

**MINUTES OF THE 2016 ANNUAL MEETING  
OF THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION  
HELD AT THE WESTLAKE PORTER PUBLIC LIBRARY  
WEDNESDAY, NOVEMBER 16, 2016**

**CALL TO ORDER**

Trevor Lawrence, representing Lawrence Community Management, called the meeting to order at 7:03 PM. Also present were Board Members Alan Weinberg, John Kosatka, and Cathy Garlitz. Shannon McCormick and Rachel Kuhn represented the Association's Legal Counsel, Kaman & Cusimano, Ward 6 Councilman, Mark Getsay, Paula Jazwa, recording secretary, and Michele Hahn assisting with sign-in were also in attendance.

First time attendees to the meeting were Pieschalski (29342), Parikh (29346), Gallagher (29377), and Patel (29351).

**NOTICE OF MEETING AND DETERMINATION OF A QUORUM**

A notice was sent to all unit owners on October 26, 2016, indicating that the Annual Meeting was to be held on Wednesday, November 16, 2016, at the Westlake Rec Center beginning at 7:00 PM. This notice included a proxy.

A quorum was determined with a total of 57 out of 107 units represented. 30 units were represented in person, and proxies represented 27 unit owners. There was a quorum represented with 53.00% of the total ownership. This was well in excess of the 33 1/3% required by the Association's Bylaws.

**MINUTES OF THE 2015 ANNUAL MEETING**

Trevor Lawrence noted that everyone had received a copy of the 2015 annual meeting minutes in the October 26, 2016 annual meeting notice and a copy was also included in the meeting package. A motion to dispense with the reading of the minutes of the 2015 Annual Meeting and to approve them as written was made by Rosemary Dever. John Klayman seconded, and the motion passed unanimously. The original of these meeting minutes as approved and all attachments will be placed in the Association's corporate record book.

**CITY REPORT**

City of Westlake Ward 6 Councilman, Mark Getsay, gave the City Report. The City has invested a large amount of money upgrading the traffic signals in Westlake. Next spring, a traffic study will be done on the Crocker Road corridor. They are trying to improve the traffic issues. He was asked to have the police department do more speed enforcement in that area and noted that he will discuss with the police chief. Mark also reviewed other building construction that will be done at the corner of Crocker and Center Ridge. In 2017, the residents will be asked to extend the bond for the recreation center and other facilities as a result of the survey. No decision has been made on the appeal from the City of Cleveland on the judge's decision that the water contract has expired. The Verizon tower is up on St. John's hospital, but it has not been verified if it is operational yet.

## **PRESIDENT'S REPORT**

Alan Weinberg gave the President's Report. He reviewed the highlights that took place during the past year. The neighborhood is looking good. The pond was cleaned up this year. More roofs were power washed to remove algae. Additional roofs will be done next year. One unit found termites and an exterminator put in a system into the ground to control the problem. He reminded owners to please leash their dogs for safety reasons and to clean up after them.

## **TREASURER'S REPORT**

Cathy Garlitz gave the Treasurer's Report. As stated in the accompanying financial statements, assets as of October 31, 2016 totaled \$708,141.10. Assets included the Operating checking account in the amount of \$14,286.26, four Capital Reserve money market checking accounts in the amount of \$285,647.64, and four Capital Reserve CD's in the amount of \$408,207.20. In 2015 the reserve study was updated. The Association is on track to be fully funded and is gradually moving towards that point. In 2017, the maintenance fees will be increased to \$315.00 and the following year to \$330.00. This increase is for funding the capital reserve account in order to avoid future special assessments when it comes time to replace the roofs, streets, etc. Ohio law requires that an Association be fully funded unless the owners waive the fully funding requirement.

Once the Association is fully funded will the fees stay at \$330 or be reduced? - The monthly fees will stay at \$330.00 unless it is necessary to increase for operational expenses.

Is the roof the first major capital expenditure? – Yes. The roof replacement project will not start until it is needed. Hopefully it can be held off until 2020.

Once the roofs are completed, will the Association still be considered fully funded? – The reserve study will be updated every five years to make sure the Association is still on track.

## **SECRETARY'S REPORT**

John Kosatka noted the reason that the reserve study has not been added to the website yet was due to the Board contemplating looking at a password protected site. If anyone would like a copy of the reserve study emailed to them, contact Trevor.

## **LEGAL REPORT**

Shannon McCormick of Kaman and Cusimano gave the Legal Report. She noted that the firm has been the Association's legal council since 2006 and only provides legal services for condominium and homeowner associations. She briefly reviewed the handout, "Annual Meeting Legal Report – Community Association Living Growing in Popularity," and how it applies to the Association. Currently there are no liens or foreclosures pending at this time and applauded everyone for paying their fees on time.

## **ELECTION OF BOARD OF DIRECTORS**

Rachel Kuhn explained that the main purpose of the meeting is the election of the Board of Directors. According to the Association's By-laws, Board member terms are for three years. Staggered elections

are held each year to provide continuity to the Board. Regardless what role a Board member has, they still have an equal vote. The Board members whose term is expiring is Alan Weinberg.

Alan Weinberg made a motion to appoint Judy Defrancesco and Cathy Tecco as Inspectors of the Election. Cathy Garlitz seconded, and the motion passed unanimously.

The floor was then opened up for nominations and/or volunteers to run for the Board.

Theresa Weinberg nominated Alan Weinberg.

With there being no further nominations and/or volunteers from the floor, Rosemary Dever made a motion that the nominations be closed and for the Secretary to cast a unanimous ballot for Alan Weinberg to be elected by acclamation. Richard Sadd seconded, and the motion passed unanimously.

### **OLD BUSINESS**

Proposed Rental Restriction – There are currently 12 rentals in the community at this time. In order to pass the proposed rental restriction amendment it would require 75% of the homeowners to vote in favor of the proposed amendment. Those who are currently renting would be grandfathered until they sold their home. Everyone would also get a one-time hardship for up to 24 months. The passage of this amendment would prevent future purchases of units for strictly rentals. A second notice will be sent out until either a 75% approval is received or 25% opposition.

Six units sold this year. The sales prices ranged from \$250,000 to \$335,000. There is nothing for sale at this time.

### **NEW BUSINESS**

Trevor Lawrence took a few minutes to review the questionnaires that were returned prior to the meeting.

A few owners were displeased with the landscaping and snow removal over the past year. – The Board renewed the contract with BrightView for one year with no increase. If anyone has an issue with the landscaping or snow removal, they were urged to contact the management company via email.

It seemed like several lawns were lost this year. – The Association has been replacing a few lawns each year. The builder planted grass with a lot of bent grass in it.

Pine Trees – The pine trees were looked at and it was concluded that it was normal needle drop. They will continue to be monitored. A deep roof fertilization was just done on all of the trees.

Recycling Bins and Trash - If there is a windy day, the trash and recyclables blow throughout the community. Rumpke does have a recycling toter on wheels that is available for \$2.00 per month. Individual owners can call Rumpke to set up. Residents were reminded not to put trash out before 6 PM the night before and must remove their container the day of pickup. Advise the management company of any habitual offenders so a letter can be sent out.

When will the development directory be available? – This was emailed to everyone in March. Contact

the management company if you need a paper copy of the directory.

On the north side of our property, the lowland area puddles with water during a heavy rain. – This may be a drainage issue and will be reviewed with the owner.

A mailbox should be assigned in the development to drop off maintenance checks instead of mailing them. – This is something the Board can discuss. Trevor suggested signing up for auto-payment of the monthly maintenance fees.

The sprinkler system is getting older, is there any plan to replace it instead of repairing? – It is more cost effective to fix the issues than replace the whole system.

Residents were reminded to use caution when driving through the community in case children may be out riding bikes. – A general reminder can be sent.

The lock for the big packages in Mail Hut E no longer works and the door is stuck open. – The post office was notified. A follow-up will be done.

Have there been any recent break-ins? – No. If something does happen, the owners would be notified right away.

Garage Light Fixture Maintenance – Currently, the owners are responsible for the maintenance and replacement of the garage and front door light fixtures. In order for the Association to take over the maintenance responsibility of the light fixtures it would require amending the declaration by a 75% approval of the owners. Experimental lights have been installed at the first two houses on both sides of the north entranceway. The estimated cost to initially replace all of the lights is between \$20,000 - \$30,000 and would be a reserve project. By a show of hands, there was a large majority in favor of pursuing the amendment to make the Association responsible for the maintenance of garage and front door fixtures.

Will the new lights show the house numbers better? – The Board did not specifically think about that. They were just looking at conformity and security issues. If there are overgrown shrubs covering the address numbers, contact the management company so they can be cut back.

## **ADJOURNMENT**

With there being no further discussion, John Klayman made a motion to adjourn the meeting. Rosemary Dever seconded, and the meeting was adjourned at 8:22 PM.

Respectfully submitted,

John Kosatka  
Association Secretary

Minutes Approved \_\_\_\_\_ 2017 \_\_\_\_\_ President

A brief organizational meeting of the Board was held after the Annual Meeting beginning at 8:25 PM. The following slate was decided.

Alan Weinberg	President	2019
John Kosatka	Secretary	2017
Cathy Garlitz	Treasurer	2018

Cathy Garlitz moved to keep the slate the same. John Kosatka seconded and the motion passed unanimously.

The next regular Board meeting will be determined at a later date.

Cathy Garlitz moved to adjourn the organizational meeting. John Kosatka seconded, and the organizational meeting adjourned at 8:26 PM.