

**Hidden Valley Lake Property Owners Association  
Board of Directors Meeting  
August 28, 2008  
APPROVED**

**Board of Directors Present: Bob Starks, John Fruin, Karen Shell, Bill Blantz, and Donna Lask**

**Community Manager Present: Bruce Keller**

President Bob Starks called the August 28, 2008 Board of Directors Meeting to order at 7:05 p.m.

The meeting began with the Pledge of Allegiance.

**President's Report: Bob Starks read the President's Report.**

A note to residents: I have been informed that the POA has had a "legal action" filed against both the POA and also against the VRUC. It is an action in small claims court brought forth by Mr. And Mrs. Hamilton regarding a deed issue and tax payments. We are hopeful that this action will be resolved quickly and without any hard feelings.

This has been an incredibly busy month at the POA and especially for our maintenance team. Last Thursday as I came home from work at about 6:30. I saw a bit of commotion at the Maintenance Building with trucks and cars seeming to go in all directions at once. I called Bruce and found that your maintenance team had just finished the repairs at Crystal Dam. This was a huge project where the guys ran into one problem after another but came through and finished in very good time and on budget. Not only that, but in the same month the road paving was done, and our handicap access lot has been finished; not to mention all of the small projects that have been completed. The maintenance team has a special thank you from the entire Board of Directors. Our Drug Awareness Day was an even bigger success this year thanks to Linda Estes, the deputies and the Security, Safety and Elections Committee chaired by Bob Sypniewski. There were many people who pitched in to make this event the big success that it was. Just to name some of the volunteers, it was our own police force led by Linda Estes, the County police and their trained dogs, many members of the S,S&E Committee, Willie's who supplied food and drinks, Operation Thank You sponsored by Tim & Sue Nobbe, the Rescue Helicopter, the photographers, etc. This event was well attended and we appreciate all the effort that went into this fun and worthwhile event. It was spectacular to see a 200 pound guy dropped in seconds by a well trained dog. As Linda mentioned, if one child is influenced to do the right thing then it is time well spent.

Special note: This coming weekend is the last weekend that the pool will be open this season. If you have not been to the pool this season, you owe it to yourself to go. Angie and her team have done a great job again this year. I am continually impressed by the high standards for cleanliness and the courteous and professional life guards that we have on staff. Our thank you to the entire staff for having made this a great season for our community.

**Treasurer's Report: Donna Lask read the Treasurer's Report.**

This month we invoiced our dues at \$674,034. By the end of July 86% was already collected, that's about average. The other major thing was that we bought our sprinkler system. We want to thank the

Athletic Club for donating the \$6,384 for its purchase. Our income for the month was \$1,149 under budget net of the bad debts reserve that we increased by \$5,000 a month for dues that we're never going to see, or that we estimate we won't. Expenses were good for the month with most departments under budget as usual. We've done real well this year. One item that was over budget was maintenance on the Lakes, but even that's under budget for the year. It's just timing issues that we get into because it's hard to judge which month an expense is going to fall into. Streets and Parks were over \$1,851 in fuel, but we all understand that unfortunately. The total net income for the month was favorable to budget by \$5,537 and that was a negative \$17,168 for the month which is a positive cash flow however because we have depreciation expense in there. We're still ahead of budget for the year, so things are continuing very well.

**Secretary's Report: Karen Shell.**

Karen suggested that we put exact dates on our minutes so they are not confused with other meetings. Bob Starks agreed and beginning now we will put exact dates on our minutes.

I'll entertain a Motion to approve the July, 2008 POA Board of Directors' Meeting minutes. Bill Blantz seconded the Motion. Motion carried unanimously.

**Community Manager's Report: Bruce Keller read the report.**

Good evening I would like to introduce Jen Farris who will take the minutes. She is new so speak loudly and don't forget to give your lot number.

Request a motion allowing the POA to charge a 75 dollar fee for the rental of the lower level of the Community Center and for the Pool parties. These funds will be used for cleaning and any wear and tear on the facility. Our current process of inspecting before the residents leave the facility has proven itself inefficient.

**Motion made by Bill Blantz allowing the POA to charge \$75.00 fee plus deposit for the rental of the lower level of the Community Center and for pool parties sponsored by non-sanctioned groups. These funds will be used for additional cleaning in any rooms. Seconded by Karen Shell, passed unanimously with the following changes and understanding.**

- Association Committees and recognized clubs (including card clubs) would not pay a cleaning fee.
- Define what the cleaning deposit is for. This fee would only include normal cleaning i.e. sweeping and moping. The resident sponsoring the party would put up chairs and tables and take everything out that they brought with them.
- A deposit of \$250 would still be required.
- We would contract someone to clean on weekends. During the week our employees would clean.
- This charge would begin January 1, 2009

Bruce Keller requested an extension of incomplete building fines: Our rulebook states in Section 6-3, B., 4 that "All structures 900 square feet and larger are subject to a non-refundable fee of \$200.00 paid to the HVL POA for the first three (3) months, \$300.00 per month for the following six (6) months, and thereafter at the HVL POA discretion". We have a resident that has reached this milestone and we need board approval to continue fines.

**Motion by John Fruin to extend the fees, Second by Donna Lask. Passed unanimously.**

## **COMMITTEE REPORTS:**

### **Parks & Recreation Committee Report: George Lortz**

George Lortz Lot 1882: About a week and a half ago, we started out with a long report; now it's gotten very short. There have been some things that have been discovered since our meeting two weeks ago. So, we are going to table the last three Motions that you see listed, and we are going to only talk about the first Motion and then I have the results of the survey for the entrance.

Request a motion authorizing the Parks and Recreation Committee to pursue sponsorship to finance the pool being open on Friday and Saturday nights from 8:00 p.m. to 10:00 p.m.”.

The idea is that we could extend the pool hours at night and we've been told that the life guards would be available but it was just a matter of coming up with additional funds to have the pool open. So are asking here for the authorization for this or if you like the idea, to look for sponsorships. If we can't find sponsorships, then the idea would be dropped.

### **John Fruin motioned and Bill Blantz seconded for discussion.**

There was much discussion and a motion passed to do more research and come back to the Board for approval of a more comprehensive motion. Items such as cost, interest in sponsorship and community interest would need to be checked out.

Mr. Lortz reported the results from the front entrance project survey. The results were:

- Option 1 – Renovate existing structures – 175 - (21%)
- Option 2 – Renovate or restructure sign; new water feature – 182 - (22%)
- Option 3 – Start Fresh – 262 – (31%)
- Option 4 – Do Nothing – 216 - (26%)

There was much discussion concerning the results to include:

1. Highest return in surveys in recent history. 40 percent return. (Mr. Lortz)
2. We should put results on the web site. (Donna Lask)
3. Next time we put out a survey the cost should be included. (Sammy Gutzwiller) (The explanation for not including cost was because there is a lot of work on the part of committee members and they first wanted to see if there was community interest).
4. There was much discussion concerning the statistics as presented.
5. The numbers show that by combining 2 and 3 together 53 percent of the people want to see a change of some sort.
6. The Committee will continue to research.

There was some confusion as to why the front entrance sign was being repainted when the survey had not yet been completed. This work was sponsored by the HVL Garden Club and was not affiliated with Front Entrance Project. The HVL Garden Club funds and maintains the work currently being done at the entrance.

### **Judicial Committee Report:**

Nothing to report.

### **Architectural Committee Report: Jeff Fuell**

We request a motion to approve the Performance Bond Returns.

Lot # 1753	19833 Alpine Drive	Zengerling Const.	\$1,000.00
		Dues Owed	\$517.00
Lot # 1847	20094 Ravenda Drive	Zengerling Const	\$1,000.00
Lot # 2103	1417 Brabanhurst Drive	Haffey Homes	\$1,000.00
Lot # 3243	19062 Hampton Drive	Haffey Homes	\$1,000.00
Lot # 2488	20120 Alpine Drive	Gordon Weis Homes	\$1,000.00
Lot # 0886	21212 Alpine Drive	Clary Construction	\$1,000.00
Lot # 0129	19983 Longview Drive	Christopher And Susan Glynn	\$ 500.00

This is the second reading of this proposed motion. All water pumps connected to any lake must be enclosed with appropriate matching décor. Existing water pumps must comply within 1 year of motion approved by POA Board of Directors. There will be no grandfathering with this rule.

Much discussion concerning why we need such a rule and that we have enough rules in place. Donna Lask said that when she personally counted the number of pumps that were not covered properly there were only 2 that were objectionable and most that were not covered were so small you had to look hard to find them. She questioned the need for this rule. Dave Patterson asked to review this rule with the Lakes Committee. Granted by board through consensus.

**Request a Motion to accept Steve Wirth's resignation. Donna Lask and Karen Shell. All in favor.**

**Request a motion to accept Jeff Fuell as Chairperson of the Architectural Committee. Karen Shell motioned and Bill Blantz made the second. All in favor.**

**Request a Motion to add POA Office Administrative approval for fuel tanks. Section 6-4 Item 30, 20 lbs or less needs no approval. Over 20 lbs need POA Office Administrative approval. Bill Blantz made the motion, seconded by Karen Shell and the motion passed unanimously.**

Request a Motion to replace the current fencing rules with the following:

#### P. Fences Rules

- 1) All fences require HVL POA administrative or Architectural Committee approval prior to being built or placed on a lot. When applying for approval, the following items shall be submitted:
  - a. Five (5) copies of the plot plan (may be hand-drawn on a copy of original plot plan) showing the location of the fence on the lot.
  - b. Five (5) copies of a picture or a drawing showing the fence size, elevation and the construction materials to be used.
- 2) A fence will not be approved by the HVL POA or Architectural Committee if, in the opinion of the Committee:
  - it obstructs the view of a neighbor, or
  - the design or color scheme of the proposed fence is not in harmony with the general surroundings of such lots or with the adjacent buildings or structures, or
  - the plans, specifications, or details or any part thereof are contrary to the interest, welfare or rights of all or any of the property subject hereto or the owners thereof.
- 3) Chain link fences are not permitted anywhere on the property. Woven wire farm fencing may only be used in conjunction with split rail fence. Privacy fences shall only be build on the buildable part of the lot, not to exceed six (6) feet in height, and must be constructed of wood,

vinyl or masonry materials compatible with the style of the house.

4) Previously approved fences shall retain approval unless changes to the fencing are made. If so, they shall be resubmitted to the HVL POA for administrative or Architectural Committee approval following any new rules and regulations.

5) In general, fences may follow the property line in the rear yard only (from back corner of house), which includes corner lots and must not exceed four (4) feet in height.

6) If the property contains a swimming pool or water feature such that the Dearborn County building code requires a fence five (5) feet in height, then a fence of that height may be allowed in the buildable part of the lot. Security fences for swimming pools shall meet the Dearborn County building code.

7) Fencing in front and side yards shall be used for decorative purposes only and cannot be used to enclose the yard.

8) Any fence on the golf course side or lakeside of a lot shall be constructed in the buildable part of the lot.

9) Invisible fences are permitted and do not require HVL POA Architectural Committee approval. However, they may not be placed in the roadway easement area, which is typically the area eleven (11) feet from edge of the roadway. Any electrical equipment used shall meet applicable codes.

10) A UL-listed, poly wire, electric fence may be installed to protect landscaping, but it must be approved by the HVL POA Architectural Committee.

- All electric fences must be no taller than 30", and contain no more than two (2) separate wires.
- All electric fences shall be no more than 20 feet from the house facade facing a street, and at least five (5) feet inside the side and rear lot lines.
- On main lake front lots, no electric fence may be closer than 25 feet to the shoreline or lot line, whichever is closer to the house.
- On lots on small lake, no electric fence may be closer than 25 feet to the shoreline or lot line, whichever is closer to the house.
- On the gold course side of any lot abutting the golf course, no electric fence may be closer than 25 feet to that lot line.
- Fence operations, safety issues, and liability are the full responsibility of the homeowner. The approval by the HVL POA Architectural Committee only concerns the aesthetics of the fence.

**Motion to approve the rule change was made by John Fruin and seconded by Bill Blantz. There were the following discussion points.**

- Current Chain link fences would be grandfathered.
- William Acra asked the Community Manager, Bruce Keller, if there were lots of complaints about fences. The answer was maybe one or two.
- Robert Starks asked that the change concerning the chain link fence be placed into the Echoes.

The motion will be voted on after the second reading in September.

### **Political Action/Future Committee Report: Don Wittekiend**

Don explained that a tax lawyer has been hired to help us appeal our POA property taxes. Our notice of appeal has been sent and our lawyer is getting ready for the next phase, the appeal hearing.

George Lortz took over the rest of the report and request the following Rules for Temporary Outdoor Storage Units be adopted by the board.

Add to Section XVII, Property Rules A. Definition of Terms.

Temporary outdoor storage unit – any building, shed, trailer or vehicle designed to be used outdoors for storage purposes.

Add to Section XVII, Property Rules

C. Use of Temporary Outdoor Storage Unit Rules

1. No installation of a temporary outdoor storage unit shall be permitted on private property without the prior approval of a Temporary Outdoor Storage Unit Application Form filed at the HVL POA office. Copies of an application form may be obtained in advance from the office. Application for installation of a temporary outdoor storage unit must be made at least two weeks prior to the installation date.
2. No temporary outdoor storage unit shall be installed by a person on community property within HVL.
3. The temporary outdoor storage unit shall be installed on private property on driveways only.
4. Only one (1) temporary outdoor storage unit shall be installed at any time on a private lot within HVL.
5. The maximum size of a temporary outdoor storage unit shall be eight feet high by eight feet wide by 16 feet long (8'x8'x16') or 1024 square feet of capacity.
6. There shall be no signage of any purpose or type attached to or otherwise installed with a temporary outdoor storage unit.
7. At any time, it shall be a violation of HVL rules to install a temporary storage unit:
  - (a) Closer than a distance of twenty (20) feet of the paved area of any HVL street, roadway, and/or parking area.
  - (b) Within twenty (20) feet of any intersection or crosswalk.
  - (c) Within fifteen (15) feet of a fire hydrant.
8. During a six (6) month period, the maximum allowable duration of time that a temporary storage unit is installed shall be thirty (30) consecutive days. A maximum of two, one-week extensions may be approved by the HVL POA Community Manager upon advanced application. From time to time the HVL POA Board of Directors may approve certain additional time extensions upon at least one month advanced application.

After much discussion on these new rules it was decided to pass them on the Architectural Committee.

#### **Lakes Committee Report: Dave Patterson**

This is the second reading for this change. Effective with the 2009 boating season, only boats registered to the HVLPOA dock lease holder will be allowed in the leased dock space unless prior arrangements have been agreed to by the Community Manager. If it is found that a subleasing arrangement does exist then the dock lessee will forfeit their right to lease the dock immediately and forfeit lease payments already made. The board voted unanimously in favor of the rule.

- Lakes patrol is finding more trash in the lake and ask for boaters to take trash with them when they leave the lake.
- Oxygen levels in the lake are good for sustaining marine life.
- Storm water runoff tests are still being done and compiled.
- There was one high reading for e-coli in the lake and that was in the corner of the Marina where there is no swimming allowed.
- Lakes committee is still studying the dredging process.

- Crystal Lake project is complete. The subject of restocking the lake was brought up. There is no plan to re-stock at this time, but if it is determined necessary it will be considered.

### **Civic Club Report: Richard Mischell**

September 20 Chili fest has been canceled.

September 28 Dog Show canceled because of no interest.

September 27 Family Campout at 77 acres.

October 4 Community Garage sale.

October 18 Haunted Hayride. We need volunteers and want folks to decorate houses.

October 25 is "Make a Difference for Hidden Valley Lake Day" and begins at 9 AM at the POA.

October 26 Halloween Walk from 2 to 4 in the afternoon.

December 7 is Pizza with Santa.

Mr. Mischell made a plea for more volunteers. The volunteers we have are overworked and are getting burned out.

### **Finance Committee Report: Jeff Fuell**

**Request a Motion to approve the Finance Report for July 2008**

**Motioned made by Bill Blantz, Karen Shell Seconded and Motion passed unanimously.**

### **Safety, Security & Elections Committee Report: Bob Sypniewski**

Congrats were handed out to Linda Estes for the wonderful job she did with the Drug Awareness Day. Luann Roberts has volunteered to look into the problem of deer eating bushes and plants. Bill Acra reminded everyone that there has been extensive research done on this subject.

Mr. Sypniewski asked that folks would look at the stripes and decide if they like them.

The handicap drop off is complete and at this point there is no plan to allow anything other than drop-off and pick-up.

Portable speed bumps are being studied for placement in the Valley.

Suggest a motion to approve the following golf cart rules. John Fruin moved and Karen Shell seconded.

## **XIX. Traffic and Vehicle Operation Rules**

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following rules for traffic and vehicle operations within Hidden Valley Lake. For the safety and convenience of all, we sincerely request the cooperation of all HVL POA members, their immediate family members and their guests in adhering to these rules. These rules shall remain in force until changed or amended upon recommendation by the HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

### **A. Definitions of Terms**

For the following HVL POA Traffic and Vehicle Operation Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ Golf Cart Vehicle (GCV) – A four-wheeled motorized vehicle originally designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty (20) MPH. This does not include ATV or utility vehicles.

### **L. Golf Cart Vehicle Rules**

- 1) A Golf Cart Vehicle (GCV) shall be registered annually by the vehicle owner (an HVL resident and/or property owner in good standing) at the HVL POA office. The registration sticker shall be attached and visible on the left rear bumper of the GCV.
- 2) At the time of registration, the vehicle owner shall provide proof of insurance coverage of the GCV.
- 3) To operate a GCV on streets, roadways and parking areas within HVL, the driver shall be at least fifteen (15) years of age and carry a valid driver's license or HVL POA identification card.
- 4) When operating a GCV on HVL streets and roadways, the driver must pull over if one or more vehicles are closely following it. The driver must pull over far enough off of the street or roadway so that the following vehicle(s) may safely pass before the GCV proceeds.

There was much discussion and the following comments were made.

- Why are the rules necessary and who is driving the change. The answer was that there have been several complaints about golf carts.
- The rules are not meant to get rid of carts.
- It seems we are making unnecessary rules.
- One resident would like the age limit set at 16.
- The question was asked how we know a golf cart goes 20 miles an hour. The answer was the manufacturer makes them that way.
- The insurance policy must specifically cover the cart.

**John Fruin made a motion to postpone action until next meeting. Karen Shell seconded. Passed unanimously.**

Mr. Sypniewski asked for a decision on the question, "can the committee put a sign on the wall entering the community". By consensus the boards answer was no.

**Old Business: None**

**New Business: None**

**Adjournment: Motion made by Karen Shell and seconded by Bill Blantz. Unanimously passed. Meeting adjourned at 8:45 PM**