

Wintergreen Property Owners Association Inc.

Minutes June 18, 2019 –1:30 PM Community Offices Building

Members Present:

Karen Asher  
Joe Ely  
Jim Wright  
Larry Luessen  
John Coy  
John Claman  
Rod Kessler

Telecommunicating

Tom Steele

Not Present

Mark Fischer

WPOA Staff

Jay Roberts  
Theresa Harris

PO Observing

1. The meeting was called to order at 2.01 PM by Jim Wright, President, WPOA.
  - a. Review Agenda-Approved

2. Joe Ely moved to accept the minutes from the April 19, 2019 Meeting

Second: Karen Asher - Carried

3. John Coy gave the Treasurer's Report.

- 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 Executive Committee will meet with the Accountant in July as part of the 2020 Budget process.
- c. Closing in on the second quarter of the budget shows line items within budget.
- d. The most expensive part of the year is upon us with road maintenance. These expenses will show up over the next few months.
- e. The last phase of Annual Assessment collections will begin this week with the filing of 55 MEMOS of LEIN for unpaid 2019 Assessments. (Average for this time of year)
- f. The banking move to Atlantic Union is taking a little longer to finish. The majority of the transition has been completed.

#### 4. Executive Directors Report – Jay Roberts

- Tree work, ditch work and mowing ongoing.
- Plunge trail work complete.
- Rodes Farm Pool exterior siding, trim, exterior and interior painting complete.
- White fence SC entrance painting and board replacement complete. Paint adherence issues are requiring additional work/repainting – in process.
- Community wide signage assessment underway – includes signage replacement, carpentry and painting work and removal of unnecessary signage.
- Paving overlay complete for 2019 unless ACP funds allocated to additional work. Surface treatment scheduled to begin in August. Reminder – 1/3 of roads will be done, full width, no patching. (Mr. Claman asked about the new utility digs along the roadways) Jay explained the “fix”
- ARB – 63 active projects - 36 mtn and 27 in SC
- Owner D-base migration to new platform is 90% complete. Preliminary demo at the end of the meeting
- Hawes suit is ongoing. Hawes property at 492 Black Rock Circle is going up for auction soon. Primary lien amount appears to be approximately \$1.3 million... It is unlikely that this auction will satisfy our 2<sup>nd</sup> position Lien. We have Liens on all of the Hawes property at Wintergreen.
- 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 – 55 memo of liens to be filed.
- 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.

#### Update from Curtis:

- 6 New Cardiac Monitors and 4 auto-CPR devices now in service. Staff completed 3 days of manufacturer training.
- Still working through details associated with getting new attack trucks in service. Getting closer. Main issue; 12-ply tires delivered on trucks. Specs call for 22-ply. We're concerned about weight/legality/safety. The manufacturer will resolve.
- Work on Fire/Rescue Strategic Plan is entering final stage. A draft copy will be shared with WPOA BOD prior to being made final. The leader for this project is Houston Sorrenson. The liaison from WPOA is Jim Wright.
- Fire/Rescue intends to collaborate with Wintergreen Resort to hold a "virtual open house" on the slope behind the Mountain Inn on July 4th. We feel we can draw attendance for the Resort's activities and likewise they can draw attendees to us.
- SIREN Test scheduled for June 26, 2019 at 10:30 AM. It SHOULD be loud.
- There have now been 3 fires in Blue Ridge Commons causing significant damage to kitchens. Working with Resort HR, WFR is now teaching safety courses monthly to residents of that structure. The goal is to better inform them of safe practices.
- The Rescue Squad was recently awarded "Outstanding EMS Agency" for the Thomas Jefferson region. Mike Riddle was named "Outstanding pre-hospital educator" and Dr. Wayne Hachey (WRS President) was awarded "Outstanding Contribution by Physician".

- The RS was just awarded 45k in matching grants. Per state guidelines this isn't for public release until after July 1. More information will be included in the RS fund-drive mailing set to go out mid-August.
- Significant enhancements to "Alert Wintergreen" are in progress. For example, owners will be able to simply toggle on/off notices with their smartphone when they are on vacation or out of the area. Additionally, the most severe weather alert, (tornado warning) will push through the system without requiring a WPOA employee to input the data.

**Update from Dennis:**

1. Budget preparation underway for FY 2020.
2. Bear activity has increased in the Blackrock Circle/Three Ridges area. One bear has been marked (paintball) and a trap has been requested through Mitchell Barker.
3. Vacancies: Two Police Officers and One Dispatcher. (Currently posted on Indeed)
4. Since January twelve (12) reported crimes.
5. Removal of Vector Alarm Receiver in progress.
6. Mock Accreditation Assessment for first three terms (2016/17/18) scheduled for July. (this will help prepare us for our final assessment in December)
7. Valley camera project: Rodes Farm complete and operational. Monocan waiting on camera installation (Admin Building exit) and Internet connectivity.
8. Preparing for July 4<sup>th</sup> festivities. (new signage acquired)
9. New police cruisers finished and deployed.
10. House checks audited with new owner database (198 Mountain/108 Valley). House checks are assigned to every police officer in an equitable manner

**ACP Update:**

- Very quiet, however, ACP has visited the site 3-4 times since last BOD meeting. Core drill for VDOT, survey crews, etc.
- 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 email shared current status and efforts to keep pressure on NPS.
- Informal request by ACP to see if WPOA would be open to granting additional ½ acre of temp workspace. Compensation TBD

**5. Committee Reports and Updates**

**Carbon Credit Update:**

**Jay showed GOOGLE EARTH RESEARCH-Parcels shown on our property and some are located on neighboring properties. Jay will have Chandler remove those from our list.**

**ACP Update:** 6.18.19

**Comments from Carolyn about tentative schedule:**

- Moving forward will be a bit of a waiting game. The schedule will proceed as follows:
- FERC's Brief (not to exceed 26,000 words) due June 19, 2019,
- Brief of Atlantic Coast Pipeline (Intervenors for Respondent) (not to exceed 7,000 words) due June 26, 2019,
- Reply Briefs of Petitioners (including WPOA, FOW, Fairway) due July 10, 2019,
- Joint Appendix due July 17, 2019
- Final Briefs due July 24, 2019.
- With this schedule, we are most likely looking at an oral argument date set for early fall 2019.

**Committee Reports and Updates**

- a. Mr. Roberts gave the Carbon Credit Committee report. Forestry is here identifying plots. Jay is working work to make sure they are on WPOA property. See above.
- b. Tuckahoe Clubhouse Committee: Karen Asher – Several improvements in signs and new Two New metal picnic tables placed in service. The Flea Market will be September 7, 2019 this year. Set up/donations 9/6/2019.
- c. Nomination Committee: Claman and Asher have a slate of officers for November in mind. They have several potential candidates for the election, so there is interest.
- d. Mr. Luessen gave the Nature Foundation Report from the April 27, 2019 Meeting.  
To increase community awareness, there was a Tuckahoe gathering for SC residents. Social event with 90 signed up. Basically, to explain what NF is all about.
  1. Doug Coleman:
    - a. Endowment campaign is ongoing.
    - b. Best attendance yet (at this point in time) for Wildflower Symposium (approximately 60).
    - c. Sturts Park: New 350-acre Nelson County Nature Park (near Shipman). \$20.0k has been raised and spent. Need to make all aware of NF projects outside of WG, e.g., signage of NF participation.
    - d. Crawford's Knob: Justice supposed to pay for NF's maintenance. NF has all bills and payments. Trying to avoid litigation.

2. Janet Steven (Science and Education Advisory Committee):
    - a. Emerald ash bore: No treatment available that is effective. Most ash trees won't survive. Look out for dead ash trees – best to have cut down as soon as bore is evident.
    - b. Fringe trees: Like ashes but resistant to ash bore.
  3. Dinner and Auction: June 7 at Bold Rock. Only 15 seats left.
  4. Susan McSwain (Nelson County Report): There was a great ACP presentation (5 presenters) that was videotaped.
- e. ACP Investment Committee: S&R, Public Safety accounts set up with Union, a great rate with fluidity. Committee work on investments is complete at this time. Session to discuss legal tax opinions to be called next.

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Mr. Wright called the board into executive session to discuss tax legal opinions from Skeen Law firm and our Accountant, Monfalcone.

Returned to regular session.

- f. ACP Legal Committee/FERC Suit:

Whereas; Friends Of Wintergreen's counsel, JSS, exceeded budget to add a requested section (discussion of Lyndhurst-Farmville alternative) to the "Initial" brief in our joint WPOA/FOW FERC rehearing suit, and whereas it is desired to retain legal representation for FOW in the next phase of our joint FERC suit,

Mr. Ely made following motion:

An additional \$5000 will be added to the FOW legal expense budget bringing the total not to exceed \$35000. This added funding is subject to the following conditions:

1) FOW will establish management processes with JSS such that FOW is promptly notified of work scope and cost prior to task commencement. Any potential for breaching the new budget limit will immediately be discussed with WPOA before work is started.

2) FOW will instruct JSS to refrain from unwarranted disparagement or criticism of other council's work. All comments and recommendations will be done on a professional basis. Any JSS attorney to attorney issues will be passed to FOW for further resolution by WPOA.

Seconded: Luessen Abstained: Claman - Carried

5. Mr. Wright called for the Resort Update. Rod reviewed at lot of changes/updates in the Discovery Ridge area. New programs/activities and a roll out of a new ski ID that could become a Resort wide member ID. New Director of Lodging hired, Mark Ridge. Fireworks will be held on the 4<sup>th</sup> of July.

6. New Business:

Owner Database update-Jay showed a demo of the database.

Mountain Entrance Improvements and discussion of 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.

Vector Security-History of the old system and why it needs to be taken over completely by VECTOR.

Wintergreen Overlook was surveyed and a discussion going forward how to be improved, as it belongs to The Nature Foundation.

Village to Village-Karen gave the overview and concept. It is a program to keep people in their homes longer with volunteer help. She feels a survey would really help assess the needs.

7. Old Business:

ARB – Fox Run update-The house is being built as approved by the ARB.

8. Mr. Wright adjourned the meeting at 4:37 PM.

Next scheduled meetings:

August 9, 2019 1:30 PM (Budget-no later) Election Year 2 Open Positions-Claman & Asher\*

\*Changed to September 4, 2019.

November 9, 2019 9:00 AM Annual Meeting