

# **THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION, INC.**

## **2015 ANNUAL MEMBERSHIP MEETING**

MONDAY, NOVEMBER 9, 2015 - 7:00 P.M.  
WESTLAKE PORTER PUBLIC LIBRARY, WESTLAKE, OHIO

### **INFORMATION PACKET**

1. ANNUAL MEETING AGENDA
2. 2014 ANNUAL MEETING MINUTES
3. SEPTEMBER, 2015 FINANCIAL STATEMENTS

# THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION, INC.

## 2015 ANNUAL MEETING

Monday, November 9, 2015 - 7:00 PM

Westlake Porter Public Library, Westlake, Ohio

### AGENDA

- I. Call Meeting to Order
  - A. Welcome & Introductions
  
- II. Proof of Notice of Meeting
  - A. Call for Proxies
  - B. Determination of a Quorum
  
- III. Minutes of 2014 Meeting  
(A copy is in your information packet.)
  
- IV. Report of Officers
  - A. President's Report - Alan Weinberg
  - B. Treasurer's Report - Cathy Garlitz
  - C. Secretary's Report - John Kosatka
  - D. Legal Report - Jay Cusimano - Kaman & Cusimano
  
- E. Election of Director
  - A. Election of Director
    1. Board Composition  
**(The Board Member with a term expiring in 2015 is Cathy Garlitz.)**
    2. Nominations from Floor
    3. Nominee Comments
    4. Appointment of Inspector of Elections
  - B. Election
    1. Results of Election
  
- VI. Unfinished and/or Old Business
  
- VII. New Business
  - A. Response to Questionnaires
  
- VIII. Adjournment
  
- IX. Organizational Meeting of New Board Members to Elect Officers

**MI1~UTES OF THE 2014 ANNUAL MEETING  
OF THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION  
HELD AT THE WESTLAKE REC CENTER  
WEDNESDAY,NOVEMBER 19, 2014**

**CALL TO ORDER**

Trevor Lawrence, representing Lawrence Community Management, called the meeting to order at 7:00 PM. Also present were Board Members Alan Weinberg, John Kosatka, and Cathy Garlitz. Jay Cusimano from the Association's Legal Counsel, Kaman & Cusimano, and Paula Jazwa, recording secretary, were also in attendance.

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

A notice was sent to all unit owners on October 23, 2014, indicating that the Annual Meeting was to be held on Wednesday, November 18, 2014, at the Westlake Rec Center beginning at 7:00 PM. A reminder notice was sent on November 12,2014. Both notices included a proxy.

A quorum was determined with a total of 58 out of 107 units represented. 28 units were represented in person, and proxies represented 30 unit owners. There was a quorum represented with 54.00% of the total ownership. This was well in excess of the 33 1/3% as required by the Association's Bylaws.

**MINUTES OF THE 2013 ANNUAL MEETING**

Trevor Lawrence noted that everyone had received a copy of the 2013 annual meeting minutes in the October 23, 2014 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 2013 Annual Meeting and to approve them as written was made by Rosemary Dever. Doug Shelby 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.

**PRESIDENT'S REPORT**

Alan Weinberg gave the President's Report. For the benefit of the new owners, he gave a quick history of the development. No snow complaints have been received. He thanked Trevor for the great job he has done for the Association. Several trees were removed this past year and they are keeping an eye on several other trees. The two concrete garbage pads at the far end of the development were removed, since they were not serving any purpose. Flowers and trees were planted to dress the area up.

- The area in the back where the new trees were planted is where the snowplow piles and pushes the snow which will most likely damage the trees. - The snow plow shouldn't damage the tree. If they do, the trees are under warranty and will be replaced.

Some residents received notices about a cell tower going in at the hospital. Since there was already a cell tower on the property, Verizon was able to put another antenna on the hospital.

- Will a traffic light be installed at the end of the street? - This has been brought up again to the

councilman and he promised the issue would be re-visited.

- Does the land to the south of the entrance belong to the Preserves? - No, this property is for sale. The city should know who the property belongs to so they can be advised that the brush needs to be trimmed back.
- What are owners responsible for on the exterior of their home? - The patios/decks and the landscaping around the perimeter of the home. These areas are considered limited common elements of the property.

### **TREASURER'S REPORT**

Cathy Garlitz gave the Treasurer's Report. As stated in the accompanying financial statements, assets as of October 31, 2014 totaled \$503,186.61. Assets included the Operating checking account in the amount of \$38,752.72, a Capital Reserve money market checking account in the amount of \$163,450.42 and three Capital Reserve CD's in the amount of \$300,983.47. So far, the Association is right on budget for 2014. The maintenance fees for 2015 will remain the same, providing the owners vote not to fully fund. Out of the monthly maintenance fee, approximately \$80 goes into the reserve fund.

- Now that the two FFL accounts are over the FDIC limit of \$250,000 what will be done? - The Board will discuss establishing another reserve account at another bank.
- Is there any discussion on increasing the fees by \$5 so that it won't have to be increase by \$20 next year? - The developer originally set the fees too low. The Reserve Study was done, and according to the study to be fully funded, the fees should be at \$330 a month. The owners have been asked to waive the fully funding requirement.
- The landscaping is the highest line item in the budget, is this put out to bid? - This is done every two years. Brickman has been doing a good job.
- The Audit Report mentioned the last Reserve Study was done in 2008, will it be updated? - The Board has discussed, but no decision has been made. It will cost between \$3,000 to \$4,000 to update.
- Is there an annual audit done each year? - No, an audit is done every few years.

### **SECRETARY'S REPORT**

John Kosatka reminded everyone that the Board meeting minutes are posted on the website. Property forms for exterior changes are also available on the website. He explained that the Board is trying to have a balance approach to the maintenance fees. The financials are in good shape at this time. They are trying to close the gap a little bit at a time. Now that the reserves are getting bigger, an audit will be done every two to three years.

### **LEGAL REPORT**

Jay Cusimano of Kaman and Cusimano gave the Legal Report. He noted that his firm has been the Association's legal council since 2006. He briefly reviewed the handout "Annual Meeting Legal Report - Your Community Association, A Legal Perspective" and how it applied to the Association. There was one lien filed in March, but was paid in full and the lien released. Currently there are no liens or foreclosures pending at this time. No one is suing the Association, and the Association is not suing anyone.

## **ELECTION OF BOARD OF DIRECTORS**

Jay Cusimano 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 John Kosatka,

Alan Weinberg made a motion to appoint Cathy Tecco and Chuck Buschert as Inspectors of the Election. Doug Shelby 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 John Kosatka,

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

## **OPEN DISCUSSION**

Trevor Lawrence took a few minutes to review the remaining questionnaires that were not previously discussed and answered.

- Will we get a new resident directory? - This is something that can be looked at next year since this hasn't been done in awhile.
- The Board should schedule some social activities. - If there is enough interest, the Board can form a social committee. If anyone is interested, please let the Board know.
- Exterior Window Cleaning Service - If this would be done as an Association, it would increase the maintenance fees. By a show of hands, there was not any interest to do this as an Association. Window washer information will be posted on the website.
- Alan Weinberg noted that Lowe's is the distributor for the windows. They can order new screens and have them shipped to the store for pickup and they are very inexpensive.
- Another owner wanted to remind everyone to pick up after their pets. Also if someone could pick up the trash/debris that blows around after the trash is picked up.- The Board can evaluate the cost to send someone out on a weekly basis. It is still best if everyone picked up after themselves.
- Will the rubbish service still be at 6 AM in the winter? - Yes, there is no difference in the winter. The recycle truck has a new pattern and now comes in the afternoon.
- Why are the cans turned upside down and the lids tossed to the side? - The reason is not known. This would be a question for the service department.
- Will the same company be doing the pond maintenance next year? One owner alleged the west end of the pond was full of algae. - Trevor noted that he would be happy to meeting with the concerned

owner and contractor in the spring to review the pond.

Cathy Garlitz thought it was a great idea to update the resident directory. She would like to get a plan in motion along with some volunteers to go door-to-door to get the updated information for the directory, preferably in wanner weather.

Before closing, Trevor noted that more blast emails will be done in the future. This is a much easier way to communicate with the residents and less signs being posted. Anyone who didn't receive the annual meeting reminder was encouraged to provide their email address so that they could receive future communication.

**ADJOURNMENT**

With there being no further discussion, Virginia Flynn made a motion to adjourn the meeting. Cathy Garlitz seconded, and the meeting was adjourned at 8:00 PM.

Respectfully submitted,

John Kosatka  
Association Secretary

Minutes Approved \_\_\_\_\_ 2015 \_\_\_\_\_ President

A brief organizational meeting of the Board was held after the Annual Meeting beginning at 8:01PM. The following slate was decided.

Alan Weinberg	President	2016
John Kosatka	Secretary	2017
Cathy Garlitz	Treasurer	2015

Alan Weinberg 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 8:02 PM.