

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
HOLIDAY ISLAND SUBURBAN IMPROVEMENT DISTRICT (HISID)  
FEBRUARY 24, 2020**

The Regular Meeting was held at the District Office and was called to order by **CHAIR KEN BROWN** at 9:00 a.m.

**INVOCATION:** Pastor Wes Higdon, First Baptist Memorial Church in Eureka Springs, gave the invocation.

**ROLL CALL:** Present for roll call were **COMMISSIONERS KEN BROWN, BILL NOONAN, DAN KEES, NITA HOLLEY,** and **DAVID ORR.** A quorum was declared with all commissioners present.

**APPROVAL OF AGENDA:** **DISTRICT MANAGER BLOOD** asked to strike the District Manager Report from the printed agenda. **COMMISSIONER KEES** moved to approve the agenda as amended to strike the District Manager Report. **COMMISSIONER HOLLEY** seconded. Motion carried unanimously.

**APPROVE MINUTES:** **COMMISSIONER KEES** moved to approve the minutes of the 1-27-20 Regular Meeting. **COMMISSIONER NOONAN** seconded. Motion carried unanimously.

**CEREMONIAL:** None

**ANNOUNCEMENTS:** **CHAIR BROWN** asked those who come to the podium for public comments to please write your first and last name (address not needed), for clarification of speakers. He also thanked Bruce Larson for looking at our sound system.

**PUBLIC COMMENTS:** 1) Barbara Talbot, 9 Horseshoe Drive: As an ambassador of the Holiday Island Chamber of Commerce, she invited Karen and Kolin Paulk to join her at the podium. Karen has Paulk Production Company and Karen and Kolin are the major platinum sponsors at the Holiday Island second annual Bass Tournament to be held May 16, the Saturday after Mother's Day. Everyone was invited to support this event. 2) Kolin Paulk introduced Karen. Karen gave her experience in marketing and handed out her business card to those wishing one. **COMMISSIONER HOLLEY:** Is there a reason why non-fishing people would attend this event? 3) Barbara Talbot, 9 Horseshoe Drive: "Yes, it helps bring the community together, with booths, activities and the excitement of awards to winners. **CHAIR BROWN** shared details of the upcoming 50 Anniversary celebration of Holiday Island, with fireworks, live music, booths, and various activities. Mavis Wilkes, 29 Venus: asked whether there was any kind of Easter celebration. She explained details of a community-wide egg hunt and wondered if there is any way to bring the community together by doing something similar.

**DISTRICT MANAGER BLOOD** read a letter into the record from Kathleen Bischoff, 50 Bandy Drive, regarding a formal objection to Resolution 2020-R3, supporting holding an election to decide on the matter of incorporation of Holiday Island. She requested that the Board of Commissioners rescind the Resolution. A printed copy of her letter attached to the minutes.

**CHAIR BROWN** asked the Board if anyone had a response to the letter from Kathleen Bischoff. **COMMISSIONER KEES** read his response into the minutes (copy attached) explaining the Board's

responsibility to work with the residents and property owners to undertake transitional planning for the termination and transition of the Suburban Improvement District to another form of government in 2032. The Board of Commissioners is elected to use their judgment as to what is in the property owners' best interest, which is what the Board did in passing the Resolution 2020-R3. **COMMISSIONER NOONAN** agreed with **COMMISSIONER KEES'** statement. **COMMISSIONER HOLLEY** could not understand why the uproar of trying to get the issue on a ballot to be voted on is such a problem, because that would be the will of the people. Unless people are allowed to vote, this is never going to be a settled issue. **CHAIR BROWN:** I agree with **COMMISSIONER KEES** on summarizing this. He further reviewed the results of ending the Holiday Island Suburban Improvement District in 2032. **DISTRICT MANAGER BLOOD:** Concerning the legal aspect of the Resolution, Mrs. Bischoff alleged the Board exceeded its authority in passing the resolution, being the foundation for wanting it rescinded. Having checked with our district attorney, he did not see any board over-reach or any reason why the resolution should be rescinded from a legal standpoint.

### REPORTS:

#### **A) Deputy Report**

Deputy Ingle gave his report. See attached. He encouraged everyone to try to get the license number of anyone throwing trash out their windows. **COMMISSIONER KEES** noted the increase in citations issued for traffic stops. **COMMISSIONER HOLLEY** was pleased to hear this is happening.

### PUBLIC COMMENTS:

- 1) Mike Sampson, 81 Valley Drive: Referred to State Statute 27 referring to "the lack of using turn signals shall be ticketed in Arkansas." Failure to signal a turn is probable cause for ticketing.
- 2) Dan Eddy, 113 Beaver Drive: Commented that the construction workers leave more debris than local residents.

**DISTRICT MANAGER BLOOD:** Regarding illegal dumping and set-out on Thunderbird, there was an unknown citizen of Holiday Island who pulled all the material dumped down the hill up to the road and posted a sign saying "no dumping".

### OLD BUSINESS:

#### **1) Pickleball Court**

**CHAIR BROWN:** Noted this topic was for discussion only. He reviewed the history of the request for a new pickleball court, having occurred after the 2020 budget was approved.

**PUBLIC COMMENTS:** 1) Dan Eddy, 113 Beaver Drive: Stated the need to update the pickleball courts. As this is a sport for the elderly and becoming more popular, it is important to improve the courts in order to enable this activity to become a viable amenity to attract new residents. He shared recommendations and prices for improving the existing courts. 2) Joe Zerby, 33 Lakeside: Puddles penetrating the membrane of the courts is a major problem. He asked if the replacement of the courts for this growing sport could be included in the 2021 budget. 3) Gary Capcik, 180 Fairway Drive: Pickle Ball is the fastest growing sport in the country. He plays with approximately 25 players in Eureka Springs. 4) Janice Murphy commented that there are over 500 pickleball players in the Hot Springs club, each paying a large fee to contribute to the improvements of the courts and covering some of them. **CHAIR BROWN:** The surface of the tennis courts is in similar disrepair. He asked the Board members for comments. **COMMISSIONER HOLLEY:** Responded with her knowledge of pickleball becoming more popular. **COMMISSIONER NOONAN:** We need to find some way to do this. **COMMISSIONER KEES:** We need to get it into the budget for 2021. That being said, we will need an experienced professional proposal including design, relatively firm cost estimates, plus a long-term plan

for the tennis and basketball courts. **Barbara Talbot**, 9 Horseshoe Drive: Remembering there was a goal of no increase in assessments, and ultimately increasing assessments 2.5%, plus water and sewer fee increases, she recommended considering pickleball in the 2021 budget. **CHAIR BROWN**: The budget process is a balancing act. This issue was not to be voted on today, it is simply for discussion.

1) **Pat Elwood**, 14 Holiday Island Drive: As an occasional pickleball player, he showed a product used on a cruise ship, and asked the Board to give the pickle ballers some guidance what additional information, what additional research you would like us to do and when you would like to have it in order for it to be presented to you prior to you formulating the budget. As President of HIHA, I think we can contribute a little bit to this process over the next couple of years. **CHAIR BROWN**: I have asked Janice Murphy to look into donated services, available grants and zeroing in on the budget.

**Dan Eddy**, 13 Beaver Drive: The prices I gave earlier did not include striping and painting. **COMMISSIONER KEES**: I would like to see a design document that defines what it is we intend to build, the credentials of the company producing the design and a ballpark price for budget purposes by July. Janice Murphy recommended calling the original installers, Perry Tennis, out of Springfield, Missouri, who have also done the pickleball courts in Hot Springs Village. They have been building pickleball courts for 30-50 years. The shuffleboard builder is another possibility for contact.

### **NEW BUSINESS:**

#### **1) Resolution 2020-R4 Supporting Grant Application for Arkansas Rural Community Grant (copy attached)**

**DISTRICT MANAGER BLOOD** read Resolution 2020-R4, a resolution identifying local sources of required grant-matching and authorizing the District Manager to apply for grant funding from the Arkansas Rural Community Grant program through Carroll County. The resolution asks for planning and pre-construction logistics for constructing two double-walled storage tanks for holding liquid road de-icing chemicals. He gave a list of activities to be accomplished since we are an unincorporated community.

1) Apply through the quorum court to authorize the county judge to apply for this grant on our behalf. 2) The deadline for this grant is March 12. 3) If it is not approved on the first application, it will be necessary to provide a cover letter requesting resubmittal of the application in August and again in March of 2021. It usually takes all three applications before funding is approved. Being proactive at this time, he is hopeful to get the grant in 2021 to be included in the 2021 budget. Should it be approved in 2020, the Board would have to find the matching \$15,000 funding.

**COMMISSIONER KEES**: Should the grant be approved in 2020, how much time would we have to spend the actual grant money? **DISTRICT MANAGER BLOOD**: One year. From here, the grant application is 99% written. The quorum court is going to approve the county judge to submit a grant on our behalf. We turn the grant into Representative Harlan Breaux and Senator Bob Ballinger to get a letter of support from them and have everything ready by the March 12 deadline. He clarified there was no participation from the county to provide funds. The need for these funds was reviewed. **COMMISSIONER KEES** moved to approve Resolution 2020-R4. **COMMISSIONER NOONAN** seconded. Motion carried unanimously.

#### **2) Regulation 2020-002, Amenity Privileges (copy attached)**

**CHAIR BROWN** thanked Neil Smith, 49D Blue Water Drive, Alex Thurocy, 158 Holiday Island Drive, and Barbara Talbot, 9 Horseshoe Drive, for meeting with him regarding the use of amenities for those who have paid their assessment, even though there might be more than one dwelling on one lot. **DISTRICT MANAGER BLOOD** stated the reason for this proposed change, is because it is unfair for a property owner to pay their assessment and not be able to have amenity privileges. Property ownership is ownership of property, regardless of how much. Going forward with this premise, we need to make some small changes to the code. In Section 2-2, we rescinded the identification of the property, in keeping with only two cards on the assessment bill. We already have the mechanism for handling

additional cards for those who may not be listed as the first two names on the property. An issue regarding swim passes was clarified by Janice Murphy to be: "a family swim pass includes immediate family members, not to include siblings or cousins". **COMMISSIONER ORR** asked **DISTRICT MANAGER BLOOD** to read the Regulation. Section 5.2 has been rescinded in its entirety. Section 5.3 refers to the member cards. The portion needing amending was read. Sections 3 through 7 were read into the record. **COMMISSIONER KEES** pointed out that a regulation change requires two readings, so the vote today is for the first reading. He moved to accept the changes to Regulation 2020-002. **COMMISSIONER HOLLEY** seconded. **CHAIR BROWN** asked if this could be adopted as an emergency session to be rewritten with an emergency clause designated for the efficient operation of the district. Linda Peterson, 120 Appaloosa Drive: Can a person designate a different relative if there are no related children? Janice Murphy clarified immediate family to be: parents, children, grandchildren, great-grandchildren, and spouse. Otherwise, they are a guest and must be accompanied by the property owner. Because we have no lifeguards or handicap access, guests must be accompanied by the property owners, as required by being a private pool. She also explained how timeshare guests are allowed in the pool. **COMMISSIONER KEES** amended his motion to approve the regulation change in an emergency basis. **COMMISSIONER NOONAN** seconded the amended motion. Amended motion passed unanimously.

### 3) 2020 Road Paving and Striping (discussion only)

**DISTRICT MANAGER BLOOD:** Kenny DeHart, Holiday Island Roads Superintendent, presented three proposals to be considered for road paving; also a fourth proposal requested by one of the commissioners to include Hawk Drive. The proposal includes receiving \$40,000.00 from the county in addition to the \$200,000.00 allocated in the budget. Option One: 2" asphalt overlay on Stateline Drive from Holiday Island Drive four-way stop to Thomas Circle East, connecting to the previously applied asphalt on Stateline Drive. This would be 22' wide and is estimated to be \$216,070.00. Option Two: 2" asphalt overlay on Stateline Drive from the four-way stop to the Haddock Bridge, just below Table Rock Drive at \$195,290.00. Also recommended, is a double pass chip and seal on Tempest and Emerald Lanes, Quail Run Drive, Quail Run Lane and Appaloosa Drive for \$98,585.00, totaling \$223,875.00.

**DISTRICT MANAGER BLOOD** recommended, at a minimum, do the Stateline Drive from the four-way stop to High Rock, to solve existing drainage issues. Option 3: Suspend paving for the year and concentrate on warranty work on last year's paving. All the current issues are under warranty. Starlight, Thunderbird Lane, Pleasant Ridge, Oak Point Drive, Sun View, Sunset, Rocky Top Circle will all be reviewed. **DISTRICT MANAGER BLOOD** reviewed the options. Discussion of a portion of Hawk Drive using a double pass chip and seal, estimated at \$75,108.00 with \$78,540.00 for entire Hawk Drive, plus \$20,000.00 to repair the potholes. **COMMISSIONER KEES** is concerned that Hawk Drive is, at a minimum, a secondary emergency route. **CHAIR BROWN** recommended the Board members drive these roads to become familiar with them. Barbara Talbot, 9 Horseshoe Drive: In the engineers' specifications that the contractor has 100% responsibility for any deviation, errors, and discrepancies, she asked what the \$8,000.00 maintenance fee listed in the warranty was versus road department maintenance. Kenny DeHart explained the fee is for the contractor's use in paying for a certified bond company which is ultimately responsible for fixing the roads under warranty. She asked about the life expectancy and cost of chip and seal versus asphalt.

**DISTRICT MANAGER BLOOD** explained that there would be no more single chip and seal; only double until the cost of asphalt becomes affordable. **CHAIR BROWN** asked what the timeline was for making the decision. It was recommended the commissioners drive the roads and make a decision next month to get the bid process done early. **DISTRICT MANAGER BLOOD** asked the Board if the focus should

be on asphalt versus chip and seal and/or road programs every other year with striping one year and paving the next, completing a larger project. A larger project every two years will save money on engineers. He stressed the importance, however, of Stateline Drive. **COMMISSIONER ORR** asked for a matrix based on the severity of road conditions, based on safety and best judgment calls, with a table of when the road was last paved and a projection of longevity of chip and seal versus asphalt. From that, we can make a better decision. An on-going program of paving should continue with the adjustments according to a particular matrix. Kenny DeHart has all the information he asked for. He indicated the subsurface of the road is a key factor in making a determination. Discussion of using core samples and subsurface identification ensued. **COMMISSIONER KEES** is curious how much cost savings and length of surfacing a two-year paving plan would make.

Kenny DeHart discussed road striping. Double center lines are required by the state. Outside white lines are optional if there is enough width to the road. He recommended double yellow striping on all of Table Rock Drive at \$2,112.00 and Country Club with double center and white lines at an estimate of \$4,224.00. Striping is a separate cost from paving. If all of Stateline is paved, we will have to double center stripe on the previously paved length of Stateline, which is also wide enough for white lines. Linda Peterson, 120 Appaloosa: asked if there was not a map of the water lines in Holiday Island and how many people have had head-on collisions and how many off-road accidents have occurred. Kenny DeHart will check to see if it is possible to only do outside lines and no centers. **COMMISSIONER ORR** asked about using reflectors on the side of the road.

**PUBLIC COMMENTS:** 1) Alex Thurocy, 158 Holiday Island Drive: Asked when the orientation for new board members was going to be held. 2) Jon Haydn, 7 Opal Lane: Asked the commissioners for a detailed, simple and easy-to-understand report on the incorporation process. He was referred to the members of the incorporation committee in attendance. **COMMISSIONER NOONAN** is hoping an analysis will be forthcoming regarding how the roads will be affected by incorporation. Al Selleck, 22 Buckskin Lane: Road turn-backs, dog ordinances, etc. will be discussed if Judge Barr puts this issue on the ballot.

**COMMISSIONER COMMENTS:** **CHAIR BROWN** thanked **COMMISSIONER HOLLEY** for the lovely Souper Sunday provided by the Holiday Island Fire Department Auxiliary.

**COMMISSIONER AGENDA SCHEDULING:**

Monday, March 23 Regular Meeting 9:00 a.m.

**ADJOURN:** **COMMISSIONER KEES** moved to adjourn at 1:50 p.m. **COMMISSIONER HOLLEY** seconded. Motion carried unanimously.

Respectfully submitted,



David Orr, Secretary, Holiday Island Board of Commissioners