

**Lake Colony Annual Stockholders Meeting**  
**Sunday, November 1, 2020**  
**6:00 p.m.**  
**Bainbridge Town Hall**

**In Attendance:**

Natalie Wardega – President / Treasurer  
Tricia Delzell – Vice President  
Jarrod Mulheman – Pavilion  
Bill Shumaker – Beach  
Leslie Rumbarger – Lake Study  
Mark Lindhurst – Maintenance  
John Deering – Maintenance  
Mark Seifried – Secretary  
Residents – 28 Total in Attendance (See Sign in sheet for detailed listing)

Meeting called to order at 6:06pm

**Call to Order Introduction: Natalie Wardega**

- Welcome with background of necessity on why legally these amendments are important to get discussed and approved in 2020
- Committee Reports – Due to time/procedure limitations in 2020 due to COVID-19, the committee reports were not presented at the meeting and instead were issued to all residents prior to meeting within mailed proxy distribution.
  - **Attached Reference Document:** Pilgrim Lake Colony Annual Shareholder Meeting (11/1/19) Complete Notice Letter Proxy Document
- The minutes from the 2019 Annual Meeting were approved
  - **Attached Reference Document:** 2019-11-10 Lake Colony Annual Stockholders Meeting Minutes Document
- Noted that if amendment vote minimum is not received by today, then this meeting will not be adjourned and thus be continued with an additional session on 11/9/20.

**Presentation of Responses to submitted questions/comments to Board: Natalie Wardega**

- We realize that the annual meeting voting process is more difficult and for some more controversial than in the past. Please know that the amendments to the

declarations and by-laws are either issues that the legal team brought to us and were ones that we thought should be brought to you for your consideration or are amendments that bring the current operating processes that have been practiced by the board in alignment with what is written in the by-laws. Please don't feel pressure to approve or not approve based on anything except your own personal choice. As part of HOA standard voting process, if the number of residents voting or present at the meeting on Sunday does not meet the quorum and/or minimum required for votes to pass or fail, the meeting will not adjourn but be continued at a later date until the minimum numbers are achieved. To that end, the next meeting date is set for Monday November 9, 2020 at 7 pm at the pavilion.

- Clarification regarding the current by-laws
  - The current by-laws were never voted on or filed in the county officially so they need to be approved by the shareholders in order to file them. If they do not pass, then we have to use the 1956(I think that was the year) by-laws as our governing laws because those are the only ones that are filed with the county right now
- Questions about the voting format
  - One of the amendments being presented to the shareholders for consideration concerns the ability to have mail-in ballots, electronic voting and meeting virtually. Until that is passed, the only thing HOA's can legally vote on by proxy ballot (meaning line item approval) are amendments to the bylaws and declarations and the approval of the by-laws to be filed with the county. Any other approvals of voting for board members can only be done in person or by proxy (meaning someone else or the board votes for you as they see fit).
- Clarification of Amendment 1 to the by-laws
  - If Amendment 1 passes, then we will be able to execute votes for annual corporation business and voting for board members in a similar manner that we are voting for the Amendments in this election. Without that amendment, you would have to attend the meeting in person to cast your individual vote for those things. Otherwise the voting is similar to what has been done in the past. In addition, this amendment would allow a virtual annual meeting in the event of continued or future pandemic type restrictions so we can perform business as usual.
- Clarification of Amendment 2 to the by-laws
  - We do have very good insurance. This is a legal inclusion that is standard in HOA by-laws that was never included in our documents and also helps to indemnify boards for day to day operation decisions (ie closing the pavilion during pandemic and things like that)
- Clarification of Amendment 3 to the by-laws

- It allows the board to take a loan for large ticket items if needed only with a majority of the shareholders' votes each time it is needed.
- Clarification of Amendment 4 to the by-laws
  - The board has been on a 3 year rotation for at least a decade as far as we can tell. We put this amendment in to reflect our actual process
- Clarification of Amendment 5 to the by-laws
  - Currently there are NO terms for the Secretary or Treasurer if they are appointed officers and not board members. Case in point Joe was treasurer for 32 years. These are not truly terms but reappointments based on board decisions. We just wanted to make sure boards in the future were actively reviewing.
- Clarification of Amendment 6 to the by-laws
  - The current practice is and has been for the board members' annual dues to be waived. This amendment was put in place to reflect the current board practices. No additional compensation. Any shareholder special assessment fees (meaning additional money voted on by the shareholders to be collected for specific projects or large expenses) would still have to be paid by the board members.
- Clarification of Amendment A to the declarations
  - This applies to only Tier III sexual offenders, only
  - Tier III sexual offenders are required by law to register their address of residence to the sheriff every 3 months for life. If such a person resides in our neighborhood, the sheriff will send a letter to the residents of the neighborhood. Without the by-law amendment there is nothing anyone can do about that. With the amendment in place, there is potential for legal action to have the person move out of the neighborhood given their breach of the by-laws. The amendment does nothing else but give the option of action.
  - The amendment does not prevent Tier III RSO from purchasing the property ( although the by-laws are given to all potential property owners and they sign them to state they will abide by them)
  - The homeowner who did not follow the by-laws and declaration is responsible for all legal fees. This is no different than any other legal action brought on a homeowner for failing to follow the by-laws.
  - If a complaint is brought to the board or the board files the complaint (assuming the amendment passes), the board would work with our legal team to enforce the bylaws and amendments

- This amendment does not assume responsibility by the seller or realtor to ensure the buyer is not a Tier III sexual offender.
- Clarifications to Amendment B to the declarations
  - The leasing contract between owner and lessee must be 1 year minimum. This is standard in many HOAs to prevent Air B&B options and other short term rentals in neighborhoods.
- Clarifications to passing votes for each type of Amendment:
  - Amendments to the declarations require a 75% vote to pass. If it does not pass then it will not be adopted. If it does pass, then it can still be contested within one year of adoption to be removed.
  - Amendment to the by-laws require a 2/3 vote to pass. If it does not pass then it will not be adopted. If it does pass, then it can still be contested within one year of adoption to be removed.
  - If there are not enough votes given on November 1 to make a determination of pass or fail the meeting will not adjourn and we will continue taking proxy ballots and set another meeting November 9, 2020 at 7pm at the pavilion. If still not enough votes, proxies will continue to be taken and counted with a subsequent meeting date set, and so on until either the items fail or the necessary votes are obtained.
- General budget questions' responses:
  - We have migrated all of the finances to an electronic platform, Quickbooks. Some of the line item headings on the operating budget may look different than in the past based on how things are classified in Quickbooks. I.e Payroll staff salaries under tax refers to the taxes removed from the employees'(lifeguards) paychecks.
  - The "buckets" of money have been redesignated per advice from legal counsel to follow HOA law. Previously there was a general fund, a capital improvements fund ( which was defined as both additions to the neighborhood as well as repair/replacement of depreciation assets) and a lake fund (which had funds for both day-to-day general maintenance as well as large ticket items as well as the stock funds) We now have a separate money market that holds the REQUIRED \$21,000.00+ for our 50% stock fund reserve. The general fund is for the day to day and monthly expenses ( including those that pertain to the lake), the capital fund is only for NEW assets added to the neighborhood, the reserve fund is for repair or potential replacement of the depreciating assets, including lake dredging,etc. For the upcoming year, all planned projects, new and repair/replacement will be covered. However, this year we have to reassess our ongoing needs as well as the reserve fund as that is supposed to be held at a minimum amount for our assets by law in case of

emergency repairs/replacements. That will be a focus of the board/treasurer for the beginning of the term. We will keep the shareholders apprised of the progress via the monthly summaries. Legally if the shareholders cannot or do not want to fund the reserve fund in the future each year, we have to have a waiver on the ballot to document that.

- Clarifications on the 2019-2020 budget (actual to budget):
  - When Natalie was trying to tease out what the exact expenses were on the 2019 budget it was difficult to know in some cases so she just did the best she could. The 2020 budget and those going forward will have line items that are as detailed as possible. Hopefully decreasing ambiguity.
  - Since the “buckets” as have been defined earlier are different from the 2019-2020 budget to the 2020-2021 budget, there are some items on the budget to actual statement that are not accounted for in the general ledger which will be for the following years. For instance, the addition of the legal team and the bookkeeper were capital improvements this year but are line items in the general budget for next and subsequent years.
  - Miscellaneous item referred to A boy in the neighborhood cut himself while swimming under the dock. This was his medical co-pay. The injury prompted us to have divers check the dock and look for items in the swimming area of the lake they might have caused the accident.
  - The payroll staff salary taxes value is incorrect..should have been 408.41 not 4008.41.
  - The lease was not paid since 2017 so the amount actually paid was much higher than budgeted because we had back taxes and fees to pay.
  - In the 2019 budget the tax budget for the line item property taxes was misentered on the budget column.
- Clarifications on the 2020-21 proposed budget:
  - The annual lease fee has increased to \$200 and was inadvertently left out of the line items.
- Clarifications of the Maintenance Director’s report and reserve fund items:
  - The wet and dry holding ponds will be excavated in the near future at an estimated cost of \$15,000. Money has already been earmarked for that. Yes, there will be routine excavating of the holding ponds. Generally, the wet pond will need to be excavated every 5-7 years and the dry pond, every 25 years or as needed. It will be paid out of the reserve fund.
  - All future items slated to be addressed on the reserve fund side or the capital improvement side(including pavilion roof, pavilion kitchen, circulator for the lake, pavilion structure and potential walls) will be

assessed for need and budgetary considerations prior to repair, replacement or purchase. The board is looking to enhance the pavilion structure and extend the rental period, through adding folding/removable walls.

- The future possibility of a large recreational overhaul including the possibility of a swimming pool is being explored. There was enough interest in the community based on the initial survey, that the board will be exploring this further. More surveys will be coming next year.
  - We have set aside a budget of \$37,000 for future spot dredging. We need to get cost estimates to determine the cost and best timing, since it can be done in phases. We determined 4 areas in the lake that are high in sediment and legacy phosphorus that should be considered for spot dredging. (More information on the specific areas we recommend dredging is outlined in the 2020 PV Lake Health Report that can be found on our web page, log-in section. See page 8 of the report). The finances will be re-evaluated once we learn the costs and phased timing.
  - - The swings are removed in the winter months to preserve and maintain the quality of the swing for future use. This item has been added as an action item for further discussion at the next monthly board meeting.
  - Maintenance budgets have been established by previous boards based on the amount of the dues that can be used for specific items such as beach sand, landscaping, etc. Increasing frequency of such things may not be within the allowable budget but is part of the ongoing reassessment of the funds that is a focus of the treasurer during the first half of the year.
- Clarifications on Insurance questions
    - The liability insurance policy was deficient in limitations as well as in coverage which has been rectified this year accounting for the increased cost.
  - Clarification about monies collected each year.(budget)
    - Yes the total income at the top included the monies going into the capital fund and the reserve fund. The total at the bottom is only what is used for the general operating budget.
  - Question about Lord Of Life. Who has not paid dues for many years.
    - Yes the legal team is apprised of the Lord of Life situation.
  - Why are you deleting the existing by-laws in their entirety?
    - We are not deleting the 2010 bylaws. That is referring to the 1956 bylaws that are currently filed at the county. The 2010 revised bylaws need to be

ratified by the vote and filed with the county. That was never done in 2010.

- Page 2 of 14 references "Exhibit A". I did not receive Exhibit A
  - Due to the size of printing we did not include the current 2010 revised bylaws (Exhibit A). They are on the website under HOA tab "useful documents"
- Amendment 3 - Please define "majority" Is this a simple majority?
  - Yes for Amendment 3 that would be a simple majority.
- Why are no architectural guidelines included in the revisions to the by-laws?
  - The architectural guidelines are already included in the 2010 revised by-laws.
- If you have not gotten all of your questions answered regarding the amendments, please do not feel pressured to vote until you are ready. We will keep the voting open for the amendments for as long as it takes for each amendment to pass or fail based on its required allotment of votes by the shareholders.

### **Voting**

Board expresses thanks to the community for another strong year of high returns of the Proxy Ballots with more than 88 received.

Approval of 2021 operating budget: Enough "For" votes were received on the submitted Proxy Ballots to approve the Operating Budget.

Election of new board members: Leslie Rumbarger, and Jarrod Mulheman will be stepping down as planned after serving the board for 3 years. Julie Schriekel, and Pat Pharo will be the new members joining the Board in 2021 since enough "For" votes were received to approve their addition as new members to the board.

### **General board discussion with attendees:**

- Question: A motion was made to table the amendment by Bill Fanos during question period for consideration. Board announced that this motion will be recorded but stated that it is not permitted in terms of process or timing as the voting has already begun. Board verified this position and dismissal of motion with legal counsel.

- Question by Frank Hertz: Do we have a CPA on staff; Answer provided by board was no, but consult with resident Bruce Downey for guidance routinely.
- Question: noted that Article 5a page 5 of 14 – stating that Proxy can be given by non-resident gives Bruce pause.
- Question: Was proposed by Will O’Brien his idea that the behaviors of the board should be considered instead of preceding with board amendment process. This opinion was noted for record.
- Question: Is there a person to follow the rules of all meetings and handbook? Board noted that development of a new handbook was recommended by legal counsel for future Boards to consider.
- Question: Is there a community outreach meeting regarding Lake? These meetings were cancelled due to COVID limitation, but strategy was modified in accordance with all new robust guidelines that are now posted within new plan on PV website.
- Announcement: Multiple residents expressed gratitude to board for special attention to beach area and their commitment to betterment of the community.

### **Meeting Transition:**

- The annual meeting was not adjourned per planned with continuation of amendment/by-laws collection process. Thus, a continuum meeting on November 9, 2020 at 7 pm is now scheduled.
- After this session, the board will move to an executive session at 7:35pm

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### **Meeting Continuation:**

Lake Colony Board Annual Meeting Continuum Session                      2020-11-09  
 Location: Pilgrim Village Pavilion

**Attendance:** Board: Natalie Wardega; Tricia Delzell; Leslie Rumbarger; Bill Shumaker; Jarrod Mulheman; Mark Seifried; John Deering; Mark Lindhurst;  
 Shareholders: See Sign in sheet

Meeting called to ordered at 7:05pm

Opening – Natalie overview of tonight’s plan to allow further time to ensure the Board has fully answered all remaining shareholder questions:

Shareholder Questions:

- 1) What issue arose that created a need for Addendum A?

- a. Answer: No current issue in the neighborhood, this was a recommended by the legal representatives.
- 2) Question: What is current status of the amendment ballots?
  - a. Answer: Tricia provided an overview of status and remaining votes required to pass
- 3) Question: Amendments A & B are concerning
  - a. Answer: We are presenting the recommended amendments per legal counsel that align with similar HOAs throughout the State of Ohio

### **Adjournment:**

- The annual meeting was adjourned on 1/19/2021 at 8:33p with receipt of the final shareholder ballots.
- Results: Election of the 2020 BY-LAWS AND AMENDMENTS (166 shareholders in good standing;164 ballots were returned)

1. FORMAL ADOPTION OF THE BY-LAWS REVISED IN 2010 (114 in favor votes required to pass) **APPROVED**

In favor: 153  
Against:5  
Abstain:6

AMENDMENTS TO THE DECLARATIONS (128 in favor votes required to pass):

1. AMENDMENT A **FAILED**

In favor:123  
Against: 32  
Abstain:9

2. AMENDMENT B **PASSED**

In favor:129  
Against:28  
Abstain:7

AMENDMENTS TO THE BYLAWS (114 in favor votes required to pass):

1. AMENDMENT 1 **PASSED**

In favor:152  
Against:6  
Abstain:6

2. AMENDMENT 2 **PASSED**  
In favor: 146  
Against:11  
Abstain:7
3. AMENDMENT 3 **PASSED**  
In favor:121  
Against:36  
Abstain:7
4. AMENDMENT 4 **PASSED**  
In favor:154  
Against:3  
Abstain:7
5. AMENDMENT 5 **PASSED**  
In favor:148  
Against:9  
Abstain:7
6. AMENDMENT 6 **PASSED**  
In favor:124  
Against:33  
Abstain:7
7. AMENDMENT 7 **PASSED**  
In favor:155  
Against:2  
Abstain:7
8. AMENDMENT 8 **PASSED**  
In favor:155  
Against:2  
Abstain:7
9. AMENDMENT 9 **PASSED**  
In favor:150  
Against:7  
Abstain:7

Respectfully submitted,

Mark Seifried  
Lake Colony Secretary

**NOTICE:**  
**Pilgrim Lake Colony, Inc.**  
**Annual Stockholders' Meeting**  
**November 1, 2019 -- 6:00 P.M.**  
Bainbridge Town Hall - Community Room

The Annual Meeting of all stockholders of Pilgrim Lake Colony, Inc. will take place on the above date and time for purposes of conducting business of the corporation, including the election of directors, the adoption of the Annual Operating Budget and adoption of bylaws and amendments as approved by the shareholders.

Due to governors orders we are unable to hold the annual shareholders meeting as we have in the past. On November 1, 2020 starting at 6 PM the board will set up several time slots that allow us to keep within the governor's orders for gathering. Shareholders that plan to attend the meeting will need to sign up online with Sign Up Genius (if access to the internet and technology prohibits this then call Tricia Delzell, 440-821-1500, to coordinate a time slot). Only one member of the household may attend. **Masks are required to attend.** The board will not be presenting their yearly report but will be answering questions or comments that have been submitted in advance. Then shareholders will vote.

**All stockholders are invited to attend as stated above. There are 2 pages to be filled out and returned ASAP in the enclosed envelope.**

Article II, Section 3, requires stockholders to be in good standing for payment of stock and annual dues to be entitled to vote.

**Summary of business to be conducted**

**Committee Reports:**

Due to COVID-19 each Committees has submitted a written report of their accomplishments this year and plans for next year and is included in this packet. They will not be presenting at the annual meeting.

**Election of Board Members (2 Total) for the 2020 Term:**

The Board consists of seven members elected to a term of three years. Two new members will be elected to replace Leslie Rumbarger, Jarrod Mulheman.

Tricia Delzell, Natalie Wardega, Mark Lindhurst, John Deering and Bill Shumaker, will remain on the board for 2021. Secretary, Mark Seifried is a non-voting position appointed annually by the Board.

**Items that can be approved with paper ballot provided in the packet (proxy ballot):**

1. Declaration Amendment A & B
2. Approve and adopt current BYLAWS (posted on the website)
3. Bylaw Amendments 1-9

**Items that can ONLY be approved/voted for IN PERSON at the annual meeting. If you cannot personally attend, please designate a proxy (individual or Board) to vote on your behalf in person at the meeting. You are not able to approve/vote for these items beforehand:**

1. Approval of the Operating Budget for 2020-2021.
2. Approval of the 2019 Annual Meeting Minutes posted on the Website
3. Vote for 2/4 nominees for the 2020-2021 Board

## **Annual Stockholders Meeting Agenda**

Due to COVID-19 we will have a short discussion of questions/comments that were submitted by mail or email. We are only permitted to have 22 people present at each session. Only one person from each household may be present at the meeting. Masks are required.

1. Call to Order - President Natalie Wardega
2. Responses to submitted questions/comments-Board
3. Voting
4. Adjourn

After the final session the board will adjourn to the executive session.

Dear Pilgrim Lake Colony, Inc. Shareholder:

As part of our ongoing effort to operate, administer, maintain, and reasonably protect the Pilgrim Lake Colony, Inc. community, we are proposing a number of amendments we hope you will approve for inclusion in our governing documents. Working with our new attorneys, we have completed a comprehensive review of our documents and are making these proposals to you for a few reasons. First, we want to be updated with current trends for legal compliance and general protection. Second, we want to make sure that our historical practices have a clear basis in our organization's document structure, so that there is not any unnecessary confusion or ambiguity. Your "consent" to these changes is necessary for them to become part of our governing documents, and so please let us elaborate on each of the proposals we are proposing.

First, our homes are restricted by a Declaration of Restrictions and Covenants that was originally recorded in 1973, and was revised and re-recorded in 1995. In that time, we have identified two, property related provisions that are included in most community's restrictions today, which we believe should also be incorporated into ours.

**DECLARATION AMENDMENT A:** To protect the community from a potential safety risk, the Board is proposing an amendment to the Declaration that will prohibit sex offenders for whom sheriff notification is required from living in a home within our community association. The amendment only applies to those offenders for whom public notice of their intent to live within our community is sent by the sheriff. If we receive a notice from the sheriff that an offender is living in our community, our collective safety and property values are at risk, and so those individuals would be prohibited from residing on the property.

Note that the prohibition amendment is limited to banning offenders from living or residing within our community; it does not ban an offender from owning a home within the Pilgrim Lake Colony, as this would potentially conflict with federal and Ohio law. Thus, while an offender could own a home in our community they cannot live here. With the passage of the amendment, owners will also not have to decide whether they need to disclose the presence of a serious sex offender when selling their lot.

**DECLARATION AMENDMENT B:** This Amendment, if passed, would increase the minimum period to lease a unit to 12 consecutive months in length. This would reduce the potential for an "apartment complex" atmosphere where new occupants may be in a unit every week or month. The Amendment also expands on the restrictions for leasing units.

Second, as with all corporations, we are governed by a set of Bylaws. These Bylaws outline our corporate structural and procedural requirements. Originally a set of Bylaws was prepared and recorded when the Declaration was updated in 1995, though in 2010, a new set of Bylaws was prepared, and we have been operating consistent with that document since that time. There are, however, incomplete records relating to the Bylaws approval from 2010, and so to make sure there are no issues and to confirm our historical practices, we are proposing that these Bylaws be approved by the owners.

**APPROVE AND ADOPT BYLAWS:** The 2010 Bylaws are posted on the website under the HOA tab. . Again, we are re-proposing this to conform to our historical practices,

though if this document is not approved, we may have to return to the original, 1995 document.

Finally, we are proposing a number of amendments to the 2010 Bylaws, but the vote on these amendments will only be effective if the owners approve and adopt the 2010 Bylaws. In other words, if the Bylaws do not pass, then we cannot also then vote on amendments to them and they will have to get re-proposed.

**BYLAWS AMENDMENT 1:** With the continuing changes and improvements in electronic communications, this amendment permits us to take advantage of these changes to better communicate with owners, simplify business, and reduce costs on mailings. In other words, the amendment permits the corporation to send notices to you electronically, if you opt-in to do so. If you do not wish to receive notices electronically, you will of course continue to receive them by regular mail. *If you wish to receive notices electronically, you can opt-in to do so by including your email information on the enclosed consent ballot, otherwise again you will continue to receive notices by regular U.S. mail.*

This amendment also provides us with flexibility to vote if a physical, in person meeting of the owners cannot happen. As we are all aware, the Covid-19 situation presents a problem for us to have a traditional annual meeting. We are proposing this amendment so that in the future, if this amendment passes, owners can vote either electronically or by mail-in ballot even if the physical in person meetings cannot be held.

Additionally, the amendment allows us to hold meetings virtually, and whether the meeting will be in person or virtual will be decided by the Board. All owners will be able to attend virtually whenever a virtual meeting is held. If passed, we hope this amendment will ensure that active participation and involvement from everyone in our community will continue even if attendance at the meeting in person is not possible or does not occur.

**BYLAWS AMENDMENT 2:** At present, there is no adequate provision in the Bylaws for the reasonable protection of Directors, officers, or committee members who serve the Corporation in good faith on a voluntary basis. Most other associations provide comprehensive protection. This amendment adds that protection in our Bylaws. In addition to indemnifying former and present Directors, officers, or committee members, future Directors, officers, or committee members will be assured that they cannot be held personally liable for any reasonable decision the Board makes in good faith on the Corporation's behalf. On the other hand, the amendment does not protect Directors who break the law and intentionally violate their legal responsibilities to the Corporation.

**BYLAWS AMENDMENT 3:** Over the course of time, we recognize that the community's capital items may become in need of significant repairs or replacement. This also may include the cost of dredging, which can be very significant. Rather than having to issue a one-time special assessment, this amendment gives the Board the ability to borrow funds and pledge collateral with a majority vote of the owners. To be clear, the amendment does not give the Board a blank check to borrow funds, but rather requires the Board to go to the owners to get permission each and every time that it wants to borrow funds. By putting this in our Bylaws now, if and when a bank loan were ever needed, we could avoid the step of adding this authority to our Bylaws, and proceed directly to a vote of the owners.

**BYLAWS AMENDMENT 4:** We propose to increase the term length for Board members and establish staggered elections. Currently, Board members serve two-year terms. Alternatively, we propose three-year terms to enable Board members to gain more experience and have staggered 3-2-2 elections to allow for continuity on the Board. By doing so, we hope to improve the representation and decision-making on behalf of the entire Corporation.

**BYLAWS AMENDMENT 5:** Currently, in order to serve as Board President the Board member must be in their second year on the board or a returning Board member in their first or second year on the board. This amendment allows any officer to serve as the Board President regardless of tenure on the Board. The amendment also clarifies the requirements for serving as Board Secretary.

**BYLAWS AMENDMENT 6:** This amendment clarifies that payment of assessments for Board members and officers may be waived, but does not include the obligation of those individuals to pay a special assessment.

**BYLAWS AMENDMENT 7:** The Bylaws are not clear on the Vice President's duties. This amendment clarifies the duties of the Vice President, and elaborates on the Vice President's role as the person directed with communications between the Board and the owners.

**BYLAWS AMENDMENT 8:** To provide additional protection for the Corporation's funds this amendment requires a counter signature for all funds or checks withdrawn from the Corporation's accounts. We believe that this is a strong internal control, so that we have a required check and balance on any of our accounts.

**BYLAWS AMENDMENT 9:** This amendment allows the Board to prohibit the use of the recreational areas of the property if dues and assessments are not paid in full. If an owner is not paying their dues like the rest of us who pay our assessments fees on time and in full, they should not be able to use the recreational facilities the dues and assessments are used to maintain.

Our governing documents require our community to vote on amendments and By-Law approval at the annual meeting or at a special meeting. We will be including this at our annual meeting this year. The Board of Directors will be available at the meeting to answer any questions you may have about the amendments or the Bylaws, submitted in advance to keep the time down to a minimum due to COVID restrictions..

Enclosed please find a limited proxy (for the by-laws, declarations and amendments only) for you to fill out as your vote prior to the meeting. Please complete and return the proxy ballot in the enclosed envelope, regardless of whether you plan to attend the meeting, to the Board of Directors. Please note that you will also have to complete a proxy for the other items on the ballot if you do not attend the meeting.

If you do attend the meeting, your proxy ballot will be returned to you at that time and you will formally vote with a consent ballot.. In accordance with our Bylaws, a 2/3rds affirmative vote of the owners must be obtained for the passage of the 2010 Bylaws, as well as the Bylaws amendments, and a 75% vote of the ownership is required to pass the

Declaration amendments. Voting on the amendments will remain open until the amendments are either approved by the requisite percentage or they fail. We are hopeful, however, that we will reach approval on the meeting date.

Should you have any questions about the Bylaws or the amendments, please feel free to contact any Board member. Thank you for your time and participation.

Sincerely yours,

THE BOARD OF DIRECTORS  
PILGRIM LAKE COLONY, INC.

Enclosures

# PLEASE RETURN ASAP

## Pilgrim Village Lake Colony Annual Stockholders' Meeting Sunday, November 1, 2020 Proxy Ballot

### OPTIONS:

1. Register to confirm attendance on sign-up Genius to confirm slot and physically come to the meeting to vote using ballot provided at the meeting.
2. **Sign below** to designate the current PV Board members to vote for you & Email or Mail Back per notes below.
3. **Sign below** to designate name of another shareholder in good standing to vote for you & Email or Mail Back per notes below.

Please send any questions via email to make this process more efficient as limitation for Q&A due to COVID protocol

Please turn in your proxy even if you plan to attend so we can proceed with the meeting if you are delayed or there is a last minute change of plans. You can collect your proxy and vote at the meeting if you attend.

### ISSUES:

1. Approval of the operating budget for 2021:
2. Approval of 2019-2020 Annual Meeting Minutes.

NOMINATIONS FOR THE BOARD ( 2 slots available): Julie Schriekel, Kristopher Mackey, Patrick Pharo, Dennis Kavran

I designate as my proxy:

- The Pilgrim Lake Colony, Inc. Board  
 Other: \_\_\_\_\_

Stockholder signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Address: \_\_\_\_\_

**Please return your proxy ASAP:**

**Email Reply Return:** [pvlakecolonyboard@gmail.com](mailto:pvlakecolonyboard@gmail.com)

-or-

**Paper Copy Return:**

**In enclosed envelope or** Drop off with any Current Board Member or PV Secretary: 18010 Birch Hill

RETURN ASAP

Lot Address \_\_\_\_\_

Owner(s) \_\_\_\_\_

(Please Print)

**AMENDMENT TO THE REVISED DECLARATION OF RESTRICTIONS AND COVENANTS AND  
PILGRIM LAKE COLONY, INC. BYLAWS  
LIMITED PROXY**

To the Pilgrim Lake Colony, Inc. Board of Directors:

I/We, owner(s) of the Pilgrim Lake Colony, Inc. lot identified above, appoint and authorize the Board of Directors as my/our Proxy, to cast my/our vote in favor of or against the Amendments to the Declaration of Restrictions and Covenants ("Declaration") and the Adoption, Approval, and Amendments to the Pilgrim Lake Colony, Inc. Bylaws ("Bylaws"), Bainbridge Township, Ohio, enclosed with this Consent Ballot **ONLY** as indicated below at any special meeting of the Pilgrim Lake Colony, Inc., including any change, adjournment, or continuation of such meeting, held for the purpose of voting on the Amendments. (Instructions: After reading and considering the enclosed pages, please indicate how your vote for or against each matter listed below is to be cast and then sign, date, and return this page to the Corporation):

**DECLARATION AMENDMENTS**

IN FAVOR

AGAINST

**AMENDMENT A:** Prohibits sexual offenders, for whom the county sheriff must provide community notice, from residing in, occupying, or remaining on the property. \_\_\_\_\_

**AMENDMENT B:** Increases the minimum period for leasing homes with exceptions and restrictions. \_\_\_\_\_

**APPROVE AND ADOPT BYLAWS**

IN FAVOR

AGAINST

Approve and adopt the Pilgrim Lake Colony Inc. Bylaws, dated June 28, 2010. \_\_\_\_\_

**BYLAWS AMENDMENTS**

*\*\*To be effective only if the Pilgrim Lake Colony Inc. Bylaws, dated June 28, 2010, are approved\*\**

IN FAVOR

AGAINST

**AMENDMENT 1:** Provides the Corporation the authority to use mail-in and electronic ballots to elect Directors when an in person meeting of the owners cannot occur, and notices to or from the Corporation to be sent by regular US mail or by electronic communication. \_\_\_\_\_

**AMENDMENT 2:** Indemnifies former, current and future Directors, officers, and committee members from personal liability when decisions are made in good faith on behalf of the Corporation. \_\_\_\_\_

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IN FAVOR

AGAINST

AMENDMENT 3: Permits the Corporation to pledge future income, including assessments, as collateral for a bank loan to fund capital maintenance, repair, restoration and/or replacement projects; provided that before a loan is taken, a majority ownership approval is obtained at a meeting called for that purpose.

AMENDMENT 4: Clarifies our current practice of electing two or three Directors each year.

AMENDMENT 5: Allows any officer to serve as the Board President regardless of tenure on the Board and clarifies the requirements for serving as Board Secretary.

AMENDMENT 6: Permits Board members to be compensated for serving on the Board but requires special assessments to be paid.

AMENDMENT 7: Clarifies the duties required to be performed by the Vice President, which including serving as the communications person for the Corporation/Board.

AMENDMENT 8: Provides additional protection for Corporation funds; requires a counter signature for all funds or checks withdrawn from the Corporation's accounts.

AMENDMENT 9: Allows the Corporation to prohibit the use of the recreational areas of the property if dues and assessments are not paid in full.

The undersigned owner(s) further grants a power of attorney to the Board of Directors of the Pilgrim Lake Colony, Inc. to execute the necessary documents to be filed with the Geauga County Recorder's Office evidencing my/our consent, if granted, to the Amendments and the Bylaws.

Signature of Owner

Date

Signature of Owner (If co-owned, both Owners should sign. If only one Owner signs, they state that they represent the entire vote of the Lot.)

Date

\*\*\*As I voted in favor of Bylaws Amendment 1, upon its passage and the recording of the language with the County as part of our Declaration, I request and authorize the Board of Directors to send all Corporation notices to me by electronic mail or other electronic transmission, to the extent permitted by Ohio and Federal law, in lieu of any Corporation required written notice to me as an owner, at the following email address(es):

1) \_\_\_\_\_

2) \_\_\_\_\_

**Lake Colony Annual Stockholders Meeting**  
**Sunday, November 1, 2020**  
**6:00 p.m.**  
**Bainbridge Town Hall**

Natalaie Wardega – President  
Trisha Delzell – Vice President  
Jarrod Mulheman – Pavilion  
Bill Shumaker – Beach  
Leslie Rumbarger – Lake Study  
Mark Lindhurst – Maintenance  
John Deering – Maintenance  
Natalie Wardega – Treasurer  
Mark Seifried - Secretary

**Committee Reports**

**President Report-Natalie Wardega**

Well this has been a unique year. The pandemic brought many challenges to our community in 2020. It also showed us what a supportive community we live in. So many neighbors reaching out and helping one another getting groceries to those that could not leave their house and so many other acts of kindness were prevalent in our community. Thank you to everyone for making Pilgrim Village a wonderful place to call home.

- ❖ As many of you know Joe Kolenic, our treasurer for many years, has moved out of the neighborhood. We took this opportunity to update our record keeping and re-invent our corporate structure. Below I have listed our changes.
- ❖ We are now using Quickbooks to keep records of all the corporation's transactions. We have also hired a bookkeeper to help us with our QuickBooks entries and clean up.
- ❖ An added benefit to using Quickbooks is online payment. Members can now pay dues and pavilion rentals online.
- ❖ We have hired a company called Compass Payroll to pay our employees. This year we had three lifeguards but in the past and hopefully in the future we will have a full staff. The payroll company pays the employees directly twice a month and files all payroll taxes for us.
- ❖ We have engaged Kaman & Cusimano on a flat rate yearly fee. They offer guidance for the board of directors in all legal matters.

**Capital improvements to the neighborhood in 2020.**

- ❖ Two dog waste bag dispensers.
  - One on the corner of Elliott and Lost trail
  - One on the corner of East Pilgrim and Millstone
- ❖ Security cameras
  - Three security cameras were added to the pavilion to monitor any vandalism. The cameras record for one week and so we can go to the pavilion to review tape if any issues arise.
- ❖ Legal
  - Kaman & Cusimano offered us a yearly fee. Not only do they give us guidance to make better decisions for the organization but we also have access to forms, and webinars through their online Association Total Legal Assistance (ATLAS).

❖ Bookkeeper

- CKM Services LLC. has provided us with services to organize our bookkeeping this year as we changed to an online record keeping. CKM also provides monthly booking reconciling.

Vice-President Report-Tricia Delzell

The plan for improving communications this year focussed on the following outline:

1. Communication regarding meeting times and task due dates to the board
2. Communication between the board and shareholders (Website, email communications, bulletin board notices, facebook announcements, pavilion rentals)
3. Communication between the shareholders and board (general board email/ direct inquiries to the correct board member)
4. Communication between the board and legal counsel
5. Communication between community outside of PV and neighborhood/Board (website, house sales)

To that end, here is what was accomplished in 2020:

- ❖ General board email address established ([pvlakecolonyboard@gmail.com](mailto:pvlakecolonyboard@gmail.com)) to keep record of all communications in one location and to establish a single email that can be used by all for future communications that does not change year to year.
- ❖ All email addresses for current residents have been updated to make email communications as effective as possible. We have email addresses for 160 out of 170 homes. If you are not receiving emails and want to, please email the general board address. Otherwise, paper communications will continue for the 10 homes without email.
- ❖ Overhaul of existing website ([www.pilgrimvillage.co](http://www.pilgrimvillage.co)) to increase content of interest to:
  - Community outside of pilgrim village, ie prospective buyers and realtors
  - Neighborhood residents through the secure website portal
  - Shareholders through the HOA page
- ❖ Liability insurance policy was updated with increased limits and addition of fidelity insurance resulting in a modest increase in cost (see Finance report).
- ❖ Starting in the upcoming year, the pavilion rentals will also be coordinated through the general board email address. The rental calendar on the secure site of the website will remain in place.

Houses sold as September in 2020:

- 1) 17930 Birch Hill 8/24/2020 \$375,000  
Seller- Brandt> Buyer- Clemens
- 2) 8870 E. Pilgrim Dr 7/2/2020 \$360,000  
Seller- Mannarino> Buyer- DeBoth
- 3) 17816 Lost Trail 6/11/2020 \$380,000  
Seller- Maynard> Buyer- Talarico
- 4) 8781 Apple Hill 7/9/2020 \$318,000  
Seller- Strenio> Buyer- Goldstein
- 5) 8854 E. Pilgrim 2/27/2020 \$303,400  
Seller- Kolenic> Buyer- Shulman

Median House Pricing for homes sold in 44023 in 2020- \$303,500

Median House Pricing for homes sold in Pilgrim Village in 2020- \$360,000  
(This will be updated for the meeting minutes at the close of 2020)

### Beach Committee Report – Bill Shumaker

Our focus for the Beach this year was to continue to build upon the great program that was established in previous years. 2020 was a challenge due to a global pandemic, however our well trained guards had an outstanding season. They brought value and safety to our most treasured amenity, the beach and lake.

Here are some highlights from 2020:

- Continued to make improvements and updates to the Lifeguard Policy and Procedures Manual
  - Added extra bathroom cleaning procedures to comply with State mandates during the pandemic. This allowed us to safely open up our facility while complying with state and local mandates.
  - Added procedures for beach days in the event that only one lifeguard was available to work. Since a minimum of 2 guards are needed to effectively monitor the swim area, on days when only one guard was available, they still reported to perform opening beach duties to prepare the beach for residents and clean/maintain the bathrooms.
- All 3 lifeguards participated in an orientation day to go over policy and procedures, Emergency Action Plans and to set up the beach and shed for use.
- All 3 lifeguards completed an in-service training day. We successfully completed a live action training of all Emergency Action Plans in the Lifeguard Policy and Procedures Manual.
- Lifeguards created a “No Fishing” and “No Diving” template for marking the docks and areas where fishing and diving is prohibited. These templates will be available for future use to maintain the marked areas.
- 9-1-1 Emergency Phone System -- This system was tested and remains available for use in the event of an emergency.

The “active”\* lifeguard season began 7/2/2020 and came to an end 8/11/2020.

While there were many obstacles to overcome due to the pandemic, overall it was a successful year for the lifeguards. We had 3 staffed guards, all returned from previous seasons. Despite many efforts to find additional candidates within the community and from external sources, in the end we were very fortunate to have the 3 experienced guards return to work for the summer. They performed their duties with care and professionalism. They remained patient, working around algae days and the delayed start to the season due to the covid shutdown. The lifeguard program continues to be a valuable enhancement to our precious lake and beach. The guards are well trained and take pride in their duties. Not only providing safety to swimmers, they maintain the beach area and bathrooms to keep it nice and clean for the community.

*\*One guard remained staffed through 8/30/2020 to maintain the beach and bathrooms so that the facilities could remain open to the public\**

### Lake Study Director Report – Leslie Rumbarger

Our goal this year was to learn more about the health of Lake Taylor and develop a long-term management plan. We conducted research that included baseline water testing, a new sediment and depth study, and observational data through the use of a photo journal. We also did a sediment depth comparison analysis. In summary, our research found that we have a very healthy lake with the exception of very high levels of phosphorus in or near the lake bottom. Details of our research findings and future recommendations can be found in the report called the "Pilgrim Village Lake Health Report: 2020 Results and Recommendations". This report is on our web site (pilgrimvillage.co) within the private neighbor log-in section.

We also accomplished the following this year:

- \* Hired a new lake management company: Jones Fish
- \* Sent a letter to all residents explaining how our watershed affects the health of our lake
- \* Developed a "Top 12 Things Residents Can Do to Prevent Harmful Algal Blooms" flyer
- \* Goose Committee successfully got rid of the geese
- \* Obtained cost estimates and contracted for the excavation of the wet and dry holding ponds, which is scheduled for this fall
- \* Wrote the following guidelines for future lake study directors:
  - Stormwater Drainage and Holding Ponds Maintenance Plan
  - Fish Management Plan
  - Blue-Green Algae Policy statement, Toxin Cell Concentration chart, and Decision

Flow chart

- \* Sent letter to all residents advising them of our new blue-green algae policy, which included the "Dos and Don'ts of Algal Blooms" flyer
- \* Developed an Angler Diary to collect fish data for fish stocking recommendation
- \* Created new copy for Lake section of the Pilgrim Village web site
- \* Sent a letter to all residents regarding the status of the Aeration System
- \* Developed blue-green algae "Caution" and "Danger" warning signs for the beach

I would like to thank the Lake Study committee members that volunteered to help on the lake this year: Terry Cowoski (holding ponds), Joe Gutoskey (consultant), Richard Oxford (first lieutenant and sediment & depth analyst), and Laurie Uhlir (Lake web page). Also, a special thanks to the lake property owners that helped to monitor the lake and/or assisted on the goose committee: John Deering, Joe Kelley, Mark Lyndhurst, Katie Treblas, and Art and Audrey Pyle.

### **Pavilion Director Report – Jarrod Mulheman**

2020 was an atypical year for the pavilion due to COVID-19. After March, the pavilion was only available to be rented for parties of ten or fewer. We reached out to all of those who had reserved the pavilion and offered a refund. We continue to utilize the online reservation system along with a shared online calendar which is available on the Pilgrim Village website. The reservation system helps timestamp the reservation request to ensure the first come first serve rule. The online calendar allows residents access to view real time availability all season long. In 2020 the rates for the pavilion remained the same. Prime dates, Saturdays and Sundays between Memorial Day and Labor Day, are \$50. All other dates are \$20. Total money collected from reservations

B

for the 2020 season was \$360. Reservations for the 2021 season will open again at midnight on January 1, 2021 by sending your email request to pvlakecolonyboard@gmail.com.

### **Maintenance Directors' Report– John Deering & Mark Lindhurst**

It was another successful spring cleanup even with the whirlwind of 2020 events, we had an excellent turn out with the online task assignments. The Lake members were able to spread 12 yards of mulch, paint the Street posts, prep the beach and volleyball court, trim and maintain shrubbery; and clean the pavilion kitchen, bathrooms, and common space. New pavilion kitchen doors were installed by our Pavilion resource Jarrod and painted during cleanup day.

The maintenance crew also handled a variety of projects this year to help keep Pilgrim Village's charm, and family functional properties. New sand was spread with special help from PV members to both the beach and volleyball area. To add use to the fresh sand a new volleyball net was purchased and installed. Pad locks were added to the bathrooms and a new deadlatch added to the men's bathroom. Pavilion cameras were installed to help with security and detour potential damage to PV property.

There was also a decrease to the geese population at the Lake this year due to the non-harmful or obstructive lake stringing. The lake management resource Leslie helped us tackle this project early spring and the board will continue to maintain this tradition.

We hired a pest company to help minimize the hornet and wasp occurrences at the beach. This work will continue to be a yearly contract to stay ahead of the problem before the summer swim months hit.

This spring we brought divers in to provide structure integrity checks and clear out the surrounding swim areas for unexpected objects. There were a handful of objects found from chairs, to bikes, and even ice fishing equipment. In the spirits of keeping the community clean, the team also attached dog bag holders to a handful of Street posts and added hand sanitizer stations at the beach.

The board members facilitated fall clean up and have secured the beach, pavilion, canoes and shed for the winter.

#### On a side note:

We are actively looking for contractors to take on wrapping the last two piers in Trex material, so always

#### **Improvements to existing structures**

- New signs were installed/replaced by the county.
  - New no parking sign near the lake by the fire hydrant
  - One way sign at the exit onto Pilgrim Ave.
- The pavilion kitchen doors were replaced and painted.
- Padlocks were added to the bathrooms to prevent vandalism during off-season use.
- Broken or damaged street signs were replaced.
- New sand was added to the beach.

#### **Capital Fund: Improvement 3 year Plan (2021 Fund total: \$30,455)**

*Capital improvement fund is used for adding new structures or items that add value to our community*

##### ❖ 2021

- pavilion kitchen appliance replacement
- new seating at the lake
- new plantings at the lake for erosion control and filtrations
- new picnic tables

##### ❖ 2022

- circulator for lake algae control
- pavilion walls to extend rental season
- ❖ 2023
  - new street sign design for both post and signs
  - Pavilion bathroom renovation
- ❖ Future
  - swimming pool recreational facility

**Reserve Fund: Scheduled Projects ( 2021 Fund Total: \$52,062)**

*Reserve fund is used for maintaining the depreciating assets*

- ❖ 2021
  - Spot dredging
  - Fishing pier repairs
  - new roof for pavilion
  - Lifeguard chair replacement
- ❖ 2022
  - Spot dredging
  - Dock gusset repair
  - Fish Restocking
  - Update Pavilion structure
- ❖ 2023
  - New sand for beach
- ❖ 2024
  - Dock gusset repair
  - Fish Restocking
- ❖ 2025
  - Wet pond restorations

Pilgrim Lake Colony, INC

2020 Financial Report

Prepared on Oct.15, 2020

The financial report of operations for the fiscal year ending October 31, 2020.

The report of actual to budget report is listed in the attached spreadsheet called '2019-2020 actual compared to budget'.

The proposed budget for the next fiscal year is the attached spreadsheet called 'Pilgrim Lake Colony Operating Budget 2020-2021'.

**Current Account Balances (as of 10/15/2020)**

Wells Fargo balance	\$37,756
<u>Citizens Bank balance</u>	<u>\$57,475</u>
Total	\$95,231

**Current Fund Balance**

Capital Improvement Fund	\$20,947
Lake Maintenance Fund	\$4,156 (moving forward, this will be combined with the reserve fund)
Reserve Fund	\$42,382
Stock Purchase Fund	\$21,250 (we always need to keep this balance in the account)
<u>Current Operating Fund</u>	<u>\$6,496</u>
Total	\$95,231

Prepared by Natalie Wardega.

Pilgrim Lake Colony Inc.			
Actual to Budget		Operating Budget	
November 2019 - October 2020		Budget f2019	Actual
<b>Income</b>			
Dues - All			
Dues - Capital Improvements 17%		9,219.10	8334.34
Dues - General Fund 62%		33,622.60	30395.81
Dues - Reserve Fund 21%		11,388.30	10295.25
<b>Total Dues - All</b>	<b>\$</b>	<b>54,230.00</b>	<b>49025.4</b>
Late Fee Income/workday income		0.00	1200
Pavilion Rental			
Pavilion Rental- Weekends		0.00	
Pavilion Rental- Weekdays		0.00	
<b>Total Pavilion Rental</b>	<b>\$</b>	<b>0.00</b>	<b>214.19</b>
Stock transfer fee		0.00	60
<b>Total Income</b>	<b>\$</b>	<b>54,230.00</b>	<b>50439.59</b>
<b>Expenses</b>			
Bank Charges & Fees			21
Beach Wages		8,000.00	4609.68
Computer Software expenses		0.00	841.15
Credit Card Processing Fees		0.00	97.67
Events			
Annual meeting		0.00	45
Board social events		0.00	0
Holiday party		0.00	66.88
<b>Events Total</b>		<b>0.00</b>	<b>111.88</b>
Insurance		3,100.00	3736
Bookkeeping Fees		0.00	
Legal Fees		0.00	0
Office Supplies & Software		0.00	207.92
Payroll Tax Expenses			
FICA Expense		500.00	280.19
FUTA Expense		60.00	21.97
ODJFS		1,000.00	432.17
Payroll Fees		400.00	364.81
Payroll Taxes Paid			312.69
Payroll-Staff Salaries			4008.41
<b>Total Payroll Tax Expenses</b>	<b>\$</b>	<b>1,960.00</b>	<b>5420.24</b>
Repairs & Maintenance		4,000.00	
Beach Maintenance			
Cleaning services/janpro		0.00	320.28
Pest Management/novelty pest		0.00	400
Lake Maintenance			
Water testing/BioSolutions			275
Lake Treatments/Jones Fish			
Landscape Contractors		7,000.00	6744.01
<b>Total Repairs &amp; Maintenance</b>	<b>\$</b>	<b>11,000.00</b>	<b>7739.29</b>
Taxes & Licenses & Lease			
Lease (land parcel)	<b>\$</b>	<b>150.00</b>	500
Taxes		600.00	2025.95
Licenses		0.00	25
<b>Total Taxes &amp; Licenses</b>	<b>\$</b>	<b>600.00</b>	<b>2550.95</b>
Utilities		2,200.00	
Electric			1376.97
Sewer		1,100.00	368.56
Waste Disposal		50.00	64
Water		500.00	376.56
<b>Total Utilities</b>		<b>2,200.00</b>	<b>2058.09</b>
misc.		3,920.00	234.84
<b>Total Expenses</b>	<b>\$</b>	<b>30,780.00</b>	<b>26734.89</b>
<b>Total Income</b>	<b>\$</b>	<b>33,622.60</b>	<b>31870</b>
<b>Total Expenses</b>	<b>\$</b>	<b>30,780.00</b>	<b>26734.89</b>
<b>overage/shortage</b>	<b>\$</b>	<b>2,842.60</b>	<b>5135.11</b>

Pilgrim Lake Colony Inc.  
Operating Budget  
November 2020 - October 2021

Income	
Dues- All	
Dues - Capital Improvements 17%	9,060.66
Dues - General Fund 62%	33,044.76
Dues - Reserve Fund 21%	11,192.58
<b>Total Dues- All</b>	<b>\$ 53,298.00</b>
Late Fee Income	
Pavilion Rental	385.00
Pavilion Rental- Weekends	0.00
Pavilion Rental- Weekdays	500.00
<b>Total Pavilion Rental</b>	<b>\$ 2,000.00</b>
Past dues collections	1,500.00
Workdays income	1,225.00
<b>Total Income</b>	<b>\$ 57,408.00</b>
Expenses	
Bank Charges & Fees	
Beach Wages	21.00
Workers' Compensation	9,418.00
Computer Software expenses	88.00
Website hosting	301.18
Computer software expense total	<b>301.18</b>
Credit Card Processing Fees	120.00
Events	
Annual meeting	45.00
Halloween security	100.00
<b>Events Total</b>	<b>145.00</b>
Insurance	
Bookkeeping Fees	3,628.00
Legal Fees	3,540.00
Postage and printing (annual mailing)	1,000.00
Office Supplies & Software	207.92
Payroll Tax Expenses	
FICA Expense	700.00
FUTA Expense	60.00
ODJFS	1,000.00
Payroll Fees	400.00
Payroll Taxes Paid	312.00
<b>Total Payroll Tax Expenses</b>	<b>\$ 2,472.00</b>
Repairs & Maintenance	
Beach Maintenance	
Cleaning services/janpro	400.00
Pest Management/novelty pest	400.00
Lake Maintenance	
Water testing/BioSolutions	275.00
Lake Treatments/Jones Fish	6,000.00
Landscape Contractors	6,000.00
<b>Total Repairs &amp; Maintenance</b>	<b>\$ 13,075.00</b>
Taxes & Licenses	
Taxes	
Licenses	2,026.95
<b>Total Taxes &amp; Licenses</b>	<b>\$ 2,226.95</b>
Utilities	
Electric	
sewer	1,500.00
Waste Disposal	400.00
Water	200.00
<b>Total Utilities</b>	<b>400.00</b>
<b>Total Expenses</b>	<b>\$ 38,654.76</b>
<b>Total Income</b>	<b>\$ 57,408.00</b>
<b>Total Expenses</b>	<b>\$ 38,654.76</b>
<b>overage/shortage</b>	<b>\$ 14.56</b>

## **Pat Pharo**

### ***A little bit about me...***



I was born and raised in Denver, CO. I spent most of my life in Denver and only moved to OH four years ago. I attended CU Boulder and majored in Film. After I graduated college, I began a career in the sports TV industry and worked for Altitude Sports, covering both the CO Avalanche and Denver Nuggets. If you know me, you know I am an avid sport fan and am most passionate about basketball. I was fortunate to meet my amazing wife, Patti, in Denver. We met in 2010 and were married in 2012. Our daughter, Sloane, was born in 2013 and our son, Sebastian, was born in 2016. We also have two fur babies; Buster, dog and the most famous bob-tail cat in the neighborhood,

Bobbi Brown. Being part of my kids' enrichment, especially if it's sports-related, is something I am passionate about. I recently applied to be a member of the PTO, have been assistant coach for KCE rec soccer and t-ball and most recently, became the head coach for Sloane's KCE basketball team. I am currently employed by Fox Sports Ohio and cover the CLE Cavaliers. My job is fast-paced, and I have learned to multi-task in stressful situations. Being able to act calmly during these high-stress moments, has helped me develop my conflict managements skills that I will be able to utilize in this role.

### ***Why I'm Interested....***

Our move to Cleveland transpired with little planning because of work/travel constraints and we were in a situation that caused us to make a quick decision on where we should live. As soon as we entered PV with our family, I knew it was the neighborhood for us. My feelings have not changed. We plan to raise our kids here until they are ready to be on their own. I would like to do my part in maintaining everything that makes this community great like so many before me have. Thank you for this consideration

**CONTACT PHONE:** (720) 435-9548 17713 Lost Trail      **EMAIL:** patpharo@gmail.com

## **Julie Schrickel**

My name is Julie Schrickel. My family and I moved into PV last Summer (June 2019). My husband Dan and I have 2 children, Gavin 7 and Reagan 6, both attend Timmons Elementary. I graduated from Kenston in 2001. I went to OU and got a degree in Interior Architecture. Out of college I was a commercial interior designer then a commercial manufacturer sales rep working with the interior design and construction community. For the past 7 years I have been a stay at home mom. (Best and hardest job yet)

When Dan and I were looking to move from Willoughby after 11 years, in search of better schools, we knew Kenston was it. We did a lot of searching and narrowed down to PV as to where we wanted to call home. We have rehabbed 3 homes and said we wanted a "move-in ready" house this time. But when we saw Mrs Ellinger's home in March of 2019 we knew this was the right spot for us and we could do 1 more rehab house as this was going to be home for the foreseeable future.

We loved our community and all that Willoughby offered and were fearful we wouldn't never be able to find a community close to one we were leaving. But man we were wrong. This PV community has seriously been an answered prayer for all of us. Within days of living here we felt at home and so thankful for the neighbors that quickly became friends. I'm so thankful for the board and all you do for our community and would love to give back and help out in anyway I can be used.

**Dennis Kavran**

My name is Dennis Kavran and I have lived in PV for the past 12 years with my wife Jennifer. I work as a school psychologist and my wife Jen is a nurse. We have two daughters, Grace (age 8) and Olivia (Age 5).

I am submitting my application to be on the board of Pilgrim Village As I know how fortunate I am to be able to raise a family in such a wonderful community!

Prior to my career as a school psychologist I worked as a master gardener and would love to be able to use those skills to contribute to keeping our neighborhood looking its best!

Thank- you for your consideration

Sincerely

Dennis Kavran

**Kristopher Scott-William Mackey**

My name is Kristopher Scott-William Mackey and I moved into the neighborhood in 2018. I live on Lost Trial with my wife, Jennifer, and our children William (5) and Caroline (3). I grew up in Bainbridge and proudly attended Kenston from kindergarten until graduation. I completed my education at The College Of Wooster with a B.A. in Political Science. I currently serve as the President of Monode Marking Products in Mentor, OH. My company manufactures product identification equipment for industrial applications. I would be honored to serve our community and utilize my years of experience and knowledge in leadership in serving our neighborhood. I am confident I can effectively contribute to our neighbor's overall experience within PV and continue to ensure PV is the best place to raise our children.

Kristopher Mackey

Monode Marking Products

9200 Tyler Blvd

Mentor, OH 44060

(440) 975-8802

[www.monode.com](http://www.monode.com)<<http://www.monode.com>

[KMackey@Monode.com](mailto:KMackey@Monode.com)

DECLARATION AMENDMENTS:

LANGUAGE TO AMEND THE REVISED DECLARATION OF  
RESTRICTIONS AND COVENANTS

The Board of Directors for the Pilgrim Lake Colony, Inc. proposes that the Revised Declaration of Restrictions and Covenants ("Declaration"), Bainbridge Township, Ohio, be amended as follows:

AMENDMENT A

INSERT a new PARAGRAPH to the end of DECLARATION SECTION D. Said new addition, to be added to Page 4 of the Declaration, as recorded at Geauga County Records, Volume 1025, Page 603 et seq., is as follows:

A person who is classified as a sex offender/child-victim offender and for whom the County sheriff or other government entity must provide community notice of the sex offender's residential address, is prohibited from residing in or occupying a Lot and from remaining in or on the Pilgrim Lake Colony property for any length of time. The classification of a sex offender/child-victim offender and the determination of whether notice is required is made by a court of law in accordance with the Ohio Sex Offenders Act, or similar statute from another jurisdiction as either may be amended or renamed from time to time. The Corporation is not liable to any owner, occupant, or visitor of any owner, or of the Corporation, as a result of the Corporation's alleged failure, whether negligent, intentional, or otherwise, to enforce any provision of this occupancy restriction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction on the occupancy of Lots. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

AMENDMENT B

INSERT a new DECLARATION SECTION E. Said new addition, to be added to Page 4 of the Declaration, as recorded at Geauga County Records, Volume 1025, Page 603 et seq., is as follows:

E. The respective lots, homes, or any part thereof will not be rented, leased, or used by the owners thereof for transient or hotel purposes, which is defined as (I) rented for any period less than 12 full, consecutive calendar months, or (II) any rental arrangements wherein the occupants would be provided with typical hotel services, such as room service in connection with food or beverage, maid service, the furnishing of laundry and linen, or bellboy service, and similar

services, or (III) rental to roomers or boarders, that is, rental to one or more persons of a portion of a dwelling only; or (IV) rented or leased to any business or corporate entity for the purpose of corporate housing or similar type usage. Other than the foregoing obligations, owners have the right to lease their dwelling for periods not to exceed 12 full, consecutive calendar months (renewable for like periods) provided that the lease is made subject to the covenants and restrictions in this Declaration, and any rules and regulations adopted by the Corporation. No lease may be of less than an entire dwelling. Sub-leasing of any dwelling, in whole or in part, is also prohibited.

In addition, the Corporation has at all times a limited power-of-attorney from and on behalf of any owner who is more than 30 days delinquent in the payment of any assessment or charges due the Corporation to collect the lease/rent payments directly from the delinquent owner's tenant/renter until such delinquency is paid in full.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction on the leasing of dwellings. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

ADOPT AND APPROVE THE PILGRIM LAKE COLONY, INC. BYLAWS

**DELETE THE BYLAWS** in their entirety. Said deletion to be made to the Bylaws, as recorded at Geauga County Records, Volume 1025, Page 607 et seq.

**ADOPT AND APPROVE** the PILGRIM LAKE COLONY, INC. BY-LAWS, DATED JUNE 28, 2010. Said new Bylaws are attached as Exhibit "A."

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this adoption of the Pilgrim Lake Colony, Inc. Bylaws dated June 28, 2010. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this adoption and the Bylaws, only shareholders of record at the time of the filing have standing to contest the validity of these Bylaws, whether on procedural, substantive, or any other grounds. Any challenge to the validity of the Bylaws must be brought in the court of common pleas within one year of the recording of these Bylaws.

## LANGUAGE TO AMEND THE PILGRIM LAKE COLONY, INC. BYLAWS

If the Pilgrim Lake Colony, Inc. Bylaws, dated June 28, 2010 (the "Bylaws") are approved and adopted as provided above, the Board of Directors for the Pilgrim Lake Colony, Inc. proposes that the Bylaws, be further amended as follows:

### AMENDMENT 1

**DELETE** the **SECOND SENTENCE** of **BYLAWS ARTICLE II, SECTION 1** in its entirety. Said deletion to be taken from Page 2 of the Bylaws.

**INSERT** a new **SECOND SENTENCE** to **BYLAWS ARTICLE II, SECTION 1**, and **TWO** new **PARAGRAPHS** thereafter. Said new addition, to be added to Page 2 of the Bylaws, is as follows:

Written notice of the meeting of shareholders will be given by, or at the direction of, the secretary or person authorized to call the meeting, delivered in accordance with methods provided for in these Bylaws, at least fifteen days before the meeting, to each shareholder entitled to vote at the meeting, addressed to the shareholders address last appearing on the books of the Corporation, or supplied by the shareholder to the Corporation for the purpose of notice.

The notice will specify the place, day and hour of the meeting, and in the case of a special meeting, the specific purposes of the meeting, and the specific motion or motions (other than procedural) to be voted upon.

If the meeting is held via Authorized Communications Equipment, the meeting notice must include any applicable links, access codes, password, telephone numbers, and/or other pertinent information that is necessary to allow the shareholder to participate at the meeting via the Authorized Communications Equipment. "Authorized Communications Equipment," as used in these Bylaws, means any communications equipment that is selected by the Board, in its sole discretion, that provides an electronic communication transmission, including but not limited to, by telephone, video conference, or any electronic means, from which it can be determined that the transmission was authorized by, and accurately reflects the intention and participation of, the shareholder.

**INSERT A NEW PARAGRAPH** at the end of **BYLAWS ARTICLE II, SECTION 3**. Said new addition, to be added to Page 3 of the Bylaws, is as follows:

Shareholders in attendance at a meeting conducted via Authorized Communications Equipment will count towards the quorum. Ballots submitted via mail or by Electronic Voting Technology also will count that shareholder towards the quorum. "Electronic Voting Technology" as used in these Bylaws, means an electronic voting system that accurately and securely records the shareholder's intent to cast a ballot on a matter in the way identified by the shareholder, and provides for the counting of electronic votes submitted, including by means of internet, application, web, virtual, or other electronic technology.

DELETE BYLAWS ARTICLE II, SECTION 5 in its entirety. Said deletion to be taken from Page 3 of the Bylaws.

INSERT a new BYLAWS ARTICLE II, SECTION 5. Said new addition, to be added to Page 3 of the Bylaws, is as follows:

Section 5. Voting will be conducted via one of the following methods:

- A. Voting in Person or by Proxy. For meetings that are held in person and provide for physical attendance, shareholders may vote in person or by proxy. The person appointed as proxy need not be a shareholder of the Corporation. Each proxy will be executed in writing by the shareholder entitled to vote or his attorney-in-fact and must be returned to the Corporation by regular mail, hand delivery, electronic mail, or other method of delivery provided for or permitted by the Board. Every proxy will automatically cease upon conveyance of the lot by the shareholder.
- B. Voting by Mail and Electronic Voting Technology. If it is determined by the Board that physical, in person attendance by the shareholders at a Corporation meetings cannot occur due to a local, state, or national emergency, order, or other similar circumstance, voting will be conducted by mail or through the use of Electronic Voting Technology that is approved by the Board, and the meeting that is required to be held for the voting matter must be held by Authorized Communications Equipment.

All matters to be voted on at a meeting utilizing Authorized Communications Equipment must be sent to the shareholders no later than the date the meeting notice is sent to the shareholders in accordance with Bylaws Article II, Section 1, as amended. Voting via mail or by use of Electronic Voting Technology is considered to be voting at the meeting, as if the shareholder were physically present. The Board may adopt procedures and guidelines to permit the Corporation to verify that the person attending, either in person or by Authorized Communications Equipment, is a shareholder that is eligible to vote and to maintain a record of any vote.

Any ballots, regardless of method, received subsequent to the calling of the vote at the meeting will be held invalid. Any costs associated with voting, including mailing costs, printing, Authorized Communications Equipment and Electronic Voting Technology costs and subscriptions, are expenses to be paid by the Corporation. The Board may adopt any additional regulations, procedures, or rules as may be necessary to effectuate the intent and purpose of this voting provision to provide for the use of the desired voting method.

INSERT THE FOLLOWING PARAGRAPHS to the end of BYLAWS ARTICLE II, SECTION 8.  
Said new addition, to be added to Page 3 of the Bylaws, is as follows:

A. For the nominations for the election of Directors, the procedure is:

(1) In Person or By Proxy. If shareholders are only voting in person or by proxy at a meeting permitting physical attendance, any shareholder may submit their name to the Corporation as a candidate prior to the meeting. Nominations may also be taken from the floor. Only candidates that satisfy the qualifications to be a Director will be nominated.

(2) Mail-In or Electronic Ballots. If mail-in or ballots submitted using Electronic Voting Technology are used because a physical in person meeting of the shareholders will not be conducted, nominations will be made by a nominating committee appointed by the Board, or if the Board fails to appoint a nominating committee, by the Board itself. The committee, or the Board, will make as many nominations for election to the Board as it, in its discretion, determines, but no fewer than the number of vacancies that are to be filled and will verify that the nominees satisfy all qualification requirements to serve on the Board. Prior to the meeting, the nominating committee will establish a process and deadlines by which any shareholder may submit their name to the nominating committee as a candidate, and the nominating committee must nominate that shareholder if that shareholder satisfies all the qualifications to be a Director. If there are fewer nominees than vacancies, the committee or Board must nominate additional member(s) to be elected prior to the ballots being sent to the shareholders so that there are, at all times, a sufficient number of nominees to fill all Board vacancies that are up for election. Nominations must be made prior to the notice of any meeting where Directors are to be elected is sent in accordance with Bylaws Article II, Section 1, as amended, so that the voting information containing all the candidates' names and an informational sheet, within size limitations determined by the Board, containing their biographical information and affirming their candidacy, can be transmitted to the shareholders no later than the sending of the meeting notice.

B. For the election for Directors, the procedure is:

(1) Unless there are no more nominees than vacancies, election to the Board by the shareholders is by secret ballot, submitted either in person, by proxy, by mail, or by Electronic Voting Technology, as determined by the Board pursuant to Bylaws Article II, Section 5, as amended. The Corporation is not required to send ballots to the shareholders via any method if there are an equal number of nominations as there are candidates, and the terms for all open

positions are equal; in which case the nominated candidates will automatically be elected to the Board of Directors at the election meeting.

(2) Regardless of the voting method, the Board must adopt rules and safeguards to determine a method by which the secrecy of the ballots are maintained for those shareholders while also maintaining the integrity of the voting process to ensure each shareholder has only exercised their allotted vote once so that any other individuals can only identify that a shareholder has voted, and not how a shareholder has voted. The ballots, whether electronic or written, will list the number of open seats for Directors up for election and list the names of all of the nominated candidates.

(3) If voting by mail, ballots must be submitted within dual envelopes. One of the two envelopes must contain the ballot itself, the "Ballot Envelope." The Ballot Envelope need not be signed. The second envelope must contain the Ballot Envelope and the ballot, the "Signature Envelope." The Signature Envelope must be signed by the shareholder(s) voting, and will be used as a record of receipt of the shareholders' ballot as well as to determine quorum. If the Signature Envelope is not signed by the shareholder(s), the ballot in the Ballot Envelope will not be counted.

(4) For the election of Directors, the shareholders may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration and these Bylaws. The persons receiving the largest number of votes will be elected. Ties will be determined by unit or flip of a coin by the chair or moderator of the meeting. Cumulative voting is not permitted.

(5) The committee or the Board (excluding any incumbent Directors who are running for re-election), is responsible for (i) confirming all nominated candidates meet the qualifications to serve as a Director, (ii) receiving and verifying any ballots that are cast in person or by mail, (iii) receiving, verifying, and opening any ballots cast using Electronic Voting Technology, (iv) counting each ballot submitted through any voting method, and (v) verifying the results of the election by providing the ballots and results to the chair or moderator of the meeting.

(6) The meeting to announce the results will be held in person or by Authorized Communications Equipment, as determined by the Board in accordance with Bylaws Article II, Section 11. The chair or moderator will announce the election results at the meeting to be reflected in the meeting minutes and ensuring the election results are provided to all shareholders no later than fifteen days after the meeting.

INSERT a new BYLAWS ARTICLE II, SECTION 11. Said new addition, to be added to Page 4 of the Bylaws, is as follows:

Section 11. Prior to the meeting notice being sent to the shareholders in accordance with Bylaws Article II, Section 1, as amended, the Board will determine whether the meeting will be conducted physically so that the members may attend in person, or by the use of Authorized Communications Equipment.

If Authorized Communications Equipment is used, the persons utilizing the Authorized Communications Equipment must have the ability to communicate with the other participants to indicate their motion, vote, or statement, provided that the president, chair, or other person designated by the Board moderating the meeting, may silence or mute the Authorized Communications Equipment utilized by members to attend the meeting, unless the member is voting or has been recognized by the meeting chair or moderator to participate in the meeting. The meeting chair or moderator has the authority to decide and determine all procedural motions or other procedural matters to be decided at the meeting, including points of order and adjournment. The Board's purpose or reason for not conducting an in person meeting and instead having a meeting via Authorized Communications Equipment must be documented in the Board's meeting minutes.

INSERT a new BYLAWS ARTICLE V, SECTION 4. Said new addition, to be added to Page 7 of the Bylaws, is as follows:

Section 4. For all notices to be sent to the Corporation, the Board, or the shareholders, the following provisions apply:

A. Service of Notices on the Corporation and Board. All notices required or permitted by the Declaration or Bylaws, to the Corporation or the Board, must be made in writing and sent either:

(1) by regular U.S. mail, first-class postage prepaid, or

(2) delivered in accordance with subparagraph C below, to the Board President, to any two other Directors, to the Corporation at the address of the property, to the Corporation's manager or management company, if any, the Corporation's statutory agent registered with the Ohio Secretary of State, or to any other address as the Board may designate by written notice to all shareholders.

B. Service of Notices on Shareholders. All notices required or permitted by the Declaration or Bylaws to any shareholder will be in writing and is deemed effectively given if it has been sent by one of the following methods:

(1) personally delivered to the shareholder;

(2) placed under or attached to the front or main entry door of the dwelling;

(3) sent by regular U.S. mail, first-class postage prepaid, to the shareholder's dwelling address or to another address the shareholder designates in writing to the Board; or

(4) delivered in accordance with subparagraph C below. If there is more than one person owning a single dwelling, a notice given to any one of those several persons is deemed to have been given personally to all of the persons owning an interest in the dwelling.

C. New Communication Technologies.

(1) Due to the ongoing development of new technologies and corresponding changes in business practices, to the extent permitted or approved by the Board, as well as by Ohio and federal law, now or in the future, in addition to the methods described in subparagraphs A and B above, the following may be accomplished using electronic mail or other transmission technology available at that time that is a generally accepted business practice:

(a) any notice required in the Declaration or Bylaws to be sent or received;

(b) any signature, vote, consent, or approval required to be obtained; and

(c) any payment required to be made by the Declaration or Bylaws.

(2) The use of electronic mail or other transmission technology is subject to the following:

(a) The Corporation may use electronic mail or other transmission technology to send any required notice only to shareholders, individually or collectively, who have given the Corporation written consent to the use of electronic mail or other transmission technology. Any shareholder who has not given the Corporation written consent to use of electronic mail or other transmission technology will receive notices, including any notice of delinquency of any payment due, by either of the methods identified in subparagraph B(1)-(3) above.

(b) For voting on matters, including the election of Board members as outlined separately in these Bylaws, the

Corporation may provide for voting by electronic mail or other transmission technology.

(c) An electronic mail or transmission technology to a shareholder is not considered delivered and effective if the Corporation's transmission to the shareholder fails two consecutive times, e.g. the Corporation receives an "undeliverable" or similar message, or the inability to deliver the transmission to the shareholder becomes known to the person responsible for sending the transmission. If the electronic mail or transmission is not delivered or effective, the Corporation will deliver the notice or other communication to the shareholder by either of the methods identified in subparagraph B(1)-(3) above.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment allowing the Corporation to use electronic communications to the extent permitted by Ohio and Federal law, establishing a method to use mail-in and electronic ballots for voting purposes when an in person meeting of the shareholders does not occur, and permitting meetings to be conducted utilizing Authorized Communications Equipment. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 2

INSERT a new BYLAWS ARTICLE XVIII, entitled "INDEMNIFICATION." Said new addition, to be added to Page 8 of the Bylaws, Exhibit A.

#### ARTICLE XVIII

#### INDEMNIFICATION

Section 1. Indemnification of Directors, Officers, and Committee Members. The Corporation must indemnify and defend (as provided below): (1) any current or former Corporation Director, (2) any current or former Corporation officer, (3) any current or former Corporation committee member, or (4) any of said Director's, officer's, or committee member's respective heirs, executors, and administrators; against reasonable expenses, including attorneys' fees, judgments, decrees, fines, penalties, or amounts paid in settlement, actually and necessarily incurred by them in connection with the defense of any pending or threatened action, suit, or proceeding, criminal or civil, derivative or third party, to which they are or may be made a party by reason of being or having been such Director, officer, or committee member provided it is determined, in the manner set forth below, that (i) such Director, officer, or committee member was not and is not

adjudicated to have been grossly negligent or guilty of misconduct in the performance of their duty(ies) to the Corporation; (ii) such Director, officer, or committee member acted in good faith in what they reasonably believed to be in, or not opposed to, the Corporation's best interest; (iii) in any criminal action, suit, or proceeding, such Director, officer, or committee member had no reasonable cause to believe that their conduct was unlawful and is not convicted of theft or other theft related crime including but not limited to larceny, forgery, false pretenses, fraud, embezzlement, conversion, or any conspiracy related to any such theft related crime; and (iv) in case of settlement, the amount paid in the settlement was reasonable.

The above determination required will be made by written opinion of independent legal counsel whom the Board will choose. Notwithstanding the opinion of independent legal counsel, to the extent that a Director, officer, or committee member is successful in defense of any action, suit, or proceeding, or in the defense of any claim, issue, or matter, as the Board so verifies, they must, in that event, be indemnified and reimbursed for any costs and expenses, including legal fees, incurred in such defense. Any defense the Corporation provides will be by legal counsel the Corporation's insurance carrier selects or, if not selected by the Corporation's insurance carrier, a majority of the Directors excluding the accused or threatened Director(s). If a majority of the Directors cannot agree on legal counsel or if all the Directors are accused or threatened in any such action, the Board will appoint a special committee of three shareholders to select legal counsel to defend the Directors.

Section 2. Advance of Expenses. The Corporation may advance funds to cover expenses, including attorneys' fees, with respect to any pending or threatened action, suit, or proceeding prior to the final disposition upon receipt of a request to repay such amounts.

Section 3. Indemnification Not Exclusive; Insurance. The indemnification provided for in this Article is not exclusive, but is in addition to any other rights to which any person may be entitled under the Articles of Incorporation, the Declaration, these Bylaws, or rules and regulations of the Corporation, any agreement, any insurance provided by the Corporation, the provisions of Ohio Revised Code Chapter 1701 and its successor statutes, or otherwise. The Corporation must purchase and maintain insurance on behalf of any person who is or was a Director, officer, or committee member against any liability asserted against them or incurred by them in such capacity or arising out of their status as a Director, officer, or committee member.

Section 4. Directors, Officers, and Committee Members Liability. The Corporation's Directors, officers, and committee members are not personally liable to the shareholders for any mistake of judgment, negligence, or otherwise, except for their own willful misconduct or bad faith. The Corporation's and shareholders' indemnification includes, but is not limited to, all contractual liabilities to third parties arising out of contracts made on the Corporation's behalf, except with respect to any such contracts made in bad faith or contrary to the provisions of the

Declaration or these Bylaws. Every contract or agreement approved by the Board and made by any Director, officer, or committee member is made only in such Director's, officer's, or committee member's capacity as a representative of the Corporation and has no personal liability under such contract or agreement (except as a shareholder).

Section 5. Cost of Indemnification. Any sum paid or advanced by the Corporation under this Article constitutes a common expense. The Board has the power and the responsibility to raise, by special assessment or otherwise, any sums required to discharge the Corporation's obligations under this Article; provided, however, that the liability of any shareholders arising out of the contract made by any Director, officer, or committee member or out of the aforesaid indemnity in favor of such Director, officer, or committee member is limited to such proportion of the total liability as said shareholder's pro rata share bears to the total percentage interest of all the shareholders as Corporation shareholders.

Any conflict between this provision and any other provisions of the Declaration and Bylaws are to be interpreted in favor of this amendment for the indemnification of the Corporation's Directors, officers, and committee members. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 3

INSERT A NEW BYLAWS ARTICLE III, SECTION 8. Said modification, to be made on Page 5 of the Bylaws, Exhibit A, is as follows:

The Board of Directors may borrow money for the purpose of financing the maintenance, repair, restoration, replacement, and/or insurance of the property, provided that a majority of the shareholders present, in person or by proxy, at a Corporation meeting approves the borrowing; if shareholder approval is obtained, and in connection with this authority to borrow funds, the Board has the authority (i) to assign as collateral for borrowing, without limitation, the Corporation's right to future income, including the right to receive common assessments, insurance proceeds, and other income or compensation, and mortgage any property owned by the Corporation, (ii) to evidence borrowing by the issuance, sale, or pledge of notes, bonds, or other evidence of the indebtedness of the Corporation, and (iii) to execute related documents to implement borrowing.

Any conflict between this provision and any other provisions of the Declaration and Bylaws are to be interpreted in favor of this amendment on the authority to borrow funds. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this

amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 4

MODIFY the SECOND SENTENCE in BYLAWS ARTICLE II, SECTION 8. Said modification, to be made on Page 3 of the Bylaws, Exhibit A, is as follows (deleted language is crossed-out; new language is underlined):

These terms ~~shall~~ will be so arranged that not fewer than ~~three (3)~~ two nor more than ~~three four (4)~~ expire each year to maintain a staggered, 3-2-2 rotation of Directors.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment clarifying two or three Directors will be elected each year to maintain staggered 3-2-2 elections. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 5

MODIFY the FIFTH SENTENCE of BYLAWS ARTICLE II, SECTION 8. Said modification, to be taken from on Page 3 of the Bylaws, Exhibit A, is as follows (deleted language is crossed-out; new language is underlined):

The Board of Directors, so elected, ~~shall~~ will select from its membership each year, a President and Vice President.

DELETE the SIXTH AND SEVENTH SENTENCES from BYLAWS ARTICLE II, SECTION 8. Said deletion, to be made on Page 3 of the Bylaws, Exhibit A, is as follows (deleted language is crossed-out):

~~Board President is to be filled by a member in their second year on the board, or returning board member (prior 5 years) in their first or second year on the board. Exiting president shall serve as Vice-president and assistant to the then acting president.~~

INSERT a new PARAGRAPH to the end of BYLAWS ARTICLE II, SECTION 8. Said new addition, to be made on Page 3 of the Bylaws, Exhibit A, is as follows:

The appointment of the Secretary, if not a Director, will be reviewed by the Board of Directors every five years. The appointment of the Treasurer, if not a Director, will be reviewed by the Board of Directors every three years. The Board of Directors will also select two shareholders for the Architectural Review Board,

which is overseen by the Board of Directors, and each person's appointment to the Architectural Review Board will be reviewed by the Board of Directors every five years.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment officer qualifications and appointment to the Architectural Review Board. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 6

MODIFY the LAST SENTENCE in BYLAWS ARTICLE II, SECTION 8. Said modification, to be made on Page 3 of the Bylaws, Exhibit A, is as follows (deleted language is crossed-out; new language is underlined):

At the Board's discretion, annual dues, but not special assessments, may be waived for any Director or officer ~~the President, Secretary and/or the Treasurer~~ during their terms in office.

Any conflict between this provision and any other provisions of the Declaration and Bylaws are to be interpreted in favor of this amendment waiving annual dues but not special assessments for the Directors and officers. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 7

INSERT a NEW SENTENCE to the end of BYLAWS ARTICLE IV, SECTION 3. Said addition, to be made on Page 5 of the Bylaws, Exhibit A, is as follows:

The Vice President will act as the digital communications liaison and in that capacity is responsible for posting and transmitting the electronic communications authorized by the Board, including sending and receiving emails, posting and moderating the Corporation's social media accounts, and updating the Corporation's website.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment clarifying the Vice President's duties. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this

amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 8

MODIFY the SECOND SENTENCE in BYLAWS ARTICLE IV, SECTION 5. Said modification, to be made on Page 6 of the Bylaws, Exhibit A, is as follows (deleted language is crossed-out; new language is underlined):

Such funds may be withdrawn therefrom by check or draft signed by the Treasurer and countersigned by the Secretary or President, or in the absence or disability of the Treasurer, by the Secretary acting in his the Treasurer's place and stead and countersigned by the President or in the absence or disability of the President, by the Vice President acting in his the President's place and stead.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment requiring checks to be counter signed. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

#### AMENDMENT 9

INSERT a NEW SENTENCE to the end of BYLAWS ARTICLE V, SECTION 3 THIRD. Said addition, to be made on Page 7 of the Bylaws, Exhibit A, is as follows:

The Board of Directors may suspend a shareholder's privileges to use the Corporation's recreational areas and amenities if a shareholder is past due in the payment of assessments or any other charges for more than thirty days.

Any conflict between this provision and any other provisions of the Declaration and Bylaws are to be interpreted in favor of this amendment regarding the Board's authority to suspend recreational facility use for non-payment. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only shareholders of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive, or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

**Lake Colony Annual Stockholders Meeting**  
**Sunday, November 10, 2019**  
**6:00 p.m.**  
**Bainbridge Town Hall**

**In Attendance:**

Jeff Cyncynatus – President  
Natalie Wardega – Vice President  
Brian DiRocco – Pavilion  
Leslie Rumbarger – Beach  
Lee Schloss – Lake Study  
Jarrod Mulheman – Maintenance  
John Deering – Maintenance  
Joe Kolenic – Treasurer  
Mark Seifried - Secretary

The minutes from the 2018 Annual Meeting were reviewed.

**Committee Reports –**

**Beach Committee Report -- Leslie Rumbarger**

Our plan for the Beach this year was to continue the effort started last year in regard to bringing our lifeguard program up to date.

Here is what we did in 2019...

- Continued to make improvements to the Lifeguard Policy and Procedures Manual
  - Wrote Emergency Action Plans (EAPs) for Tornados and deep water rescues with the rescue board.
  - Created a new Beach algae procedures policy and signage.
- Acquired a cell phone docking station to ensure lifeguard phones are charged and not taken out on duty.
- Purchased new clock for patrons and lifeguards to use for rest periods.
- Restored policy to have lifeguards monitor and do light cleaning of bathrooms.
- Implemented a new lifeguard compensation program to attract and retain the very best lifeguards.

- Developed a new “Group” time sheet system that ensures time sheets are accurate and completed on time. It worked perfectly; no more time sheet issues!
- Installed a 9-1-1 Emergency Phone System -- This is an AC charged cellular system that only makes 9-1-1 calls so there are no monthly fees. This phone will be available 24/7.
- Replaced missing step on our swim ladder.
- Continued a voluntary lifeguard community service program: Lifeguards painted lifeguard chair in 2018 and in 2019 they spray painted “No Diving” on docks.
- Thanks to resident donations the lifeguard station is now fitted with a fan, microwave, and refrigerator.

The Lifeguard Policy and Procedures Manual and a Beach Director Checklist will be posted to our shared Google Drive for Board members so that future Beach Directors have access to these important documents.

One of our most valuable changes to the lifeguard program was the addition of practice drills. Learning to save a life in a pool, where most our lifeguards are trained, is very different than in a lake. We learned this all too well over the past two summers when we conducted safety drills. We were surprised to realize that “we didn’t know what we didn’t know”. Practicing Emergency Action Plan (EAP) drills was very valuable and it dramatically improved the speed and efficiency of our rescues.

Our Beach program goal is to be prepared for every type of emergency. In general, a lifeguard has less than 3 minutes to rescue a victim and begin resuscitation. This is why a lifeguard’s most important responsibility is surveillance. They must quickly identify and respond to every dangerous situation. Our lifeguards may look like they are “just sitting around” but actually, they are very prepared to take on the very serious responsibility of saving someone’s life.

### **Pavilion – Brian DiRocco**

2019 what is another successful year at the pavilion. The pavilion was rented nearly every weekend between Memorial Day and Labor Day. This year we utilized an online reservation system along with a shared online calendar.

The reservation system helped timestamp the reservation request to ensure the first come first serve rule was easily followed. The online calendar helped residents see real time availability all season long.

In 2019 the rates for the pavilion also increased for prime dates, prime dates are Saturdays and Sundays between Memorial Day and Labor Day, to \$50. All other dates are still \$20. Total money collected from reservations for the 2019 season was \$1150.

Reservations for the 2020 season will open again at midnight on January 1, 2020 by sending your email request to [pvpavilionrental@gmail.com](mailto:pvpavilionrental@gmail.com)

### **Community – Natalie Wardega**

This position is responsible for keeping up on community matters, neighborhood hospitality, and real estate turnovers.

#### Houses sold in 2019

- 1) 17930 Elliott \$259,800 4/19/19
  - Seller- Ellinger > Buyer- Schrickel
- 2) 18028 Elliott \$265,000 4/26/19
  - Seller- Lyon > Buyer- Vasil
- 3) 8678 Apple Hill \$230,000 1/8/19
  - Seller- Nothnagel > Buyer- Colicchio

Median House pricing in 44023- \$336,000

As Vice President, Natalie successfully led the development and launch of Pilgrim Village's new website in 2019. The website address is <https://pilgrimvillage.co/>. Announcement to neighborhood underway, including the onboarding of all residents to the fully secure "Neighbor Login" section.

### **Lake Study – Lee Schloss**

Aqua Doc was contracted again this year to manage the lake. Aqua Doc checks, test and/or treats the lake every 7-14 days May through Labor Day. The seasonal cost for this service is \$5685.00. Significant issue experienced this summer with algae blooms led to ongoing beach closure throughout the summer. The entire Board focused efforts on analyzing the issue and working with Aqua Doc on various treatment adjustments to improve the issues observed. The Board will evaluate several other Pond Management companies for the 2020 season with the intention to develop a plan that sets the community up for an improved 2020 beach season.

### **Public Water**

Pilgrim Village operates a public water source (the pavilion) and is required to adhere to the EPA regulations for water Quality and periodic testing. We use Bio-Solutions as our testing agency. We are required to submit three samples for testing each year.

Last year the EPA inspected our site and recommended that we replace the foot wash with an EPA approved fixture. This work was completed in 2019 with

installation of the shower that has been very well received by all residents.

### **Maintenance – Jarrod Mulheman & Mark Kautzman**

It was another successful spring cleanup with a tremendous turnout. The neighbors who participated were able to prepare the front and back entrance beds, as well as, clear and clean the beds surrounding the pavilion and the beach. Additionally, the Maintenance team completed the following major efforts:

- Installation of a new split rail fence at the front entrance of the development.
- Removal of broken beach foot wash and replacement with a dual foot wash and shower system.
- Completion of the Pavilion restroom toilet upgrades

The board members facilitated fall clean up and have secured the beach, pavilion, canoes and shed for the winter.

**PILGRIM LAKE COLONY, INC**  
**OPERATING STATEMENT AND CURRENT POSITION**  
**PREPARED OCT.16, 2019**

	<u>ACTUAL</u>	<u>BUDGET</u>
<del>GENERAL FUND</del>		
DUES INCOME @ \$185 (CURRENT)	30,615	31,980
	1,775	1,900
CAPITAL IMPROVEMENTS (PRIOR)	7,850	8,200
	708	
PENALTIES & MISC	1,769	
NET STOCK TRANSFERS	500	
TOTAL INCOME	<u>43,237</u>	<u>42,080</u>
EXPENDURES:		
BEACH	8,572	10,199
REPAIRS & MAINTENANCE	3,055	5,696
UTILITIES	1,734	2,300
LANDSCAPE MAINTENANCE	5,760	7,300
TAXES	550	800
SANITATION	867	1,300
INSURANCE	3,097	3,514
LAND LEASE	150	150
MISC	3,080	3,920
TOTAL EXPENSES	<u>26,865</u>	<u>34,979</u>
GENERAL FUND SURPLUS (DEFICIT)	<del>16,372</del>	<del>7,101</del>
<del>LAKE FUND</del>		
DUES INCOME @ \$64 (CURRENT)	10,048	10,456
(PRIOR)	192	
TOTAL INCOME	<u>10,240</u>	<u>10,456</u>
EXPENDITURES:		
LAKE MANAGEMENT (NORMAL)	8,030	6,600
(HOLDING PONDS)	0	0
TOTAL EXPENSES	<u>8,030</u>	<u>6,600</u>
LAKE FUND SURPLUS (DEFICIT)	<del>2,210</del>	<del>3,856</del>
NET SURPLUS (DEFICIT)	<del>18,582</del>	<del>10,957</del>
OTHER NON-EXEMPT INCOME:		
INTEREST INCOME	70	
TAX ON INTEREST	0	
NET NON-EXEMPT INCOME	<u>70</u>	<u>0</u>
CAPITAL IMPROVEMENTS	0	4,000
TOTAL CORP. SURPLUS(DEFICIT)	<del>18,652</del>	<del>14,957</del>
BEGINNING BALANCE	69,491	69,491
ENDING BALANCE	88,143	76,488

### Old Business

The \$25 charge/reimbursement for those under 60 years of age participating in Spring Cleanup continued to work well and will continue next year.

### New Business

Board expresses thanks to the community for another strong year of high returns of the Proxy Ballots with more than 82 received.

Approval of 2020 operating budget: Enough “For” votes were received on the submitted Proxy Ballots to approve the Operating Budget.

Election of new board members: Lee Schloss, Jeff Cyncynatus, and Brian DiRocco will be stepping down as planned after serving the board for 3 years. Tricia Delzell, Mark Lindhurst, and Bill Shumaker will be the new members joining the Board in 2020 since enough “For” votes were received to approve their addition as new members to the board.

General board discussion with attendees:

- A resident asked for an overview of last year’s approval the automatic 3% annual dues increase starting in 2019. The Board explained that this automatic increase would be re-evaluated per setup every 5-years for alignment with expected needs.
- Typical hours and scheduling process of lifeguards was explained by the board: Work 7 days/wk during summer with 12p-5p standard shifts that are scheduled using Google Calendar system.
- Resident asked for overview of the Boards position on Website Publicity. The Board explained how 2020 will bring new plans on advancing community communications, including an improved official PV Board Supported Website with resident log-in enhancements. Also, the Board’s position on Facebook was discussed to explain that it is currently not in the best interest of the board to support an official Facebook site.
- Residents discussed missing street signs that will be part of an upcoming replacement this spring.
- Questions regarding the updating of the PV By-Laws were discussed as the feeling from resident is that they are outdated and have limited enforceability. The Board discussed adding the re-draft and approval of updated by-laws to the 5-year plan.
- The current 5-Year capital plan that is printed within the 2019 Proxy was displayed to residence in attendance and discussed.

The annual meeting adjourned at 7:35 p.m.

Respectfully submitted,

Mark Seifried  
Lake Colony Secretary