

Holiday Shores  
Board of Directors Meeting Minutes

**Date:** October 13, 2021

**Board of Director Attendance: Present:** Tony Harris, Shaun Diltz, Ty Van Ryswyk & Anthony Harrell

**Excused:** John Crotty, , Jerry Allen & Robert Wittkamp

Others Present: Rob Clarkson and Karla Suttles from the Holishor Office

**Holishor Members Present: 8**

**Proceedings** Meeting called to order at 7:31pm

**Pledge of Allegiance recited**

**Meeting Minutes** – Minutes of September 22, 2021

**Tony Harris** Motions to approve the minutes as submitted

**Shaun Diltz** Seconds

**All in favor**

**Motion carries**

**Transfers of Property** We had 8 transfers of property, 5 of which triggered initiation fees.

**Bills & Salaries**

**Tony Harris** Makes a motion to approve Bills & Salaries as submitted

**Ty Van Ryswyk** Seconds

**All in favor**

**Motion carries**

**Profit & Loss**

Submitted for review.

**Manager's Report**

Read by Rob Clarkson

**Public Safety Report**

Read by Rob Clarkson

**Old Business**

**Code Enforcement Officer/Public Safety Discussion**

**Anthony Harrell** We've been talking about the creation of the code enforcement officer position for a few months. We've had it posted for comments, really haven't had any feedback on the creation of that position. So I guess at this time, I would accept a motion to create the code enforcement officer position.

**Tony Harris** Makes a motion that we proceed with the creation of the code enforcement position.

**Shaun Diltz** Seconds

**All in favor**

**Motion carries**

**Dock Bumper Update**

**Rob Clarkson** We started installing the bumpers on the dock and I believe two slips are done. We're waiting for more hardware so that we can complete a few more.

**Fireworks Discussion**

**Tony Harris** So I've been I've been going through the contracts that we've had with them for the past three or four years. They're relatively small documents. There's not a lot in there. So I'm going to reach out to the company this week and give them a call and see what we can do. They've offered us a \$4,000 discount off of next year's fireworks but obviously, I think we'd really have something off of this year's amount and then go forward from there. **Anthony Harrell** So we can look at someone else possibly next year? **Tony Harris** I don't think we can for next year. But for the following year we can. Because we did a deal for 2020, 2021 and 2022. **Shaun Diltz** I think most people shooting fireworks off next year already got it booked. So it'd be tough anyways. So we need to move forward with that the sooner the better. Those guys are busy one time a year.

**Vote On Proposed Sign Rule Change**

**Anthony Harrell** We're going to change the verbiage for graduation signs, military signs, putting a timeframe on those signs for 30 days prior and 30 days post for a total of 60 days. So the proposed rule change is, "Signs to celebrate graduation or welcoming of military personnel back home can be displayed no more than 30 days prior to the event and must be taken down no later than 30 days after the event. **Tony Harris** We've had a motion and a second and then now the four weeks is up and we can vote on that to have it go into effect. **Anthony Harrell** So I guess we'll take a vote for it to go into effect then. Any further discussion on this before we take the vote?

**All in favor**

**Motion carries**

Holiday Shores  
Board of Directors Meeting Minutes

**High Point Culvert Update**

**Anthony Harrell** I'll just read this memo. Yates construction started to excavate the area for the junction box from our existing culvert to the failed area of the member system that was installed 12 years ago. Upon inspecting up and downstream it was noticed that approximately 15' upstream (under the roadway) the Association culvert pipe is rusted through on the bottom. Yates is working up a quote, hope to have it to you at the meeting. Bottom line is the culvert needs to be replaced before it starts to damage the roadway by undermining." Yates proposal is to remove and replace 24" diameter culvert, saw cut the street, remove, and dispose of existing 24"x34" culvert, installation of new 24"x34" culvert. Connect to existing inlet on the east side, connect to new concrete catch basin on the west side. Backfill with rock, patch the street with 4" thick asphalt and traffic control is needed. The proposal is for \$8,646. This sounds like something that needs to be done pretty quickly or we lose the road. Any questions?

**Tony Harris** Makes a motion to accept the bid to replace the culvert.

**Ty Van Ryswyk** Seconds

**All in Favor**

**Motion Carries**

**Seal Coat Bids Parking Lot/Starboard Lane**

**Anthony Harrell** We have a quote from Driveway 911 which uses a five-year industrial seal coat and the total for the clubhouse parking lot is \$12,300 and then Starboard Lane, approximately 244'x16' and the cul de sac, a total price of \$1400. Bid from CSR Asphalt Paving & Concrete Construction is \$9,480 for the parking lot and \$1,980 for Starboard Lane, and that's a two year as well. J&J Paving bid is \$9,500 for the parking lot and \$4,500 for Starboard Lane, and again, that's using a two year asphalt. So my opinion looking at the different proposals, they're fairly close together. Driveway 991 is slightly higher, but that's a five year product instead of a two. **Tony Harris** \$1,000 should be reimbursed by the person that caused the damage in the parking lot, so it's really for us \$11,300. **Ty Van Ryswyk** J&J, with their two together is \$14,000, which is the highest, and it's only two years, so I think you set that one aside. Where it comes between Driveway 911 was \$13,700 minus the \$1000 that will be paid by the person that caused the damage puts our amount at \$12,700 versus \$10,460 by CSR, but you're looking at a two year versus a five year product. A difference of \$2,000 which I think in this in this situation is a legitimate factor. So I myself would prefer Driveway 911 at the \$13,700 which \$1,000 of that will be reimbursed to us. That's my opinion. **Shaun Diltz** I agree. **Ty Van Ryswyk** The other company made a mention of it but acted like they were just going to fill it in versus repair it. That would also make you lean towards Driveway 911. **Tony Harris** Is this something they'll be able to do this year? Quotes are only good for like 30 days. **Rob Clarkson** I would tell you that the parking lot can be done this year. Starboard Lane won't be till the next road plan. We've already completed the road plan for this year and replaced Starboard when they didn't want it done. So it will go in next year's and that could fluctuate a little bit depending on oil prices. **Shaun Diltz** He couldn't go do Starboard this year? **Tony Harris** The contractor can do it, it's just a matter of if it's in the budget. So I would say for \$14,100 I would go ahead and do it this year. If we go with Driveway 911 and they can do it I would go ahead and do it this year. That'd be my recommendation, get it done.

**Shaun Diltz** Motions to accept Driveway 911 bid for Starboard Lane and the clubhouse parking lot.

**Ty Van Ryswyk** Seconds

**Tony Harris** Only other question I have is in the reserves, we do have parking lot replacement, not necessarily treating, so I'll have to look and see how we've handled it in the past. It may be able to come out of that line item for the parking lot piece. I don't know why it wouldn't, it's a repair of the parking lot and if it meets the criteria as far as the dollar amount goes. So most likely the \$11,300 we can take out of the reserves.

**All in Favor**

**Motion Carries**

**New Business**

**Variance (1020)**

**Anthony Harrell** Variance to extend their building permit. They're having a problem getting the siding from the manufacturer. Evidently the color that they chose has been on backorder forever. They ordered it, I think it was August and it still has not come in yet. So they're asking for an extension to their building permit. **Tony Harris** Are the homeowners here. I noticed in your letter that it says they anticipate the siding may be in or may not be in for three weeks. **Mark Dowdy (Contractor for 1020)** As I filled out the paperwork for the extension the siding is on site now. **Tony Harris** Okay. So then it's just really just an extension for the installation piece. How long you think it's going to take? **Mark Dowdy (Contractor for 1020)** Two weeks, weather permitting, we should be fine. I'm thinking. I think safe is two to three weeks for it to be complete. **Tony Harris** So if we gave an extension till November 8, that'll give you about three weeks. **Shaun Diltz** Just know, there's supply issues out there with building material. So we could see a whole slew of these, and we just need to make sure that people that are doing projects that they have to prioritize the exterior of their house first, because that's what we determine is finished for the refund.

**Tony Harris** Makes a motion approve the variance and extend it to November 8.

**Ty Van Ryswyk** Seconds

Holiday Shores  
Board of Directors Meeting Minutes

**Anthony Harrell** Any further discussion? **Ty Van Ryswyk** Mark, you're sure you can get it done by then? **Mark Dowdy (Contractor for 1020)** Well, yeah, we actually was going to start yesterday, but rain tomorrow, but I mean, we're only realistically looking at a week and a half to install. So I've got some cushion at two weeks, and if you give me three weeks we would have to literally fall on our face not to get it done in three weeks. So November 8 is a good date. **Ty Van Ryswyk** Sounds good to me.

**All in Favor** Tony Harris, Ty Van Ryswyk & Anthony Harrell

**Against** Shaun Diltz

**Motion Carries**

**Variance (1155)**

**Anthony Harrell** The dock extends beyond the 20' rule. One end of the structure is 31' from the shoreline. The building committee recommends the structure to be removed to within the 20' rule. So we have pictures on this and if we follow the recommendation of the building committee to have this structure moved it looks like it's going to be quite the undertaking. So if we don't approve this variance we should probably give them to prior to next boating season, somewhere around May 1 to get this dock moved. Any thoughts? **Tony Harris** I would agree with the building committee that it needs to be moved, that's way out in the lake and looking at the lay of the ground I don't see a reason why it couldn't be moved over. We've had lots of members that dig out on their property to make room for boat docks, so I think it needs to be moved. I would be fine with giving them until May 1 to do it, but I would not be in favor of granting the variance to leave it where it is. **Ty Van Ryswyk** I agree. The way we have voted on previous variances dealing with boat docks and stuff we have shown where we have to stand on this one I believe and my opinion, that being said, it is going to be an undertaking to remove or move it. So I would be okay of putting a date of May 1, 2022 to have them get it rectified. But I don't see that there's a way that we can offer the variance. **Cheri Laurent (1155)** And I understand that the end, I'm going to say that west end, I guess of the dock is farther out from the shore. And a lot of that, as you could probably see from the picture is because the shoreline dips in so far, you know, significantly right there where the end of the dock is. My question is to move the dock closer to the shore on the west end would result in us having to tear down our deck, the existing deck that was there when we bought the property on the east end. Is that what you're suggesting that we would need to tear that deck down? **Ty Van Ryswyk** I don't know that we can request you to do anything in that manner of how you fix it but that existing deck should have been taken into consideration during the planning and building of this as well. I understand the lay of the land and some of that but 11' over is a considerable amount to be stuck out as well but I don't know that we're telling you how to remedy it or to take into consideration of the deck that was there. It's just the pre plan of this structure should have taken that into consideration. Our hands are kind of tied on how we stand on the boat docks. Tiger Docks is the company that put this dock in and to be very honest, they said that they've put docks in here on this lake before, and I provided them the rules and everything. And so I took, you know, their advice as the experts. So, can I go back to them and let them know, you know what the end result is that it sounds to me like you're saying that the entire dock needs to be within the 20' from the shore. **Ty Van Ryswyk** The furthest out point has to be within 20' and that's where, again, we've had people that have had to dig into their land. They might be on their land at this point to be 20' out at the other end and that's where we've made people do that throughout all over this lake and for years and that's where I'm saying our hands are tied with how we voted in the past, not just this board, but boards before us. As far as Tiger Dock versus you, again, who took out the permit, and who submitted. Because when you do the permit, you got to put measurements and this and that. If they submitted all that and said, hey, no worries, you might have a leg to stand on but I'm not a lawyer. **Cheri Laurent (1155)** As far as digging into the shoreline, I thought, I understood that we could not, we weren't allowed to change the shoreline at all. Is that not correct? **Rob Clarkson** You can dig in, you cannot recover it. So you can't fill that area in behind the dock. You can't take the water away, but you can add water. **Cheri Laurent (1155)** Oh, okay. Thank you. **Tony Harris** It's really hard, I don't really have a picture of the other end of the document to go by. I don't really know how that is situated. As long as it's not more than 20' out, it can stay. I have another picture if you want to see it. I brought a picture on my phone with me if that helps at all. **Anthony Harrell** Not really because regardless, you're going to have to move that. It looks like the dock itself is 20' wide. Yes, that's correct. **Anthony Harrell** And then it's 11' out from the shoreline. So if the front is right up against the shoreline, you probably meet that 20'. Then you just have to kick that what you call the west end against the shoreline so that it meets that 20'. **Cheri Laurent (1155)** Okay. So after I talk to Tiger and find out what they can do to meet that so that the entire dock is within 20', do we need to start the process again, as far as show you what they feel the remedy is and get your approval on that. Because I just want to make sure that something doesn't get done, and then it's still not in compliance or something **Tony Harris** If you want, I'm going to throw this out there, we can bring in Rob and have him look at it, make sure that the drawings, if they're going to have new drawings or something they would have to go by, but then he can look at it and tell you if it's going to be within the 20'. I would think based on whatever is drawn, now they build it something different, you know, then we can't, you know, I mean. **Rob Clarkson** I would have them actually do it with the shoreline in it because what they submitted was just 19'11 in a square. It didn't show that it was going to be 11' off the shoreline on the other end. **Tony Harris** So that's why we had the problems with this one, so their drawing that they gave said it was within 20' but they didn't say that it was going to push that 20' started at 11' from the shoreline. So when they go to redo it, what Rob is saying is have them show you the shoreline, and where that outside edge is going to be and make sure that they know that outside edge has to be within 20' of that shoreline. **Rob Clarkson** And they do know that, they've built plenty of docks out here. **Tony Harris** I know what you're saying, you want to have that comfort that if they go and redo it you're not going to have this issue again. So if you'd like, I think we could look at that for you and see, but like I say, it's going to depend on what they show. If they don't give enough information we might be saying it looks good, when it's not So they need to show the shoreline and make sure it meets all the

Holiday Shores  
Board of Directors Meeting Minutes

requirements. And then they build it according to that because we've had some people turn in something for a building permit and show it a certain way and they build something different. So we ran into issues with that. So I'm saying you got to make sure that they build whatever they show you to. **Cheri Laurent (1155)** Yes, thank you.

**Dies on floor for lack of motion**

**Anthony Harrell** You'll have to correct it, but we're going to give you until May 31, 2022 so you have some time to get it all worked out. **Rob Clarkson** If we could ask for you to stay in communication with us so that we know what's going on. **Cheri Laurent (1155)** Absolutely.

**Variance (1188)**

**Anthony Harrell** A driveway was poured with no culvert because they are at the peak. The high point on the street, water flows in either direction from their driveway. The building committee recommends that we approve this variance and that we keep the deposit. We have photos and you can clearly see that in the photos, it goes downhill each direction. **Ty Van Ryswyk** I would say we need to approve the variance due to the fact that is the high point of that street, there is no need or reason for a culvert. **Tony Harris** I'm just curious why they're recommended keeping the deposit. Rob, do you know why the building committee is recommending keeping the deposit? Did they not get a permit ahead of time? **Rob Clarkson** The story I get is a former employee said you don't need a culvert but did not mention that they needed a variance to not put in a culvert and the project was completed. Personally, I would approve the variance and refund the deposit and move on. **Ty Van Ryswyk** I agree, we're here to approve the variance. I'm not here to keep somebody's money, not in this circumstance.

**Ty Van Ryswyk** Makes a motion to accept the variance for 1188

**Shaun Diltz** Seconds

**All in Favor**

**Motion Carries**

**Office AC**

**Anthony Harrell** The office air conditioner has been failing for quite some time and have been putting band aids and bubble gum on it for quite a while. So we got some quotes for the air conditioner replacement. **Shaun Diltz** This is just for the office, not upstairs or in the restaurant. **Anthony Harrell** That is correct. We have two proposals to replace the condensing unit. Schmidt & Son Heating & Cooling quote to just replace the four-ton 13 seer air conditioner is at \$4,250 with a possible upgrade up to a 15 seer of \$500. B&W Heating and Cooling has a four-ton 13 seer AC of \$3,695. I don't see where they've given the option for up to a 15 seer. And then Schmidt & Son also gave us a quote to replace the entire thing, heating and cooling for a total of \$8,350 with a 15 seer, a regular 13 seer would be \$7,850. So we looked up the difference in cost savings between the 13 seer and a 15 seer. It was basically a savings of \$240 per year to go from a 13 seer to a 15 seer. A two-year payback to upgrade. Being that the system is 23 years old, I would recommend that we don't just replace the AC and then have to do the heating later. We replace the entire unit because we've got the funds and I think upgrading for the 15 seer for \$500 is worth it because after two years we're going to save \$240 a year on the electric. **Tony Harris** I would agree. **Shaun Diltz** I agree. We'll be doing the heating this time next year if we don't do it now.

**Tony Harris** Makes a motion to accept the bid to replace the heating and the air with the upgraded 15 seer unit for a total of \$8,350 from Schmidt & Son.

**Shaun Diltz** Seconds

**All in Favor**

**Motion Carries**

**Correspondence**

**(1387) Anthony Harrell** 1387 Biscay Drive. Concerning multiple tree hazard along the property line. They have three large trees on the neighbor's property that are extremely close to their property. Trees have either been dead or dying for the past several years and pose a real threat to their home, their cars, yard and their pool. They have been in contact with their neighbors and requesting them to alleviate the problem. So we have a copy of the certified letter, and they're requesting that the board intervene here to prevent the trees from damaging their property. You can clearly see they're dead, then you see the car in one picture in the bottom left, so if that tree would fall, cars definitely and the garage and their fence, everything's pretty much in the line of fire should the tree fall, it's a pretty big tree. **Tony Harris** So under article III, section 2, E in our covenants, bylaws and rules. "Tree Hazards: Trees and tree limbs which are in such condition as to constitute a danger to persons using the lake, and dead trees and dead limbs, wherever situated which constitute a potential hazard, may be declared to be a hazard by the Board of Directors. The owner or owners of property upon which any such trees or tree limbs exist shall be given notice by certified mail, addressed to the owner at his last known address, that the Board of Directors has adopted a resolution declaring the condition of such trees to be a hazard, specifying the trees or tree limbs so determined to constitute the same. Unless the owner or owners shall within thirty (30) days from the date of such notice, remove such trees or tree limbs, the Association shall have the right to cause the same to be removed at the expense of the owner. Payment of the cost of such removal shall be due promptly upon receipt of billing and failure to pay said billing shall result in the Association filing liens. Lien fees and interest charges shall be levied as provided under Article IV, Section 5." Looking at the picture they look dead to me. So I would say we need to proceed, send them a letter according to the rules Rob and tell them they need to have the trees removed.

Holiday Shores  
Board of Directors Meeting Minutes

**Tony Harris** Makes a motion to deem the trees on lot 1386 owned by the owners of lot 1385, a tree hazard in accordance with our regulations and so notify them to have them removed.

**Shaun Diltz** Seconds

**Anthony Harrell** Any further discussion? **Shaun Diltz** You just want to make sure you call out the dead, dying ones, obviously they are the ones that are that we're talking about here. **Anthony Harrell** Right, looks like there are three dead ones. Rob, if you can draft a letter and get that sent off.

**Open Floor**

**Ray Garber (1822)** I may have missed maybe one meeting this summer or whatever. But you talked about the code enforcement position. And how is that financed? It's a new position so obviously you have to pay for that position. **Tony Harris** Basically the position held by Rob Fry, General Manager, and some of the funds from the public safety. **Jerry Theodore (1346)** Okay, I just wanted to double check. Thank you. **Shaun Diltz** We did get correspondence about streetlights. I don't know if we wanted to bring that up. Essentially a member wrote to us about walking in the evening and noticing that, and I think there was a few pictures to, some of the streetlights have trees or brush or stuff obscuring the light from there. And I don't know if there's a rule or not, but I do know, over on Boulevard de Cannes, there was a couple shrubs that were literally growing around the light that the homeowner ended up cutting down so we could have light because it made that whole corner dark. So I think that's a general concern. What's the point having a light if it just covered up? It's like put a blanket over it. So I don't know there's any rules on that. **Tony Harris** Well, it would fall under unkempt property. **Rob Clarkson** There is a 15' right of way. It is not the homeowner's or Southwest Electric's responsibility, it is our maintenance department. **Ty Van Ryswyk** And that's what the people were asking, is it the homeowners that own that lot or is it Southwest? It sounds like it is on us and our maintenance department to keep up on it. **Shaun Diltz** I would think if they had landscaping, we have to at least let them know what we're getting ready to do. But that is a right of way easement type issue. **Tony Harris** Well but a right of way and an easement is across from somebody's property doesn't mean you have to maintain the property. So I'm trying to make sure when you say right of way that I'm understanding what you're saying. But that's still to me, it's just like your ditch or anything else, you still have to maintain it. What I'm saying is normally like for a right of way, when you have a right of way across somebody's property, you're not responsible for maintaining that property, you have to repair any damage you do to it. But when you're not using that right of way, whoever owns the property still maintains it. Now, I don't know what our rules say, I haven't looked into this. I'd like to have some time to look into it. But you know, if we can cut the ones in the meantime, but if it's on Association property, it's obviously ours, if it's on a homeowner's property just because we have an easement, same thing like the grass, we don't mow the grass on 15' wide of every road because we have an easement, it's their responsibility to mow the grass. I think it's also the responsibility to maintain any vegetation or growth or anything else in the property, but I need to look at our rule specifically that see what it says but usually owning a right of way doesn't require you to maintain it, just to fix the damage you would do to it. **Shaun Diltz** No, I actually like identified a bunch before you were around Rob. This came up three or four years ago also and we ended up cutting a couple trees down or cleaning up some areas. But it sounds like Southwest isn't responsible. **Tony Harris** I wouldn't think that they would be. **Shaun Diltz** If a tree fell and knocked their light over they would put the light up. So I'm surprised they don't care more about what's happening around it. Maybe that's something we look at? **Anthony Harrell** Do we need to check in to that Rob or you already have. **Rob Clarkson** We contacted Southwest and it is not their responsibility. **Anthony Harrell** Okay so it's going to fall on our maintenance guys. **Tony Harris** We're kind of debating that because normally and my work we take a lot of right of ways out and we're not responsible for maintaining them. Now if we do damage to them we've got to fix them and we put it back in the shape that was in but once you've done that, they are responsible for maintenance, it's still their land, they still own it, you just have a right of way through it. **Anthony Harrell** I know the light pole in my yard, I planted something around it so it's up to me to trim it up around the light. **Tony Harris** I would think so. These didn't happen overnight and if it is going to be a change, maybe we also look at cutting the first ones back, getting them to a manageable level and then informing the homeowners going forward, it's your responsibility. Obviously you want to work with people, but we probably need to address that and define how that's going to be handled in the future.

**Tony Harris** Makes a motion to adjourn to executive session

**Shaun Diltz** Seconds

**All in Favor**

**Motion Carries**

**Meeting adjourned at 8:25 p.m.**

**Meeting Minutes submitted by Karla Suttles**