

Hidden Valley Lake

Property Owners Association

Board of Directors Meeting

October 27, 2011

APPROVED

Board of Directors Present: Bill Minnery, Bill Acra, Donna Lask, Robert Starks, and Bill Blantz

Board of Directors Absent: None

Community Manager Present: Bruce Keller

President Bill Minnery called the October 27, 2011 Board of Directors Meeting to order at 7:00 p.m. The meeting began with the Pledge of Allegiance.

President's Report: Bill Minnery

No report.

Treasurer's Report: Donna Lask

Net income for the month of September was a loss of \$41,510 which is under budget by \$15,804. This is the first month in 2011 that we have spent more than budgeted and was caused by road repairs \$17,871 over budget. However year to date we are better than budget by \$72,354.

The projection for year end 2011 is that we will beat our budget by \$61,360. At the same time the preliminary budget reveals that we will have no funds available for any capital items other than the baby pool and pool house in 2012. However there are projects that were started this year and have not been completed as we have already spent all of the funds allocated to these projects. Since there will no be funds available in 2012 to complete them I would like to reallocate our positive 2011 budget variance in order to do so.

Request a motion to expend funds for the following items:

Radar equipment	\$4,400
Security cameras	\$2,500
Defibrillators	\$3,000
Lower Beach Shelter	\$12,000
Lifeguard Building	\$6,000
Escrow for Marina Ramp	\$12,000
Crystal Lake Permitting	<u>\$10,000</u>
Total	\$49,900

Monies for the radar, cameras and defibrillators will come from current excess funds from fine collections. Monies for the lower beach shelter, lifeguard building, marina ramp and certification of Crystal Lake Dam will come from savings in the 2011 Budget. Motion made by Donna Lask and seconded by Robert Starks for discussion. After brief discussion motion passed unanimously.

Since we received bids on the shelters previously, I request a motion allowing us to enter a contract with MP builders for the purpose of updating the Lower Beach Shelter and the Lifeguard building for \$18,000. Motion made by Donna Lask and seconded by Robert Starks. Motion passed unanimously.

Secretary's Report: Robert Starks

Motion to approve the September 22, 2011 POA Board of Directors Meeting Minutes. Motion made by Robert Starks and seconded by Bill Blantz. Motion passed unanimously.

Community Manager's Report: Bruce Keller

Request a motion allowing the Community Manager to enter a Contract with the Dearborn Community Foundation and Kroger Computer Consulting in support of Ec015 Network for the Advancement of Broadband Learning Environments Initiative (E.N.A.B.L.E.). The purpose of this contract is to allow access to information which will help in determining our future needs for Broadband and for us to interact with 20 other partners throughout the County. There is no cost. Motion made by Robert Starks and seconded by Donna Lask. Motion passed unanimously.

The county drug dog has bone cancer and must be pulled from commission. I will be asking via the list serve for donations. The cost is \$12,000 trained.

COMMITTEE REPORTS

Parks & Recreation Committee Report: George Lortz

Request the Board of Directors approve a motion to accept the revised Deer Cull Policies for the 2011/2012 culling season as a second and final reading. (Attachment A) and request a motion to approve the revised Deer Cull notification for a second and final reading. (Attachment B) Motion made by Bill Acra and seconded by Bill Blantz to open for discussion. Darryl Howe read a written statement against hunting in HVL. Several other residents spoke in favor and against. Motion passed with vote of 4 in favor: Bill Minnery, Bill Acra, Robert Starks and Bill Blantz and 1 against: Donna Lask.

Pool House Task Force has received bids higher than expected and is meeting with a couple of builders to determine ways to reduce the bids.

Safety, Security & Elections Committee Report: Larry Rohling

As a matter of clarification the Community Safety, Security and Elections would like to request a motion that the following statement be added to the Elections section 11, under the definition of Qualified Candidate. "Is listed on the property deed for HVL property". (First Reading)

I am pulling the motion at this time and waiting on information from our attorney. We will present this motion in the future.

Lakes Committee Report: Dave Patterson

Regarding the No-Wake issue, a vote was taken with 4 in favor of continuing and 5 opposed. The motion failed and therefore the committee will discontinue study of the No-Wake for a half a day per month issue.

There are a few boats removing quite a few fish from the lake each day and the Fish and Game Club will bring back some recommendations for the committee to consider.

The ramp/walkway to the Willie's marina is going to be re-done next year and additional lighting can be installed as part of the project and the upper boat ramp at the Marina will be repaired next year as well.

Judicial Panel: Emmy Myers

Request a motion placing Patrick Sullivan on the Judicial Panel. Motion made by Robert Starks and seconded by Bill Acra. Motion passed unanimously.

Finance Committee Report: John Reiniger

Request a motion approving the September, 2011, financial reports. Motion made by Donna Lask and seconded by Bill Blantz. Motion passed unanimously.

We are withdrawing the rental agreement motion at this time. (Attachment C)

Request a motion that the HVL POA BUDGET PROCESS Rules, Policies and Procedures. (First Reading) (Attachment D) Motion made by Donna Lask and seconded by Bill Blantz to pass as a first reading.

Request a motion approving the HVL POA Capital Expenditures Budgetary Process Event Timeline Guidelines. (Only requires one reading). (Attachment E) Motion made by Donna Lask and seconded by Bill Blantz. Motion passed unanimously.

Streets and Drainage: John Getzendanner II

No report.

Architecture Committee Report: Bill Minnery

Approval of Performance Bond Returns for October:

Lot 242	William Thompson	711 Hickory Road	\$500.00
Lot 1672	Greg Nelson	1187 Montclair Ct.	\$500.00
Lot 3235	Marilyn Weigel	1071 Hartford Circle	\$500.00

All three signed by Rick Manion, Floyd Ogden, Donald Yetzer, John Getzendanner II

Motion to approve by Robert Starks and seconded by Bill Blantz. Motion passed unanimously.

Future Planning/Political Action Committee Report: Scott Mitchell

No report.

Old Business: None

New Business: None

Motion to adjourn by Bill Blantz and seconded by Robert Starks. Motion passed unanimously.

Adjournment: 8:05 pm

Minutes Prepared by Gloria Weber

Minutes published in this paper are abbreviated and a full account can be heard online at

www.hiddenvalleylakepoa.com

Any attachments can be viewed online at www.hiddenvalleylakepoa.com

Attachment A

Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules

The following Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Rules have been created for the specific purpose of defining how and when deer shall be culled within Hidden Valley Lake (HVL) Subdivision during times certified only by the HVL POA Board of Directors. During the certified culling times, an **HVL POA Deer Culling Tag** shall be issued to approved hunters for the express purpose of granting them 1) permission to discharge a bow-type weapon within HVL, 2) to harvest deer within HVL and 3) to hunt only in approved culling zones within HVL.

I. Culling Zones

- A) All community property within HVL may potentially be designated as an approved culling zone.
- B) All culling zones shall be approved by the HVL POA Community Manager and the locations shall be documented at the HVL POA Office. Any person desiring information about the locations of these culling zones may obtain that information from the HVL POA Web site or from the HVL POA Office.
- C) Private property may be used to extend the size of a culling zone provided the property owner gives written permission by signing a **Property Owner's Waiver**.
 - 1) The property owner shall be provided the names of the hunters assigned to use the approved culling zone that includes their property.
 - 2) Any private property approved for the use of extending the size of a culling zone shall be adjacent to community property within HVL.
 - 3) More than one hunter may be assigned a single culling zone and/or a single hunter may be assigned more than one culling zone.

II. Deer Culling Applications

- A) An **HVL POA Deer Culling Permit Application** shall be submitted in person to the HVL POA Office. Incomplete applications, late or faxed applications and duplicate applications shall not be accepted.
- B) Applicants must be twenty-one (21) years old or older and first priority for qualification shall be given to HVL POA members in good standing. Hunters between the ages of eighteen (18) and twenty (20) may apply to the HVL POA Community Manager for special consideration.

III. Hunter's Qualifications

- A) Each licensed hunter candidate shall participate in and pass an **HVL POA Archery Proficiency Test**. To qualify, the candidate shall place four (4) out of five (5) arrows in an eight (8) inch circle with the equipment the applicant plans to use during the HVL deer culling season. The distance for the **HVL POA Archery Proficiency Test** shall be twenty (20) yards. Candidates shall be allowed two (2) opportunities to qualify. The proficiency test shall be supervised by the HVL POA Community Manager on a date to be announced.

- B) Each hunter submitting an application shall show proof that he/she has successfully completed a State of Indiana or federally-approved **Hunter Safety Education Course**.
- C) The HVL POA shall issue an **HVL POA Deer Culling Tag** to qualified hunters that shall be worn visibly displayed at all times when hunting.

IV. Harvested Animal Procedures

- A) Qualified hunters shall record all harvested animals at a State of Indiana Check-in Station and shall submit a separate **HVL POA Deer Cull Report** to the HVL POA Office.
- B) In the event that a disabled or killed deer is located on unapproved private property, the following procedure shall be followed:
 - 1) The hunter shall immediately notify the POA Office (if open) or the HVL POA Deputies by phone before entering the private property and attempting to remove the deer.
 - 2) An HVL POA Deputy shall be dispatched to notify the private property owner and shall request that the hunter be allowed to remove the deer from the property.
 - 3) Upon successfully notifying and gaining permission from the property owner, the hunter shall enter the property and, under the deputy's supervision, shall properly remove the deer.
 - 4) In the event that the private property owner cannot be successfully notified, the hunter shall be authorized by the HVL POA Deputy to enter the private property and, under the deputy's supervision, shall properly remove the deer.
 - 5) In the event that the property owner is successfully notified and refuses to give permission to allow the deer to be removed from the property, the responsibility of disposing of the deer shall lie with the property owner.

V. Culling Dates

Culling dates and times shall be determined by the HVL POA Board of Directors each year as needed. The dates shall generally fall within the Indiana Department of Natural Resources' (INDR) hunting season subject to any extension granted by obtaining a special IDNR Fish and Wildlife Permit to extend the cull season or request certain exceptions to the standard IDNR requirements for bow hunting. Should that permit be applied for and granted, the HVL POA shall notify all persons involved in the HVL Deer Management Program of the new Culling Date Schedule and/or Deer Culling Program Rules changes.

VI. Rules and Regulations

- A) Each qualified hunter shall attend a mandatory **Orientation Meeting** conducted prior to the start of the HVL deer culling season. The meeting will cover HVL POA Deer Culling Program Rules, reporting instructions, hunter etiquette and hunting zone assignments. During the meeting, a **Hunter's Liability Waiver** shall be signed by each qualified hunter in attendance and the original copies shall be filed with the POA Office.
- B) Upon assignment of qualified culling zones, all hunters assigned culling zones that include private property shall collect a signed **Property Owner's Waiver** from the property owner(s) involved. The

original copy of each signed **Property Owner's Waiver** shall be filed with the POA Office and a copy of the appropriate form shall be carried by the hunter at all times when hunting.

- C) Hunters shall hunt at all times from a surface elevated from the deer.
- D) Hunters shall only hunt within their assigned culling zone(s).
- E) A hunter physically located on private property shall only shoot in the direction of an approved culling zone.
- F) Hunters are encouraged to communicate with other hunters in adjacent zones before selecting a stand site in their culling zone.
- G) All hunters shall use a safety belt or rope while occupying a tree stand. Tree stand locations are subject to approval by the Community Manager.
- H) All tree stands shall be removed after the culling season is completed.
- I) Hunters shall be provided with the phone number of a food pantry that can be notified if they determine that they do not want the deer meat that they harvest. If the hunter chooses to donate the deer meat, the HVL POA shall reimburse the hunter for the cost of the Indiana State Deer Tag.
- J) Field dressing will only occur in approved areas. After field dressing a deer, the hunter shall remove the carcass and the other remains from the area. The bagged remains will be disposed of in an area designated by the HVL POA Community Manager. [process of notifying Deputy/Community Manager to ensure area was properly cleared]
- K) All deer culling counts and deer gender quantities shall be determined yearly by the HVL POA Board of Directors.
- L) Still-hunting, defined as the continuous movement of a hunter through an animal's environment, shall not be allowed.
- M) The use of decoys shall not be allowed.
- N) No harvested deer shall be openly displayed anywhere within HVL.
- O) All arrows used in an HVL POA Deer Cull shall be clearly marked with the hunter's HVL POA-assigned Deer Culling Permit number.
- P) Should a hunter need to access an assigned culling zone outside of the approved culling times, the hunter shall first notify the HVL deputies.
- Q) In addition to the Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules, all State of Indiana DNR Hunting Rules apply.
- R) The HVL POA Board of Directors and/or the HVL POA Community Manager reserve the right to suspend or cancel all deer culling privileges within HVL at any time and certain violations of the Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules may be subject to POA fines of up to \$1000.00.

Attachment B

Hidden Valley Lake Property Owners Association Board of Directors Deer Culling Program Recommendation 2011/2012 Season

As part of its Deer Management Program, The Hidden Valley Lake Property Owners Association (HVL POA) Board of Directors shall review the status of the deer herd population within the Hidden Valley Lake Subdivision (HVL) each year and shall determine the necessity of conducting a deer cull.

The following information is part of the HVL POA decision-making criteria:

- 1) The Indiana Department of Natural Resources (IDNR) recommends a deer herd population of approximately twenty (20) deer per square mile.
- 2) HVL consists of approximately 2.45 square miles, resulting in a recommended deer herd of approximately 50 deer.
- 3) The IDNR estimates that a deer herd population grows between 1.2 and 1.8 times during a year, for an average growth rate of approximately 150% during a year.
- 4) During a fly-over paid for by the HVL POA and conducted in March 2011, there were 174 deer counted within HVL.
- 5) Applying the IDNR's 150% estimated deer herd population growth rate, it is estimated that the size of the deer herd population within HVL to be 260 (174*150%) in the late fall of 2011.

In consideration of the protection of HVL natural resources and the safety of its residents, the HVL POA Board of Directors approves that:

- 1) A deer cull shall be conducted within HVL during the 2011/2012 Indiana hunting season.
- 2) The deer cull shall be conducted under the strict guidelines of the published Hidden Valley Lake Property Owners Association Deer Management Bow Hunting, Deer Culling Program Rules.
- 3) The deer cull shall be conducted during the Late Archery Season hunting season as defined by the INDR, but shall initially be limited to December 3 through December 23, 2011.
- 4) The HVL POA shall apply for a special INDR Fish and Wildlife Permit to extend the culling season if necessary to achieve the target number of deer or to request certain exceptions to the standard bow hunting regulations during the 2011-2012 season.
- 5) The target number of deer to be culled during the 2011-2012 season shall be between 125 and 150.
- 6) No antlered deer shall be taken during the 2011-2012 cull season

Attachment C

RENTER AMENITIES AGREEMENT

Tenant(s) name, address, lot number and telephone number.

Names of Individuals Currently in Household

Address

Lot No.

Telephone Number

The undersigned will agree to the following by signing below.

I/We understand that as a Renter we are required to pay a \$300.00 Renter Amenities fee in order to use the following amenities:

1. Swimming Pool
2. Lake Usage (including the Beach)
3. Registration of a Boat for an additional fee.
4. Dock Rental when available and only on a yearly basis for an additional fee. (Docks will only be offered when Property Owners waiting list has been exhausted).
5. Fitness Center when you enter a membership agreement for an additional fee.
6. Use of shelters and community room for an additional fee.

The Renter Amenities fee is due on the date this agreement is signed and on or before each anniversary date thereafter. This fee is non-refundable.

I/We will provide a proof of address by providing a license or utility bill indicating that I/We live in Hidden Valley.

I/We will inform the POA of any changes in the above information.

I/We have been advised that the Renter is responsible for all assessments, fines or charges in connection with their actions in Hidden Valley, but that in the case of a default the POA property owner will be held responsible for all assessments, fines or charges assessed in connection with the above lot(s).

I/We understand that as Renters we have no voting rights and cannot hold a Board of Directors position.

I/We understand that the category renter includes those persons who are renting or leasing a residence and/or leasing a residence or property with an option to buy in Hidden Valley Lake.

I/We have read and understand the Articles of Incorporation and the handbook as established by the Hidden Valley Lake Property Owners Association and I will comply with the directives therein.

I/We also understand that only those persons that can be proven to reside at the rental address will be authorized to receive ID cards.

Renters name as displayed on Lease

Date (This is your annual renewal date)

Attachment D

HVL POA BUDGET PROCESS

Rules, Policies and Procedures

A. Definition of Terms

For the following HVL POA Financial rules, policies and procedure, unless the context otherwise indicates when used in conjunction with the term, the definition of the following terms apply:

1. **Cash Reserves** – Represents two months of operating expenses to be set aside for emergencies; review annually.
2. **Escrow Fund** - Funds allocated for significant **capital projects, capital improvements or maintenance expenditures** identified at time of contribution.
3. **Operating Budget** - Revenues minus expenses without depreciation, a non-cash item, showing a net profit/cash flow total.
4. **Capital Budget** - A prioritized list of community project requests over \$2,000 each.
5. **Balanced Budget- Operating budget minus debt service and capital expenditures equals a positive cash flow. Capital expenditures include the required contribution to the escrow fund plus capital expenditures for items not covered by the escrow fund. Funds distributed from the escrow funds do not affect the Balanced Budget status.**

B. Rules

1. Any capital project over 15% of the POA annual budgeted revenues needs prior approval of property owners. See D.7 for the procedure for approval.
2. The Budgets must be approved by the Board of Directors and be balanced as defined above.

C. Policies

1. ~~In general, distributions from escrow funds are approved when the capital budget is approved.~~ **Capital projects approved in the current budget year and escrowed over several years need only one Board approval for completion of project and distribution of funds. Any additional distributions from Escrow funds which were not approved through the annual Capital Budget must be approved in a separate motion that clearly indicates that the source of funds is the Escrow account.**
2. Escrow funds may be used only for a **capital designated** item for which funding was intended. Any unused escrow funds for completed or cancelled projects can be allocated for future capital projects or returned to the operating budget at the annual escrow review or by special vote of the Board of Directors.

3. If cash reserves fall below two months operating expenses, funds must be allocated to the cash reserves at the next annual budget meeting.

D. Procedures

1. It is the responsibility of the Community Manager to develop a balanced operating budget to submit for approval to the finance committee at their November meeting and to the Board of Directors for their approval at their November board meeting. The Community Manager is to coordinate this with the committees and POA staff.
2. It is also the responsibility of the Community Manager to develop a capital budget within the parameters of funds available from the operating budget and escrow funds to submit for approval to the Finance Committee at their November meeting and to the Board of Directors for approval at their November meeting.
3. The Finance Committee will review and suggest adjustments to the operating and capital budget including a review of current escrow fund requirements and contributions required from the operating budget and any reimbursement due to replenish the cash reserves back to two months operating expenses.
4. A capital projects meeting will be held in October with Committee Chairs, Board of Directors, the Community Manager and his staff and any interested parties, to review and prioritize capital projects. Prior to the meeting the Community Manager will notify meeting attendees of an estimated amount available for capital items to be included in the budget. Priorities will be discussed and requests for use of the escrow funds to be distributed in the budget year as prioritized will be reviewed.
5. A meeting will be held in early November with Committee Chairs, Board of Directors, the Community Manager and his necessary staff and any interested parties to review the operating budget.
6. The Board of Directors will approve the operating and capital budget, including distribution of escrow funds for the coming year, at their November meeting.
7. The process for property owner approval shall be conducted in a manner similar to electing a HVL POA Board member.
 - a. Ballots will be prepared and sent to all property owners in good standing.
 - b. Forms shall be mailed back to the HVL POA office within 30 days of receipt by the property owner.
 - c. Ballots will remain sealed until opened by the Elections Committee.
 - d. A simple majority of ballots will determine the outcome.
 - e. Elections Committee Chairman will report results to the HVL POA Board of Directors.

Attachment E

HVL POA Capital Expenditures Budgetary Process Event Timeline Guidelines

The yearly HVL POA budgetary process for capital expenditures starts each January and culminates with the Annual Budget Meeting usually conducted in November.

It is recommended by the POA Finance Committee that each POA Committee, with projects requiring capital expenditures, follow the budgetary timeline of events listed below.

It should be noted, any capital expenditure project exceeding 15% of the POA annual budgeted revenues requires prior approval of the property owners.

These timelines are subject to change depending upon the duration / timing of the project.

January -February

Committee, in conjunction with the Community Manager, will create timeline for each individual project to be completed within the current year. This timeline will include dates for the following:

1. **Create RFQ:** Committee will review the capital budget costs allocated for the project and start work on the creation of POA RFQ's necessary to select the appropriate vendors. RFQ's are necessary for all capital expenditures exceeding \$10,000.
2. **Completed RFQ:** Working with the POA Community Manager, the Committee will create the wording for the current year's RFQ's and release them to the appropriate vendors/contractors.
3. **Bid Opening:** Bids will be opened at an open meeting and are reviewed by the Committee and all necessary parties.
4. **Capital Project Request Form Revision:** Committee will revise the Capital Project Request Form for the project and submit it to the Community Manager and the Finance Committee.
5. **Motion to accept changes:** If necessary, the Committee will prepare motion recommendations for the Board of Directors (BOD) for any changes required to the project's capital budget costs.
6. **Board of Directors bid selection:** Board will select winning bids from RFQ responses.
7. **Update 5 Year Plan:** Should it be necessary, the Committee will report all required changes to the Future Planning & Political Action Committee (FP&PA) for the purpose of updating the Five-Year Capital Expenditures Plan. The updated plan along with the required changes should also be forwarded to each Committee.

March - April -May

1. Committees will identify projects planned for the future year's budget.

June – July - August

1. Committees will report projects for the following year's budgetary request to the FP&PA Committee. Preliminary cost estimates for the following year's projects should be provided at this time. Committee will work with Community Manager who will be the vendor contact for these estimates.

September

1. Community Manager will finalize the cost estimates for the following year's projects and report estimates to the appropriate Committees. Committee will submit Capital Project Request Form to FP&PA Committee as well as the Finance Committee.

2. Committee will prioritize projects for the following year's budget request.
3. The FP&PA Committee shall provide the annual update to the Five-Year Plan to all Committees and the BOD.

October

1. The FP&PA Committee shall conduct the Capital Expenditures Pre-Budget Meeting for the purpose of prioritizing the following year's capital budget requests from all Committees and create a final consolidated list for the Annual Budget Meeting.

November

1. The BOD shall conduct an open meeting to review the Annual Budget.
2. The Finance Committee shall present the following year's budget request to the HVL POA Board of Directors for final approval.