

Hidden Valley Lake

Property Owners Association

Board of Directors Meeting

March 25, 2010

APPROVED

Board of Directors Present: Robert Starks, Karen Shell, Donna Lask, Jeff Fuell and Bill Blantz

Board of Directors Absent:

Community Manager Present: Bruce Keller

President Robert Starks called the March 25, 2010 Board of Directors Meeting to order at 7:01 p.m. The meeting began with the Pledge of Allegiance.

President's Report: Robert Starks

Thank you for joining us and please remember to turn off your cell phones.

I am very sad to report that our beloved Edith Mackey has passed away. Edith is the little lady who always came to our annual meetings with a warm heart and a big smile to report for the home makers club. Please remember Edith in your prayers. As many of you know Emmy Myers is recuperating and doing very well. Emmy is very thankful for all of the flowers, cards and letters. We hope to see Emmy back to her old self in the near future.

Please remember to exercise your right to vote. Our HVL POA election will close at our annual meeting on April 17th. So please remember to make your choice and return your ballot to the POA. Also on May 4th, we will be voting for the primary elections. These elections are very important to our community. Please mark your calendar for May 4th and be sure to vote.

Thank you,
Bob Starks

Treasurer's Report: Donna Lask

February income was \$188,818 which is \$12,615 better than budget. Penalties assessed for late payments were responsible for this increase as they were \$12,997 greater than budgeted but this is a factor of how the budget was spread by month and will average out over the year. The Fitness Center and Pool/Beach expenses were greater than budget due to repairs exceeding budget by \$1414. The Lakes department exceeded budget due to \$2300 for a fish study that was budgeted for October but paid for in March to obtain a discount. Sand and salt purchases of \$28,152 caused Streets and Parks to be over budget by \$13,361. However Security and General expenses were under budget so that total expenses were better than budget by \$4739 and net income was \$17,355 better than budget.

Secretary's Report: Jeff Fuell

Motion to approve the February 25, 2010 POA Board of Directors Meeting Minutes.

Motion made by Donna Lask and seconded by Bill Blantz. Motion passed unanimously.

Community Manager's Report: Bruce Keller

The Annual Meeting is scheduled for April 17, 2010 at 1:00 with lunch being served at noon.

I am in receipt of a letter from President George W. Bush and President Bill Clinton thanking us for the gift to the Clinton-Bush Haiti Fund. Thank you to the staff and Civic Club members who collected at the front gate.

I also want to make sure everyone votes in the Board of Directors election and the County elections in May.

COMMITTEE REPORTS

Streets & Drainage Committee Report: John Getzendanner

No report.

Safety, Security & Elections Committee Report: Larry Rohling

Recommend a motion to the POA Board: "That 1) the new definition of Qualified Candidate and the new wording of XI.D.2 be accepted and 2) that this set of Election rules be accepted for a second reading with the Definition of "Qualified Resident" being changed to "Qualified Member". (See Attachment A.) Motion to discuss by Jeff Fuell and seconded by Karen Shell. Donna Lask said she will not vote for it because a vendor or contractor of HVL POA should be able to run and just not vote on any issues that would come up involving them. Motion passed with the vote resulting in 3 for Jeff Fuell, Karen Shell and Bill Blantz and 1 against Donna Lask.

Political Action/Future Planning Committee Report: Scott Mitchell

No report.

Parks & Recreation Committee Report: Kathy Wirth

Fitness Center - Membership – 275

Biggest Loser Competitors just had their 10 week weigh in and the group of 29 people have lost over 290 pounds since January.

Wellness Program Offered - Hidden Valley Resident and retired Physical / Health Educator for 32 yrs in Kenton County, KY will be offering his knowledge of nutrition, exercise and healthy living. Due to the limited availability of the Community Room he will be conducting the classes at North Bend United Methodist Church. This is a 6 week program beginning Wednesday April 7, 7:00 pm-8:00 pm. Anyone needing more info or interested in registering should contact Angie Ruberg 812-537-3091x8, aruberg@comcast.net

2) Swim Team sign ups will be April 10, from 10-12 at the Community Center.

3) Playground Project

Last month, we showed pictures of the equipment chosen for the Beach, Pool Area and Paradise Lake playgrounds. The selection has been refined and the order is almost ready to be placed. We also explained last month the need for site preparation at pool (fill/grading/drainage) and beach (retaining wall/drainage), but didn't have all estimates we needed at that time. We have that information for Board now. Estimates have been gathered and even some bids obtained.

We are therefore requesting that already-budgeted funds for 2010 playgrounds and other amenity improvements be reallocated to include: all playground equipment, safety surfacing, freight, installation supervision, site preparation and playground construction.

Unfortunately, the Paradise Lake swing set had to be cut in order to stay within the playground budget. Residents have requested it be restored to plan. Civic Club has generously offered to donate ½ (\$1500) of the \$3000 it would cost, if the POA would make up the difference. This amount includes 2 bay swing set (2 infant, 2 belt swings), wear mats, additional mulch needed to cover use zone, and extra construction cost. Ordering swings at a later date would cost an additional \$1100 for freight.

4) Shelter Project

We are requesting additional 2010 funding for a new steel shelter at the pool and new heavy-duty steel picnic tables for the shelter. We plan to order the picnic tables from Playworld, which means they will be discounted 12% and shipped free with the playground equipment.

Request motion to upgrade Beach, Pool and Paradise Lake playground areas at a cost of \$110,000. Motion made by Jeff Fuell and seconded by Karen Shell. Motion passed unanimously.

Deer Task Force Report:

No report.

Architecture Committee Report: Bill Minnery

No report.

Civic Club Committee Report: Robin Harrison

Upcoming events: Sunday March 28th Easter Egg Hunt, April 10th Yard Sale, April 18th Kidz Bop, April 24th Keep American Beautiful and May 22nd Family Campout.

Lakes Committee Report: Dave Patterson

Request a motion stating that boats can be no wider than what is allowed to be towed on Indiana public roads without special permits or signage. Currently that width is 8 feet, 6 inches. Second reading. Motion made by Bill Blantz and seconded by Karen Shell. Motion passed unanimously.

Nate Long of Aquatic Control gave a very interesting power point presentation. He recommends take as many 10-13 inch bass out of the lake as we can; maintain the “no keep” slot for bass above 13 inch; take all green sunfish out of the lake as they are voracious predators, will compete with bass, will feed on small bass, and out-produce bass; continue to limit redear sunfish catch to 10 daily; add more cover for fish, downed trees are the best, however along the shoreline is dangerous to boaters and need to be moved; and monitor progress in future fish studies.

Finance Committee Report: Jennifer Reuter

Request approval of the 2009 Audit Financials. Motion made by Donna Lask and seconded by Jeff Fuell. Motion passed unanimously.

John Reiniger opened the 3 bids for the wall at the beach which are subject to review.

Casey's Outdoor Solutions \$29,000 - \$16,500

Hafner Landscaping \$24,640 - \$17,100

4/27/2010

Old Business:

Regarding a ballot for utilization of Tax Refund monies, postponed from last month. Donna Lask stated that all the candidates running agree to send out a ballot and we are waiting for exact wording from the Future Planning Committee.

New Business: None**Adjournment: 8:20 pm**

Minutes Prepared by Gloria Weber

Attachment A

The approved version changes the definition of “Qualified Resident” to “Qualified Member”.

XI. Elections Rules

The HVL POA Safety, Security and Elections Committee and the HVL POA Board of Directors have approved the following Elections Rules within Hidden Valley Lake. These rules shall remain in force until changed or amended upon recommendation by the HVL POA Safety, Security and Elections Committee and approved by the HVL Board of Directors.

A. Definitions of Terms

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

- ◆ **Ballot deadline date** – A date specified by the HVL POA Board of Directors as the deadline for receiving all ballots in an annual, special or referendum election.
- ◆ **Counting Team** – HVL members reporting to the Elections Sub-committee for the purpose of tallying HVL POA votes according to the most current Vote Tally Procedure.
- ◆ **Date of election** – The HVL POA Annual meeting in the case of Annual HVL POA Board of Directors’ elections or the specified ballot deadline date for special or referendum elections.
- ◆ **Elections Sub-committee** – A group of HVL members appointed by the Safety, Security and Elections Committee for the purpose of administering all HVL POA elections made up of a Chairperson and Vice chairperson and the Counting Team.
- ◆ **Incumbent HVL POA Board members** – Those Board members who are currently seated and are not running for the office in the current election.

- ◆ **List of Eligible Voters** – A complete list of all HVL POA members entitled to vote in any election, arranged in alphabetical order, with the address of each member.
- ◆ **Member voting rights** – The first party listed on an HVL property deed is given the right to vote in all HVL POA elections.
- ◆ **Open HVL POA Board Positions** – Those positions on the Board that are being filled by the current election.
- ◆ **Qualified candidate** – Any current POA member who meets the following criteria:
 - Is an HVL POA member in good standing.
 - Is not currently an employee of the HVL POA.
 - Is not currently a vendor of the HVL POA unless the selection of that vendor is the only choice available to the HVL POA.
 - Is not currently a contractor engaged by the HVL POA unless the selection of that contractor is the only choice available to the HVL POA.
 - Is a qualified member of HVL.
- ◆ **Qualified member** – Any current HVL member with no outstanding dues, fees or fine payments.
- ◆ **Special or referendum election** – An election conducted by the HVL POA Board of Directors from time to time to help conduct the business of the POA.
- ◆ **Vote Tally Procedure** – A documented process for counting ballots developed and maintained by the HVL POA Safety, Security and Elections Committee.

B. HVL POA Membership and Voting Rights Rules

- 1) Each member in good standing of the HVL POA shall have voting rights in HVL POA Board of Directors' elections, recounts, recalls, and special or referendum elections.

C. HVL POA Safety, Security and Elections Committee Rules

- 1) The HVL POA Safety, Security and Elections Committee shall choose from its membership a Chairperson and Vice-chairperson of the Elections Sub-committee.
- 2) The Chairperson and/or the Vice-Chairperson of the Elections Sub-committee shall be in charge of all elections, recounts, recalls, and special or referendum elections.
- 3) The Elections Sub-committee shall appoint the Counting Team.

D. HVL POA Board of Directors' Elections Rules

- 1) **The HVL POA shall conduct elections in each calendar year for the purpose of electing members of the HVL POA Board of Directors.**
- 2) To be a member of the HVL POA Board, a person must be a qualified candidate.
- 3) The annual elections shall be conducted such that two and three members of HVL POA Board of Directors shall be elected on alternate years. The term for an HVL POA Board of Directors' member is two years.
- 4) Recall elections may be conducted in the event special conditions exist.

- 5) Election recounts may be conducted in the event of the filing of an election protest with the HVL POA Board of Directors.
- 6) If at any time and for whatever reason the HVL POA Board shall not have enough members between elections to fill all available positions, the incumbent HVL POA Board members may fill the open position(s) by appointment. The rule for eligibility by appointment (XI.E.13) shall apply. To qualify for appointment to the HVL POA Board, a person must submit an application to the Board in writing that indicates his or her desire to be a Board member and a list of his or her eligibility, qualifications and credentials.

E. HVL POA Board of Directors' Election Procedures

- 1) A copy of the nomination form for the HVL POA Board of Directors elections and the notice of registration deadline shall be published in two consecutive issues of *The Echoes* prior to the registration deadline.
- 2) Nominations shall be closed and forms received in the HVL POA Office by mid-February. The POA Office will establish that day and time near February 15th. In order to be valid, a current photo and resume of the nominee must accompany the nomination form. The above three items shall be submitted to the HVL POA Office by the candidate in person and not by an agent or representative of the candidate.
- 3) After the nominations are closed, candidate nominations shall be validated at the HVL POA Office to assure that each candidate is qualified to run for election.
- 4) A ballot, ballot return envelope, and candidate resumes shall be mailed to all HVL POA members. All ballots in their signed and sealed ballot return envelope shall be returned by mail or in person to the HVL POA Office by the date of election.
- 5) All ballots returned after the date of election or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- 6) All signed and sealed ballot return envelopes shall be checked against the List of Eligible Voters by POA office personnel. They shall also check for the correct signature (first on the deed) and place them in the locked ballot box. The key to the ballot box shall be kept by the Chairperson of the Elections Committee who shall open the box in the presence of the Counting Team on the date of election.
- 7) On the date of election, the Elections Sub-committee shall open the envelopes and tally the votes according to the most current Vote Tally Procedure.
- 8) Ballots in signed and sealed ballot return envelopes shall be received until twenty (20) minutes after the last candidate's speech during the HVL POA Annual Meeting (date of election). Any ballots received during the HVL POA Annual Meeting shall be validated by the POA Office staff and delivered to the Elections Sub-committee Chairperson to be tallied and added to other ballot totals.
- 9) On completion of the voting tally, the vote summary shall be given directly to the person presiding over the HVL POA Annual Meeting in a sealed envelope. The results shall be

read at the HVL POA Annual Meeting. No results shall be announced by the any member of the Elections Sub-committee prior to this time.

- 10) After the HVL POA Annual Meeting, all ballots with their ballot return envelopes shall be kept in the locked ballot box in the HVL POA office for a period of at least three months.
- 11) At the HVL POA Annual Meeting, the open HVL POA Board positions shall be awarded to the persons receiving the highest number of votes in descending sequence until all the open positions are filled. Should there be a tie in the voting for the last open position; the tie shall be broken by a coin toss conducted by the Chairperson of the Elections Sub-committee with no less than three witnesses present. If the Chairperson of the Elections Sub-committee is not available for the coin toss, another member of the Counting Team may be designated by the incumbent HVL POA Board members to conduct the coin toss.
- 12) If at the end of the nomination period, there is exactly the same number of candidates running in the current election to fill all the open HVL POA Board positions, then an election shall not be required and the candidates running shall fill the open HVL POA Board positions.
- 13) If at the end of the nomination period, there are less than enough candidates running in the current election to fill all the open HVL POA Board positions, then an election shall not be required, the candidates running shall fill open HVL POA Board positions and the sitting HVL POA Board members may fill the open position(s) with the appointment of a qualified candidate(s).. To qualify for appointment to the HVL POA Board, a person must submit an application to the Board in writing that indicates his or her desire to be a Board member and a list of his or her eligibility, qualifications and credentials.

F. Special or Referendum Election Procedures

- 1) A ballot and ballot return envelope shall be mailed to all HVL POA members. All ballots in their signed and sealed ballot return envelopes shall be returned by mail or in person to the HVL POA office by the ballot deadline date (date of election).
- 2) Any ballot returned after the date of election or not returned in a signed and sealed ballot return envelope shall be considered invalid.
- 3) All signed and sealed return envelopes shall be checked against the List of Eligible Voters by POA office personnel. They shall also check for the correct signature (first on the deed) and place them in the locked ballot box. The key to the ballot box shall be kept by the Chairperson of the Elections Committee who shall open the box in the presence of the Counting Team on the date of election.
- 4) On the date of election, the Elections Sub-committee shall, in a closed meeting, open all signed and sealed ballot return envelopes and tally the votes according to the most current Vote Tally Procedure.
- 5) Upon completion of the voting tally, the final totals shall be presented directly to the President of the HVL POA Board in a sealed envelope. No results shall be announced by any member of the Elections Sub-committee prior to this time.

- 6) After the voting results have been presented, all ballots with their ballot return envelopes shall be kept in the locked ballot box in the HVL POA Office for a period of at least three months.

G. Election Results Protest Procedures

- 1) Any HVL POA member in good standing wishing to protest the results of an HVL election may do so by submitting his/her protest in writing to the HVL POA Board of Directors within thirty (30) days after the announcement of the election results.
- 2) A letter written to protest election results must include the name, address, and lot number of the HVL POA member making the protest and the reason for the protest.
- 3) The previously constituted HVL POA Board of Directors shall determine by vote if the protest submitted is valid. A simple majority shall determine the validity of the protest.