

Summer Oaks Condominium Association

ANNUAL MEETING
Saturday, October 3, 2009
Call to Order: 9:10 AM
Meeting Location: Hillcrest on Lake Wisconsin

I. ROLL CALL

Units in Attendance: 37

1. McCumber	12. Stearns	29. Sloan, etal	50. Mark I Ent	70. Gehloff
3. Zimmer	13. WWVC	31. Czajkowski	52. Mark I Ent	71. Streng
4. Allessi	14. WWVC	32. Costello	53. Mark I Ent	73. Hoff
5. Ertel	15. WWVC	43. Mark I Ent	54. Mark I Ent	74. Erickson
6. Allessi	16. WWVC	44. Mark I Ent	56. Mark I Ent	77. Pepper
7. Siil	26. WWVC	46. Mark I Ent	63. Knoblauch	
9. Foltman	27. WWVC	47. Mark I Ent	67. Robbins/Cherry	
11. Nash	28. Peetz	48. Mark I Ent	69. O'Hara	

Units by Proxy: 8

10. Olsen	58. Main	72 Froistad	79. Page	81. Zellner
30. Gannon	62. Strzelecki	76. Pepper		

Units Not in Attendance: 20

2. Graber	42. Kassner	55. Celner	61. Clauss	68. Kassner
8. Rufener	45. Celner	57. Kassner	64. Gordon	75. Hammersely
25. Kassner	49. Krella	59. Zimmerman	65. Brissette	78. Martens
41. Kassner	51. Scanlon	60. Lilledahl	66. Kassner	80. Krella

II. PROOF OF NOTICE

Jerry Hoff confirmed that packets for the annual meeting were mailed to all units. If you did not receive a packet, contact Kris Kohlman (877-643-2494) or email (kriskohlman@checkrentals.com) with a current mailing address.

III. PROOF OF QUORUM

It is necessary to have 33 of the total 65 units represented to obtain a quorum. There were 45 units represented.

A quorum was met.

IV. MINUTES FROM PREVIOUS ANNUAL MEETING

Unit 1 (McCumber) moved to waive the reading of the minutes since they had been mailed to all unit owners prior to the meeting. Unit 13 (WWVC) seconded the motion. The motion carried.

No additions, corrections or amendments were made to the minutes from the SOCA Annual meeting held Saturday, October 4, 2008.

Unit 13 (WWVC) moved to approve the minutes. Unit 5 (Ertel) seconded the motion. The motion carried.

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V. REPORT OF OFFICERS

A. President, Jerry Hoff

1. Status of Swimming Pool

Last year we were notified by the State of Wisconsin that all public pools and spas in the state must comply with the Virginia Graeme Baker Pool and Spa Safety Act which was named after the daughter of Nancy and James Baker and the granddaughter of former Secretary of State James Baker III. Virginia Graeme Baker died in June 2002 when the suction from a spa drain entrapped her under the water. Individual states were given the responsibility of enforcing the new law. According to our attorney, Wisconsin requires more from pool owners to comply with the new law than most states; as a result, we were required to replace the drains and grates for the spa and swimming pool with larger ones. This was not a budgeted item this year, however, we have completed the work this fall since the drain modifications are required before we can use the pool next summer.

This past spring we caulked between all the panels on the pool deck and repaired the concrete at the shallow end of the pool.

According to local papers, this summer was the coldest in Madison recorded history. The cool summer resulted in more demand on our pool and spa heater, which led to a continuing series of heater problems; the heater could not adequately heat both the pool and the spa during these periods of cooler weather. In addition, the age of the equipment has taken a toll on the heater, as has the co-location of the pool and spa heater with the chlorination equipment and the water pumps in the equipment room. As a result, we must replace the single heater with two heaters, one for the pool, and one for the spa; the new heaters will be required to be located outdoors on a concrete pad, away from the corrosive effect of the chlorination equipment and the water pumps. This work will be done next spring before the pool opens.

Late in the summer of 2009 Tim McCumber resigned as pool manager; thanks to Tim for his service over the past several years. Kris Kohlman took on the responsibility of maintaining the pool for the remainder of the summer. During this period, it became clear that there are benefits to having an onsite pool manager to keep an eye on the pool and to be able to quickly respond to its maintenance needs. The notice for a pool manager was included in the summer newsletter, and two people have responded to the request. The pool manager job description will be updated, and the SOCA Board of Directors will decide if the pool manager will be an employee of SOCA or an independent contractor.

2. Shoreline Landscaping

We are now complete with all of the initial installation of the shoreline landscaping; the last planting was done this summer with the planting of 250 bushes. Most of these bushes won't be seen until next year since they were bare rootstock when planted. The remainder can be seen at the upper and lower edge of the steeper slopes. Ongoing care for these bushes is being studied and will be implemented next growing season.

3. Summer Oaks Sign

The Summer Oaks sign at the corner of Highway 78 and Kilpatrick Point Drive was on the owner's property. Jerry requested an easement to access the property so we could maintain the sign and the adjacent landscaping; the easement was not granted, since the owners felt it would impede future sale of the land.

4. Requests from Kris

Residents are asked to call Kris if a septic alarm light or a well alarm light is observed to be flashing so she can investigate whether there is a problem or a false alarm and then take appropriate action.

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Residents are also asked to let Kris know when larger items such as cabinets, electronic equipment, etc., are to be picked up by our garbage contractor. Kris must make special arrangements with the garbage contractor for these items.

5. Onsite Storage

We now have onsite storage; we have rented a storage garage from the Kassners. This will be used for pool furniture, salt buckets, and other items as needed. It has been observed that the salt buckets are frequently used as garbage bins. It was requested that the salt bins be clearly marked as salt bins.

6. World Wide Vacation Club

Ann Baran, Managing Agent for WWVC, reported on the refurbishing of 6 units at Summer Oaks. The cost estimate was approximately \$30,000 per unit, but actual costs are at the present time approximately \$85,000 per unit.

7. By-laws/Rules Update

A task for the coming year will be to make changes to the By-Laws to update and/or remove language specifically referring to the transition period from the developer to SOCA.

8. Long Term Capital Program

We have had a \$1000 special assessment for each of the past 2 years. The intent was to build up our reserves to provide a buffer for our planned short-term and long-term capital projects, as well as such emergency capital projects that may arise. We now have some reserve funds available and need to plan for how best to use these funds and also to keep the reserve fund in a viable position. The Buildings and Grounds Committee will be investigating this issue in 2010.

Through our capital project planning, proposals of how we fund capital improvements will be studied. The intent is to bring some additional SOCA members into the process to give additional perspective and ideas for how to use the capital reserve funds and also how to keep the reserve fund at a proper level.

B. Vice President, Mike Alessi

1. Pier/Lift Installation/Removal

An inventory of the piers and lifts was made this summer; each side of every existing pier has been assigned to an "owner," and each lift has likewise been assigned to an owner. This will aid in verifying the correct payment of fees for installation and removal of the piers and lifts. Owners of ½ of pier are responsible for ½ of the in/out charges for that pier. The *Pier/Lift In/Out* form has been modified to also include sales tax – Wisconsin now charges sales tax for labor.

It was noted that all units do not have the same number of pier sections. It was mentioned that each pier for buildings 8 and 9 originally had 2 pier sections installed when the walkways and stairs were installed. After that, owners of those units purchased and installed any additional pier sections. The inventory shows that 4 units have 3 pier sections, the rest have 4 pier sections.

Finally, Jerry said that pier/lift installation and removal is a service provided by SOCA as a convenience to owners. The only thing charged to the association directly is install/remove of the access walkway in cove. The remainder that Deano's bills SOCA for is re-directed to the appropriate owners.

2. Cleanup Day

Thanks to all of the people who helped with cleanup day – a lot of good work was done to get the property ready for summer.

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Thanks especially to Donna Sills and Kathy Olson for organizing the group that transplanted hostas when the bay stairs were repaired; the hostas were transplanted to save them when the stairs were torn out. Thanks to Randy and Bob for moving large boulders from the Route 78 re-construction for landscaping an area close to building 1. Thanks to Paul Krella for tree and brush trimming. Bob Martens led a crew planting and replacing several bushes in the vicinity of buildings 8 and 9. In buildings 5 and 6 new rocks were filled in where needed. Flowers were planted and mulched. Russ brought in a Bobcat, which was helpful in many of the cleanup tasks. Thanks to Marty for cooking and to all who brought food.

Jerry mentioned that after walking past 4 guys just standing around looking at a picnic table that needed to be put together, he rounded the corner of the building and saw several women and kids working hard at clearing out rocks and in their place planting and moving bushes!

C. Secretary, Verlyn Erickson

1. The Minutes from last year's annual meeting, the minutes from all of this year's board meetings, and the membership roster have been duly recorded, approved, and archived.

The Website (www.socawisconsin.com) included a lot of information about the Highway 78

The SOCA Website is available at: <http://www.socawisconsin.com>

On the site this past year:

- Highway 78 road construction status was updated with information from a variety of sources
- Past SOCA newsletters
- A link to Kris' contact information and website
- The SOCA declaration and amendments
- SOCA by-laws and rules
- SOCA plat map
- SOCA board roster/contact info
- Minutes of past meetings (board and annual meetings)
- Insurance carrier information
- Financial balance sheets

Currently, the website does not have list of members or other sensitive information. In the future we may set up a secure area that is password protected for "members only" access.

Please visit the website and pass any comments and/or suggestions for improvements to the website to:

info@socawisconsin.com

D. Treasurer, Randy Stearns

The following reports were presented:

- Balance Sheet – September 30, 2009
- Profit and Loss Budget Performance – September 2009

VI. REPORT OF COMMITTEES

A. Grounds Committee, Mike Alessi

1. Shoreline Landscaping

Buckthorn was removed, opening up a great view of the lake. It will take ongoing efforts to maintain the area and preserve the open view; however, the new plantings will help keep unwanted growth under control.

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We have completed the bay stairs by building 1. It seems that the pitch and spacing of the steps help to make it easier to walk up and down.

In addition to modifying the pool and spa drains to conform to the Virginia Graeme Baker Act, loose concrete was repaired, seams in the concrete walkway have been re-caulked, and 6 lounge chairs have been replaced.

Walkway lights on building 1 were replaced, and new lights were added where necessary.

Next year we anticipate completing the following projects:

- purchasing and installing new pool heaters
- repairing the shoreline walkway in front of building 8
- tennis court repair
- swimming pool repair

Mike mentioned that leaves accumulate on the buildings 8 and 9 walkways and stairs and that it would help if residents would remove leaves in the fall as they use the walkways and stairs. Rick Streng requested that the association provide brooms and rakes by the stairs to be used by residents in the fall to help clear the leaves.

Building 3 is scheduled for painting next year, and the parking lots for buildings 1 and 3 are scheduled for seal coating. This will be discussed at the January SOCA board meeting. Tennis court repairs will also be discussed at the January SOCA board meeting to determine if and how we may be able to fit this work into the capital budget in 2010.

It was mentioned that two trees are hanging over the shoreline in front of units 67 and 69 which appear to be in danger of going into the lake. Mike will look into what SOCA needs to do regarding getting permission from the county to remove shoreline trees. There are also two (dead) trees by building 1 that should be removed. Mike will look into this also.

B. Planning Committee, Jerry Hoff **No Report**

C. By-Laws Committee, Verlyn Erickson **1. Pier Space Assignment**

A question was raised this year concerning the availability and assignment of pier space to condo units at Summer Oaks. The By-Laws Committee was assigned the task of determining a process for assigning pier space to condo units. This task includes determining the current assignment of pier space to units and to identify a process for future assignment of pier space to condo units.

There is language in the fifth and sixth amendment to the Summer Oaks Condominium Declaration that assigns pier space to building 8 (*Phase IV*) and building 9 (*Phase V*):

Limited common elements appurtenant to units in Building 8 and 9 shall consist of the rear deck on each unit, the front deck on each lower level unit, the front deck and the stairs to said deck on upper level units and the boat dock space shown on the Plat of Phase IV (Building 8) and Phase V (Building 9) bearing the unit number to which such docking space is appurtenant. The pier dividing two docking spaces shall be a limited common element for the exclusive use of the two units whose docking spaces lie on either side of said pier as shown on the Plat of Phase IV and Phase V.

None of the other units have specifically assigned pier spaces in the Summer Oaks Condominium Declaration.

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An inventory has been taken of piers currently used, and the piers have been “assigned” to the respective SOCA units that use those piers. The next task is to identify how many remaining available pier spaces we have to allocate and determine if that provides enough pier space for all units that could request space. If we don’t have enough for all of the prospective units, we need to have a fair method of allocating the pier spaces we do have. Jerry has contacted the lawyer to determine the legalities of allocating pier spaces.

According to the declaration, the walkway and the stairs leading to the piers are common elements and are the responsibility of the association.

It is our understanding that when units 58-81 (buildings 8 and 9) were originally built and piers assigned, two pier sections were provided. Our position is that the unit owners of units 58-81 are responsible for payment of install/remove and maintenance for their portion (1/2) of the piers, regardless of secondary arrangements that the owner may have with a third party for use of the pier space.

The goal is to in some sense treat all of the piers associated with units in any building the same as we do for those in buildings 8 and 9, e.g., treat them as limited common elements, even if they are not legally defined as limited common elements, e.g., the piers should be assigned to a unit, and the unit owner will be responsible for in/out fees for the piers and all maintenance of the piers.

2. Rules and By-laws Revisited

Jerry said that the Rules and By-laws are somewhat out of date and need to be looked at for potential revision. He suggested that they be updated within the next couple of years.

VII. UNFINISHED BUSINESS

There is no unfinished business from last meeting.

VIII. NEW BUSINESS

A. Election of Board of Directors

There are 3 vacant seats for next year, each has a 3 year term. These seats are currently held by:

Jerry Hoff
Verlyn Erickson
Randy Stearns

Jerry and Verlyn have consented to run for re-election; Randy has declined. Jamie Sloan has offered to run for election to the board of directors. The floor was opened for additional nominations.

Unit 67 (Robbins) moved to close nominations for election to the Board of Directors. Unit 11 (Nash) seconded the motion. The motion carried.

Unit 13 (WWVC) moved to accept by acclamation the nominations of incumbents Jerry Hoff and Verlyn Erickson, and of Jamie Sloan to the SOCA Board of Directors, each for a 3 year term. Unit 5 (Ertel) seconded the motion. The motion carried.

Randy Stearns volunteered to be a facilitator for volunteer work done at Summer Oaks acting as a conduit between the volunteers and the board.

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IX. APPROVAL OF BUDGET

At last year's annual meeting, we approved a special assessment of \$1000 for each of the following two years (2009 and 2010). For 2010, the board recommends no increase in the monthly assessment and no increase in the special assessment over the previously approved \$1000.

Jerry presented the *Proposed 2010 Operating Budget*, which includes operating funds for the pool rehab, painting building 3, sealcoating buildings 1 and 3. The special assessment will provide additional funds for the pool rehab, completion of the payback to Mark I for the building 5 and 6 rebuild, and to rebuild the shoreline walkway by building 8.

By the end of 2010, we hope to have Mark I payback completed and have money in our capital reserve fund.

Unit 13 (WWVC) moved to approve the 2010 Operating Budget. Unit 70(Gehloff) seconded the motion.

The motion to approve the 2010 Operating Budget carried.

X. ANY OTHER BUSINESS

Barb Ertel asked if the SOCA Board of Directors has had any discussion regarding front door replacement for units in building 1. The board has not discussed front door replacement. Mike suggested that esthetics is a concern; exterior doors need to look the same, e.g., color, window/no window, etc. Jerry reminded unit owners that whenever the exterior of a unit is modified or updated, the owner must inform the board of what the intended change is before doing the work.

Barb Ertel coordinates the "adopt the highway" program for SOCA and wondered how that program may be changing because of the Highway 78 construction. Tim McCumber said that he doesn't know what may be changing. Barb said that she will continue to do this for the time being and will recruit others to help.

Jerry thanked the SOCA Board members for working hard this year.

XI. ADJOURNMENT: 12:29 PM

Unit 5 (Ertel) moved to adjourn. Unit 31 (Czajkowski), seconded the motion. The motion carried.