

Lake Eddins Owners Association
Board Of Directors Meeting
Monday, November 8, 2021

The Board of Directors (BOD) for the Lake Eddins Owners Association (LEOA) met in regular session at 6:00 pm on the above date at the association office. Members in attendance were Vickie McKee, President, Davey Dewitt, Vice President, Shelley Rivers, Secretary, Flo Fagan, David Coney, and James Skidmore. Phil Fuller, Lake Manager, was also in attendance.

Call to Order: The regular meeting of the BOD for the LEOA was called to order by Vickie McKee at 6:00 pm where the following business was transacted.

Prayer: The regular meeting of the BOD for the LEOA was opened in prayer by Rivers

Visitors/Guests: Ron Herrington, Nigel Dingwall, Lee and Diane Dennis, Mr. Fagan, Paul Campbell, and Justin Walton

Public comments:

Ron Herrington: Before Mr. Herrington began, McKee explained that this issue had been brought up before by a group of concerned citizens led by Jay Chapman. They researched the cost, reached out to a university and came up with a plan. Unfortunately, the answers came with having to purchase land that was not for sale. Herrington asked, "Do you know what silt it?" McKee said yes. He then asked, "Do you know what is God's and what is man's?" McKee said no. Herrington explained that 30% is natural and 70% is caused by man. **There was a comment about Phil not taking off a deer that had washed up near his property. Herrington was upset that he had been told to contact Fisheries and Wildlife.** Herrington said the canal was good the first two years, then the rains increased, then the tree cutting happened and the canal water turned from brown to red. He said he talked to a friend who had helped build this lake - Kurt Pitts - "he wouldn't mind me using his name." Herrington wanted to know who owned the land - wasn't it the Eddins? No, they don't. Kept repeating, "It needs to be fixed." McKee kept asking, "What do we do to fix it?" **Justin Walton** interrupted saying it was ridiculous - just fix it. Phil explained that we couldn't do work on someone else's land. Herrington said he wanted it fixed "whatever it takes." Herrington said he wanted to have the guys who did the canal work to do some for him. They told him the "Big Man" put a stop to it. Dewitt suggested it was the workers' boss they were referring to. Herrington disagreed, says it was Phil. Herrington promised he wasn't going to let things go once the dam was fixed. He thinks things are being done wrong here. "We are the people." McKee asked Mr. Herrington if he would be willing to serve on the board. He said yes.

Nigel Dingwall: I'm a Christian. We all are. The Bible says to be good stewards of what we have. The Bible also says to handle problems among ourselves; don't get others involved. Dingwall shared that he was a 35 yr realtor in South Alabama and dealt with Core of Engineers, wetlands, and what is needed when doing site work. Lake Forrest subdivision-the creek filled the lake because of no silt screens. Should just be called Forrest subdivision now. The first thing you should do before you put a shovel in the ground is put up a silt fence. It is the landowner's responsibility - referenced a picture with elevations, etc. Some silt will come down naturally. Cutting trees and vegetation will cause more silt to come in. The ones who cut trees are responsible. McKee asked how to determine whose land the silt came from. Dingwall said to take a soil sample and have it tested to determine whose property the silt came from. He moved in, noticed the silt build-up, and called the Joyners who told him it started 5-7 years ago. ***Justin** argued that the silt had just started. Rivers, Dewitt, and others told him no it hadn't just started. Dingwall said he walked up to see where the sand was coming from. Looks to him it was coming from the land the Eddins cleared. The Eddins recently sold it to the Hamms and Joyners. Dingwall questioned, "I don't know why they would do that." Upset because you can't even put a boat in by the trash cans. People on the East side are sitting "fat and happy with no problems." McKee said No, they're not. They have different problems. McKee asked for Dingwall's recommendation. Dingwall said to have the Eddins go back and put in a silt fence. Eventually, it will catch growth, put roots down, and the silt will slow. Phil tried to explain that the silt has been a problem for years - that he had been here 25 years. Diane Dennis argued saying she had been here since 1996. Phil said he wasn't arguing when she moved here. Justin keeps breaking in saying it has only been dug out once. McKee asked Dingwall if he'd be willing to serve on the board. He said yes. **Lee Dennis** asked if anybody checked if they did a buffer zone when they cleared the timber. No one knew. Dingwall will check on whether or not a permit is required to cut timber. Skidmore was told and believes it to be true - Mr. Wallace Eddins used his personal finances to keep the stocker pond up. Some of the lake "neighbors" complained about Wallace and called the DEQ. They complained that the dam might fail and flood homes. After that, Mr. Wallace left the silt problem to the Association. Herrington stated that across the street from the lake gate, there was dirt washing down those hills. Dingwall explained that it is not affecting the lake. Dennis said that before the stocker ponds were lowered, the silt was not as bad. He said whoever got the DEQ involved is just as much at fault. **Paul Campbell** spoke up, saying he was new here and loves this lake. He hears this as a cry for the people who have invested. McKee explained that fixing things costs money. Dewitt said it seemed like everyone wanted the Eddins to pay for things, but they don't want them involved. **Diane Dennis apologized to Phil.

She said just because she didn't know him 25 years ago didn't mean he wasn't at the lake.

Lee Dennis (New business)

Minutes: Motion by Skidmore and seconded by Dewitt to amend and approve the October 2021 minutes. Amendment made to the insurance amount received on the water well pump & motor. The exact amount received was \$9,623.75 instead of the previously reported \$ 9,400. Motion carried.

Finances: Motion by Dewitt and seconded by Rivers accept and approve the October 2021 financial statements. All members reviewed the statements and the motion carried.

Accounts: Checking account balance (as of 10/31/21) = \$233,447.70
W/S Savings account balance (as of 10/31/21) = \$110,974.31

Business Meeting:

Lee Dennis: Asked if we received the letter he sent. Everyone said yes. He was just making sure. Dennis was told on two different occasions that he could put up his metal garage structure by Phil - he's the Architectural Review chairman. Then when it got put up and Phil came to look at it. Dennis says Phil told him to put a little breezeway on it and everything would be fine. A couple of days later, Dennis received the board's letter. Dennis says Phil operates for the board; like he says, he's the chairman. So Dennis didn't see why he had to do anything anybody else said. It is up to the board to okay it, but Phil already had. McKee asked if Dennis had a copy of the ARC rules. Dennis says he understands all the ARC rules. He's done them every time he's done something that had a roof on this house. McKee stated you've had to get a permit. Dennis said that's exactly right, but Phil told him to go ahead and do it and it would be okay. Fuller said he agreed with everything Dennis had said up to that point. Fuller said Dennis called him on a Saturday while he was on his tractor. Dennis agreed. Fuller said he told him, "With what you're telling me, it sounds okay. But you never turned a permit in." Dennis replied, "Also you told me again several months later it would still be okay because I asked you." Fuller explained he didn't remember the second time. Dennis said, "You did, you did." Fuller asked where was that? When did we talk? Dennis replied, "That was about two

months ago,” The gentleman’s (that was putting it up for him) wife had a brain aneurysm. And it took him eight months with her before he could go back to work and do some work. Dennis said he called Fuller about eight, (wife said something) I guess four or five weeks...maybe a month, two months ago and Fuller said go ahead and do it. Dennis finally got him up here to do it. Says Phil looked at it and said it’d be okay. Fuller replied that he remember the first part and the second part-he didn’t remember the second phone call. He said he was being honest. Dennis said, “it was done. I have no reason to say no.” Fuller replied, “And I’m not calling you a liar. I just...” Dennis said, “I know, I know. McKee said that all she could base the building on is there was not a permit. It does not have the same appearance as your house. And it is a prefabricated carport. Dennis interrupted with “I can always paint it...” Dennis responded to McKee with, “You’ve got a lean-to back here behind the fire department that’s metal. My neighbor’s got one that’s metal. And if I’m not mistaken, when that fire department was built where the fire trucks are parked is metal even though it’s enclosed.” McKee said, “Well, that’s their property and whatever their...” Dennis said, “Is that not part of Lake Eddins?” Fuller said that gets kind of technical. Dennis said if you look around the lake there is more. I’m just saying. Until this thing gets completely resolved, I’m going to have to get ahold of my lawyer and have him get with yours. McKee said that would be fine. Dennis said at that point if he has to take it down, he will. McKee said okay that’s fine. Dennis said he’ll come in and probably rebuild the thing with a permit. McKee told Dennis he may want to get his attorney to speak to Mr. Ruffin. Dennis responded, “Cause like I said he operates for the board and he gave me permission. That’s how I feel about it. If y’all need to revote, that’s fine. But I think y’all need to relook at it before anything happens.” McKee said, “That’s fine. Dennis said okay. McKee explained that what she had to stand on are the rules of the ARC. Dennis said, “Ummm-hmmm, and he’s the chairman.” McKee said, “but he didn’t get a permit”. Both parties said okay. Mrs. Dennis spoke up, asking, “Did you explain to her how we got into that situation?” Dennis said it doesn’t really matter how we got into it, but we had to tear it down because...” Mrs. Dennis said they had everything over across the lake on some property. Then when David left, Mr. Busby bought it and first told us it was okay and everything was fine. Then he came back and wanted to charge us \$175 a month to park my motorhome under his shed. Mrs. Dennis explained they had already invested a bunch of money over there with David. McKee said they had also invested a bunch of money to put their camper off lake property. Mrs. Dennis said there wasn’t anything for sale over there now. They tried that. McKee explained she was just saying she had to do the same thing. She couldn’t put it in her yard. And she probably could have put it back there and nobody would have been able to see it. Dennis said he knew we had said something about doing business with Busby but he wouldn’t trust him as far as he could throw him. Busby verbally said he could leave it there and take care of the property and all of a sudden I get this notice

saying I had to pay that money. Dewitt asked, "Now who was that?" Dennis replied, "Busby, Charles Busby." McKee said "the representative." The Dennises prepared to leave. Rivers thanked them for coming. Mrs. Dennis apologized to Phil, saying "Phil, if you were out here 25 years ago, I apologize. I don't ever remember seeing you out here." Phil accepted.

James Riley Complaint: McKee visited Mr. Riley to discuss the complaint. Riley had attended a meeting at the pirate house and they had discussed that no hunting camps were allowed. McKee asked him where in the covenants it stated that and he didn't know. He said he thought it was in there. The complaint was dismissed due to nothing in the covenants to support his claim.

Building Permit Review: Phil explained about a building permit request. He and Jimmy Lowery had been out to survey it, but he wanted the board's input on it. The property owner wants to clear a small island out from his property and build a pier to the island. The island is common, not owned by any specific person. The pier would belong to the property owner and be private. The owner is hiring Shane to dig a deeper area for boats to go around the island. All agreed it was a win-win situation.

Water Treatment: No water treatment is required at this time. Before the next collection, there will be training for how to correctly gather and submit the water samples.

DEQ Update: Everything has been turned in. DEQ has forwarded everything to their legal department. McKee asked if there was a time frame to expect a word and they said no.

Rivers made a motion to go into executive session at 7:46 pm. Seconded by Dewitt. All in favor.

Skidmore made a motion to end executive session at 8:07. Rivers seconded, all in favor.

Secretary Applicants: Four applications were received. Applicants will be contacted for interviews to be held on Monday, November 15th.

Adjourn:

Having no further business on the table, Dewitt made a motion to adjourn at 8:08 PM. Rivers seconded. Motion carried. The next meeting will be held on Monday, December 6, 2021, at 6 pm.

LEOA Board President, Vickie McKee
Approved by me this 8th day of November 2021

I, Shelley Rivers, LEOA Secretary, do hereby certify this as a true and correct copy of the minutes of the meeting duly held on November 8, 2021.