

# POLICY and PROCEDURES

## LEASE ASSOCIATION DOCKS

### 2021

#### **BACKGROUND:**

1. Policy and Procedures to Lease Association Docks to Association Member are established in accordance with ILPOA Rules and Regulations, SECTION 2, BOATS; Paragraph D, BOAT/TRAILER PARKING at ASSOCIATION DOCKS and LAUNCHING AREAS; Item D.6, Lease of Association Docks.
2. In accordance with the above Rule and Regulation the Board of Directors (BOD) shall establish the Lottery System and all necessary Policies and Procedures for the Lease of Association Docks. Basic concepts that the BOD must establish are as follows:
  - a. No more than seventy-five (75) percent of available dock spaces shall be leased (52 Total).
  - b. Procedures and deadlines for Members to submit their name and choice of Dock/Slip that they desire to lease.
  - c. Date of the lottery drawing.
  - d. Lottery System and Procedures will be sent through email.
  - e. The Dock Lease fee for the year that the Docks are to be leased. (*NOTE- The fee to lease an Association Dock shall be the same as what the local Marina at Indian Hills charges per the Rules and Regulations which is \$400.00 for 2021.*)
  - f. Dock leasing shall be for a one-year (1) period commencing on 1 Apr of the calendar year, and terminating on 31 Mar of the following calendar year.

#### **LOTTERY PROCEDURES for ASSOCIATION MEMBERS TO LEASE ASSOCIATION DOCK/SLIPS:**

1. **DOCK LAYOUTS-** The dock Layouts and Dock/Slips available to be leased will be published on the ILPOA website ([www.ilpoa.org](http://www.ilpoa.org)) for each cove that has Association Docks. This is in order for Members to decide which Cove and Dock Slip that they might desire to lease based on their individual ranking in the Lottery. The Dock Layouts and Dock/Slips are also available at the Office for members to pick up.
2. **LOTTERY APPLICATION FORM-** By the 11<sup>th</sup> (Thursday) of March 2021 the Members shall fill out the Boat Dock Lottery Application Form available on the ILPOA website ([www.ilpoa.org](http://www.ilpoa.org)) or at the Office in order to be eligible for the lottery. Only those Members who are in Good Standing in accordance with the By-Laws, Article II, Section 1 Members will be allowed to submit an Application Form. Also, only one Form per Association Member in accordance with the By-Laws; Article II Members, Section 2 Voting Rights, will be accepted and if a member submits more than one Form they shall be disqualified for consideration in the lottery for that year.

- 3. SUBMISSION DEADLINE-** Along with this Application Form the Member shall submit a check made out to ILPOA in the amount required to lease the Dock/Slip as shown on the Application Form. This form along with their check shall either be mailed to the ILPOA Office at **17 Indian Hills Drive, Cuba MO 65453** or delivered in person to the Office no later than 4:00pm to the Office Administrator (s) by the 11<sup>th</sup> of March 2021. Forms arriving at the Office after the 11<sup>th</sup> of March will not be included in the lottery but can make their selection following completion of the lottery. Also, failure to include a valid check in the proper amount with the Application Form will invalidate their application to be considered in the lottery for that year. All checks received will be deposited upon receipt.
- 4. NUMERICAL RANKING OF DOCKS-** This form contains all FIFTY-TWO (52) Dock/Slips available for lease and the Members **should** assign a Dock/Slip **Numerical Ranking** for **ALL** of the Dock/Slips available for lease. This Dock/Slip **Numerical Ranking** should indicate the order of preference that they wish to lease a Dock/Slip with the number One (1) being their first preference and the number FIFTY-TWO (52) being their very last preference. Failure to assign a **Numerical Ranking to ALL** of the Dock/Slips could very well result that when their name is pulled and is assigned a Lottery Number that if they did not rank all the Dock/Slips then there might not be any Dock/Slips available to them at that time. *Example: Member only ranks ten (10) Dock/Slips on the form. The Member's name is pulled as the eleventh lottery number but the ten (10) Dock/Slips that the Member ranked have all been won by other Members prior to their name being assigned a lottery number. Since the Member's lottery number is eleven (11) but they did not select an eleventh Dock/Slip on the form they have eliminated themselves from consideration for any other Dock/Slip spaces for the Lottery.*
- 5. LOTTERY DRAWING DATE-** The lottery drawing for the Dock/Slips will be conducted by the BOD at a Special Meeting to be held at 9:00am on the 13<sup>th</sup> (Saturday) of March 2021 at the Community Hall. Two Officers of the Board and one other Board Member shall oversee the meeting and note the ranking of the Member's name as they are pulled. An Association Member selected at random by the Officers will actually pull the members name not a Board Member. Regardless of the number of Dock/Slips available to lease all the names submitted by the deadline specified in paragraph 2 above will be pulled and assigned a lottery number. *Example: If Fifty (50) Member names have been submitted then there will be Fifty (50) numbers assigned to the Members names.*
- 6. MEMBERS PARTICIPATION IN THE LOTTERY-** Association Members are encouraged to be at this Special Meeting but do not need to be present for the lottery drawing. However, they need to understand that they should be prepared to accept the Dock/Slip assigned to them by their lottery ranking and their Dock/Slip **Numerical Ranking** contained on the Application Form they submitted once notified of their lottery number ranking and the Dock/Slip assigned to them.

- 7. ASSIGNMENT OF DOCK/SLIPS-** At this meeting the Board Officers will assign the Dock/Slips to the Members based on their lottery number and their Dock/Slip **Numerical Ranking** and this information will be entered into the Dock/Slip Lottery Register maintained by the Board Secretary. Once the drawing has been completed and the members are ranked from One (1) to FIFTY-TWO (52) based on the lottery then the Board Secretary will begin to make telephone calls to the Members to inform them of their Dock/Slip assignment and that the Lease Agreement will be e-mailed to them shortly for their signature. In order for this Lease Agreement to be valid the Member must have paid their current years Association Dues and Assessment, signed the lease and returned to the office no later than 4:00pm on the 30<sup>th</sup> (Tuesday) of March 2021 in order for the Member to be qualified to lease a Dock/Slip.
- 8. NOTIFICATION TO WINNERS-** When called and notified of their Dock/Slip assignment the Member has Twenty-Four (24) hours to accept or reject the Dock/Slip assigned to them. If the Member decides not to lease this slip then that Dock/Slip will be made available to the Member(s) whose name was drawn and assigned a lottery number but there was no Dock/Slip available to lease at that time. The Board Secretary will make an entry in the Dock/Slip Lottery Register of the fact that the Member decided not to accept the Dock/Slip assigned to them based on the lottery. *Example: Member whose lottery number was twenty (20) decides not to lease the Dock/Slip assigned to them based on their Dock/Slip **Numerical Ranking**. Then the next Member Fifty-Two (52) eligible to lease a Dock/Slip is notified of the availability of this Dock/Slip and that Member has Twenty-Four (24) hours to inform the Board Secretary that they either accept or decline to lease that Dock/Slip. If that Member declines the Dock/Slip made available to them then the next Member in numerical lottery ranking is offered that Dock/Slip. This goes on until that Dock/Slip is leased. Those members who turned down a Dock/Slip will no longer be eligible for consideration to lease a Dock/Slip for that year unless there are excess Docks/Slips still available for Lease.*
- 9. DEADLINE TO RETURN LEASE AGREEMENT FORM-** Failure to return the signed Lease Agreement by 4:00pm on the 30<sup>th</sup> of March 2021 will void their Lottery Ranking and the Member will not be eligible for any other Dock/Slips available for lease for that year unless there are excess Dock/Slips to lease. Then the Member(s) whose name was drawn and assigned a lottery number but did not receive a Dock/Slip at that name was drawn and assigned a lottery number but did not receive a Dock/Slip at that time will be eligible to lease this Dock/Slip. *Example: Member whose lottery number was Twenty (20) decides not to lease the slip. Then the next Member Fifty-two (52) eligible to lease a slip is notified of the availability of this Dock/Slip and that Member then has Twenty-Four (24) hours in which to choose to lease that Dock/Slip. If lottery number Fifty-Two (52) turns down this Dock/Slip then Member Fifty-Three (53) is offered this Dock/Slip. This goes on until a Member decides to accept this Dock/Slip. Those members who turned down a Dock/Slip will no longer be eligible for*

*consideration to lease a Dock/Slip for that year unless there are excess Docks/Slips still available for Lease.*

- 10. WINNER' S RESPONSIBILITIES-** Once a Member has signed the Lease Agreement for the Dock/Slip won in accordance with the lottery drawing they must use that Dock/Slip for their own personal boat registered to them at the Office. No sub lease or transferred of a Dock/Slip shall be allowed and if detected that will be grounds to terminate the signed Lease Agreement and the Member forfeits the money paid to ILPOA to lease that Dock/Slip for that year.
- 11. DURATION OF LEASE-** Upon agreeing and signing the Lease Agreement the Member shall be allowed to dock their Boat in the appropriate Dock/Slip beginning on the 1<sup>st</sup> of April of that calendar year and continuing until 31<sup>st</sup> of March of the following calendar year. Members have to pull boats out of water in October, every 4 years and/or in an emergency.
- 12. RENEWING OF LEASE-** There will be no “renewing” of a Dock/Slip lease for the following calendar year. The Member must submit their name again for the Lottery System as described above with the understanding that they might not be awarded the same Dock/Slip that they had the previous year.
- 13. VACATING DOCK/SLIP-** All Members must vacate the Dock/Slip under lease no later than 31<sup>st</sup> March of that year to be eligible for the next Lottery Drawing.
- 14. FAILURE TO REMOVE BOAT AT END OF LEASE-** Any Member whose lease has expired and has not removed their boat from their assigned Dock/Slip shall be subject to either a \$ 25.00 per day slip fee or considered to be trespassing on Association Property.
- 15. REPAIRS/MODIFICATIONS TO DOCKS-** No Member shall repair, improve or make any modifications to the Association Dock that they are leasing. Any repairs or modifications will be made by Indian Lake Property Owners Association employees.
- 16. DOCK/SLIPS NOT LEASED-** The Board of Directors shall determine the use of any Dock/Slips that are not leased for that year. There will be no “pro-rating” of the lease.

Board of Directors  
2021

Referenced Documents”

2021 Boat Dock Lottery Application

Boat Dock Summary for 2021

Boat Cove Dock Lease Layouts

Indian Lake Property Owners Association (ILPOA) Boat Dock/Slip Lease Agreement

Procedures in the Use of Leased Association Boat Dock Slips.