



Deerfield Woods Homeowners Association

PO Box 360884 Strongsville, Ohio 44136-0884
www.deerfieldwoods.org

To: Our Association Owners and Members
From: Steve Cook, DWHOA President

May 29, 2020

RE: SEASONAL POOL CLOSING DECISION

I want to share with you my notes from our Zoom Board meeting on last Thursday, May 21, 2020 and my review with legal on Friday, May 22, 2020 so that everyone can appreciate our decision.

At the Zoom Board meeting, the Board revisited our situation options and decided about operating the pool facility while keeping the health and safety of our members as our number one priority. The Board's answers to the following questions provided some perspective for our decision-making process.

Q: Are We Aware of Any Approved and Available Medical Solutions for The Pandemic Virus?

A: No

Q: Do We Believe that We Are Capable of Implementing All Related Activities to Ensure 100% Compliance to All CDC, Local and State Medical Regulations Regarding the Entire Pool Facility?

A: No – By the very nature of the pool activities, it might not be possible to maintain social distancing and strictly adhere to the CDC standards within the pool facility, despite maintaining the appropriate water chemistry.

Q: Do We Know Our Liability Exposure?

A: Yes – Our General Liability Policy Does Not Protect the Board nor the Association Members from Potential COVID-19 Liability Claims and Legal Costs.

Upon reviewing our situation with legal on Friday, May 22, 2020, Kaman & Cusimano LLC confirmed that the Board was well within our rights to make this important decision for our Association and they advised that we close the pool for the season.

Legal explained that closing the pool for the season is the best way to ensure the safety of our owners, members and residents while financially protecting them from pool related COVID-19 liabilities, if the pool remains closed. Otherwise, if the pool is open at any time, an individual member or resident might be exposed to contracting the highly contagious COVID-19 virus. As a result, our Association owners might have to pay a significant COVID-19 liability award based on dividing the liability award among our 178 member units since there is no liability insurance coverage.

SUMMARY

Considering the ongoing medical uncertainties surrounding the highly contagious COVID-19 virus, and our advice from legal, we determined that there might be potential and significant health and financial risks to our members and residents if we open the pool for the season. The Board voted for minimizing these risks to our owners, members, and residents by closing the pool for the season.

Thank you for your understanding and support in ensuring that our members are safe and well. Please keep in mind we will continue to monitor the situation and will reconsider our decision if things change significantly.

A handwritten signature in black ink that reads "Steve". The signature is written in a cursive, slightly slanted style.

Cc: Deerfield Woods Board