



## ***High Point Homeowners Association***

P.O. Box 361065 ● Strongsville, Ohio 44136 ● 440-638-4304

May 23, 2020

Re: Impact of COVID Pandemic on High Point Amenities

Dear High Point Residents:

This communication from the Board of Trustees of the High Point Homeowners Association is being sent to provide information about how the COVID pandemic and the guidelines set forth by the State of Ohio will impact the availability of our amenities to members of our association.

Historically, opening day for our swimming pool has been on the Saturday of Memorial Day weekend. For many weeks the Board of Trustees has been paying close attention to Ohio Department of Health Director Orders and CDC (Centers of Disease Control) recommendations to see what would be required to open our facilities. These requirements have been very fluid, and updates from the state have been frequent. An order was enacted on May 14<sup>th</sup> that dictates pools may not be opened prior to May 26<sup>th</sup>.

Even prior to the announcement of that date, the Board of Trustees had already concluded that the complexity of the requirements outlined by the Ohio Department of Health to open playgrounds, swimming pools and other amenities would be extremely challenging and very costly to implement. Additionally, the Board has a fiduciary responsibility to protect Association assets. After reviewing our insurance coverage with our insurance carrier and with confirmation from legal counsel that in the event someone pursues COVID-related legal action against the Association or the Board, the insurance would likely exclude coverage for a communicable disease under many circumstances. This could require the Association to fund legal costs and any damage claims through special assessments to our membership.

Association trustees also met with other developments in the City and most of them, especially the larger association boards, have all realized similar concerns and are waiting as well to assess what happens in the coming weeks and will not open now. Taking all of these factors into consideration, the Board reluctantly concluded it is not feasible at this time to reopen anything other than the tennis court, which appears to be lower risk due to the fact that the game of tennis, by nature of how the game is played, factors in social distancing. It should be noted that you may see the cover come off the swimming pool, but it is only so the Board can contract with the pool services company to do appropriate maintenance to the pool over the summer to protect its integrity for future seasons.

The Board will continue to closely monitor any changes to requirements or guidelines coming from the Ohio Department of Health and the CDC. If they significantly lift restrictions, or other factors change that significantly reduce our risk, we will leave open the possibility that the swimming pool and other amenities could be opened later this summer. It should also be noted that the Strongsville Swim League (SSL) decided early in May to cancel the 2020 season as a precaution for the safety of swimmers.

This year the pool held water and there were no leaks. It would have been ready for a Memorial Day opening. Residents should be aware that the work continues to prepare for the replacement of the pool and any savings in lifeguard costs will be channeled to the pool replacement project.

We ask for patience as we all work together to promote safe practices for our community to protect the health and welfare for everyone. If you have questions or concerns about the Board's planned approach for the management of our amenities to comply with Ohio Department of Health requirements, please

contact any of the trustees or call our Homeowner Hotline, 440-638-4304.

Board of Trustees  
High Point Association, Inc.

***As a number of questions have been asked, we have answered some of the most frequently asked below. Please also refer to our website ([www.hpohio.com](http://www.hpohio.com)) for additional information and links to the Ohio Department of Health requirements and CDC recommendations.***

#### **What would be difficult to meet the Ohio Department of Health requirements? (Aquatic Facilities)**

There are mandatory requirements and recommendations that would be challenging and expensive:

- Clean/disinfect public areas and restrooms every two hours using EPA-registered disinfectants, particularly on high-touch surfaces such as faucets, toilets, doorknobs and light switches.
- Install physical barriers (for example, lane lines in the water or chairs and tables on the deck) and visual cues (for example tape on the decks, floors, sidewalks or grass) and signs to ensure that staff, patrons, and swimmers stay at least six feet apart from those they don't live with, both in and out of the water.
- Develop and implement a reduced maximum capacity to allow 6-feet of distance between users. The formula for capacity should consider the available deck area as well as the pool surface area, as often one is greater than the other. If water surface area is smaller than deck area, an additional limit of swimmers/pool occupants should be implemented to ensure social distancing.
- Implement a reservation system or a time limit for visitors and swimmers to accommodate the reduction in pool capacity.
- Ensuring that lifeguards who are actively lifeguarding are not monitoring handwashing, use of face coverings, or social distancing of others. This must be the responsibility of additional staff.
- Use social distancing to maintain at least six feet between individuals in all areas of the pool.

#### **Why not build the new pool this year if we are going to be closed this summer?**

As luck would have it, building a pool takes several years of preparation, even if we plan to replace the pool with a similar pool. Bidding for contractors, developing plans, obtaining permits and construction takes significant time and effort. And there is the small matter of our Covenants and Restrictions not granting the authority to borrow specifically from a financial institution, which means we either would have to assess residents or wait until we can save enough in the next few years for the project.

#### **Can we have pools in our own yards in the development?**

All pools must comply with Zoning Code 1252.29 and the Strongsville Codified Ordinances 1458-2018. Storable/temporary pools are defined as those that are constructed on or above the ground and are capable of holding water to a maximum depth of 42" or a pool with nonmetallic, molded polymeric walls or inflatable walls regardless of dimension and do not require any permit or barrier to prevent entry. So non-permanent pools 42" high or less are allowed by the City without a permit, but their regulations and requirements must be followed nonetheless. A complete description of the City requirements can be found as a link in the News tab on our website. We also strongly urge you to consult with your insurance company and counsel before installing a pool concerning the so-called 'attractive nuisance' doctrine and other liability issues associated with pools on private residential property.

#### **Why were pool passes not distributed?**

In the event we might be able to open later on in the summer, we don't know what may be required to limit the number of people at the pool and our normal paper passes might not work going forward. A May newsletter, traditionally devoted to pool operations and information, will not be published.

**[www.hpohio.com](http://www.hpohio.com)**