

Edgewater Condominium Association

Board of Managers' Meeting -August 26, 2023

CALLED TO ORDER BY: Lee Davies, President 11:09 am EST via Zoom

MEMBERS PRESENT: Lee Davies, President * Colleen McCarthy, 1st Vice President * David Gayley, 2nd Vice President * Nanette Bartkowiak, Treasurer * Kimberly Alonge, Secretary

GUESTS PRESENT: T.Ballard #611, L.Beach #1001, B.Breads #305, R.Correll #801, B.Deets #509, P.Dorozynski #803, T.Elson #1104, M.&N.Gollnitz #1002, B.Horn #509, D.&S Johnson #1301, A.&J.Jones #1102, S.Kryzeminski #403, D.Laird #406, M.&E.Luce #1203, S.Mapson #1204, L.Nathanson #902, M.O'Leary #409, R.Richmond #705, J.Sinegar #1008, D.Sist #1003, G.Smith #904, M.Wharton #510

OPEN FORUM FOR GUESTS:

-A. JONES #1102 reported the last week of aqua size has wrapped up. She thanked all who attended and noted they will run it again next year. Avery thanked the staff for keeping the pool clean and ready to use. She also reported they have an abundance of tomatoes that will be left in the pool room and anyone can help themselves to the extra.

TREASURER'S REPORT PREPARED BY NANETTE BARTKOWIAK: Financials as of July 31, 2023 are as follows: Checking \$114,088.72 * Reserve \$54,048.08 * Total Cash Assets \$168,136.80 * Accounts Receivable \$15,800.27 * Net Income/Loss +\$1,459.56. Capital Project expenses are the 1200 building roof replacement at \$44,780.00, the 500 building sidewalk repairs at \$13,065.00, and Chimney Chase Replacement at \$2,430.00 for total Capital Expenses at \$60,275.00. HOA fees more than 90 days \$4,421.12 is a small figure and we are working on those accounts getting caught up. Nanette commented that when you look at the HOA fee, a small amount goes into the budget and the HOA fee includes TV/Internet, Water/Sewer, and garbage pickup. A motion to approve the Treasurer's report was made by Colleen and seconded by Dave, with no discussion. The motion carried in favor 5-0. J. Sinegar asked where the HOA fee goes. Lee explained it goes towards operating costs, management expenses, maintenance grounds, buildings, everything the Association does including utilities, insurance, payroll, and taxes.

SECRETARY'S REPORT PREPARED BY KIMBERLY ALONGE: A motion to approve the Secretary's report of meeting minutes from July 29, 2023, was made by Dave and seconded by Colleen, with no discussion. The motion carried in favor by 5-0.

MANAGER'S REPORT PREPARED BY RICK CLAWSON AND PRESENTED BY COLLEEN MCCARTHY:

-GAS GRILL IDENTIFICATION- Gas Grill Identification continues and is going well. If you have not responded to Rick please do. The goal is to clean up and clear out abandoned grills. Those in disrepair will be disposed of if not claimed.

-SPEEDING - This is a bi issue this summer. The turn by office is narrow. When people are walking, it's hard to get out of the way quickly when drivers are coming at them so fast. People seem to hit the gas from the entrance, slow down for the speed bump by the pool house, and then hit the gas again to the Exit road or other parking area. We have children and a lot of grandchildren with people walking and may not be able to get out of the way of a speeding driver.

-BEACH STAIRS: It took some time for the order to come in, but the Lake stairs have been repaired and are ready for use.

CONTINUED: MANAGER'S REPORT PREPARED BY RICK CLAWSON AND PRESENTED BY COLLEEN MCCARTHY:

-WWTP UPDATES: The WWTP is in full operation. There have been a lot of issues with blowers and motors and especially due to the heavier amount of use in the summer. A reminder that will help with the overall operation of the WWTP is to not flush anything but toilet paper. Anything else such as diapers, wipes, and sanitary products clog up the system.

- NEW EMPLOYEE: Our newest employee, Rob, works another job so he is working odd hours here. Rob is doing a great job! Very nice and a hard worker.

-COMMENTS FROM THE BOARD/FLOOR: There were no further questions on the Manager's report.

OLD BUSINESS:

-BUDGET DISCUSSION FOR 2024: The Board recently held a work session to begin looking at budget details. Board work sessions are not official meetings; there is no action taken nor vote on anything. We are all aware of inflation, and just as we see it for our own homes, the Association also sees it. There are increases across the board with administration costs, fuel (gas prices), insurance premiums, professional fees, utility costs are up, internet and cable does increase incrementally as part of the contract, phone bills are up and refuse removal. We were lucky with snow removal last winter as it was not as big a cost as most years due to the mild winter. The biggest expense we are facing is from the WWTP. There are several issues: the equipment is older and gets a lot of usage as there are more people coming than in the past. This puts a lot of strain on the system that we are trying to keep functioning and those who do help with that are much appreciated.

The Association is looking into adding a couple of Generac generators for the east and west end pump and WWTP. A generator will keep pumps running during a power outage to avoid overflows that could get into our water system.

Building maintenance is ongoing as the buildings age. Roof replacements are scheduled as they come up and not a budgeted item. Residents that have been here a long time said we never had increases like this in the past; that is the problem. We have underpaid for a long long time and as a result, reserves are not where they should be.

Equipment costs are up for road maintenance. Though we did seal the Exit Road, additional patching and paving is needed on Entry Road.

The Board has begun working on a list for the Capital items for next year. At the July Board of Managers meeting, Andrew Thompson shared a plan to change out transformer stations incrementally over time. We need to budget \$20,000-\$25,000 for each transformer. .

The 500 building needs siding replacement on the road side. We plan siding replacement on several buildings over time but the 500 building is in bad shape right now and needs attention sooner rather than later.

At this time the Board has not voted on budget items but the proposed budget will be available to review at the October meeting with the vote to take place at the November meeting. Homeowners should expect an increase in HOA fees starting in January 2024 at \$40 for a 1-bedroom and \$60 for a 2-bedroom. These numbers represent the 1 to 1.5 ration based on size of units as per the declaration when the Association was established. Even with this increase, we are left with a \$90,000 shortfall and

CONTINUED: OLD BUSINESS -BUDGET DISCUSSION FOR 2024 will be operating out of Reserves just to tread water to get things done. We don't want to increase the HOA to \$100 to avoid creating a burden on homeowners; we are trying to keep it as low as possible. The last increase came when the Internet system was changed. Consolidated Communications pulled the plug on our internet and wanted several hundred thousand dollars to install, plus an increase for the internet. Spectrum offered no infrastructure cost to us and threw in free cable tv for everyone along with the internet. As a result, the overall monthly bill decreased for many because they no longer had a cable TV bill. We are doing the best we can for the Association.

Colleen added all of the things that the Board has discussed and presented are things that have to be done. We have not been able to budget anything that would be an update or upgrade such as new windows and furniture for the Lounge. The Pool Room needs windows and the pool could use updates or furniture; we barely afforded the umbrellas last year. We are just trying to stay afloat. All items mentioned have been on the budget for at least the past 5 years and over that time, we still are not able to afford to complete them. The unexpected replacement of the decks and roof has taken priority. We did receive a donation of the playground equipment and added the firepit area with help from the Social/Rec. Committee. Both are low maintenance and do not cost anything to have them. The Board will continue to work to get numbers as low as possible and present them at the October meeting, with a vote at the November meeting. The finalized budget will be mailed out with the December packet.

-REQUEST FOR LAKESIDE VINYL SIDING MCCARTHY #404: The request was tabled from the July 2023 meeting. #404 (C. McCarthy) asked for approval to replace the T-1 ll siding on the lake side with an approved vinyl siding. Lee noted siding on an enclosure is at the owner's expense and must be approved by the Board; if you don't have an enclosure and siding replacement is needed, see Rick. We are looking to replace the Roadside siding for the 500 building with vinyl as well. All vinyl siding needs to be replaced with approved colors which are green or brown. Buildings will be done on a case by case basis. A motion to approve the request for #404 was made by Nanette and seconded by Dave. The motion carried 4/0 and 1 abstain.

-REQUEST FOR LAKESIDE VINYL SIDING GAYLEY #1103:A request from #1103 (D. Gayley) to replace the siding on the enclosure was made. It will be brown. Rick will be sent the paperwork. A motion to approve the request for #1103 was made by Colleen and seconded by Nanette. The motion carried 4/0 and 1 abstain.

COMMENTS FROM THE BOARD/FLOOR:

-R. CORRELL #801 asked to discuss the approved motions for vinyl siding but didn't understand why we asked for discussion when the request was already approved. . Lee reminded the attendees that these are Board of Managers meetings and only the Board votes and can discuss at the time of the motion. Nanette commented that there is an open forum for guests at the end of the meeting as well as the beginning. Lee added there are no objections to discuss and asked her to continue and responded to the question: Does that mean passing the motions will increase the HOA even more than suggested? Lee stated it was a very good question and clarified that it does not increase the HOA. He further explained the owners with units that have enclosures are responsible for repair and cost of the exterior walls on the lakeside. The roadside general maintenance is the responsibility of the Association. Lee also explained these are Board of Managers meetings to complete the business of the Association in accordance with the By-Laws. We try to be as accommodating as we can to owners. There are some Associations

CONTINUED: COMMENTS FROM THE BOARD/FLOOR:

where owners can't talk at meetings; they can submit a question and the Board decides if they will respond at all. But, we like to be able to have discussion during the meeting and try to be as open as we can by extending the courtesy to have all the ownership here for input. These are meetings for the Board and that is why no one else can make or vote on motions.

NEW BUSINESS/CORRESPONDENCE:

-SMOKING POLICY UPDATE: After a lot of discussion and complaints from owners and questions about smoking throughout the Association, changes and clarifications have been made to the smoking policies within the Rules and Regulations. First Vice President, Colleen McCarthy, read the updates and changes. These updates and changes involve no smoking in any common building or area including the lounge, laundry, pool room, except for designed areas by the pool. No smoking permitted on any open balcony, lakeside, or roadside. Individuals can smoke within their own units and no closer than 30 feet to any building or structure. Disposal of all items relating to smoking are the responsibility of the individual. See Rick for the complete updated Smoking Policy. A motion to approve changes to the Smoking Policy was made by Colleen and seconded by Nanette. The motion carried 5/0. There was no further discussion.

-DOG DISCUSSION: Due to several complaints about barking dogs, large/menacing dogs, and difficult to control based on size dogs, Lee consulted our attorney regarding dog breed and sizes; the Association cannot limit either. Several issues and concerns have been brought to the Board regarding dogs that seem to drag owners around. We did receive a complaint about ongoing barking and though the Board cannot do much, you can contact animal control but in this case, we did reach out to owners and it was resolved. The attorney was asked specific questions: can we restrict certain breeds and sizes? How do we declare a dog is aggressive? The attorney answered that we cannot restrict the breed of dog but can restrict the size of the dog. The most common size is found at 40 or 45 lb. Our Rules and Regulations already state that dogs have to be in control. We cannot declare an animal is aggressive; this can only be done by the courts. In addition, Animal Control cannot do anything until there is an attack. Even then the court and judge declares a dangerous dog. We can restrict the size of a dog, but it's noted that size is not always an indicator of how a dog behaves. At this time, we are hesitant to impose any restriction on the size of the dog.

-COMMENTS FROM BOARD/FLOOR: Dave Asked that no Board action be taken at this time as we discussed if there was a dangerous animal how we would take care of it. Colleen added as a Board, there is nothing we can do but a homeowner can contact animal control if they feel a dog is a danger. Lee stated that even though Rick reached out informally to the owner whose dog was the barking complaint, it was taken care of, but that Rick is not the dog police. We can only ask for the owner's compliance.

-EXERCISE ROOM RULES CLARIFICATION: In response to the tabled letter/petition received by the Board in July, we discussed the placement of equipment in the exercise room with our attorney. It was confirmed the way we are looking at the rules is correct and in the best interest of everyone in the Association. Equipment placed in the exercise room is considered donated to the Association. All defective equipment not claimed and deemed dangerous has been removed. The exercise room looks great and it is a long term goal to get new equipment with extra money to replace or add as needed. Because of insurance and ownership due to declaration of how the Rules & Regulations and Bylaws are written the exercise room is a common area. Much like the proposal for owners to have storage sheds

CONTINUED: NEW BUSINESS/CORRESPONDENCE: EXERCISE ROOM RULES on the West lot, because personal items would be stored on common areas and thus take away others use to common areas, the same applies to the equipment in the exercise room if not donated to the Association. There are exceptions to having personal items stored on common areas: kayak racks, grills, and bikes in bike racks. Otherwise owners cannot have privately owned equipment on common areas.

Clarification of rules reiterates the established policy on how the Association will take donations. The term "Exercise Room" was inserted in all references to be consistent. Lee Davis, President, read the clarifications of rules; including: Existing equipment staying there must be donated, all equipment will be property of the Association, if putting equipment in there you must seek Board approval, damaged and/or unsafe equipment should be reported to the manager, who will check and as tag out of service if necessary, it then becomes a majority vote of the Board and no one removes out of an out of service tag. The owner from the letter/petition in July has been notified that equipment needs to be donated or removed. See Rick for the complete updated Exercise Room Policy. A motion to approve changes to the Exercise Room Policy was made by Nanette and seconded by Dave. The motion carried 5/0. Dave stated we have rules to post in the room and are waiting on the signs. Kimberly thanked those who are using the sign-in sheet as it helps us see what is used a lot and how the Association may benefit from added equipment. In addition, the exercise room now has a phone that will only call 911.

LOUNGE USAGE: Unfortunately the access code that was given has been given out to other people not residing here as well as people are using the codes without reserving the lounge with Rick first. When Rick knows we can make sure it is clear to use and there is a policy in place to reserve the lounge. A check is taken for deposit at the time you reserve the lounge. It is held until after your event and will be back after checking to make sure the room is cleaned. People have been leaving it not clean which means the next person trying to reserve has to get it cleaned before they can use it. New codes will be given and you must go through Rick to reserve the room and receive the code. No change to existing policy.

The Pool fob is functional as it is. The exercise room will have a code change as well. Our long term goal will be fobs, like the Pool room. There are some issues with the doors preventing installing fob access so updating codes periodically is in effect.

NATHANSON ENCLOSURE NEW DOORS: #902 a new type of request was received to install 3 sliding doors on the enclosure, but it meets requirements and seems to be very nice. Owners, Lisa and Jan answered questions from the Board. A motion to approve the enclosure new doors request as received was made by Nanette and seconded by Kimberly. The motion carried 5/0. Lee reminded the owners to coordinate with Rick when work begins.

COMMENTS FROM THE BOARD/FLOOR:

- Nanette reminded everyone of the Potluck with hotdogs/hamburgers at 5:30 tonight
- Kimberly thanked everyone for the support for our Employee Appreciation Day and that the crew was extremely thankful.

ZOOM MEETINGS VS IN-PERSON: The Board received correspondence from two or three owners who do not like the Zoom meetings and would like to return to in person only meetings. Lee noted that 3 of the 5 Board members are not full time residents. In addition, we did try hybrid with people both on Zoom and in person; no one was happy with that and it is hard to do. It was

CONTINUED: NEW BUSINESS/CORRESPONDENCE - ZOOM: also said by one person that we should meet in pool building; that has also been tried but it is hard to hear each other in the pool building even in person. With 3 of the 5 Board members not here, we would not have a quorum if we did in person meetings. There is ample case law that says action at Zoom a meeting is of equal weight to in person meetings, as discussed with our attorney. Electronic signatures and communication have same weight. Virtual is equal to in person attendance. We appreciate options given and making cases for in person, but at this time we have no intention of changing how meetings are held. Nanette added it is important when on the Board to have community involvement. There has been an increase in involvement since Zoom and a lot of new owners are getting involved. People are commenting at meetings and Zoom opens up a lot of new people coming in and having more involvement. In addition, there is more transparency with many people attending.

OPEN FORUM FOR GUESTS:

-L. NATHANSON #902: Thanked the Board and Association for the dog park. They use it often and it is always well maintained. It is great for the community. Lee commented that is something else we have been able to add, along with the firepits, at no cost to the community. He also stated there has been discussion about the success of the Community Garden even in a small and shady location. The Board has talked about moving it next to the dog park, using one side of the existing fence and adding the other three sides. This will also give us more room for overflow parking for trailers and campers.

-R. CORRELL #801: Asked if there was a way to impose the cost to the owner when selling a unit that has been smoked in and if our smokers know they are responsible for what happens to the unit in some way. Her experience is that it costs around \$20,000 to rehab a unit where there has been a smoker. She just wants to make people aware of the damage to their units and bodies. Lee agrees and had his own experience with redoing everything when he purchased his unit. The difference between us and Ms. Corrells experience is that units are individually owned; legally we cannot prohibit within the unit or require the former owner to remediate the damage caused by smoking in the unit, but it absolutely does affect the value.

COMMENTS FROM BOARD/FLOOR:

-DAVE: Asked about the procedure of the Board voting first and then asking for discussion on the vote once it is already passed. Lee explained it takes the suspension of the rules to have public comment at that time, but we have not ever told anyone they can't speak. We don't want everyone to chime in on every issue as the Board is conducting business, but we do state at the beginning of each meeting there is an open forum twice on the meeting agenda.

-NANETTE: Noted items on the agenda have been on it for two or more meetings before a vote takes place with time to hear opinions of residents. Very few items are not known and not voted on out of the blue. Colleen added we table a lot of items, figure out what to do, and go forward. Lee also added there are two open forums each meeting for our Board and for owner input.

T. ELSON #1104: Agrees with and thinks it is a good idea to replace the T1-11 roadside and asks if it will be done by building. Yes, Lee answered we can do upstairs or downstairs, the entire level from end to end because the vinyl over laps and no there is no division. In addition, even the lower floor, with partitions, will be done at one time for consistency. It was noted that from year to year manufactures may slightly alter color and would stand out so we will do the entire level to be consistent.

Mr. Elson also asked if the Treasurer's Report could estimate the amount that really does flow to the accounts from HOA payments each month. He mentioned it would be good to show people what they

CONTINUED: OPEN FORUM FOR GUESTS - HOA: are getting for their money as well as expose to people what is going where. Nanette responded 10% of HOA goes into Reserves and the rest goes into operating maintenance and admin expenses. There are copies of last year's budget in the Annual Mailing and also in the office with Rick. It gives a breakdown and we will publish the budget so you can read it line by line. Some are fixed costs that we cannot do anything about. Nanette noted she can easily get those for the next meeting to make it more clear. Also we must keep the Reserve Fund in perspective with a basic way to say how much to keep in Reserves. If there is not enough in Reserves, we run the risk of a special assessment. It hurt the Community over the years without raises in the HOA. We are trying to get things in a healthy state. Lee commented that through his time on the Board, as well as the last couple of Boards, vowed to have special assessments only if absolutely necessary and is for things out of our control.

Mr. Elson felt the rules in the past concerning the size of dogs were good at 40 lbs or less. He disagrees that there is no increased risk regarding the size of dogs as getting bit by a 60-70lb dog vs a 10lb dog means the results are worse with the bigger dog. Another problem with larger breeds is within the buildings themselves. It does not make practical sense to have dogs in units the size they are. A bigger dog in an upstairs unit is going to be a noise problem for those living below. It's about imposing upon neighbors and several have moved out due to the noise above.

B. DEETS #509: greatly disagreed with the mention of restricting the size of dogs. Mr. Elson felt the rules in the past were good for the Community and past Boards have recognized that big dogs risk injury and we do not have the amount of Community space for large dogs in general. No one is asking anyone to get rid of their dog as we would grandfather current people with big dogs, but it is felt the Board should do something about this issue.

COMMENTS FROM BOARD/FLOOR:

-COLLEEN : Feels the comments give the Board some things to discuss and that though we agree with everyone out there but what Mr. Elson said presents some new ideas to talk about again.

-LEE: We consulted our attorney and are able to grandfather in existing dogs; we are not taking people's pets away. The Board understands Barb's point. No one is taking away dogs, but we need to make it a pleasant place to live to make sure we are good neighbors. We did not take any action to implement this time but may look at points going forward. He noted there could be a large black lab that is the sweetest dog in the world; it depends on the animal. But any large dog creates extra noise with the weight and then there is the cleaning up. We are not closing the book on this; it will be an ongoing issue for the Association.

-D. LAIRD #406 - Asks that we address any ADA issues with our attorney when it comes to service dogs and their size/weight and how to address legal issues. Lee replied that has been discussed and the legal ADA support animals are exempt from any rules by Government statutes; service dogs are large by design and are exempt. He continued this is primarily a matter of whether the pets are safe to be in the Community that is so close together. Mr. Elson's point regarding added noise is a good point. This is not a simple or immediate solution due to exceptions and grandfathering in and will need to continue to be discussed and addressed.

CONTINUED: COMMENTS FROM BOARD/FLOOR:

-NANETTE: Noted it is good to bring up and helpful to hear what the Community is thinking. Whether we agree with each other or not, bringing up concerns is encouraged. Just keep it civil and no personal attacks please. Colleen added sometimes people bring up things we had not thought of and that is helpful because we cannot think of everything by ourselves.

-LEE: Made an ongoing reminder the best way to be involved is to participate in the Community by coming to meetings, running for the Board, or participate on a Committee; all help to make the Community better and

-B. DEETS #509 ASKED THE FOLLOWING:

- Yellow Jackets: Reported recently seeing a small nest of yellow jackets at the 500 building. Lee asked her to let Rick know; shoot him an eMail or leave a message on the phone to address it. It was noted there have been lots of issues with bees this year.

- Social Committee Involvement: Asked about ways to be more involved on the Social Committee and doesn't always know when things are happening. Lee answered emails and minutes contain information on this. Kimberly answered in addition to the emails and minutes, the Facebook group page, and signs/posters are also around the Community. She also suggested reaching out anytime to a member of the Social Committee with ideas or wishes to take part.

-Dog situation: People not picking up after their dogs. Lee made a reminder there is not any area excluded where you are on property when it comes to picking up after your dog.

-Entrance/Exit: People don't know how to navigate and people going around the wrong way. Lee commented it's also an issue with visitors and delivery people and signs are posted for all navigation. Colleen commented that if we know someone is speeding or is seen going the wrong way, the Board addresses it privately.

-W. HORN #509: Requested the Edgewater website and password be added to the next newsletter. Lee replied that we cannot publish the password in a newsletter. Kimberly offered to send him the link and information via eMail after the meeting.

Mr. Horn also commented regarding the proposed 2024 Budget and felt in reality it is better to go with a slightly larger increase rather than having to deal with assessment over time. If we don't address it now we will end up doing a special assessment at some point. Lee agreed and noted the only increase in the past few years was the internet and cable and one small increase a few years before that. We try not to make it so large at one time, but you also have to keep in mind it's not a one-time thing and that over time our expenses go up too.

-S. MAPSON #1205: Thanked the Board for holding meetings on Zoom to allow those far away to participate. It is to hear all the news from Edgewater and she had a relative use their condo this summer for a few weeks and they were impressed with all the good things here.

-M. WHARTON #510: Expressed concern about private beach area. She feels the water and beach are the draw. One of the concerns is the inability to get to it due to rocks and sticks at the steps and feels this is a large safety concern and not being usable the way it could be. She wondered if there has been any conversation about that or if any of it will be cleaned up. Lee replied with the way the weather comes in and out it changes day by day. We can have Rick have the guys check occasionally, but there are a lot of restrictions on what we can do. For example, it is against laws to remove rocks from the beach and there is a lot we cannot do in the form of cleanup. He added everyone should know the steps are treacherous

CONTINUED: COMMENTS FROM BOARD/FLOOR BEACH STAIRS: and in rain it is especially to keep an eye on what you are doing. As said in Rules & Regulations: use at your own risk. We will keep an eye on it. It is also not a great idea to go places like that without someone knowing. Mr. Horn added Lake Erie is rough because it is shallow and with the many storms he is not surprised it is the way the beach is right now.

EXECUTIVE SESSION: No Executive Session was held.

NEXT MEETING: September 30, 2023, 11am EST via Zoom.

ADJOURNMENT: A motion to adjourn the meeting was made by Colleen. The motion carried in favor 5-0. The meeting adjourned at 01:00 pm.

Respectfully submitted,
Kimberly Alonge, Secretary