

**HVLA Annual Meeting Minutes  
6 June 2016**

**1. Call to Order:** Gerard Daly (Lot 143) called the meeting to order at 7:08 PM

**2. Roll Call:** Gerard Daly conducted a roll call of the HVLA Board:

Board Members:

President	Gerard Daly	PRESENT	Lot 143
Vice President	Thomas O'Loughlin	PRESENT	Lot 4
Secretary	Martin Apprich	PRESENT	Lot 50
Member / SID Liaison	Gene Kloewer	PRESENT	Lot 14
Treasurer	Richard Kuper	PRESENT	Lot 30

Residents: Residents were provided a sign-in roster. See attached roster for a listing of members present. Residents were also presented with Annual Meeting – Rules of Conduct and Procedures. (Attached)

**3. Approval of minutes from last meeting:** Martin Apprich (Lot 50) read a summary of the minutes from the last two HVLA Board Meetings: 28 October 2015 and 26 May 2016.

**4. Reports to the Board:**

**a. Treasurer's Report.** Rich Kuper (Lot 30) presented the Treasurer's report. Rich introduced himself as the newly appointed Treasurer. He stated that he is currently in the process of transitioning into the position and will make every effort to keep residents informed by keeping financial documents current on the website. Russ Zeeb (Lot 20) asked about the line item for Papillion Sanitation – would that item go away since the SID has contracted with Premier Waste Management. Gerard stated that this was a budgeted expense related to the storage area and boat ramp receptacles. This item will go away in future budgets. Tom O'Loughlin (Lot 4) made a motion to accept the budget as written. Martin Apprich (Lot 50) seconded the motion. Motion to accept the budget as presented passed unanimously. Gerard Daly added a report on dues collection. He stated that as of 6 June 2016, \$32,277 has been collected. \$2,605 is in the Social Committee Fund. Gerard stated that he was successful in getting one lien release paid this year – eight year of collection efforts with a \$1,500 payment. There are a few residents that are still not current with their dues, to include some residents that are present at this meeting; Gerard would like to speak to those residents after the meeting.

**b. SID 97 Report.** Gerard Daly asked if there were any members of the SID present that could report on their activities. Dave Barry (Lot 132) and Shelly Zeeb (Lot 20) were present. Dave stated that there are no currently active projects. Dave provided a brief update on routine and ongoing maintenance. David Green (Lot 95) asked the SID members present if there was another way to pay his water bill other than through regular U.S. Mail, i.e electronically. Dave explained ways that arrangements can be made to setup an auto bill-pay. Martin Apprich stated that he still had the SID's shallow water buoy that needs to be placed. He will need assistance in the coming weeks to get it properly placed. Gerard made special recognition of the SID Board for their efforts in improving the community.

## **5. Committee Reports**

**a. The Social Committee.** Gerard Daly presented a report to the Board on upcoming Social Committee activities. There will be a Poker Run on 3 July 16 as will the fireworks display. There will be a flier circulated that will summarize all upcoming 4<sup>th</sup> of July activities. The Annual Luau will be on 27 August 16 at the community beach. All holiday functions for 2015 were conducted and successful. Gene Kloewer (Lot 14) asked that in the flier residents need to be notified regarding the approximate start time of the fireworks display so that they may better inform their guests. Gerard also stated that the Social Committee will be getting caught-up soon with the Welcome bags.

**b. Architectural Committee.** There were no resident projects or actions to be reported to the Architectural Committee. Gene Kloewer reviewed for the residents present the purpose and functions of the Architectural Committee.

**c. Lake Quality Committee.** No business to report.

**d. Safety Committee.** Gerard Daly stated that the Safety Committee needs a new director and members. A short discussion ensued regarding the roles and responsibilities of the Safety Committee. Gerard Daly stated that this information will be posted to the website and that it would likely be changing based on the direction and activities of a new Safety Committee. The HVLA Board members stated that the board has limited authority to take actions against violators. Some discussion ensued about ATV safety. This should be one of many issues that the Safety Committee should investigate and come back to the HVLA Board with recommendations. Don Schense (Lot 112) volunteered to head-up the Safety Committee. John Stiites (Lot 112) opened a discussion on some specific boating safety concerns. He has noticed many passengers on pontoon boats standing, sitting, or riding on the front of pontoon boats that are at risk of falling forward and under the front of the boat – the hazard of being run over underway with little reaction time by the boat operator. He's also observed several boat operators sitting on the top of the seat back and this poses a hazard of the operator falling overboard while a boat is underway. Jeannie Koziol (Lot 118) recommended that the HVLA Board consider purchasing a drone to fly over the coves and look for safety violations. Gerard Daly agreed to look into this.

**e. Fish, Fowl, and Wildlife Committee.** Fish shocking was accomplished. There have no known invasive species incidents in the area. Several residents reported the fishing is excellent on the lake.

**f. Boat Inspection/Stickers.** Tony Davis (Lot 150) introduced himself and reviewed the procedures for getting a watercraft inspected and stickers issued. Tony stated that he does not do the inspections – that must be done by an HVLA Board member. Once the inspection is completed, the HVLA Board member will notify Tony to issue a lot sticker. Gene Kloewer asked Tony if there had been any recent requests for boats longer than eighteen feet. Discussion ensued regarding authorized boat lengths. John Stiites corrected Gene stating that the correct length limitation was 19 feet 6 inches. HVLA Board members further clarified that both lengths were correct. A ski boat may be up to 19 feet and 6 inches, provided it is listed on the AWSA

approved list. Margaret Covi (Lot 31) asked for clarification on who actually inspects the boats if Tony Davis does not. The HVLA Board responded that boat inspection was the responsibility of the HVLA Board members. Bob Wilson (Lot 144) ask the HVLA Board to clarify where the boat stickers are to be displayed. A discussion ensued as to where the stickers are to be displayed. Gene researched the language on the sticker location: Aft, Starboard side of all boats (right, rear). Russ Raszler (lot 96) asked if it could be put to a vote to have the rule changed to state that a sticker needed to be placed on both port and starboard sides of the boat. Shelly Zeeb (Lot 20) recommended that a vote on this item be added to the election ballot already scheduled for distribution. The HVLA Board agreed to discuss this.

**g. Parks and Recreation Committee.** No business to report.

**h. Neighborhood Watch.** Gerard Daly stated the Board is still looking for a volunteer to run the Neighborhood Watch program. Gene Kloewer will also place a notice on Nextdoor.com.

## **6. Open Business:**

**a. Discuss language for changes in covenants.** Gerard Daly opened a discussion on any proposed language changes to the HVLA Covenants or By Laws. Pat Carl (Lot 181) asked if there was going to be an election at this meeting. He stated that the By-Laws (Article 2, Section 5) state that this meeting was to be held for the specific purpose of having an election. Gerard Daly stated that Pat was correct, but clarified that since a quorum was not present, an election at this meeting could not take place. Martin Apprich reviewed the rosters of residents present for the meeting. There were a few residents present at this meeting that were not eligible to vote because their dues were not current. He verified that a quorum was not present. Jeff Stangl (Lot 4 R1) reiterated the statement that Pat Carl made regarding the purpose of this meeting under Article 2, Section 5 of the By-Laws. Gerard Daly stated that he had consulted with the HVLA-retained attorney and the stated election procedure by mail-in ballot was authorized. Jeff Stangl reiterated his concern about the conduct of the election, as well as raising concerns about getting copies of minutes, copies of the Treasurer's report (budget) which he states he hasn't seen one for five or six years, as well as waiting over a year to get a boat sticker. Because of these concerns, he has not paid his HVLA Dues for two years. He stated that he requested a boat sticker over a year ago for his boat with no response – so he didn't pay his dues; he also requested a boat sticker for his Waverunner and when he got no response, he didn't pay his dues for a second year. He had made arrangements with Troy Fluckey (Lot 116) to obtain copies of the budget; afterwhich he would make current payment on his dues – and then Troy resigned. Jeff then inquired as to why there was a \$17,000 line item on the budget. Gerard Daly stated that the past HVLA Budgets have been posted to the HVLA website for the past five years. He stated he had difficulty accessing the website and when he finally did get access he stated that the "actual numbers" were not there. Gerard asked for clarification as to what he means by "actual numbers." Jeff stated that the "final numbers are not there." He clarified by stating "What you wanted to spend was there" but wanted an explanation as to what a "\$17,000 carryover" is going to be used for. Jeff also stated that the dues amount has been going up. He also stated "I want to pay my dues, but I am not going to pay them to this board." Jeff also stated that he was going to post all of his issues to Nextdoor.com because that is the website that the Board should be using, and not paying for a website. He stated that nobody can get on the

website. Pat Carl resumed his discussion regarding the rules and By-Laws. He stated that the HVLA Board doesn't even follow the By-Laws that are published. Jeff Stangl interrupted again to raise an issue about HVLA Board minutes not being posted to the website. He stated that there hadn't been any posted in the last 10 years. Gerard Daly and Martin Apprich were able to access the website during his statement and noted that there were thirty (30) documents posted with the earliest in 2008 and the latest 9 July 2015. The only HVLA Board Minutes that had not been posted to date were the ones approved by the board at this meeting. Jeff continued that the residents are not being informed on the day-to-day activities of the board and they should be updated on a Monthly basis. Gerard stated that there is no requirement in the By-Laws that states this is a requirement. Jeff then opened an entirely new issue up for discussion, the water level, without being recognized by the HVLA Board President. Gerard Daly attempted to regain control of a disruptive meeting. (many side discussions occurring and statements and questions being addressed simultaneously to the Board – rendering the recorded discussion almost unintelligible) Gerard referred Jeff to the Rules of Procedure handed-out prior to the meeting.

Shelly Zeeb (Lot 20) asked if the HVLA Board Meeting Minutes will be posted to Nextdoor.com. Gene Kloewer stated that they will be posted to the HVLA Website. A notice will then be posted in Nextdoor.com.

Pat Carl again reiterated his main concern and that was the purpose of this Annual Meeting was to conduct an election. Gerard Daly again stated the position of the HVLA Board and the opinion of the retained attorney that a mail-in ballot process was a valid means to conduct an election, given that a quorum was not physically present at the Annual Meeting. Gerard and Gene will provide a written recommendation to be posted to the website and Nextdoor.com. Jeff Stangl again interrupted the floor discussion between Pat Carl's issue for discussion and the HVLA Board. Gerard Daly stated that he was out-of-order, but he continued his interruption.

Russ Zeeb (Lot 20) was recognized by the HVLA Board to speak. He stated that it was apparent that an election was not going to occur tonight. He stated that an election committee should be appointed and that they should produce the ballots, distribute them, collect them, and report the counted results to the HVLA Board. Gerard Daly stated that this was exactly what the HVLA Board has planned to do. Gerard Daly asked Tom Strigenz (Lot 5) to chair an election committee. Tom Strigenz agreed to do so.

**b. Community Beach Conditions.** Gerard Daly updated the Board and residents on the current condition of the Community Beach. Gerard stated that he was waiting for the water level to drop in order to have better conditions for a contractor to improve the conditions and grading of the beach. Bruce Raymond will be doing the work once the conditions improve.

**c. Invasive Species and Zebra Mussels.** Gerard Daly provided an update on the migration of Zebra mussels. Discussion ensued regarding zebra mussels and the importance of access controls and boat inspections.

**d. Lake Water Level.** John Stiites raised the issue about water level. Residents are losing beach and seawalls are being damaged. Gerard stated that he had investigated the use of large gauge water pumps to reduce the overall water level of the lake. He consulted with Grunwald Mechanical Contractors and Engineers about the use of pumps. This is a topic that will require extensive and professional and may involve legal and ecological considerations as

pumping water from a private lake into a government-maintained river (NRD or Corps of Engineers) might present a problem. Discussion ensued regarding lake water levels.

**e. Boat Storage concerns with many trailers not having lot stickers.** Gerard Daly opened a discussion on the current condition of the boat storage lot. He stated that the main purpose of the lot was to store boat trailers. Martin Apprich visited the lot last week and noticed several trailers that were not authorized, i.e. campers, cargo trailers. Gene Kloewer stated that he will form a committee to study the condition of the lot and notify trailer owners regarding the types of authorized trailers and the sticker requirements in order to be in the lot. Additionally, trash and unauthorized item (furniture, etc) would need to be removed. Additionally, volunteers would need to move trailers around to more efficiently utilize the storage space.

## **7. New Business.**

**a. HVLA Directories.** Tom Strigenz introduced a discussion item regarding the production of HVLA Directories. Discussion ensued regarding production of the directories. The online directory (electronic version) will be updated as changes occur. The printed directory will be printed and distributed every two years.

**b. HVLA Board Elections.** There was much discussion about the conduct of elections – previously addressed in the minutes. Gerard stated that ballots would be prepared in about two weeks and then distributed. Currently, only two candidates will be on the ballot per nomination instructions that stated nominations closed on 30 April 2016 for the one board vacancy: Lynn Schense (Lot 112) and Martin Apprich (Lot 50). Jeannie Koziol (Lot 118) raised a concern regarding the composition of the election committee. Gene and Gerard stated that Tom Strigenz will chair a committee with a number of volunteers to oversee the balloting process.

**c. Annual Meeting Location.** Russ Zeeb recommended that the Annual Meeting location be changed. Gerard stated that the Gun Club overbooked use of the facility; the Board was just notified today that another event was taking place in the same room. The HVLA Board will investigate other venues such as the High School or the Sarpy County Sheriff's Office conference area.

**d. Budget Questions.** Jeff Stangl again raised the question regarding the planned use of the \$17,000. Gerard Daly tried to explain to him that the HVLA Board considered a joint project with the SID to construct a pavilion. This was discussed extensively at Board Meetings as well as the Annual Meeting. Through the course of the year, the plan fell through as the SID was not in a position to provide funding assistance on what was planned as a partnered project. The money was budgeted, but was not used. The HVLA Board is still in the process of deciding what additional projects can be done.

**e. Water Levels Discussion.** Jeff Stangl again raised a concern regarding the board's authority to raise the level. His assertion is that the HVLA Board did not have the authority to change the water level marks. Discussion ensued. All agreed that further study is needed in order to make an informed decision. Tom O'Loughlin stated that the HVLA Board did not act alone on this issue. The HVLA Board coordinated its decisions with the SID and the SID's engineers.

**8. Other Business.** No other business was raised.

**9. Motion to Adjourn was made at 9:12.** A notice to Board Members regarding the next scheduled HVLA Board Meeting will be announced following research stated above is completed.

OFFICIAL:

A handwritten signature in black ink, appearing to read 'M. Apprich', written over a printed name and title.

MARTIN R. APPRICH  
Secretary

Encls

- 1- Annual Meeting – RULES OF CONDUCT AND PROCEDURES
- 2-HVLA Annual Meeting Attendance Roster – 6 June 2016
- 3-HVLA Budget – 2015-2016