



FALLING WATERS H.O.A, INC

Minutes of Membership Meeting held November 6, 2014

6:30 p.m. at the Cross of Christ Lutheran Church

Meeting called to order at 6:35 p.m. by Don Plumb

Board Members Present: Don Plumb, Mark Langbehn, Sherri Cullom, Craig Paden and Deb Mann, also present our legal representative Mr. Ted Fitzgerald.

APPROVAL OF MINUTES:

Don made a motion for the minutes of the last membership meeting held in March 2014 to be accepted as written, Craig seconded the motion, vote taken: all in favor, none opposed-motion carried.

NEW RESIDENTS:

Deb introduced new residents to the neighborhood; John & Marcia Early, Dave & Amy Hinkle, and recognized new neighbors not present: Kevin & Kirsten Napierala, Ed & Kara Kulchar, Mike & Emalee Satoski, Tony & Mary Harlow, Joseph & Stephanie Trendowski, and future new neighbor Christine McKinney.

LEGAL REPORT:

Ted Fitzgerald explained that he had contacted the attorney for the Conservancy District to indicate support from the HOA advancing the action of the "363sale", resulting from the bankruptcy of the developer. He also reported that his firm had been very successful in collections of back dues and fines due to Covenant violations.. Helped us to establish a reader friendly version of the Covenants for residents to actually be able to understand, which is now posted on the website.

TREASURER'S REPORT:

Craig explained the financial reports distributed earlier in the month, citing our largest expenditures in road maintenance and snow removal. Overhead projector helped to explain each category, and the need for increased dues. Craig stated that the delinquent dues owed the subdivision amounted to 9%. Craig asked for questions from the floor, regarding any items on the proposed budget for 2015. A resident questioned the big jump from 2014 to 2015 for legal services. It was explained that we have obtained a new legal advisor, specializing in Home Owners Associations, and that the costs incurred have brought in more revenue than we have ever been able to collect before with the prior legal advisor. In addition to aid us in collections and legal advice, Ted explained that their function is to help the Board on a daily basis if needed, to ultimately maintain the property values in our neighborhood. Another resident inquired on the delinquent amounts owed. Ted explained that we did in fact have liens on properties, in hopes that we could recover the funds before bankruptcy. In some instances people come out of bankruptcy and eventually can pay back dues. Getting on top of these situations is of utmost importance, and not to let them accumulate before liens being filed, as was the prior practice.

Falling Waters HOA Board Members

President
Don Plumb

dPlumb@PlumbTuckett.com

Vice President
Mark Langbehn

MarkLangbehn@yahoo.com

Asst. Vice President
Sherri Cullom

SherriCullom@gmail.com

Secretary
Deb Mann

fdlMann@Comcast.net

Treasurer
Craig Paden

CraigPaden@Comcast.net



Craig explained our largest expenses will continue to be the maintenance of our roads. The other items that have increased are electrical, garbage pick-up, and of course snow removal. Regretfully the board has decided that we must increase the dues for Homeowners from \$700.00 to \$800.00 dollars per year, and lot owners from \$400.00 to \$430.00 per year, in order to keep on top of maintaining this subdivision. A resident brought up the fact that if it were not for volunteers within the development who donate their time and effort to mow the common areas, our dues would in fact have to be much higher than they are. A resident asked what special projects may be in the works with the additional funds collected. Craig explained that our lighting at the gatehouse is extremely inefficient but we have not had any funds for improvement, and that is probably the first priority. Our cameras for security can barely make out images with the poor lighting. A resident has an idea to submit to the board for a way in which to generate some revenue for the subdivision. All comments or ideas are always welcomed! Other issues are present that may require funds for special projects. The sinking curb and asphalt must be addressed. More televising may be needed to determine the exact cause for the sinking. This issue is evident in other areas as well. Further determination is needed before we proceed with repairs. Don Plumb explained how lack of proper compaction during the development of the area has been widely known. A resident questioned if it were his responsibility at this time to have the line from his home out to the sewer televised to determine if therein lies a problem. Don mentioned that it is the homeowner's duty to maintain the line between the home out to the sewer line, but the responsibility of the repair after that point is a question perhaps for the attorney of the Conservancy District. Don gave Keough Plumbing as a resource for the scoping.

Craig made a motion to approve the 2015 Budget as presented, mark seconded; vote taken-all in favor none opposed-motion carried.

NEW BUSINESS/OPEN FORUM:

A resident asked if we could have the snow removal service implement the orange stakes/flags on the curbs of the subdivision. Mark will contact Tom Holley and request them.

A resident asked if the "Frost Law" which was implemented last year was in effect. Mark explained that it is on the site plan checklist for every builder upon new construction that they may not have the heavy equipment here during that time. We have copied the County's policy on this issue.

Ted Fitzgerald urged all residents to attend the meeting on Wednesday, November 12, 2014 at the Porter County Government Center at 155 Indiana Ave. In Valparaiso: for a hearing on the re-zoning of the 16 acre plot of land directly across from our entrance to Falling Waters. The new owners have requested a change in status from an R-2 to an R-4 zoning. Ted explained that this is not good for our development. This could mean a "high density" development. With all the issues currently on that side of the street with the other small track of homes with flooding, water pressure, etc., the original R-2 zoning for single family homes is all that should ever be put there. The current R-2 zoning has many more restrictions. The area is currently under Twin lakes Utility. They have submitted a plan for development, however if they decide to change their minds, or sell to another developer, with an R4 zoning, it could easily be changed to 3-floor residences with zero lot lines, much more traffic, in addition to lowering all of our property values. Ted had a petition available for all residents to sign to present to the Porter County Commissioner in objection to this move. Another resident asked if he could take a petition to others who were not at the meeting, he was told yes, and to just return it to the mailbox up by the gatehouse and we will retrieve

Falling Waters HOA Board Members

President
Don Plumb

dPlumb@PlumbTuckett.com

Vice President
Mark Langbehn

MarkLangbehn@yahoo.com

Asst. Vice President
Sherri Cullom

SherriCullom@gmail.com

Secretary
Deb Mann

fdlMann@Comcast.net

Treasurer
Craig Paden

CraigPaden@Comcast.net



it and bring it to the meeting. Many Lakes of the Four Seasons residents are also against this move and will also be in attendance. A resident asked if it was an easy process to change a zoning. Ted said that no it is not easily done, however if no one is there to object such a move, it has a much better chance. So, all residents were urged to attend, we should only have one or two people to speak for the whole community, but with a backing of several residents, we have a much better chance of being heard.

Another resident expressed concern to the speeding of automobiles and total disregard to the stop signs in the neighborhood. This activity has been witnessed by many, and all present feel the need to do something about this issue. Speed bumps were discussed to be installed in the spring, as a deterrent to speeding. Mark will have a price for the speed bumps and installation for the Spring Meeting. Another option was presented of lighted solar-powered stop signs to be installed. Ted brought up the idea of having an off-duty Porter County Sheriff drive in the subdivision perhaps one day each week and issue tickets to the offenders. That is not in our budget right now, but it may be possible in the future.

Mark wanted to publicly thank everyone who comes out on the “Clean-up” days and give their time and effort to make our neighborhood beautiful.

A resident asked about the status of the Receiver’s report on the “363” sale. Ted explained that he thought that the court had ordered it to take place, however he was corrected by a member of the conservancy District, that it had not in fact been ordered, but were still in the process of doing so.

Craig mentioned that the invoices for the 2015 dues would be sent out around Thanksgiving time, and since we are raising the dues this year we will not only include the discount for paying early (by December 10, 2014) we will increase the discount to \$20.00. So if you pay your dues in full by December 10, 2014 you will only have to pay \$780.00. The discount does not apply to persons who pay in two installments.

Craig made a motion to adjourn the meeting, Mark seconded; vote taken all in favor none opposed motion carried.

Falling Waters HOA Board Members

President
Don Plumb

dPlumb@PlumbTuckett.com

Vice President
Mark Langbehn

MarkLangbehn@yahoo.com

Asst. Vice President
Sherri Cullom

SherriCullom@gmail.com

Secretary
Deb Mann

rfdMann@Comcast.net

Treasurer
Craig Paden

CraigPaden@Comcast.net