

Christmas Lake Village
Board of Directors Monthly Meeting
August 8, 2013

Meeting called to order at 6:00 PM. A quorum was present. All Board members present except Fred Kanzler & Bruce Tesch.

Owners Forum – Owners were asked to keep their conversation to about 5 minutes

1. John Bowen – 455 S. Winter Lane – Asked Board for response on items he presented at July’s meeting; Don reported that the dog people have been contacted and Monty Hall has been talked to several times. Don and Chris looked at the road and don’t believe the damage was caused by builder; the road will be assessed next year for repairs.
2. Larry Loucka – Balthazar Dr. – Asked why the main gate is not painted white; Don [Don] responded that the color of the gate is not high on the Board’s priority list, but they will look into it.
3. Les **Bank**¹ with Bankers Life & Casualty from Huntingburg - asked permission to conduct an educational seminar for CLV residents on Obamacare and effect on Medicare. Board suggested he contact a group of seniors that meet on a regular basis at the Community Center; the Board will discuss the request.

3. Charles Peter 422 S Blitzen – Asked for help with the severe turkey buzzard problem. He said they are coming in to roost now. DNR has visited the site and said dead trees need to be removed to control roosting/problem and sent the property manager a package with ideas on control and equipment to install. Chris spoke with DNR and USDA. CLV can apply for a permit to kill protected birds, but first must show that CLV has “done your homework” to deter the birds in non-lethal methods. A 2012 CLV permit allowed shooting only 17. CLV must first must remove roosting trees (dead trees) and second need to shoot blanks during roosting time. It was determined that lot owners need to remove dead trees or CLV will remove them and charge owners for the cost of removal.

Reading of Minutes

Annual minutes: Don explained that the annual meeting minutes are not approved until the following annual meeting, so they are not in as much of a rush to finish these.

July Minutes: Amy asked if minutes should list directors present; Don responded that this was not a requirement under Roberts Rules of Order and that absent members are listed.

Amy – sent Board an email that they need to list who makes motions and how each member voted for the historical record; she will not approve minutes until they are done properly. At July meeting she stated her disgust over the basketball court, but that was

¹ Need to confirm name

not included in the minutes; she requested that her statement be included. Don – per Robert’s Rules, the minutes only need to list a vote if it is a roll call vote.

Amy made a motion to approve minutes with proper Board member votes added and for her basketball court statement to be included; Martin [?] seconded, and it passed with one abstention by Kendell as he was not present at that meeting.

Treasurer report:

No report. Due to the early meeting date, the bank would not have the statements completed until Tuesday and the accountants could not have the report ready by the meeting time (2 days); two reports will be made at the September meeting.

Delinquency report:

Past years assessments collected in July: \$1602.77

This year’s assessments collected in July \$29, 433.19

Manager’s report:

1. Dirt relocation is about $\frac{3}{4}$ finished and is being done in house. The contractor bids were not good for CLV. Relocation should be complete within 3to 4 weeks, weather permitting. Any resident that shows up with a truck to take dirt is permitted.
2. Kasper Gate low power FM transmitter has been installed to broadcast information from main gate marquis. It will be updated every other week and the frequency will change to not interfere with Louisville stations: will post new frequency on the website and with temporary signs at gate when completed.
3. Stickers of Vehicles – 2000 stickers were purchased in 2013, but only 200 were distributed (1800 wasted). Chris posed the questions: should we continue buying stickers at cost of \$1500 – 2000 each year when so few residents are using them? A 2012 motion passed making stickers optional. Perhaps only order 200 in 2014? Make stickers mandatory?; Rationale: properly registered vehicles make it easier to patrol.
4. Soliciting for new gate attendants and a full-time maintenance position; losing summer guards soon; 3 quit in last several weeks (Jeremy Morgan & Sandra).
5. Yard sale –70 registered.
6. Turkey Vulture Update – reported during member forum.
7. Water Treatment facility – There was a discussion about CLV acquiring the vacant building; a tour (arranged through Wayne Utley/ Chris George) for Board members and interested residents will be set up to inspect and determine if CLV should pursue ownership of the building.
8. Split payments are now 30 days past due (August 15); office is getting word out that gate privileges will be suspended that date if not paid in full.
9. Krauskopf property has until Aug 11 to complete exterior work; currently they owe \$900 in fines; they increase on the 11th to \$600 per month; completion will be close.
10. CLV real estate reports: Eight houses were sold and two vacant lots; two homes were re-rented in July.
11. There is a set of plans for board to review after meeting.

ACTION ITEMS

1. The Board discussed the Classified Ad section of the CLV website. It is up & running, but there are no listings pending approval of rules. Amy asked for clarification on Real Estate ads (can run for 6 months); does that apply to “for sale by owner” or by realtors? She noted that some residents are also realtors. Don responded: ads are intended for owners living elsewhere that need to sell vacant lots; ads are “for sale by owner” only. Susan expressed concerns over statement that pictures can be emailed and that Chris may have to create web pages to put in pictures. Chris will not encourage owners to submit pictures as new software makes pictures very difficult to post unless exact photo specs are followed. Susan suggested seller can email information and Chris can insert link.

Amy made a motion to accept the rules with correction of real estate for “sale by owner” only and to delete “email pictures” on second page, and keep the pet phrase. Kendell seconded. Discussion: Susan wants more time to modify it to make it work right; 4 yes; 2 opposed (Jayson and Susan). **Motion passed.**

2. The Board discussed allowing Les **Bank**² of Bankers Life to conduct a meeting on CLV premises. There was consensus that CLV does not need to be involved and will direct him to the Community Center for his event

3. The Board discussed Registration Stickers. The property manager would like all vehicles registered properly as stickers aid gate personnel to identify residents and helps the property manager identify resident vehicles when patrolling. Susan stated that even if stickers are mandatory, some residents will refuse to put any sticker on their vehicle. Many Board members (and much of the audience) were not unaware that CLV still had stickers. Chris stated that the 2013 stickers were “unreadable” and we need to change the design if stickers are going to be kept. CLV denies stickers to delinquent property owners, but cannot deny access through gate. The stickers were ordered out of a Parks & Recreation catalogue and take approximately 30 days to receive. The Board sent the issue back to the Rules & Regulations committee to email recommendations to the Board and present findings at the September or October meeting.

4. The Board discussed the Turkey Vulture problem— Chris would like to begin soliciting property owners to remove dead trees or CLV have CLV remove them and charge the owners for the removal work. Shooting of blanks (12 gauge shells) needs Board approval as it is considered fireworks/ pyrotechnics; shooting must be done during the evening roost time to be effective. CLV needs to include pictures of roosting turkeys in a letter to affected owners. Owners with vulture problems need to contact the office. Susan expressed concern about giving everyone carte blanche to shoot blanks. It was agreed that the Board only allows Chris permission to supervise or shoot in the village. **Amy made a motion** to allow Chris to discharge blanks for the turkey vulture abatement and continue looking into sending notices to property owners; Kendell?³ Seconded; **The motion passed unanimously.**

² Need to confirm name

³ Could not recognize voice of second

Further discussion: Estimated cost: Blank shells \$20; 25 shells per box. If shooting of blanks is unsuccessful, Chris will come back to board for permission to apply for a kill permit.

5. The Board discussed the old water plant. Mark is attempting to obtain permission from Wayne Utley/ Chris George to tour the facility and allow board and residents to see what we may be getting if CLV acquires the building.

6. The Board discussed the Krauskopf home and the lengthy construction period. Don inspected the property and reported: the columns were up, fascia work was still needed. The owner has until the 11th to complete. The question was raised: Is the exterior near enough to completion or does the Board need to assess the \$600 penalty and the \$30,000 performance bond? Amy reported she spoke with the owner and reported that the exterior should be done by the end of week, but if it is not completed, the Board needs to follow rules and increase the fine. Completion means all exterior work needs to be done, i.e lawn knocked down, seeded and strawed, and the dumpster removed. The Board informed the owner of a potential fine increase at the July meeting. The performance bond purpose is to turn the site back to a pre-construction condition, but the Board does not anticipate that ever needing to happen so there is no need for a bond. The immediate question focused on increasing the fine. The Board generally agreed that the owner is making a good faith effort and has until Monday the 12th (the 11th is on a Sunday) to complete exterior work. At that point, Chris will have someone do a walk-through with the owner on Monday, August 12th (Chris will be in Alaska).

Old Business

1. Susan asked the Board where they want to go regarding the “floating dock” on lot 6-128. The chair is off the dock, but it is not legal unless the “dock” were turned back into a boat. However the owner insists that he had permission from a previous Board for the current dock configuration. Susan expressed a concern that she doesn’t want to make demands to the owner unless the Board will back her up. The past president said she had no memory of approving the current configuration and there is no record of approving such a dock as the lot owner claims. The Board needs to give a deadline or CLV removes the structure and charges the lot owner for the removal work. There was a discussion of the consequences of an ultimatum if there was a lack of ability on the Board’s part to physically remove the structure; there was further concern about the fiscal consequences of responding to a lawsuit if one were filed. It was agreed that when the dock is removed, the rebar buried in the lake needed to be removed as well. However, no approval is needed for a raft; it was only when the structure became attached did it transition into an illegal dock. Don will email a letter next week to the Board for approval prior to mailing it to the lot owner.

2. Susan reported on the progress of the Architectural Committee. She brought vinyl siding samples for the Board to examine. Only one builder attended the Architectural Committee meeting. There are now many concrete building products that need to be reviewed for suitability in the Village. CLV needs to determine what construction activity needs to have a building permit, etc. The Committee recommended that no aluminum

siding is permitted. The Committee recommended allowing only vinyl certified by the Vinyl Siding Institute be permitted. That certification includes parameters for pigment, gauge, etc.; (pigment includes mildew resistance). The Committee agrees recommending changing rules on vinyl now, and continue review of other materials. Susan has concerns that brick does not sufficiently insulate—it has no R-value vs. siding which does a better insulation job.

Don asked for a committee recommendation on vinyl only for the Board to review and to discuss at the September meeting. Other issues were tabled until the September meeting.

3. Mark discussed the need for a part-time office assistant. **Mark made a motion** to hire a part-time employee to assist the office manager and property manager and take board minutes (4 hrs/ 5 days/ 10 – 2 & Board meetings); Susan seconded the motion. Discussion: Kendell will take minutes at special meetings. Kendell noted that there is no money in this year’s budget unless there is a programmed position vacancy. Don stated that we need to find the money to hire the position by October because CLV is vulnerable with no administrative staffing back up. [Amy?] said that there was a need to cap the salary. Also: the position should include expected time spent on mass mailings/projects. Amy stated she will vote no unless the salary is capped at \$9.00 per hour. The motion was amended to include a salary maximum of \$11 per hour for no more than 20 hours per week, plus 2 – 3 hours to attend Board meeting. The position would reports to Chris with the same job description that Julie has. **Vote: 4 Yes; 2 Opposed (Amy & Brian) The motion passed.**

4. Lake Survey update – Kendell submitted a Memorandum to the Board and recommended developing a formal contract with Purdue University (Fisheries Subdepartment, American Fisheries Society club) to conduct lake ecosystem and fisheries work. CLV will be required to provide fish stocking history within two weeks, reimburse expenses for gas for boats and student travel to and from CLV, lab processing fees, etc., provide lodging for the student team, and donate less than \$1500 to the American Fisheries Society. The commercial proposals Bruce presented at the July meeting were \$12,400 per lake. Kendall suggested CLV may be also be able to hire fisheries students for summer lake patrol. CLV establishes project goals for Purdue to execute. The study results will give us lake management recommendations. Purdue will furnish a formal project proposal within 30 days and a student team could arrive within two weeks of CLV’s acceptance. Kendell was instructed by the Board to inquire about liability coverage for students.

5. Mark reported on the acoustic dampening project for the rec center and passed around samples of acoustic dampening tiles. They were half-size samples of “boxes”. The first phase would require 16 2’ by 2’ boxes at a cost of \$2500 installed. Mark recommended that the company has the appropriate expertise and believed this will be enough to improve the rec center acoustics to meet Board satisfaction. If not, phase 2 will be an option. Amy asked if there were any guarantees. The acceptable level of improvement will be determined by Board opinion. Amy asked “with their expertise they can’t tell us if it will work?” and asked if there was a color choice. **Mark made a motion** to approve

the purchase of the first phase contingent on Bruce confirming the funding, and the project did not exceed \$2500 (the current estimate totaled \$2324). Susan seconded. **The motion was approved unanimously.**

6. Amy addressed owner Larry Louka's letter to the Board (entered during the July meeting). Amy felt that, as she was specifically mentioned in the letter, she needed to respond. It was a lengthy discussion and is paraphrased here: 1.) Letter asked for her resignation stating "Consistency, Transparency & Fairness - he has seen little of these qualities in the last two years"; Amy responded that she has said "no" to several people she didn't want to, but had to; Fairness - she allowed everyone to speak at meetings, turned no one down; 2.) Reserve funds - Board spent money, but the last treasurer wasn't good at letting the Board know what money they had; 3.) Rec center - was board decision; was over budget, but not all on her; 4.) Gas Tanks - yes, I understand that resulted from faith put in the last property manager; she was not president and did not sign for gas tanks (Lee Powell signed); Amy asked Chris to research and report at September meeting of any over-expenditure during her tenure; 4.) Did not allow resident involvement in village events - she opened up events for resident help; asked members to submit Board proposals; apologized for music fests not making it but had been canceled a few years before; 5.) Cancelling Yard Sale - was choice by board; "Were these events sacrificed to improve state of reserves" - no. 6.) How many years will it take rec center pay for itself? Savings on heating and cooling, but does not have break-even, only trying to improve CLV and "stop the bleeding"; had to add ADA bathrooms - not required but last property manager said it was needed for rental; "CLV is a community, not a business." 7.) Discontinuing key service - house keys stored at the gatehouse for years with changes in ownership, many people had access, did away with practice as safety issue. 8.) Took trees down at main gate - apologized several times, but were never maintained properly over years and had electrical issues; had to do maintenance. 9.) Not supporting a more active election - I couldn't force people to run for board; Jodie tried for months to get people to run for Board; Not on any one Board members' shoulders. 10.) Member's Forum - use to be at start of meeting; choice of President - Don has at start of meeting, she chose at end because issues discussed during meeting answered many questions

Committee reports:

Business Planning: Bruce absent; no report

Nominations and Elections - Brian stated that there was no report

Rules and Regulations - Susan had no report except the Architectural discussion earlier; CLV needs to make changes regarding long-range passes; the price is now \$45.

Bylaws - Susan - no report, but the bylaws need to be looked at.

Parks and Recreation - Kendall reported that the first meeting is scheduled for Aug 15 at 6:30 p.m., at Holly Park. Only two people have shown any interest in the committee and Kendall asked for volunteers to email him at KendellatCLVboard@gmail.com

Covenants and restrictions – Mark said there was no report.

Mark made a motion to adjourn; Seconded by _____?⁴ Vote and time?⁵

Board stayed to review set of plans.

⁴ Could not recognize voice of second.

⁵ No vote taken to adjourn. Time of adjournment not stated – 8:20 by recorder?