

## Waynoka Property Owners Association

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### WPOA Board of Trustees Meeting – Saturday, May 12, 2018

President Prescilla Redick called the meeting to order at 10:00 am and wished all of the mothers an early Happy Mother's Day.

Trustee Judy Yannone led those present in the invocation which was followed by the Pledge of Allegiance.

**Roll Call:** *Present:* Buckley, Crank, Ellis, Johnson, Kitchen, Koch, Redick, Robinson, Yannone & Mgr. Cahall  
*Absent:* none

**Minutes:** The motion to approve the minutes of the April 14<sup>th</sup>, 2018, WPOA Public Meeting as published in the May Newsletter, was made by Koch and seconded by Johnson. The motion was opened to discussion for Trustee Kitchen who requested the omission of a sentence in the third paragraph under New Business: "So as a Trustee she asked a couple of members of the Lake Advisory Committee to join her Friday morning to see how the maintenance staff was doing to make the necessary repairs." It was decided that the Asst. Recording Secretary would review the recording of the meeting. The motion to approve the minutes was tabled until the June 9<sup>th</sup>, 2018 meeting.

The motion to approve the minutes of the April 21<sup>st</sup>, 2018 WPOA Annual Meeting as distributed via email to the Trustees, was made by Johnson and seconded by Koch. A yea/nay voice vote was taken and the motion passed unanimously.

The motion to approve the minutes of the April 23<sup>rd</sup>, 2018 WPOA Special Meeting as distributed via email to the Trustees, was made by Crank and seconded by Johnson. A yea/nay voice vote was taken and the motion passed unanimously.

The Asst. Recording Secretary suggested that a Trustee, who has an issue with a statement in the minutes, which are distributed via email three or four days after each meeting, contact her at that time so corrections can be made prior to the next meeting and the approval of the minutes is not delayed another month.

**President's Report** (Prescilla Redick): Redick asked for updates to the printed reports since they were submitted for distribution on Wednesday, May 9<sup>th</sup>. *The updates are indicated in italics in the summary of each report from the handout that is included below.* jac Please note: Anyone who would like to receive an "email blast" of the report summaries, on the Fridays prior to the meetings, needs to contact the Office Staff to submit their email address for inclusion on this list. jac

#### **Treasurer's Report as of April 30<sup>th</sup>, 2018:**

##### Operating funds

- The total April operating income was \$205,000.00 which mostly came from annual dues payments.
- The total operating expense for the month of April was \$151,000.00 with no unexpected expenses.
- The operating fund balance at the end of April was \$867,794.51.
- The operating income for the year at the end of April was \$1,204,000.00 and that is 57% of the plan for 2018. The expected income at the end of April was 58%; so the WPOA is 1% under budget.
- The operating expense for the year at the end of April was \$648,000.00 and that is 32% of the plan for 2018. The expected expense was 31%; so the WPOA is 1% over budget. This overage is attributed to labor costs on the projects that are being wrapped up before the Memorial Day weekend.

## Allocated Assessment Funds

- The income for allocated operating assessments in April was \$48,000.00.
- Assessment account expenditures in April totaled \$54,600.00 including \$36K for a new truck; \$7,300 toward the bath house project; and \$4K in pot hole repairs.
- The balance of all allocated assessment accounts at the end of April was \$505,654.37.

Invested Funds – Invested reserves at the end of April totaled \$372,965.73.

Total cash ‘on hand’ at the end of April was \$1,746,414.61.

*The members of the 2018 WPOA Finance Committee are Steve Johnson, WPOA Treasurer; John Buskey, Ken Crank, WPOA Trustee; Vern Taylor; and David Patton.*

## Manager’s Report (Paul Cahall):

- Cahall will be doing the shoreline re-inspections in July to ensure everyone has had a chance to address the problems identified in letters that were sent last fall. He is waiting until July because of the bad weather this spring which made it hard to get equipment down next to the lake.
- The maintenance staff has been hard at work getting ready for Memorial Day weekend. The pools have water; the bath house project is close to completion; and the new pool picnic tables have been delivered and will be put together shortly.
- The Recreation Center will be closed the morning of May 15<sup>th</sup> until noon. The outside of the building is being pressure washed that day and the work on the entrance will be done between 8 am and noon.
- ODNR was here to inspect the dam the week of May 7<sup>th</sup>. They had some preventive maintenance recommendations that will be worked on over the summer.
- In the Campground the last big tree trimming project for the spring was completed. Over 100 tons of gravel was distributed to improve camping spots. The Teeter Totter was removed from the playground per the recommendation of the WPOA’s insurance company.

*The bath house will be opened some time this coming week. Comments are appreciated. (For example, the mirror in the ladies’ room will be lowered since most women aren’t 6 feet tall!.)*

## Security Report (Chief Wallace):

- In the April security report there were 30 calls for service including one arrest (public intoxication), two reports, three traffic citations, seven warnings (written and verbal, given for traffic violations and WPOA rules and regulations violations), three squad runs, one fire run, 7 animal complaints (3 dog and 4 other), eleven calls for grinder pump service and 560 security checks.
- Ranger Marcus Callahan has been hired as a full-time Ranger (police officer). Ranger Callahan has 6 years of experience in law enforcement and has worked in the security profession as well. He has worked for law enforcement agencies in Brown County and Adams County.
- The Brown County Law Enforcement Educational Services Committee had its first training class in April. There were 39 law enforcement officers from Brown and Adams County in attendance. The turnout was better than expected.
- We are still looking for part-time security officers along with a part-time marine patrol officer.
- The patrol boat has been placed in service with new emergency lights. The radio is scheduled to be installed anytime between 5/7-5/10, 2018.
- As a result of an investigation in 2017, a subject who led officers on a pursuit originating inside Lake Waynoka was convicted of a 4<sup>th</sup> degree felony and was sentenced to 1 year in prison, life time driver’s license suspension and forfeiture of a vehicle to the Lake Waynoka Rangers.

## Other Committee Reports:

**Long Range Planning** (Judy Yannone): No report *Pres. Redick recognized Dick Bankes for his service to the property owners as co-chairman and member of the Long Range Planning Committee for several years. Trustee Yannone and David Patton will be the 2018 co-chairpersons of this committee.*

**Lake Advisory** (Mike LaPlante): No report *Pres. Redick announced that Mike LaPlante will continue as chairman of the 2018 Lake Advisory Committee with Trustee Kitchen continuing as Board liaison.*

**Building** (Pete Levermore): One variance request was submitted to the Committee in April. Sixteen permits (2 residences, 2 additions, 9 repairs/replacements, 2 garages and 1 fence) were approved in April for a total of 50 permits thus far in 2018.

*Pres. Redick announced that Pete Levermore will continue as chairman of the 2018 Building Committee with Trustee Buckley acting as Board liaison.*

**Rules and Regulations** (John Buskey):

- At the 05/07/2018 WPOA Workshop Buskey reported on the April 28<sup>th</sup> Roundtable discussion about the proposed revised Deed Restrictions/Covenants. It was recommended that the Board consider adopting two changes to the revised Covenants suggested at the Roundtable. The changes will be considered by the Board for a vote at the May 12<sup>th</sup> Board meeting. Buskey also drafted a letter from the Trustees to member explaining the need for the amendments as well as a notice to be sent to all members-in-good-standing for a Special Member Vote on Saturday, June 23<sup>rd</sup>. As soon as the documents are completed by the Election Inspectors they will be posted on the website.
- The Rules & Regulations Committee will soon begin reviewing suggestions from the Roundtables about the CODE of Regulations. There were several suggestions and each will be considered. When the Committee completes its review, recommendations on changes to the CODE will be presented to the Board for their consideration. We anticipate that a vote by mail on the CODE will take place later this summer.
- Buskey as chairman of the R & R Committee expressed his appreciation to everyone for their participation in the Roundtables and noted how courteous and professional everyone was in their verbal and written comments. It was a pleasure to chair the sessions.

*Pres. Redick announced that John Buskey will continue as chairman of the 2018 Rules & Regulations Committee with herself acting as the Board liaison.*

**Election Inspectors/Nominating:** No report *Pres. Redick announced that Anna Clark will continue as Nominating Chairperson and that Margi Borgman and David Patton will continue as Election Inspectors.*

*Pres. Redick announced that Betty Purdin will continue as the WPOA Historian for 2018.*

**Unfinished Business:**

- One variance request was submitted to the Committee in April. *Larry Janning of Lot #359 shared details of his request for a variance that would allow four feet to be taken from the 40' set back in the front (street side) to build a garage/barn (24' x 36'). After hearing Janning's request the Board noted that the 40' set back is in the Restrictive Covenants which cannot be changed by a motion of the WPOA Board. At this time a motion was made by Yannone and seconded by Buckley to approve the variance for Lot #369 as described above. A voice rollcall vote was taken and the motion was NOT approved unanimously with zero yea votes and nine nay votes.*
- Two motions were made to continue the process for revising the Restrictive Covenants of the WPOA. Motion #284 was made to approve additional proposed revisions to the Restrictive Covenants, Easement Definitions, Paragraph 8 as of May 7, 2018. A roll call vote was taken and the motion passed unanimously. Motion #285 was also made that the Revised Deed Restrictions/Covenants dated May 7<sup>th</sup>, 2018 be approved for a member vote at a Special Member Meeting. A roll call vote was taken and the motion passed unanimously. *See Motions and Resolutions below for further details. jac*

**New Business:**

- Pres. Redick reminded the Lake Waynoka clubs/organizations to make sure they have an EIN#, separate from that of the WPOA, under which to do banking business.
- Marker buoys on the water that have drifted from their locations over the winter will be relocated to their proper places by the Lake Patrol in the near future.
- Trustee Kitchen thanked John McDulin for sharing his concern at the last WPOA meeting about a Tier 2 sex offender living in Lake Waynoka. She apologized to the community for having a tenant, to whom she had rented a property, permit this individual to live in the house without her knowledge or consent. She noted that he no longer resides in Lake Waynoka or Brown Co.

#### **Motions and Resolutions:**

- **Motion #284** was made by Robinson and seconded by Redick that the WPOA Board of Trustees approved the proposed additional revisions to the Restrictive Covenants, Easement Definitions, Paragraph 8 dated May 7, 2018, to be presented to the membership for its approval by a vote of members in good standing. The Elections Inspectors will be directed to implement the voting process. A roll call vote was taken and the motion passed unanimously with nine yea votes and zero nay votes. *A copy of Paragraph 8 of the Restrictive Covenants with the additional revisions is attached to the motion. jac*
- **Motion #285** was made by Robinson and seconded by Yannone, that the Revised Deed Restrictions/Covenants dated May 7, 2018 be approved for a member vote at a Special Member Meeting. A roll call vote was taken and the motion passed unanimously with nine yea votes and zero nay votes.

**Community Organizations:** *The deadline for submission of information for the June newsletter and other media releases is Monday at 4 pm. The Office Staff appreciates the cooperation of all of the clubs to share the events and activities held in Lake Waynoka. Several representatives of the community organizations then reported information that they deemed necessary to be highlighted. jac*

**Campground (Ken Crank):** Crank shared that volunteers are being recruited to help organize events at the Campground.

#### **Civic Club (Terry Borgman):**

- Borgman shared that about 70 property owners have registered to participate in the annual Yard Sale is Saturday, May 19<sup>th</sup> from 8:30 am to 4 pm.
- The Civic Club is the host of 2018's Waynoka Day on July 21<sup>st</sup>. The next organizational meeting is Wednesday, May 16<sup>th</sup> in the Lodge at 10 am.

#### **WaterSports Club (Pat Raleigh):**

- The Earth Day Clean Up is no longer just a WaterSports Club event! There were over 50 volunteers from the Art Club, the Book Club, the Chapel, the Civic Club, the Garden Club, the Paddleball Club, the Shawnee Ladies Club, and the WPOA Board as well as the WaterSports Club cleaning up trash along the roads in Lake Waynoka and the road out the back gate.
- The members of the Club have also been 'cleaning up' the Lounge inside and out – painting, washing windows, power washing the patio, cleaning out gutters and so on. Tom and Kathy Sewall donated the plants in front of the Lounge and they are also caring for them on a regular basis.

**Chapel (Valerie Bullock):** All are welcome to the Sunday services which begin at 10 am.

**Shawnee Women's Club:** Only seven ladies attended the last meeting. ☺ Join the Shawnee Women in the Lodge at 10 am on the second Wednesday of each month. ☺

**Art Club (Sandy Beard):** Beard thanked the Shawnee Women's Club for their donation of \$500 toward the purchase of paints for the bath house mural at the Beach.

**Lake (Prescilla Redick):** At 8 am this morning 30 boats launched at the Marina to participate in the Late Spring Tournament. All were invited to the 'weigh-in' at 4 pm at the Beach Pavilion. The next Wednesday night tournament is April 16<sup>th</sup> with the launch at 6 pm and the 'weigh-in' at 9 pm.

**Book Club** (Joy Ackley): Ackley called the activity of the Book Club a ‘work in progress’. She thanked Terry Borgman for his help with their project of creating a library and a quiet reading/WiFi room in the Lodge.

**Board Concerns:** Trustee Kitchen asked Mgr. Cahall to report on the dam inspection by the ODNR on Tuesday. Even though the ODNR rep’s official report is not yet available, Cahall shared a brief, unofficial summary of the findings: No mechanical failures, difficulties, issues were found. There is some maintenance ‘stuff’, like clearing away shrubs, that needs to be done. The spillway was examined again and the sealing needs to get finished. It was suggested that the sealing work be done during a dry spell this summer or, if not possible, when the lake is lowered again. Cahall commented, “This was the most thorough examination I have seen. He seemed impressed and all is in good working order. Things that need to be done annually were suggested and will be discussed with Maintenance.” Cahall noted that the WRWSD dams are also in good working order. The engineer told Cahall, “I do not know who the engineer was who built this dam, but he built it to specs that if turned in today, would pass!” Kitchen noted that the rep will be back to inspect the dam again when the work is finished and that ‘the dam is most important to our community’. *At this point the discussion continued and additional information was shared. The Asst. Recording Secretary has determined that she is not knowledgeable enough to understand and share this discussion and information accurately. Contact the Manager if you would like to discuss the condition of the dam in further detail. jac*

Ginny Tatman (Lot #2535) shared her concerns about those driving large commercial vehicles across the dam in excess of the 25 mph speed limit and the damage that she believes excessive speed may cause.

**Executive Session:** At 10:45 am Koch moved and Yannone seconded a motion for the Board to go into an Executive Session to discuss a member issue. A yea/nay vote was taken and the motion passed unanimously. At 11:02 am the Board returned and Robinson moved and Koch seconded a motion to end the Executive Session. A yea/nay vote was taken and the motion passed unanimously. After discussing the issue the Board directed the Manager was as to how to address the member issue.

Also Kitchen shared an item that the Trustees agreed would be discussed during the June workshop.

*Then Crank moved and Koch seconded a motion to approve a request by the Lake Waynoka WaterSports Club to allow a fund-raiser being held in the Lodge on June 16<sup>th</sup>, 2018 to be a BYOB event. A yea/nay vote was taken and the motion passed unanimously.*

**Membership Compliments and Concerns:**

\*Charles Porter (Lot #2047): Porter asked several questions about special variances and set back violations. In answer to his questions both Mgr. Cahall and Pres. Redick either answered, “On the advice of our attorney I cannot speak to you.” or “I am not allowed to answer your questions on the advice of our attorney.”

\*Gordon Ellis (Lot #1728): Ellis spoke as Brown Co. Sheriff Ellis. He shared that sex offenders in Ohio are classified by the severity of their crimes and that defines the types of notification. In Brown Co. a deputy is assigned to check and verify the residency of all registered sex offenders each month which is in excess of Ohio’s minimum requirement that this be done every six months. If the sex offender is not living at the residence on record it is a felony charge.

\*Valerie Bullock (Lot #2304): The Chapel is having a Pancake Breakfast at the Campground on Saturday, May 26<sup>th</sup> during the Memorial Day weekend.

\*Ginny Tatman (Lot #2635): Tatman continued sharing her observations of vehicles exceeding the 25 mph speed limit across the dam. She described an incident involving Rumpke garbage trucks. Tatman also said that the variance discussion earlier in the meeting should have stopped with the Manager and not gone to a vote by the Board.

\*Kathy Sewall (Lot #4015): Sewall thanked those who have made donations to the Joseph House in Cincinnati. Veterans who are homeless and have substance abuse issues are treated there. The collection of bath towels and

washcloths, pillows and twin bedsheets and cases began with the members of the WaterSports Club. But Sewall invited everyone in Lake Waynoka to donate to help these veterans in need.

\*Phil Cady (Lot #3879): Cady believes that the approach which is being taken to share information is that the information first goes to the Manager. Next it goes to the President of the Board and then it is not being given to the other Trustees on the Board.

\*Election Inspector, Margi Borgman (and David Patton): The Special Member Vote will be on June 23<sup>rd</sup>, 2018 between 10 am and noon in the Recreation Center. A letter will be mailed to property owners sharing information about the Revised Deed Restrictions/Covenants as well as what is needed to vote and how the vote will be done. This is not a two hour meeting of the members. Members will only be at the Rec Center long enough to vote to approve or disapprove the Revised Deed Restrictions/Covenants.

\*John McDulin (Lot #689): McDulin thanked Trustee Kitchen for taking care of the sex offender situation. He questioned what we can do as a community in the future. Brown Co. Sheriff noted that he can only speak 'criminally' and repeated that his department verifies and posts the residency of sex offenders each month. There was a discussion about what landlords, home owners and communities can do legally to discourage the residency of sex offenders in their neighborhoods.

\*Steve VonWaldhe (Lot #4011): VonWaldhe asked, in reference to last month's concern about the entry of Straight Creek into the Lake and those shorelines that need improvements, whether or not the Association could perform the work and put liens on those properties once the work is completed. Cahall shared that legal options are being pursued. Many of the recommendations of the Mad Scientists' study are cost prohibitive and the Corp of Engineers, the Ohio EPA and the ODNR all have regulations that have to be met and many are also costly. Efforts are being made to improve these situations.

\*Steve Rish (Lot #2895): As a landlord, Rish shared that landlords may adopt a policy, which is written into the rental contracts, that they will not rent to any tier level of sex offenders. A community cannot adopt similar rules and a homeowner cannot deny a sex offender the right to purchase his home because he is a sex offender.

**Adjournment:** A motion to adjourn the meeting was made by Robinson and seconded by Buckley. The motion passed unanimously and the meeting adjourned at 11:20 am.

Respectfully submitted,

Joanne A. Coker, WPOA Assistant Recording Secretary