

**IN THE CIRCUIT COURT OF CARROLL COUNTY, ARKANSAS
WESTERN DISTRICT/CIVIL DIVISION**

RICKEY L. CHAMBERS, et. al

PLAINTIFFS

v.

CASE NO.: 08WCV-23-119

**HOLIDAY ISLAND SUBURBAN
IMPROVEMENT DISTRICT BOARD
OF COMMISSIONERS**

DEFENDANTS

**IN THE CIRCUIT COURT OF CARROLL COUNTY, ARKANSAS
WESTERN DISTRICT/CIVIL DIVISION**

**DELBERT PHILLIPS III, DAVID BISCHOFF,
TRACEY ANN GEORGE, and JOHN P. BROWN,
as individuals and on behalf of a class of similarly
situated residents of Holiday Island Improvement
District No. 1**

PLAINTIFFS

v.

CASE NO.: 08WCV-25-15

**HOLIDAY ISLAND SUBURBAN
IMPROVEMENT DISTRICT NO. 1**

DEFENDANT

**DEFENDANT'S RESPONSES TO INTERROGATORIES AND
REQUESTS FOR PRODUCT OF DOCUMENTS**

COMES NOW the Defendant, Holiday Island Suburban Improvement District No. 1 ("HISID") and for its Response to the Interrogatories and Requests for Production of Documents propounded by Plaintiffs, states:

INTERROGATORY NO. 1: List and describe the following: Filings, reports, and any or all submissions that HISID has made to the State of Arkansas, Legislative Audit, the Carroll County Judge, the Carroll County Court Clerk, and the Carroll County Collector?

RESPONSE: State Excise Tax Reports, State Employee Withholding Reports, HISID Budgets, Carroll County Assessor Reports, Audits of Bond Debt.

INTERROGATORY NO. 2: What was the date of the last assessment?

RESPONSE: It was filed on or about October 7, 2011.

INTERROGATORY NO. 3: Who was the assessor?

RESPONSE: Tom Reed & Associates.

INTERROGATORY NO. 4: What Bonds were in effect at the time of the assessment?

RESPONSE: See Dropbox folder entitled “HISID Responses” shared with counsel in a separate email.

REQUEST FOR PRODUCTION NO. 1: List of Current Assets with their individual estimated value held by Holiday Island Suburban Improvement District, to include those items for which the district was created.

RESPONSE: See Dropbox folder “HISID Responses.” See also publicly available tax assessments from the Carroll County Tax Assessor.

INTERROGATORY NO. 5: List any or all assets that have been removed, leased out, or destroyed from the HISID inventory since the last assessment for the AOB?

RESPONSE: Yacht Club, Recreation Center, Fire Department cellular tower, Vehicles as described on Carroll County Assessor’s tax records. In addition, HISID has sold or used innumerable items of personal property, including but not limited to office supplies, furniture, fixtures, etc. See also Dropbox folder HISID Responses, Interrogatory No. 5.

INTERROGATORY NO. 6: What assets have been perpetually leased from HISID to other corporations, or individuals?

RESPONSE: See Dropbox folder HISID Responses.

INTERROGATORY NO. 7: List all Assessment of Benefit items or actions that the City of Holiday Island has taken over after its incorporation.

RESPONSE: Defendant is unsure what information this question seeks.

INTERROGATORY NO. 8: Has the city of Holiday Island taken over any part of the road system owned by HISID?

RESPONSE: See Dropbox folder "HISID Responses," Response to Interrogatory No. 8.

INTERROGATORY NO. 9: Please state which parts of the road system and on which dates the city of Holiday Island took them over since the completion of the last assessment.

RESPONSE: See Response to Interrogatory No. 8.

INTERROGATORY NO. 10: Please advise total amount of monies, the date of payments, and the amount of each payment HISID has received any monies for benefits listed in the previous assessment of the AOB.

RESPONSE: It is unclear what information this interrogatory seeks. Holiday Island derives income from fees related to the use of amenities, periodic sales of personal property. That information is publicly available on the Holiday Island Suburban Improvement District website, www.holidayisland.us. See also Response

to Interrogatory No. 6 and Interrogatory No. 10 in the Dropbox folder HISID Responses.

REQUEST FOR PRODUCTION NO. 2: Provide the beginning Assessor ledger for HISID.

RESPONSE: This document is part of the publicly available assessment of benefits.

REQUEST FOR PRODUCTION NO. 3: Provide the Annual and Current 2025 Assessor ledger, and all ledgers that show the assessor entry for all levies since 2011.

RESPONSE: See Response to Request for Production No. 2. See also all of HISID financial documents which can be accessed at www.holidayisland.us.

REQUEST FOR PRODUCTION NO. 4: Provide all documents that show the Beginning Value of each lot, the Benefit Value accrued to the lot, Damages to each lot, and benefits to each lot.

RESPONSE: See Response to Request for Production No. 2. See also all of HISID financial documents which can be accessed at www.holidayisland.us.

REQUEST FOR PRODUCTION NO. 5: Provide documents that show the Annual levy for each payment received against the Assessment of Benefits for each lot.

RESPONSE: See Response to Request for Production No. 2.

INTERROGATORY NO. 11: Has any new or existing, major or minor, Capital Improvement or facility that has been built, constructed, remodeled,

damaged, removed from service, or destroyed by HISID since the completion of the last assessment of benefits, via the District Manager, HISID BOC, or any other authorized or unauthorized component of HISID?

RESPONSE: Yes.

INTERROGATORY NO. 12: Please identify and describe any capital improvements or facility that have been built, constructed, remodeled, damaged, removed from service, or destroyed since the completion of the last assessment of benefits.

RESPONSE: See Dropbox folder HISID Responses, Interrogatory No. 12. See also Response to Interrogatory No. 2 and Interrogatory No. 11.

INTERROGATORY NO. 13: Please list the individual value of each capital improvement that was built, constructed, remodeled, damaged, removed from service, or destroyed since the completion of the last assessment of benefits.

RESPONSE: See Responses to Request for Production No. 1, Interrogatory No. 12, and County Tax Assessor records which are publicly available. See also Dropbox folder HISID Responses, Interrogatory No. 13 and Response to Interrogatory No. 11.

INTERROGATORY NO. 14: Has HISID BOC received funds from other organizations, municipalities, or non-profits to provide State Mandated services since the last assessment of benefits was completed?

RESPONSE: Defendant is unclear what “State Mandated services” this interrogatory is referencing. All grants received are available in the yearly audit was

is online at www.holidayisland.us. See also Dropbox folder HISID Responses, Interrogatory No. 14 and Response to Interrogatory No. 11.

INTERROGATORY NO. 15: Please list and identify specific fund amounts HISID received from each specific organization, municipality, or non-profit to provide State Mandated services since the last assessment of benefits was completed.

RESPONSE: See Response to Interrogatory No. 14 and Interrogatory No. 11.

INTERROGATORY NO. 16: What entity/entities has HISID received funds from and in what amounts since the last assessment of benefits was completed?

RESPONSE: See Response to Interrogatory No. 14 and Interrogatory No. 11.

INTERROGATORY NO. 17: Please list and identify services has HISID provided since the last assessment of benefits was completed.

RESPONSE: Defendant provides water, wastewater, road maintenance, fire services, and recreational amenities. See also the budget and audit available at www.holidayisland.us.

INTERROGATORY NO. 18: What were the overall costs to HISID since the last assessment of benefits for providing each service since the last assessment of benefits was completed?

RESPONSE: This information is publicly available at www.holidayisland.us.

INTERROGATORY NO. 19: Please list how much has been received from outside organizations for each service since the last assessment of benefits was completed?

RESPONSE: See Response to Interrogatory No. 14.

INTERROGATORY NO. 20: In each instance of a service provided after the last assessment of benefits where an outside entity provided any funding, did the funding outside entity pay the full amount required to provide that service?

RESPONSE: The City of Holiday Island purchased radios for the fire department. See also the financial information available at www.holidayisland.us.

INTERROGATORY NO. 21: Please list each instance that the full amount paid by an outside entity did not cover the entire cost of a service that was provided.

RESPONSE: No outside entity covers the entire cost of any service provided by HISID.

INTERROGATORY NO. 22: Were any monies received from outside entities credited to the Assessment of Benefits, reducing the AOB?

RESPONSE: No.

INTERROGATORY NO. 23: Has HISID received any State Turn Back funds to provide ongoing maintenance to its roads?

RESPONSE: No.

INTERROGATORY NO. 24: Are the Roads within HISID considered public or private roads?

RESPONSE: Public.

INTERROGATORY NO. 25: Has HISID turned over or given any roadbed to any other governmental entity since the last assessment of benefits was completed?

RESPONSE: See Response to Interrogatory No. 8.

INTERROGATORY NO. 26: Why weren't all roads turned over instead of an attempt to segment?

RESPONSE: No vote has been taken to convey all of the roads within HISID to any entity.

INTERROGATORY NO. 27: Has HISID received, entered into, or participated in any contract or proposed contract requiring HISID to be paid to provide road maintenance to roads within HISID?

RESPONSE: See Dropbox folder HISID Responses, Interrogatory No. 27.

INTERROGATORY NO. 28: Define in detail how HISID determines how a road is public or private?

RESPONSE: The public or private nature of a road is a matter of statutory and case law of Arkansas.

INTERROGATORY NO. 29: Have any roads which were credited toward's HISID's assessment of benefits in the last assessment of benefits been given to, dedicated to, surrendered to, transferred to, or had the responsibility for maintenance taken over by, any other entity?

RESPONSE: See Assessment of Benefits and response to Interrogatory No. 9.

INTERROGATORY NO. 30: Why haven't all roads given to the city since the last assessment of benefits was completed been removed from the HISID AOB?

RESPONSE: The roads conveyed to the City constitute a de minimis amount.

INTERROGATORY NO. 31: Is every lot in HISID being assessed equally for the Cost of the Water and Sewage Treatment Plant?

RESPONSE: No.

INTERROGATORY NO. 32: Are there any funds received from the water bill that go into a reserve fund to provide maintenance and capital improvements for the water system? If so, please list those amounts, account numbers, and where those monies are held.

RESPONSE: As of April 30, 2024 the statement balance was \$1,714,760.95. The funds are held in a CS Bank account ending in 5298.

INTERROGATORY NO. 33: How is each individual lot in HISID assessed for the cost of the water and sewage treatment plant?

RESPONSE: Improved lots pay more.

INTERROGATORY NO. 34: Please list how much each individual lot has to (sic) paid toward the water and sewage treatment plant each year from the date of the last assessment to present.

RESPONSE: That amount is unknown at this time.

INTERROGATORY NO. 35: Please list which lots have not paid a water bill from the date of the last assessment to present.

RESPONSE: All lots which have remained unimproved since that time.

INTERROGATORY NO. 36: Specifically, state the formula that you used to determine each lot's levy.

RESPONSE: See Order dated February 18, 2024 in the matter of *Bischoff v. Holiday Island Suburban Improvement District No. 1*, Carroll County Case No. 08WDR-12-69.

INTERROGATORY NO. 37: Was the Budget for 2024 passed before or after the levy was passed?

RESPONSE: After.

INTERROGATORY NO. 38: Was a new Assessment of Benefits not completed due to at least in part the projected cost of the creating a new AOB assessment?

RESPONSE: No discussion of a new assessment was had at the meeting regarding the levy.

INTERROGATORY NO. 39: Please list and describe any gift, improvement of a facility, or construction of a facility that HISID has received or voted for since the completion of the last assessment of benefits.

RESPONSE: This has been previously asked and the response is the same.

INTERROGATORY NO. 40: Please list the value or cost of any gift, improvement of a facility, or construction of a facility that HISID has received or voted for since the completion of the last assessment of benefits.

RESPONSE: This has been previously asked and the response is the same.

INTERROGATORY NO. 41: Please list the value or cost of any gift, improvement of a facility, or construction of a facility that HISID has received or voted for since the completion of the last assessment of benefits.

RESPONSE: This has been previously asked and the response is the same.

INTERROGATORY NO. 42: Please list the value of each and every facility that has been removed or destroyed since the completion of the last assessment of benefits.

RESPONSE: This has been previously asked and the response is the same.

INTERROGATORY NO. 43: How many lots has HISID combined with other lots, removed from the assessment of benefits, added to the assessment of benefits, or replatted, since the completion of the last assessment?

RESPONSE: Two lots have been combined, 18 lots have been added.

INTERROGATORY NO. 44: Please describe any of the lots that were combined, removed, or replatted.

RESPONSE: 129-1-2, 129-1-3, 128-1-2, 132-1-2, 219-1-1B, 219-1-1C, 219-1-1D, 219-1-1E, 215-1-2, 215-1-C3, 221-2-1, 222-1-1, 222-2-1, 301-4-5, 304-1-1, SHD-00-H4

INTERROGATORY NO. 44: Please list the before and after value of each lot that was either combined, removed, or replatted.

RESPONSE: This information is publicly available through the Carroll County Tax Assessor.

INTERROGATORY NO. 45: What was each lot that was combined, removed, or replatted assessed in the assessment of benefits before and after they were combined, removed or replatted?

RESPONSE: This information is available in the Assessment of Benefits.

INTERROGATORY NO. 46: Please list the name, address and telephone number of each individual you may call at any hearing or trial of this matter. For each individual listed, please state the source and substance of that person's expected testimony, information, knowledge and/or belief.

RESPONSE: Defendant anticipates calling each of the Plaintiffs, who may be contacted through counsel; Tom Reed of Reed & Associates, 3739 N. Steele Blvd., Ste. 322, Fayetteville, Arkansas 72703 (479) 521-6313; Carrie Buchanan, Regina Reynolds, and the present and past district managers and members of the Board of Commissioners. Ms. Buchanan, Ms. Reynolds, the present members of the Board and present District Manager may be contacted through the undersigned counsel.

INTERROGATORY NO. 47: Please list and describe each chart, graph, document, exhibit or any type of real evidence and exhibits to be displayed or introduced at a trial or hearing for which you may refer to during testimony or that you may testify about during testimony at the trial or at any hearing or pre-trial and for each such listed item, attach a copy as part of your answer to this Interrogatory.

RESPONSE: See Dropbox folder HISID Responses. No determination has been made as to final trial documentation.

REQUEST FOR PRODUCTION NO. 6: Attach a copy of each and every chart, graph, document, exhibit, diary, photo, letter or any writing to which you, or any agent of yours, referred to in answering any of these Interrogatories. If your answer to this Interrogatory or any other Interrogatory in this set is a document which contains a summary, then please attach a copy of each and every document referred

to by you from which the summary was derived and attach a copy of the summary. If you prepared a diary, calendar, or summary of events, attach a complete copy of that diary, calendar, or events summary.

RESPONSE: See Dropbox folder HISID Responses.

INTERROGATORY NO. 48: State the name, address and telephone number of any expert who may be called as a witness in this cause and, with regard to each, state the subject matter on which the expert is expected to testify, the mental impressions and opinions held by the expert, and the facts known to the expert (regardless of when the factual information was acquired) that relate to or form the basis of the mental impressions and opinions held by the expert.

RESPONSE: Tom Reed may testify as to the nature and extent of his assessment of benefits, and the substance of his testimony is contained therein.

INTERROGATORY NO. 49: With respect to each expert named in response to the foregoing Interrogatory, (1) state the educational background, experience, professional qualifications as an expert of each such expert and (2) describe each document or tangible thing, including all tangible reports, drawings, charts, exhibits, physical models, compilations of data, and other material prepared by or for any expert and (3) describe each document or tangible thing, including all tangible reports, drawings, charts, exhibits, physical models, compilations of data, and other material prepared by or for any expert whom you may call to testify in anticipation of preparation of the expert's deposition or trial testimony, constituting or describing

the discoverable or factual observations, tests, supporting data, calculation, photographs and opinions of said expert with regard to this case.

RESPONSE: Defendant does not have a current curriculum vitae for Mr. Reed, but a prior one can be found in the assessment of benefits from 2011, which is publicly available.

REQUEST FOR PRODUCTION NO. 7: Attach a copy of each item so described in your answer to the preceding Interrogatory.

RESPONSE: The assessment of benefits is publicly available.

INTERROGATORY NO. 50: Please state whether the cell phone tower identified in Paragraph 32 of our Fourth Amended Complaint in Case No. 08WCV-23-119 is leased to any party, and if so, whether you believe it provides any benefit to land within HISID, and the amount of such benefit.

RESPONSE: HISID is unaware of any subleases of the tower.

INTERROGATORY NO. 51: Please identify by description and value of any equipment similar to equipment included in the 2011 assessment, including but not limited to firetrucks, lawnmowers, golf maintenance equipment, road maintenance equipment, etc. that is currently owned by HISID that has been received, purchased, destroyed, or removed, since the completion of the 2011 assessment.

RESPONSE: See documents previously produced herein and the assessments of the Carroll County Tax Assessor.

INTERROGATORY NO. 52: Please describe in detail, including any formulas, how HISID has determined the levy owed for each type of levy owner.

RESPONSE: See Order dated February 18, 2024 in the matter of *Bischoff v. Holiday Island Suburban Improvement District No. 1*, Carroll County Case No. 08WDR-12-69.

INTERROGATORY NO. 53: Has the assessor annually updated the assessment of benefits since 2011?

RESPONSE: No.

INTERROGATORY NO. 54: Has the assessor annually updated the assessment book for the assessment of benefits since 2011?

RESPONSE: No.

INTERROGATORY NO. 55: When has HISID sent a letter or document to the county clerk or the county collector that included a certified copy of the resolution to become an eligible district?

RESPONSE: The date is unknown.

INTERROGATORY NO. 55: How many acres are in HISID?

RESPONSE: In excess of 5000.

INTERROGATORY NO. 56: Which parcels have received waivers or reductions in their levies since the completion of the last assessment of benefits? This interrogatory does not encompass any court ordered credit, reduction, or waiver.

RESPONSE: HISID does not know this information, as it depends on the particular levy. The State Land Commissioner would have information regarding negotiated sales, which could result in a reduction of the ad valorem tax levy.

INTERROGATORY NO. 57: How much has each parcel received in waivers, reductions, or elimination of levies owed since the completion of the last assessment of benefits? This interrogatory does not encompass any court ordered credit, reduction, elimination, or waiver.

RESPONSE: See Response to Interrogatory No. 57.

INTERROGATORY NO. 58: Why has each individual parcel received a reduction, waiver, or discount on any levies owed since the completion of the last assessment of benefits? This interrogatory does not encompass any court ordered credit, reduction, or waiver.

RESPONSE: See Response to Interrogatory No. 57.

REQUEST FOR PRODUCTION NO. 8: Please produce a copy of any document utilized to answer any of the previous interrogatories.

RESPONSE: See Response to Interrogatory No. 57.

INTERROGATORY NO. 59: Was the Budget for 2023 passed before or after the levy was passed?

RESPONSE: Before.

INTERROGATORY NO. 60: Was the Budget for 2025 passed before or after the levy was passed?

RESPONSE: After.

Respectfully submitted,
HOLIDAY ISLAND SUBURBAN
IMPROVEMENT DISTRICT NO. 1



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CERTIFICATE OF SERVICE

The undersigned states that on the 17th day of September, 2025, he has served a true and correct copy of the foregoing via electronic mail upon:

Whit Hyman
hyman@arkansaslawking.com



Matt Bishop