

Mountainside Villas Owners Association
Board of Directors Meeting
March 11, 2017

Present at the Commencement of the Meeting: Ken Roko, Andy Blaher, Frank Spielman, Mary Stracener, Joanne Springer, Mike Kuzma, Beth Tate, Jeff Reid and Wayne Ford.

Representing Management: Jocelyn Carl and Jeremy Grogg.

Committee Members: Evynn Blaher, Stephen White, Bobbie Prees and Rick Sourbeer.

Absent: Thomas Little

Visitors: Melanie Foster

The meeting was called to order by the Board President, Ken Roko. The meeting opened with a motion to waive the reading and approve the minutes from the November 11, 2016 Board meeting. The motion was seconded and approved.

Executive Committee

No report.

Treasurer's Report

Frank Spielman, Budget Committee Chairperson, stated that the members of the Budget Committee include Frank Spielman, Ken Roko, Andy Blaher, Wayne Ford and Bobbie Prees. Mr. Spielman stated that the funds on long-term investments are at a 9-year reserve level and the committee is working on building it back up to a 10-year reserve reinvesting \$30,000 this year.

Mr. Spielman discussed the results of last year's efforts regarding the CEC/Closing process on unpaid accounts. Reporting that efforts of both Meridian and Continental Credit working an account for six months and exhausting efforts to collect the unpaid accounts. The CEC collections report for the month of February 2017 are at 72.51% which is 1.08% below last year. The special assessment collection is at 73.59%. Mr. Spielman stated that the special assessment collection is 1.81% above last year. The statement of operations indicates that MVOA is operating well within the budget. The operating expenses and refurbishment budgets are within the planned budget with refurbishments somewhat below by approximately \$40,000. Mr. Spielman reported that there are 56 unit weeks that are in foreclosure currently, 340 that have been returned from the collection agencies.

Membership Committee

Mary Stracener, Membership Committee Chairperson, reported that the members of the Membership Committee include Mary Stracener, Evynn Blaher and Joanne Springer. Ms. Stracener reported the scores on guest comment cards have been very good this year with Housekeeping 4.6, Maintenance 4.4 and the Front Desk at 4.7 with maintenance and the front desk fully staffed and housekeeping in need of more housekeepers. The committee briefly discussed furnishings that are slated to begin replacement in 2018.

O & M Committee

Andy Blaher, O & M Chairperson, reported that the members of the O & M Committee include Andy Blaher, Ken Roko, Thomas Little, Stephen White and Rick Sourbeer. Mr. Blaher reported that maintenance department is fully staffed. The retaining wall replacement at units 141-145 is in process. There has been a delay caused by finding it necessary to have a soil study completed. New engineering drawings and locating a new contractor that can complete the work according to design.

Manager Report

Jocelyn Carl, General Manager reported that operations are doing very well and individual committee reports were given. We continue to focus on saving money and that a full report would be completed in June to share at the quarterly BoD meeting. Jeremy Grogg reaffirmed that a continual cost savings effort is a focus. MVOA has been rewarded with a Guest Experience Award from Booking.com with only 5% of the locations awarded.

Unit Disposition

Ken Roko, Unit Disposition Chairperson reported that the members of the Unit Disposition Committee include Ken Roko, Mike Kuzma and Stephen White. Mr. Roko reported that the committee did not meet and Unit Disposition would be discussed in New Business.

Great Eastern

Jeff Reid, reporting for Great Eastern, stated that Great Eastern is diligently working to complete Camp Fire Grill that is replacing Fareways Restaurant which will have wrap around decks. Camp Fire Grill will offer 'an experience' to remember. They hope to utilize local foods when possible, tempting your taste buds with items such as; local trout pouches and cast iron s'mores for a sweet ending. They continue to focus on safety and are excited to be planning a new laundry facility to service resort needs with dates yet to be announced for 2018. The construction for the new pipeline for snow making has begun along the roadways in the resort.

Policy Committee

Beth Tate, Policy Committee Chairperson reported that the members of the Policy Committee include Beth Tate, Mike Kuzma and Lance Tate. Mrs. Tate reported on a draft of the MVOA Contracting Policy with details about the process for handling current active contracts, one-time contracts for materials & services and the contract approval process. The committee also discussed the guidelines on policy for when an employee might reach the wage cap for their pay grade. The committee recommended and placed a motion to amend the Merit Pay Policy to include pay grade caps with the current COLA rate. The motion was seconded and approved by the Board of Directors. The Policy Committee also recommended and made motion that the management team annually evaluate the COLA adjustment for those affected by salary caps. The following guidelines for management to follow reads: When an employee meets the Maximum level their wages are effectively “capped”. This must be explained to the employee during the formal review period. Increases for capped employees may only be given under the following circumstances.

- A formal “cost of living” adjustment is approved for the entire salary grade chart.
- A change in the employee’s job classification is made.
- A change in the salary grade for the job classification is approved.

The motion was seconded and approved.

See Old Business for Annual Meeting Date.

Nominating Committee

Mike Kuzma, Nominating Chairperson reported that the members of the Nominating Committee include Mike Kuzma, Beth Tate and Stacy Fulcher. Mr. Kuzma reported that the three board positions currently held by Ken Roko, Frank Spielman and Joanne Springer are up for election in addition to the vacated position from Kenneth Irish resigning from the Board of Directors with a remaining term of one-year.

MPOA Representative

Wayne Ford, MPOA representative, reported that MPOA had a slow winter. MPOA holds their annual meeting in May. Mr. Ford informed the BoD that he will be unable to attend the July meeting for MPOA.

Old Business

A request was made at our 2016 Annual Meeting for the Board to consider changing the MVOA Annual Membership Meeting date if the meeting date fell on Veterans Day.

Beth Tate researched our requirement to change the By-Laws to accommodate such a change, revealing that the date is static according to the current MVOA by-laws (that is, second Saturday in November annually). Further discussion revealed that the Annual Membership Meeting Date and Veterans Day will only occur simultaneously once every six (6) years. The Board decided to keep the Annual Meeting Date the same; that is, the date will continue to be held on the second Saturday of November annually as described in our By-Laws. The motion was made, seconded and approved.

New Business

Management and Board of Director representatives of MVOA met with Great Eastern Resort Corporation on three occasions in 2016. The result of those meetings brought forth a 'Letter of Understanding' between the two organizations. Going forward the agreement provides MVOA stronger financial security and the ownership value protection of the timeshare. The two organizations will be working closely together on Owner Deed backs and Owner Association Lien Foreclosures to accomplish greater financial stability for MVOA. MVOA will refrain from promoting the sale of association owned units. The agreement also offers thirteen different individual services to MVOA and their guests free of charge. The MVOA & GERC representatives will continue meeting twice annually in March and September prior to the MVOA Board of Director meetings as well as review the 'Letter of Understanding' on an annual basis. The motion to approve the 'Letter of Understanding' was made. The motion was seconded and approved.

Mr. Frank Spielman explained details of the annual Independent Auditor's Report highlighting that the Association had a \$20,000 profit last year that was offset by previous year's losses. A motion to approve the Audit was made. The motion was seconded and approved. The BoD held discussion regarding legal fees and will be reviewing those costs. A motion to further review legal costs was made. The motion was seconded and approved.

In response to an owner's concern regarding service animal's management, the BoD investigated MVOA's responsibility and liabilities regarding service animals, as well as the definition of "service animals". Our research revealed:

ADA Service Animals:

- A service animal is defined as a dog or miniature horse that are individually trained to do work or perform tasks for people with disabilities.
- This definition includes psychiatric service dogs that are trained to recognize and respond to psychiatric disability symptoms.
- Service animals are permissible within a unit according to ADA rules as well as *VA. CODE ANN §51.5-45(B)*.
- At the receptionist area, we are only allowed, under ADA rules, to ask two specific questions.
 - Is the dog a service animal required because of a disability? And
 - What task is the dog trained to perform?
- The ADA visitor/occupant may not be charged a "pet clean-up fee"; however, the ADA visitor/occupant is responsible for any property damages that may occur.
- We can require that ADA animals are leashed (which is a VA law).

ESA (Emotional Support Animals)

- Sometimes referred to as "comfort animals," or "companion animals," emotional support animals are animals whose presence alone has a positive effect on an individual with a disability.
- Unlike psychiatric service dogs, ESAs are not trained to perform a task or service. An example would be a dog that is not individually trained to provide a service, but whose companionship helps alleviate its owner's symptoms of depression.
- ESAs and therapy animals are not considered service animals under the ADA.
- This means a ESAs are **not permitted** to go anywhere the public is allowed to go. For example, while a service animal must be permitted to enter a restaurant with its handler, an ESA would not be permitted under federal and state law because it would not meet the definition of "service animal."
- Persons with disabilities may request a reasonable accommodation to keep any assistance animal, including an emotional support animal, in his or her dwelling as an exception to a "no pets" policy.
- For example, the Air Carrier Access Act (ACAA) requires airlines to allow both service animals and emotional support animals to accompany individuals with disabilities in the aircraft cabin
- We will maintain our no pet policy

In General:

- Individuals with service animals and with ESAs must first obtain permission to have the animal in a residence or other places that are not open to the public and do not allow animals.
- S/he must request a reasonable accommodation to the 'no pets policy.'
- In both cases, the service or comfort animal must comply with leash laws.

President Ken Roko formally announced the resignation of Kenneth Irish from the Board of Directors. The BoD will honor Mr. Kenneth Irish for his years of service to MVOA in appreciation of his time, effort and energy at the September BoD Meeting.

A motion was brought forth by President Ken Roko to consider holding the quarterly BOD meetings on Saturdays at 12:00 pm or 11:00 am vs the current practice of 10:00 to offer time for any committees that could not meet on Friday due to personal conflicts and to offer committee chairpersons additional report preparation time. The motion was seconded but did not pass.

President Ken Roko announced a desire to look at streamlining the business processes that will help identify best practices, identify opportunities for improvement, document those processes of the "Board" for future members of the Board and allow members of MVOA to understand what processes are followed in running the business of Mountainside Villas. It supports our desire as a Board to be transparent to our members.

No additional business was brought before the Board. The Mountainside Villas Owners Association Board of Directors meeting adjourned at 12:37 p.m.