

# 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.*



## MEMBERSHIP APPRECIATION EVENT—SEPTEMBER 19, 2019



Friday, November 1, 2019

11:30 Registration, Networking & Cocktails  
12:30 Annual Meeting, Lunch & Awards

**2019 FALL  
NETWORKING SOCIAL**

**OCTOBER 17, 2019**



**4PM-6PM**

Professional Luncheon

BECOMING THE HARD TARGET:  
A Road Map to Residential  
Community Security

November 12, 2019

FoxCreek Clubhouse

11:00 Registration  
11:30AM-12:30 PM Education & Lunch

**WWW.CVCCAI.ORG**

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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 Second-hand, forwarded or anonymous announcements will not be published.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 Announcements of activities older than 3 months will not be published.

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## *Consensus*

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## GREETINGS FROM THE PRESIDENT



It's hard to believe its article time. It has been a great year and I am looking forward to the next season. I am very excited to announce the scheduled Membership Appreciation

event for Thursday Sept 19, 2019. In an effort to show our appreciation to all of the members this event is *FREE!* But there will not be any expense held back to represent our true Thank You to all of our members. CVCCAI success is due to outstanding support and uplifting dedication from all of our Board and Committee volunteers. Obviously, sponsorships through our Business Partners carry us through the year to bring successful education, social and many other networking opportunities. Please mark your calendars for the Annual Luncheon Meeting on Nov 1, 2019. This meeting is held at the Jefferson and is always a great event. Watch your emails for announcements regarding board member elections and the opportunity to register for the event. As always if you would like to volunteer your time to a committee please contact Stacey Drayer.

Marcy Peacock, CMCA®  
CVC-CAI Chapter President



Don't forget your donations!!  
You have three more chances to donate:

**September 19th—Member appreciation Event**

**October 17th—Fall Networking Social**

**November 1st—Annual Meeting & Luncheon**

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## Meet Me in the Cloud

### Virtual Membership Meetings and Electronic Voting



By: Christopher M. Mackenize, Esq.  
Elizabeth L. White, Esq.  
Sands Anderson PC

With more and more companies and organizations making use of internet technology to bring their employees and members together for virtual meetings, community associations are now frequently asking, “Why can’t we conduct ‘virtual-only’ meetings for our membership?”

Virtual-only membership meetings make a lot of sense for community associations – particularly for those with absentee owners and/or those that have a difficult time achieving participation and quorum. A virtual-only meeting reduces the overhead costs associated with membership meetings such as renting space and hiring security, and enables more members to attend and participate from any location with reliable internet service. However, the devil is in the details, and boards and managers of Virginia community associations must jump through certain legal hoops to ensure such meetings comply with Virginia law and the associations’ governing documents. Fortunately, Virginia has been an early adopter relative to the laws in other states.

In 2018, Virginia’s General Assembly opened the door to expand access to virtual-only membership meetings by amending the Virginia Nonstock Corporation Act (“NSA”). For those Virginia community associations which are nonstock corporations, [Section 13.1-844.2](#) of the NSA provides an exception to the requirement that meetings be held in physical locations inside or outside of Virginia.

According to Section 13.1-844.2, a board of directors may allow a member meeting to be held entirely remotely, unless the articles of incorporation or bylaws of the association provide that the member meeting be held at a physical location. Members may remotely participate in a meeting of members to the extent authorized by the

board of directors. Such remote participation by members will be subject to guidelines implemented by the board of directors.

Members who remotely participate in a membership meeting will be considered present and may vote if the association has implemented measures to verify that each remote participant is a member or member’s proxy and that provide the remote participants a reasonable opportunity to participate in the meeting and vote on matters put to the membership for a vote.

Relatedly, [Section 13.1-847.1](#) of the NSA provides that a board of directors may authorize electronic voting by members or members’ proxy holders in lieu of voting by written ballot. The electronic vote communication must include information to verify that the transmission was authorized by the member or the member’s proxy holder. A member who votes electronically is considered present at the membership meeting.

As you consider these new statutes and a future with the technological expediences they make possible, do not forget to also look backward, to your organization’s governing documents. Community boards and managers need to be cognizant of the fact that many governing documents for community associations - especially older documents - may contain provisions requiring member meetings to be held in physical locations and/or that ballots be cast by a member (or member’s proxy holder) who is physically present at the physical location of the member meeting. Indeed, the governing documents of many associations may have been written at a time when a “virtual meeting” was more or less unimaginable. In those instances, the governing documents may need to be amended to accommodate the new options of virtual meetings and electronic voting, and such boards and managers should consult a knowledgeable community association attorney to determine whether an amendment is needed.

Depending on the association’s governing documents, Section [55-515.3](#) (or [55-1832](#) as of October 1, 2019) of the Virginia Property Owners Association Act (“VPOAA”) may provide some relief with respect to electronic voting, subject to an opt-out requirement which limits an association’s ability to conduct virtual-only meetings.



Under Section 55-515.3 (55-1832 as of October 1, 2019) of the VPOAA, subparagraph A:

“Unless the declaration expressly provides otherwise,... (ii) any signature, vote, consent, or approval required to be obtained under any declaration or bylaw provision or any provision of their chapter may be accomplished using electronic means.”

Subparagraph D of this same section, provides:

“Voting on, consent to, and approval of any matter under any declaration or bylaw provision or any provision of this chapter may be accomplished by electronic means, provided that a record is created as evidence of such vote, consent, or approval and maintained as long as such record would be required to be maintained in nonelectronic form.”

Subparagraph F of this section gives members the right to opt out if they do not have the capability or desire to conduct business using electronic means, and in those cases the association is required to make reasonable accommodations, at its expense, for such persons to conduct business without use of such electronic means. An example of a reasonable accommodation in the voting context is providing written ballots to those individuals who are without the capability or desire to vote electronically, and in some cases, depending on the association’s governing documents, may require that the association conduct a combination physical and virtual meeting in a physical location even if the majority of owners participate remotely in the meeting.

In summary, virtual-only membership meetings are legally possible under the NSA; however, the opt-out requirements of the VPOAA may practically limit an association’s ability to conduct a virtual-only meeting unless 100% of the members are capable and desiring of voting by electronic means. In addition, the governing documents of the association may need to be amended to bring them up to date and allow the association to take advantage of the virtual meeting and electronic voting options afforded under the NSA and VPOAA. Some associations may still prefer to conduct in-person meetings as part of relationship building among their members and those who opt for virtual meetings and/or electronic voting will need to work out the logistics and technology and how to verify the votes of members and their proxy holders.

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**Congratulations  
Meg Tunstall for Earning  
Her PCAM!**

As we all may know, the Professional Community Association Manager (PCAM) designation is the highest professional recognition available nationwide to those specializing in

community association management. Earning a PCAM requires a long-term commitment to personal and professional self-improvement, including five years of community association management experience, an exam to earn the CMCA credential, a program of six educational courses and a case study, a comprehensive examination of an actual community association with classroom instruction and an on-site inspection.

It's with great excitement to announce that one of our chapter members has earned their PCAM. Meg Tunstall, who chairs the Communications Committee, has earned her PCAM designation. Meg is the Director of Community Management at HHHunt Communities and leads the team of community managers at Genesis Community Management. Please join us in congratulating Meg on this huge accomplishment.



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## Weekend Getaways

Summer vacations have come to an end, but that doesn't mean all work and no play. With cooler weather, beautiful scenery and an array of local festivals, fall is the perfect time of year for weekend getaways close to home. For travel ideas, activity suggestions and trip planning, visit [www.Recreation.gov](http://www.Recreation.gov). A partnership of 12 federal agencies, including the Forest Service, National Park Service, Fish and Wildlife Service and the National Archives, Recreation.gov offers advance reservations at 2,500 federal areas for more than 60,000 facilities and activities.

The website's interactive maps and searchable database make it easy to discover parks, forests, lakes, museums and other recreation opportunities close to home. The website also features volunteer opportunities, contests and lotteries for special events, such as the White House Easter Egg Roll and the National Christmas Tree Lighting.

Get inspired to get outdoors and explore your local attractions. From day hikes to car camping, historical exhibits to fishing, Recreation.gov has lots of ideas for sparking your spirit of adventure.

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## Have a Safe Halloween

Halloween is a kid's delight. It's a blast to dress up in costumes, go trick-or-treating, attend parties and, most of all, eat candy.

At the same time, Halloween can be scary for parents. Costumes can be dangerous, too much candy can be sickening and walking around at night can be risky.

The Centers for Disease Control and Prevention offer these tips (in anagram form) to make sure your little ghouls and goblins have a safe Halloween:

**S** – Swords, knives and similar costume accessories should be short, soft and flexible.

**A** – Avoid trick-or-treating alone. Children should walk in groups or with a trusted adult.

**F** – Fasten reflective tape to costumes and bags to help drivers see trick-or-treaters.

**E** – Examine all treats for choking hazards and tampering before they're eaten.

**H** – Hold a flashlight while trick-or-treating to help see and help others see you.

**A** – Always test make-up in a small area first. Remove it when done to avoid skin irritation.

**L** – Look both ways before crossing the street. Use established crosswalks wherever possible.

**L** – Lower the risk for serious eye injury by avoiding decorative contact lenses.

**O** – Only walk on sidewalks or on the far edge of the road facing traffic to stay safe.

**W** – Wear well-fitting masks, costumes and shoes to avoid blocked vision, trips and falls.

**E** – Eat only factory-wrapped candy. Avoid eating home-made treats unless you know the cook.

**E** – Enter homes only if you're with a trusted adult.

**N** – Never walk near lit candles or other open flames. Be sure to wear flame-resistant costumes.



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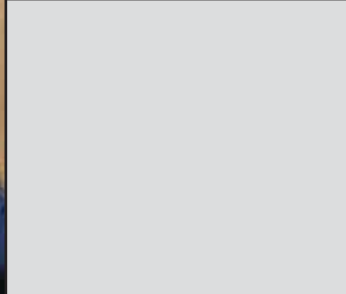
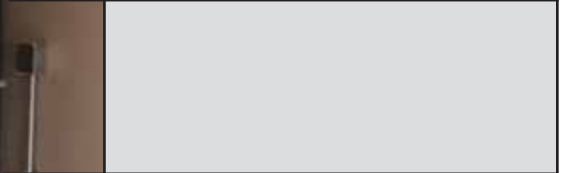
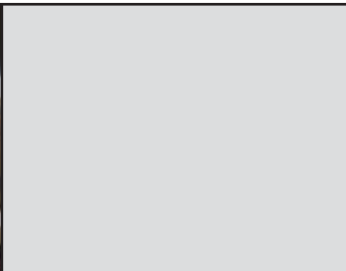
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## Summer Celebration- A Smashing Success!

By: Brandi Nuckols, CMCA, AMS  
Real Property Management, Inc.

The first CVC-CAI Summer Celebration was held at Hardywood at West Creek on June 13th and the venue was even more beautiful than expected. Food was catered by Goodrich Gourmet and featured some of the best BBQ in the Commonwealth. Managers and business partners worked together on a scavenger hunt, ending with one team taking home the grand prize. Many gifts were handed out by our outstanding sponsors during the evening as everyone enjoyed a few drinks, played games, and spent some time getting to know each other. Thank you to everyone that helped make the event a smashing success! This year's sponsors included: Arborscapes, LLC, BCLS Landscape Services, Clarke Aquatic Services, Cross Timbers Roofing, DMA Reserves, Exterior Source, Finley Asphalt & Concrete, GAF, James River Grounds Management, Mutual of Omaha Bank, National Cooperative Bank, Power Wash This!, Inc., Real Property Management, Inc., Ruppert Landscape and VPS Recreation.

We are looking forward to doing it again next year !  
Mark your calendars for *Thursday, May 7, 2020* at Hardywood West Creek—hope to see you there!





Central VA Chapter Representing at the  
2019 Virginia Leadership Retreat











## **New Innovative Solutions in Your Lake Manager's 'Toolbox'**

**By:** *Shannon Junior, Aquatic Ecologist at SOLitude Lake Management*

Herbicides and algaecides have traditionally been used to maintain balanced ecosystems in lakes and ponds—but wouldn't it be exciting if there was a new technology or process that could totally revolutionize the way we approach environmental problems in our communities?

Industry leaders have long understood that proactive, holistic management strategies are the key to achieve long-term balance in our aquatic environments; however, our toolbox of sustainable solutions has not always grown at the same pace as our knowledge. That's why we are so excited about recent advances in aquatic habitat restoration.

EPA-registered herbicides and algaecides are generally only used as a last resort solution—but sometimes they are necessary and valuable tools. Just as you might take an antibiotic to recover from an infection, pesticides help your waterbody recover from nuisance and sometimes harmful aquatic weed infestations. Now, new herbicide technologies are optimizing the safe eradication of undesirable plant species with very limited impact on native vegetation, wildlife or recreational activity. These highly-targeted herbicides combine the best features of traditional options to target the unique growth processes in undesirable aquatic weeds and achieve more selective and long-lasting vegetation control. Thanks to their favorable environmental profile, they require 100-1000x lower use rates than traditional herbicides and have been designated by the EPA as a "Reduced Risk" solution that is virtually non-toxic to humans, pets and wildlife.

Reduced Risk herbicides can be highly successful for the management of many species and may provide exceptional multi-season control when applied by specially certified professionals at the appropriate growth stage and dosing rate. Properties suffering from chronic milfoil species, hydrilla, crested floating heart, watershield, parrotfeather, creeping primrose, slender spike rush, yellow floating heart and similar species are excellent candidates for management with these highly-selective, low-impact herbicides.

For any new technology, it is important to evaluate its niche within our "toolbox" and to understand the best fit among the available water quality management strategies. There are many factors to consider when developing a comprehensive aquatic resource management plan, such as

the target weed or algae species, the presence of beneficial native vegetation, and the goals and budget of the stakeholders. While reduced risk herbicides offer a new and exciting option for our clients with severe nuisance or invasive aquatic weed issues, it's important to establish long-term control by addressing the true root of the problem: unbalanced water quality.

Water quality restoration is one of the most frequent and important challenges that we face as lake and pond managers, and should be a high priority for every waterbody. Poor water quality due to nutrient loading is a constant issue, as runoff containing fertilizers and other pollutants from agricultural farms, suburban lawns and gardens, and urban streets and parking lots drains into lakes, ponds, and stormwater management facilities. Even natural areas can contribute to water quality degradation through the deposition of sediment, leaf debris and other organic matter to our waterways. These pollutants are the ultimate source of nuisance lake and pond weeds, harmful cyanobacteria (blue-green algae) blooms and other complications that impair waterbodies for municipal and recreational uses, and may also make them less habitable for fish and other wildlife.

As a property manager or member of a homeowners community, you may have already implemented numerous aquatic management tools such as aeration and nanobubble technology, biological augmentation, and innovative sediment management techniques such as bioengineered shorelines and hydro-raking. Another new technology for the sustainable removal of nutrients and other pollutants is generating excitement within our industry. Similar to activated charcoal, this new technology has highly adsorbent properties that allow it to remove impurities from water. These charcoal-like particles can be placed in large, porous bags in moving water, and the particles will attract and trap nutrients, metals and other pollutants. The bags are then removed from the water when they are full, resulting in the physical elimination of the trapped material from the waterbody. The contents of the bag can be discarded, or better yet, applied to lawns and gardens as a soil amendment for natural fertilization and as a substrate for beneficial microbes to enhance plant growth.

This new technology is most effective in flowing waterbodies so that there is constant circulation of water around the bags for nutrient adsorption. More stagnant basins would benefit from the installation of a fountain or aeration system to move the water and enhance the effectiveness of this method. The number and size of the bags required is also site-specific, and their longevity could be several weeks up to an entire season, depending on the severity of water quality impairment.

*Continued on page 13*

Continued from page 12

The increasing problems of anthropogenic and climatological water quality degradation have brought us to a critical time in the aquatic management industry, but new technologies like these are making the management of water resources easier and more sustainable than ever. When implementing any sort of aquatic weed or water quality solution for your waterbody, it's extremely valuable to consult with an aquatic biologist or ecologist who is on the leading edge for innovative solutions to age-old challenges. Your community members—and your long-term budget—will thank you!

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## **Annual Meeting Checklist**

By: Meg Tunstall, PCAM  
Communications Chair  
HHHunt Communities

Preparing for an Annual Meeting of the Association's Membership is a yearly task that often tends to bring stress to Community Managers. To ease the stress of the process, be sure to start planning ahead in advance. Scripting every detail of what must occur and when will ensure that all the goals are met and prevent the meeting from running long. Use this tool to prepare for your next Annual Meeting.

### **Preparation Work**

- Read through annual meeting requirements in governing documents.
- Locate and review last year's annual meeting files.
- Review the annual meeting budget for refreshments and rental space.
- Set your annual meeting date, time, place and agenda.
- Set election timeline.
- Prepare and send out notice and nomination forms.
- Recruit volunteers for the Nominating committee per the Charter.
- Have the Board appoint the members of the committee.

### **Nomination Committee**

- Collect nominations and send to nominating committee for review.
- Setup procedures for election and ties.
- Set slates and ballots per the governing documents.
- Ensure 2-3 members will be present at Annual Meeting to count ballots, if needed.
- Select and confirm one member will serve as "Inspector of Election".

### **Meeting Space and Arrangements**

- Locate facility\* for the meeting (\*large enough for membership)
- Send a request outlining your requirements of the meeting to the venue.
- Know where light switches are and how to operate AV equipment.
- Arrange for keys or entry into the building.
- Directional signage for doors to direct Owners to the meeting room.

### **Obtaining Quorum**

- Prepare and mail official notice to members.
- Add meeting information to all forms of communication

for the HOA.

- Send announcements via email, email, social media or owner portal.
- Pull community unit totals and calculate quorum requirements per documents.

### **Meeting Preparations**

- Draft agenda.
- Print out sign in sheets.
- Mark proxy/ballots received on sign in/spreadsheet.
- Put together management report.
- Compile Committee reports.
- Ensure notary is present to confirm inspection of elections.
- Contact committee members to present committee reports.

### **Post Meeting**

- Respond to any owner concerns.
- Scan and save sign in sheets.
- Hold Board of Directors meeting within 30 days to appoint officers.
- Scan and save notarized inspection of election sheet.

## **Save the Dates**

Membership Appreciation  
September 19, 2019

Fall Networking Social  
October 17, 2019

Annual Meeting & Luncheon  
November 1, 2019

Professional Luncheon  
November 12, 2019





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