

**Holiday Lake Owners' Association, Inc.**  
**Board of Directors Meeting**  
**Thursday, September 8, 2011**

President Shannon Hershey called the meeting to order at 6:32 P.M.

**Members in Attendance:** Dee Brown, Shannon Hershey, Dale Howe, William Nagel, Matt Ogan, and Duane Selken were present. Katie Tomlinson was absent.

Dee Brown read the treasurer's report as of August 31, 2011.

Dee Brown read the current bills.

Shannon Hershey reminded everyone to sign in on the attendance sheet.

Shannon Hershey also reminded everyone present that the meeting was being recorded for the sake of documentation.

Shannon Hershey asked that anyone wishing to address the board of directors is to stand up and state his/her name and address for the record.

**Additions to the Agenda:** Communications Received by the Board - A, Don VanVoorhis, report of issued tickets; B, Jeff McMeekin - Dog issue C, Ron Slifet - Dog issue.

**Agenda:** Dee Brown made a motion to accept the agenda as amended, Dale Howe seconded, motion carried by unanimous vote.

**Security:** Bruce Rhoads reported things very quiet this month. There are 276.5 hours left in the contract.

**Hearings:**

**A:** Matt Ryan - Not present.

**B:** Merle McCoy had received a letter informing him that there had been reports of his dog biting others. Merle said the dog is not vicious; he might approach a person, but would want to kiss him. Merle had him trained; the dog is his pet and means a lot to him. When the dog is not with Merle, he is tied up by the porch, which is down the hill from the road and not in sight to others. He had a copy of the shots the dog has received. He dearly loves this dog and does not want to lose him. Merle's son spoke and said he thought the dog was confused when he first came to live at the Lake, he had been a kennel dog, but is a good pet now. Ron Snyder spoke and told of the incident a year ago in which he was bit on the elbow, which required medical attention. He also had seen a young girl in a swim suit who said the dog had attacked her. There was also a young boy who said the dog had bitten him. Vern Gage sent a letter to the Office which Shannon Hershey read. He said the dog had attacked him, bit him on the butt cheek. He had gone to McCoy's house and asked about the shots. Merle said he was sorry about the incidents, that the dog was tied up when the incident with the children occurred. Vicki Hoskey reported an August 12<sup>th</sup> incident in which she was painting her deck and saw the McCoy's dog that scared her son's tied-up dog. The dog approached her in a threatening way, which frightened her. She told the dog to go home three times before he finally did leave. Jim McMeekin stated he didn't think the dog was vicious. He has played with him; Jim thinks the kids mentioned by Ron Snyder over-reacted to the dog's actions. The mother of the two children also stated they had not been bitten. Dee Brown asked Bruce Rhoads if he was familiar with city codes. Bruce answered that it varies from city to city; some require two incidents, some three. Dee Brown also clarified with the Hoskey's that the McCoy dog was actually on the Hoskey property. Dan Hanover added this dog is very fast; even when Merle McCoy says he'll keep him contained, the dog would be a house away by the time anyone caught him. McCoy does not let the dog run loose. Wayne Worthington wondered what the legal issues are in this. Can the Lake be sued? Dee Brown said the Board would have to check with

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the attorney. Dee Brown said this will not be an easy decision for the Board to make, as the safety of the residents of the Lake, as well as Merle McCoy's attachment to this dog, have to be considered. Bruce Rhoads went outside during the meeting to see the dog and reported the dog was calm and friendly to him just then. He added that Marshalltown requires dog owners have insurance policies to cover the dogs' actions. The Board will discuss this after the meeting.

- C:** Diana Wieben - sent an email about the road being raised in front of her garage. This is the oldest house on the Lake and she has always been able to get into her garage. Every year the Association has the road chip and sealed which makes the road higher and now she cannot get her Tahoe into her garage. Duane Selken said lowering the road is too expensive; anything they do to the road would create a water issue for her. She's concerned about the use of her garage and the value of her property going down. She's also concerned if she were to change the slope, she would damage the road and would be expected to repair the road. Duane Selken and Darrin Ehret said they'd look at it and see what kind of solution they could come up with. This matter will be discussed by the Board after the meeting.

**Secretary Report:** Minutes of the August 11, 2011, meeting were previously read by all Board members. Dale Howe made a motion to accept the Secretary Report as written, Duane Selken seconded, motion carried by unanimous vote.

**Treasurer's Report:** Dee Brown made a motion to accept the report as of August 31, 2011, as read, Dale Howe seconded, motion carried by unanimous vote.

**Bills presented for payment:** Dale Howe asked about the bill to Flashing Thunder Fireworks being only \$2,500. It was explained that most of the fee had been paid before the event. Duane Selken made a motion to pay the current bills, William Nagel seconded, motion carried by unanimous vote.

**Maintenance Report:** Darrin Ehret read his report:

This month was spent doing some general maintenance things such as brush-cutting catch basins, mowing ditch banks, servicing the batwing, putting new blades on disc mower, putting out the last of the cold patch, hauling four loads of rock, chipping trees at compost pile and other places, replacing cracked toilet at beach restroom, replacing furnace filters and batteries on the a-c/heater at the community building, and digging a ditch in Unit 5. I rented a Bobcat and sweeper to pick up rock from the edges of the road and spread it out in places that needed it. I built a catch basin at Don's Cove with a 6" drain instead of the 4" drain and moved it onto the Lake's property. I still need to build the berm a little higher and work on the catch basin across the road. I brought in my 300-gallon water tank and flushed the existing tubes to remove any debris. I was able to walk out to the standpipe at unit 4 lot 196-197, dig around the pipe, remove the old fabric and replace it with two layers of new fabric. Hopefully water will not stand there all year now. I looked at water inflow issues on Andy's pond with Duane, Bill and the engineers. It did not seem that there were any big silt issues, but he is going to write a report and send it to the Office. We have been having some troubles with people dumping trash, logs, bricks, and other stuff at the brush dump. Pictures were taken. I received bids on docks from Holiday Marina that range from \$8500 to \$11,600 versus the bids from Monroe that ranged from \$11,500 to \$14,800. The full floating plastic composite dock looks to be the best and most expensive. It is the same as what Ponderosa has at their ramp and it is very nice.

**Accounting Advisory Committee:** None

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**Restrooms and Camping:** Sharon Hermann reported Kathy Bennett has been having some problems with people using the showers instead of the toilets. It's not easy to clean up. Sharon wants people to know that Kathy does a good job in difficult situations. William Nagel thinks people are emptying their camper waste into the camp restrooms. Cameras outside these areas were discussed. Notes for next year should remind us to put cameras in. Dee Brown suggested the system needs to be pumped; no one knows when it was last pumped.

**Community Center Report:** Pat Link reported 460 people attended the pancake breakfast, about 100 more than last year. The profit was \$1,876.62. Expenses were up; there were fewer donors of materials for the breakfast. The committee is looking for someone else to be in charge of this event next year. The committee is working on getting the landscaping finished. They want to extend the back patio. A notice will be put on the website asking for a volunteer to run the pancake breakfast next year.

**Fish:** No report.

**Rural Improvement Zone (RIZ):** There was no report. Duane Selken asked if the RIZ could take over the Andy's Lake project as an expense.

**Water Quality:** Connie Sjerven reported testing will be done the next week. There will be training for water testing for interested people at Ames on September 17, 2011, and in Waterloo on October 15, 2011.

**Nominating Committee:** The written report of the annual elections held at the August 13, 2011, annual meeting was handed in.

Report of Annual Supplemental Fee and Election:

The lot owners voted for a Unit Two (2) and Unit Five (5) Board of Directors position, as well as voting on the Proposed Annual Supplemental Fee per lot owner for a period of five years.

There were 458 Absentee Ballots issued to lot owners; Eight were returned after the deadline for absentee ballot; five were not returned to the Holiday Lake office; 445 were returned before the deadline for absentee ballot. There were 103 ballots issued to lot owners at the Annual Meeting. There were 548 Unit Director Ballots in total that were counted on August 13th.

The voting results for the Election of Unit Directors are as follows: Unit Two (2), the candidate's name appearing on the ballot was Larry Ehrig. Actual votes cast were Larry Ehrig 200; Matt Ogan 317; Void 16 (voters intentions not clear or not valid) and 15 did not vote for the Unit Two (2) director.

Matt Ogan was elected to the Unit Two (2) Board of Directors position for a three-year term.

Unit Five, the candidate's name appearing on the ballot was Duane Selken. Actual votes cast were Duane Selken 337; Brian Nicholas 79; Lee Beumer 5; Steve Heflin 2; Woody 1; Void 37 (voters intentions not clear or not valid) and 87 did not vote for the Unit Five (5) director. Duane Selken was elected to the Unit Five (5) Board of Directors position for a three-year term.

Proposed Annual Supplemental Fee per lot owner for a Period of Five Years: There were 458 Absentee Ballots issued to lot owners; eight were returned after the deadline for absentee ballots; four were not returned to the Holiday Lake office; 446 were returned before the deadline for absentee ballots. There were 103 ballots issued to lot owners at the Annual Meeting. There were 549 Supplemental Fee ballots in total that were counted on August 13th. The results were: 245 votes in favor of \$120.00 per lot owner; 149 votes in favor of \$150.00 per lot owner; 151 votes against having the fee extended another five years; three void (voters intentions not clear or not valid) and one did not vote for the Supplemental Fee. The annual supplemental fee will remain at \$120.00 per lot owner for a period of five years, ending with the fee assessed on April 1, 2016.

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Please extend your gratitude to the following persons who served on the 2011 Nominating Committee: Kay Cline (Unit 1); John and Laurie Denes (Unit 2); Nancy Mullaney (Unit 3); Dan McGowan (Unit 4); Sharon Dooley (Unit 5); and Charlene Doyle (Unit 6).

The Nominating Committee consists of one person from each unit to serve annually. The committee members help find candidates for the board of directors' openings, as well as counting ballots, both absentee and those cast at the annual meeting.

In 2012, lot owners will be voting for Directors in Unit Three (3) and Unit Six (6). If anyone is interested in serving on the 2012 Nominating Committee, please contact Kim Pendarvis at 641-522-6082.

**Old Business:**

- A:** Upgrade docks Darrin Ehret had given the prices in his report earlier. He felt the best was the \$14,800 bid from Holiday Spirits Marina. Darrin thought someone would be there to explain the plan. This would be a replacement of what is there now.
- B:** Hearing: Wednesday, August 24, 2011 at 11:30 AM for HF 04. Wendy Schwab attended that hearing and it was found in favor of Holiday Lake.
- C:** Andy's Fish Lake - William Nagel and Duane Selken met with engineer at Andy's Lake. The engineers said they thought the Lake was in good shape. The water is good quality. They could see Mellecker's shore line and thought it was well-protected. A berm could be constructed to further protect it. Duane read a summary of the written report. In summary the sedimentation pond, known as Andy's Fish Lake, is not silting in at rates larger than expected. The sedimentation pond is to serve as a method of silt removal for Holiday Lake. Due to the development and the concerns from residents, Holiday Lake has implemented many practices that have greatly reduced the silting of Andy's Fish Lake, but this does not dismiss the main purpose of this pond as a siltation basin. If Holiday Lake so chooses to continue improvements to Andy's Fish Lake, we propose three options to continue to reduce the rate of sedimentation. However, these improvements will not eliminate sedimentation in the pond or increase the maximum depth that the pond has. Because Andy's Fish Lake was designed as a sedimentation pond, the depth was initially set for those perimeters and cannot be increased without risk that the clay liner that holds water be penetrated causing the sedimentation pond to drain and silt to flood Holiday Lake. We hope this information is helpful.  
The main purpose of Andy's Lake is as sedimentation pond. It was designed to be that. William Nagel pointed out that people paid for those lots accordingly. Duane Selken further stated his own property on the main lake now goes out into the Lake; the Lake is getting bigger. Connie Sjerven asked if the same goes for Bozo's Lake and the answer was yes.

**New Business:**

- A:** Paid Lot Owners as of August 31, 2011 - Sharon Hermann said there were 816 paid.
- B:** Beach area improvement - U1L37,38 - Hensch It was approved.
- C:** Building permit - U3L49 Wiederholt, U4L334 Sherwood - both were approved.
- D:** Hearing: Wednesday, September 14, 2011, at 11:00 AM - Garrett. Cancelled. The bank will pay the back fees.
- E:** Tree removal: U1L132,131-Neitzel, U3L49-Wiederholt, U3L14-Metz, U1L16-Tursi, U1L243-Nekola, U1L244-Arp, U3L225-Schneider/Howard. All were okay.
- F:** Culvert: U4L334-Sherwood, U3L57-Mullaney. These are okay.
- G:** Dock: U3L14-Metz - Adding a new dock. Approved.
- H:** Deck: U3L223-Behrends. Approved

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**Communication received by the Board:**

- A. Don VanVoorhis, report of issued tickets; Don was asking for a report on the number of tickets issued for violations of safety. He thinks this is good documentation to have. Dale Howe reminded Don that he was going to form a committee to track the safety information. Dee Brown asked if we had that on spreadsheet. The answer is yes. It was decided to have that as part of the report at the annual meeting.
- B. Jeff McMeekin - Dog issue This was taken care of in the Merle McCoy Hearing earlier.
- C. Ron Slifet - Dog issue. This was taken care of in the Merle McCoy Hearing earlier.

Our next board meeting will be October 13, 2011, at 6:30 P.M. in the Holiday Lake Community Center.

Motion to adjourn was made by Dee Brown, seconded by William Nagel, motion carried by unanimous vote.

The meeting was adjourned at 7:45 P.M.

Minutes taken and typed by Dale Howe

Dale Howe-Holiday Lake Board Secretary

Attest to:

Shannon Hershey - Holiday Lake Board President

**Decisions made by the Board after the meeting:**

- 1. Merle McCoy It was decided to require Merle McCoy carry a one-million-dollar liability insurance policy, proof of which he needs to provided to the office. If there is a credible report of another vicious attack, the dog will have to go.
- 2. Diana Wieben It was decided something needs to be done about the situation. The Board will meet at her garage on Saturday morning, September 9, 2001, at 8:30 AM. 6119 East Lakeshore Drive.