

Annual Meeting  
Cacapon South Property Owners Association  
October 29, 2022

Meeting was called to order by Craig Thibaudeau. Introductions were made of the Board of Directors, followed by all owners in attendance.

**Maintenance Report** was shared by Don Brannon. Completed community improvement projects of the past year include: community emergency exit at Wards Lane was graveled, access road to Indian Run treatment plant was cleared and graded, trees on common ground along community roads were trimmed and removed from Indian Run, ruts near entrance at Route 522 were patched. Owners are reminded to look at their own trees and trim any that are hanging over the roadways. Additional work scheduled includes: filling the cracks in roads, hopefully before Thanksgiving and the remaining original guardrails are to be replaced before end of the year or early next spring.

Owners are reminded that maintenance concerns should be communicated to the Board via email at [directors@cacaponsouthpoa.com](mailto:directors@cacaponsouthpoa.com). Culverts under property owners' driveways must be kept clear and are the responsibility of the property owner. Concerns regarding maintenance work should be expressed to the Board, NOT the contractor carrying out the work. As we enter winter and there are concerns over road conditions and snow removal, please visit the website [www.cacaponsouthpoa.com](http://www.cacaponsouthpoa.com) for guidelines and updates.

**Communications Report** was presented by Craig Thibaudeau. The Board has started a quarterly newsletter to enhance information sharing. This is primarily being shared via email to be cost efficient. The website has been updated and there are plans for future enhancements, maybe even a member portal. Thank you to owner Kathy McShea who continues to offer her time and expertise in maintaining our website. Views of the website continue to increase and the Board intends to further promote the website as a single portal for information and governance documents.

**Deer Management Report** was shared by Don Brannon. A group was formed after last year's annual meeting to investigate possible actions that property owners and the community could take in managing deer and then report to the POA Board. The West Virginia Division of Natural Resources representative inspected six lots to understand concerns about potential over-foraging and reported observations and suggestions for what property owners can do to reduce over-foraging. Target hunting is used in some areas but not only is it specifically prohibited by our CSPOA Covenants but our property would not meet Department of Natural Resources standards for boundary marking. The group consensus after multiple meetings is that deer foraging is a property owner's management responsibility. DNR suggestions included: disturbants such as motion sensors and noise/light makers, make plant selections that are less preferred by deer, chemical deterrents, clear cut treed areas to remove deer travel and bedding areas, fencing as currently approved by POA guidelines. Property owners were reminded not to feed the deer as that only increases risks of disease transmission and trains the deer to travel into the neighborhood. The full report from the West Virginia Department of Natural Resources is available on Cacapon South website.

**Architecture Review Committee (ARC) Report** was shared by LeeAnn Brannon. The function of the committee is to apply aesthetic considerations that maintain the high standards established in our community including architectural style, materials and colors, location of houses and appearance of the community in general. Owners were reminded that communication for review and approval from the ARC committee is required BEFORE undertaking a project that affects the exterior appearance of a home including painting, roofing, and/or construction of additional structures, fences, and substantial landscaping changes. It has been a busy year for the ARC with 10 completed projects – 2 homes, 2 fence installs, 1 flagpole install, 1 garden enclosure, 1 new deck, 1 walkway replacement with stone wall. Current projects include 1 new home build, 2 landscaping, 1 fence install, 1 new deck, 1 shed. Recent inquiries include 3 new home builds, 3 sheds, 1 garage, 1 swimming pool. It was noted that information on the website has been updated to include latest ARC guidelines and forms for contacting the committee.

**Financial Report** was presented by Scott DuBoff. Profit & Loss Budget vs. Actual was reviewed. Generally, our accounts are in good order although it has been an expensive year as we addressed some overdue projects such as the emergency exit at Ward's Lane and the still outstanding project of railing replacement. In considering the proposed budget the Board recommends that the lot basic dues remain at the current rate of \$300. However, the road fund reserve lot assessment is proposed to increase by \$100 to a \$300 fee to strengthen the reserve in light of recent expenses.

Discussion included the Board's responsibility to maintain adequate reserves as specified in our By-Laws. History of the road fees was reviewed. The current rate of \$200 has not changed since 2017. It was also noted that culverts in our community may be a large expense in future. The large creek culvert on Montevideo may need to go to concrete at some point and the small culvert on Prado is presently showing signs of stress that will need to be investigated for possible repair. Also, although not a road expense, the owners' previously expressed interest in possible acquisition of the MDG owned lots south of the CS entrance on 522 (which MDG has referred to as "future commercial") was noted, as well as the need for sufficient financial reserves if acquisition becomes possible.

The vote on the basic dues was approved by voice vote. The road fund reserve vote was conducted by roster roll call at the request for an exact accounting. Reference was made to Covenants article IV. 4 which addresses Special Assessments. The vote to increase road fee by \$100 to a \$300 annual fee was approved by a vote of 40 to 9, with each vote representing an individual CS lot or "member". However, a question was raised as to whether the votes of the 49 lots present at the meeting was sufficient. The Board stated they would readdress this outside of the meeting.

**Inquiry on past business** – Deborah Seidel asked what the outcome ever was of the consideration of reducing dues for owners with multiple vacant lots. This topic was under consideration by a special committee several years ago. The Board agreed to report on this topic at next year's meeting.

**Cacapon South Utility Report** was reviewed by Justin Cowles. Snyder Environmental inspects the holding tanks annually. Although paid for from Utility funds, tank filter services are a courtesy. Primary purpose is to check that homeowners didn't uninstall, bypass or remove the filter instead of doing routine cleaning. Utility does a courtesy cleaning and takes a measurement of accumulated sludge and leaves notice if tank needs to be pumped. Owners are encouraged to periodically check their filters and not rely on a courtesy cleaning by the Utility. Maintaining the tank and filter is ultimately the responsibility of the homeowner. Justin offers training on weekends for homeowners who don't know how to check or clear their filters. In addition, it was noted the Enos can be hired to clear filter, as well as Beddow Septic. Justin offered his email as way of contact: [mdgofwv@gmail.com](mailto:mdgofwv@gmail.com) .

**Board of Directors Nominations** There are two nominations for the upcoming vacancies on the Board. Kathy Christian is seeking to fill an upcoming vacancy. She introduced herself and reviewed her experience. Bruce Anderson is seeking a second term and he also introduced himself. These names will be on the ballot that accompanies the annual dues invoice which is payable in January.

**Basic Reminders:** Use the website [www.cacaponsouthpoa.com](http://www.cacaponsouthpoa.com) as your primary source of information. Snow removal conditions will be updated regularly on the website. The 2023 Cacapon South Community Picnic is scheduled for June 3, 2023 but leadership for the event is needed. Contact the Board to volunteer. 2023 Annual meeting is being scheduled with the Cacapon Resort State Park Lodge with the hopes of returning to first Saturday of November. It is not yet confirmed. And please remember to follow the speed limit!

Meeting was adjourned at 11:30 am.

Minutes respectfully submitted,  
Carol Wiles

This addendum was emailed to Cacapon South POA Members on November 9, 2023

Re: Road Fees discussion at annual meeting.

“The Board wants to acknowledge that there was confusion at the annual meeting regarding the Road Fee. When the POA was asked to vote on the Road Fee, the incorrect provision was read aloud from the Declaration of Covenants, Conditions and Restrictions (Article IV.4). The correct provision, however, is Article IV.1, which states that “Association Assessments” are “for the maintenance and improvement of roads, common areas, and the entrance...including taxes and insurance...and for such other expenses as may be approved by a **majority** of the property owners **present and voting** at a **regular** or special **meeting of the CS POA.**” While the incorrect provision was read aloud, the correct provision has been used for a number of years for approval of the Road Fee. In that regard, a substantial majority – 40 of 49- of the lots (or “members”) present and voting at the meeting approved the \$300 Road Fee for 2023. Fee invoices will come out in January 2023.

Following the Annual POA Meeting, the Board gathered to discuss and clarify the confusion at the meeting, and the Board is considering alternatives to clarify and simplify the process for voting on these various fees at our future annual meetings. We hope that this update explains what happened at the October 29 meeting and that you will accept our apology.”