



The President's Report

While the entire world adjusts to a new normal, quarantine means something entirely different for those in the common interest community service field, such as community volunteers, managers, attorneys, landscapers and general contractors. When the majority of the population is forced to be at home with nothing but time on their hands, this gives them the opportunity to slow down and look more closely at the world around them. And that world around them is the community in which they live. What that means for many of us in the CIC service industry is that we are busier than ever fielding requests for maintenance, bids, improvements and other things that may catch an owner's eye while they are in confinement. This makes the need for education in this industry more important than ever, but unfortunately, until the protective order is lifted and social distancing is a thing of the past, we were forced to put our educational opportunities on hold. In the meantime we have been adjusting to new ways to offer classes by virtual means. We have rescheduled one of our coffee talks that is set to be held by Web Ex on June 11, 2020, registration is on our website. We are hopeful that we will be able to gather on August 14th from noon-4:30 PM at Mariner's Landing for the Board Training. The upcoming events can be found on our website at www.caiswva.com. Please know that CAI is still there for all community volunteers and service providers and we look forward to the time when we can all safely come together again! Stay Safe!

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Community Matters

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September 2020 Newsletter

The deadline for the submission of advertising, articles, announcements or other newsletter content for the September, 2020 newsletter is due by August 1, 2020. Additional information in the Newsletter Content Policy on pages 18-19

Coronavirus Alert: SWVACAI's Response to COVID-19

Update 6/3/2020: While Virginia Governor Northam's Executive Order 55 is scheduled to expire at 11:59P on June 4, 2020, releasing residents of Virginia from the requirement they remain in their residences, except when engaging in certain activities, life and work as we know it is still far different than it once was. While many businesses, activities and community amenities are gearing up for the Phase Two reopening scheduled to go in effect on June 5, 2020, association and community operations have yet to return to normal. The services we must provide to communities, however, needs to continue.

We want to assure you that the SWVACAI chapter remains active and is closely monitoring the COVID-19 pandemic. The chapter's board of directors and committees are evaluating new programs and new platforms to deliver education and networking opportunities to our members as soon as safely possible during this difficult time.

Please note, the upcoming Coffee Talk regarding "Loans vs. Special Assessments" is still scheduled to go forward on June 11, 2020 at 10:00AM, but will be held by WEB EX only. This is a FREE event and you can register at the following link: https://www.eventbrite.com/e/coffee-talk-bank-loans-vs-special-assessments-web-ex-tickets-104318328930?ref=enivtefor001&invite=MTk1NjJ3MDYvaW5mb0BjYWlzd3ZhLmNvbS8w%0A&utm_source=eb_email&utm_medium=email&utm_campaign=inviteformalv2&utm_term=eventimage&ref=enivtefor001

All other SWVACAI events through August 31, 2020 are being reviewed; registration links are open for those events which at this time the chapter anticipates will go forward. Our chapter website is updated often – please visit www.caiswva.com for the latest event statuses and resources. If you have any questions, please email SWVACAI's Executive Director, Treena Gibson-White, CMCA, AMS, PCAM, at Tgibson@caiswva.com.

In the meantime, we encourage you to visit us on social media or through our website (<http://www.caiswva.com/>) to get the latest chapter information, relay questions, comments and ideas, or just to say hello!

You can also email us at info@caisw.com

We encourage our members and the community associations industry in general to follow the latest guidance and updates issued by the Governor's Office and Centers for Disease Control and Prevention. Up to date information regarding COVID-19 in Virginia can be found at the following link: <https://www.virginia.gov/coronavirus/>

CAI understands that members, homeowners, board members, community association managers, management company executives, and business partners may have questions about prevention, containment, classes, and events. It is important to recognize, however, that CAI, its chapters, and individual members are not health care professionals. The State, CDC and other qualified health officials should continue to be the primary source of current information and guidance.

Committee & Board Meetings: Effective immediately, all chapter committee and board meetings will be held via conference call or remotely using other electronic means of communication until further notice (or canceled if necessary). The committee chair or liaison will be in touch to provide the conference call number or cancellation information before your meeting date.

***Thank you to Jaime Barnhart, CMP, CAE, Washington Metropolitan Chapter CED,
for providing information and assistance for this article.
Reprinted with permission from WMCCA; originally posted on www.caidc.org***

Upcoming **EVENTS...**

June 2020
COFFEE TALK
Loans vs. Special Assessments
Thursday, June 11, 2020
10am-11am
Web Ex.

2020 Committees

Communication Committee:

Recruiting

Legislative Action Committee (LAC):

Jerry Wright,
Chairman

Social Committee:

Jean Gorman

Membership Committee:

John Byers,
Chairman

* Contact info@caiswva.com if interested in getting involved with the Communication Committee or if you'd like to join any other committee.

Tips to Avoid Common Board Member Mistakes

By Robert Begley



Serving on the board of a homeowner’s association can be a fulfilling experience. Many members enjoy being active volunteer leaders, assisting neighbors regarding association matters, and getting to know their community better. Most board members take their position seriously. However, there are a fair number of potential pitfalls and possible liability issues if a board member isn’t careful. For these reasons, it can be a huge advantage to work with a community association manager who can help board members avoid snags and ensure the association runs smoothly.

Here are some of the common mistakes association board members should avoid:

Holding meetings incorrectly

All board meetings need to be documented and with notice given to all homeowners. It is considered a board meeting any time a majority of the members get together and speak about association business. Often board members may get together for a casual lunch or similar gatherings and talk about board business, not realizing this could be a violation of association law. Talk with your community association manager to help clarify what is OK to discuss with other board members when no official meeting is taking place.

Not adhering to the governing documents

Sometimes boards do not carefully read the community’s governing documents, and then fail to abide by them. This can happen if a new board is elected and they neglect to review the declaration and bylaws of the association. This is usually unintentional, but it can cause a lot of issues. Every board member should read the bylaws and all other association documents.

Mismanaging association funds

It is all too easy to use bad judgment when it comes to managing association funds. A common mistake is to spend too much too quickly without leaving anything for emergency maintenance or repairs. Board members also should consider long-term finances. While a board may want to use funds on things that may seem important in the short term, it is imperative to think of the community’s future needs. It would be wise to go over prior-year budgets and learn from them. Community association managers can provide guidance and advice throughout the budget review process, and ensure work is done at a reasonable price.

Becoming overzealous

Board members are generally excited to be in their position, and often they can make big decisions too quickly. It is always best to weigh any major policy changes carefully. For example, a new board may decide to change vendors, believing it is in the association’s best interest, but in doing so will lose momentum on all ongoing projects. Take time to speak to your community association manager, and if you are unhappy with someone, then he or she can give you advice about better vendor contracts as well as how to make changes within the community.

Not seeking legal advice

You will find there are situations where legal advice should be sought after. Community association managers are not lawyers and are prohibited from offering legal advice to their clients. If you are dealing with a situation with a homeowner that could possibly turn into a lawsuit, it may be best to work with the association’s attorney for advice and procedure. Consider that the expense of the attorney may well be far cheaper than the potential legal liabilities.

Being a board member is a tremendous responsibility and requires important decision-making skills and judgment. It can be easy to make common mistakes that can cause significant issues in the future. Maintaining a good relationship with your community association manager is an excellent way for your community to operate efficiently.



Legislative Alert: Virginia General Assembly Relaxes Board Meeting Rules

Virginia common interest community associations will benefit from amendments proposed by Governor Ralph S. Northam and adopted by the General Assembly at the April 22, 2020 veto session. Amendments 28 and 137 to the Budget Bills (House Bills 29 and 30, respectively) overrides requirements in the Virginia Property Owners' Association Act and Condominium Act that at least two board members be physically present in the same location in order to convene a meeting properly.

Now, during a Governor-declared state of emergency, boards of common interest community associations may meet virtually without physically assembling, but only if certain requirements concerning notice of meetings, member access to meeting and meeting minutes are met. The amendments to the Budget Bills go into effect when signed by Governor Northam.

In order to convene virtual meetings properly, care must be taken to satisfy requirements concerning notice, member access and meeting minutes. This emergency legislation applies only during a Governor-declared state of emergency – once the state of emergency concludes, boards must comply with physical assembly requirements established in the Virginia Property Owners' Association Act and the Condominium Act.

Explanation of the legislation and various client alerts from member law firms can be found on Washington Metropolitan Chapter CAI's Coronavirus Resources page at <https://www.caide.org/news/coronavirus-alert-how-to-prepare/>. Click Virginia Legislative Information for the details.

On behalf of CAI's Virginia Legislative Action Committee, the effort to obtain relief from the in-person meeting requirements was led by VALAC's Legislative Liaison, Lucia Anna (Pia) Trigiani at MercerTrigiani, with substantial guidance from VALAC lobbyist, Tripp Perrin. "We received countless calls from our clients concerned about meeting during the on-going coronavirus crisis. In our view, there was nothing to relieve boards from the statutory requirement that members physically assemble," explained Trigiani. "We understood this was an issue facing all Virginia community associations and believed something had to be done." VALAC's Chair, Jerry Wright, added: "It will be a relief to all the association governing boards with whom we work to know that they can continue to conduct business and serve their communities in the face of a pandemic."

An associate at MercerTrigiani, Tiago Bezerra, drafted the legislation – "I take pride in the legal guidance we provide our clients on a daily basis. But, to have an opportunity to draft legislation benefitting associations throughout the Commonwealth has been a dream of mine since joining the community in 2014." After exchanging drafts with local legislators and the Governor's Office, which initially was working on a similar fix for local governments, the final version of the amendment was put into the Budget Bills.

CAI Virginia Legislative Action Committee is a volunteer committee consisting of homeowners and professionals serving community associations. They advocate in Virginia by identifying community associations issues, monitoring pending legislation, and setting legislative priorities. In addition, they build relationships with and educate state legislators, providing invaluable advice when community association issues arise. To learn about the VA LAC, visit their website at www.caionline.org/Advocacy/LAC/VA.

To swim or not to swim?



In case you missed it live, you can now watch our #COVID19 Q&A on what to consider when planning for the if, when, and how of opening community pools. Find the answers you're looking for.

<https://youtu.be/nYqVN1M2LIU>

COVID POOL FAQ's

Question : a. When is it permissible to reopen a pool in a community association?

A community association should always comply with federal, state, and local orders when deciding whether to reopen a pool that has been closed due to COVID-19. Some states may have patchwork reopening plans based on different state and local orders found on their website. If this is the case in your jurisdiction, it is recommended to follow the most restrictive order and continue to follow the CDC social distancing guidelines.

Question : b. Does a community association have to open their pool if a stay-at-home order has been eased?

Balancing between what residents want and what the law allows is one of the challenges of community association governance. Some state orders will explicitly lift the closing of pools. However, this is ultimately a board decision once the ban is lifted. It is important for boards to weigh the public health and safety risks of residents when opening pools. It may be difficult to compel a board to open a pool. This decision is up to a board and their credential professional's discretion. Seasonal markets may need to also be considered when opening pools in certain regions.

Question : c. Are there distinctions in reopening certain pools?

Boards should consider, based on their regions, if a pool needs to be reopened for residential use or if it needs to be reopened for maintenance and cleaning purposes.

Question : d. Are there risks in not reopening a pool for maintenance purposes?

There are public health risks attached to not reopening certain pools for maintenance purposes. If a pool cannot be reopened for residential use, a board still needs to consider their responsibility to open a pool for maintenance and sanitization purposes.

Question : e. What contracts should be considered when reopening a community pool?

It important to review any lifeguard company, cleaning company, and insurance company contracts an association may have when reopening a pool.

Question : f. Should an association have residents sign a waiver to use the pool when they reopen?

Many associations are asking residents to sign a waiver to use a pool. However, many associations do not have staff to monitor which residents have signed a waiver. Staffing and enforcement needs to be considered when requiring residents to sign a waiver prior to using the pool. It is difficult to tell if a waiver will fully protect an association from a liability claim.

Question : g. What procedures should be enforced when a pool has reopened? (

It is important to consider the CDC social distancing guidelines when reopening a pool. Pool capacity will need to be adjusted to abide by these guidelines. Additional cleaning procedures should be considered by boards for the pool area to mitigate the risk of residents contracting COVID-19. It is important for a board to review their current contracts to see what procedures are covered.

Question : h. Who should enforce these new procedures in a pool facility?

Pool staff will vary between associations and their budgets. Associations should consider what procedures a lifeguard who is already employed can enforce and what procedures additional staff may can enforce. It is suggested that furniture is limited to the number of people allowed by federal, state, and local orders or to have residents bring their own chairs to the pool. Some associations are considering advanced reservation periods for residents to enter the pool. When these time periods end, the pool deck should be emptied and cleaned before the next set of residents can enter the pool area. It is also suggested that 6-foot markers be placed around a pool.

Question : i. How should new pool procedures be communicated to residents?

Associations are encouraged to have sufficient signage around a pool with new procedures. A board should consider including a disclaimer on their signs stating they cannot ensure COVID-19 is not present on the pool deck.

Question : j. What is the role of a lifeguard during the COVID-19 pandemic?

Safety is always the primary responsibility of a lifeguard. New procedures cannot be given to a lifeguard, if they cannot protect the pool while completing the task.

Question : k. What should an association do if a lifeguard or pool staff contracts COVID-19?

If a lifeguard or pool staff member contracts COVID-19 and has been at the community pool within two weeks of diagnosis, the board should consider closing the pool for two-weeks and cleaning the vicinity.

Question : l. Are residents allowed to bring guests while a pool is following state and local emergency orders?

Some community managers are recommending no pool guests during the COVID-19 pandemic.

Disclaimer: COVID-19 is an evolving health crisis, recommendations from the CDC, applicable laws and Executive Orders of the Governor are constantly changing. Therefore, Community Managers and Boards are encouraged to check the resources published by the CDC (found at https://www.cdc.gov/coronavirus/2019_ncov/community/parks_rec/aquatic_venues.html) and Virginia Governor's Office (found at <https://www.virginia.gov/coronavirus/forwardvirginia/#856436>) to make sure you have the most up to date information when considering whether to reopen and how to operate their community pools for the season.

The Essentials of Community Association Volunteer Leadership

Event Sponsored By:



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August 14, 2020

12:30 pm- 4:30 pm

Location

Mariners Landing Conference Center

1273 Graves Harbor Trail– Lower Level (Blackwater Room)

Huddleston, VA 24104

The Essentials of Community

Association Volunteer Leadership

RSVP REQUIRED: To register, visit the website at www.caiswva.com

\$30 Member, \$40 Non-Member

Education for homeowner leaders just got better. The new CAI Board Leadership Development Workshop teaches you how to communicate with association residents, hire qualified managers and service providers, develop enforceable rules, interpret governing documents and more. It provides a comprehensive look at the roles and responsibilities of community association leaders and conveys information to help create and maintain the kind of community people want to call home.

Community association board members and volunteer leaders step up to take on positions of service and responsibility. They are expected to anticipate issues, solve problems, meet the expectations of their residents and protect property values.

The workshop will teach you how to become a more successful board member and how you can recruit and support new volunteers. You'll learn the role of the board, the president and other leadership positions, and you'll identify effective ways to work with professional managers and service providers.

The workshop consists of five modules, three will be covered during this event.

Module 1: Governing Documents and Roles & Responsibilities

Module 2: Communications, Meetings and Volunteerism

Module 3: Fundamentals of Financial Management



Event Speakers



Treena Gibson-White with Gibson & Associates



Chrissy Greene with Hall Associates



Michael Sottolano with Chadwick, Washington, Moriarty, Elmore and Bunn

REGISTRATION REQUIRED, SEATING IS LIMITED!

Schedule of Events

Registration: 11:45 am - 12:00 pm **Lunch Served from:** 12 pm -12:30 pm

Module 1: Governing Documents and Roles & Responsibilities 12:35 pm-1:35 pm

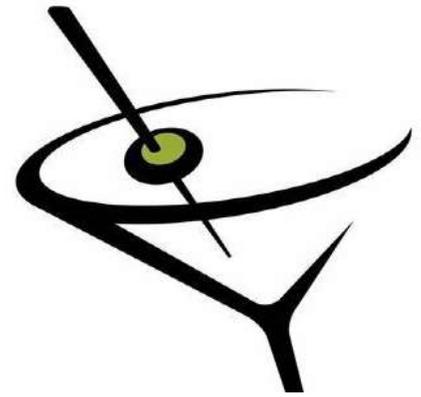
Module 2: Communications, Meetings and Volunteerism 1:45 pm-2:45 pm

Module 3: Fundamentals of Financial Management 2:55 pm- 3:55 pm

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FALL SOCIAL

Where: 419 West Restaurant in Roanoke, VA

When: October 16, 2020 from 4:00-7:00 pm

To purchase sponsorships or register to attend, visit our website at: <http://www.caiswva.com/>

2020 Business Summit & Annual Meeting

When: Dec 11, 2020 from 11:30am– 2pm

Where: Blue 5 Restaurant, Roanoke, VA

To purchase sponsorships or register to attend, visit our website
at: <http://www.caiswva.com/>

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Newsletter Content Policy

All submissions of announcements for publication in the SWVA CAI Chapter *Community Matters* newsletter are subject to the following guidelines:

- All subject matter must be related to industry related news such as education, certification, promotions, employment changes, Chapter related news, other important or unusual event news, member related news or similar.
- Announcements are only accepted by CAI affiliated community association volunteer leaders, managers, business partners and other industry related sources.
- Each announcement should not exceed 60 words.
- Announcements are to be submitted by the deadlines set for article submissions.
- Anonymous, second-hand or forwarded announcements will not be published.
- Publications are subject to space availability.
- SWVA CAI reserves the right to edit announcements.
- Announcements of activities must be within the past 3 months in order to be published.
- The views of authors expressed in articles appearing in the SWVA CAI *Community Matters* newsletter do not necessarily reflect the views of CAI.
- CAI assumes no responsibility for the statements and opinions of the contributors to this publication.
- The publisher is not engaged in rendering legal, accounting or other professional services.
- An acceptance of advertising does not constitute endorsement of the products or services offered.
- We reserve the right to reject any advertising copy.
- Submissions of articles and announcements are welcomed with the understanding that such material is subject to editing for content and for space limitations.
- References to a website, email addresses, telephone numbers, and similar may only be included in advertisements.

ADVERTISING RATE & SPACE RESERVATION FORM

Size	Width	Height	SWVA—Member Rate	SWVA—Non-Member Rate
<input type="checkbox"/> 1/16 Page	3 1/4"	3/4"	\$25.00	\$31.25
<input type="checkbox"/> Business Card	3 1/2"	2"	\$50.00	\$62.50
<input type="checkbox"/> 1/8 Page	2 1/4"	3 1/2"	\$75.00	\$93.75
<input type="checkbox"/> 1/3 Page Square	5"	5"	\$100.00	\$125.00
<input type="checkbox"/> 1/3 Page Vertical	2 1/2"	10"	\$100.00	\$125.00
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