

STEEPLECHASE HOMEOWNERS ASSOCIATION
OPEN BOARD MEETING
Held at Guise Park Lodge
JANUARY 21, 2018
6:00 pm – 7:20 pm

Board members in attendance: Susan Hamlin-Scanlon, David O'Connor, Matt Adams, Kelly Adams, Ann Shane, Lori Karb-Moeller, a Munroe Falls police officer, along with the following homeowners: John and Nina Robishaw, Mr. and Mrs. Tully, Rob & Deana Schwartz, Gary Kalainer, J.J. Herr, Marty Wiles, Kathy and Chuck Ranier, Bunny and David Wise, Mary Beth Reed, Beth Stuber, Jim and Paula Otis, Richard and Tanya Serafin, Dennis Ripple, Dennis Byrne, Jason Kanoza, Helen Vezzani, Dennis Vezzani, Michael Wiener, Denise Zitzmann, George Zitzmann, Karen Dunn, Dennis Dunn, Scott Moeller, Holly Rigby, Sharon DeBlois, Mr. and Mrs. Bartolomucci, Bill Mattingly, Barbara Hoover, Larry Scanlon.

Susan made a brief statement regarding her tenure as President: At no time in the history of the Association were tax returns ever filed; now they are filed annually. Audits were not being done; now annual audits of the treasurer are done by the Trustees as per our by-laws. A website was recently created in order to more effectively share information. This was done at minimal cost to the association. Dues letters etc. are now emailed in an effort to cut down on costs and go "green." The proper Directors and Officers' insurance had not been in place since approximately 1997. We now have proper insurance, both liability and Directors and Officers' insurance with a \$1,000,000 per occurrence limit for D&O. At no time prior was the Treasurer bonded, now she is bonded. The financial records are all kept on Quickbooks with multiple access and secure back-ups to alleviate worry of a treasurer quitting or a personal computer crashing. The amount of unpaid dues exceeded \$9,000 at the time she came onto the board, through collection efforts that amount is now down to approximately \$3,000. Names of homeowners with outstanding dues will be listed in the next newsletter. Current balance in treasury is \$4,080. We are in sound financial position and will continue to be with annual dues to be paid March 1, 2018. This money will be available to help with the aging development and improvements. The SHOA Website shows a letter from Attorney Scanlon that the legal fees are paid in full.

Lawsuit: Wiener

The lawsuit was served upon SHOA in 2013 when Barbara Hoover was President. Barbara hired Attorney Larry Scanlon. It was settled in 2017 with a confidential non-disclosure agreement. Attorney Larry Scanlon contacted the Wieners' attorney to ask permission to disclose information regarding the settlement to the Homeowners with The Steeplechase. The Wieners' attorney denied Attorney Scanlon's request to disclose information.

Attorney Larry Scanlon gave a brief statement regarding the lawsuits.

Information on the history of the lawsuit and recent newsletters can be found on the SHOA website: www.TheSteeplechaseHOA.com and the Summit County Court Website.

Lawsuit: Seibert Keck

A lawsuit was filed by the SHOA in 2016 against the Seibert Keck Insurance Company for failure to provide insurance coverage. Ohio Revised Code as of 2010 requires homeowner associations to have insurance. For an unknown reason, the insurance was dropped in 1997 and was not renewed nor did the original insurance company (that was bought by Seibert Keck) notify the SHOA of the loss of the insurance coverage in that year or any year thereafter. The

lawsuit was settled in favor of SHOA with a monetary settlement that included a confidential non-disclosure provision. Permission was granted by Seibert Keck's atty and the amount of the settlement was disclosed to all attendees at the SHOA meeting that signed the attendance sheet with the caution that they could be personally liable if they disclose or disparage Seibert Keck outside the meeting or on social media. The settlement check has not yet been received. Note: Bartolomucci's then exited the meeting.

As a result of the two settlements, the outstanding balance of the legal fees incurred during the pendency of the two lawsuits has been paid or will be paid in full.

A question was raised about why homeowners were not kept updated on the lawsuit. SHOA Board President Susan Hamlin-Scanlon responded that each letter, email and newsletter that was mailed to all 152 homes included information on the status of the lawsuit and financial statements have also been sent to all homeowners showing outstanding attorney fees for years. The court documents are available through the Summit County Clerk of Courts website.

Annual Dues Issues:

There was significant discussion of whether annual dues are required or payment is voluntary. SHOA President Susan Hamlin-Scanlon stated that per the by-laws and a recent court decision from Stow Municipal Court in the SHOA v. Rice case, the dues are mandatory.

A member questioned why homeowners who have not paid their dues have been sued. Board President Susan Hamlin-Scanlon testified that the Rice case had been filed in Stow Muni and the SHOA prevailed in court. This decision was sent to multiple homeowners who still owed dues. Most paid. Mr. Serafin refused. Subsequently, the Serafin case was filed and Mr. Serafin thereafter paid his dues. These decisions support SHOA's position that the dues are mandatory and not voluntary. There are still approximately 15 households that still have dues owing. The SHOA has recovered approx. \$6,000 as a result of notifying SHOA members of outstanding dues owed and advising them that the SHOA has been successful in obtaining favorable judgments.

An association member questioned the \$100 dues. SHOA Board President stated that the increase in the dues was discussed at the annual SHOA meeting that was held in May 2017 and can be an agenda item for the May 2018 annual meeting.

An association member requested that the proxies be counted at the annual meeting and members be allowed to see the votes.

An association member requested to see a proposed budget without the legal fees for the May 2018 annual SHOA meeting.

An association member requested to have the minutes of meetings available to the homeowners on the website.