

SID COMMISSIONERS SPECIAL MEETING

Monday, November 25, 2024

APPROVED MINUTES

NORTH GOLF COURSE @ 3 PM

This meeting was recorded.

Call to order- Comr. Nebel (chair), Comr. Jett (vice-chair), Comr. Stallsmith (sec), Comr. Page (present by phone) , GM Waugh were in attendance. Comr. Kaiser was unable to attend.

Moment of Silence

Approval of Agenda – Motion to approve by Comr. Pager, seconded by Comr. Jett.

PASSED 4-0

Propert Owners – Mike Conley – Mr. Conley expressed his opinion that the commission that his neighbors Mr. Parker and Mr. Southard should move their docks back and that the commission should decide for the good of the community and not for just 2 property owners.

Proposed settlement for Parker/Southard lawsuit – The following proposal by defendants is under consideration.

Memorandum of Material Terms for Settlement Agreement

The purpose of this document is to memorialize the material terms of a settlement agreement reached by the Cherokee Village Suburban Improvement District No. 1 (CVSID), as well as The Parker Family Living Trust, Stephen Southard, and Heather Southard (Defendants) to resolve the action *Cherokee Village Suburban Improvement District No. 1 v. The Parker Family Living Trust*, Circuit Court of Sharp County, Arkansas, Case No. 68CV-22-162.

A formal settlement agreement will be executed by the parties if CVSID's board of commissioners approve the material terms of this agreement by a majority vote to occur within seven (7) days of the undersigned date.

1. The Parker and Southard docks will be moved north by approximately 10 feet (northern location). Portions of which will be situated on a portion of the lake that is adjacent to a CVSID owned lot.
 - a. Parties will prepare and execute all necessary access easements to ensure Parker and Southard, and respective assigns and successors in interest, will have access to the Parkers' and Southards' dock over the CVSID owned lot.
2. Docks will remain at current lengths while situated at the northern location.
3. Defendants agree that upon the District's dredging to a level that permits the Defendants to properly use their boat lifts, the docks will return to their original location **and** permitted length after removing any subsequent extension – that is, to the length originally approved by CVSID's former general manager, David Webb.
4. Defendants will pay to initially move the docks to the northern location. CVSID will pay to move them back to current location if and when the cove has been dredged as provided above. If the Defendants' cove hasn't been dredged in 2 years from the date of approval by CVSID's Commissioners, the docks will remain in their northern location and CVSID will pay the costs associated with the Defendants' relocation of the docks to the northern location. After the docks are moved to the northern location, defendants will submit receipts for moving the docks once they are available.
5. Mutual release. Complaint and counterclaim dismissed with prejudice.
6. Both sides pay for own mediation costs and attorney fees.

SIGNATURES TO FOLLOW ON NEXT PAGE

A discussion followed the public reading by Comr. Stallsmith.

A motion to reject the proposal was made by Comr. Stallsmith, seconded by Comr. Jett.

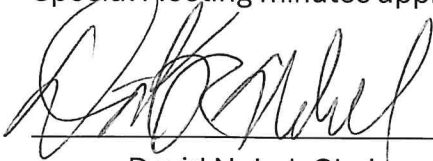
PASSED 4-0

Adjournment – Motion to adjourn made by Comr. Stallsmith, seconded by Comr. Jett.

PASSED 4-0

MEETING ADJOURNED


Special Meeting minutes approved on December 16, 2024:



David Nebel, Chair



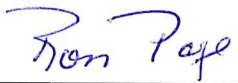
Susan Jett, Vice Chair



Tony Stallsmith, Secretary



Joe Kaiser, At Large



Ron Page, At Large