



Cedar Point – by Jim Sorenson

The last time that I was at Cedar Point, I was about 6 months old. There is a family picture of us there and I am in a stroller. That is my only memory of Cedar Point, but that should all change this summer.

Cedar Fair owns Cedar Point & Soak City in Sandusky; Wild Water Kingdom in Solon; Kings Island in Cincinnati and 11 other parks. Ticket prices vary as they have 1-day passes, 2-day passes and several different season pass options for all of the different parks.

The Platinum Season pass provides unlimited admission & parking to all 15 Cedar Fair parks and some other benefits as well. Ticket pricing increased on January 16 - something to keep in mind for the future if you want to buy passes for an upcoming year.

Dates to Remember – copied from the Township newsletter

April 3rd-Township Yard-Waste Drop-Off

Starts every Saturday (10:00 am to 2:00 pm) and every Wednesday (7:30 am to 3:00 pm) thereafter (through December 3rd) at the Painesville Township Road Service Garage - 558 Fairport-Nursery Road. This service is for Painesville Township residents ONLY.

April 27 - Computer Collection by the Lake County Solid Waste District

From 9:00 am to 1:00 pm at the Lake County Fairgrounds Commercial Building. Accepting home computer equipment, CPU's, monitors, keyboards, mice, printers, modems and speakers. Cell Phones are also accepted. No Televisions, Microwave Ovens, typewriters, DVD players, cameras or VCRs. Call (440) 350-2582 or (440) 350-2644 for more info.

May 11th - Scrap Tire Collection by the Lake County Solid Waste District

Saturday From 8:00 am to 1:00 pm (nominal fee). Lake County Fairgrounds, south entrance (1301 Mentor Ave., Painesville 44077). Up to six tires without rims per resident

will be accepted at no charge. Additional tires without rims (\$2 each). Tires with rims (\$4 each). Oversized tires (\$10 each). Call (440) 350-2582 or (440) 350-2644 for more information.

May 27 - Memorial Day Township offices will be closed.

June 8 - Household Hazardous Waste Collection

From 9:00 am to 3:00 pm at the Lake County Fairgrounds (no fee). Acceptable Items: Household Cleaners and Solvents [Thinners, Kerosene, Turpentine, Lighter Fluid, Strippers], Automotive Fluids [Used Motor Oil, Gasoline, Coolants, Antifreeze, Grease], Oil-based Paints, Varnish, Shellacs, Stains, Aerosols, Polyurethanes, Primers, Grout, Pool Chemicals, Lawn & Garden Chemicals, Pesticides, Weed Killers, Spray Insecticides, Batteries [all sizes including lead, acid & household], Fluorescent Bulbs, Photography, "Hobby" Chemicals, Mercury, Empty Propane Tanks, Roofing Tars, Drive Sealers.

No Water Based Paints, Radioactive (Smoke Alarms), Ammunition, Explosives, or Medical Waste.

Call (440) 350-2582 or (440) 350-2644 for more information.

Chuck Hillier – Volunteer Trustee

By the time you read this you should have received in your mail the notice and proxy for our 2013 Homeowners Association Meeting. It will take place on Wednesday March 27th at the Painesville Township Park, located at 1025 Hardy Road. Sign-in will begin at 6:30 PM. Per our Deed Restrictions we are required to hold an annual meeting but in order to do so we must achieve "Quorum" to conduct business. Quorum is defined as having half of the total membership present at the meeting, either in person or accounted for by proxy.

Assuming by now you've received your meeting notice and proxy in the mail, please sign it and either send it back into First Realty Property Management Company or drop it off in my mailbox (926 Pebble Beach Cove). If you attend the annual meeting your proxy will be deleted and you can cast your own vote.

It seems every year we end up having to knock on doors getting people to sign their Proxy's so we can conduct a meeting. If we fail to receive sufficient proxies we will have to incur all the same expenses to hold another meeting; please, sign the Proxy and either mail it in or drop it off at my house. Save us all the time and expenses associated with rescheduling. Thank you!

At this annual meeting we will be electing a board member. Dave Spall is currently elected and his seat comes available; Dave has indicated he will seek re-election and I urge you to vote for Dave as he's done an outstanding job. He is engaged in the day to day operations and has been a real asset to this board with his never ending motor, enthusiasm and dedication to making Lake Erie Shores such a wonderful place to call home.

HOA fees for 2013 are \$310 and are due payable in full no later than March 31st. If you fail to make payment by then a \$25/month late fee is added on and if we don't hear from you our legal counsel will attach a lien onto your fees by year's end which gets tacked on to your billing. To avoid late fees and costs associated with a lien please pay in full by March 31st or if you are experiencing financial difficulties, let us know. Contact the Management Company and inform them of your situation and allow the board to work something out with you to enable payment over a longer period of time. If we don't hear from you we can't help; please let us help, no one outside the board aside from our Finance Committee Chairman is made aware of delinquent accounts.

Currently we have our engineering company working on plans to connect Pebble Beach Cove to Tradewinds Cove and the plan is to begin construction of that sidewalk along with another to connect Tradewinds Cove to Zephyr Lane in the spring. Stay tuned for more details.

January expenses totaled \$6,310.19 which includes a deposit to our Reserve Account of \$698.34. On the revenue side we brought in just shy of \$33,000 so for 2013 our gross to date figure amounts to nearly \$42,000 meaning we are about \$110,000 short. If all goes as planned we'll have the great majority received in by the end of March. January collections are usually slow as many homeowners don't pay until the end of

March but we plan for that ahead of time so it doesn't affect our operations.

If you have any questions please don't hesitate to contact me at home (926 Pebble Beach Cove – 350-1640) or via email at avcmcchi@sbcglobal.net. This is your Homeowners Association, your neighborhood, get involved and make it better! The Finance Committee could use additional members if you're interested.

You can achieve anything you want in life if you have the courage to dream it, the intelligence to make a realistic plan, and the will to see that plan through to the end.

Sidney A. Friedman ~

Mandated Reserves - Kaman and Cusimano

The most significant provision of Ohio's new condominium legislation is mandated reserves. 5311.081(A)(1) specifies that "unless otherwise provided in the declaration or bylaws," the board must adopt and amend budgets for revenues, expenditures, and reserves in an amount adequate to repair and replace major capital items in the normal course of operations, without the necessity of special assessments, unless the reserve requirement is waived annually by the unit owners exercising not less than a majority of the voting power of the unit owners' association.

Ohio's new condominium law is not completely retroactive. As a result, if current governing documents specifically define the required amount of reserves to be held, i.e., six months maintenance fees, then the current document provisions control.

Most governing documents indicate, however, that the board shall build up and maintain "reasonable reserves." Ohio boards have long debated the definition of "reasonable." 5311.081(A)(1) now provides a standard of care that calls on boards to budget and build reserves so as to operate "without the necessity of special assessments."

One negative connotation condominium living has received is the tendency to special assess owners for major repair projects. Special assessments cause financial hardships, increase foreclosures, and

decrease an association's reputation. Ohio legislators obviously heard the complaints of owners on the receiving end of special assessments. As a result, we have a state mandated standard of budgeting, which, at a minimum, requires communication and a vote by ownership if the standard is not going to be met. In reality, the new law is more about mandating communication with the owners about reserves than it is about mandating reserves.

It is unrealistic to expect currently existing associations to operate without special assessments. However, ten or fifteen years from now, a special assessment in a currently existing association could very well be met with a lawsuit by an owner claiming the board breached a duty. As a result, a wise board should consider implementing the following procedure: authorize the completion of a reserve study so as to detail the association's component parts, life expectancy and replacement costs. Share the results of the reserve study with the owners and budget in accordance with the reserve study.

For many associations, fully funded reserves in accordance with a reserve study are going to cause a drastic, but necessary, increase in fees. If a board believes that fully funding the reserves will cause too drastic of an increase, it must send a letter and a ballot to each owner. The letter must disclose the amount necessary for fully funded reserves. This disclosure should mitigate any claims against the board by a future purchaser who gets hit with a large special assessment. In addition to disclosing the amount necessary to fully fund reserves, the board should indicate the lower amount the board proposes be put into reserves, and request ownership approval of the alternative, lower amount. A ballot should be included for the owner to sign and return. In the event the board fails to obtain majority approval for the lower reserve amount, the fully funded reserve must be implemented. Current bylaws dictate the date by which the board must have an approved budget for the following year. All balloting must be completed in time for the board to meet the required budget approval date.

Ohio's new law on mandated reserves is silent as to any aspects other than the budgeting. In other words, the law contains no restraints on the board's spending of the reserves. While this section of the new law is the

most significant, it also could clearly cause the most litigation against associations who fail to budget and set aside reserves so as to operate "without the necessity of special assessments."

Mortgage Rates – by Jim Sorenson

Mortgage rates have been "low" for several years, but according to multiple *experts*, mortgage rates are expected to creep up over the course of 2013. Thus, this should be the year where you at least run a couple sets of numbers regarding refinancing to see if it makes sense for you.

I recently spoke to a friend and they stated that their loan officer told them that they should only refinance if the new interest rate is 1% or more lower than their existing rate. That is complete nonsense and is false information. I was shocked to hear that loan officers are still telling people this complete nonsense because the loan officer is just WRONG! I can prove that the loan officer is wrong with multiple scenarios and that is why my suggestion is that you run numbers yourself because no one else is probably as vested as you.

Contact Information


Lake Erie Shores Web Site
www.LakeErieShores.com

Home Owners Association Committees

Welcoming Committee (welcome@lakeeriesthores.net)
 Covenants/Restrictions Committee Chair – Bruce Buffie
 (buffie723@att.net)
 Financial Committee Chair - Randy Van Buren
 (rcvanburen@sbcglobal.net)
 Landscaping & Beautification Committee - Dave Spall
 (davidspall@sbcglobal.net)
 Recreation Committee Co-Chairs - Jonathon Adkins
 (jonsuzannaadkins@sbcglobal.net) and Cory Wertch
 Volunteer Coordinator - Paula Haumesser
 (paulahaumesser@sbcglobal.net)
 Newsletter Committee Chair – Jim Sorenson
 (newsletter@lakeeriesthores.net)

Board of Trustees

John Guinan aliashenry@aol.com 1575 Clipper Cove 440-358-1424	Chuck Hillier avcmcchi@sbcglobal.net 926 Pebble Beach Cove 440-350-1640
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David Spall
davidspall@sbcglobal.net
 1534 Clipper Cove
 440-637-4559

Lake Erie Shores Management Company

First Realty Property Management, Ltd.
 6690 Beta Drive, Suite 220
 Mayfield Village, Ohio 44143
 440-720-0100 (office)
 440-720-0973 (FAX)

LES Property Manager is Bob Guarino
rguarino@firstrealtypm.com

LAKE ERIE SHORES HOMEOWNERS' ASSOCIATION, INC.

February 28, 2013

PROXY

Date: _____

As Homeowner(s) of _____ (*Print or type address*) in the Lake Erie Shores Homeowners' Association, Inc. (the "Association") please check only one of the following options):

1. _____ Wish to appoint _____ to vote in my/our place at the **2013** Annual Meeting.
2. _____ Wish to abstain from actual voting but wish my/our Proxy to count so that the Association will have the minimum percent participation necessary to hold the election (quorum).

You are encouraged to exercise your right to vote by returning to the Management Company a properly-executed proxy in the envelope provided whether or not you plan to attend the meeting. This will ensure that your votes are cast. **IF THE PERSON DESIGNATED AS PROXY DOES NOT ATTEND THE MEETING, THE PROXY MAY BE USED ONLY FOR THE PURPOSE OF ESTABLISHING A QUORUM.**

You may revoke or change your proxy at any time prior to its use at the meeting. There are three ways you may do so:

- A. Give the Management Company a written directive to revoke your proxy.
- B. Submit a later dated proxy anytime prior to the meeting.
- C. Attend the meeting and vote in person.

Proxies will be deemed invalid if Proxies: (1) have changes that are not initialed by the Homeowner; and (2) are not filled out exactly as required, dated, and signed by the Homeowner.

I/we understand that if a quorum is not achieved at the proposed time for the election meeting, this Proxy will continue to be valid for one month from the date of my/our signature(s).

IN WITNESS WHEREOF, the undersigned Homeowner(s) execute(s) this Proxy on this month, day and year:

Date Signature of Homeowner Please Print Name

Date Signature of Co-Owner (if applicable)

.....**Tear Here – Return Top Portion to First Realty**.....

NOTICE OF ANNUAL MEETING

In accordance with the Lake Erie Shores Homeowners Association, Inc. Revised Code of Regulations, the 2011 Annual Meeting of the Association will be held on **Wednesday, March 27, 2013, at 7:00 p.m.** at the **Painesville Township Park, located at 1025 Hardy Road.** Sign-in will begin at 6:30 p.m.

We are required by our Association's documents to have a quorum of the Association's membership present at the time of the meeting. **A quorum requires that the one-half (1/2) of the voting power of the Members of the Association be present in order to properly conduct business and hold an election** of Board Members. To guarantee a quorum at this meeting and avoid the costs of rescheduling, we ask that each homeowner at Lake Erie Shores Homeowners Association **COMPLETE, SIGN, DATE AND RETURN** the proxy form (*at the top of this page*) no later than **March 25, 2013**, in the envelope provided. If you attend the meeting, your proxy will be revoked and you will receive a ballot for voting.

At this Annual Meeting, **One (1)** Board position will be elected due to term expiration.