

HOLLEY BY THE SEA VIOLATIONS APPEAL COMMITTEE MEETING

25 January 2011

6:00 P.M.

Meeting Minutes:

The Holley by the Sea (HBTS) Violations Appeal Committee (VAC) met on 1/25/11 at 6 PM to conduct a hearing on the suspension of Mr. Ramsey and Ms. Haney's common area usage imposed by the Board of Directors (BOD). Those present were: Representing (VAC) Kelly Smith, John Askill, Harold Krueger, and Bill Huckestein. Representing (BOD) Joe Sipp, Wendy Hoeflich, and Allison George. Mr. Ramsey and Ms. Haney were invited to attend but were not present. It should be noted that this hearing is being conducted at the written request of the Ramsey's yet they are not in attendance nor did they send a representative.

BOD stated that the HBTS BODs voted to suspend Mr. Ramsey and Ms. Haney's use of the common areas of the association effective Jan. 15, 2011. This suspension is due to the continued violation of the HBTS covenants Article VII, Section 10 with respect to not parking their boat behind an enclosed structure. The suspension will remain in effect until the violation has been resolved either through voluntary compliance with the covenants and payment of related legal fees or through the legal proceedings that have already been initiated. A brief history of the events leading up to the suspension was given. A member of the Architectural Committee was present to act as a witness, and provided information in support of the BOD's position. The purpose of an enclosed structure is to shield an object from view from the neighbors/roadway. A privacy fence is required by the architectural guidelines, a 6 foot high privacy fence is most commonly used in HBTS. Subsequently, the VAC reviewed supporting documentation and questioned the BOD and witness for clarification to provide a better understanding of the events leading up to and including the suspension.

The BOD and witness were excused from the hearing.

Mr. Ramsey and Ms. Haney were not in attendance but had provided the VAC with a written rebuttal statement. The VAC reviewed and considered each point in the rebuttal.

The chairperson declared the VAC in executive session and the evidence from both sides was reviewed. Following the review of evidence the chairperson called for a vote for or against the suspension.

By unanimous vote the VAC voted to uphold the suspension as imposed by the BOD.

Meeting was adjourned at approximately 7:20 PM.

End of meeting minutes:

These minutes have been approved by: Kelly Smith, HBTS VAC Chairman.