

Consensus

Central Virginia Chapter of CAI

Serving Central Virginia and vicinity

CVC-CAI Mission Statement: The Central Virginia Chapter provides education, networking, resources and advocacy for community associations and the professionals and volunteers who serve them.



July 25-28, 2019

The Omni Homestead
Hot Springs, Virginia

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Announcement Policy

Submission of announcements for publication in the CVC-CAI Consensus newsletter is subject to the following guidelines:

1. Subject must be industry related and involve education, certification, changes in employment, promotions, Chapter related news, unusual event news, member related news or similar activities.
2. Only CAI affiliated community association volunteer leaders, management company representatives, individual managers, business partners and other industry related sources will be permitted to submit announcements.
3. Announcements are limited to no more than 60 words per announcement submitted.
4. Announcements must be submitted by the deadlines set for the submission of articles.
5. Second-hand, forwarded or anonymous announcements will not be published.
6. Publication is subject to space availability.
7. The CVC-CAI reserves the right to edit the announcement.
8. Announcements of activities older than 3 months will not be published.

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P.O. Box 5118
Midlothian, VA 23112
sdrayer_cvcai@verizon.net

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GREETINGS FROM THE PRESIDENT

2019 is moving along quickly, I am excited to welcome the arrival of spring if it would stop flirting with us. We all get busy with our day to day lives and family activities. My youngest son is graduating high school this year, which bring big changes to my family dynamics. We will be relocating to Cumberland, VA, to enjoy the country and the river full time. But I am always eager to join the chapter at an educational opportunity or a social networking event.

As I had previously mentioned, the CVCCAI is working to increase social networking opportunities. The Trade Day Show was a huge success and will continue to improve as our membership completes the surveys each year. The Board and its committees strive to listen and hear what the membership has to say regarding events that impact their professional lives.

CVCCAI has partnered with RACC (Richmond Animal Care & Control) for its 2019 Community Outreach Program. We will be collecting dog treats, Nyla bones, cat toys & gently used blankets or towels at all of our events; nominal donations are also welcomed. Look for the box marked with the RACC logo at our next event.

Please watch your email for notices regarding education opportunities, networking socials and our Summer Celebration scheduled for June 13th at Hardywood -West Creek. We are very excited about this new event and hope you all will join us. Please also take the time to like our FB page, Central Virginia Chapter CAI. We are also on LinkedIn at CAI Central Virginia Chapter.

I look forward to meeting some new folks at one of our many networking opportunities this year.

Marcy Peacock, CMCA®
CVC-CAI Chapter President



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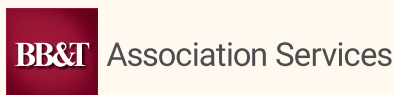
Call for Nominations

The Central Virginia Chapter's Annual Luncheon and Meeting are just around the corner. So, mark your calendar for Friday, November 1, 2019. We will be electing two (2) Directors to the Board of Directors. One Business Partner member and one Manager member. Each elected Director will serve a three-year term.

The Chapter is currently accepting petitions to nominate members in good standing as candidates for the Board Directors. A nomination petition can be found on our website (www.cvccai.org), which you may use to nominate yourself or another as a candidate for the Board of Directors. Please note, nomination petitions must be signed by the nominee and at least three other members in good standing and returned to the Chapter, by sending to CVC-CAI, P.O. Box 5118, Midlothian, VA 23112 or scan to sdrayer_cvccai@verizon.net, no later than Tuesday, September 17, 2019 in order to be considered for nomination.

Great things are happening with the Central Virginia Chapter! Educational programs, networking opportunities and social events fill next year's calendar. We hope that you will consider volunteering your time and talents to our organization. Should you have any questions, please contact me at (804) 739-7655 or sdrayer_cvccai@verizon.net.

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First Annual Summer Celebration

By: Brandi Nuckols, CMCA[®], AMS[®]
Bear Granville Corp.

Join us for the first ever **SUMMER CELEBRATION!** Instead of the golf tournament, we decided to shake it up a bit this year with a summer celebration at Hardywood at West Creek. Games, prizes, beer, and great food catered by Goodrich Gourmet – you really don't want to miss out! Sponsors: there's still time to sign up, email Stacey Drayer at sdrayer_cvccai@verizon.net for more information.

If you are interested in a brewery tour, pre-register and remember to wear closed-toed shoes. We can't wait to see you there!

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Don't Forget to Bring Your Donations!



Dog Waste, An Environmental and Community Health Concern

By: Patrick Guido, CMCA[®], AMS[®]
DoodyCalls

Dog waste is a major source of potentially deadly E. coli and can contain up to 23 million fecal coli form bacteria. In 1991, it was labeled a non-point source pollutant by the Environmental Protection Agency, placing it in the same category as herbicides and insecticides; oil, grease and toxic chemicals; and acid drainage from abandoned mines.

The longer dog waste stays on the ground, the greater a contamination becomes. Bacteria, worms and other parasites thrive in waste, eventually washing away into the water supply. Ringworm, roundworm, salmonella and giardia are examples of such bacteria, all of which are found in dog feces and are easily transferable upon contact.

Dog waste can also be a common food source for rats. An unwanted rodent in any community, the presence of rats can decrease the property values of all nearby homes and presents a host of additional health concerns to residents themselves.

In any community, dog waste can quickly become a major point of conflict amongst residents. As community managers know, it is one of the most talked about problems in associations across the country.

Depending on the type of community and scope of the problem, cleaning common areas may be part of the pet waste management plan to remove pet waste and other litter. In other cases, the issue will centralize itself in a few locations, or "hot spots," where waste tends to accumulate more frequently than others. Identifying hot spots and keeping them clean can help prevent the problem from spreading.

The most effective waste management plans also include installing and maintaining pet waste stations in the community. When determining the number and location of stations, consider the density of homes, areas where dog owners tend to congregate and the natural foot traffic patterns throughout the grounds.

The formation and implementation of an effective pet waste management plan can help communities and their residents be healthier and happier.



From July 25th-July 28th, an ensemble of Community Association Industry Leaders will parade towards The Omni Homestead Resort in Hot Springs, Virginia for the Virginia Leadership Retreat, an extended weekend of education, networking and fun with other industry professionals. For the past ten years, Leaders from throughout Virginia and the Washington Metropolitan area have come together to participate in networking events and advanced educational seminars tailored to the changes in legislation that affect our region, as well as the challenges faced by our industry professionals. Whether you are coming from Washington DC, Maryland, or Virginia, the Virginia Leadership Retreat is an affordable and local opportunity to earn education credits – all while having some upbeat fun in the process.

Every year the Retreat boasts its own flavor and theme, and this year we are putting a musical spin on the event and inviting industry Leaders to take the stage. Get your instruments tuned up and prepare to symphonize with other professionals from the quartet of Virginia CAI chapters. There is no better way to get in the groove with colleagues than by playing the golf course together in the morning, taking it to the bridge on the Lazy River in the afternoon, and chilling out to a dinner set to finish out the evening. There is never a dull moment at the VLR, but make sure to spend a little time outside of the Retreat's schedule to take advantage of all that is offered at The Homestead. The Resort offers activities such as hiking, canoeing, mountain biking, paintball, archery, horseback riding, and many more. Or would you prefer to be a groupie rather than a headliner and relax during your stay? Try the adults-only Serenity Garden Pool, or enjoy a vast array of health and wellness treatments, massages, and salon services at the Spa.

Intrigued? Please continue reading and come on tour with us in Hot Springs this year. We are inviting all industry professionals to gather for "Leaders Come Together – Working in Harmony" in July and want to see you there. The show must go on!

Register Today: www.valeadershipretreat.com



Our Own Angela Young named CAI's Recruiter of the Month

Angela Young is currently a Community Manager with Stellar Community Management. Angela started her career in this industry as a part time Accounting Assistant in December 2007. With a background in Property Management, Angela quickly decided she wanted to pursue a career in the Association Management industry. She dedicated a great deal of time and energy in learning all she could about the field and the communities she worked with. Through the years, Angela earned her CMCA and AMS designations through CAI. She continued forward with her education and earned her PCAM in 2016 where she proudly crossed the stage and swore her oath in Orlando, Florida. Angela continues to pursue education and information at every turn. Additionally, she works to ensure her Board of Directors are not only educated about their Association but also about the Community Association industry. Through sharing her knowledge and excitement she has brought several members to the Central Virginia Chapter of Community Associations Institute where these Board Members have an opportunity to grow and better serve their Community.

During Angela's spare time, she enjoys spending time with her son and husband. She also enjoys a little relaxation at the beach with friends and drinks. Angela's dedication and enthusiasm are not only an asset to her friends and family but are especially appreciated by all of those who work with her!



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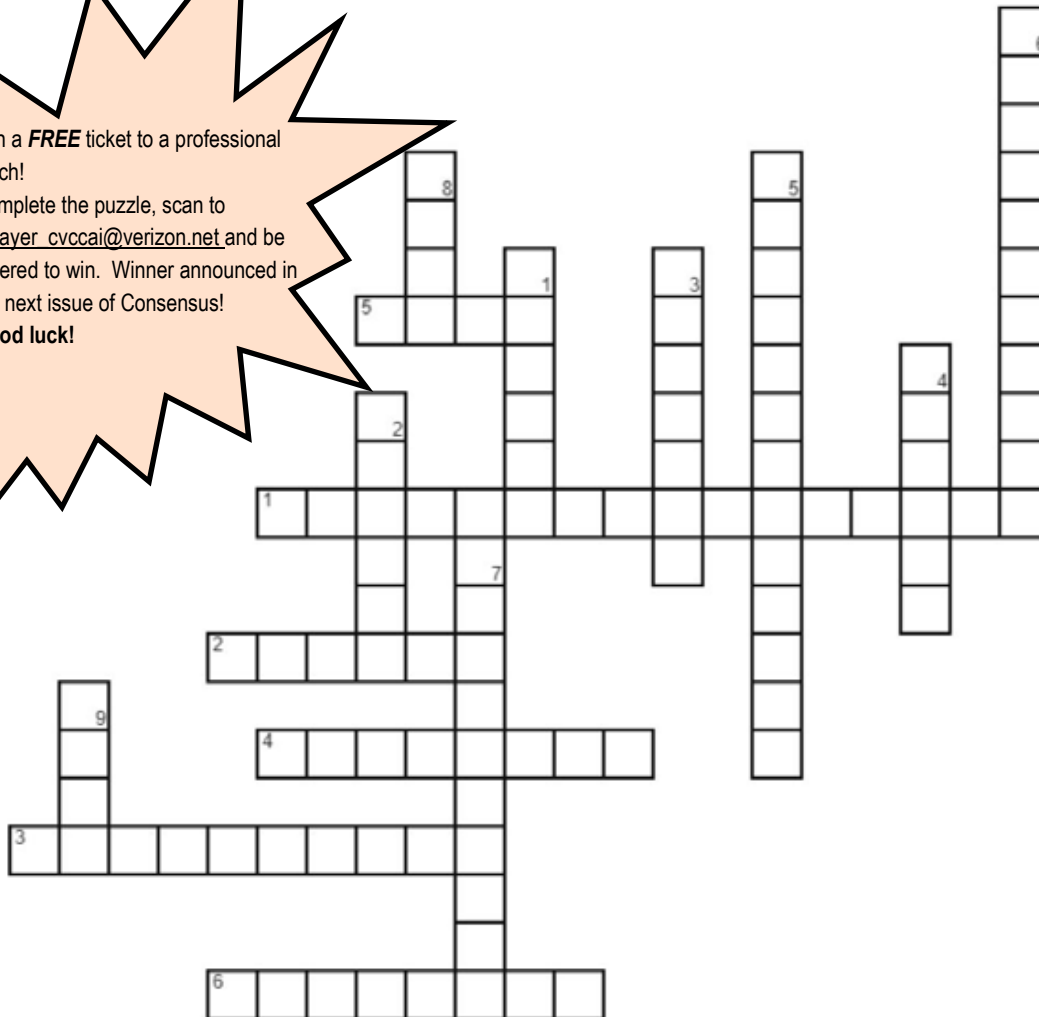
2019 Annual Meeting & Luncheon

Friday, November 1, 2019

*The Jefferson Hotel
Richmond, Virginia*

Spring into Communities!

Win a **FREE** ticket to a professional lunch!
 Complete the puzzle, scan to sdrayer_cvccai@verizon.net and be entered to win. Winner announced in the next issue of Consensus!
Good luck!



Across

1. When a board must hold a discussion or make decisions of a sensitive
2. Formally adopted governing regulations for the administration and management of a
3. The owner's financial obligation to the community association
4. This insurance protects against employee dishonesty which may lead to the
5. A Certified Manager of Community Associations
6. promised or guarantee that parts, materials, or labor will last for a designated period of time

Down

1. Device used to record choices made by voters
2. List of meeting activities
3. Documentation of the decisions made during the meeting
4. A formal proposal stating that the association took certain action
5. The body of rules, ethics, and customs governing meetings and other operations
6. Interchangeable with CC & Rs
7. A motion that follows a set format and is formally adopted by the
8. highest professional recognition available nationwide to managers who specialize in community association management
9. A predetermined set of fees collected by HOAs, Community Associations, or divisions of property management for the upkeep of said organizations or neighborhoods in general

Effective Enforcement:

Tips for Conducting A Successful Violation Hearing



By: Lesley A. Rigney, Esq. & Michael A. Sottolano, Esq.
Chadwick, Washington, Moriarty, Elmore & Bunn , PC

Violations happen. Associations have covenants, rules and regulations, which can and will be violated. It's how the Association reacts and handles enforcement, however, that truly matters.

For the purpose of this article we will assume that on occasion even after one, two (or more) friendly reminders, potentially a discussion with the violator, and sending written notices¹ that provide the Owner a reasonable opportunity to cure the violation and opportunity to be heard before the Board (or an appropriate Tribunal) regarding the violation, that occasionally the condition of a Lot or Unit in your community will remain noncompliant with the Association's recorded covenants and/or duly adopted rules and regulations. In these situations it is appropriate and may be necessary to conduct a violation hearing.

So, once the violation hearing has been scheduled, appropriate notice provided, the appointed time for the hearing is here and the Owner is present and ready to go, what should you do?

1. Do have the violation hearing (or at least substantive discussion by the Board regarding what, if any, sanctions or penalties to impose) in executive session. The hearing is regarding one or more violations of the Association's recorded covenants and/or rules and regulations and is therefore appropriate to conduct in executive session

(Sec. 55-510.1(C) of POA Act; Sec. 55-79.75(C) of Condo Act).

Note: While it is generally recommended, hearings are not *required* to be in executive session. In some circumstances it may be appropriate to hold the hearing in open session; however, consider the implications and consequences before doing so.

2. Do adopt reasonable rules and procedures regarding how the hearing will be conducted, including setting reasonable time limits. Prior to or at the outset of the hearing, advise the Owner of any such rules and procedures.

Note: Rules and procedures which govern the hearing should be approved by the Board and adopted prior to (not at) the hearing.

3. Do conduct the hearing in compliance with any applicable covenants, rules, policies and procedures of the Association; but don't overcomplicate things. The violation hearing is not a formal legal proceeding and need not be conducted with such formalities.

4. Do set expectations. Advise the Owner of the rules governing the hearing. Provide the Owner with a summary of the violations and explanation of what needs to be done to correct the violations. Emphasize that the hearing is an opportunity for the Owner to be heard. Allow the Owner the opportunity to be represented by counsel, to present facts and arguments, call and question witnesses and introduce statements and evidence relevant to the alleged violations. Stick to the time limits.

5. Do ask questions. Use this opportunity to gather facts and information that are needed to make a well-informed decision regarding the violation, the ability and timeframe to correct, and the appropriate sanctions, if any, to impose.

Continued on page 9

6. Do remain objective, professional and respectful. There is no need to be overly emotional, rude, or discriminatory. Keep an open mind, be fair, reasonable, and consistent. Consider the information presented by the Owner in determining whether violations exist and, if so, what (if any) sanctions are appropriate, warranted or necessary. Consider reasonable compromises or extensions of deadlines for compliance if in the best interests of the Association and when appropriate or necessary due to extenuating circumstances.
7. Don't get drawn into an argument or shouting match with a provocative Owner. Remember that the hearing is the Owner's opportunity to be heard regarding the violation and it is not intended to be a forum for the Board to air its grievances regarding the Owner or his property. It is also not the appropriate time for an Owner to debate with the Board the reasonableness or applicability of the Association's covenants, rules, regulations or the status of violations and compliance of other Lots/Units.
8. Do thank the Owner for attending the hearing and request that he or she vacate the area afterwards so discussion by the Board regarding how to proceed can take place in private.

Note: If the Board did not conduct the hearing in executive session then, once the Owner's opportunity to be heard has concluded, it should move in to executive session, request the Owner and any other parties not required to be in attendance² leave the area while executive session occurs, and discuss in private how to proceed regarding the violation, what, if any, sanctions or penalties to impose and determine a reasonable compliance deadline. Remember, however, that only discussion should occur during executive session and decisions must be voted on and finalized after moving out of executive session and back in to open session.

9. Do vote on the decision in open session and create a record of the decision in the meeting minutes. If possible, keep the identity of the Owner any-

mously by redacting or utilizing a code for the name of the Owner and address of the property.

10. Do inform the Owner that notification of the Association's decision will be provided within seven (7) days of the hearing date. Ensure that the written decision is provided to the Owner by registered or certified mail or hand delivered, return receipt requested, within seven (7) days of the hearing in order to comply with the requirements of Section 55-513(B) of the POA Act and 55-79.80:2(B) of the Condo Act.

Following these tips will put the Association in the best position to conduct a successful violation hearing, which can be a vital step in obtaining compliance by violators and effectively enforcing the Association's covenants, rules and regulations.

Your Association's legal counsel can provide further guidance on effective strategies to enforce the Association's covenants, rules and regulations as well as prepare drafts of the rules, policies and procedures suggested in this article to assist the Board in conducting a successful violation hearing.

¹With such notices sent to the Owner in a manner which complies with the applicable requirements of the Virginia Property Owners Association Act ("POA Act") and/or the Virginia Condominium Act ("Condo Act") as well as any relevant covenants, rules, regulations and/or policies of the Association.

²Except for, if present, management, the Association's legal counsel, and any parties which the Board desires to remain and assist the Board in determining how to proceed.





Record Numbers!!

By: Aaron Goodman, PCAM®
myStreet Community
Management

I want to thank all of our Attendees, Presenters, Business Partners, and Sponsors for being a part of a great Trade Show. Another awesome year thanks to your involvement! As the Chapter continues to grow and this event sees new faces and more people each year, we hope the results are two fold; experiencing growth in your business and increasing your knowledge base of our trade. The community association industry is always changing. New laws, new hot topics, more problems to solve, and more business to be had. Events like this give everyone who attends the opportunity to sharpen their skills, expand their influence, and build relationships. If you aren't involving yourself or your business in CAI events, you are missing out and selling yourself short.

Bruce Herring is stepping up as the Chairman of the Trade Show Committee for the coming year. I know he is going to take the Trade Show to a whole new level. I have enjoyed meeting so many quality people and it has been a pleasure serving the Chapter and its members.

See you at the Trade Show in 2020!





Tips for the Management of Nuisance Algae and Invasive Hydrilla in Community Ponds

*By Kyle Finerfrock, Environmental Scientist
SOLitude Lake Management*

As spring turns to summer, the days will continue becoming longer, sunnier and warmer. Without proactive management, the resulting environmental conditions can spur a perfect storm of nuisance aquatic weeds and algae in your lake, stormwater pond or reservoir. Under unhealthy conditions, it is common to find invasive plants like hydrilla, which can compete with and choke out native vegetation. Poor water quality may also lead to the development of various forms of nuisance algae, as well as toxin-producing harmful algal blooms (HABs).

Before you can implement a sustainable management plan to restore balance and beauty to the waterbody, it's crucial to properly identify the species ailing your lake or pond. Hydrilla has several distinguishing characteristics. Its small leaves are arranged in whorls of three to eight, and these leaves are heavily serrated and can be seen without the aid of magnification. Reproduction typically occurs through fragmentation, although hydrilla also produces tubers, which are subterranean, potato-like structures. These tubers can stay dormant in the sediment for up to 12 years, causing significant challenges in eradication. Hydrilla forms dense mats at the surface of lakes and ponds, which limits recreational use and diminishes the aesthetic appeal of the waterbody. This invasive plant also out-competes native aquatic plant species, reducing biodiversity and negatively impacting water quality.

If hydrilla is not the culprit, perhaps you are plagued by filamentous algae or macro-algae, which can sometimes be similar in appearance. Patches of filamentous algae are typically long, stringy and slimy. The filaments are made up of cells joined end to end which give the thread-like appearance. These patches are often bright green, but can exhibit browns or yellows - especially if the algae is dying. Small stormwater ponds and large lake shorelines can be overcome with filamentous algae, which can become detrimental to an aquatic system without proper management. Macro-algae, on the other hand, are less common in freshwater habitats, but tend to occupy a similar ecological niche.

Macro-algae can grow like plants with the appearance of a root-like system and are considered invasive in many regions.

In most cases, when a waterbody is suffering from undesirable hydrilla or algae, it's due to an excess of organic nutrients, which can be confirmed through professional water quality testing. Nutrients like phosphorus and nitrogen enter community lakes and stormwater ponds in many ways – through the natural decomposition of leaves and plant matter, fertilizers, pet waste, and organic sediment that washes into the waterbody. To reduce nutrient loading, it's important to establish a beneficial vegetative buffer comprised of native grasses, rushes and flowering plants around your waterbody. The native rooted plants in shoreline buffers can help naturally filter nutrients before they enter a lake or pond. If your pond banks are too eroded to introduce vegetation, a complete restoration using bioengineered shoreline technology may be necessary.

The positive benefits of a vegetative buffer can also be enhanced by the introduction of a lake or pond aeration system. Aeration systems are available in many forms, including floating fountains, which spray water into the air for surface aeration, and submersed diffused aerators, which pump air to the bottom of the waterbody for aeration and circulation from rising bubbles. Once installed, the resulting water circulation can help create conditions that render nutrients inactive and unable to sustain nuisance algae and aquatic weed growth. Likewise, a more premium new solution called nanobubble aeration can offer long-lasting oxygenation while eliminating undesirable nutrients and toxins present in the waterbody.

For lakes and ponds with chronic nutrient problems, it's worth considering nutrient inactivation management strategies such as the application of Phoslock, Alum or Biochar. When applied by a licensed professional, these products work to rapidly remove free reactive phosphorous from the water column, improving water clarity and reducing phosphorous levels in your waterbody. As a final resort, herbicides and algaecides may be required, but new, highly-selective herbicides are making the elimination of invasive species like hydrilla more long-lasting and significantly less impactful on the surrounding environment.

Whether your community waterbody appears to be the picture of health or is overrun with the undesirable symptoms of nutrient loading, it's important to remember that the ecosystem is in a constant state of change. By tuning in to the unique needs of your waterbody, it is possible to restore and maintain a beautiful, healthy and long-lasting aquatic habitat for your residents, visitors or family to appreciate all year long.

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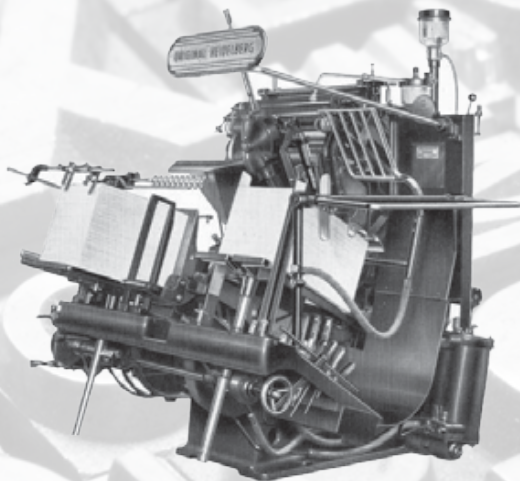
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luncheon, but also speak at the luncheon. A big Thank You to Kenneth Chadwick, Esq., CCAL[®], Andrew Elmore, Esq., CCAL[®], Lesley Rigney, Esq., and Michael Sottolano, Esq. for speaking at the lunch. We also had a beautiful venue for the lunch thanks to The Links!

Another Successful Professional Luncheon

On Tuesday, May 21, 2019 the Education Committee presented to over 30 members the professional luncheon, They Can't Do That!...But, What Can We do to Stop Them? "How To" Guide for Covenant Enforcement .

We were lucky enough to have Chadwick, Washington, Moriarty, Elmore & Bunn, PC not only sponsor the



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