

CAI-Wisconsin Chapter

# Community LEADER

*News for the New American Neighborhood*

## *In this issue*

*Pond Maintenance*

*Changes To Condo Law*

*The “Walkaround”*

*The Best Plans*

*2018 Conference & Tradeshow*



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# Community LEADER

*News for the New American Neighborhood*



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# Leadership Directory

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# President's Message



I am honored and pleased to begin my term as president of CAI-WI. I consider myself especially lucky to be working with such an excellent Board of Directors, Committee Members and the staff at WAM. All of whom are dedicated to the on-going success of this chapter. Together we will continue to build and strengthen our chapter by focusing on ethics, education,

legislation advocacy, communication and membership growth.

I would like to thank Adam Bazelon, immediate Past President, for his service and dedication to CAI-WI. Adam is now among an elite group of Past Presidents who have been instrumental to the chapter's success.

I would also like to thank the Shari Engstrom and the entire Conference and Trade Show Committee for providing us with The Royal Treatment at the CAI-WI Annual Conference and Trade Show on March 9th, 2018. The event was a huge success and broke attendance records! I hope all who attended enjoyed it as much as I did. For those of you who did not attend, please make a point to check it out next year as I think you will find it is a worthwhile event.

Chapter leadership has been hard at work during the last few months planning several educational and networking opportunities. Please take a look at the full calendar of events on our new website and watch your email for more information about these opportunities. You will also find details about upcoming events such as the "Spring Cleaning; Contracts, Contractors and Expectations" educational session being offered on April 6th and the golf outing on June 25th in this newsletter.

In May I will be traveling to Washington DC to attend the CAI National Conference and Exposition. The event provides education sessions on operations, leadership, innovative business practices and new products and technologies. I hope to learn more about critical issues facing our industry as well as the latest community association trends so I can bring that information back to our local chapter.

I look forward to serving as your president and hope to have an opportunity to meet all of you at a social event or educational session very soon.

*Lisa Komppa*

Lisa Komppa  
 CAI-WI President

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# PROACTIVE POND MAINTENANCE

## INTEGRATED POND MANAGEMENT: BEING PROACTIVE CAN RELIEVE ADDED STRESS

By Zach Haas , Senior Aquatic Biologist at Wisconsin Lake & Pond Resource

In this day and age many subdivision, corporations, property managers, and municipalities have been given additional tasks of management of stormwater ponds on their premises. Having these ponds can not only pose problems with maintaining compliance with DNR standards, but it can also create a headache when nuisance algae or vegetation keeps coming back on the surface of the ponds. Complaints from homeowners are sure to follow the nuisance growth. Another complaint is when a piece of equipment seizes to operate. This equipment may be a decorative fountain, an aeration system, or even a waterfall pump. This biomass on the water's surface looks unappealing, may cause added odors, and in the end add to the "muck" on the bottom of the pond. Now given all of the duties that a homeowner's association or condo owner's association may face, having a proactive plan can help keep these items off of their mind, and keep their stress down.



In the aquatic management industry the coined phrase of "Integrated Pond Management (IPM)" can be an HOA's or COA's best friend. Simply stated, this is a hands free approach for the homeowners. One myth that arises on many sites is that treating when the problem arises can keep the pond healthy. However this is not the case as this reactive management only covers up the real problem that is going on underneath the water's surface. This plan thrives on the understanding that having a professional aquatic biologist managing your pond(s) will help to focus on improving water quality parameters and get to the root of the problem by not taking the "band-aid" approach. The basis of an IPM plan is to reduce a pond's dependency on pesticides and to essentially stop or slow down the clock on Mother Nature by not only looking at the surface, but by looking at the entire ecosystem.

A proper IPM plan utilizes a line of products and tools that improve the quality of water, reduce nuisance algae blooms, increase water clarity, and lower excess nutrients and nutrient loading. Examples of products being used in these programs are beneficial bacteria, natural enzymes, phosphorus reduction agents,



and pond colorants. Biologists use these products to target the real issue behind water quality; nutrient loading. If the nutrient levels can be kept in check, and at a healthy level, a balance can be created in the ecosystem. Now having these tools coupled with monthly and/or bi-weekly monitoring services, water sampling, in depth reporting, and a high level of communication the sky is the limit to keeping the pond(s) looking great and keeping them healthy. As stewards of the environment, we should always strive to reduce pesticide amounts and keep our resources in a superior state of health.


When an IPM plan is in place other tools can be utilized to help increase the overall health of the ponds and reduce nuisance plant growth. Having a properly sized aeration system, metering system, and/or decorative fountain can aid in reducing stagnation, help to aerate the pond, and act as an application tool for many proactive products which help reduce overall nutrient levels. Along with these tools, having an annual maintenance program will help to remain proactive on keeping equipment performing great. As a part to the IPM's scheduled site visits, having routine equipment inspections and maintenance is a must. Large amounts of expenditure can

come from the purchase of these items, and being proactive on their upkeep can keep them working for extended periods of time.

Ponds can be a nightmare when they are not attended to correctly. They are much like the human body in the fact that if you only do the bare minimum it will not make you any healthier. However, when you take the steps to eat right, exercise, and make routine doctor visits you tend to stay healthier. This same concept applies to a pond's ecosystem. If you only treat the algae and/or vegetation when it rears its head you are not making the system any better. However, if you take the steps to promote beneficial bacteria, reduce nutrient loading, and provide a means to reduce stagnation you will have a much healthier ecosystem, and a more aesthetically pleasing pond.

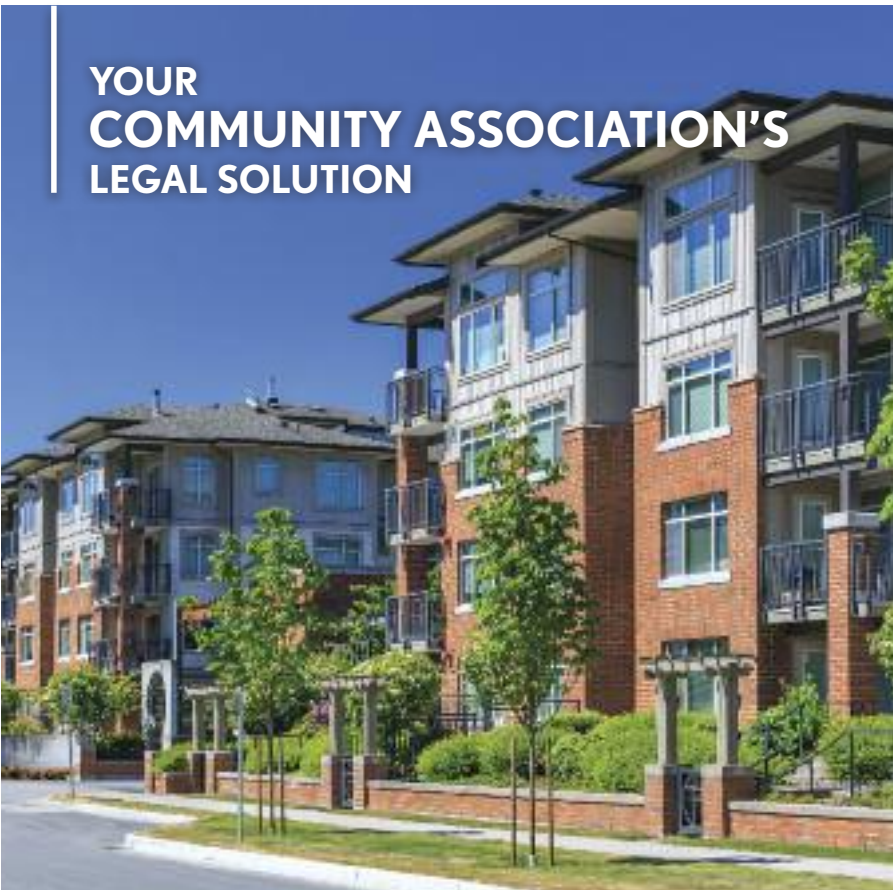
*Zach Haas is the Senior Aquatic Biologist at Wisconsin Lake & Pond Resource. Zach holds a Bachelor of Science degree in both Biology and Water Resources. He has a broad range of knowledge in maintaining a pond's ecosystem health, ranging from aquatic vascular plants all the way down to aquatic invertebrates. Zach has over 13 years of experience in the aquatic management field, and assists many corporations, golf courses, HOA's, COA's, private homeowners, and campgrounds in the management of their aquatic resources. To learn more visit [www.WisconsinLPR.com](http://www.WisconsinLPR.com) or call toll free at 1-866-208-0724.*

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# UNDERSTANDING SPECIAL ASSESSMENTS

There's no way to sugar-coat it: everyone hates special assessments. Getting a notice that you owe more money to the association can not only put a damper on your day but also a dent in your wallet, both of which the board is sympathetic to. In a perfect world, there would never be a need for special assessments — or any other type of assessments for that matter — but sadly, they're sometimes a necessary evil.

Often times, special assessments are levied when the Association needs to make essential repairs, improvements or additions to the common elements, but lacks extra reserve funds to cover the costs. While the board puts in its best effort to keep a healthy reserve fund and to budget in advance for these types of projects, occasionally unforeseen expenses occur. When this happens, an Association may have to call upon its residents to pitch in financially so that the Association can remain solvent. Unfortunately, special assessments aren't optional fees, and residents are responsible

for paying special assessments in the same way they're responsible for general Association assessments. Just remember, that these fees are funding projects that will benefit all residents, and your special assessment fees are your contribution toward that.

Most boards don't take levying special assessments lightly. Not only do they understand that special assessments can be a hardship for you, board members are also responsible for paying their share of any special assessment and it can be an extra financial burden on resident board members as well. Because of this, boards will often try and make levying special assessments a last resort and, if passed, offer payment plans when possible. There can also be regulations set forth in your condominium documents that must be

followed before levying a special assessment; and in some instances, require unit owners to vote on the proposed project and/or the special assessment itself before the Association can adopt it. If this is the case for your Association, make sure your opinions on these matters are heard by attending open board meetings and voting on these critical projects in general membership meeting.

While none of this changes the fact that having to pay special assessments fees is about as much fun as a root canal, just remember that it's all part of the greater good for the Association. They're investments to your home and your community, and can help keep your Association a wonderful place to live for years to come.



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# CHANGES TO CONDO LAW

## 2018 AMENDMENTS TO WISCONSIN'S CONDOMINIUM LAW

By Dan Miske, CCAL - CAI-WI Legislative Action Committee

In 2018 three separate acts amended Chapter 703 of the Wisconsin Statutes. Chapter 703 is Wisconsin's Condominium Ownership Act. The amendments mostly took effect on April 18, 2018, but some will go into effect later in the year. (For an in-depth review of the actual laws: 2017 Senate Bill 131, 2017 Assembly Bill 518 and 2017 Assembly Bill 818.)

2017 Wisconsin Act 333 made it easier



for condominium associations to amend their declarations by adding section 703.09(2m) to the statutes. This section allows a unit or the association to obtain first mortgagee (normally a bank) approval to a declaration amendment if the bank fails to respond. To obtain this benefit, the act requires written notice to the bank delivered by certified mail that includes all of the following:

1. A copy of the proposed amendment;
2. A request for approval or disapproval;



3. A form upon which the mortgagee may indicate approval or disapproval; and

4. A statement that if the mortgagee fails to return the form or otherwise disapprove within 60 days from the date of the mailing of the notice, the first mortgagee will be considered to have given its consent to the amendment.

2017 Wisconsin Act 303 principally dealt with limiting fees allowed to an association at the time of the sale of a unit for the numerous questions and issues that the association is asked. Some of the specifics include:

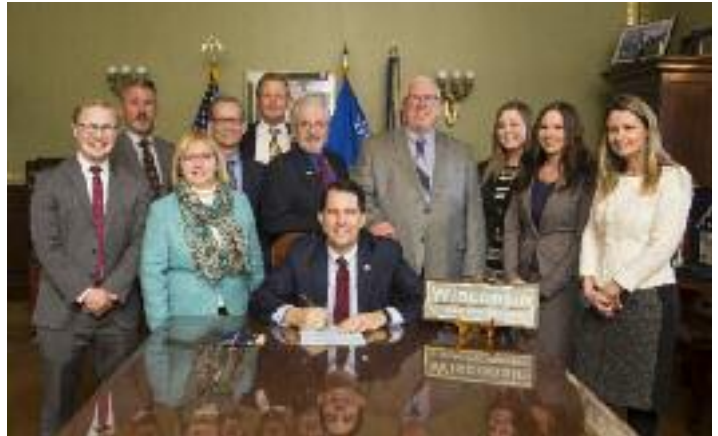
1. 703.20 – limiting the amount an association can charge for the 703.33 disclosure requirements to the lesser of the actual costs or \$50, unless the process under 703.205 is followed.

2. 703.205 – setting the procedure for increasing the amount of charges for payoff statements or 703.33 disclosures by doing all of the following:

a. Providing written notice to the unit owners at least 48 hours before any meeting to consider any of the following:

- i. Establishing or increasing the fee;
- ii. Entering into or modifying a management contract that does any of the following:

1. Allows the manager to begin charging the fee; or
2. If the manager already charges the fee, allows the manager to increase the amount of the fee.



- b. Adopting a written resolution at a meeting to take the actions above; and
- c. Sending out written notice of the resolution within 48 hours of its adoption.

3. 703.33(1) – adding to the Executive Summary the last date it was prepared or revised.

4. 703.33(1)(h)11 – adding to the reserve section of the Executive Summary the amount of the reserves on the date the Executive Summary was last prepared or revised.

5. 703.335 – is a new section that added to the statutes the procedure for someone to request a payoff statement. Upon request, the payoff statement must be provided within 10 business days without charge, unless the association has established the fee under the process set forth in 703.205 above. **Failing to provide the payoff statement within the deadline will cause the association to be liable for any actual damages or \$350, whichever is less.**

2017 Wisconsin Act 102 requires a larger space be provided to the register of deeds for recording documents (by amending 703.11 ) and changed the information required to be placed on any plat amendment as a result of merger agreement between condominiums (by amending 703.275 ).

# THE “WALKAROUND”

## A BENEFICIAL EXERCISE FOR YOU AND YOUR HOA

By Dan Merritt, Glen of Brookfield HOA and Mike Leach, Prospect Management Company

What is “The Walkaround?” No, it’s not a new gym exercise routine, nor a song or a dance, but is simply another term for a regular inspection of the property and common elements. Our HOA instituted a Walkaround the year after the developer turned over the complex to the HOA when we realized we had some damage from the winter weather and snow plowing. Since then, we have continually modified our approach as our buildings age.

Our complex includes 14 buildings comprised of 2- or 4-units, totaling 46 units, including a club house with an exercise room and a pool. The complex was built between 2010 and 2012. We are fortunate to have a professional property manager as well as a group of talented and dedicated owners on both the board as well as the Building & Grounds committee. Every HOA is unique and has its own needs and challenges, and our approach might not fit your needs but might suggest some ideas to consider.

### Why conduct a Walkaround?

Identification of repair/replacement issues, including those needing immediate attention, will ultimately save money if they can be addressed before getting worse. Regular inspections of all parts of your complex will help determine if common-area elements are performing as anticipated. If they are not, and life-cycles are diminished due to extraordinary wear and tear or adverse weather conditions, then it is

time to consider reviewing/updating your reserve study, if being followed. While most owners report issues they see that need attention, a select few may ignore them unless they are personally inconvenienced. So, a regular inspection is likely needed in most HOAs to observe first-hand the overall conditions throughout the complex. The goal of any walkthrough is to identify the needs of the property while insuring the safety of unit owners and keeping the property in a presentable fashion.

### Who conducts the Walkaround?

Our Property Manager is a key player in the effort, given his expertise in property maintenance and repair. Our Building & Grounds chairperson is also a key player. For the first several years, these two were the team but we decided to add one or two board members to the team, to allow them to better understand what issues were coming up. However, too many people on the team tends to result in too much banter and not enough looking during the walkaround. Note that certain elements of a property inspection will ultimately be done by service contractors, so don’t overlook their involvement. Your vendors are experts; use them.

### When to conduct the Walkaround?

Our effort was initially done annually in the spring, once the snow melted and we could see what damages had occurred over the winter. However, we soon realized that not all damage occurs in the winter, but all year long,

with some issues being seasonal. So now we have three walkarounds each year, generally in May, early August, and late October. This allows the team to focus on issues unique to the season and also allows the inspection elements to be spread out over the year.

What to look for? Over time,

any team conducting a walkaround will develop a checklist and revise as needed. Simply hoping to observe any issues without a checklist will lead to missing items. Typical categories on the checklist might include the following:

### Landscaping

A spring inspection will uncover any snowplow and weather-related damage. However, a summer inspection will identify dead and/or diseased trees and shrubs that need replacing/treatment, as well as signs of critters and nests that need attention. Retaining walls should be looked at to insure structural integrity. Reviewing overall plant health and treating issues early will save you \$1000s in the future. Always encourage your landscaping vendor to attend the walkthrough when focusing on landscaping elements.

### Safety-related items

While checking walks and drives, look for cracks and other imperfections that might be a trip hazard to pedestrians. Railings along walks should be stable. Fencing and locked gates at swimming pools are critical, as well as the presence of pool safety equipment and a functioning emergency phone. Fire extinguishers should be in their proper locations and fully charged. Every inspection should verify that charcoal/gas grills are used/stored in accordance with your rules and regulations as well as municipal regulations. Warning and speed-limit signs should be in place. Check exterior lighting to insure they are in place, operating properly and not damaged. Also, concrete walks and asphalt drives should be checked for damage and general condition. Tilting or settling slabs may need mud-jacking or replacement. Minor slips and trips result in a majority of lawsuits your association may be faced with. By reducing your exposure, you are reducing the likelihood of future liability related suits and keeping insurance costs down.

### Building exteriors

Among the more obvious elements are the roofs, paint, and gutters. Make sure downspout extensions are properly placed to avoid pooling of water next to the foundation.

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# THE “WALKAROUND” cont.

## Outdoor winterizing

In the fall, it is beneficial to insure all outdoor spigots are turned off and hoses are disconnected, irrigation sprinkler lines are off and drained, and pool equipment is shut down. Make sure the heat is turned on to your water and fire sprinkler closets.

## Resident Rules Violations

While conducting a walkaround, it is often quite easy to see certain rules violations including storage of personal property, decorative items and attachments, flowers and landscape plants, vehicle parking, and pets/animals. However, it is not recommended that the walkaround be your sole review of rules violations, especially since many rules deal with behaviors that wouldn't be obvious on a walkaround or occur at other times.

## Efforts by Service Contractors

The skill and expertise to inspect and service equipment such as HVAC, fire sprinklers and fire alarms, retaining ponds and pool equipment is usually limited to specialized contractors. These items should be on a separate checklist.

## How to document the walkaround?

A checklist with the appropriate elements and location(s) with room for notes makes the process simpler to summarize and follow up. A summary for the board and owners might be beneficial. Often, photographs of key issues allow easier communication with other board members and service technicians.

## What to do with the results?

Obviously, some repairs might be necessary in the near term. Other items might be put on a watch list for potential future repairs. Your observations may require a review of your reserve study for planned timing of repair/replacement. Hopefully, all the issues you find are minor and dealt with in your normal budget, but, occasionally, special attention may be necessary to plan the repairs/replacements. Also important to the process is the feedback you provide your owners. Awareness of problems will make it less likely that issues will be neglected. Repairs conducted in a timely manner will generally make for happier owners and will aid in maintaining, if not increasing, the financial value and appearance of your HOA property. This is part of the fiduciary responsibility that board

has with the owners.

And, not to be overlooked, if rules violations are identified and reported to residents in the normal fashion, it is also likely compliance will improve.

The Walkaround is a valuable but

common-sense process that your board and property manager can use to improve performance, communication and satisfaction

*Dan is the HOA Board President at the Glen of Brookfield and can be reached at dmerritt33us@yahoo.com. Mike is a Community Manager, CMCA, at Prospect Management Co. and can be reached at mleach@pmcwi.com*



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# THE BEST PLANS ARE COMMON SENSE PLANS

By Jeff Barnett & Tom Engblom from Mutual of Omaha Bank

A phrase often heard in polite conversation goes something like this, "The definition of insanity is doing the same thing over and over again and expecting a different outcome." After which, almost everyone nervously laughs about the insanity they're guilty of in their personal lives. Often intended as a joke, the irony is that we have all engaged in the futility of this practice. The good news is, we don't have to take this approach in our business (or personal) lives. Instead, we can adopt common sense plans that lead to positive outcomes.

Often, the best plans are the simplest and based on common sense. A solid plan consists of three pillars:

- Preserve
- Protect
- Enhance

Let's take a quick look at each one, starting with preserve. Think of your life, your job and your family. In any situation we always want to preserve those things that bring us lasting joy, the greatest pleasure, and when it comes to business, offers the best returns. In the world of condominiums, we want to preserve those practices that offer the same, joy, pleasure and returns. A community resident would prefer to swim in a pool that is clean and well maintained, walk on grass that is green and plush, and, of course, live in a home free from leaks and other maintenance issues. The community benefits from a resident's joy and pleasure. When people are happy where they live, there are positive returns for the community. Happy residents pay assessments on time and attend community meetings creating communities where values are stable.

Protect is closely related to preserve and may be the pillar we are most familiar with. Of course, a little risk in any common sense plan is OK. Knowing the risks and mitigating them with protection, is common sense. Protect what is valuable, meaningful and may be difficult to replace.

The final pillar is to enhance. Even small enhancements help preserve value, protect against loss, and bring meaningful returns, including the important ones - joy and pleasure. When things become worn and fall into disrepair, even small enhancements can make a world of difference in perception and appreciation.

A community plan founded on common sense to preserve, protect and enhance the community provides positive returns including stable property values and residents who are happy where they live and experience joy and pleasure in their community.

*The views and opinions expressed in this article are those of the author(s) and do not necessarily reflect the views of Mutual of Omaha Bank.*

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We—you and your neighbors—all have a right to enjoy our homes in peace and to furnish them as we like. But remember, how you furnish your unit may be a nuisance to your neighbors in theirs. Hard flooring—wood, ceramic, stone—is fashionable and collects far fewer allergens than carpet, making it very popular. But it can be a problem for the folks downstairs, even if you make an effort to tread lightly or wear soft shoes. If you're considering installing hard flooring in your unit, first install a sound barrier—like cork—to reduce

noise. And hope the people above you do the same.

Flat-screen televisions are becoming more affordable every year, and many of our residents have them. Please mount your screen on an interior wall—not a wall you share with a neighbor. Reverberations from wall-mounted televisions can be an annoyance for those on the other side.

How much noise does it take to be a nuisance? One definition says nuisance is a level of disturbance beyond what a reasonable person would find tolerable. But, sometimes the question isn't how much noise we make, but when we make it. You or your neighbor might find the raucous party next door entirely tolerable—until about 10 or 11 p.m. A noisy renovation downstairs might be intolerable if it's a religious or



ethnic holiday for you. Whatever you're planning, give some thought to the day as well as the time of day for your activity.

If you have noisy neighbors, talk to them. They probably have no idea they're disturbing you. Maybe you work nights and their teenager—whose room backs up to yours—blasts the audio system after school each day.

The Golden Rule applies here: Treat your neighbors the way you want them to treat you.

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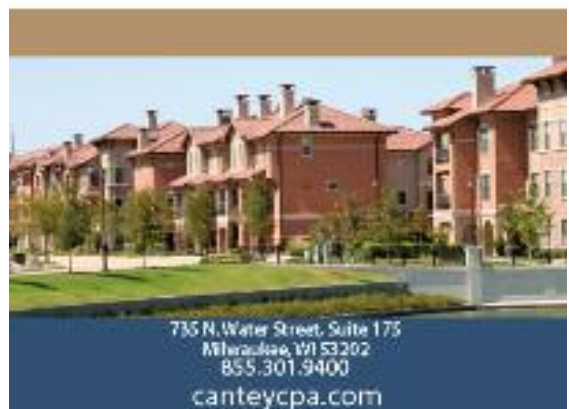
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August 2018  
Door County Legal Panel

Tuesday, Sept. 11, 2018  
Q & A Panel Discussion

Friday, Nov. 9, 2018  
November Legal Panel

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# REFLECTIONS...

By Shari Engstrom, Sid Grinker Restoration, Conference & Tradeshow Chair



Welcoming guests with a new venue, the 2018 CAI Conference and Trade Show was a hit! Friday March 9th board members and valued business partners gathered at the Crowne Plaza Milwaukee Airport for the Royal Treatment with CAI.

Registration opened late morning with guests visiting exhibits before a Lent friendly lunch program that included the Annual Meeting which included a new board, awards and keynote speaker Wayne Dehn.

The Annual Meeting met quorum and the highlight was announcement of the 2018 Board of Directors and Executive Committee:

President: Lisa Komppa, AMS, CPM  
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This year's awards went to a well-deserved group of hard working individuals that truly make a difference in the condo association world: Rising Star - Carissa Pezewski of MPC Property Management & Kaitlin Anderson of Benson, Kerrane, Storz & Nelson, P.C., Association of the Year - Whispering Hills Owners Association, Inc., Committee of the Year - Legislative Action Committee, Manager of the Year - Lisa Komppa, Professional Property Con-

sultants, LLC, Business Partner of the Year - Landscape Concepts Management, Excellence Award - Jeff Hunt, Hunt Management Inc.

We truly appreciate their hard work and dedication. If you know a property manager, vendor partner, association or other qualifying person who should be recognized, be sure to work for award nominations next spring.

Following the awards, keynote speaker Wayne Dehn took the stage to offer insights and suggestions on "Dealing with Difficult People". Not that any of us encounter difficult people, but thoughts on dealing human nature seem to be always useful if only there are few small takeaways. Speaking of educational topics, ideas and suggestions for future shows are always welcome!

After a quick break and a visit to almost 70 exhibitors, attendees moved on to educational Sessions that included Transitioning Your Association, Financial and Legal Panel.

In "Transitioning Your Association" Adam Bazelon, Kirsten Capps and Nik Clark discussed transitioning your association from the developer, changing management firms and what to consider when making changes as a self-managed association.

Running concurrently was the Financial Seminar with Corrine Billingsley and Anthony Dister



After another walk through the exhibit hall and snack break, exhibitors were able to pack up while attendees made their way to the legal seminar. Attorneys Adam Bazelon, Lydia Chartre and Ross Hussey fielded questions from board members on topics ranging from fair housing to comfort animals to amending the bylaws.

The day ended with randomly drawn raffle prizes from those who completed their bingo cards by visiting the exhibitors. With record attendance and a new venue, the conference was considered a success and will return to the Crowne Plaza next year.

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