

COMMISSIONER MEETING

May 16, 2022

AGENDA

North Golf Course – 6:00 pm

1. Call to order
 - a. Tim Lee called meeting to order at 6pm. Attendance included Ron Page, David Nebel, Joe Kaiser, Susan Jett, Betsy Waugh
2. Approve meeting minutes from special meeting, April 22, 2022, and May 2, 2022 working session
 - a. Agenda amended to remove the May 2nd working session minutes
 - b. Ron Page made motion, David Nebel 2nd and all were in favor and approved
3. Old Business
 - a. Wake surfing and filling ballast, enforcement, boat size, length and weight, etc.
 - i. Eddie Ishmeal presentation on behalf of wake board owners. **Tim Lee stated that both Bella Vista and Hot Springs Village had banned boats, but that was not correct. Hot Springs Village prevents you from filling your ballast, but in Bella Vista they have three lakes and allow wake boats with restrictions. An entire policy has been written and we will review.
Eddie Ismeal provided a study to commissioners from FL on a lake, but was done in 2018 with a similar boat. They discovered you need 200 feet for the wave to dissipate. The map provided the narrowest points. He said when not surfing, they do not fill the ballast. And SID needs to provide a map when picking up stickers to stay in middle of lake.
**Tim Lee asked if property owners would be willing to sign something that says they will not fill ballast if not surfing and they would stay in the middle. Would they be willing to not surf on holiday weekends?
**David Nebel said that wake boarding and wake surfing are two different terms and they are filling ballast for both. Ski boats and pontoons are also making wakes.
**Ron Page asked if he had read the study from Alabama? Ron asking for his help in policing this problem. And asking for help in moving forward for this year.
**Joe Kaiser stated that the center area is marked with fluorescent buoys and specific stickers identifying those boats to prevent things from getting out of control. Would that be acceptable?
**Susan Jett asked, "That if the rules the way they are written is acceptable, #5 stating that we can not operate the boats in a annoying manner, agreeing to rules the way they are written". And that if they are not following that Lake Safety can approach and ask to leave the lake.
 - b. Lucinda McDaniels asked to speak now on the wake boats issues as a property owner for over 30 years. I own 5 lots, two with homes and new docks that are getting beat to death. Hundreds of property owners depend on SID to protect the property owners, even if it upsets the 11 people that want to wake board. There is a distinction between a right and a privilege, and wake boarding is a privilege as a sport not a necessity. Rights are protection from property damage and injury. SID has taken action in the past with

Jet boats and Jet Ski, due to risk and property damage. This is the same action that needs to be taken.

****David Nebel** – As commissioners we have the rights to protect the properties. And if we take a stand, we look into a lawsuit that could cost us thousands of dollars. Do you think that is wise at this time?

The property owners have notified SID with these concerns and we open ourselves up for other suits if we take not action. The risk of injury and damage is greater than fear of a lawsuit, as has been demonstrated in the past by previous commissioners.

c. Financial outlook

- i. GM provided copies of the financials package for residents can take and review. I made some notes concerning anything that did not fall into budget. The negative income for Omaha was due to paying the first quarter membership fees. Expense report shows that we made our personal property payment earlier than budgeted, but should flush out YTD. YTD we are still staying within our budget. Any questions can be directed to the SID office and I will be happy to discuss further.

d. Irrigation loan –

- i. We are moving this item for future discussions

e. SID sustainability/10 year look/future debt/Capital Improvements

- i. Tim Lee is looking into this and will do more research before moving forward and sharing as he goes.
- ii. Amenity list of repairs from GM
 1. Roofs are the most urgent in the GM opinion. Waiting on insurance adjustments to discuss further. Looking for roofer to work with us and will forward quotes when we know what insurance funds we will have to work with.

f. Campground future plans

- i. Electrician was there this week but waiting on quotes. They will provide a lot of info once we get that quote. The campground has already made \$1800 as of the end of April, so we are moving forward with what we have.
- ii. Follow up on trails questions
 1. I took the original map and made some adjustments that we could get started on a smaller level. SID cannot maintain the trail and would fall on the hikers to keep it up. This needs more discussion and use.
 2. Karen Page asked and spoke that we had people interested in having the trails. And that she felt we would have walkers and riders who will trim and they go and could do work days to help maintain.

*****Susan Jett** and others spoke to encourage and allow this to start as soon as applicable. David Nebel made motion to allow the trail, Susan Jett seconded the motion and all were in favor.

g. Commissioner and employee user fees

- i. Commissioners all voted to not receive refunds for fees for 2022 and relook at this for 2023 concerning the commissioners. Commissioners are going to relook at the HR policies concerning the employee use of amenities, vacation time and PTO time. They will red line any items in questions and will discuss at next meeting.

h. Employee HR policy, vacation, sick time – discuss above and will be added back to June calendar

- i. Future of Omaha Center fitness center
 - i. GM spoke up and asked that if this decision is made, that it be pushed to year end so that we wouldn't take over in the middle of the year.
- j. Omaha Pool update
 - i. Have a MO company that has quoted renovation, but still needs to visit site concerning decking, plumbing and filter equipment. Has reached out and making future visit to site for plumbing, concrete and the pool pumps.

***Tim Lee spoke briefly on some of the pool items possibly being capital improvements versus using the cash. He is going to do more research and will get back with more info.

- k. Public amenities? Which ones?
 - i. Tim Lee spoke of how the property ownership is not being applied at all amenities. The golf course needs the revenue and Mr. Page wants to keep things the same and talk about the golf course in January. All amenities were discussed with the differences only being the golf courses.

**Someone spoke without the floor and stated if we asked attorney if a suit could be filed against SID from property owners' amenities no longer being exclusive? Tim Lee responded that anyone can file a suite an we were moving forward. We just have to do the best we can and we are not interfering with any property owner being able to use those facilities. More use the lower we can go with our SID fees.

Ron Page made motion to keep property owner fees where they are and those are the only two amenities that are public. David Nebel seconded the motion and all agreed to move forward.

- l. Associate memberships?
 - i. Tim Lee is working on Los Indios and that holds hands with associate memberships. He is looking into how that legally works and will update.
- m. Update dock policy, construction, size, easement, etc. Working on these to get the policy in line that makes sense with today.
- n. Assessments of \$0 land value buildings?
 - i. Tim Lee spoke on these properties were churches, waterworks, entergy, etc. This equals about \$30K and would have to pay an appraiser to go in and evaluate to be legal. He asked the commissioners if they want to move forward.
 - **Joe Kaiser asked if that was really an issue when we show churches all over the city up for sale.
 - **David Nebel asked what the cost of an appraisal would be?
 - Joe Kaiser motioned to leave these lots the same, Susan Jett seconded and all were in favor of moving forward.
- o. Gitchegumbee beach future and repairs of parking lot
 - i. The roof, rafters, decking and gutters are all in dis-repair and must be replaced. Insurance carrier is coming back to look at this location and I have limited time to get it open from the summer.
 - ii. Parking lot needs bids for the parking lot and Atlas Asphalt will update the quote previously given in the past.

**Ron Page brought up some owners talking about possibly opening the Omaha Marina for no fees. Tim Lee asked that to be included in executive session concerning employee items.

- p. Property sales after ALC end in June?
 - i. Tim Lee has been working on how to do that moving forward. He has spoken to some folks to determine what is legal. But we can't hire someone to just sale property. The Commissioners represent the land and they can sale the property. Spoke to some brokers and found that Little Rock had some properties to sale, and they did listing agreements with anyone who was interested. Maybe called non-exclusive contract and set up a special program. Brokers are concerned with the limitations of the proceeds from the settlement outline. He will continue to research and get more info
Ron Page spoke to his conversation with Jonathon Rhodes and understands that we will be responsible for the back taxes on the SID properties when coming back into our inventory. Ron Page wants to say that this information needs to be verified.
- q. Thunderbird next steps?
 - i. Thunderbird is working to get the diving board repaired and health department inspection set for next week. I included a contract with Pruitt to assist with cleaning the pool while Ray is out with surgery. We use them for chemicals and let them help us keep it going.
Tim Lee asked to take these numbers to executive session.
- r. ABC License at the South Course and the restaurant
 - i. Fulton county being a dry county and makes the responsibility of the license on the GM. Think we should open restaurant with food only and let the license go. Fulton County just takes too many chances to offer alcohol.
- s. Escalante Park donation for play equipment
 - i. Move forward with checking the facility to see if we can safely turn on power, checking HVAC, roofing, etc. Also water to the facility, so that we can use that building for other services to our children. This is the community that needs the most help and we could do more there.
Programs would be set up like we use other rental facilities.

**Joe Kaiser made a motion to allow Betsy to get the power and water on to make sure its sound and in working condition and present at future meeting. Ron Page seconded the motion and all in favor.

4. New business:

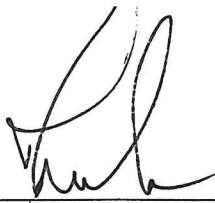
- a. Settlement terminology correction
 - i. Tim Lee stated that this is an error with using two different terms. Is Tim going to handle and does it even need to be fixed?
 - 1. GM replied that she has requested for a signed copy of settlement. She did speak to him personally and agreed it needs to be amended. He has not followed through and will not reply to any calls or emails.

**Some unknown person spoke that not fixing the terminology is the same as the old commissioners' practices that lack of transparency

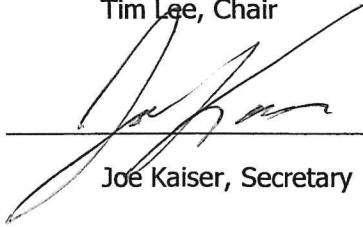
5. Property Owners opportunity to comment (held to 3 minutes)

- a. Cal Diest is the Fire Chief in Cherokee Village, and they filed an insurance claim for the roofs. He wants to do some additional improvements with an overhang at the front door, etc. Due to being an SID building, would SID consider allowing to upgrade to a metal roof and extent 10-12' to stop the water from the front door.

- b. Karen Page spoke on zero land value and wants to know if the reserved properties are paying those assessments. Tim Lee responded that SID owns those lots.
 - c. Dee Ann Draper stated about the property settlement that we aren't allowed to spend money for advertising but we already have a website that we could use.
 - d. Peter Martin would appreciate the SID commissioners need to decide what rules they are going to run by, creating by laws and reasonable things so that we can print it out and everyone knows how it is going. As far as the land, give it away!
 - e. Scott Winters asking about the docks on Thunderbird Lake? Also saw something about the fire hydrants and a lawsuit.
 - i. Since the last meeting, no changes with the law suit. We have completed the interrogatories and discovery. We also asked Grant to move forward with the dock lawsuit. **Tim Lee asked about a settlement, but no one is aware of any settlement. Last update was we asked for them to remove the additional 16' they added after the approval. No updates since then.
 - f. Penny Trumpy wants to ask about opening the Omaha Center back up at night. Hours are not working for her schedule and some others.
 - i. Tim Lee answered that in the winter, many times we had no one there to play and it got dark really early. I was just there the other day at 5pm and only 4 there playing. GM mentioned that it doesn't make sense that we open late for non-property owners and pay someone more than we collect. We have opened earlier to assist with our regular owners who are working out. We have talked about trying to find someone to work those hours. Ron Page spoke that he had also heard request for longer hours. Commissioners agreed to try and find someone to work and see if it works.
 - g. John Lynch spoke about the swim club and having to change there hours and that messes up other schedules they already have in place.
 - i. GM spoke to why those hours were changed and that she had spoken to Ms. Johnson and thought the issue had been worked out. Further conversation will take place with commissioners concerning this matter.
 - h. Dee Ann Draper suggested using an automatic cleaner to clean at night.
 - i. Unknown owner stated that he had recently negotiated a lot sale through ALC and that back taxes had to be paid, referring to earlier conversation.
 - i. Tim Lee replied the question was if they were redeemed. And I think we can elect not to redeem. Tommy Land shows 2800 lots that are showing not redeemed.
6. Executive Session
- a. Commissioners and GM broke out into executive session at approximately 8pm.
 - i. David Nebel made motion, it was seconded, and all in favor.
7. Motion to adjourn
- a. Commissioners and GM returned from executive session at 9:21pm
 - b. Motion was made to adjourn meeting, seconded and all were in favor



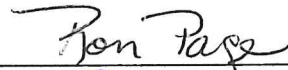
Tim Lee, Chair



Joe Kaiser, Secretary



Susan Jett, At Large



Ron Page, Vice Chair



David Nebel, At Large

Approved and signed on Monday, June 20th, 2022