



FALL 2019 NEIGHBORHOOD LEADERSHIP MEETING

WEDNESDAY, OCTOBER 23, 2019



6 Best Practices of Successful Community Associations

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6 Best Practices of Successful Community Associations

1. Exercise Property Corporate Governance
2. Protect Yourself From Personal Liability
3. Take Minutes – Not Hours
4. Make Decisions at a Meeting With Majority Vote
5. Keep Your Own Records
6. Safeguard Association Funds



6 Best Practices of Successful Community Associations

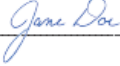
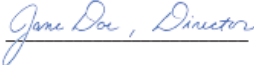
All Community Associations in Ohio Are Nonprofit Corporations Subject to Ohio Revised Code Chapter 1702

The Law states:

The members, the directors, and the officers of a corporation shall not be personally liable...

Remember:

Incorporation = wall of protection
solidify and fortify the wall by
signing your name with corporate
capacity noted.

<u>Contracts & Correspondence</u>	
<u>Incorrect</u>	<u>Correct</u>
 _____ vs.	 _____, President The Happy Place Owners' Association
<u>Checks</u>	
 _____ vs.	 _____, Director

Email signatures – make certain association name and your position noted.



Exercise Proper Corporate Governance



- NOT a democracy
- NOT a social organization
- NOT a fraternal organization
- NOT a dictatorship



- It IS a nonprofit Ohio corporation; revised code chapter 1702, the non-profit corporation act, applies to all community associations
- Ohio corporate status provides “wall of protection”
- Every Ohio corporation is required to re-file documents every 5 years continuing the corporate existence

- Add up value of all homes – you get the picture of a multi-million dollar corporation
- Annual election meeting of the owners (shareholders)
- Unhappy owners raise their hand to run for the board
 - not to complain
- Proxies are used - majority of board determines who gets board proxy votes
- After election, the board (by majority decision) runs the day-to-day affairs of the association
 - Determines budget
 - Determines employees
 - Promulgates rules



Protect Yourself from Personal Liability

1. Dishonesty

- Kickbacks

2. General Crimes

- Slander/libel
- Assault and battery
- Trespassing

3. Gross Negligence

4. Individual Decisions vs Board Decisions

“Failure to do something that an ordinary board would do”
OR
“Do something that an ordinary board in a similar situation would not do”

3 Types of Protection

A. Corporate Wall of Protection

- Sign your name as board member/officer

B. Directors and Officers Liability Insurance

- Minimum of 1 million dollars in coverage paid for by the association

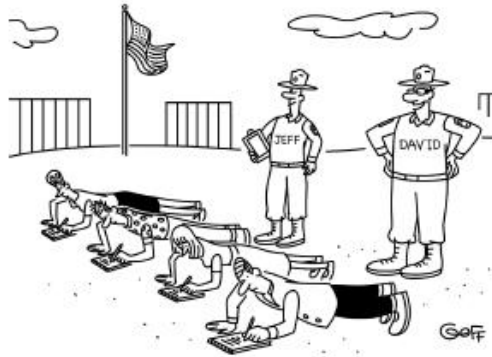
C. Indemnification Provisions in Bylaws

- Safety net for those things not covered such as claims for
- insufficient insurance, Civil Rights complaints



Take Minutes – Not Hours

- A reflection of what was **done** by the board, not what was **said** by the board
- Court gives more weight to minutes than people's memory
- **NO** tape recorded minutes – assistance only if necessary



"Give me ten more perfect meeting minutes! You can do it!"



Make Decisions at a Meeting With Majority Vote

Decisions **Not** Made at a Board Meeting May Be Made Outside of a Meeting “**in Writing**” with the Approval of “**All of the Directors**”

- This is an Ohio Law and it states:

(A) *...the directors without a meeting [may take] any action that maybe authorized or taken at a meeting...with the affirmative vote or approval of, and in a writing or writings signed by...all of the directors...*

If a board member does not have a computer - either:

1. No votes outside a meeting, or
2. Get a written affirmative vote from the board member without a computer

May have unanimous decisions made by email but **must** put those decisions in writing in meeting minutes with either a) a report of the decision with a copy of the email attached to minutes, or b) a motion to ratify the decision

As a result

In Ohio, only two ways to make a board decision:

1. At a meeting by majority vote (speaker-phone attendance permitted)
2. In writing, by unanimous vote (abstaining is not a yes vote)



Keep Your Own Records

- 4 year statute of limitations for fraud
 - 2 year statute of limitations for negligence
 - Every board member should have their own binder with pocket parts or electronic files
-
- | | |
|------------------------------|---------------------|
| – Agendas | - Map of Property |
| – Board Roster and Terms | - Meeting Notices |
| – Budget | - Minutes |
| – Code of Ethics | - Newsletters |
| – Delinquency Report | - Owner's Roster |
| – Financial Report | - Declaration |
| – Insurance Declaration Page | - Bylaws |
| – Landscaping Contract | - Amendments |
| – Legal | - Handbook of Rules |
| – Management Contract | and Information |
| – Manager Report | |



Remember:

There is a difference between your copies of records and the original corporate books.



Safeguard Association Funds

1. Know the association's federal tax identification number and regularly obtain a listing of all specific bank accounts and verify account numbers and make sure they are all under the association's name and federal tax identification number.
2. Segregate association's reserves.
3. Require online viewing or duplicate monthly statements of operating and reserve accounts.
4. Check invoices against payments and the original receipts for credit card charges, if any.
5. Know the association's insurance company and agent.
6. Make sure the board is covered with fidelity insurance.
7. If professionally managed, make sure that the management company named an additional insured on the association's fidelity insurance policy.
8. Insure the association's funds (\$250,000 FDIC limit.)
9. Annually engage an independent Certified Public Accountant to conduct an audit and/or review.
10. Be transparent!!!

INVESTMENT OF ASSOCIATION FUNDS

Just as a board has a duty to maintain the property – **NOT** a duty to improve the property – the board has a duty to maintain funds – **NOT** improve funds with risky investments.



Marching Orders!!!

Each Of You Now Have A Mandate To Administrate

- **YOU MUST** congregate, concentrate, considerate, deliberate, communicate, delegate, designate, motivate, enunciate, punctuate
- **AND EVEN** officiate and validate
- **YOUR BUILDINGS** must not disintegrate
- **OR THEY WILL** depreciate
- **THEREFORE YOU MUST** renovate and rejuvenate
- **WHEN YOU MAKE BUDGETS** you must anticipate, approximate, estimate, calculate, evaluate, enumerate, consolidate, collate, eliminate, negotiate, and even re-negotiate
- **IN DOING ALL OF THESE DUTIES** you must not alienate, aggravate, discriminate, dictate, irritate, intimidate, manipulate, procrastinate, or pontificate
- **AND ALL THAT THE OTHER OWNERS HAVE TO DO IS** participate, cooperate, and appreciate



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Questions?

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**SAFE &
RESILIENT**



OVER

50%

of thefts from vehicles
involve an unlocked
vehicle, open window,
or no signs of forced entry.

OVER

50%

of burglaries/B&E involve
an unlocked door, open window,
open attached garage, or
no signs of forced entry.





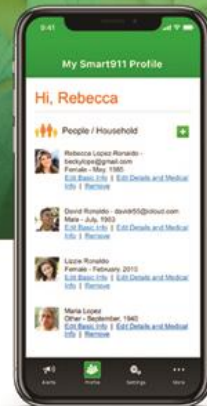
Smart911™

- A free service
- It is private and secure
- Register your telephones
- Create a safety profile
- Vulnerable Needs Registry
- Receive weather alerts
- Opt in for other local alerts



Protect Your Family With Smart911®

Download the Smart911 App Today





195+
MILES OF
SIDEWALKS

130+
MILES OF
BIKEPATHS



62
BRIDGES

**SMART
CUSTOMER-FOCUSED
GOVERNMENT**





Service Requests - No Solid Waste

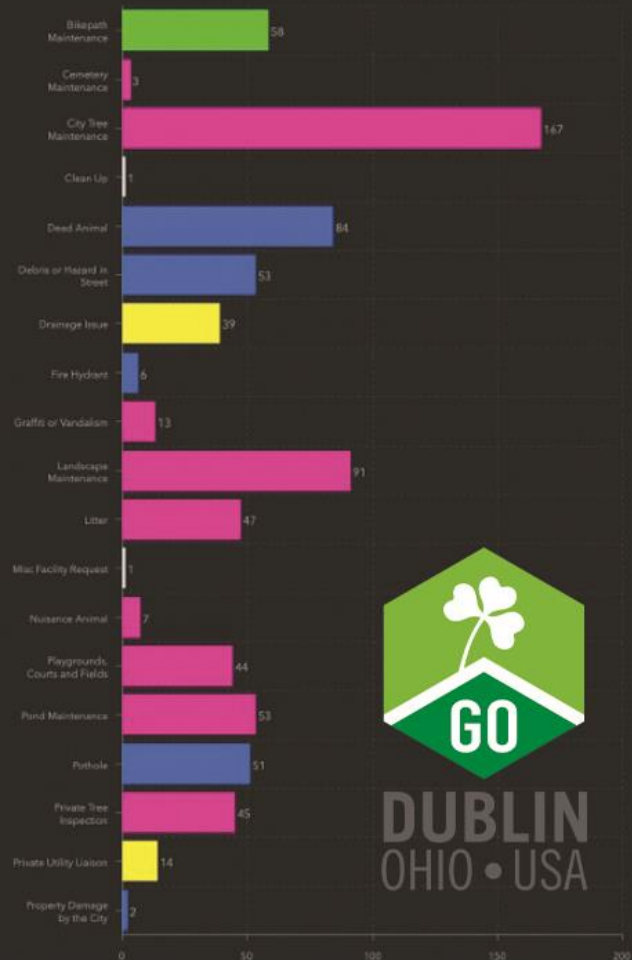
City of Dublin, Ohio USA

Choose a Date Range

3/14/2019



10/17/2019



DUBLIN
OHIO • USA

Request Category

- Parks
- Streets
- Public Works
- Utility
- Engineering

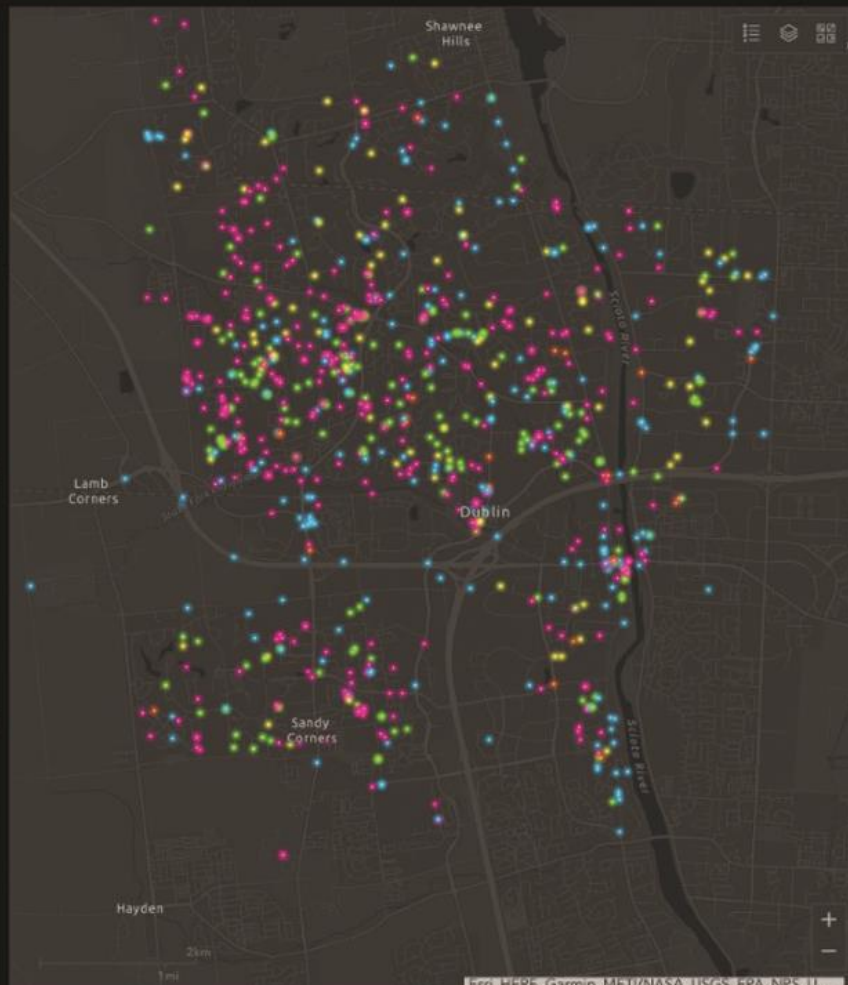
Total Requests

1,262
Open 54

Average Days to Respond



Average Days To Close



Average Days to Close

Parks



Total Requests 546

Streets



Total Requests 317

Public Works



Total Requests 239

Utility



Total Requests 109

Engineering



Total Requests 46

Esri, HERE, Garmin, MET/NASA, USGS, EPA, NPS, U...

CONNECTED DUBLIN





2,165
NEW JOBS



842
JOBS RETAINED



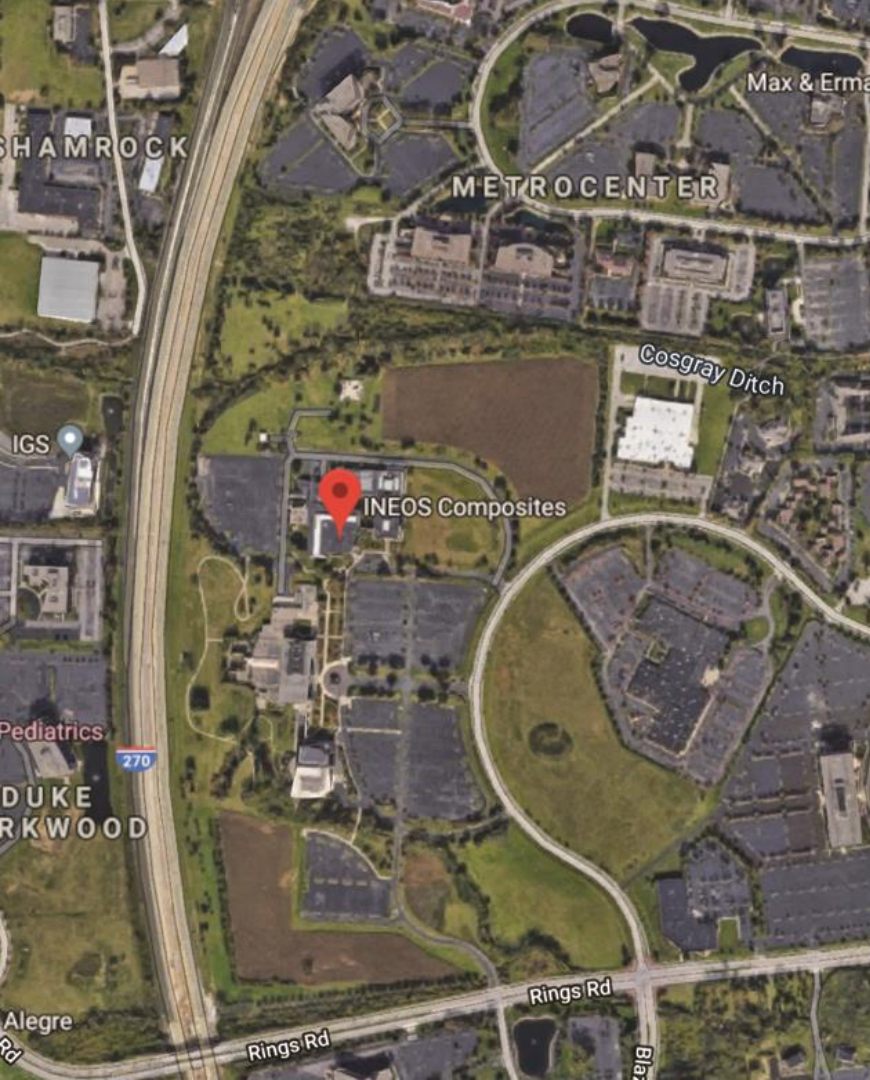
**ECONOMIC
VITALITY**





THE OHIO STATE UNIVERSITY

WEXNER MEDICAL CENTER



INEOS



Quantum[®]
HEALTH



Dave Thomas
Foundation
for Adoption®

RETENTION, EXPANSION & ATTRACTION

Year	EDAs	Jobs Retained	New Jobs	Total Jobs
2019	11	842	2,165	3,007
2018	5	1,539	417	1,956
2017	8	425	298	723
2016	4	2,148	129	2,277
2015	11	1,853	687	2,540
2014	6	289	269	558
2013	9	1,169	806	1,975
2012	5	711	299	1,010
2011	12	638	970	1,608
2010	7	917	249	1,166
2009	7	541	372	913
2008	10	902	440	1,342
2007	9	110	937	1,047
2006	11	1,097	610	1,707
2005	11	804	1,756	2,560
2004	9	478	530	1,008
	135	14,463	10,934	25,397
Averages	8.4375	904	683	1,587





COMMUNITY ENGAGEMENT



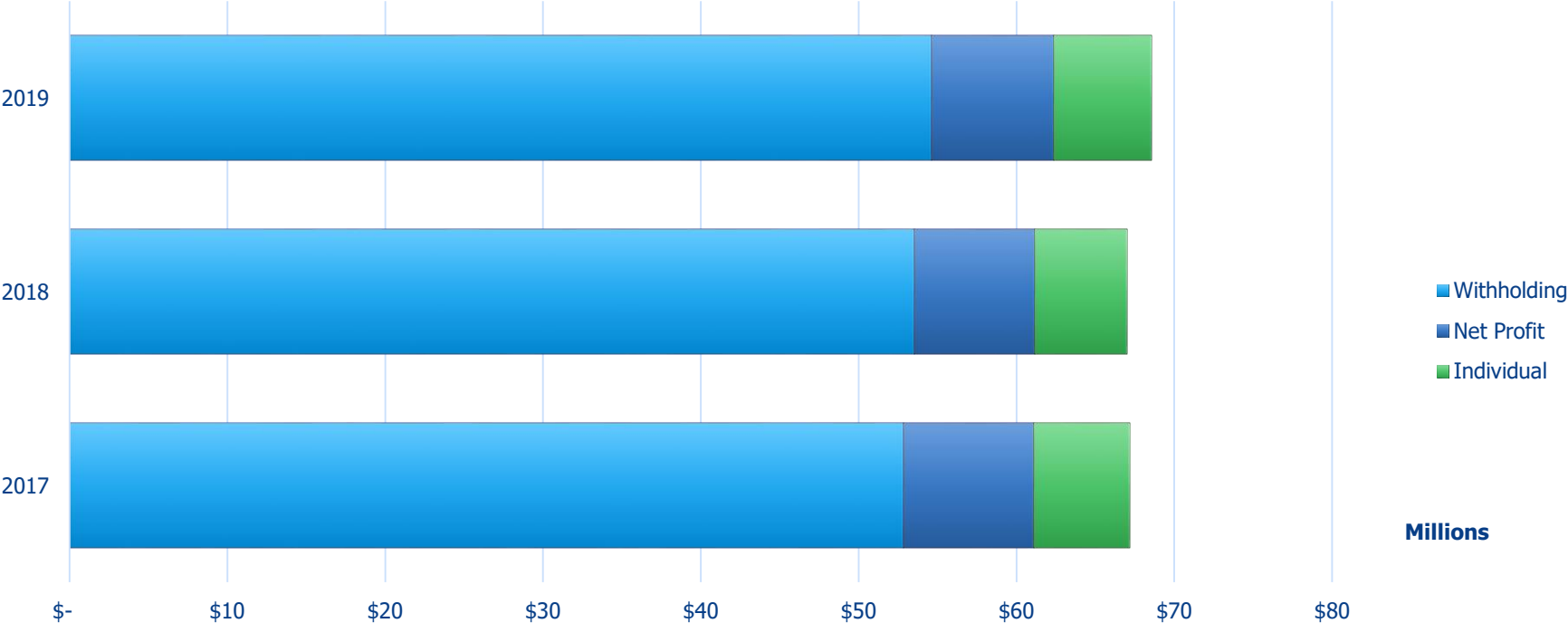




FISCAL HEALTH



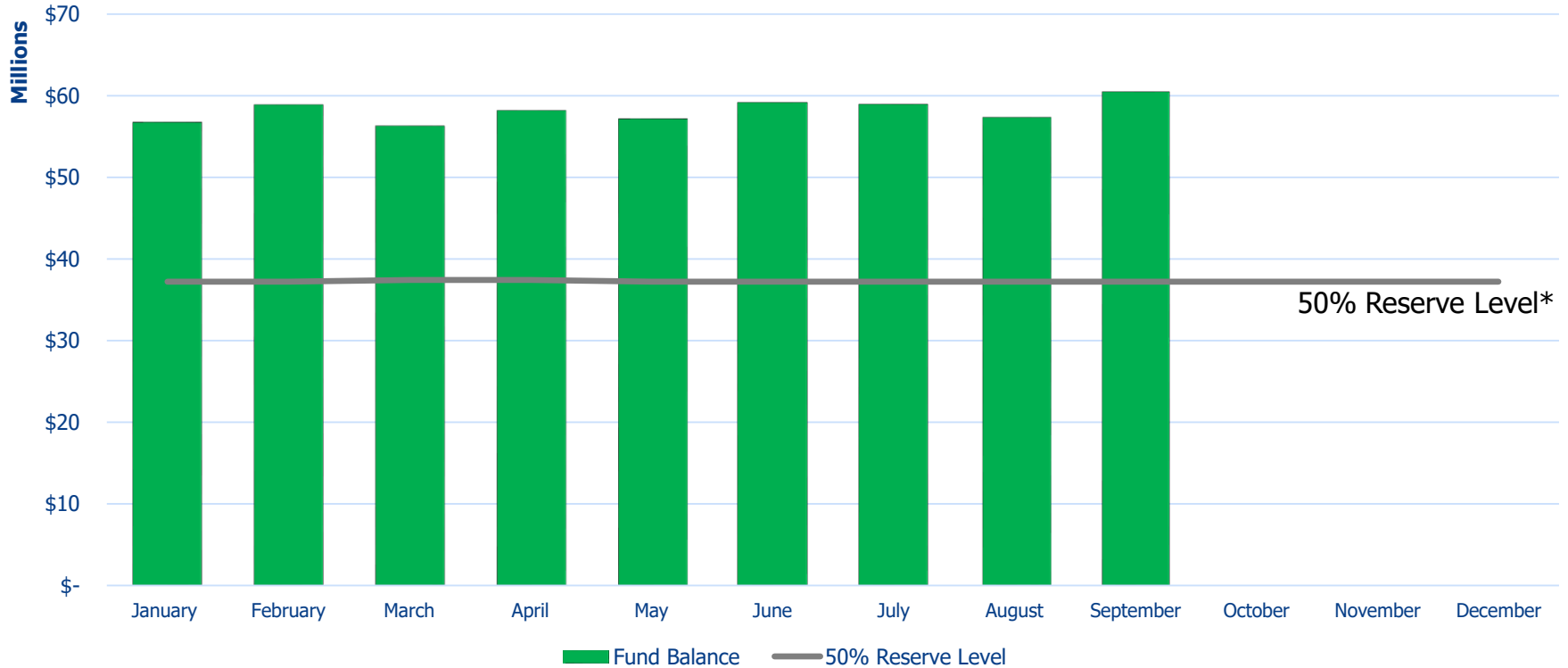
INCOME TAX COLLECTIONS



Millions



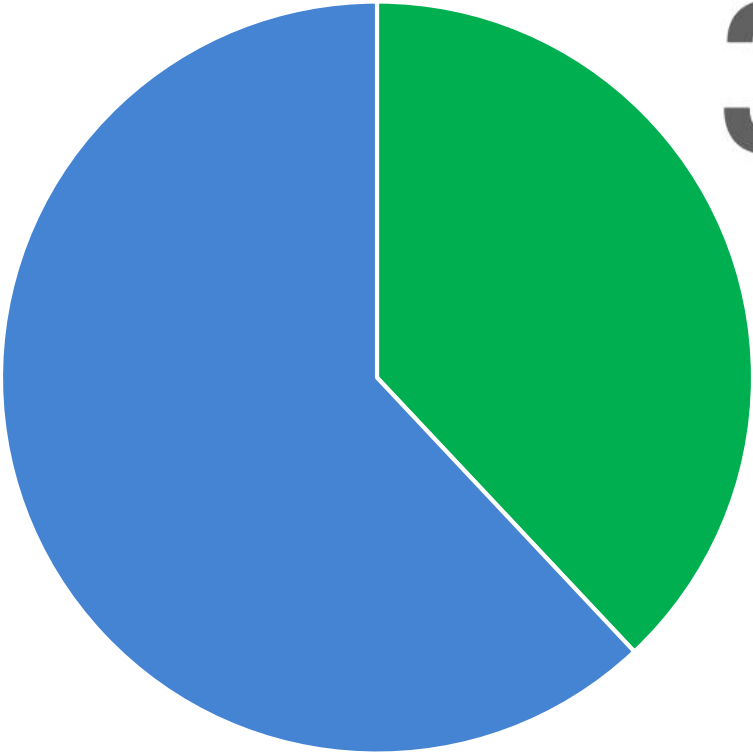
GENERAL FUND BALANCE



*50% reserve level based on General Fund Policy. Percentages in January through November based on budgeted expenditures; December based on actual expenditures.



DEBT ANALYSIS



38%



Enhancements/New Project Types:

All

Facilities

Parks

Transportation

Utilities

Construction Year:

All

2019

2020

2021

2022

2023

Street Maintenance Year:

All

2019

2020

2021

2022

2023

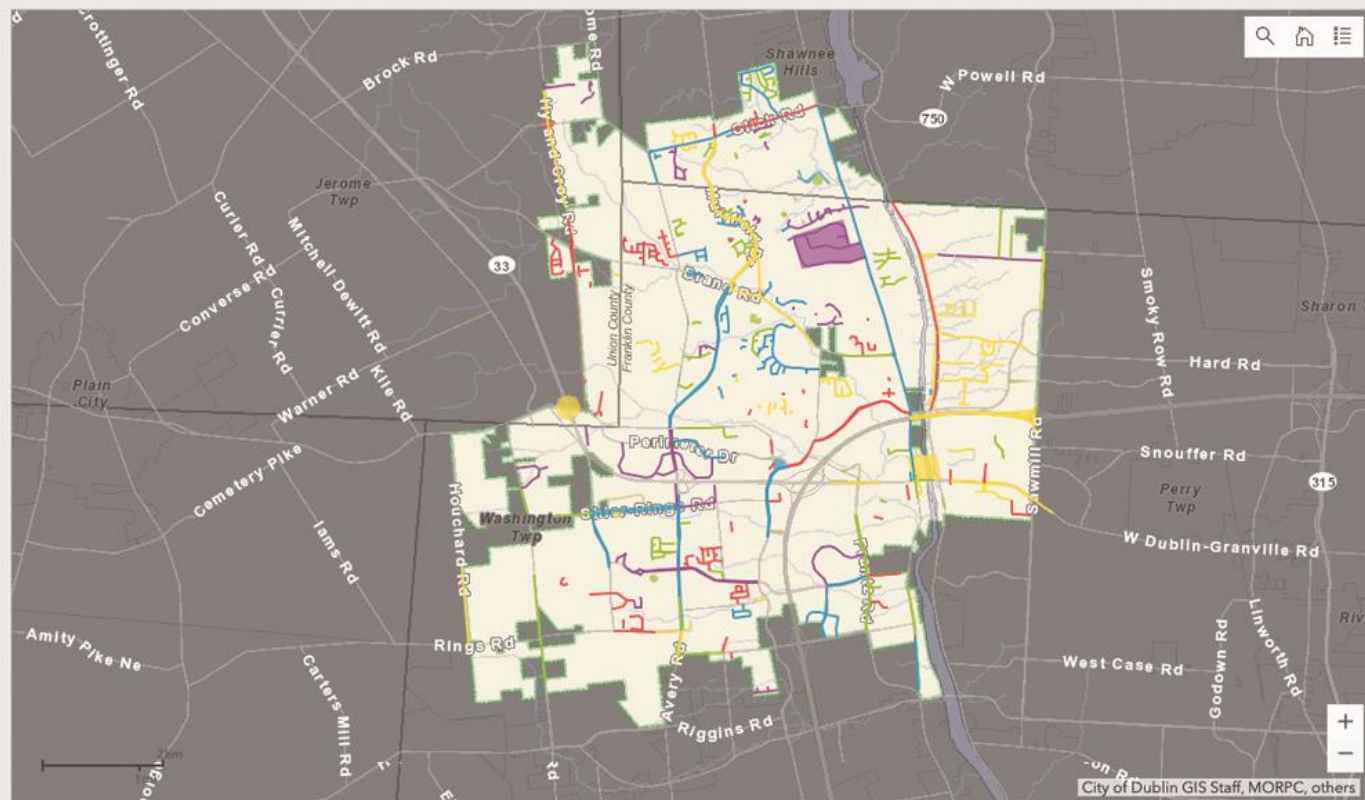
None

Adopted Five-Year CIP

City of Dublin, Ohio USA

Project Year

- 2019
- 2020
- 2021
- 2022
- 2023



- Bridge Street District Program Management
- Council Chambers
- DCPS (South Pool) Renovations
- Deer Run Sewer Upsizing - Dumfires Ct
- Glick Road (Section 3) SUP
- Golf Club of Dublin Enhancements
- Rings Farm Stream Relocation
- Riverside Crossing Park
- Sewer Line Extensions - Areas 3A, 3B, 3C, 8A, & 15
- Sewer Line Extensions - Areas 4A, 10C & 10D
- US33 / SR161 / Post Rd Interchange
- Water Line Extensions - Area 3A
- Waterline Extensions - Areas 4A & 8A
- West Bridge St / SR 161 Streetscape Enhancements
- Bright Road 12" Water Main Extension
- Bright Road Area Improvements

Maintenance Project Types - Clicking in a box below will open a new window or tab in your browser

Sidewalk
Maintenance

Vehicular Bridge
Maintenance

Pedestrian Bridge
Maintenance

Culvert Maintenance

Pedestrian Tunnel
Maintenance

Guardrail
Replacement &
Maintenance

Parking Lot
Maintenance

Shared Use Path
Maintenance

A large, stylized sculpture of a cornucopia, resembling a giant ear of corn, stands prominently in the center of a grassy park. The sculpture is made of many small, rounded, light-colored segments. In the background, several other similar but smaller sculptures are scattered across the lawn. A dense line of trees forms a backdrop under a clear blue sky. The word "QUESTIONS?" is superimposed in white, bold, sans-serif capital letters over the central sculpture.

QUESTIONS?

