



Bien Venue Plantation Property Owners Association, Inc.
Website: bienvenueplantation.com

675 Paddock Lane, Louisa, VA 23093
Email: bienvenueplantation@gmail.com

Annual Membership Meeting Minutes June 7, 2025, at 11am

Prior to the meeting, Steve Grill from the Lake Anna Civic Association provided general information on LACA and activities taking place around the lake.

Announcement of guest: Association Attorney Jerry Wright with Chadwick, Washington, Moriarty, Elmore, and Bunn P.C.

1. Call to Order, proof of notice, approval of agenda, review, and approval of June 2024 Annual meeting minutes by the Board of Directors, Bien Venue Property Owners Association
 - a. Meeting called to order at 11:06am
 - b. Minutes from June 22, 2024 – Motion to approve to approve: Bev Hobbs, Bonnie LaRocque second, voice approval carries.
2. Proof of Quorum – has been reached, *61 lots represented in person or by proxy.*
3. Presidents Report
 - a. Suspension of the STR ban - pending approval of new amendment.
 - b. Working from 1989/2016 covenants. Conducting Revisions using amendments from 2016, 2022, 2023 Declarations
 - c. Repealed Resolution 23002 – buildings already addressed in covenants. Vote needed cannot be adjusted through resolution.
 - d. Repealed Resolution 23001 – community feedback was to return docks to first come first serve. Will be discussed in the fall for community input.
 - e. The board determined not to enforce recent Association Declarations - based on legal counsel recommendation.
 - f. New trash service since Premier Trash went out of business - Valet Trash is the new vendor.
 - g. The gate maintenance contract was renewed; due to vendor automation system errors, the gate maintenance had not been done since 2023.
 - h. Extensive work with new legal counsel - Chadwick, Washington, Moriarty, Elmore & Bunn P.C.
 - a. Legal Counsel provided background of the firm, his experience and history.
 - b. Reviewed the lawsuit referencing STR and the recommendation provided to BOD.
 - c. Presented background for procedural concerns for past amendments (i.e., 2022, 2023, 2024)
 - i. Declarations amendment process in the past have raised concerns regarding effectiveness and enforceability. Ongoing revisions of covenants are being conducted and will be presented to the community with meetings in July and Aug and a special general membership meeting to be held in late September to conduct a vote for Amendments to Covenants - date TBD.
 - j. 3 newsletters have been distributed during the past year - community events, brief news from BOD meetings; community input is welcome and encouraged - contact Beverly Hobbs
 - k. Population of Google drive for Association records - hundreds of paper documents have been scanned and populated in the drive.
 - l. Established Resolution 25001 to use 2004 Bylaws in the Association

4. Secretary's Report:
 - a. Covenants report.
 - b. Resolution 25001 - mailed/emailed as part of the notice.
 - c. Resolution for media meetings and voting - procedural issues need to be addressed.
5. Treasurer's report:
 - a. Association Balance sheet
 - b. Association Reserves
 - c. Outstanding Dues
 - d. Treasurer Report (including 5 year outlook)
6. ACC Report:
 - a. Review of ACC report – 133 Lots in community (82 houses, 1 pending)
 - b. Restrictive covenants progress.
7. Maintenance Report:
 - a. Repaired the swing set - probably going to have to be replaced in the next couple of years (Paul Wade)
 - b. Completed concrete of Boat Ramp (Paul Wade)
 - c. Conducted electrical work at pavilion and docks (Ron Mellinger volunteered his services)
 - d. Gate maintenance conducted – moving forward service will be done in February & September each year.
 - e. New disabled/handicap sign at common area
 - f. Refreshed parking lines in common area.
 - g. Replaced many deteriorated boards and bumpers on docks. Quite a bit of rot under the walkway of dock - going to need extensive work in the near future.
 - h. Doggy Waste Station was placed on the community notification board.
 - i. Notification board was repaired (Paul Wade)
 - j. Cleaned the common area fence to brighten it up.
 - k. Weed treatment of common area gravel parking lot.
 - k. Future potential project - re-gravel boat parking area
8. Election of Directors- 2 current Board Members- Mike LaRocque (1 year remaining) Lawrence King (2 years remaining) - 3 positions to be filled:

Four nominees - Jennifer McCoy, Cathy Brick, Kelley Gonzalez, Carol Wilke – announced prior to the meeting and included on the proxy form.

Any additional nominations from the floor - Jeffery Yeroian, Tami Smith

Inspector of Elections – Paula Wahler, Suzanne Brown

Results of the vote.

 - Jennifer McCoy – 36
 - Carol Wilke – 33
 - Kelly Gonzalez – 27
 - Cathy Brick – 26
 - Jeffery Yeroian – 21
 - Tami Smith – 16
9. Old Business:
 - a. Should there be a limit as to how many active key cards are allowed per lot?

Nothing in covenants, resolutions, or other binding documents - there are lots with numerous key cards.

Overall feeling from members – there is no issue, no actions.
 - b. Property Management Company to be considered by new BOD.

10. New Business:

- a. Schedule of community meeting to discuss covenants amendment:
July/August
- b. Schedule of Special General Membership Meeting for Amendment vote – Late September (date TBD)
- c. Schedule Quarterly Board Meeting in September (date TBD)
(Separate from Special meeting for voting)

11. Comment forum for members in attendance - Discussion with the attorney.
Question raised by the members of interest in a property management company - Mixed feelings by the community - More discussion on the subject.

Daniel Brown Lot 60/61 – presented the violation notice that was provided (attached). Questioning what was provided in the documentation for the violation. Claims this was all wrong. Mr. Wright asked to discuss this at another time, not at the community meeting. Mr. Brown proceeded to argue with the Attorney until others requested the meeting move forward.

Steve Donnelly Lot 90 – Noted a reduction in available funds from 2024 to 2025 annual meeting.

Carol Wilke - Concerns on the expenditure of funds and accounting. Questioned the amount of funds returned by previous legal counsel and why it is not visible in the treasurer's report. Does not agree with increase of dues from \$210 to possibly \$300. Does not agree with how things are being handled with increasing costs and contracts. Need to get better bids on lawncare and ensure we are getting what we should.

Jennifer McCoy – Spoke to the comments made at the March meeting concerning the lack of confidence of the BOD. (copy of speech attached). Commented on the STR and Legal guidance.

12. Adjournment of Annual Membership meeting:

Motion to adjourn: Jennifer McCoy
Second: Bonnie LaRocque
Adjourned at 1:10pm

The newly elected Board of Directors will move to Executive Session to vote for Officers.



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Re: Violation of Declaration Lot 61

Date: 8 May 2025

Property owner: Daniel and Suzanne Brown

Address: 494 Palomino Dr
Louisa Va, 23093

Lot: 61

Dear Mr. and Mrs. Brown

We are writing to you with respect to violations on the above-referenced Lot. The board currently reserves the right to pursue violations against you or a future property owner, therefore, this letter is to notify you of the existing violations in advance.

Article I, Section II, para. 2.1 of the 1989 Declaration, and every subsequent iteration of this provision in purported and effective amendments to the Declaration provide also in part: *"All platted numbered lots within Bien Venue Subdivision are specifically restricted to residential use for single family specific private dwellings or residence designed for occupancy by one family on each lot."*

Article I, Section II, para. 2.9 of the 1989 Declaration and every subsequent iteration of this provision in purported and effective amendments to the Declaration, also contemplate that a residence must exist on a Lot, provide in part: *"Under no circumstances shall a horse be maintained on any lot or combination of lots prior to submitting plans for an approved barn type structure for housing a horse. Said structure must be of substantial materials and must be of similar design to a residence which exists on the property proposed for construction of said barn."*

To the extent that the Board has determined not to enforce the latest purported Amendment to the Declaration (recorded 03/12/2024, as corrected), we note that, even if enforced, Article I, Section II, para 2.8 of the 2023 Declaration also provides in part: *This restriction shall not apply to; domesticated equine/bovine provided one per 40,000 square feet of land, given land is zoned for Agriculture and all local ordinances are followed."* It is the Board's understanding that the reported number of cows, exceed the number allotted for your fenced in area, which should only keep six cows on the property.

In conclusion, regardless of which Declaration is enforceable, it is the Board's position that Lot 61 is not being used for residential use for a single family specific private dwelling or residence designed for occupancy by one family, which must exist on the property, as required by Article I, Section II of the Declaration. As a consequence, the Board requests that you correct these violations as soon as possible. We wish to resolve this matter amicably and if you should have questions please contact the President of the Board.

SECTION II. Exclusive Residential Use and Improvements.

2.1: All platted numbered lots within Rian Vene Subdivision are specifically restricted to residential use for single family private dwellings or residence designed for occupancy by one family on each lot. No structure or building of any kind or construction of any sort, including any excavation of the natural soil surface, shall be placed or permitted upon any lot unless and until plans and specifications giving description of same shall have been submitted in duplicate to, and approved in writing by, the Environmental Control Committee (hereinafter called Committee) as the same is from time to time composed.

This section refers to single family dwellings and prohibits multifamily dwellings: such as duplex and apartment buildings or multiple houses on each lot.

SECTION III. Construction and Job Site Management.

3.8: There shall be no requirement to construct a residence on any lot.

The BOD states a residence must exist on a lot:

Section 3, 3.8: clearly states **NO RESIDENCE REQUIRED**

2.9: The breeding or keeping of any domesticated animal or wild animal on any lot, or within any residence, shall be strictly prohibited. This restriction shall not apply to one horse per 40,000 square foot of land, dogs, cats, or other small domestic animals that are kept as household pets and of a quiet inoffensive nature; but it does not apply to any animal that is permitted to run free, to the breeding of such as a business or for profit, and the keeping of such on a commercial basis. Under no circumstance shall a horse be maintained on any lot or combination of lots prior to submitting plans for an approved barn type structure for housing a horse. Said structure must be of substantial materials, must be of similar design to a residence which exists on the property proposed for construction of said barn, or must be designed and constructed in a style which will be of similar design to future construction of a residence, if any.

"Residence which exists on the property proposed for construction of said barn."

"Residence which exists on the property proposed for construction of said barn, Or must be designed and constructed in a style which will be of similar design to future construction of a residence, if any."

2.8: The breeding or keeping of any domesticated animal or wild animal on any lot, or within any residence, shall be strictly prohibited. This restriction shall not apply to; domesticated equine/bovine provided one per 40,000 square feet of land, given land is zoned for Agriculture and all local ordinances are followed; dogs, cats or other small domestic animals that are kept as household pets and of a quiet inoffensive nature, to the breeding of such as a business, and the keeping of such on a commercial basis. Under no circumstance shall a horse be maintained on any lot or combination of lots prior to submitting plans for an approved barn type structure for housing a horse. Said structure must be of substantial materials and must be of similar design to a residence which exists on the property proposed for construction of said barn.

The BOD is stating that the calculation for the number of bovine is limited to the fenced area. There is no language in the covenants to support this—it seems the Board fabricated this on their own.

The Louisa county municipal code sec. 14-3. Fence law declared: property lines are the lawful fence for livestock.

Comments – June 7, 2025, BVP POA BOD Meeting (Louisa County Library @ 11:00 am)

Jennifer McCoy (Lots 41 & 44)

Good morning/afternoon Board of Directors and Fellow Property Owners:

As a member of this community, I want to take a few minutes to share my concerns regarding the accusations from a small number of individuals. There was a comment made at the March meeting referencing the lack of confidence from our Board of Directors when it comes to decision making. Your neighbors who have volunteered to be representatives for our community are not attorneys...to my knowledge. It is in the best interest of the community to consult the association's legal counsel on all matters due to the inaccuracy of decisions made in the past from lack of advice. I can only speak for myself, but I'm sure many would agree, we would much rather our dues be used towards community amenities and activities, but to move forward with the management of our community, the past mistakes must be corrected. Consulting with legal counsel to ensure compliance is not a lack of confidence, but a sign of leadership.

Furthermore, there were other comments regarding the STR lawsuit, and that the previous association attorney met with past Board members to discuss the case. I'm not an attorney, but to me this seems unethical on both sides. Numerous attorneys have stated the ban was not valid due to an incorrect voting procedure. It has been stated several times that the process used was recommended by the previous attorney, who could not represent the community in litigation due to a "conflict of interest". What exactly is the "conflict of interest"? Was he not qualified to represent in this type of case? Did he know that his advice was not legally binding? What was the plan for litigation? The community would have had to retain another attorney, which they did, but not without constant harassment from a select few. Maybe we wouldn't be where we are today if there had been more advice seeking from an attorney who had the proper credentials in this area of law.

It is apparent that there are those in the community who are not accepting of change; however, from my many conversations with long term residents and previous residents, it was time for change in our community that would benefit all.

This message is not meant to call out individuals, but to reinforce the importance of maintaining a space where everyone feels safe, heard, and respected. Disruptive or inappropriate actions affect more than just those directly involved, it impacts the overall health of our community.

This past year has been challenging, especially for our neighbors who've volunteered their time to sit on the Board of Directors. The amount of hours they have put in to guide this community on a positive path forward, should be commended – not met with constant

berating, disrespect, and accusations. Have a little compassion for those trying to manage a community that has been mismanaged for so long.

Let's all do our part to foster a respectful atmosphere and address any concerns in a constructive and solution-focused way. If you're aware of behaviors that you believe undermine our shared values, I encourage you to speak up.

Thank you for your time and commitment to our community.

- Pettiness/disruptive behaviors/deflecting to cover mistakes/not be held accountable
- Lack of volunteering (maintenance)
- Current BOD time commitment/correct the wrongs from the past/volunteer position/property management company
- Excess attorney fees/lack of proper legal counsel in the past/Wilkinson credentials/conflict of interest reasoning for STR litigation/cost to BVPPOA if STR lawsuit had moved forward - \$20,000 to \$30,000? (according to personal attorney)
- Nominate Jeff Yeroian for BOD
- Grass cutting
- What was the reason for the approved Variance for "Farm" sign? (site wording in Covenants)

**ARTICLE VIII. RESTRICTIONS AND COVENANTS.
 MODIFICATION AND ENFORCEMENT**

SECTION II. Variance and Adjustments.

2.1: The Developer, it's successors or assigns, may allow reasonable variances and adjustments of these Restrictions in order to overcome practical difficulties and to prevent unnecessary hardships in the application of the provisions contained herein; provided, however, that this is done in conformity with the intent and purpose hereof and provided that, in every instance, such variance or adjustment will not be materially detrimental or injurious to other property or improvements in the neighborhood or the subdivision.