

Holiday Lake Owners' Association, Inc. Regular Monthly Board Meeting
Thursday, March 7, 2019 **Holiday Lake Community Center, 6:30 P.M.**

Notice

*Holiday Lake Owners' Association, Inc. holds a monthly business meeting on the second Thursday of each month. 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. Holiday Lake property owner wishing to address the board of directors are to **stand up and state their name and address** for the record. **Please come to the front to speak in order that we may hear you better.** Anyone attending that is not a Holiday Lake property owner of record **or is a property owner not in good standing** are welcome to attend, however, will not be given the opportunity to interact during Holiday Lake Owners' Association, Inc. Regular Monthly Business Meeting. During the Board Meeting only questions for clarification purposes will be accepted. Meeting will be recorded for the sake of documentation.*

Call Meeting to Order by: Wayne Worthington, President

Time: 6:30 p.m.

Roll call

Board of Directors present:

X	Ron Crooks	X	Dennis Jones
X	Todd Eiler	X	Bille Jean Snyder (via Skype)
	Jay Hoskey	X	Wayne Worthington
X	Katie Tomlinson		

Confirmed a quorum by Ron Crooks, Secretary

Additions to the Agenda - None

Adoption of the Agenda with corrections/additions:

Motion to accept by: BJ Snyder 2nd By: Todd Eiler
 Aye: 6 Nay Abstain Motion passed by voice vote.

Minutes of February 14, 2019 Regular Board Meeting: Corrections/Additions?

Motion to accept as written by: Todd Eiler 2nd By: Katie Tomlinson
 Aye: 5 Nay Abstain: BJ Snyder Motion passed by voice vote.

Minutes of February 25, 2019 Special Board Meeting: Corrections/Additions?

Motion to accept as written by: Katie Tomlinson 2nd By: Todd Eiler
 Aye: 6 Nay Abstain Motion passed by voice vote.

Treasurer's Monthly Report February, 2019 presented by Katie Tomlinson, Treasurer:

Community Center AV \$220.00; Playground Equipment \$6,981.80; 2nd Pickle Ball Court \$630.00; S Dock RR \$467.00; Beach Swim Platform \$352.75; Fish Fund: \$24,287.92; Lake History Fund, \$65.00; Handicap Boat Ramp, \$80.00
 Chelsea Savings Bank \$175,021.34; RIZ Loan \$158,395.83; First State Bank \$410,848.66

Corrections/Additions?

Motion to accept as presented by: BJ Snyder 2nd By: Ron Crooks
 Aye: 6 Nay Abstain Motion passed by voice vote.

Expenditures/Bills for February, 2019 as presented by Katie Tomlinson, Treasurer:

Motion to accept as presented by: Ron Crooks 2nd By: BJ Snyder
 Aye: 6 Nay Abstain Motion passed by voice vote.

Security – Bruce Rhoads – Lake has been quiet so have given minimal hours. Vehicles are gone at south entrance bus stop. Spoke about the Lost Child group and how it works. If a child is reported missing, the sheriff's office would send a text to participants and they would drive to entrances and check every vehicle leaving the lake. They will be sending out a "test" email from sheriff's office later. Also explained how the 1st Responder – Water program works. If there is a major water accident, the sheriff's office will send an alert to volunteer residents so they can get in their boat and respond to see if anyone is in the water, and to meet fire department/paramedics at boat ramps. Volunteers are always needed for both groups, you must have a cell phone and furnish your carrier's name.

Maintenance Department, February 2019 – Given by Dennis Jones

1. Finalization of Chip and Seal plan and proposal for 2019 season. Future forecasting and planning for 4 year plan to have 90% of all roads chip and sealed.
2. Sand delivered (64.54 tons) and ready for icy roads, mixed with final amount of salt from Rohr Brothers (from storage).
3. Have applied salt & sand on 9 different days this past month. Plowed on 5 days this past month.
4. Focusing on finishing up the dock projects. Rebuilding (2) 24' sections and (2) 12' sections to be placed on Bozo pond. Also building, supporting, and painting the (3) ramps that will be used. Placed (1) 24' + (1) 12' and (1) ramp as of today.

- Working on replacing hoses and fixing oil leaks on the backup Scag mower. All hoses have been replaced, a full service completed, and the right side wheel drive motor sent out for a seal kit installation.

Hearings – None

Updates:

RIZ – None.

HOA – Nick Hammans: I have been spearheading the HOA website committee since last May. Past events have pushed me over the edge and I will no longer be part of the HOA team due to the actions of some of the board members. I find it unacceptable to continue giving my time to a board that is controlled by a few members that use their positions for their own purposes, back-stabbing others and using underhanded actions. I have never quit a job, but this current environment with these board members are a detriment to our lake. All notes and files are on a USB drive that I will give to Katie as I consider her still president of this lake.

Kid Kove – Heidi Sunkle, Chris Di Naso. Celebrated our one year anniversary with the kids on Saturday, Feb. 16th with a total of 11 kids in attendance. Brenda Johnson volunteered her time and stayed to help - which was very appreciated. Having two Wii's there was a big hit. We are considering bringing them each time as they combine video games and physical activity at the same time. Thanks for all the donors each child left with a total of 2 prizes and a bag full of candy, We are still trying to figure out a way to communicate with parents strictly through the Kids Cove website instead of using the "Our Lake" Facebook page. To date we have a total of 7 families that we communicate through text messaging because they're not on Facebook. We added some features to the Kids Cove website so that parents can download pictures of their children if they wish.

Upcoming events: March 16 & April 20, Kids Cove, 6-7:30 p.m.; March 22, Bean Bag League; March 6, 6:30 p.m., RIZ Meeting; April 3, April 13, 7 p.m.-Midnight, Adult Game Night.

Committee Reports:

Community Center – Kim Pendarvis. Community Center is being used a lot by community group activities at least 1-2 times a week.

Fish - Dennis Jones. The ice fishing tournament was successful. Committee will be meeting tomorrow to discuss spring fish stocking, structures will continue to be added throughout the lake.

New Business:

A. Building Permit Application

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| 1. Unit 2, Lot 202 – Wayne Theel, Repair Retaining Wall | Submitted: Jan. 26 | Site Visit: March 6 |
| 2. Unit 4, Lots, 267, 268 – Derek/Tim Hamilton – Holding Tank, Fill Dirt, Garage | Submitted: March 6 | Site Visit: March 6 |

B. Tree removal

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| 1. Unit 5, Lots 117 – Jeff Stickfort – Remove 1 tree with ash bore disease | Submitted: Feb. 2 | Site Visit: Feb. 22 |
| 2. Unit 1, Lots 37, 38 – Zosh & Maria Zeutenhorst – 2 Trees | Submitted: March 6 | Site Visit: March 6 |
| 3. Unit 4, Lot 268 - Derek Hamilton – 8 Trees | Submitted: March 6 | Site Visit: March 6 |
| 4. Unit 4, Lot 267 – Tim Hamilton – 9 Trees | Submitted: March 6 | Site Visit: March 6 |

C. Culverts

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| 1. Unit 4, Lot 267 – Tim Hamilton – 40' Culvert | Submitted: March 6 | Site Visit: March 6 |
| 2. Unit 4, Lot 99 – Thomas & Erica Landon – 20' Culvert | Submitted: March 6 | Site Visit: March 6 |

Motion to accept all Building Permits, Tree Removal and Culverts as presented by: Ron Crooks
 Aye: 6 Nay Abstain Motion passed by voice vote.

2nd By: Dennis Jones

D. Board Action Items

- Contract for 2019 Chip and Seal Project – Finalization on materials and roads. Manatt's bid is \$116,436.76. A map of roads that includes single and double coat chip and seal can be found in the office. A community member asked if Highview Court was still on the map to be chip and sealed as stated in February's board meeting. It was stated that it was no longer marked on the map. Dennis will check into it.

Motion made by Katie Tomlinson to table until more information could be obtained.
 Aye: 6 Nay Abstain Motion passed by voice vote.

2nd By: Todd Eiler

Unfinished – Old Business:

Mural Project for Beach Wall – Kim Pendarvis. No update.

Train Repairs – Paul Brown is working on the final piece of the train. Kim Pendarvis asked about where the new train would be placed – Powell Park or the Campground? No definitive answer was given.

Lot Owner Discussion Items:

Pauline Hampton – Facebook pages. Would like to delay her concerns for another meeting.

Jamie Hoffert – Holiday Lake Concerned Citizens. Jamie Hoffert, unit 2, is here to represent concerned citizens of the lake. Would like to thank the board for allowing me speak tonight. Wants to officially go on the record to inform everyone here that we are not here to complain in any way, shape or form about any employee of Holiday Lake or anyone contracted at Holiday Lake, or who was paid by Holiday Lake. With that being said, what we are concerned about is the Holiday Lake Board of Directors and how things are being managed at our lake. In my hand, I am holding petitions signed by 140 members of the Holiday Lake Members Association, which all you need to have is 1/10th of 825 lot owners who are able to vote. The petition is to remove Holiday Lake board of directors which are Unit 2-BJ Snyder, Unit 4-Jay Hoskey, and At Large-Wayne Worthington. We are asking that a special meeting be held on Saturday, March 30th at 10 a.m. at the Community Center, which has been reserved. I also have in my hand letters, if the three (which one is not here, and I understand why) desire to resign this evening, and if you don't that's fine, but if you do it will be effective immediately, March 7, 2019. The ball's in your court, you can resign or the association can hold the special, hold the vote and see how it comes out. I have a letter for the board asking for the mailing list of all association members who are entitled to vote, for the purpose to notify them of the requested special meeting and according to the bylaws, article 6, section 2, the address needs to be that of what appears on the books of the association records. And for your information a precedent has been set for asking for them via a letter from the board minutes dated September 10th, 2015 when it was stated by Bille Jean Snyder. Policy was set when Mr. Tabor asked for a list of the addresses in writing and the reason he requested to do so. I am asking for the list via writing for the sole purpose of removing the 3 board members mentioned before. We look forward to your response.

Fact sheet for petition is as follows:

FACT SHEET TO REMOVE BOARD OF DIRECTORS FROM UNIT 2, UNIT 4 AND AT LARGE

- Failure to include/inform all elected board members of relevant information pertaining to Holiday Lake business.
 - Holiday Lake Board of Directors failure to include the entire board in the hiring process of Association employees and doing so without a quorum.
 - Holiday Lake Board of Directors failure to hold a vote of all board of directors in the process of hiring Association employees. (This is at no fault of any current or past employees of Holiday Lake Association as they are not aware of the hiring process.)
 - Lack of Transparency with regards to information that should be made aware to all Association members as well as fellow board members.
 - Communication to all Elected Holiday Lake Board of Directors.
 - Response time to lot owners in a timely manner of questions or concerns brought to Holiday Lake Board of Directors, if any response at all.
 - Attendance of monthly board meetings.
 - Poor management or past and current employees.
 - Allowing insubordination by employees without any repercussion.
 - Not being financially responsible with Holiday Lake Association funds.
- By-Law and Covenant violations of Holiday Lake Lot Owners Association:
No part of Lake premise shall be used for commercial or manufacturing purpose
Article V Section 7: Removal of a board of directors' officer can be done when it is in the best interest of the Association and such removal shall be without prejudice to the contract rights.
Article XI
Section F: Providing of maintenance at Holiday Lake.
Section G: To do all such other and additional functions which may be required to make Holiday Lake a community which will preserve property values of the owners and will ensure a community life within Holiday Lake which is desirable, safe and comparable to that of cities and towns in Poweshiek County.
To see that rip-rap is installed and maintained necessary to control erosion on lake from lots. This includes lake front lots owned by the lake.
- Board members not being able to define their roles as a board member or family/friend of lake employees.

Pat Johnson, Unit 4, spoke of his concerns about how the lake was being governed, and that since the conception of the lake there was never intended to be a lake manager, that the board of directors are responsible for the governing of the lake. He also expressed his concerns on the nepotism between board members and employees.

Terry Maxfield, Unit 6, asked for clarification on 2 issues. How the lake members were going to be notified about the special election, and how they would be notified if any of the board members had resigned. Second, was that during the reading of the bills, he had heard of Eric Slagle's construction company getting a lot of checks for worked and wondered if the lake was going out and getting any other pricing/bids on these jobs. Concerned about the conflict of interest. Dennis responded that he authorized the use of Eric's equipment for three hours to haul trees up from a ditch to reduce the risk of employees getting hurt. More discussion followed concerning maintenance employees.

Terry Maxfield asked to get an answer to the question on the request for a special meeting if the 3 board members did not resign. How would the community be notified of the time and place. Wayne Worthington stated they would follow the rules. Jamie Hoffert again clarified the rules for the special meeting, and that the board members or president call for the special meeting. Expressed his concern to how to keep the integrity and honesty of the votes with the 3 board members and lake manager having access to the Holiday Lake office. Would like to see the ballots sent to

someone that is not for, or against, the petition. BJ Snyder wished to consult with the lake attorney to make sure all rules were being followed. Jamie Hoffert stated that they had followed all the same rules and by-laws that had been in place for the 2015 special meeting request. Discussion followed on how the ballots would be handled.

Jamie Hoffert asked Wayne Worthington, president, if he may read Article 6, Sections 4 and 2 of the by-laws. Section 4 says: "Special meetings of the members of any purpose or purposes, unless otherwise prescribed by statute, may be called by the president or by the board of directors, and shall be called by the president at the request of not less than 1/10th of all members of the association entitled to vote at a meeting. In the event a meeting is called by the membership, then it shall be the responsibility of such members, at their expense, to give the notice required as set forth in Section 2 of this Article 6." And Section 2 says a "Written or printed notice stating the place, day and hour of the annual meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) nor more than fifty (50) days before the date of the meeting by mail to each member shown upon the records of the Association entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the member at the member's address as it appears on the books of the Association, with postage thereon paid." That is the by-laws, set forth, by the founding fathers for a special meeting. We have met every requirement those two articles state. We have 140 signatures, I have a letter that I signed asking for the membership list, there is nothing more to discuss with anybody. It is legal right here in the own by-laws of Holiday Lake, that has already been approved by an attorney. There is no reason to go spend more money with the attorney when it has been done. We did it in 2015, the exact same way. BJ Snyder responded that "no we did not." Jamie responded, "Yeah, you did, you had to do the exact same thing. You had to have a petition to get rid of Mr. Tabor and it had to go out in the mail. The only difference is the board paid the postage." BJ Snyder argued that the board of directors called for that special meeting, not the membership, and Mr. Hoffert stated that was not the case, and asked that all members that had signed the 2015 petition raise their hand. He thanked those that raised their hands, and said he had also signed the 2015 petition. Restated that board needed to follow the by-laws and grant the special meeting. There was no reason not to make and motion and a second to approve the meeting. BJ questioned the verification of the signatures on the 2019 petition. Association members attending the meeting were strongly asking that a motion be made.

Katie Tomlinson made a motion to schedule the special meeting requested by the members to be held at the community center on Saturday, March 30, 2019, at 10 a.m., as presented. Motion seconded by Todd Eiler.

Ayes: Katie Tomlinson, Todd Eiler, Ron Crooks, Dennis Jones, Wayne Worthington.

Abstain: BJ Snyder.

Motion passed by voice vote.

Motion to adjourn: Katie Tomlinson

2nd By: Todd Eiler

Aye: 6

Nay:

Abstain:

Motion passed by voice vote.

Meeting adjourned at 8:00 p.m.

Next Regular Board Meeting: 6:30 P.M. on April 11, 2019 - Holiday Lake Community Center