

## Hidden Valley Property Owners Association

### September 2, 2023 Board Meeting

Board Members in Attendance: Ed Davis, Judy Leeds, David Smith, Bill & Gail McDonnell, Mercedes Tyler, Tom Rooney, David Sharp, Ted Sayce, Kathy Sousa, Scott Ducharme, and Kate Wilson

The list of members in attendance is attached to this email.

Meeting Started at 10:01am. Board President Judy Leeds welcomed everyone and thanked them for attending. She reminded the Board to limit reports and discussion to 10 minutes to keep the meeting precise and focused with the goal of keeping the meeting to 2 hours.

The meeting began with an email from property owner Paul Frisbee with an update on the new build construction taking place at 41 Valley Road.

- Environmental Report
  - Environmental Chair David O'Brien was not able to attend in person or virtually. The environmental report will be provided as soon as it is available.
- Recreation Report provided by Gail and Bill McDonnell
  - Annual Picnic – The picnic went off extremely well and was attended by approximately 130 – 140 people. Everyone seemed to enjoy themselves and both children and adults alike had a lot of fun participating in the games. \$2,500 was budgeted for the picnic, but only \$2,000 was spent. All volunteers, both before and after the picnic, were very much appreciated. A special thank you goes out to volunteers including:
    - Bill and Linda Worthen
    - Tom and Joyce Rooney
    - Bob and Eileen Druchniak
    - Gerry and Helen Wilson

- Ken Sousa
- Mark and Joanne Zwicker
- Geoff Blackett
- Joanne Crowe
- Ted Sayce
- Pam, Marcus, and Ben Wilcox
- Carol Earle
- Joe Heuston
- Cynthia Tufts
- Tom Mac Phail
- Stanley and Martha Shimkus
- Ed Laroque and Hannah Marston
- Judy and Bruce Leeds
- Mike Kuehn and Emma Silen
- Bill, Carol, and Julie Follansbee
- Peter and Kim Kilcommons
- Steve and Leslie Lyons

- Second Beach Railing

The railing is finally completed. It took longer than expected due to all the rain and the steepness of the hill. I have had a lot of positive comments and people are very thankful the board approved the railing.

- Please be on the lookout

Flowers have been stolen three different times this summer from our planters and gardens around Hidden Valley. 14 plants had to be replaced at a cost of about \$80.

Additionally, there have been 2 incidents of vandalism at the marina. The pins that hold the marina together are being removed and thrown into the lake causing the marina to split in half. Jake Dawson replaced 24 pins so far this year. This damage to the marina cost over \$1,000.

Both incidents have been reported to the Tuftonboro police and a report has been put on file.

Question: Is the railing going to be painted? Yes, it has been painted silver to match the existing railing on second beach.

Question: Is Michael Connolly, who is doing the installation of the second beach railing, moving now that the railing is complete? He has 3 more jobs in Hidden Valley and that is probably why he hasn't moved. Gail suggested she would speak with Michael about moving.

Question: Is it legal to park there? There is no specific parking sign at the overlook. But too many cars there could be a problem for emergency or other service vehicles.

Question: Is there an issue with no parking being available by the overlook? No, there haven't been any complaints.

Question: Have we considered putting up a security camera in response to the vandalism at the marina? Yes, a camera at the marina has been considered.

Question: A question was asked about the speed of boats on the pond as there were 2 at the marina last year with 40 horsepower motors. It is understood that boats should be limited to a 10 horsepower motor maximum. In 2005, pontoon boats were allowed on the pond at headway speed. Seemingly more boats with larger motors are coming into the pond. How can we stick more to the rules?

Gail has emailed one particular owner of these rules and was told that he is working on replacing his motor, but hasn't replaced it just yet. There was another incident with a pontoon boat earlier in the summer that drove between the two docks at first beach. The boats from the boys camp do have permission to go fast enough for water skiing. If issues continue, NH fish and game can be called. If violations are observed, the permit can be rescinded.

Question: Did we resolve the problem with the second beach raft? The parts were ordered and were received and reinstalled. The first beach raft has not been fixed yet, it will be fixed after the season ends.

**A reminder to HVPOA members that the rules for pontoons include headway speed and 150ft rule.** Boat rules for HVPOA can be found here in the [HVPOA Rules and Regulations](#).

- Roads Report provided by Ted Sayce
  - We've had a wet summer and the rain has affected the roads, but thankfully HV roads are not as bad as town roads.
  - There were 3 plugged culverts that were cleaned and opened up.
  - Ditches on Bishops Gate Road need gravel replaced. In 2004 the linear foot gravel was replaced so that water can flow over which keeps the road from crumbling
  - One tree on Bishops Gate that the owner asked to have looked at will be addressed
  - General maintenance – Grass cutting is done monthly, ditch lines need to be cleaned out, brush clean up and tree cutting and pruning to be done in the Fall.
  - Aspen Dr to be paved soon, Digsafe is aware
  - There is a water leak on 53 Hidden Valley Drive – The water company was notified, they found the leak and it was repaired. The roads are observed daily to keep an eye open for additional leaks.
  - New construction – Some owners are following the rules, some are not. Rules have been drafted in regards to roads, utilities and construction. It is being observed that construction work is not sticking to the 8-5 rules. The town also mandates:
    - Driveways to have a culvert
    - A porta potty on site
    - Silk fencing

Construction vehicles should be parked on the construction site as roads are narrow.

- Erosion – every property has water erosion and silt is the cause.

Ed Davis: Board of Directors sets the guide for common areas. Personal property is governed by the town and the state. Issues should be reported to them. The Board of Directors can't tell owners what to do about their own private property.

David Sharp: Disagrees with Ed's statements and thinks Ted's rules should address and be limited to the common areas with some updated language. Additionally, he believes that local laws would overrule Hidden Valley rules for personal property.

Judy Leeds: In an effort to keep things moving, a committee will work on the new rules based on Ted's initial draft and a revised document will be presented to the board members electronically.

Mark Evitts: Agreed with Ted's plans to revise the rules. Drains are filled with silt because of diverted rain. The Board should be empowered to set these new rules. People seem to be doing whatever they want but should be following basic construction principles.

- Treasurer Report by David Sharp

David noted that he sent the Board of Directors two documents: financial statements for our fiscal year ending June 30, 2023, and results for the first 2 months of the current fiscal year. Those documents are also attached to this email.

Winter projects that have been budgeted for include the Aspen Road project, Plowing, and the Raft/ Marina removal.

There is one property owner that currently owes \$5,300. The house is about to go into foreclosure but it is the owners responsibility to pay the debt. Do we invest in legal action?

D. Sharp: If they don't pay what they owe, we can take them to small claims court but in the past we have written it off. It might be worth walking away

from any further action as the legal fees would be greater than what's owed. The Board voted and decided to walk away from this and write it off.

There are 3 new legal filings for unpaid dues: 1 is existing, 2 are new. We are also converting to Quickbooks online soon. Another reminder will be sent out for the remaining \$30,000 of dues to be paid.

- Old Business by Judy Leeds
  - AEDs – In speaking with our insurance agent, having an AED on the beaches would be covered under a General Liability, but only if we comply with the requirements that the policy holder requests. According to Ted there are a number of requirements we would need to meet in order to have the AED as well. With a number of uncertainties, it was decided that an AED would present too much risk and that we would pass on further discussions on this topic. However, Gail and Kate volunteered to look into other options for emergency outreach while on the beach with WiFi on the beach being one option presented.
  
- New Business by Judy Leeds
  - Damage to common areas  
There was an extensive discussion about damage to common areas. Some common area tree damage was evaluated by a licensed arborist and it was reported that the damage was due to erosion and silt run off due to excavation. Ted presented his evaluation and said that the trees would need to come down but that the stumps will need to remain to maintain the banking. It would cost \$1,000 to remove the trees, which has not been budgeted for, but could be handled by Ted. Further discussion was had about how to work through these issues with the property owner.
  
  - Nominations/Board Vote to fill empty board seat  
Our current by laws require us to have a minimum of 7 and a maximum of 15 Board Members. With 14 members at the time of this meeting, the Board of Directors decided by

majority to have a vote for a 15th member. New members would serve for the term through June 2024. Mercedes Tyler nominated Tom MacPhail, and Tom Rooney nominated Ed Larocque. However, Tom M. decided to withdraw his nomination in disagreement of the vote taking place stating that he objects the board's attempt to elect a new board member which he feels is in violation of the by-laws which state that all directors are elected to the board by HVPOA members at the annual meeting. Judy then reiterated that the Board reviewed the by-laws and decided to move forward with the vote. In addition, she announced that the Board of Directors will take on the task of thoroughly reviewing the by-laws as well as develop a procedure for voting at the annual meeting for the Board of Directors. It was agreed that the by-laws, which were last approved back in 2004, need to change with the times and should address the current needs of Hidden Valley.

In response, Tom M. also requested further evaluation of Bill and Gail McDonnell that they rightly hold two board seats despite paying the dues of a single membership suggesting that this too violates the by-laws which clearly state that each membership in good standing gets one vote.

Judy then proceeded to say that one of the Board's goals for this year will be to create a subcommittee, who will proceed with the task of creating a new nomination/voting process which will be presented for review at the Spring 2024 Board Meeting. To wrap up the meeting, the vote was held for Ed Larocque to the Board of Directors. With 12 Yes votes, and 1 No vote, Ed was appointed to the Hidden Valley Board of Directors.

At 12:09 the meeting adjourned.