communications Committee will develop a site using WordPress that does not require a login. It will be informational only to ensure private information cannot be compromised. If you are familiar with WordPress and can help out, your knowledge would be greatly appreciated. Please contact Holly Brewer at [hollybrewer136@gmail.com](mailto:hollybrewer136@gmail.com).

## Upcoming Events

### Executive Board Meeting

Tuesday, March 15 @ 7pm  
PMP's Kearneysville Office  
340 Edmond Rd, Suite E  
Kearneysville WV

### Spring Cleanup

Saturday, April 9  
(time and details TBD)  
Spruce Hill Estates common areas

## Reminders

- Pay all outstanding dues ASAP! You can log on to <https://myaccount.pmpbiz.com> to view your account and pay online. You may also mail payment to PMP. See above website for details
- If you'd like to join a committee, please contact the board
- Please remove all exterior Christmas decorations ASAP. Spring is coming!
- If the HOA doesn't already have your email address and you'd like to receive newsletters and updates electronically, please contact SHEHOA's property manager, Richard Sussmann. See his contact info on Page 1.

## Spring Cleaning for the Exterior of your Home

#1: Inspect the exterior walls of your home, looking for signs of winter damage such as splitting wood, peeling paint, mold, etc.

The property manager will notify members when the new site is active. The web address will be the same, so there is no need to remove bookmarks. Documents for SHE residents only will be found on the Property Management People website, linked above. You should have received a letter in the mail in early January regarding your personal login information for that site. If you need additional information/assistance, call PMP at 681-252-0217.

## Agreed Upon Procedures

The accounting firm Ours, Lawyer, Lewis & Company, PLLC (see their website at <http://www.oll-cpas.com>) has completed their review of the Association's financials. They were not able to perform a complete Agreed Upon Procedures review due to missing documents and illegible handwriting, but the final report will be released to the Board very soon. Per the accountant's advice, all future financials will be maintained electronically with paper back-ups by the management company to improve accuracy and make it easier for future audits.

## 2016 Budget

The 2016 budget was passed by majority vote at the January Lot Owner's meeting. During the meeting, the board received a request to seek legal opinion regarding quorum and voting. The following addresses the legal opinion that the Board received from the Association's law firm, Bowles Rice, LLP.

**Quorum:** During the recent Annual Meeting of the Membership, a question was raised concerning the 60% quorum language in Article VI of the Covenants. Motions were made and votes were taken on various issues pending verification from the Association's attorney to avoid having to spend money to reschedule the meeting if the 60% quorum language did not apply. After researching the Covenants and applicable laws, the Association's attorney validated the votes and provided two separate analyses based on lots purchased before and after the First Amendment to the Covenants was recorded. For lots purchased before March 8, 2004, the following analysis applies:

The quorum requirement set forth in Article VI of the Covenants does not apply to all actions of the Board or the Homeowners Association, but only to "any action authorized under Article IV and Article V" of the Covenants. All other actions of the Association are not subject to the quorum requirement in Article VI of the Covenants, but are instead subject to the quorum requirements in Section 2.12 of the Bylaws (a majority of the directors constitutes a quorum for actions taken by the Board) and Section 3.10 of the Bylaws (the Lot owners present in person or by proxy at the meeting constitute a quorum for actions taken at a meeting of lot owners). The quorum requirements in these two sections of the Bylaws meet the minimum standards required by Chapter 31E, and are therefore valid and controlling. See W.Va. Code §§ 31E-7-724 (quorum of voting members); 31E-8-824 (quorum of board of directors).

The actions which require a quorum under Article VI are: (a) approval of an increase in the annual assessment in excess of 10% under Article V, Section

#2: Got brick? It should be cleaned and checked for water damage once a year.

#3: Clean the windows. If you use them, remove the storm windows. Use screens? Make sure they are dust-free and clean before putting them up.

#4: Check the driveway for cracks or winter damage. Clean steps and driveway with a spray nozzle hose. If moss is visible, pour vinegar on it and scrub.

#5: Inspect the gutters around the house. Remove debris.

#6: Inspect the roof, looking for damage and missing or loose shingles.

#7: Get your deck ready for use. Clean it. If boards on your deck are splintered or worn beyond repair, replace them. Prepare outdoor furniture for use.

#8: Put on those gardening gloves, it's time to weed! If you haven't removed the covers you placed on your shrubs and trees, and are confident you won't have another frost, remove the covers.

#9: Give your garden it a filled-in appearance until it grows in. Sprinkle mulch around shrubs, trees, and flowerbeds.

**Source:**

<http://www.hgtv.ca/outdoor/article/spring-cleaning-checklist-for-the-exterior-of-your-home/>

5; and (b) approval of special assessments under Article V, Section 8, which in addition to satisfying the quorum requirement also requires approval by 60% of the votes present at the meeting. Article V, Section 5 permits the Board to approve an increase in the annual assessment without approval by a quorum of voting members, provided that the increase in the assessment does not exceed 10%.

For lots purchased on or after March 8, 2004, the following additional analysis applies:

March 8, 2004 Spruce Hill LLC and Dan Ryan Builders, Inc. executed a First Amendment to Declaration of Covenants and Restrictions (the "Amendment"), which amended Article V of the original Covenants, including Section 5. The Amendment eliminated the requirement that the Board of Directors obtain the written affirmative vote of two-thirds (2/3) of the members of the Association in order to increase the annual assessment more than ten percent (10%) per year.

## Let Us Celebrate You!



The communications committee would like to acknowledge your birthday and/or anniversary in our quarterly newsletter. If you would like to participate, please send your birthday (or birth month if you prefer) and/or anniversary date to [sprucehillstatesHOA@gmail.com](mailto:sprucehillstatesHOA@gmail.com). We'll compile a list and begin our well-wishes soon. Thanks!

## Spring Cleanup

The Beautification Committee would like to invite neighbors to volunteer to participate in a community-wide spring cleanup day on Saturday, April 9. The inclement weather makeup date will be the following Saturday, April 16. If you are interested in volunteering, please contact Paula Neal at [pnealx2@frontier.com](mailto:pnealx2@frontier.com). More details will be shared via email blast in the upcoming weeks. Save the date!