

**Holiday Lake Owners' Association, Inc.**  
**Regular Monthly Board Meeting Minutes**  
**Thursday, October 12, 2017**  
**Holiday Lake Business Office, 6:30 P.M.**

**Notice:** ^ *Holiday Lake Owners' Association, Inc. holds a monthly business meeting on the second Thursday of each month.*

^ *To assist the Board of Directors in making these meetings run as efficiently as possible, all lot owners requesting to address the board are required to complete a Request of Holiday Lake Lot Owners form prior to the start of the meeting.*

^ *During the Board Meeting only questions for clarification purposes will be accepted.*

**Call Meeting to Order** by President Bille Jean Snyder

Time: 6:32 P.M.

President Bille Jean Snyder asked secretary Carla Bunger to take roll call

**Board of Directors present: 5 out of 7 Directors present**

Rick Hinkle- <b>Present</b>	Carla Bunger- <b>Present</b>
Bille Jean Snyder- <b>Present</b>	Angel Kriegel- <b>Present</b>
Lu Wieland- <b>Present</b>	Wayne Worthington
Jay Hoskey	

**Confirmation of Quorum:** President Snyder asked Secretary Bunger if there is a quorum. Confirmed quorum present.

Monthly Board meeting attendance sign in sheet.

**7 lot owners in attendance.**

Meeting will be recorded for the sake of documentation.

Anyone wishing to address the board of directors is to stand up and state their name and address for the record

**Additions/ to the Agenda:**

**Updates:** #3 Muskrats  
#4 Follow up-1) Question Jackie Drake 2) Thomas Taber Accusations

**New Business:**  
Building permit; #9 Unit 5 Lot 67 Deck and steps-Koenig  
D. Request for records

**Lot Owner's Discussion:**  
#1 Aaron Carolyn-resolution  
#2 Steve Edwards

**Adoption of the Agenda with corrections/additions:**

Motion to accept Agenda with additions by: Carla Bunger  
Aye 4 Nay 0 Abstain 0

2<sup>nd</sup> By: Lu Wieland  
Motion carried by voice vote

**Minutes of September 14, 2017, Regular Board Meeting: Corrections/Additions?**

*Correction made under Expenditures/Bills August/September 2017 to read Angel Kriegel abstained from vote for bill submitted by Rick Kriegel .*

Motion to accept with correction by: Lu Wieland  
Aye 4 Nay 0 Abstain 0

2<sup>nd</sup> By: Angel Kriegel  
Motion carried by voice vote

**Treasurer's Monthly Report September 30, 2017, Corrections/Additions?** Presented by Lu Wieland

BJ Snyder stated that Wayne Worthington and Jim Hamilton have worked for many hours to try to make the treasurer's report easier to understand.

In addition to treasurer's reported account balances Wendy Schwab, Office Manager presented Board: recognized project balances. Fish Fund \$13,959.04; Audio Visual for Community Center \$220.00; Playground Equipment \$10,231.80; Pickle Ball Court \$880.00; South Dock Rest Room \$355.00; Additional Swim Bobber: \$405.00

Motion to accept as presented by: Carla Bunger  
Aye 4 Nay 0 Abstain 0

2<sup>nd</sup> By: Rick Hinkle  
Motion carried by voice vote

**Expenditures/Bills for September/October 2017:** presented by Lu Wieland

Motion to accept as presented by: Angel Kriegel  
Aye 4 Nay 0 Abstain 0

2<sup>nd</sup> by Lu Wieland  
Motion carried by voice vote

**Security** – Bruce Rhoads. Things remain quiet. This month's report has all previous hours and is caught up and is now current. Although he will likely be running out of his contract hours, as in the past, he will continue to cover the lake at night and check the abandoned properties. Bruce also stated that Iowa is seeing an increase in Heroin and Opioid abuse. Pauline Hampton on Circle Drive by the siren has a Nasal Narcan for heroin overdoses if this should occur here at the lake. There was a jet ski that got up into the ropes at the beach, but caused no damage to the ropes

**Maintenance** – Rick Kriegel I have mowed some trees off some of the catch basins. I have patched some roads with cold patch. Jeff Hall Trucking brought me 2 loads of cold patch. I patched up a soft spot at the north boat ramp with asphalt millings. I sprayed some weeds along the dam and parks. I replaced a latch in the lady's restroom at the Community Center and changed the filters in the furnace. The season is starting to slow down, so I only have Andy working and Ray is done for the year. I still have Andy mowing and weed-eating as well as chipping brush. There are some trees at the campground that are dead so we hired John Lint to cut them down this fall before winter and I will clean them up. There are some small trees near the Community Center that died. They will need to be replaced in the spring. There seems to be a problem getting them to grow in that area. Rick Hinkle asked if he could work with Rick for new tree plantings, Rick Kriegel said he would welcome the help. There are 3 smaller trees that I will take down in the park. I took out swim platforms for the year and will be storing them inside. I hooked one orange float to the chains so it will be easier to hook up in the spring. The second platform chain came unhooked, so I couldn't find them. I will have to find them in the spring when it warms up.

**Campground/Park/Beach** - Lynn Baustian is not present, Rick Kriegel reported in his absence

One camper in the campground that is being used by Laurie Pickart while their property has a new septic installed and winterizing the restrooms and bathhouse will be done when forecast freezing temperatures.

**Hearings** –None

**Updates:**

1. RIZ Del Sherwood reported that with assistance of Kriegel Construction, that Sunrise area is done to the inlet with 10 culverts installed. Rip Rap also put in at the north boat ramp.
2. Looking ahead:
  - Lake business office will be closed October 13-18, reopening on Thursday, October 19. A mass e-mail will be sent notifying community.
  - Trunk or treat is scheduled for October 21, 2017. So participants will not have to cross the road between the Community Center and beach parking, Cars/golf carts may park next to the Community Center rather than beach parking lot. Games, awards, hot dogs and prizes will be done in the Community Center.
  - Halloween Party scheduled at the Community Center on October 28th, doors open at 7:00 pm, with the dance from 7:30-11:30. First, Second and Third place prizes will be awarded for best costumes.
  - October 31 is the deadline to have campers/RVs removed from Holiday Lake subdivision. Full time /year round Holiday Lake residence may park their RV or camper on their lots from October 31 to April 1. However, campers or RV's may not be used as permanent living dwelling at any time of the year. Rules and regulations regarding this was read by President Snyder.
  - Bean Bag league is scheduled to start on November 3<sup>rd</sup> with an organizational meeting on Friday, October 30. Lu Wieland reported it is a very good time. Ron Angel provides music and to contact Shannon Hershey anyone would be interested in being a substitute rather than be on a team.
  - President Snyder also reminded since getting into the winter months, the regular business meetings will be at the Lake Business Office from November through April which is an energy saving measure, fewer people attend during the cold months, and allows Directors electronic access to the meetings.
3. Muskrats Larry Ehrig contacted the office today to report that the Muskrats have become very active along his Shoreline and across from him by Ron Angel as well as Ford's Cove. A muskrat has been spotted going between the rocks where a large den found on Andy's dam, which can be very dangerous for our dams. Bozo also has a lot of activity. There are a number of muskrats all around the Lake and the Lake's clay basin allows them to dig their dens deeper and live off of clams. Fortunately, is not a lot of vegetation along the shoreline that would provide more food which allows them to be more manageable. The individual who used to trap is no longer doing so. Bruce Rhoads stated his willingness to step in and trap if the lake wishes him to do so. Bruce stated that there are individuals who are more aggressive with trapping, but the traps they use may also trap ducks. Therefore, he is more cautious, it would be up to lake on how aggressive he should trap. President Snyder asked if the Board has any discussion. Rick Hinkle asked what kind of damage they do. Bruce explained muskrats burrow into the shorelines and dams which is like termite damage in wood and compromise the integrity. He also stated that when the ice first starts to set on the shorelines, air bubbles can be seen where their dens are located. BJ Snyder asked what type of fee there might be with trapping. Bruce said there is not a lot of money in muskrat fur at this time, he could check his traps when he checks the lake for his security route as long as no one would mind if he wears his "security shirt" when checking traps. The Lake could also hire one or two hard-core trappers who would remove a lot of them, but then would not come back to trap again for 4-5 years. Bruce asked if we would like to have him trap raccoons as well. He uses humane traps.

**President Snyder asked if there was a motion to have Bruce trap both Muskrats and Raccoons and check traps when he makes his security rounds.**

**Rick Hinkle made motion for Bruce to trap muskrats and raccoons and check traps while on security rounds by 2<sup>nd</sup> Angel Kriegel**

**Aye 4**

**Nav 0**

**Abstain 0**

**Motion carried by voice vote**

updates continued:

4. Follow up to questions posed to Board during September 2017 Regular Business Meeting:

- Jackie Drake asked at last month’s meeting why lake property had the wrong name on deeds. There were still many showing the ownership as Holiday Lake Maintenance Association, rather than Holiday Lake Owners’ Association. And the Association should have to pay to have the ownership name corrected.

President Snyder at the time of Mrs. Drake questioning, stated she believes the follow language found in the resolution addresses that issue: *Where the name “Holiday Lake Maintenance Company” appears in the Notice to the Public Owning Lots at Holiday Lake Now or in the Future filed with the Poweshiek County Recorder on October 31, 2007 in Book 817 at Page 557, such name shall be altered and read as “Holiday Lake Owners’ Association, Inc.”* however, would check with the Association attorney to ensure proper legal steps have been taken.

Upon consulting with legal counsel, President Snyder reports back *per the attorney, the notice of merger is recorded and there is no need to go to the expense of changing names on the deeds.* Therefore, the Association does not need to take any other steps regarding changing names of deeds where Holiday Lake Maintenance Association is referred to.

- Tom Taber challenged the Boards’ authority to make changes in the by-laws at last meeting.

President Snyder stated she was confident the Board had not over step authority and followed correct steps in approving the resolution to amend Article IV of the Bylaws of Holiday Lake Owners’ Association, Inc..

To verify the response given to Mr. Taber at the September meeting, President Snyder reported in contacting the attorney, she was assured the board follow proper protocol and per Article XVI: Amendments: of the By-laws, which gives the board the authority to make said changes to by-laws.

**Committee Reports:**

Community Center - Kim Pendarvis reports the last rental is scheduled for tomorrow, October 13. Kid’s Klub will be starting on Thursday afternoons in the Community Center and are done at 5 p.m. They will suspend the first week of December and resume after Christmas. To date there are already 8 rentals for the Community Center in 2018.

Key points for the Board:

- ✓ The Committee is considering making a proposed language change in the rental agreement regarding not to allow glitter or ribbons when decorating as it sticks like glue to the floors and is almost impossible to remove.
- ✓ Kim also asked if it would be possible to reseal the floors of the Community Center during a down time over Thanksgiving. We may be able to get a good buildup of product using what we have and not have to seal as often after we get a good base. President Snyder asked how much material we have left from last sealing. Kim said there is some which may be enough for another sealing. President Snyder asked if she would get more information from Laurie Denes, who did the work. Lu Wieland also asked if we were in need of new rugs for the Community Center. These have never been replaced and we have had them since 2008. Rick Hinkle may be able to find something. There are also a couple of cracks by the front door under the large rug. Angel Kriegel asked if it may be possible to use an Epoxie product such as at the NAPA auto store, it is quite attractive. This could be very expensive.
- ✓ There is need to replace the seals on the door side-light windows. This had to be paid in advance. A lot-owner measured for them and Lynn Baustian will install. Lynn also painted the trim and replaced missing trim around some of the windows.

Kim also reported that we have more items left by past renters that can be used by future renters: Blackout curtains for the windows, vases with marble stones, and lights.

**President Snyder stated that at last month’s meeting, no motion was made regarding accepting the tentative 2018 events as presented by Katie Tomlinson. (Refer to September 2017 minutes) Therefore would entertain a motion to approve tentative 2018 events for the Community Center calendar as present by the committee in September 2017.**

**Motion to approve the 2018 Event Schedule for the Community Center made by Carla Bunger 2<sup>nd</sup> by Lu Wieland  
Aye 4 Nay 0 Abstain 0 Motion carried by voice vote**

Fish- Lynn Baustian was not present. Bobby Schmitz reported

- Fall fish stocking: 1500 red-eared bluegill were put in as well as 500 catfish with 4 albino. Saturday 1000 8-10 inch walleye were put in with 200 going to Bozo. Perch are also scheduled to go in this fall, but he is not sure of the numbers.
- 2018 Ice Fishing Tournament is scheduled for February 3, 2018, weather permitting. It will be open as in the past, 6:30 a.m-2:30 p.m. Bobby Schmitz has not participated in the past, but states he is not aware of any problems with the time. Angel Kriegel asked if there is a limit on numbers of fish taken during the tournament. Connie Sjevern stated that, per Mike Ehrig, almost all are catch and released with exception of the prize winners that are allowed to be keep if there are plans to mount them. A few may die, but the fishermen do seem to take care and good policing of the tournament .

**Motion to approve fall fish stocking and date for ice tournament made by Lu Wieland 2<sup>nd</sup> by Rick Hinkle  
Aye 4 Nay 0 Abstain 0 Motion carried by voice vote**

New Business:

A. Building Permit Application

1. Unit 1 Lots 22, 23 – Addition - Donald
2. Unit 1 Lot 40 – Egress Window – Crooks
3. Unit 1 Lot 170 – Portable Shed - Brown
4. Unit 4 Lot 118 – Concrete Slab - Kroeger
5. Unit 5 Lot 24 – Shoreline - Sherwood
6. Unit 5 Lots 169, 170 – Deck - Pirie
7. Unit 5 Lot 175 Portable Shed - DiNaso
8. Unit 5 Lot 280 – Rock Wall - Sjerven
9. Unit 5 Lot 67 Deck and steps-Koenig

Motion to approve the building permits as read: Lu Wieland

Aye 4      Nay 0      Abstain 0

2<sup>nd</sup> by Angel Kriegel  
Motion is carried by voice vote

B. Tree Removal:

1. Unit 5 Lot 31 – 1 Cottonwood/2 Maple – Hershey
2. Unit 1 Lots 22,23 - Donald
3. Unit 2 Lots 245, 246 - Lidkke

Motion to approve the tree removals as read: Rick Hinkle

Aye 4      Nay 0      Abstain 0

2<sup>nd</sup> by Lu Wieland  
Motion carried by voice vote

C. Culvert:

1. Unit 1 Lot 292 - Hash
2. Unit 5 Lot 219 - Greiner

Motion to approve culverts as read: Carla Bunger

Aye 4      Nay: 0      Abstain: 0

2<sup>nd</sup> by Lu Wieland  
Motion is carried by voice vote

D. Request for records

President Snyder read the following request Tom Taber sent by way of an email to the Association:

*"Request for Records of Holiday Lake Owners Assoc., Inc. (H.O.A.)"*

*Per Iowa Code 504.1602, I request to inspect the following records:*

- *Accounting records pertaining to all Legal fees/bills/expenses for 2017 year-to-date.*
- *Current Membership listing.*
- *Records of actions taken by members or directors without a meeting.(ie: Work sessions, written or recorded notes.) Iowa Code 504.161, subsection 1.)*

*The purposes for this demand to inspect these records are:*

- *Better understanding of amounts and reasons for H.O.A. expenditures for Legal services.*
- *Possible legal action against the Board of Directors and H.O.A. for improper actions.*
- *Communication with the H.O.A. Membership about any potential wrongdoings of the Board and violations to the H.O.A. By-laws and Iowa Code 504.*

*Any use of this information and membership list is subject to Iowa Code 504.1605 (Limitations of use of Corporate records.)*

*Please inform me of the amounts of any charges, under 504.1603, and, contact me to arrange a time for inspection of the requested information and records.*

*Best regards,*

*Thomas Taber, member*

*5271 Windy Ct.*

*319-551-2130*

*October 6, 2017"*

President Snyder, not being an attorney nor student of law as are the other Directors, the Association attorney has been contacted regarding the above email communication. The board addressed each demand separately as to give an opportunity to have a concentrated discussion and action specifically for the separate demands.

Mr. Thomas Taber demand to inspect copies of *Accounting records pertaining to all Legal fees/bills/expenses for 2017 year-to-date for the purposes: Better understanding of amounts and reasons for H.O.A. expenditures for Legal services. Possible legal action against the Board of Directors and H.O.A. for improper actions. Communication with the H.O.A. Membership about any potential wrongdoings of the Board and violations to the H.O.A. By-laws and Iowa Code 504.* Much discussion on how best to address this request around possible conflict between attorney-client confidentiality; confidence of private individuals; much of the information is of a confidential nature, we cannot just copy and give this information out; every amount paid for attorney fees are included in the readings of the monthly bills at each regular board meeting. In conclusion, the Board will authorize the Lake's attorney to provide Mr. Taber copy(ies) of ledger entries reflecting legal

New business D: Request for records continued:

exclude all information as to the nature of the services rendered and names of individuals or businesses. The cost involved in making said copies will be paid by Mr. Taber directly to the attorney as well as Mr. Taber will be responsible to contact with attorney to request ledger documents copy as described and make the arrangements to inspect ledger copies through the attorney.

President Snyder entertained a motion to respond to Mr. Taber, on his demand for *accounting records pertaining to all Legal fees/bills/expenses for 2017 year-to-date* can be obtained from the attorney with all confidential information being blocked at his own expense to be paid in advance to the attorney, and arrangements to inspect ledger copies will be made with the attorney.

**A motion to present Mr. Taber the option of obtaining *accounting records pertaining to all Legal fees/bills/expenses for 2017 year-to-date* with all confidential information blocked directly from the attorney at his own expense made by Rick Hinkle and 2<sup>nd</sup> by Lu Wieland.**

**Aye 4                      Nay 0                      Abstain 0                      Motion carried by voice vote**

Mr. Taber demand to inspect *current membership listing for the purposes: Better understanding of amounts and reasons for H.O.A. expenditures for Legal services. Possible legal action against the Board of Directors and H.O.A. for improper actions. Communication with the H.O.A. Membership about any potential wrongdoings of the Board and violations to the H.O.A. By-laws and Iowa Code 504.* The Board's discussion addressed membership list available in the 2017 directory which can be purchased for \$5.00 by anyone or is Mr. Taber wanting contact information for each property owner at Holiday Lake. The lengthy discussion concluded how to best provide requested information to Mr. Taber while upholding the duty of the Board to protect the privacy of lot owners both as to their name and address as well as to what mailings they receive and perhaps from whom they receive them. Therefore, following recommendations provided by the Association attorney to inform Mr. Taber and let him know that the board could send out letters to all owners along with a reply postcard back to Mr. Taber, if they wish to be contacted by him. The cost of administrative expense, supplies, postage and/or any other expenses are to be incurred by Mr. Taber and paid in advance.

President Snyder entertained a motion to respond to Mr. Taber, on his demand to inspect *current membership listing for the purposes: Better understanding of amounts and reasons for H.O.A. expenditures for Legal services. Possible legal action against the Board of Directors and H.O.A. for improper actions. Communication with the H.O.A. Membership about any potential wrongdoings of the Board and violations to the H.O.A. By-laws and Iowa Code 504* membership list available in the 2017 directory which can be purchased for \$5.00 at the Holiday Lake Business Office and/or if Mr. Taber is wanting contact information for each property owner at Holiday Lake, the Board of Directors will send a letter to all members of Holiday Lake Owners' Association, Inc. asking if they want to supply their name and address to Thomas Taber for the purpose of him communicating with them about his concerns as to Holiday Lake Owners' Association, Inc. and Board of Directors with a postcard enclosed for the member to provide contact information and send directly to Mr. Taber if the member wishes to receive communications from him. Mr. Taber has the option to (a) provide the self-addressed postcards to be enclosed with each letter or (b) have Holiday Lake provide the postcard and (c) include postage on each postcard with Mr. Taber prepaying expenses of employee time, materials, printing, postage.

**Motion to respond to Mr. Taber with option to inspect *current membership listing by purchasing 2017 Directory for \$5.00 at the Holiday Lake business office or if wanting contact information for each property owner at Holiday Lake, the Board of Directors will send a letter to all members of Holiday Lake Owners' Association, Inc. asking if they want to supply their name and address to him for the purpose of him communicating with them about his concerns as to Holiday Lake Owners' Association, Inc. and Board of Directors with a postcard enclosed for the member to provide contact information and send directly to Mr. Taber if the member wishes to receive communications from him. He has the option to (a) provide the self-addressed postcards to be enclosed with each letter or (b) have Holiday Lake provide the postcard and (c) include postage on each postcard with him prepaying expenses of employee time, materials, printing, postage.* made by Rick Hinkle                      2<sup>nd</sup> by Angel Kriegel**

**Aye 4                      Nay 0                      Abstain 0                      Motion is carried by voice vote**

Mr. Taber demand to inspect *records of actions taken by members or directors without a meeting. (ie: Work sessions, written or recorded notes.) Iowa Code 504.161, subsection 1.)* for the purposes: *Better understanding of amounts and reasons for H.O.A. expenditures for Legal services. Possible legal action against the Board of Directors and H.O.A. for improper actions. Communication with the H.O.A. Membership about any potential wrongdoings of the Board and violations to the H.O.A. By-laws and Iowa Code 504.* The Board's discussion lead to concluding because there has been no action taken by the Board of Directors outside of regular board meetings, per Lake Attorney, there is no purpose for this request and no action will be taken.

President Snyder entertained a motion to respond to Mr. Taber, on his demand to inspect *records of actions taken by members or directors without a meeting. (ie: Work sessions, written or recorded notes.) Iowa Code 504.161, subsection 1.)* for the purposes: *Better understanding of amounts and reasons for H.O.A. expenditures for Legal services. Possible legal action against the Board of*

New business D: Request for records continued:

*Board and violations to the H.O.A. By-laws and Iowa Code 504* as per Lake Attorney, since there has been no action taken by the Board of Directors outside of regular board meetings, there is no purpose for this request and no action will be taken.

**Motion to contact Mr. Taber to notify him since there has been no action taken by the Board of Directors outside of regular board meetings, there is no purpose for this demand and no action will be taken made by Carla Bunger and 2<sup>nd</sup> by Lu Wieland.**

**Aye 4                  Nay 0                  Abstain 0**

**Motion is carried by voice vote**

**Unfinished – Old Business:** None

**Lot Owner Discussion Items:**

Aaron Carolyn Resolution: Mr. Carolyn has a property for sale that is lakefront on ½ of a lot, with the new resolution he is not able to sell this property with use rights, and feels this has eliminated the value of his property. He presented the board with a copy of the real estate notice listing his property from 2005. He is requesting the board grant him special circumstance for the sale of this property to include use rights for anyone ever owning this ½ property, as no one would want a lakefront property without the ability to boat or register watercraft or land craft. Because this property is currently listed for sale time is of the essence for the board to take action. Mr. Carolyn confirmed he currently has the garage on a whole lot behind the ½ lot in question also for sale and that if the same individual were to purchase the ½ lot with the whole lot with garage there would be not concern because the buyer would be compliance. The board will review this carefully and get back to Mr. Carolyn.

Steve Edwards Lake dredging 5 year plan: Mr. Edwards stated he saw posting a lake face book that there is a 5 year plan for Holiday Lake to include draining and dredging one of the smaller lakes and if so he would be interested in seeing the long-term plans. In response to the question about plans to drain/dredge Andy's, there is not a plan. Dredging Andy's is something RIZ may consider in the future after all erosion control has been completed but currently there has been no focus in developing a written draining/ dredging plan. President Snyder asked if Mr. Edwards is aware that the site he saw this information on is not an official Holiday Lake site, and does not provide any official Holiday Lake information but does cause some confusion as times. And she thanked him for coming directly to the Board with his questions and interest in this..

**Motion to adjourn:**

Motion by Carla Bunger

Aye: 4                  Nay: 0                  Abstain: 0

Meeting adjourned at: 8:47 p.m.

2<sup>nd</sup> by Rick Hinkle

Motion carried by voice vote

**Next Regular Board Meeting  
November 9, 2017          6:30 P.M.  
Holiday Lake Business Office**

RESPECTFULLY SUBMITTED

Carla Bunger, Secretary

ATTEST TO

Bille Jean Snyder, President