

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

## **2018 ANNUAL MEMBERSHIP MEETING**

THURSDAY, SEPTEMBER 6, 2018 - 7:00 P.M.  
WESTLAKE REC CENTER, WESTLAKE, OHIO

### **INFORMATION PACKET**

1. ANNUAL MEETING AGENDA
2. 2017 ANNUAL MEETING MINUTES
3. JULY, 2018 FINANCIAL STATEMENTS

# THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION, INC.

## 2018 ANNUAL MEETING

Thursday, September 6, 2018 - 7:00 PM  
Westlake Rec Center, 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 2017 Meeting  
(A copy is in your information packet.)
  
- IV. Reports
  - A. President's Report – Alan Weinberg
  - B. Treasurer's Report – Cathy Garlitz
  - C. Secretary's Report – John Kosatka
  - D. Legal Report –Nick Meinert - Kaman & Cusimano
  
- V. Election of Director
  - A. Election of Director
    - 1. Board Composition  
**(The Board Member with a term expiring in 2018 is Cathy Garlitz.)**
    - 2. Nominations from Floor
    - 3. Nominee Comments
    - 4. Appointment of Inspectors of Election
  - B. Election
    - 1. Results of Election
  
- VI. Unfinished and/or Old Business
  - A. Proposed Amendment Discussion
  
- VII. New Business
  - A. Owner Questionnaires
  
- VIII. Adjournment
  
- IX. Organizational Meeting of New Board Members to Elect Officers

**MINUTES OF THE 2017 ANNUAL MEETING  
OF THE PRESERVE OF WESTLAKE CONDOMINIUM ASSOCIATION  
HELD AT THE WESTLAKE PORTER PUBLIC LIBRARY  
THURSDAY, NOVEMBER 2, 2017**

**CALL TO ORDER**

Trevor Lawrence, representing Lawrence Community Management, called the meeting to order at 7:02 PM. Also present were Board Members Alan Weinberg, John Kosatka, and Cathy Garlitz. Joe DiBaggio represented the Association's Legal Counsel, Kaman & Cusimano, and, Paula Jazwa, recording secretary, were also in attendance.

First time attendees to the meeting were Roberts (29403), Culbertson (29436), and Alamir (29440).

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

A notice was sent to all unit owners on October 9, 2017, indicating that the Annual Meeting was to be held on Thursday, November 2, 2017, at the Westlake Porter Public Library beginning at 7:00 PM. A reminder notice was mailed on October 26, 2017. Both notices included a proxy.

A quorum was determined with a total of 63 out of 107 units represented. 30 units were represented in person, and proxies represented 33 unit owners. There was a quorum represented with 59.00% of the total ownership. This was well in excess of the 33 1/3% required by the Association's Bylaws.

**MINUTES OF THE 2016 ANNUAL MEETING**

Trevor Lawrence noted that everyone had received a copy of the 2016 annual meeting minutes in the October 9th annual meeting notice mailing and a copy was also included in the meeting package. A motion to dispense with the reading of the minutes of the 2016 Annual Meeting and to approve them as written was made by Rosemary Dever. Beth 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.

**PRESIDENT'S REPORT**

Alan Weinberg gave the President's Report. He reviewed the highlights that took place during the past year. Several sidewalks have already been leveled and additional ones are scheduled to be done. He noted the landscaping and snow removal were better this year. Alan stated he was having problems with their cable remote and went to the Spectrum store and by switching out Time Warner equipment to Spectrum equipment, they ended up saving \$70 per month.

**TREASURER'S REPORT**

Cathy Garlitz gave the Treasurer's Report. As stated in the accompanying financial statements, assets as of October 31, 2017 totaled \$858,528.75. Assets included the Operating checking account in the amount of \$29,904.85, four Capital Reserve money market checking accounts in the amount of \$215,920.10, and five Capital Reserve CD's in the amount of \$612,703.80. The Board is making sure that the funds are FDIC insured and have made sure to spread funds out so that not one bank has more than \$250,000 on deposit. According to the 2015 reserve study, the recommended monthly fee should be \$330.00 to be

fully funded. Each year the fees were gradually increased in order to meet that recommendation. The 2018 maintenance fees will be increase to \$330.00 in order to be fully funded. 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. An upcoming project the Board is looking at is updating the exterior lighting on the front of the units.

The reserve study suggested \$330 in 2015. Was that meant for 2015 or will the Association be short since the increase was staggered? – The Association is right on track and staggering the increases over several years should not have a negative effect.

Does the Association have insurance for catastrophic events? – The Association does have a master insurance policy and is responsible for full replacement of the outside structure.

Why is the 2018 #6511 Irrigation System Maintenance & Repair line item being reduced from \$15,000 to \$10,000? – There have been a lot of repairs to the irrigation system these past few years. Hopefully there will be less repairs going forward.

Theresa Weinberg suggested having the sprinklers off on Tuesday mornings when the recycling and garbage cans are out. This is something that can be looked at next spring.

**SECRETARY'S REPORT**

John Kosatka gave an overview of web page. The reserve study has been added. The Board will be looking at a more secure web portal that will be password protected.

**LEGAL REPORT**

Joe DiBaggio of Kaman and Cusimano gave the Legal Report. He noted that the firm has been the Association's corporate council since 2006 and only provides legal services for condominium and homeowner associations. They assist the Board to make sure that the governing documents are followed. There are no pending foreclosures or bankruptcies at this time. There are only 2 liens in place at this time. They have collected just over \$1,000 in delinquent maintenance fees this year. The Association is in good shape legally. There are no pending lawsuits against the Association.

Is there any pending state legislation at this time? – The flag bill was passed last year. The purpose of the bill was to extend the display of the US flag as well as the State of Ohio flag, POW/MIA flag, window displays of the blue and gold star banners, and other similarly designated service flags. New legislation was introduced this year to expand the flag bill. The super-lien bill died in committee last year and not sure if it will be re-introduced.

One owner submitted a question stating that they attempted to refinance their unit with a VA loan but the application was denied because the development was not approved by the Veterans Administration. It was noted that there was a minor restriction in the Association documents. – This can be pursued if the restriction is identified. The Board has the ability to amend the documents in cases like this without the vote of the owners.

### ELECTION OF BOARD OF DIRECTORS

Joe DiBaggio 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 Judy DeFrancesco and Cathy Tecco as Inspectors of the Election. Amir Alamin seconded, and the motion passed unanimously.

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

Judy Zubizarreta nominated John Kosatka.

With there being no further nominations and/or volunteers from the floor, Doug Shelby ever 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. Jenny Simons seconded, and the motion passed unanimously.

### OLD BUSINESS

Rental Amendment – So far, 53 have voted in favor of passing the rental amendment and 24 have voted against. This is not enough to get the amendment to pass or fail. 75% of the homeowners would need to vote in favor of the proposed amendment in order to pass. It was suggested organizing a committee to go door to door to get the votes for the owners who did not return theirs yet. Another option suggested was to call a special meeting to discuss the proposed rental amendment.

Garage Light Fixture Maintenance – The Board will be looking at proposing an amendment to take over the responsibility of the front light fixtures. Cathy Garlitz reviewed the proposed fixture and bulb that is being considered as the replacement. 75% of the owners would have to vote in favor in order to amend the documents. The project is estimated to cost \$30,000. Future repairs and maintenance would then be the responsibility of the Association.

Thirteen units sold this year. The highest sales price was \$335,000.

### NEW BUSINESS

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

One owner asked to remind residents to clean up after pets and trash that blows around.

Why are there still three feral cats running around? – The City of Westlake has an animal officer that will come out and take care of.

Please review parking restrictions for the parking pads. – Owners are not permitted to park on the pads overnight. These are intended for guests. A picture of the offending vehicle should be taken and can be emailed to Trevor so that the violation can be addressed. Owners were also reminded not to park on the fire hydrant side of the street.

Speeding – Since this is a private street, the police are not able to enforce the 25 mph limit. Get the

license plate of the speeding offender and a letter can be sent.

Turning Lane on Crocker - The new councilman is open to proposing a turning lane on Crocker Road. Due to a prior commitment, he noted that he would be willing to have a special meeting with the Association in the spring.

Fall Clean-up and gutter cleaning – The beds will be cleaned out and the gutters will be cleaned after Thanksgiving.

The shrub replacement has been completed. – Any special requests should be submitted to the management company.

Why is the grass to the south of the south entrance not being cut anymore? – This is owned by a private owner. The Association was cutting the grass until someone from the development complained. It was suggested calling the city to have to cut.

Can the landscapers be asked not to put the mulch down so early next year since it seems to be disintegrating already? – The Board may look at going with a triple shredded dyed mulch to get the color to last throughout the season.

Construction dirt and debris is still being dumped on the other side of the mound on the hospital side of the property. – Trevor will request to meet with the city on the property to review.

How often are the edging of the flower beds supposed to be done? – Deep edging is done in the spring and the edging of the driveways and beds are supposed to be done every other week.

Can aeration of the lawns be done? – This has been done in the past. The Board can discuss.

Some of the shrubbery in the front is getting to big. – The Board will talk to the landscaper in the spring to be more aggressive on the trimming. It was suggested getting on the do no trim list if you do not want the aggressive trimming done.

Will the tree lawn tree roots cause problems for the roads like they are with the sidewalks? – They could possibly in the future, but will affect the sidewalk first. The sidewalks will be monitored. It was suggested getting proposals to have some of the tree lawn trees culled out and pricing for the owners to plant trees in the lawn area.

### ADJOURNMENT

With there being no further discussion, Doug Shelby made a motion to adjourn the meeting. Bill Baddfour seconded, and the meeting was adjourned at 8:24 PM.

Respectfully submitted,

John Kosatka  
Association Secretary

Minutes Approved \_\_\_\_\_ 2018 \_\_\_\_\_ President

c/o Lawrence Management Group  
1507 Lear Industrial Pkwy., #1  
Avon OH 44011

Lawrence Community Management  
1507 Lear Industrial Pkwy.  
Suite 1  
Avon OH 44011

**Current Assets**

1010	Operating Checking Account - USB	47,954.02
1105 53	Cap Reserve Sav- 5/3	100.00
1109 53	Cap Res Ckng -5/3	98.38
1109 FFL	Cap Res Ckng - FFL	325,005.42
1109 KEY	Cap Res Ckng - Key	250.00
1200-4407	Cap Res CD - 5/3 1.34% 44 mo 2/22/19	103,201.83
1200-4408	Cap Res CD - Key 18 mos 2.25% 10/22/19	105,862.80
1200-4409	Cap Res CD - Key 35 mos 1.75% 4/27/19	104,777.37
1200-4410	Cap Res CD - NYCB 12 mos 1.05% 9/01/18	103,445.50
1200-4411	Cap Res CD - AAB 26 mos 1.7% 12/31/19	<u>200,568.62</u>

**Total Current Assets** 991,263.94

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**Equity**

3010	Initial Capital Contributions	32,356.80
3200	Retained Earnings/Maint Fee Reserves	854,041.75
	Current Year Cash Flow/Net Income	<u>104,865.39</u>

**Total Equity** 991,263.94

**Total Equity & Liability** 991,263.94

Preserve Condominiums of Westlake  
Budget Comparison Cash Flow  
07/31/2018

c/o Lawrence Management Group  
1507 Lear Industrial Pkwy., #1  
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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
<b>OPERATING RECEIPTS &amp; DISBURSEMENTS</b>									
<b>Operating Receipts</b>									
4015	35,170.00	35,310	-140.00	-0.40%	252,622.50	247,170	5,452.50	2.21%	423,720
4330	0.00	0	0.00	0.00%	142.50	0	142.50	0.00%	0
4400	140.00	64	76.00	118.75%	630.00	448	182.00	40.63%	770
<b>TOTAL OPERATING RECEIPTS</b>	<b>35,310.00</b>	<b>35,374</b>	<b>-64.00</b>	<b>-0.18%</b>	<b>253,395.00</b>	<b>247,618</b>	<b>5,777.00</b>	<b>2.33%</b>	<b>424,490</b>
<b>OPERATING EXPENSES</b>									
<b>Administrative Expenses</b>									
6005	0.00	0	0.00	0.00%	195.00	200	5.00	-2.50%	200
6020	95.00	100	5.00	-5.00%	1,970.00	1,100	-870.00	79.09%	1,500
6025	0.00	42	42.00	-100.00%	142.50	294	151.50	-51.53%	500
6040	1,900.00	1,900	0.00	0.00%	13,300.00	13,300	0.00	0.00%	22,800
6045	44.20	42	-2.20	5.24%	229.40	294	64.60	-21.97%	500
6055	19.60	21	1.40	-6.67%	137.20	147	9.80	-6.67%	250
6060	0.00	0	0.00	0.00%	17.01	17	-0.01	0.06%	17
6064	1.50	25	23.50	-94.00%	4.19	175	170.81	-97.61%	300
6065	8.64	42	33.36	-79.43%	259.06	294	34.94	-11.88%	500
6068	0.00	0	0.00	0.00%	799.00	500	-299.00	59.80%	500
6070	0.00	0	0.00	0.00%	0.00	100	100.00	-100.00%	100
6080	240.00	8	-232.00	999.99%	240.00	56	-184.00	328.57%	100
6085	0.00	13	13.00	-100.00%	0.00	91	91.00	-100.00%	160
6093	12.97	13	0.03	-0.23%	90.79	91	0.21	-0.23%	156
6100	0.00	0	0.00	0.00%	0.00	0	0.00	0.00%	100
<b>Total Administrative Expenses</b>	<b>2,321.91</b>	<b>2,206</b>	<b>-115.91</b>	<b>5.25%</b>	<b>17,384.15</b>	<b>16,659</b>	<b>-725.15</b>	<b>4.35%</b>	<b>27,683</b>
<b>Administrative Operating Expenses</b>									
6225	2,328.05	0	-2,328.05	0.00%	29,849.66	28,000	-1,849.66	6.61%	30,000
6231	0.00	0	0.00	0.00%	120.00	120	0.00	0.00%	120
<b>Total Administrative Operating Expens</b>	<b>2,328.05</b>	<b>0</b>	<b>-2,328.05</b>	<b>0.00%</b>	<b>29,969.66</b>	<b>28,120</b>	<b>-1,849.66</b>	<b>6.58%</b>	<b>30,120</b>
<b>Utility Expenses</b>									
6360	963.77	958	-5.77	0.60%	6,734.17	6,706	-28.17	0.42%	11,500
6365	1,028.64	0	-1,028.64	0.00%	2,677.15	1,000	-1,677.15	167.72%	25,000
<b>Total Utility Expenses</b>	<b>1,992.41</b>	<b>958</b>	<b>-1,034.41</b>	<b>107.98%</b>	<b>9,411.32</b>	<b>7,706</b>	<b>-1,705.32</b>	<b>22.13%</b>	<b>36,500</b>

**Preserve Condominiums of Westlake  
Budget Comparison Cash Flow  
07/31/2018**

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	MTD Actual	MTD Budget	\$ Var.	% Var.	YTD Actual	YTD Budget	\$ Var.	% Var.	Annual
<b>Grounds Maintenance</b>									
<b>Landscaping</b>									
6500	9,041.88	9,042	0.12	0.00%	27,125.64	27,125	-0.64	0.00%	72,335
6506	1,106.86	2,000	893.14	-44.66%	4,928.28	7,300	2,371.72	-32.49%	11,000
6508	75.00	2,400	2,325.00	-96.88%	2,475.00	4,850	2,375.00	-48.97%	9,000
6511	0.00	2,000	2,000.00	-100.00%	3,298.41	8,000	4,701.59	-58.77%	10,000
6515	0.00	0	0.00	0.00%	1,937.20	0	-1,937.20	0.00%	0
6523	1,053.00	2,000	947.00	-47.35%	1,175.18	4,000	2,824.82	-70.62%	4,000
	<b>11,276.74</b>	<b>17,442</b>	<b>6,165.26</b>	<b>-35.35%</b>	<b>40,939.71</b>	<b>51,275</b>	<b>10,335.29</b>	<b>-20.16%</b>	<b>106,335</b>
<b>Snow Removal</b>									
6601	0.00	0	0.00	0.00%	20,747.99	26,500	5,752.01	-21.71%	26,500
6610	0.00	0	0.00	0.00%	7,081.62	4,000	-3,081.62	77.04%	5,000
	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>0.00%</b>	<b>27,829.61</b>	<b>30,500</b>	<b>2,670.39</b>	<b>-8.76%</b>	<b>31,500</b>
<b>Lake, Pond, Fountain &amp; Goose Control</b>									
6650	0.00	0	0.00	0.00%	970.00	1,000	30.00	-3.00%	1,000
6655	0.00	0	0.00	0.00%	69.04	350	280.96	-80.27%	700
6665	405.00	0	-405.00	0.00%	405.00	500	95.00	-19.00%	500
	<b>405.00</b>	<b>0</b>	<b>-405.00</b>	<b>0.00%</b>	<b>1,444.04</b>	<b>1,850</b>	<b>405.96</b>	<b>-21.94%</b>	<b>2,200</b>
<b>Cleaning Expenses</b>									
6730	0.00	0	0.00	0.00%	0.00	4,900	4,900.00	-100.00%	5,500
	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>	<b>4,900</b>	<b>4,900.00</b>	<b>-100.00%</b>	<b>5,500</b>
<b>General Maintenance &amp; Repairs</b>									
6840	0.00	83	83.00	-100.00%	1,725.00	581	-1,144.00	196.90%	1,000
6848	795.00	2,000	1,205.00	-60.25%	6,723.96	6,782	58.04	-0.86%	7,782
6851	307.80	100	-207.80	207.80%	1,383.91	850	-533.91	62.81%	1,600
6861	75.00	0	-75.00	0.00%	75.00	0	-75.00	0.00%	0
6880	330.00	1,000	670.00	-67.00%	535.00	1,000	465.00	-46.50%	3,500
6905	0.00	21	21.00	-100.00%	166.95	147	-19.95	13.57%	250
6910	0.00	0	0.00	0.00%	25.90	0	-25.90	0.00%	0
6920	0.00	208	208.00	-100.00%	771.93	1,456	684.07	-46.98%	2,500
6925	0.00	8	8.00	-100.00%	58.36	56	-2.36	4.21%	100
6935	0.00	0	0.00	0.00%	3,178.55	2,500	-678.55	27.14%	5,000





