

Longbrooke Homeowner's Association
Annual Meeting Minutes
March 2nd, 2024

The meeting was called to order at 1:09pm.

Maxwell welcomed everyone to the meeting.

Maxwell then called Barbara Norris the Vice President to give a report of the past year.

Vice President Report - Norris

Norris stated that the Vice President role is a Non-Voting Member. Norris stated that she had worked on getting the governing documents updated. Norris stated the following:

- Have not been updated since 1966.
- Attempt in 2019 was not successful.
- Retained an experienced HOA Attorney to assist with updates including complying with current State of Ohio laws.
- Edits based on work from original committee; added: prohibits air bnb, flying drones over someone else's property, etc.
- Will make future action by the HOA less cumbersome and compliant with state laws.
- Ballots delivered to all homes with 5-year window to respond.

Results of Vote after 1 year

- TOTAL NUMBER OF VOTES CAST – 152 in each category
- Majority required to approve changes to Declarations and By-Laws; 2/3 to approve Articles

| | YES | NO |
|-----------------------------|------------|-----------|
| Amended Declarations | 101 | 51 |
| Amended By-Laws | 104 | 48 |
| Amended Articles | 105 | 47 |

Special Projects

- Investigated migrating to an HOA specific webpage hosting company to make our online presence more functional and user friendly including allowing homeowners to see billing statements and make online payments more easily
- EASY HOA
- HOA Start
- Decision tabled due to cost.
- It is clear that residents managing residents is outdated. I investigated several HOA Management Companies.
- An HOA Management Company would replace many of the current Board Positions.
- HOA Management would manage the replacement or removal of the Longbrooke Pool.

Smith School

Architectural Report- Norris

Architecture Committee Trustee—Voting member, completed term of Dan Forrester

- Dan Forrester was Trustee until July when his health prevented him from continuing; I filled in for the remainder of his term.
- Current Architectural Control Committee Members:
 - Jacquelynn Gaines
 - Cheri Justice
 - Linda Root

Architectural Control Committee

- Updated process was established.
- Guidelines were drafted and sent to all homeowners.
- Architectural email was established specifically for requests.
- Jacquelynn Gaines digitized all prior requests by scanning them and storing them on the Architectural Control Committee Drive
- Jacquelynn is currently in process of developing an internal committee process for reviewing and approving requests.
- City of Berea will only approve Building Permits if ACC has approved.
- Approximately 15 requests reviewed in 2023 including roof replacement, new fences, in-ground pools, siding updates, windows, and new driveway installation.

A resident stated that roofs do not need to be approved along with replacing an existing driveway or windows.

A resident does not understand why solar panels cannot be in the front yard.

Ground Report – given by Maxwell for Petrus

COMMUNITY ENTRANCE SIGNS

- Drafted to-scale pictures for each street entrance for companies to quote accurately.
- Gathered three quotes for repairing street sign entrance areas & met with companies at all 4 locations to discuss plans.
- Worked with Daniel's Landscaping to repair 2 of 4 street sign entrance areas (Crossbrook/West and Wyleswood/Lindberg)
- Discussed with homeowners at sites the work being done in advance of work commencing.
- Sandstone was reset, grass planted, etc. so entrances look well-maintained.
- Budget in 2024 includes funds for Wyleswood/Cranston and Race St. entrance signs.

GROUNDS GUIDELINES AND VIOLATION PROCESS

- Distributed a grounds clean-up memo to homeowners.
- Created a warning letter protocol before sending a violation letter to homeowners in minor circumstances with the goal to make process less adversarial as we are all neighbors.
- Revised violation letter to reflect a more cooperative tone.
- Purchased new wreaths and garland to hang on all 4 street entrances during holidays as old items were in poor condition.
- Communicated frequently by phone/email with homeowners with concerns.
- Communicated frequently by phone/email with homeowners in violation of deed restrictions.
- Kept precise records of all communication with homeowners.
- Helped homeowners in finding companies or individuals to complete a landscaping or home improvement task.
- Communicated with the City of Berea to get help for with basic clean up for homeowners who could not manage their property alone.

A resident asked if the entrance way sign at La Paz and Merrimak will be replaced, it is not looking so good. This is currently not budgeted for this year.

Pool report – Haney

Haney started off by thanking all the pool committee members for the work they had done.

- Pool was closed in 2023 due to many issues.
- In September 2022, we began meeting with contractors and investigating options. These were addressed in February 2023 to homeowners. At that time, homeowners requested a committee to help provide additional information. The board implemented a plan of action to begin this process.
- The HOA board established the Pool Committee March of 2023
- Met weekly with the Committee from March of 2023-Early November of 2023
- Committee worked on finding additional information and solutions for the pool.
- Both committee members and myself met with contractors and pool consulting firm onsite
- Help provide information to the committee when requested with information available.
- Committee presented its finding to both board and homeowners in November 2023
- Pool ballots were sent out to homeowners in December 2023
- These pool votes were tallied 03/01/24.

A homeowner asked if we had received the quote for the repair. Haney stated that we had not.

Assistant Pool/Social – Novak

Assistant Pool Trustee duties:

- Lifeguards
- Bathroom supplies
- Membership needs
- Due to pool closure, served as social trustee to save HOA money.

Social Trustee Update:

- Handled technology, website, and social media.
- Worked to improve infrastructure for technology needs of HOA.
- Updated Facebook page to an organization page rather than personal page with goal to allow more than one trustee to post updates.
- Website and gmail addresses updated to organization rather than personal.

President – Maxwell

Maxwell announced that we had a quorum. 89 in person and 67 by proxy.

Board Priorities

- Make HOA practices and policies consistent with state laws (e.g. reserve waiver)
- Ensure HOA practices and policies are clear and apply them consistently to all homeowners (e.g. architectural & grounds guidelines)
- Provide ALL homeowners with the opportunity to influence decisions through voting (e.g. Smith and pool votes)

Reserve Waiver

- Initiated written waiver last year to ensure the HOA complies with Ohio law passed in 2010.
- Waiver must be passed, or the HOA must fund a reserve account to cover our assets.
- Reserve study should be done soon—waiting on pool decision

- Last year, waiver passed overwhelmingly.
- New waiver for current year went out in annual meeting mailing—please complete if you haven't already.
- Current vote is 83 approve and 3 against; majority of 153 required to approve the waiver.
- Please vote by March 31
- New board must ensure collection and recording of ballots.

A resident asked if we had a savings account. Yes, we do but we need to have enough to replace all our assets.

A resident asked if the reserve waiver had to be filled out every year. Yes it does.

A resident asked what the assessment was this year. It was stated it stayed the same at \$575.

A resident asked how many homes are in the development. 303 homes are in Longbrooke

Smith School Redevelopment

- Information shared at meeting on January 20 and posted on our website.
- The BCSD, City of Berea, and the HOA worked together to find someone to redevelop the property which has become quite dilapidated since ceasing operation as a school in 2010.
- The school district sold the property to developers who will demolish the school later this year and build new single-family homes.
- The homes will be part of Longbrooke HOA
- The Board approved the building plans which are also posted on our website.
- As homes are built, final plans must get approval from the Longbrooke Architectural Control Committee to ensure they comply with our governing documents.
- These new homes will be a vast improvement over the badly maintained school.
- Planning Commission meeting March 7
- Demolition hopefully this summer

A resident asked who owned Smith School. The Berea City School District owns Smith School

A resident asked if we asked for the land under the high-tension wires. We did not as we would have to pay to maintain them and pay property taxes on the land.

A resident asked if the Smith School deal was as done deal. Yes, it is.

A resident asked if the new homes will all be ranches. No, they will not, they will be a combination of ranch and two-story homes.

Maxwell stated that the board tried to balance it all with it going to auction.

A resident asked if the plans have been filed with the county yet? They have not yet, it is going before the Berea Planning Commission on the 7th of March.

A resident asked what the vote on the lot width was? It was over 53% when filed with the county with more received after that.

A resident asked what the cost of demolition was. The developer is paying for that, so we do not know.

A resident asked if the builder was local or national. It has not yet been decided on by the developer. They are still in negotiations.

A resident asked if all the legal fere for past assessments. It was primarily for past due assessments and Smith School Development.

New Legal Representation

- Board opinion that past legal representation was no longer effective; several items were overlooked to the detriment of the HOA.
- Collection of past due assessments: hired local attorney, Phil Henry
- Other HOA matters: Lindsey Wrubel, whose area of practice is HOA law

Quorum

- Quorum required for official meeting and voting is 51% of 303 homes represented=155
- Articles & By-Laws Section 4:
 - *Quorum: A quorum required for the carrying on of business at all meetings of the Full Membership of the ASSOCIATION shall consist of fifty-one percent (51%) of all holders of Full Memberships in the ASSOCIATION, but a lesser number may adjourn from time to time until such a quorum shall be present.*
- 1/3 quorum specified in Code of Regulations is not valid.
- Not filed with county as required by Ohio law passed in 2010.
- When documents are contradictory (51% vs 1/3 requirement), we must employ the more stringent requirement.

Treasurer – Losneck

Collections on delinquent properties

- In July 2023, LBHOA had \$38,493 in delinquent assessments for 16 properties (including late fees, interest, some court, and legal fees) from 2012 - 2023.
- < \$1,000.00 = 7 properties
- between \$1,001 and \$5,000 = 6 properties
- between \$5,001 and \$10,000 = 3 properties

Collections of Past Due Accounts

- Hired a new attorney to manage a new collections process, established an IOLTA account of \$5,000 through which legal fees are processed.
- Transitioned existing legal cases to new attorney.
- Attorney sent letters to homeowners to request payment of delinquent assessments to avoid further legal action.
- Established the ability for a homeowner to pay their dues with a credit card/ACH/Pay Pal (plus required 3% convenience fee)
- Board approved an updated collection policy; provided more information about assessment timeline, deadlines/costs along with an invoice for each property with instructions for making an electronic payment (all in annual meeting mailing)
- Legal fees are paid by LBHOA up-front and then charged back to delinquent homeowners for time spent on the collections process per property. This can be a challenge when charges accrue post-settlement due to late settlement payments, homeowner communication to the attorney, etc. Therefore, the Board has clarified that:

- **Any and all legal fees** associated with the collection of delinquent assessments will be the **responsibility of the homeowner** and the bill for these fees, **when accrued post-settlement**, will be sent out in total once the assessment has been paid.

2023 Budget Items to Note

- High net income due to the pool being closed; dues not spent on operating costs will be moved into HOA reserve account.
- We did better than expected in collecting dues this year and 5 properties moved into current status through collections efforts.
- Large increase in legal expenses due to Smith School property process and establishing a new attorney for collections - we pay the fees in advance and collect them from the homeowner following settlement.
- Increase in postage, printing and supplies due to additional HOA meetings and mailings surrounding Smith School.
- Pool Repairs & Equipment came in \$2,000 less than budgeted; but Misc Pool Expenses show the cost for the pool committee meeting postage, mailing and signage costs.

A resident stated they thought we did not have a reserve account. It is the same as the savings account.

A resident asked about the phone expense. The phone at the pool was cancelled when the pool did not open. The trash collection was cancelled as well.

A resident asked if we could cancel the insurance. No as we still have the pool as a liability. The new board will have to reapply for insurance.

A resident asked if we reconcile every month. Yes, we do.

A resident asked what our outstanding past due amounts were. Around \$30,000

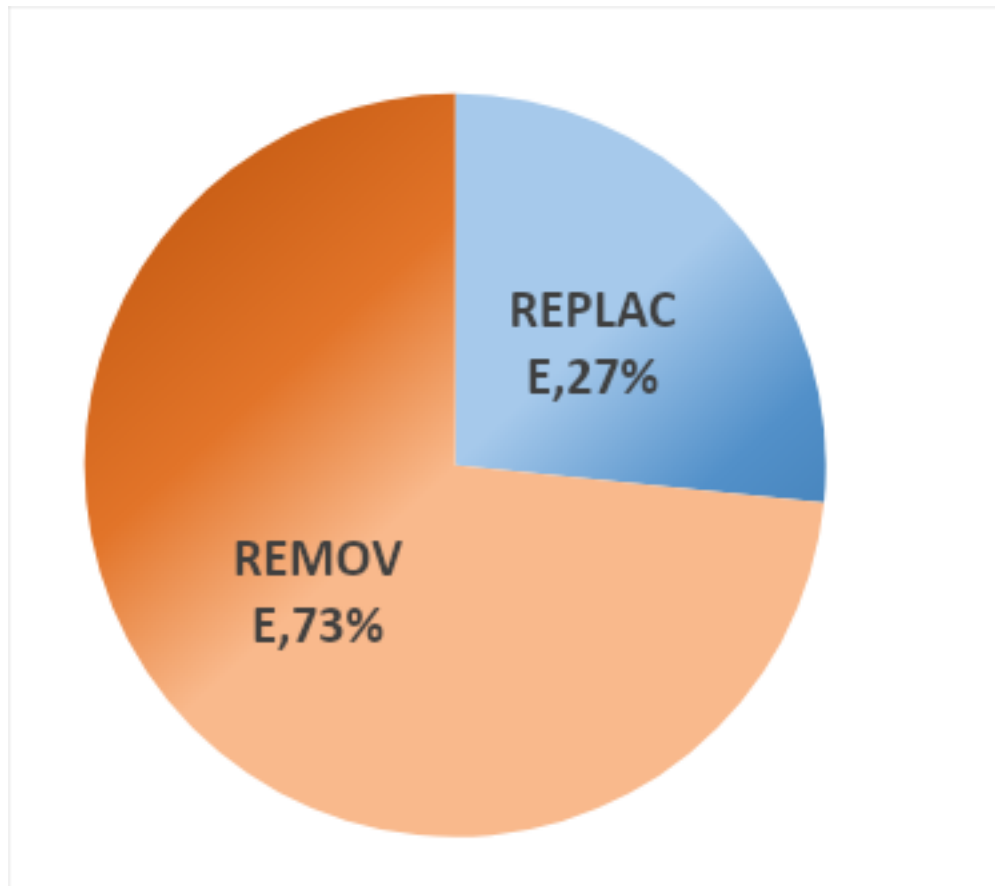
2024 Budget Items to Note

- Increased legal expenses budget to allow for up-front payment of legal fees for continued diligence on collections for delinquent accounts.
- Maintained Grounds budget as the plan is to continue the landscaping repairs of remaining entrance signs.
- Pool Expenses decreased slightly to align with 2023 actual figure for Repairs & Equipment
- As of December 31, 2023, we had \$253,498.73 in our bank accounts.

A motion to approval the minutes for the annual meeting in 2023 was made by Bob Colvin and seconded by Jim Cook. One homeowner opposed.

Pool Vote - Maxwell

- 218 (72%) homeowners cast ballots
- 160 (73%) voted to REMOVE the pool
- 58 (27%) voted to REPLACE the pool
- Of the 76 homeowners who signed the petition asking for the special pool meeting, only 28 voted to replace the pool.
- The pool is an amenity that residents are no longer willing to support financially.



A resident wanted to know if homeowners voted to remove the pool then why is it not a done deal?

Moving Forward – Maxwell

- Up to new board—next steps were outlined in February 12 presentation (available on the website)
- Must comply with governing documents.
- Violating could lead to liability costs to HOA and board members individually.
- Hope they honor the viewpoints of all homeowners.
- Acting in contradiction to the will of homeowners might be viewed as a breach of the board's fiduciary duty; it may also make collecting any assessments risky to the HOA.

Elections – Maxwell

- President – Jacqui Gareau is interested in this position.
A motion was made by Bruce McLaughlin to nominate Jacqui Gareau. Motion was seconded by John Kusmier.

A motion was made by Youngblood to make the voting unanimous.

- Vice President
Jacqui Gareau nominated Caitlyn Goodwin. Motion was seconded by Kaelin Bobula.
- Pool Trustee – Greg Bosl and Teri Sopko are both interested in the position.
Doug Siloy read a letter from Teri Sopko. Greg Bosl spoke a few words.

Bruce McLaughlin nominated Greg Bosl and seconded by Joey Haney.
Doug Siloy nominated Teri Sopko and was seconded by Susie Colvin.

A vote was taken.
Bosl – 80 votes
Sopko – 64 votes

Greg Bosl is new Pool Trustee.

A resident asked if we could hold off on Assistant Pool Trustee. Maxwell explained that the Assistant Pool Trustee and Social positions had been combined since there was no pool and to save on the dues given out.

Bob Colvin recommended that we continue to split the role of assistant pool trustee and social trustee. It was unanimously voted to continue to do this.

- Assistant Pool Trustee (now being combined with Social)
A motion was made by Caitlyn Goodwin to nominate Kaelin Bobula. Motion was seconded by Joey Haney.
- Architectural Trustee
A motion was made by Jacquelynn Gaines to nominate Sara Gaines. Motion was seconded by Jim Maxell.
- Grounds Trustee – Kelly Browning was interested in position.
A motion was made Bob Colvin and seconded by Jacqui Gareau
- Social Trustee – this position is being combined with the assistant pool trustee again.
- Treasurer—appointed by new board but position is vacant as of today.

A motion was made by Chirs Zirke to adjourn the meeting at 2:44pm and was seconded by Jim Maxwell.