

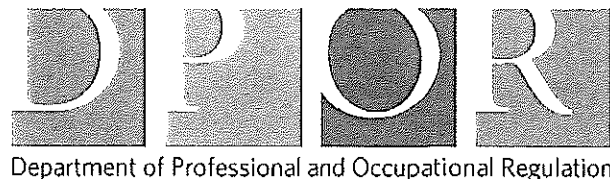
# Lake Holiday Country Club, Inc

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Pickup by: (Initial here) \_\_\_\_\_

Commonwealth of Virginia  
Common Interest Community Board  
Department of Professional and Occupational Regulation



Post Office Box 29570  
Richmond, Virginia 23242-0570  
(804) 367-8510  
[cic@dpor.virginia.gov](mailto:cic@dpor.virginia.gov)  
[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

Common Interest Community Board  
PROPERTY OWNERS' ASSOCIATION DISCLOSURE PACKET NOTICE

Section 54.1-2350 of the *Code of Virginia* requires that this form accompany disclosure packets issued pursuant to § 55.1-1809 of the *Code of Virginia*.

The lot being purchased is in a development subject to the Property Owners' Association Act ("Act"). Properties subject to the Act are considered "common interest communities" under the law. Owning and living in a community governed by a common interest community association has benefits and obligations. Upon accepting title to a lot within a community governed by a common interest community association, membership in the property owners' association ("association") is mandatory and automatic. The Act specifies the contents of the **disclosure packet**, and fees that may be charged for preparation and distribution of the disclosure packet.

In addition to information provided in the disclosure packet, the following are important considerations when purchasing a lot in a community governed by an association.

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### Assessments

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Each owner is responsible for and obligated to pay regular assessments and, if applicable, other assessments, including special assessments, and other mandatory fees to ensure that the association's financial requirements are met. Assessments are mandatory, imposed by the association for expenses incurred for maintenance and services provided for the benefit of some or all of the lots, reserves for future expenditures, the maintenance, repair, and replacement of the common area, including for the construction or maintenance of stormwater management facilities, insurance, administrative expenses, and other costs and expenses established in the governing documents. Failure or refusal to pay assessments and any other mandatory fees may result in imposition of late fees, interest, costs and attorney fees, recordation of a lien, filing a lawsuit and obtaining

judgment against the lot owner, foreclosing on the lot to enforce the lien, and other actions permitted by the governing documents and the Act.

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## **Declaration and Other Governing Documents**

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Governing documents typically include a declaration, plats, articles of incorporation, bylaws, rules and regulations, and architectural standards or guidelines ("governing documents"). The governing documents, association policies, and other information contained in the disclosure packet describe the basis for living in a community governed by a common interest community association. The form of governance, nature and scope of services, as well as limitations on property use are addressed in the governing documents, and association policies.

Owners have the responsibility, among other things, to comply with the restrictive covenants and association policies that outline what owners may and may not do on lots and common area. Use of common area, financial obligations of owners and other rights, responsibilities and benefits associated with ownership in a common interest community are subject to the provisions of governing documents and association policies. Some decisions are made by the association board of directors, while other decisions are reserved to a vote of association members. Failure to comply with the governing documents and association policies may result in monetary penalties, a lien against the lot, suspension of certain privileges, and legal action against the lot owner.

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## **Limitations**

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The governing documents and association policies may establish limitations affecting use of individual lots and the common area. While the limitations applicable to each association may vary from community to community, § 54.1-2350 of the Code of Virginia makes particular reference to the following. The governing documents and association policies may establish:

- Limitations on an owner's ability to rent the lot.
- Limitations on parking and storage of certain types of motor vehicles and boats within the community.
- Limitations on maintenance of pets on a lot or in common areas.
- Limitations on operation of a business within a dwelling unit on a lot.
- Architectural restrictions applicable to an owner's lot.
- The period or length of time that the declarant (developer) may control membership on the board, make decisions on behalf of the association, and therefore operate the association. This period is often

referred to as the *declarant control period*. At the conclusion of the declarant control period, control of the association is transferred to the members.

This list does not represent all limitations that may affect lots within the common interest community.

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### **Important Notice for Purchasers**

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The contract to purchase a lot within a community governed by a common interest community association is a legally binding document. The purchaser may have the right to cancel the contract after receiving the disclosure packet.

Information provided in this form is a summary of select matters to consider when purchasing a lot in a community governed by a common interest community association but should not be relied upon exclusively to understand the character and nature of the community and association.

The purchaser is responsible for examining the information contained in and provided with the disclosure packet. The purchaser shall carefully review the entire disclosure packet. The purchaser may request an update of the disclosure packet.

*The contents of the disclosure packet control to the extent that there are any inconsistencies between this form and the disclosure packet.*

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The Disclosure Packet must include the following:

- 1  Association name, and if incorporated, the state of incorporation and the name and address of its registered agent in Virginia;
- 2  A statement of any expenditures of funds approved by the association or the board of directors that shall require an assessment in addition to the regular assessment during the current year or the immediately succeeding fiscal year;
- 3  A statement, including the amount of all assessments and any other mandatory fees or charges currently imposed by the association, together with any post-closing fee charged by the common interest community manager, if any, and associated with the purchase, disposition, and maintenance of the lot and to the right of use of common areas, and the status of the account;
- 4  A statement of whether there is any other entity or facility to which the lot owner may be liable for fees or other charges;
- 5  The current reserve study report or summary thereof, a statement of the status and amount of any reserve or replacement fund, and any portion of the fund allocated by the board of directors for a specified project;
- 6  A copy of the association's current budget or a summary thereof prepared by the association, and a copy of its statement of income and expenses or statement of its financial position (balance sheet) for the last fiscal year for which such statement is available, including a statement of the balance due of any outstanding loans of the association;
- 7  A statement of the nature and status of any pending suit or unpaid judgment to which the association is a party and that either could or would have a material impact on the association or its members or that relates to the lot being purchased;
- 8  A statement setting forth what insurance coverage is provided for all lot owners by the association, including the fidelity bond maintained by the association, and what additional insurance would normally be secured by each individual lot owner;
- 9  A statement that any improvement or alteration made to the lot, or uses made of the lot or common area assigned thereto, are or are not in violation of any of the declaration, bylaws, rules and regulations, architectural guidelines and articles of incorporation, if any, of the association;

- 10  A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to place a sign on the owner's lot advertising the lot for sale;
- 11  A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to display any flag on the owner's lot, including but not limited to reasonable restrictions as to the size, place, and manner of placement or display of such flag and the installation of any flagpole or similar structure necessary to display such flag;
- 12  A statement setting forth any restrictions as to the size, place, duration, or manner of placement or display of political signs by a lot owner on his lot.
- 13  A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to install or use solar energy collection devices on the owner's property;
- 14  The current declaration, the association's articles of incorporation and bylaws, and any rules and regulations or architectural guidelines adopted by the association;
- 15  Any approved minutes of the board of directors and association meetings for the six calendar months preceding the request for the disclosure packet;
- 16  The notice given to the lot owner by the association of any current or pending rule or architectural violation;
- 17  A copy of the fully completed form developed by the Common Interest Community Board pursuant to § 54.1-2350;
- 18  Certification that the association has filed with the Common Interest Community Board the annual report required by § 55.1-1835, which certification shall indicate the filing number assigned by the Common Interest Community Board and the expiration date of such filing;
- 19  A statement indicating any known project approvals currently in effect by secondary mortgage market agencies; and
- 20  The association complaint procedure required by 18 VAC 48-70-60 and pursuant to 18 VAC 48-70-40 and 18 VAC 48-70-50.

**AMENDED**  
**ARTICLES OF INCORPORATION**  
**OF**  
**LAKE HOLIDAY COUNTRY CLUB, INC.**

We, the undersigned, do hereby set forth the amended Articles of Incorporation as follows:

**ARTICLE I**

**NAME**

The name of the corporation is LAKE HOLIDAY COUNTRY CLUB, INC., hereafter called the Association.

**ARTICLE II**

**REGISTERED OFFICE**

The address of the Registered Office of the Association is 21, S. Loudoun Street, Winchester, Virginia, which is in The City of Winchester Virginia.

**ARTICLE III**

**REGISTERED AGENT**

The name of the Registered Agent of the Association is Ian Williams of the Law Firm of Harrison and Johnston, operating in the State of Virginia and members of the Virginia State Bar and whose office address is 21, S. Loudoun Street, Winchester, Virginia, which is in The City of Winchester, Virginia.

**ARTICLE IV**

**PURPOSES AND POWERS**

This Association does not contemplate pecuniary gain or profit to itself or to the members thereof, and is formed to provide for the ownership, maintenance, improvement, preservation, security, operation, management, control and regulation of roads, road easements, walkways, riding trails, boat landings, swimming beaches, comfort stations, club houses and pavilions, swimming pools, tennis courts, parks and playgrounds, and such other common or recreational facilities or areas as may be established or constructed within the bounds of property conveyed by Deed recorded in Deed Book 395 at Page 73 among the land records of Frederick County, Virginia (herein-after referred to as

"The Summit"), as the same was dedicated and/or conveyed to the Association by the Developer, Lake Holiday Estates, Inc., a Virginia Corporation, and its successors and assigns, to promote the recreation, health, safety, and welfare of the members and their guests upon the above-named property (and such additions thereto as may be brought within the province of the Association as provided in the By-Laws); to exercise architectural and esthetic control and supervision over any structures to be constructed or maintained or over any modifications to the natural environment within the aforesaid property; to contract with and pay, own or operate appropriate utility companies for electric, water and sewerage services for common or recreational facilities and areas furnished as an incidence of membership in the Association, and to do any other thing, not prohibited by law or required to be stated in these Articles, deemed necessary, convenient, or desirable to maintain the properties of The Summit in good condition, operation, or repair or to improve the same; and for these purposes to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in certain Restrictions and Covenants, as contained in the Declarations and Deeds of Dedication, made by Lake Holiday Estates, Inc., Lake Holiday Country Club Inc., and Lake Holiday Estates Utility Company and recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia, and as the same may from time to time be made applicable to portions of the The Summit and additions thereto, which Declarations and Deeds of Dedication may be amended from time to time, as set forth therein;

(b) Annex any additional properties and common or recreational areas or facilities to the properties designated, in the manner provided for in these Articles, the Bylaws, Declarations and, or, Deeds of Dedication;

(c) Fix, levy, collect and enforce payment of, by any lawful means, all charges or assessments made or imposed pursuant to the provisions of these Articles, the Bylaws, Declarations and, or, Deeds of Dedication; and, pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes, or governmental charges levied or imposed against the operation and property of the Association;



(d) Acquire (by gift, purchase, or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(e) Borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred; and

(f) Have and to exercise any and all powers, rights, and privileges which a corporation organized under the Non-Stock Corporation Laws of the State of Virginia by law may now or hereafter have or exercise; and to have and exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the said Declarations and Deeds of Dedication, as the same may be amended from time to time.

#### **ARTICLE V** **MEMBERSHIP**

Membership in the Lake Holiday Country Club, Inc., shall be determined as follows:

(a) **Members.** Every person or entity who is or becomes a record owner of a fee or undivided fee interest in any lot which is subjected to the above-mentioned Declarations and Deeds of Dedication, as then amended, shall be a Member of the Association, and all persons purchasing Property subject to these Declarations and Deeds of Dedication, by the acceptance of their deeds, agree to and do thereby become Members.

Ownership of more than one (1) lot shall entitle the owner to all the rights and privileges of membership and shall subject such owner to all the liabilities and duties attendant upon ownership of each lot separately, provided, however, that the Association may issue a single certificate or other evidence of membership relating to all lots owned by a Member; and provided further, that the owner of more than one (1) lot shall be considered a single member.

The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation, nor trustees under any instrument securing such an obligation. A Lot shall not have more than one membership, but the single membership shall be shared by all

owners of the lot. Membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to said Declarations and Deeds of Dedication. Ownership of such lot shall be the sole qualification for membership.

(b) **Associate Members.** In addition to those persons or entities who become Members of the Association as described above, there shall be Associate Members as outlined in certain deeds or deeds of easement which conditionally granted Associate Memberships and which are recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia.

Except as provided below, Associate Members shall be entitled to all the rights and privileges of Association Members and shall be liable for the payment of dues and assessments and subject to all rules and regulations incident to the maintenance and operation of the amenities and common facilities of the Association. Associate Members will not be entitled to vote or otherwise participate in the operation or management of the Association.

The categories of membership as defined in (a) above shall be determined by a majority vote of the Board of Directors, who will fix annual assessments for each category. Initially there will be two (2) categories of members. These are, (1) members who own lots at "The Summit" to which water and sewer service is available; and (2) members who own lots at "The Summit" to which no water and sewer service is available

## ARTICLE VI

### **VOTING RIGHTS**

The members shall be entitled to one vote for each lot in which they hold the interest required for membership by Article V. When more than one person holds such an interest in any lot, the vote for such lot shall be exercised as they, among themselves, determine, but in no event shall more than one vote be cast with respect to any such lot.

Voting rights of members may be suspended as provided in the By-Laws, Declarations, Deeds of Dedication and, or, the Virginia Property Owners' Association Act for nonpayment of dues, levies, or assessments or violations of the covenants.

**ARTICLE VII**

**BOARD OF DIRECTORS**

The affairs of the Association shall be managed by a Board of Directors, who shall be members of the Association. There shall be eleven (11) members of the Board of Directors, which number may be changed in accordance with the By-Laws of the Association. The names and addresses of the current Directors are as follows:

<b>Name:</b> Lester W. Bates <b>Address:</b> 1017 Lake View Drive Cross Junction, VA. 22625	<b>Name:</b> William F. Penfield <b>Address:</b> 200 Sunset Circle Cross Junction, VA. 22625
<b>Name:</b> David J. Bessant <b>Address:</b> 160 Lake Holiday Road Cross Junction, VA. 22625	<b>Name:</b> Stanley C. Pettersen <b>Address:</b> 102 Point Place Cross Junction, VA. 22625
<b>Name:</b> Alan D. Bloomingdale <b>Address:</b> 111 Carolyn Court Cross Junction, VA. 22625	<b>Name:</b> James Pratt <b>Address:</b> 109 Vista Court Cross Junction, VA. 22625
<b>Name:</b> Louis R. Einstman <b>Address:</b> 111 Sunset Circle Cross Junction, VA. 22625	<b>Name:</b> Emmett C. Scott <b>Address:</b> 104 Knoll Court Cross Junction, VA. 22625
<b>Name:</b> M. Frank Heisey <b>Address:</b> 238 Fairway Circle Cross Junction, VA. 22625	<b>Name:</b> Kris C. Tierney <b>Address:</b> 330 Overlook Drive Cross Junction, VA. 22625
<b>Name:</b> VACANT <b>Address:</b>	

At each annual meeting, the members of the Association shall elect Directors as provided in the By-Laws; Said By-Laws shall provide for an annual meeting of the membership of the Association.

**ARTICLE VIII**

**LIABILITIES**

The highest amount of indebtedness or liability, direct or contingent, to which the Association may be subject at any one time shall not exceed 50% per cent of its gross income for the previous fiscal year, provided that additional amounts may be authorized at a duly held meeting by the assent of not less than sixty seven per cent (67%) of the total eligible voting power of the membership of the Association.

**ARTICLE IX**

**MERGERS AND CONSOLIDATIONS**

To the extent permitted by law, the Association may participate in mergers and consolidations with other Non-Stock and Non-Profit Corporations organized for the same purposes, provided , that any such merger or consolidation shall have the assent of the votes of more than sixty seven percent (67%) of the total eligible voting power of the membership of the Association.

**ARTICLE X**

**AUTHORITY TO MORTGAGE**

A mortgage or other encumbrance by the Association of the common or recreational areas or facilities then subject to the Declarations and Deeds of Dedication or any part thereof shall require the assent of more than sixty seven percent (67%) of the total eligible voting power of the membership of the Association.

**ARTICLE XI**

**AUTHORITY TO DEDICATE**

The Association shall have the power to dedicate, sell, or transfer all or any part of the common or recreational areas or facilities to any other Association, individual, individuals, corporation, corporations, or any public agency, authority or utility, for such purposes and subject to such conditions as may be agreed to by the members and subject to such conditions as may be required by any public agency, authority, or utility including, but not limited to, plat approval by appropriate county authorities, provided, that any such dedication shall have the assent of more than sixty seven percent (67%) of the total eligible voting power of the membership present or represented at a properly called meeting of the Association.

**ARTICLE XII**

**DISSOLUTION**

The Association may be voluntarily dissolved as provided in Article 6, Chapter 2, Title 13.1 of the Code of Virginia, as amended. Upon dissolution of the Association, the assets, both real and personal, of the Association shall be

dedicated to an appropriate public agency to be devoted to the purposes, as nearly as practicable, the same as those to which they were required to be devoted by the Association. Any such conveyance or transfer pursuant to this Article shall be subject to plat approval by the appropriate county authorities. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed, and assigned to any non-profit corporation, association, trust, or other organization devoted to purposes and uses that would most nearly reflect the purposes and uses to which they were required to be devoted by the Association.

Notwithstanding the foregoing, before such dedication, grant, conveyance, or assignment, every lot owner shall have an option to purchase from the Association, at a reasonable price to be determined by the Board of Directors, that portion of common or recreational areas or facilities adjacent to his lot as determined by the Board of Directors, subject however to approval by the Frederick County Authorities.

### **ARTICLE XIII** **AMENDMENTS**

Amendment of these Articles shall require the assent of the votes of more than sixty seven percent (67%) of the total eligible voting power of the membership of the Association, present or represented at a properly called meeting of the Association.

### **ARTICLE XIV** **MEETINGS**

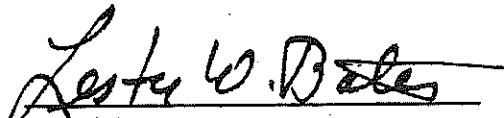
In order to take action under Article VIII through Article XIII there must be a duly held meeting. Written notice, setting forth the purposes of the meeting shall be given to all members, as prescribed by law. The presence of members or of absentee ballots entitled to cast Thirty Five percent (35%) of the total eligible votes of the membership of the Association, shall constitute a quorum. If the required quorum does not exist at such meeting, the meeting will be adjourned and another meeting may be called, which shall be subject to the voting requirements set forth above. Notwithstanding the above provision requiring notice in writing to members, a waiver of such notice in writing signed

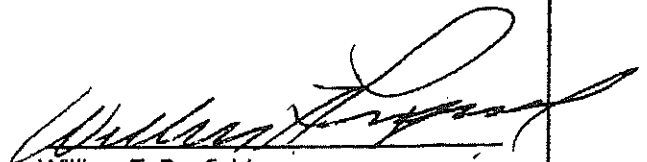
by the person or persons entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice.

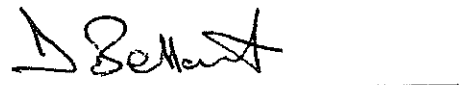
**ARTICLE XV**  
**DURATION**

The corporation shall exist perpetually, unless dissolved by operation of law, action pursuant to Article XII, or otherwise.

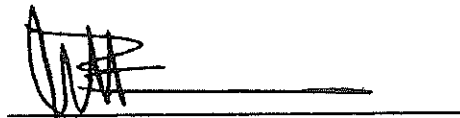
IN WITNESS WHEREOF, for the purpose of amending the Articles of Incorporation of this corporation in keeping with the approval of the requisite number of members hereof, pursuant to Article XIII of the Articles of Incorporation, and under the laws of the Commonwealth of Virginia, we, the undersigned, the elected directors of the corporation have herewith executed these Amended Articles of Incorporation in accordance with the approval of the members of the Association this 23rd day of October, 1999.


  
\_\_\_\_\_  
Les W. Bates


  
\_\_\_\_\_  
William F. Penfield

  
\_\_\_\_\_  
David J. Bessant

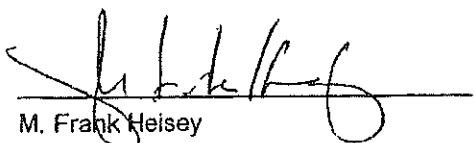
  
\_\_\_\_\_  
Stanley C. Petterson

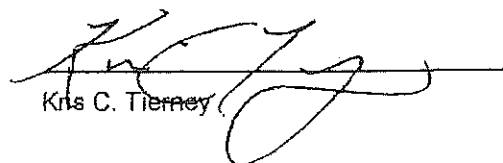
  
\_\_\_\_\_  
Alan D. Bloomingdale

  
\_\_\_\_\_  
James Pratt

  
\_\_\_\_\_  
Louis R. Einstman

  
\_\_\_\_\_  
Emmett C. Scott

  
\_\_\_\_\_  
M. Frank Heisey

  
\_\_\_\_\_  
Kris C. Tierney

\_\_\_\_\_  
Vacant

# Lake Holiday

## **Amended Bylaws of Lake Holiday Country Club, Inc.**

**Revised and Approved**

**By Vote of the Membership on October 27, 2018**

**Amended Bylaws of Lake Holiday Country Club, Inc.**

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**AMENDED BYLAWS OF  
LAKE HOLIDAY COUNTRY CLUB, INC.**

Approved: October 28, 2017

**ARTICLE I - NAME AND LOCATION**

The name of the corporation is LAKE HOLIDAY COUNTRY CLUB, INC., a nonstock corporation organized under and pursuant to the laws of the Commonwealth of Virginia. The current principal office of the corporation is 1045 Lakeview Drive, Cross Junction, Virginia, 22625, which is in Frederick County, Virginia.

The Registered Agent for the corporation is Ian Williams of the Law Firm of Harrison and Johnston, operating in the Commonwealth of Virginia and a member of the Virginia State Bar, whose office address is 21 South Loudoun Street, in the City of Winchester, Virginia.

**ARTICLE II - DEFINITIONS**

The following words, when used in these Bylaws or in any amendment to these Bylaws, shall (unless the context clearly indicates otherwise) have the following meanings:

**Section 1. ABSENTEE BALLOT**

Shall mean and refer to a vote cast by an eligible Member who is unable to be present for a meeting.

**Section 2. ARTICLES OF INCORPORATION**

Shall mean and refer to the Articles of Incorporation of Lake Holiday Country Club, Inc.

**Section 3. ASSOCIATION**

Shall mean and refer to Lake Holiday Country Club, Inc., a non-stock corporation of property owners organized and existing under the laws of Virginia, and its successors and assigns.

**Section 4. BOARD OR BOARD OF DIRECTORS**

Shall mean and refer to the Board of Directors of Lake Holiday Country Club, Inc.

**Section 5. BYLAWS**

Shall mean and refer to these Bylaws presented by the Board of Directors and approved by the membership of Lake Holiday Country Club, Inc.

**Section 6. COMMON AREAS**

Real property and the improvements thereon within the Lake Holiday development which is owned or leased and maintained or operated by the Association for the use of Association members and is designated as common area in a Declaration or Deed of Dedication recorded in the land records of Frederick County, Virginia.

**Section 7. DECLARATION**

Any instrument, however denominated, including a Deed of Dedication, recorded among the land records of Frederick County, Virginia that creates and imposes covenants and deed restrictions for management, regulation, and control of the Lake Holiday development.

**Section 8. DEED OF DEDICATION**

Shall be deemed to correspond with the term Declaration.

**Section 9. DIRECTOR**

Shall mean and refer to a member of the Board of Directors of the Association who has been properly elected, having been a Member of the Association for at least one (1) year as of the date of election.

**Section 10. ELIGIBLE AND IN GOOD STANDING MEMBERS**

Shall mean and refer to those Members who have paid all dues, assessments, and other charges owed to the Association, and such Members must also be in material compliance with all restrictions, rules, regulations, and covenants of the Association.

**Section 11. LOT**

Any parcel of land designated for separate ownership shown on a recorded subdivision plat of the Lake Holiday development and which is part of a Section of the development, such Section having a Deed of Dedication recorded in the land records, and such parcel is not Common Area.

**Section 12. MEMBER**

Shall mean and refer to every person or entity who is an owner of a lot or an Associate Member as defined in the Articles of Incorporation, and therefore holds membership in the Association as set forth in the Articles of Incorporation as amended.

**Section 13. OWNER**

Shall mean and refer to the record owner whether one or more persons or entities, of a fee or undivided fee interest in any lot which is a part of the Property; but excluding those persons or entities having such interest merely as a security for the performance of any obligation until such persons or entities have acquired record title pursuant to foreclosure or any procedure in lieu of foreclosure, and shall also exclude all lessees.

**Section 14. COMMON PROPERTY**

Any real property, including individual lots, and improvements to real property within the development which is owned, operated, and maintained by the Association and is not designated as common area in a Declaration recorded in the land records.

**Section 15. RESTRICTIVE COVENANTS**

Shall mean and refer to the restrictive covenants set forth in the Declarations and Deeds of Dedication.

## **ARTICLE III - SUSPENSION OF MEMBERSHIP**

During any period in which a Member shall be in default in the payment of any annual dues, charges, or assessments levied by the Association, the voting rights and right to use of the facilities and other improvements of the common areas by a Member, his/her delegates and guests, may be suspended by the Board of Directors until such assessment has been paid provided, however, that said Member shall, at all times, have the right to access over the private roads in the Property to and from his/her lot. A Member's voting rights and rights to use the facilities and other improvements or amenities of the Association may also be suspended by the Board of Directors in the event any such Member is in violation of the Associations covenants, restrictions, rules, regulations or bylaws in accordance with Virginia Code Section 55-508, et seq.

## **ARTICLE IV - BOARD OF DIRECTORS SELECTION AND TERM OF OFFICE**

### **Section 1. NUMBER**

The affairs of this Association shall be managed by a Board of eleven (11) directors, who must be property owners, and therefore Members of the Association who are eligible and in good standing.

### **Section 2. TERM OF OFFICE**

Terms of office of the Directors shall be three years and staggered. Normally, either three or four Director positions shall be open in an election. Beginning in 2009, four (4) three-year Director positions are open; in 2010, four (4) three-year Director positions are open; in 2011, three (3) three-year Director positions are open. This cycle of three-year terms repeats every three years beginning in 2012, 2015, 2018, et cetera. Directors elected by the membership at the annual meeting shall not serve more than six (6) years consecutively. Directors may, however, seek reelection at an annual meeting of the membership after having been off the Board for one (1) year. In the event that any sitting Director has failed for any reason to complete his/her term of office, the candidate who is appointed by the majority affirmative vote of the Board to take his/her place shall serve only until the next annual meeting of the membership. The term of any interim Director as appointed by a majority affirmative vote of the Board of Directors shall not be considered a term of office for the purpose of term limits.

### **Section 3. REMOVAL AND RESIGNATION**

In the event of the resignation or removal of a Director, his/her successor may be appointed by a majority affirmative vote of the remaining members of the Board of Directors and shall serve until the next annual meeting of the Members. The rest of the remaining term shall be filled by vote of the membership at the annual meeting of the Members. A director may be removed by the majority vote of the membership of the Association attending a properly called meeting (annual or special). The director or directors so involved must be given proper notice of this meeting, and an opportunity to address the Association. Directors wishing to resign must do so by giving written notice to the Board of Directors of their desire to resign which shall be effective upon the date of receipt of such notice of resignation or at whatever later time is specified within the notice.

### **Section 4. VACANCY**

In the event of a vacancy on the Board of Directors due to death, his/her successor may be appointed by a majority affirmative vote of the remaining members of the Board of Directors and shall serve until the next annual meeting of the Members.

## **Section 5. COMPENSATION**

No director shall receive compensation for any service he/she may render to the Association in his/her capacity as a director. Any director, however, may be reimbursed for his/her actual expenses incurred in the performance of his/her duties.

## **ARTICLE V - MEETINGS OF DIRECTORS**

### **Section 1. REGULAR MEETINGS**

Regularly scheduled meetings of the Board of Directors shall be held not less than once a quarter at such place, date, and times as may be fixed from time to time by resolution of the Board. Should any meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day that is not a legal holiday. Additionally, the Board of Directors shall be required to meet within seven (7) working days after the annual meeting of the Association for the purpose of electing officers of the Association. All regular meetings of the Board of Directors shall be open to the membership.

### **Section 2. SPECIAL, WORKING, AND EMERGENCY MEETINGS**

Special and working meetings of the Board of Directors shall be held when called by the President of the Association or by any three (3) directors after not less than three (3) days' notice. Notice of any such meetings must be given to the membership. Reasonable notice, under the circumstances, of emergency meetings shall be provided to the membership contemporaneously with the notice provided to the Board of Directors.

### **Section 3. QUORUM**

A majority of the number of directors shall constitute a quorum for the transaction of business. Every action or decision done or made by a majority of the directors, present at a duly held meeting at which a quorum is present, shall be regarded as an act of the Board.

### **Section 4. CONDUCT OF MEETINGS**

The President shall preside over all meetings of the Association, and the Secretary shall keep the minutes and record in a minute book all resolutions adopted at the meetings as well as a record of all transactions occurring at the meetings.

### **Section 5. ACTION TAKEN WITHOUT A MEETING**

The directors shall have the right to take any action in the absence of a meeting that they could take at a meeting by obtaining the written approval of all the directors and by ratifying such action at the next regular business meeting. Any action so approved shall have the same effect as though taken at a meeting of the directors.

## **ARTICLE VI - NOMINATION AND ELECTION OF DIRECTORS**

### **Section 1. NOMINATION**

Nomination for election to the Board of Directors shall be made by a Nominating Committee. The Nominating Committee shall make its best effort to have at least as many nominations to the Board of Directors as there are vacancies. The Nominating Committee shall accept all eligible candidates for nomination. In addition, any person not so nominated who wishes to run for the Board and who has solicited the signatures of at least twenty-five (25) eligible voting Members shall be placed on the ballot by the Secretary as a matter of right, provided such request is submitted in writing to the Secretary at least forty-five (45) days prior to the election.

Nominations may also be made from the floor at the annual meeting. All nominees must have been Members of the Association for at least one (1) year.

No Member may be nominated to be a candidate for the Board of Directors unless he/she is in compliance with Article II, Section 10, of these Bylaws, and no person may be nominated to be a candidate for the Board of Directors unless such person has indicated his/her willingness to become a candidate.

### **Section 2. ELECTION**

Election to the Board of Directors shall be by secret written ballot. At each such election the Members present in person or by absentee ballot may cast, with respect to each vacancy, as many votes as they are entitled to cast under the provisions of the Articles of Incorporation. There shall be no voting by proxy. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted. Directors shall be elected to terms in accordance with Article IV, Section 2, of these Bylaws.

### **Section 3. INSTALLATION**

Newly elected Directors shall be installed at the first meeting of the Board of Directors following each annual meeting of Members. This meeting, considered an organizational meeting, shall be held within seven (7) working days after the annual meeting of the Association when Directors are elected. Outgoing Directors shall continue to serve until this organizational meeting is held unless they were elected by the Board to fill a vacancy.

## **ARTICLE VII - POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

### **Section 1. POWERS**

The Board of Directors shall have power to:

(a) Exercise for the Association all powers, duties, and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, the Declarations, and Deeds of Dedication.

(b) Either directly or through the Committees adopt and publish rules and regulations governing use of the Property and the personal conduct of the Members and their delegates and guests thereon, and to establish penalties for the infraction thereof.

(c) Declare the office of a member of the Board of Directors to be vacant in the event such Director shall be absent from three (3) consecutive regular meetings of the Board of Directors.

(d) Employ a manager and such other persons and agents as they deem necessary and prescribe their duties.

(e) Execute such easements, contracts, operating agreements, and maintenance agreements on behalf of the Association as the Board of Directors deems necessary or appropriate in connection with the operation of the Association.

(f) With exception only to an emergency situation necessitating relocation, shall ensure that the Administration's Office Facilities shall be located within the Clubhouse unless other suitable arrangements are approved at a properly noticed special meeting of the members and by a vote of a majority of the eligible voting power of the Association present in person or represented by absentee ballot.

(g) Approve spending on any individual capital improvement project which shall be capped at ten (10) percent of the overall annual budget, unless otherwise approved at a properly noticed special meeting of the members and by a vote of a majority of the eligible voting power of the Association present in person or represented by absentee ballot.

## **Section 2. DUTIES**

It shall be the duty of the Board of Directors to:

(a) Regularly attend scheduled meetings and, should a director be absent from three (3) consecutive regular meetings of the Board of Directors, that director's office may be deemed vacated, and the director may be removed from office by a majority affirmative vote of the Board of Directors. Notwithstanding this provision, the director may be permitted to serve until the next annual meeting of the Members by a majority affirmative vote of the Board of Directors.

(b) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members or at any special meeting, when such statement is requested in writing by one-fourth (1/4) of the Members who are entitled to vote.

(c) Cause an annual audit of the Associations books to be made by a Certified Public Accountant at the completion of each fiscal year.

(d) Supervise all officers, agents, committees, and employees of this Association, and see that their duties are properly performed;

(e) As more fully provided herein and in the Declarations and Deeds of Dedication to fix and send written notice of the amount of the annual assessments against each Lot at least thirty (30) days in advance of each annual assessment period. However, the Board of Directors shall not be permitted to increase the annual assessments more than fifteen percent (15%) over the previous year's assessments unless a greater percentage of increase is approved by a majority of the Membership who are eligible to vote at a special meeting called for that purpose at which meeting the quorum requirements shall be ten percent (10%) of those Members who are current in all of their assessments due the Association.

(f) Issue or to cause an appropriate officer to issue, upon demand by any person at any reasonable time, a certificate setting forth the status of assessments against any Lot. A reasonable

charge may be made by the Board for the issuance of such certificates. A properly executed certificate as to the status of assessments on a Lot is binding on the Association as of the date of such certificate's issuance.

(g) Procure and maintain adequate liability and hazard insurance on property and interests in property owned by the Association.

(h) Cause all officers or employees having fiscal responsibilities to be bonded, and to secure liability insurance covering the acts or omissions of Directors, officers, committee members, and employees as the Board shall deem appropriate.

(i) Cause any common areas, facilities, and any easements granted to the Association to be maintained in accordance with standards adopted by the Board.

(j) Cause lots to be used and maintained pursuant to and in accordance with the Declarations and Deeds of Dedication.

(k) Appoint the Architectural and Compliance Committees and oversee the performance of their duties, obligations, and the exercise of their powers and authority granted by the Declarations and Deeds of Dedication; and to hear and finally determine appeals.

(l) Open and maintain such bank accounts as may be necessary or appropriate for the operation of the Association.

(m) Sign checks or other orders or demands for the payment of money of the Association or to designate officers and agents of the Association entitled to sign such checks, orders, or demands, provided that each such check, order, or demand on behalf of the Association shall be signed by at least two (2) such designated officers or agents to be effective.

(n) Perform all other duties required by the Declarations, Deeds of Dedication, the Articles of Incorporation, and these By-Laws to be performed by the Board of Directors.

## **ARTICLE VIII - INDEMNIFICATION**

### **Section 1. INDEMNIFICATION**

Each director and officer (and his/her heirs, executors, and administrators) and appointees of the President shall be indemnified by the Association against all claims, liabilities, judgments, settlements, costs and expenses incurred by him/her in connection with any claim, action, suit, or proceeding, or threatened action, suit or proceeding to which he/she may be made a party by reason of his/her being or having been a director or officer of the Association except in relation to any action, suits, or proceedings in which he/she has been finally adjudged liable because of gross negligence or misconduct, which shall be deemed to include willful misfeasance, bad faith, gross negligence, or reckless disregard of the duties involved in the conduct of his/her office. The foregoing rights and indemnification shall not be exclusive of any other rights to which the officers and directors may be entitled according to law.

### **Section 2. PERSONAL LIABILITY**

No officer of the Association or member of the Board of Directors shall be personally liable for the performance of any contract or agreement entered into by the Officer or Board of Directors on behalf of the Association.



## **ARTICLE IX - COMMITTEES**

### **Section 1. COMMITTEES**

The Board of Directors shall appoint an Architectural Committee as provided for in the Declarations and Deeds of Dedication, a Compliance Committee, and a Nominating Committee as provided in these Bylaws. In addition, the Board of Directors shall appoint such other committees as deemed appropriate to carry out its purposes.

#### **(a) ARCHITECTURAL COMMITTEE.**

The Board of Directors shall appoint an Architectural Committee for the purpose of exercising rights (covenants, conditions, and restrictions) vested in the Declarations and Deeds of Dedication of each section of the Lake Holiday Country Club, Inc. development.

The Architectural Committee shall prepare and publish a COMMUNITY GUIDELINES AND POLICY MANUAL, consistent with the Declarations and Deeds of Dedication, which must be approved by the Board of Directors. The Committee shall operate in a manner that is directed by and follows the COMMUNITY GUIDELINES AND POLICY MANUAL. From time to time the COMMUNITY GUIDELINES AND POLICY MANUAL will be reviewed, revised, and any changes must be approved by the Board of Directors.

#### **(b) COMPLIANCE COMMITTEE.**

The function of the Compliance Committee is to provide for a peer review for any member alleged to have breached any of the requirements of any deed covenants, Bylaws, or rules and regulations of the Association. When a resolution cannot be achieved through an informal process with Management and the person alleged to be in non-compliance, a Mediator Panel composed of impartial members of the Association shall hold a hearing to decide the matter. No member of the Board of Directors may serve on the Mediator Panel.

#### **(c) NOMINATING COMMITTEE.**

The Nominating Committee shall consist of a Chairman and three (3) or more Members of the Association. The Nominating Committee shall be appointed by the Board of Directors no later than six (6) months prior to the annual meeting and shall serve until a new Nominating Committee is formed.

### **Section 2. DUTIES**

It shall be the duty of each committee to receive complaints, recommendations, and suggestions from Members on any matter involving Association functions, duties, and activities within its field of responsibility. It shall address such complaints, recommendations, and suggestions as it deems appropriate or refer them to such other committee, director, or officer of the Association as is further concerned with the matter presented.

## **ARTICLE X - MEETINGS OF MEMBERS**

### **Section 1. ANNUAL MEETING**

The annual meeting of the Members shall be held the fourth Saturday of October of each year at such time and at such place as determined by the Board of Directors.

### **Section 2. SPECIAL MEETINGS**

Special meetings of the Members may be called at any time by the President or by any three (3) members of the Board of Directors, or upon written request of one-third (1/3) of the Members who are eligible to vote.

### **Section 3. NOTICE OF MEETINGS**

Unless otherwise provided in the Declarations, Deeds of Dedication, Articles of Incorporation, or elsewhere in these Bylaws, written notice of each meeting of the Members shall be given by or at the direction of the Secretary to each Member entitled to vote at such meeting. Each such notice shall be hand delivered or mailed, postage prepaid, not less than fourteen (14) days or more than sixty (60) days before the date of such meeting, addressed to the Member at his/her address as it appears on the books of the Association. Such notice shall specify the date, time, and place of the meeting; and, in the case of a special meeting, the purpose of the meeting. Notwithstanding the foregoing, a proposed change in the Articles of Incorporation, a plan of merger or consolidation, a proposed sale or lease of the Associations assets other than in the regular course of business, or dissolution shall be given not less than twenty-five (25) days, or more than sixty (60) days before the date of such meeting.

### **Section 4. QUORUM**

Unless otherwise provided in the Declarations, Deeds of Dedication, Articles of Incorporation, or elsewhere in these Bylaws, the presence at a meeting of the eligible Members (in person or by absentee ballot) entitled to cast at least ten percent (10%) of the total eligible votes of the membership shall constitute a quorum. If the required quorum does not exist at such meeting, the meeting will be adjourned and another meeting may be called, subject to the vote requirements set forth above. If the meeting is adjourned for this reason, the meeting shall be continued at a later date in order to reach a quorum. Additional voting in person will be accepted at the continuation of the meeting to reach a quorum. No further absentee ballots shall be accepted after the initial deadline. However, once a member is represented, that member is deemed present for quorum purposes when the meeting continues unless a new record date is established.

### **Section 5. VOTING**

Unless a greater proportion is required by the Virginia Non-stock Corporation Act, the Articles of Incorporation, or elsewhere in these Bylaws, the majority of the votes cast by the eligible Members present or represented by absentee ballot at a meeting at which a quorum is present shall be necessary for the adoption of any matter voted upon. No cumulative voting shall be permitted at any meeting, or in any vote, of the Members. The right to vote of the members shall be determined as set forth in the Articles of Incorporation and such voting rights provisions are specifically incorporated herein.

## **Section 6. WAIVER OF NOTICE**

Whenever any notice of any meeting of Members is required to be given under provisions of law or under the provisions of the Articles of Incorporation or these Bylaws, a waiver thereof in writing, signed by the person or persons entitled to such notice and filed with the records of the meeting, whether before or after the time stated therein, shall be equivalent to the giving of such notice. Attendance of a Member at a meeting shall constitute a waiver of notice of such meeting except where a Member attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called or convened.

## **Section 7. ABSENTEE BALLOTS**

At all meetings of Members each Member may vote in person or by absentee ballot. All absentee ballots must be in writing and filed with the Secretary of the Association prior to the meeting.

# **ARTICLE XI - OFFICERS AND THEIR DUTIES**

## **Section 1. ENUMERATION OF OFFICERS**

The Association shall have a President, a Vice President, a Secretary, and a Treasurer who shall at all times be members of the Board of Directors. Additionally, the Association may have such other officers as the Board of Directors may from time to time determine to be necessary or desirable.

## **Section 2. ELECTION OF OFFICERS**

The election of officers shall be by a majority vote of the Directors and shall take place at the first meeting of the Board of Directors following each annual meeting of Members; such meeting shall be held within seven (7) working days after the annual meeting of the Association. The outgoing officers shall continue serving in their respective roles until this meeting. The President of the previous Board or, in his/her absence the Vice President, shall preside at the meeting until such time as a new President is elected.

## **Section 3. TERM**

The officers of this Association shall be elected annually by a majority vote of the Board of Directors and each shall hold office for one year unless he/she shall sooner resign, shall be removed, or shall otherwise be disqualified to serve.

## **Section 4. RESIGNATION AND REMOVAL**

Any officer may be removed from office with or without cause by a majority of the Board. Any officer may resign at any time by giving written notice to the Board, the President, or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

## **Section 5. VACANCIES**

A vacancy in any office may be filled by a majority vote of the Board of Directors in the manner prescribed for regular elections. The officer elected to such vacancy shall serve for the remainder of the term of the officer he/she replaces.

## **Section 6. MULTIPLE OFFICES**

No person shall simultaneously hold more than one office, except for special offices created pursuant to Section 1 of this Article.

## **Section 7. DUTIES**

The duties of the officers are as follows:

(a) **PRESIDENT.** The President shall preside at all meetings of the Board of Directors, shall see that orders and resolutions of the Board are carried out, and shall sign all leases, mortgages, deeds, and other written instruments to which the Association is a party. The President may appoint others to assist the Board at its meetings, as well as others to assist the Board in its responsibilities. Individuals so appointed shall be indemnified with the same coverage as the elected members of the Board. Additionally, the President shall perform such other duties as prescribed by the Board of Directors.

(b) **VICE PRESIDENT.** The Vice President shall act in the place and stead of the President in the event of his/her absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required of him/her by the Board of Directors.

(c) **SECRETARY.** The Secretary shall (a) record the vote and keep the minutes of all meetings and proceedings of the Board of Directors and of the Members, (b) keep the corporate seal of the Association and affix it on all papers requiring said seal, (c) serve notice of meetings of the Board of Directors and of the Members, (d) keep appropriate current records showing the names of the Members of the Association and their addresses, and (e) perform such other duties as are required by the Board of Directors.

(d) **TREASURER.** The Treasurer shall be responsible for (a) receiving and depositing in appropriate bank accounts all monies of the Association, (b) disbursing such funds as directed by resolution of the Board of Directors, (c) signing all promissory notes of the Association, (d) keeping proper books of account, (e) maintaining and updating the Replacement Reserve Study, and (f) preparing an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and making available copies of such budget and statement to each of the Members.

## **ARTICLE XII - BOOKS AND RECORDS**

### **Section 1. INSPECTION**

The books, records, and papers of the Association shall be available for inspection by any Member during reasonable business hours as provided in the Virginia Property Owners Association Act, 55-508, et seq., as amended.

### **Section 2. OWNERSHIP**

All books, records, and documents of any sort generated by the agents, employees, officers, or directors of the Association are property of the Association. At the expiration of the term of any officer or member of the Board of Directors, all documents in their possession that are the property of the Association must be returned to Management to insure the orderly transition of records. All original documents produced by the Association, its officers, directors, employees, or agents shall bear information indicating that it is the property of the Association if it is delivered to third parties.

## **ARTICLE XIII - CORPORATE SEAL**

The Board of Directors shall provide a suitable seal containing the name of the Association.

## **ARTICLE XIV - AMENDMENTS**

Except as may be otherwise provided by the Articles of Incorporation or the Declarations or Deeds of Dedication, these Bylaws may be amended at a regular or special meeting of the members, by a vote of a majority of the eligible voting power of the Association present in person or represented by absentee ballot.

## **ARTICLE XV - MISCELLANEOUS**

### **Section 1. FISCAL YEAR**

The fiscal year of the Association shall begin on the first day of January and end on the last day of December of every year.

### **Section 2. ASSOCIATE MEMBERSHIP**

Associate Membership in the Association may, at the discretion of the Board of Directors, be granted, from time to time, to persons who are not Owners of Property subject to the Declarations and Deeds of Dedication, which will permit such persons to enjoy the privileges of membership in the Association, including the use of the common areas or facilities but not including any claim, title, or interest in the real or personal property of the Association or any of its assets or rights with respect thereto upon dissolution of the Association. Annual dues for Associate Members shall be determined, from time to time, by the Board of Directors and may be an amount less than set for other Members. Associate Members shall not have any voting rights and shall not be counted when considering a quorum for meetings.

### **Section 3. MEMBER CONDUCT**

No immoral, obnoxious, offensive, or unlawful use shall be made of any private lot or Association common areas or any part thereof, and all valid laws, zoning ordinances, and regulations of all governmental agencies having jurisdiction thereof shall be observed. All laws, orders, rules, regulations, or requirements of any governmental agency having jurisdiction thereof relating to any portion of the Property shall be complied with, by and at the sole expense of the Property Owner or the Board of Directors, whichever shall have the obligation to maintain or repair such portion of the Property, and, if the latter, then the cost of such compliance shall be a common expense.

## AMENDMENT HISTORY

Revision	Approval Date	Article	Section	Initialed for LHCC Records Entry by:
Historical	4/10/2000			
2008 Amendments	10/25/2008	II IV VII XI	9 2, 3, 4 2 7-(d)	
2011 Amendments	10/22/2011	II VI X XI	6-8, 11, 14 New 3 4 2	
2017 Amendments	10/28/2017	IV VI VII IX	2, 3, 4 2 2 1	ALM
2018 Amendments	10/27/2018	VI VII IX X	1 1(f) & (g) 1(c) 7	ALM

## CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected Secretary of LAKE HOLIDAY COUNTRY CLUB, INC., a Virginia nonstock corporation, and

THAT the foregoing Bylaws constitute the Amended Bylaws of LAKE HOLIDAY COUNTRY CLUB, INC., as duly adopted at a meeting of the Board of Directors held on September 26, 2017, and approved by the members of LAKE HOLIDAY COUNTRY CLUB, INC., in accordance with the applicable governing provisions, at a meeting held on October 27, 2018, pursuant to notice in accordance with the applicable governing provisions, which Amended Bylaws hereby duly amend all previously promulgated Bylaws and their amendments.

IN WITNESS WHEREOF, I have hereunto subscribed my name and office, and affixed the seal of LAKE HOLIDAY COUNTRY CLUB, INC., this 27th day of October 2018.

\_\_\_\_\_  
SECRETARY (Signature on File)

-End of the Text of the Amended Bylaws of Lake Holiday Country Club Inc.-

# Deed of Dedication

DELIVERED TO: N. Wilkins  
DATE: 9-2-71

.....  
#11086  
LAKE HOLIDAY ESTATES, INC.  
TO : : : DEED OF DEDICATION  
.....

BOOK 380 PAGE 84

THIS DEED OF DEDICATION, made and dated this 9<sup>th</sup> day of August, 1971, by Lake Holiday Estates, Inc., a Virginia corporation, which is the owner and proprietor of the land described in Section 3-A, designated as Country Club Heights of the subdivision of Lake Holiday Estates, containing ten sheets and 127 lots, dated August, 1971, and made by Wesley W. Methoney, Planner and James C. Wilkins, Certified Land Surveyor; and in which it is also the owner and proprietor of the land described in Section 4-A, designated as Northwood Hills of the subdivision of Lake Holiday Estates, containing 12 sheets and 238 lots, dated August, 1971, and made by Wesley W. Methoney, Planner and James C. Wilkins, Certified Land Surveyor, and attached hereto and made a part hereof.

WHEREAS, the Board of Directors of Lake Holiday Estates, Inc., in accordance with its Articles of Incorporation and By-laws, has authority to buy, subdivide and sell real estate; and,

WHEREAS, the said Board of Directors on motion duly made, seconded and passed at a regularly called meeting for this purpose, and by its consent and authority, has approved the aforesaid plans for the subdivision of its land contained therein, which land known as Lake Holiday Estates, Inc., lies about 14 miles Northwest of Winchester, in Gainesboro Magisterial District of Frederick County, Virginia, and designated as follows: 127 lots in Section 3-A and made up of ten (10) plots; 238 lots in Section 4-A and made up of twelve (12) plots.

MARTIN AND SWANN  
ATTORNEYS AT LAW  
CHARLESTON, VIRGINIA



This is a part of two tracts or parcels of land that were conveyed to Lake Holiday Estates Golf and Country Club, Inc., now Lake Holiday Estates, Inc., by the following conveyances:

1. From Donald L. Bayliss and Carolyn R. Bayliss, his wife, to Lake Holiday Estates Golf and Country Club, Inc., as Instrument #1847, dated August 26, 1970, known as the Haines land, and of record in the aforesaid Clerk's Office in Deed Book 368, Page 44.

2. From Donald L. Bayliss and Carolyn R. Bayliss, his wife, to Lake Holiday Estates, Inc., as Instrument #1841, dated August, 6, 1971, known as the Whitson land, and of record in the aforesaid Clerk's Office in Deed Book 117 Page 111. Reference is made to the aforesaid deeds for a more particular description of the land hereby subdivided and dedicated.

WHEREAS, this deed of dedication does not include the dedication of the roadways, streets or rights of way set forth on said plat for the use and benefit of the public, but only as a right of way to and from said lots for the use and benefit of the lot owners and members in good standing of Lake Holiday Estates, Inc. and its assigns and also for the approved guests, agents, and invitees of the Grantor and said lot owners; all subject to the provision that they must use said rights of ways, roadways and streets in conformity with the requirements of the laws of Virginia, ordinances of Frederick County, Virginia, and the rules and regulations of the Grantor or its successors in title as owner and proprietor of this subdivision.

WHEREAS, it is further resolved by said Board of Directors that the President or Vice President and Secretary of this Corporation be, and they are hereby directed to execute and acknowledge, seal and deliver this instrument for approval by the proper officials of said County and State, and that the same be recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia among the land books of said County.

THIS DEED OF DEDICATION for said plats is made subject to all the following restrictions and covenants which shall be deemed to run with the land for the mutual protection and benefit of all lot owners:

(1) No structure or building of any kind, or construction of any sort including fences shall be placed or constructed upon this property unless and until plans and description of same shall have been submitted in duplicate to, and approved in writing by the Architectural Committee appointed by the Board of Directors of Lake Holiday Estates, Inc., or other proprietor.

(2) Except with the written consent of the Architectural Committee, no structure, tent, fence, outside toilet, or other living quarters, temporary or permanent, shall be placed upon any part of the property covered by this deed of dedication. The use of house trailers is not permitted in this subdivision development known as Lake Holiday Estates, Inc.

(3) Buildings may be of a contemporary period or modern design, and may be constructed of wood, logs, stone, masonry or composition, but must be finished or painted in such a manner as not to detract from, or mar the natural beauty of the surroundings.

(4) All sewer and water lines on said lots must be connected to state approved central sewerage system and central water distribution system; said systems to be constructed by the proprietor or by Lake Holiday Estates Utility Company, a duly incorporated public service corporation or any other similar public service corporation, and the proprietor of said public service corporation constructing the same hereby guarantees that said construction and operation of said sewer and water systems shall be in accordance with the standards of the applicable departments of the Commonwealth of Virginia.

(5) No outhouses shall be permitted on any part of the property. All toilet facilities must be within the main dwelling.

(6) No structure may be placed nearer than thirty-five (35) feet from any front or ten (10) feet from any side or rear line of any abutting property line.

(7) No cabin or dwelling shall be built unless it contains a minimum ground floor area of 800 square feet for a two-story building exclusive of porches and patios, garages, and the side nearest the road is at least 20 feet wide and a minimum of 1000 square feet for single story or split-level dwelling, and no construction of improvements by lot owners shall be made upon the areas reserved for easements.

(8) No more than one dwelling (single family use) may be built on any one lot except on lots designated for multiple units.

(9) Garages, porches and patios, carports or car shelters, if built, shall be attached to, and a part of the main dwelling, unless otherwise approved by the Architectural Committee.

(10) No lot may be subdivided, or easements granted, without written approval by Lake Holiday Estates, Inc. or other proprietor, except that the proprietor of this subdivision reserves the right to resubdivide any of its unsold lots or land in this subdivision.

(11) No open fires shall be permitted on any part of the property. Outdoor fireplaces, if built, and all chimneys shall be provided with fire screens.

(12) No building shall be used for any other than single family residential purposes (except on lots otherwise designated by Lake Holiday Estates, Inc. or other proprietor) and no offensive trade or other offensive activity shall be carried on, on said lots, nor shall anything be done thereon which may constitute or become an annoyance or a nuisance.

(13) No trees over two inches in diameter shall be cut down without permission of the Architectural Committee.

(14) No signs of any nature whatsoever shall be permitted on the property except one name sign not exceeding six (6) inches in height and thirty-six (36) inches in length.

(15) Garbage must be kept in covered metal or plastic containers, and trash such as tin cans, bottles, paper, etc. shall be kept as garbage or in wire containers and all of it disposed of according to the laws of Virginia and the ordinances of Frederick County, Virginia, and the rules and regulations of the owners and proprietor of this subdivision.

(16) No abandoned or inoperable motor vehicles or parts thereof shall remain on any property in this subdivision for more than ten (10) days after it is abandoned or becomes inoperable or parts not affixed to a motor vehicle.

MASTON AND BLISS  
ATTORNEYS AT LAW  
FREDERICK, VIRGINIA

(17) No rifles, shotguns or small arms shooting shall be permitted anywhere in Lake Holiday Estates, Inc., except in areas reserved and designated for such use by Lake Holiday Estates, Inc.

(18) All roadways, streets, and rights of way set forth on said plats are for the right of ingress and egress to lots from the public highway for lot owners and the guests, agents and invitees of lot owners who are members in good standing with Lake Holiday Estates, Inc.

(19) Seller reserves a right of way with right of entry upon, over, across and through said lot for the purpose of constructing, operating, maintaining and repairing, pole lines for electrical and telephone service, and other utilities, reserving to the Seller the sole right to convey the rights hereby reserved.

(20) All Membership Applications and Sales Contracts including originals, resales, etc. are subject to the approval of the Board of Directors of Lake Holiday Estates, Inc., or other proprietor and the right of said Board of Directors to refuse said contracts and applications is reserved. Membership in Lake Holiday Estates, Inc. in the subdivision development known as Lake Holiday Estates, Inc. is mandatory for all persons owning property in Lake Holiday Estates, Inc.

(21) This owner and proprietor and its assigns as owner and proprietor, reserve the right to add to, subtract from and change these restrictions in other subdivisions of its remaining lands or after acquired lands.

(22) The said Corporation does hereby declare that it is the owner of said property and that it desires to dedicate and does hereby make this deed of dedication of said subdivision of its own free will and consent.

WITNESS the following signatures of L. Harold Moss, President of Lake Holiday Estates, Inc. and its Corporate Seal hereto affixed and attested by Joseph A. Massie Jr., its Secretary, the first date hereinabove written.

LAKE HOLIDAY ESTATES, INC.

By: L. Harold Moss (SEAL)  
President

ATTEST:

Joseph A. Massie Jr.  
Secretary

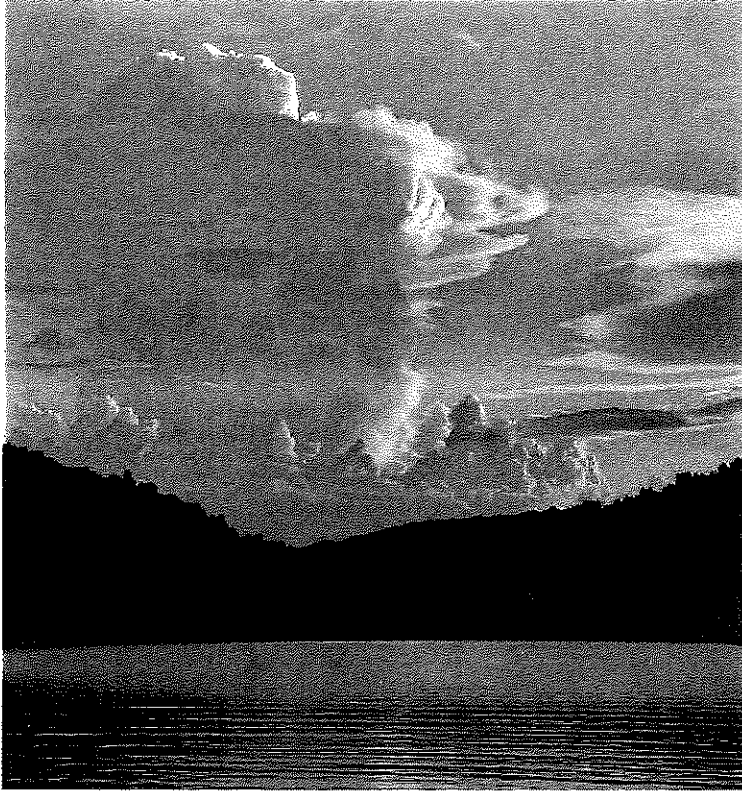
STATE OF VIRGINIA

COUNTY OF FREDERICK, to-wit:

I, Janice K. Johnson, a Notary Public in and for the State and County aforesaid, do certify that L. Harold Moss and Joseph A. Massie Jr., President and Secretary respectively of Lake Holiday Estates, Inc., whose names are signed to the foregoing deed of dedication bearing date on the 9th day of August, 1971, have acknowledged the same before me in my State and Court aforesaid.

Given under my hand this 9th day of Aug  
My commission expires September

Janice  
Notary



LAKE HOLIDAY  
COUNTRY CLUB  
MASTER PLAN  
2020 – 2029

The 2020-2029 Lake Holiday Country Club Master Plan serves as a roadmap for current and future projects that enhance the lives of the members of our community.

# INTRODUCTION

The Lake Holiday Country Club (LHCC) Master Plan ("Plan") is a high-level document designed to capture the community's values and goals while providing vision and direction to the association's general manager, board of directors, and committees. The Plan influences the development of future infrastructure projects and programs and their supporting budgets.

The Plan is a collaborative effort that integrates committee recommendations and informs members about completed and planned enhancements throughout the community.

An annual review is conducted, and updates are captured that reflect the latest priorities, driven by financial considerations, and membership demographics and interests.

General membership input is gathered through community surveys conducted every five years. The next survey is scheduled for 2022. Links to the most recent survey data is contained herein (see [Appendix B](#)).



# OUR COMMUNITY

Lake Holiday is a recreational and residential community comprising 1,900 acres, with a 250-acre man-made lake, a 500-acre nature preserve and numerous large green space parcels. Located in the foothills of the Allegheny Mountains, 14 miles northwest of Winchester, Virginia, the deed-restricted, gated community currently consists of 958 single-family homes. In addition, the community has 643 non-utility lots (membership lots) and 255 buildable lots, with water and sewer available. LHCC has both full and part-time residents of all ages and backgrounds. Lot ownership, with or without utilities, provides members access to all community amenities.

The community has multiple sections, each with a separate Deed of Dedication. Lake Holiday Country Club, Inc. ("LHCC") and the Property Owners Association ("Association"), was created in 1973. It is a non-stock, not-for-profit corporation formed under the laws of the Commonwealth of Virginia. The Association is managed by an elected, 11-member Board of Directors.

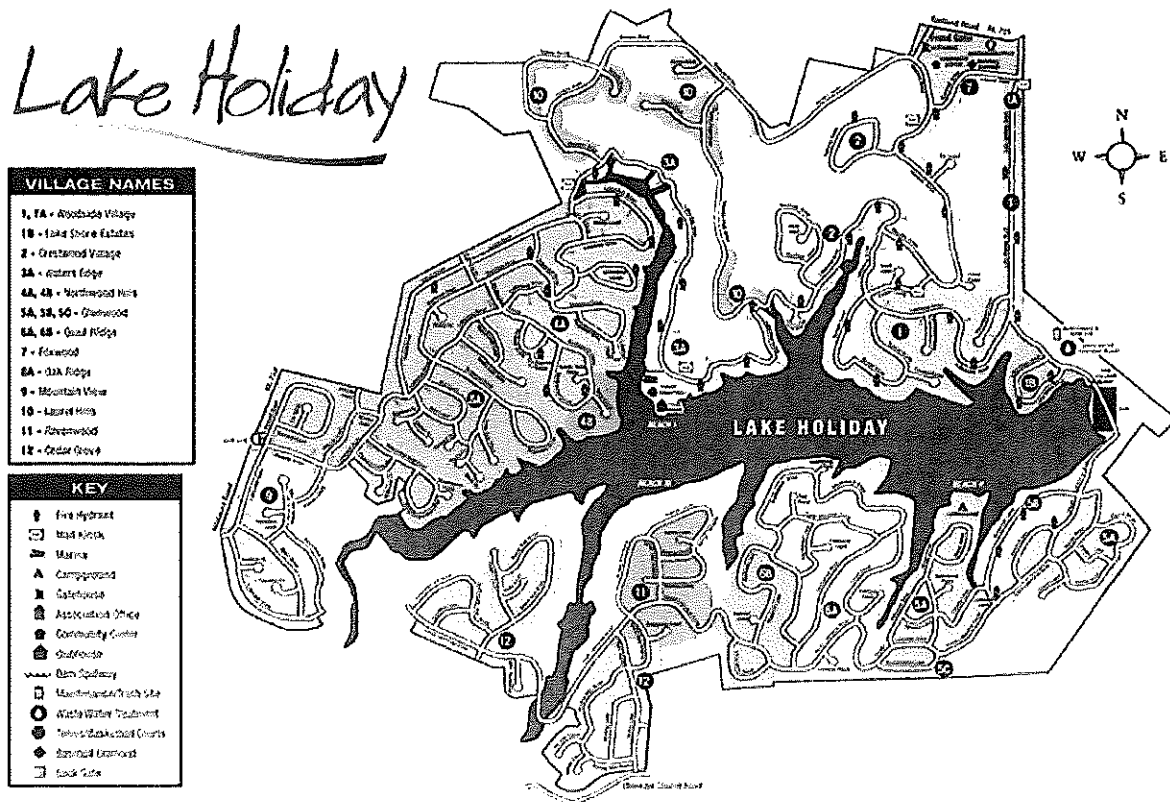


Figure 1 – Map of the Lake Holiday Community

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# COMMUNITY MISSION, VISION, AND VALUES

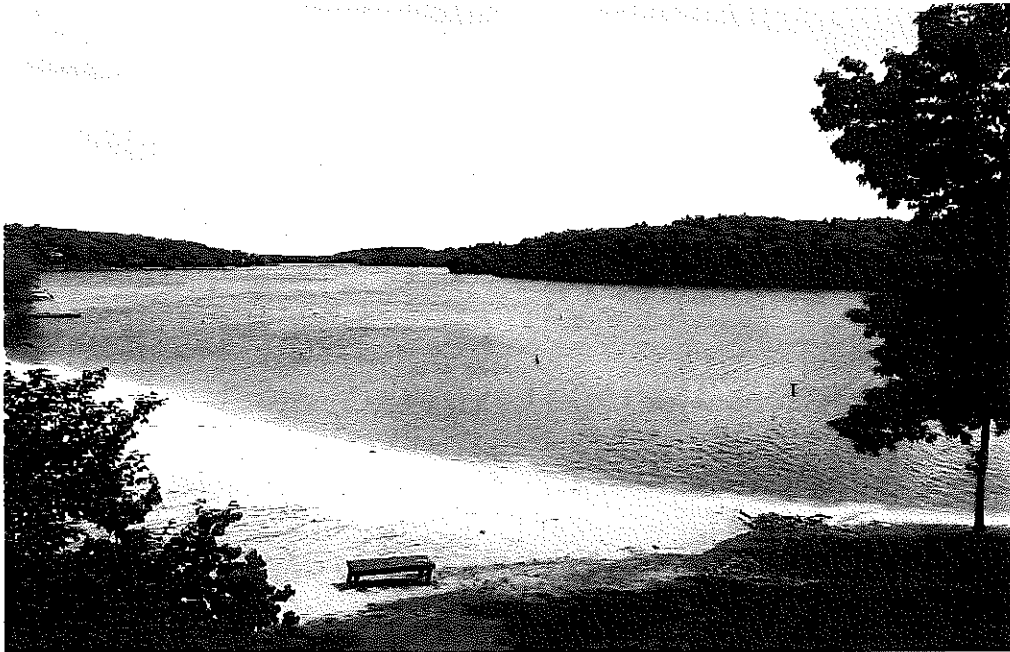
**MISSION:** The Association exists to own, maintain, improve, preserve, secure, operate, manage, control, and regulate the real property and amenities of the Association while promoting the recreation, health, safety, and welfare of its members and guests and exercising architectural control over any structures within the community to protect property values, as authorized in the Association's governing documents.

**VISION:** Lake Holiday aspires to be a premier recreational and residential community in Virginia where residents and property owners can safely and securely live and enjoy the natural environment while experiencing a quality of life enhanced by shared amenities, community spirit, and planned growth.

**VALUES:** Lake Holiday Country Club, Inc., through its Board of Directors, is guided by the following values:

- **MEMBER FOCUS:** The leadership of the Association strives to be responsive and accountable to the needs and aspirations of all Lake Holiday property owners and residents.
- **PARTICIPATION:** Voluntary participation in Lake Holiday organizations by members and residents helps build a community-wide consensus for improved decision-making.
- **DIVERSITY:** The Association pledges to be inclusive, accountable, and representative of the community it serves by accepting and understanding the diversity of its members.
- **RESPECT:** By example, the Association strives to foster a sense of respect among the residents and property owners based on civility and mutual trust.
- **PRESERVATION OF THE ENVIRONMENT:** The Association protects the quality of the lake and the natural environment of our community by following responsible ecological practices.
- **PRESERVATION OF COMMUNITY APPEARANCE:** The Association strives to preserve the distinctive beauty of our community by maintaining and improving community infrastructure and common areas as well as by providing oversight and review of proposed changes to homes and properties.
- **FINANCIAL RESPONSIBILITY:** The leadership of the Association implements its mission by providing sound, cost-effective, and efficient use of monetary resources for present and long-term expenditures that enhance our community and attract investment.

## THE LAKE



*Figure 2 – View of Lake Holiday from Beach I*

Beautiful Lake Holiday is the primary amenity within the community it is named after. The lake is the geographic center of the community and connects neighbors and friends as they engage in recreational activities associated with the “Lake Life.”

Preserving water quality is of paramount importance, and provides a balanced ecosystem of plants, fish, and animals. This requires proactive protection, and responsible usage. Amenities and infrastructure in Lake Holiday will continue to evolve, but the lake will always be our most treasured resource.

The Lake Committee serves as an ambassador and a conservationist of the lake. The committee reviews boating guidelines annually, and proposes revisions, as appropriate. The goal is to ensure that members enjoys a variety of safe activities, such as swimming, sailing, power boating, water skiing, paddle boarding, kayaking and fishing for many years to come.

A Lake Management Plan (LMP), a subset of the Plan, is a guide created by the Lake Committee with input from knowledgeable experts (see [Appendix B](#)).

Lake bathymetry, a topographical, three-dimensional study that shows the contours and depths of the lake was performed in 2017; and bathymetry of the two main tributaries was performed in 2019. An assessment of aquatic vegetation, health of the fishery and fish restocking plan are ongoing activities.

A professional firm takes water-quality samples at various water depths across the lake to measure biological parameters, including dissolved oxygen, temperature, chlorophyll, turbidity, nutrient levels, and pollutants, such as nitrogen and phosphorus. The lake is a deep reservoir, and a large accumulation of phosphorus can lead to the growth of nuisance algae and excess aquatic vegetation.

Limnologists, experts in the science of freshwater lakes, have determined that sediment and phosphorus enter the lake during storms from two main tributaries, Isaacs Creek and Yeiders Run. In 2019, a preliminary engineering analysis of restoration methods resulted in a recommendation to construct in-lake catch basins. This approach is the most cost-effective, long-term solution for capturing and reducing future sediment and phosphorus loads from the surrounding watershed. In 2020, an engineering firm was contracted to conduct pre-permit application research and define the coordination process with federal, state and county agencies prior to proceeding with any plans for an in-lake catch basin.

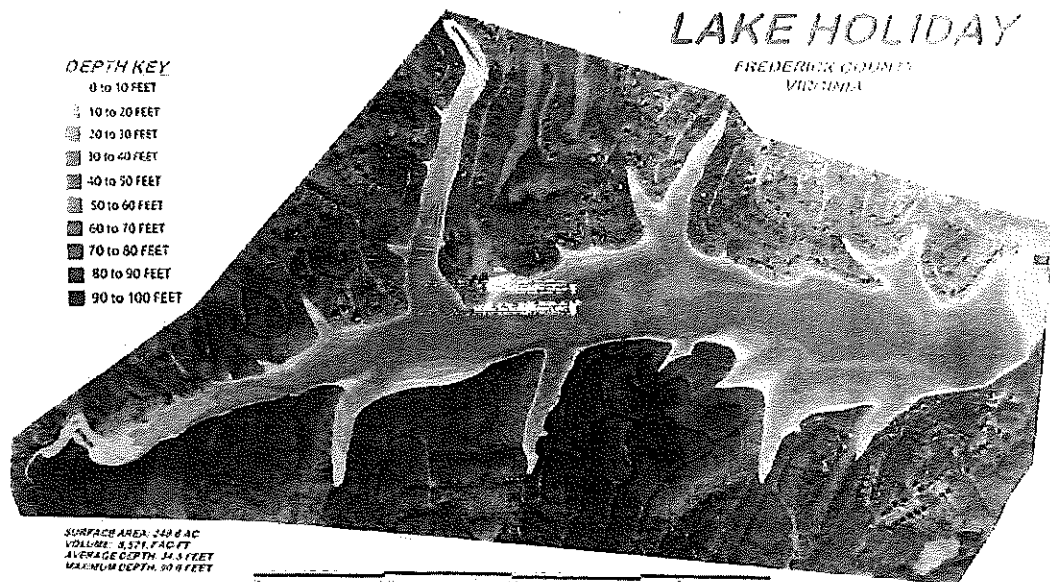


Figure 3 – Bathymetric Map of Lake Holiday

## BEACH I

There are three beaches within Lake Holiday. Beach I, the largest beach, is conveniently located near the Clubhouse. Ongoing beach maintenance is a priority. During the summer months, members, and their guests who accompany them, enjoy the convenience of restrooms, showers, and a privately-run snack bar (predicated on an approved, annual contract) on the lower level of the Clubhouse.

Proposed improvements are described in further detail in the Capital Improvement Projects [section](#).



*Figure 4 – Overhead View of the Clubhouse and Beach I*

## BEACH II

Beach II and the adjoining campground are increasingly popular for members and their guests who accompany them. Enhancements over the years include a boat dock, kayak/paddleboard/canoe racks, playground, and volleyball court.

In 2020, a temporary barrier was installed at the edge of the water to prevent sand from migrating into the cove, and an engineering firm was consulted to provide recommendations for controlling further erosion of the sandy beach.

Further upgrades will be phased in over time and include parking area improvements/additions; a picnic area shelter; and general upgrades to the landscaping. Longer-term ideas include the possible relocation of the campground and addition of a pavilion and bathhouse with restrooms.

Proposed improvements are described in further detail in the Capital Improvement Projects [section](#).



*Figure 5 – Overhead View of Beach II and Volleyball Court*



## BEACH III

Beach III is located directly across the lake from the Clubhouse. A dock allows easy access from the lake to the beach, and several picnic tables are available on a first-come, first-serve basis. Signs now direct members to the beach, and the roads were graded in 2020, making the beach area more accessible to vehicles.

Beach III is the only dog-friendly beach, and the future addition of sanitary stations will aid in keeping the area clean. A porta-potty near the beach area is also becoming a necessity as more members utilize this beach.



*Figure 6 – View of Beach III from the Lake*

## DAM AND SPILLWAY

The association owns and maintains the Lake Holiday Dam. The spillway portion was replaced between 2011 and early 2013, bringing the entire dam into full compliance with all applicable state regulations. The completion of the spillway was achieved through the formation of a special Frederick County Sanitary District, and county resources supervised the entire construction project. All property owners are billed semi-annually by the county to repay a \$9.25 million bond to the Virginia Resource Authority, at a rate of 5.19% over a period of 20 years. Sanitary District tax rates are reviewed annually and approved by the Frederick County Board of Supervisors.



*Figure 7 – Aerial View of the Lake Holiday Dam and Spillway*

Long-term management and continuous maintenance are required to keep the large impoundment structure safe and structurally sound. An updated dam structure monitoring system was installed in 2017.

The Lake Holiday Emergency Action Plan (EAP) is updated, as required, fulfilling a requirement for dam certification. The EAP provides detailed procedures to be followed in case of an emergency and must be exercised on a periodic basis. Maintaining this plan is critical to ensuring a responsive posture, should a major rainfall event threaten the integrity of the dam.

## MARINA

The marina currently consists of three docks with 91 boat slips. There is high demand for and a current wait list for boat slips. Solar-powered lighting improves safety for boaters using the marina after dark. Security cameras are monitored at the front gate, and the roving security guard patrols the marina. Three handicapped parking spaces are available near the marina. Plans for additional boat slips are detailed [here](#).

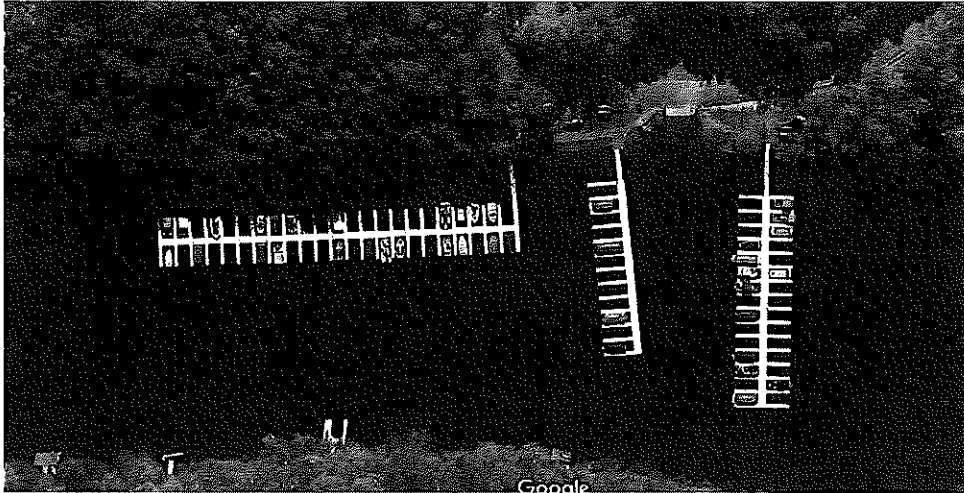


Figure 8 – LHCC Marina

## FISHING PIER

Located on the point behind the clubhouse, a fishing pier provides an elevated platform with a bench for members to fish or sit and enjoy the lake. A paved, accessible hillside path leads to a 20-foot long, 4-foot wide foot bridge that connects the 30' X 10' wide pier.



Figure 9 – Fishing Pier

## BUILDINGS AND GROUNDS

### FRONT GATEHOUSE

The Gatehouse and gated entry system are manned 24/7 by a contracted security firm of record. An online entry system is used by members to request permission for guests and/or service providers to be admitted into the community.

The right lane is reserved for members – using a bar code entry system to automatically raise the arm of the security gate. Vehicles that must enter via the left lane include pre-registered visitors, guests, and service providers. Motorcyclists and vehicles towing trailers of any kind (including boats/trailers) must use the left lane. Security personnel check IDs and verify that vehicles have permission to enter. The contracted security company also monitors common areas in the community with roving, walking, and seasonally, lake patrol personnel.

In the event of an emergency, members shall call 9-1-1 and not the front gate.



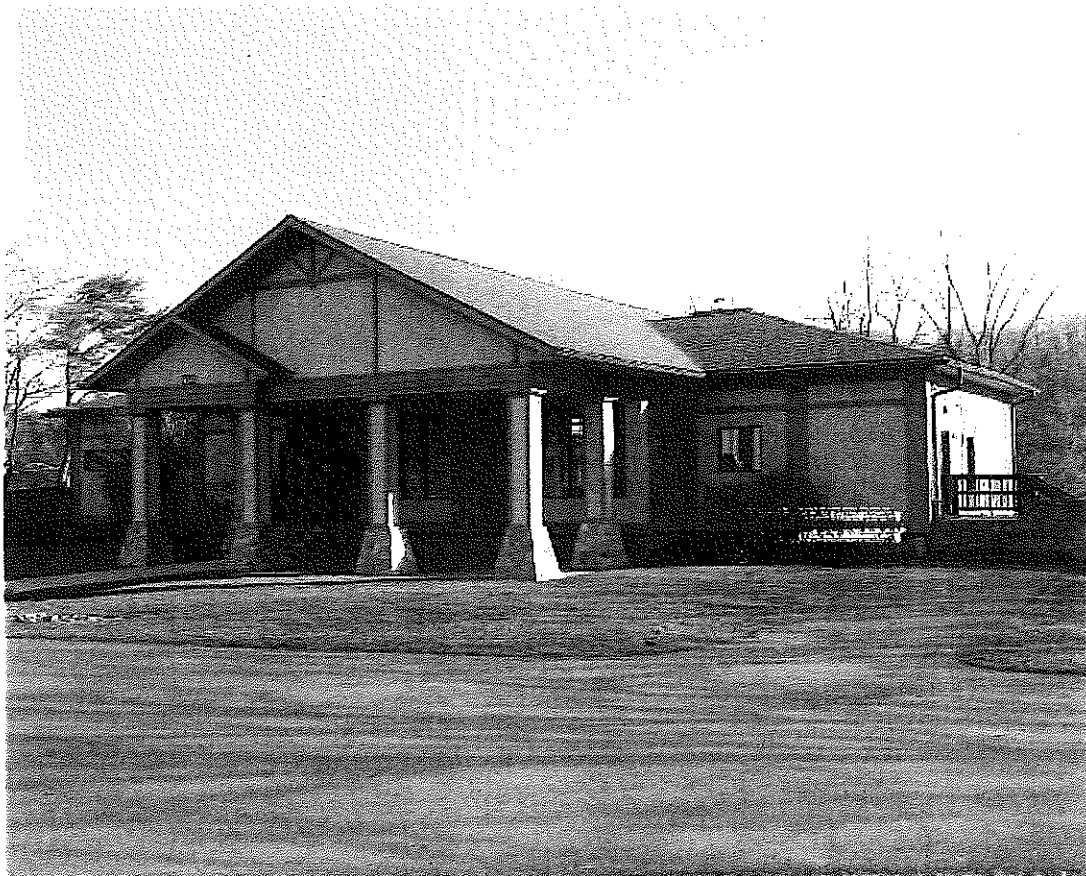
*Figure 10 – Front Entrance Gatehouse*

## CLUBHOUSE AND ADJACENT PICNIC AREA

Completed in 2007, the clubhouse can hold community meetings and recreational events, and is a gathering place for members and their guests. The clubhouse is a hub of activity for board and committee meetings, group and community social events, and fitness activities. The clubhouse can be rented for private functions and has a great room, fully equipped kitchen, chairs and tables, a portable dance floor, audio-visual system, and Wi-Fi. The picnic area behind the clubhouse has several picnic tables and grills for member use.

An automated external defibrillator (AED) is located under the deck at the lower level of the clubhouse's exterior wall in a clearly marked box. Two wall-mounted first aid kits were installed in 2020 on the upper and lower level hallways.

Security cameras capture the exterior of the clubhouse, interior hallways and entryways. All cameras are monitored by the front gate.



*Figure 11 – Front of the LHCC Clubhouse*

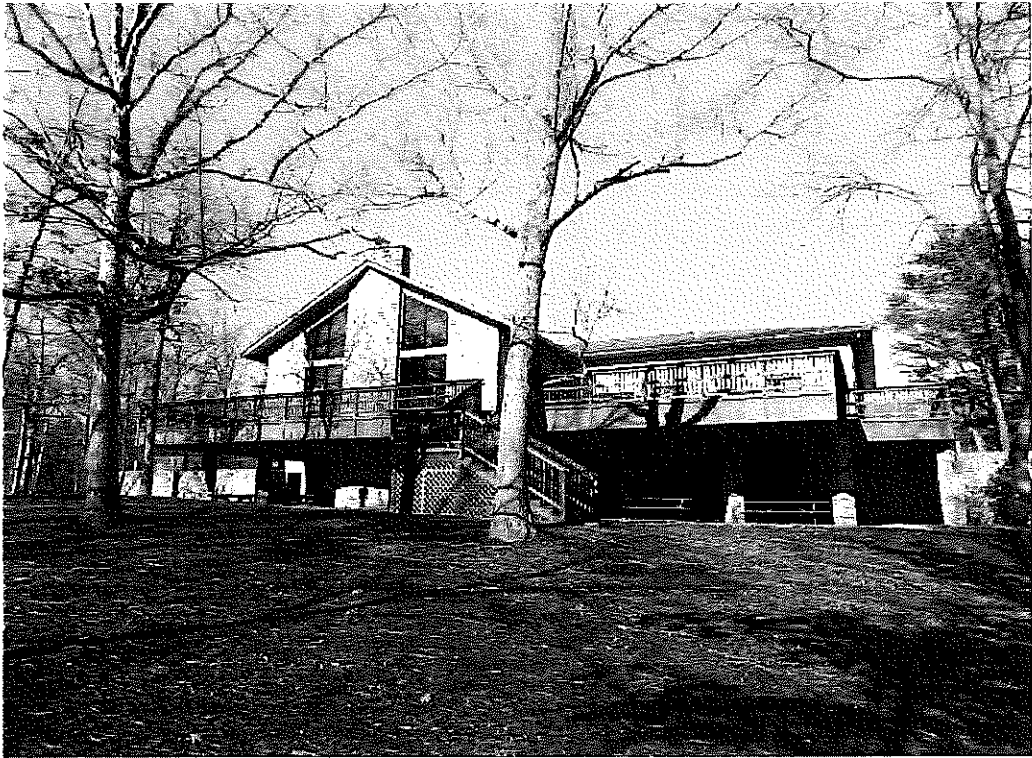


Figure 12 – Back of the Clubhouse and Picnic Area

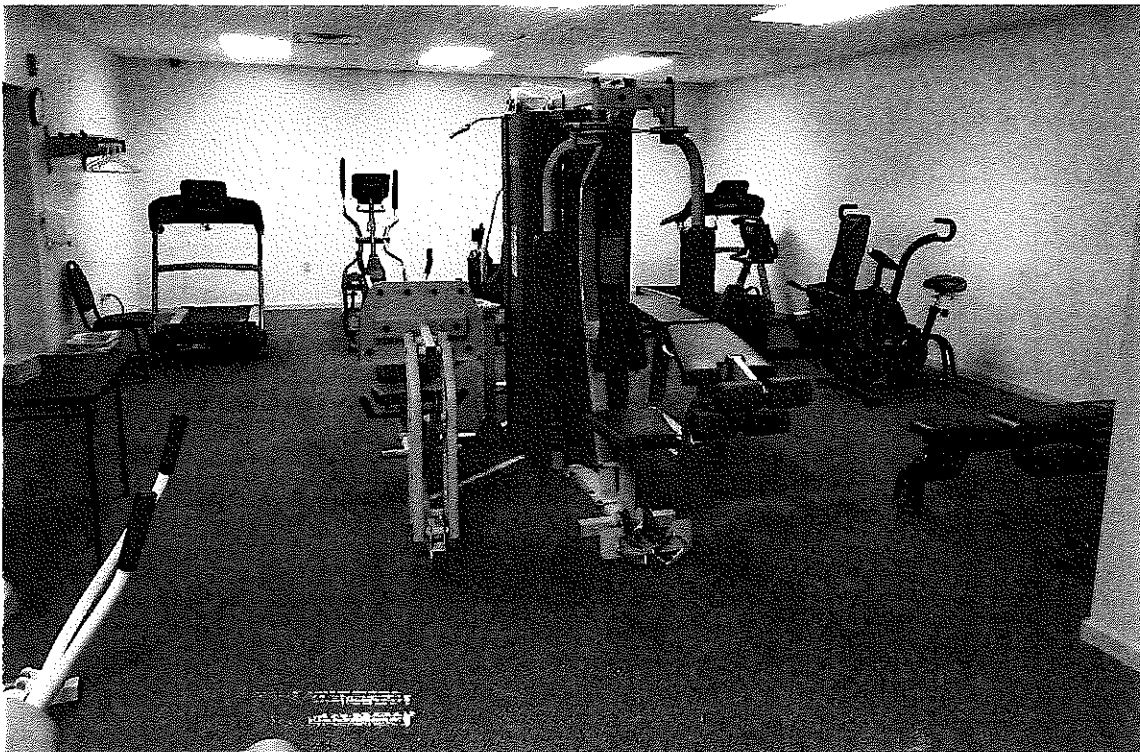


Figure 13 – Clubhouse Great Room

## FITNESS CENTER

The fitness room, located on the lower level of the clubhouse, is typically available to members daily from 5:30 a.m. to 11:00 p.m. Access to the fitness center is via a facility key fob that can be purchased for a nominal fee. Due to COVID-19, the fitness center has been closed for most of 2020, while awaiting ventilation upgrades and equipment and workout room cleaning protocols.

In early 2020, aging equipment was replaced, including a new treadmill, two rowing machines and an elliptical machine. Future improvements being considered are special rubber fitness flooring, mirrors, a flat screen TV and improved ventilation system that will bring in fresh outside air and reduce humidity levels.



*Figure 14 – Clubhouse Fitness Center*

## LOWER LEVEL

A ping pong table, small lending library, and a privately-operated Snack Shop is located on the lower level of the clubhouse.

There are also indoor showers and restrooms and an outdoor shower and restrooms for beachgoers. The lower level also serves as an additional meeting room.

## STAFF OFFICES

The general manager and staff offices are housed in the clubhouse. Most of the staff is housed on the main level, and the general manager's office is located on the lower level.

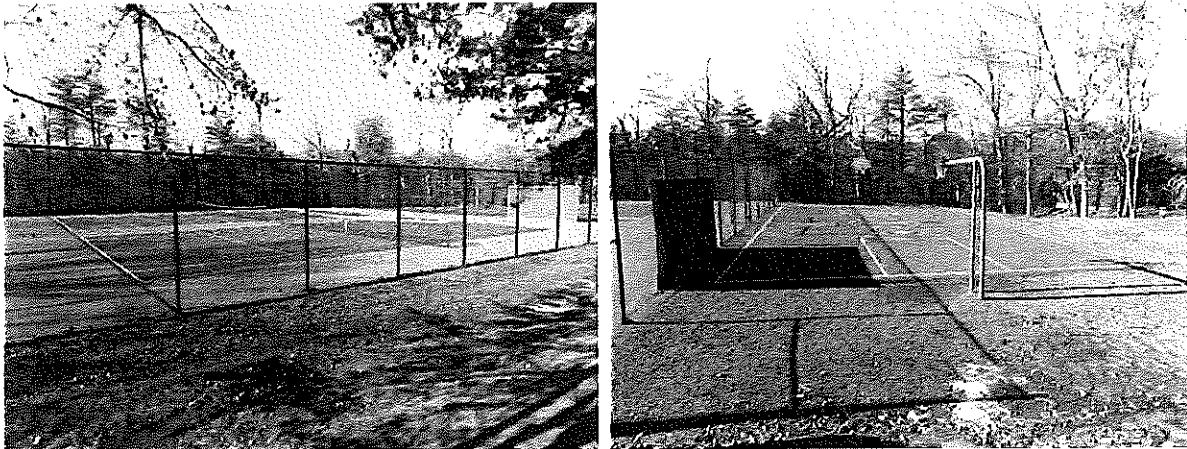


*Figure 15 – Administrative Office at Clubhouse*



## TENNIS AND BASKETBALL COURTS

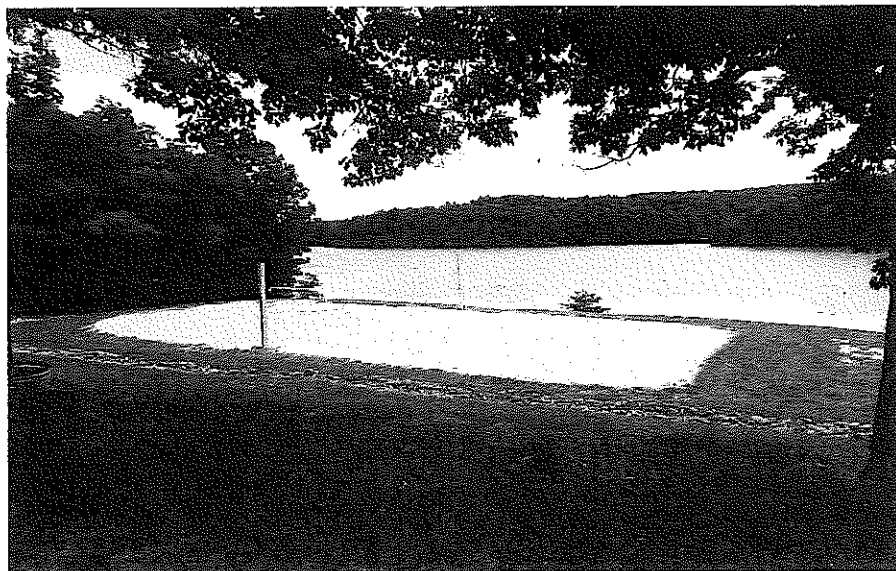
Located near the clubhouse, the tennis and basketball courts continue to be well maintained and receive regular use by residents and their accompanying guests. Both courts were re-surfaced in 2016. Enhanced use of these facilities could result if teams were organized within the community. There is also interest in playing pickle ball on the tennis courts. This would require minimal investment to paint additional lines and use a lower net.



*Figure 16 – Tennis and Basketball Courts*

## VOLLEYBALL COURTS

Two sand volleyball courts are provided in Lake Holiday. One is near the clubhouse and Beach I, and the other at Beach II. Both courts are well maintained by the staff and receive regular use.



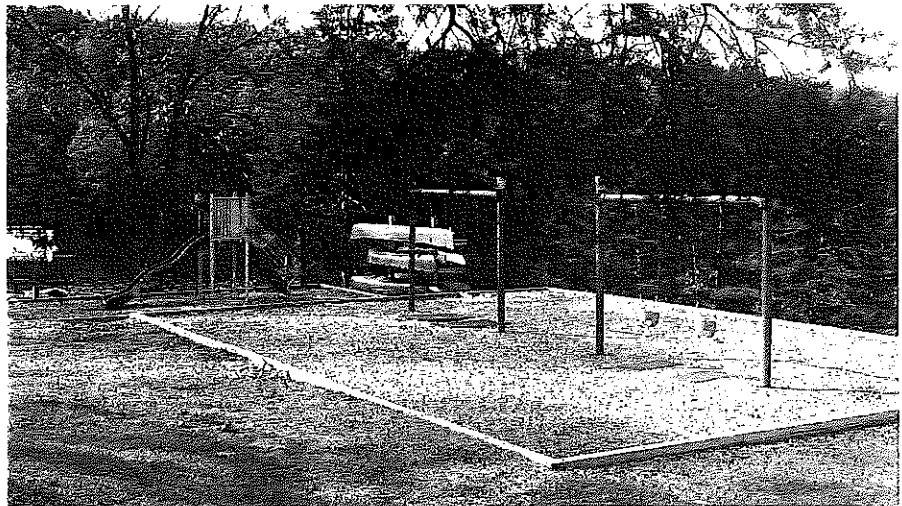
*Figure 17 – Volleyball Court at Beach I*

## CHILDREN'S PLAYGROUNDS

There are two playgrounds in Lake Holiday. One near Beach I and the clubhouse parking lot, and the other near Beach II. The Beach I playground is designed as a "tot lot", containing a play structure with slides and an elevated, multi-level jungle gym. Based on community interest in the 2017 survey, the play equipment installed near Beach II includes four swings and a slide.



*Figure 18 – Clubhouse Playground Near Beach I*



*Figure 19 – Playground Near Beach II*

## COUNTRY CLUB PARK

Outdoor recreation sites and facilities are important to the growing population and demographics of LHCC. An area along Country Club Drive was dedicated as Country Club Park, a multi-use recreational area for community activities that includes two horseshoe pits, a bocce court, and picnic tables. In 2019, an 18-hole disc golf course was created (more below).



*Figure 20 – View of Country Club Park from Above*

Phase zero (0) of a multi-phased gravel walking/biking trail was completed in 2019. This trail traverses from the Country Club Park parking lot, next to the new Dog Park (more below), and ends near the mail station on Lakeview Dr., across from the clubhouse. In 2020, the maintenance crew added a pedestrian crosswalk on Lakeview Dr. at the top of the parking lot leading to the clubhouse. Additional gravel trails are described in further detail in the Capital Improvement Projects [section](#).

Other possible improvements, such as playground equipment, a pavilion, barbeque grills, putting green, driving range, batting cage, and handball court are not presently in the Plan, but could be considered in future years, if plans and funding are approved.

In 2019, an engineering company was hired to develop a site plan for a multi-use sports field as a part of Country Club Park. However, based on the site requirements, including grading, parking lot improvements, restrooms and handicapped accessibility, the board of directors decided that this amenity would be cost-prohibitive to build and it will be removed from the Plan once the final site plan is completed.

## DISC GOLF COURSE

Disc golf is played much like golf. Instead of using a ball and clubs, players use a flying disc or Frisbee®. The game can be played by individuals of all ages and backgrounds with varied fitness levels and skills and is easily learned by beginners. The Lake Holiday course is a full-scale, 18-hole disc golf course that offers three levels of difficulty to suit the needs of players. The course begins at Country Club Park.

The initial capital investment was low, as LHCC made use of our own land, community volunteers and maintenance staff. Concrete tees will be added at each hole in 2021. Ongoing maintenance typically involves mowing the fairway grass every 2 to 4 weeks.



Figure 21 – LHCC's 18-Hole Disc Golf Course

## DOG PARK

Member requests for a fenced-in area for pets to play off-leash have resulted in the early completion of the dog park. The 2017 survey indicated 59% of general respondents desired a dog park; 69% of respondents have dogs; and 85% own large breed dogs.

The area across the road from Country Club Park was selected based on its proximity to the existing gravel trail and parking. The original budget was increased, and schedule expedited, with grading, fencing, and seeding completed in Sept. 2020. Once signage with usage rules and sanitation stations for animal waste are installed, the dog park will officially open, most likely in Spring 2021. Routine maintenance will include regular cleaning of the sanitary stations and mowing the grass.

The structure is divided into two areas: one for small breed and the other for large breed dogs. Plans include the addition of benches and an agility course designed by volunteers. Landscaping around the exterior of the fence will also be considered.



Figure 22 – Lake Holiday Dog Park

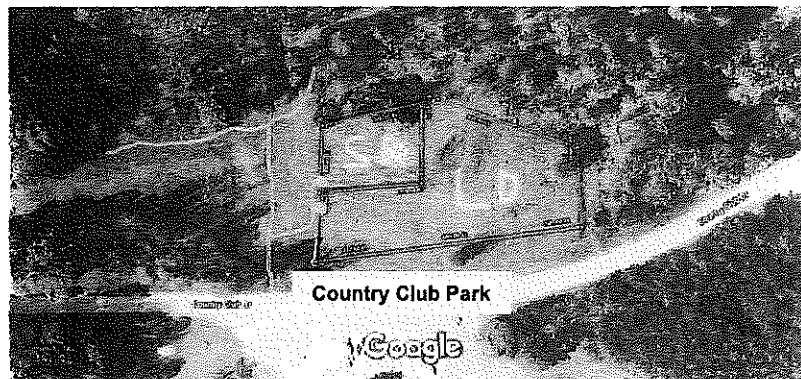


Figure 23 – View of the Dog Park Outline, Walking Path and Parking Area

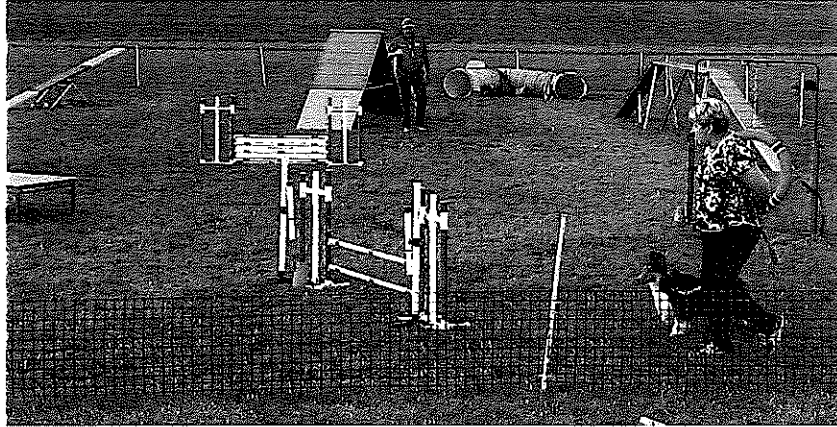


Figure 24 – Example of a Dog Agility Course

## REDLAND ROAD TRACT – BOAT, TRAILER AND RV STORAGE

The Association owns all land along Redland Road, from the other side of the entrance gate to the bus stop. The farmhouse that served as the original association office was demolished in 2019. In 2020, evergreen trees were added and in 2021, plans include repairing and extending the split-rail fencing along the road.

For a modest annual rental fee, Lake Holiday provides boat, trailer and recreational vehicle storage in the designated area south of Redland Road. In 2019, the storage area was expanded to create a total of 93 spaces. Gravel and space markers were also added. Security cameras and additional lighting are being considered.

Boats and recreational vehicles may be stored by individual homeowners on their lots, if they are fifteen feet away from the roadway (see Rules/Policies in [Appendix B](#)).



Figure 25 – BOAT, TRAILER AND RV STORAGE

## BALL FIELD

With the expansion of boat storage to the west of the existing storage area, plans may be developed to renovate the existing ball field.

## SOUTH SIDE NATURE PRESERVE

Located on the south side of the lake, the 500-acre nature preserve was originally platted for 500 lots. Lake Holiday acquired the land from developers at no cost in 2015, and upon approval from Frederick County, legally designated the land as green space and common area.

The maintenance team has been improving the road that terminates at Ebenezer Church Road for use as an emergency exit, and directional signs lead drivers to the emergency exit gate.

Additional hiking trails within the preservation area could be developed at minimal cost. Signage will be needed for any new trails and to designate the entrance to the parkland, which does not begin right where South Lakeview terminates.

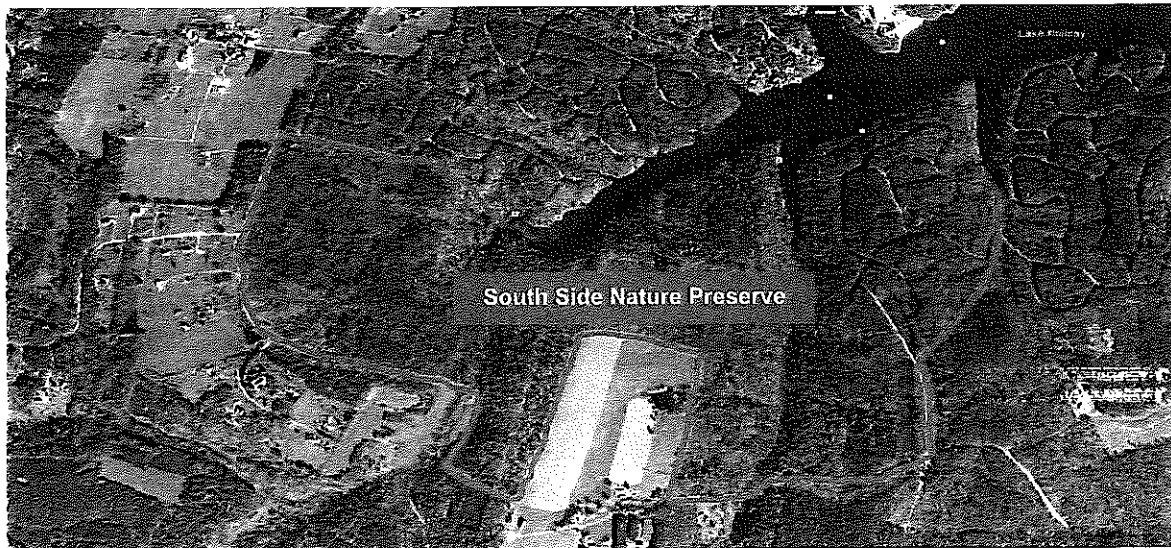


Figure 26 – South Side Nature Preserve

## HIKING TRAILS

Six initial hiking trails are provided within Lake Holiday. A map of these trails is available in the office and on the website. New trailhead signs were added in 2018 to assist hikers and cyclists in navigating the trails. With the addition of 500 acres of common area on the south side of the lake, there is the potential to create additional trails.

### Lake Holiday Hiking Trails

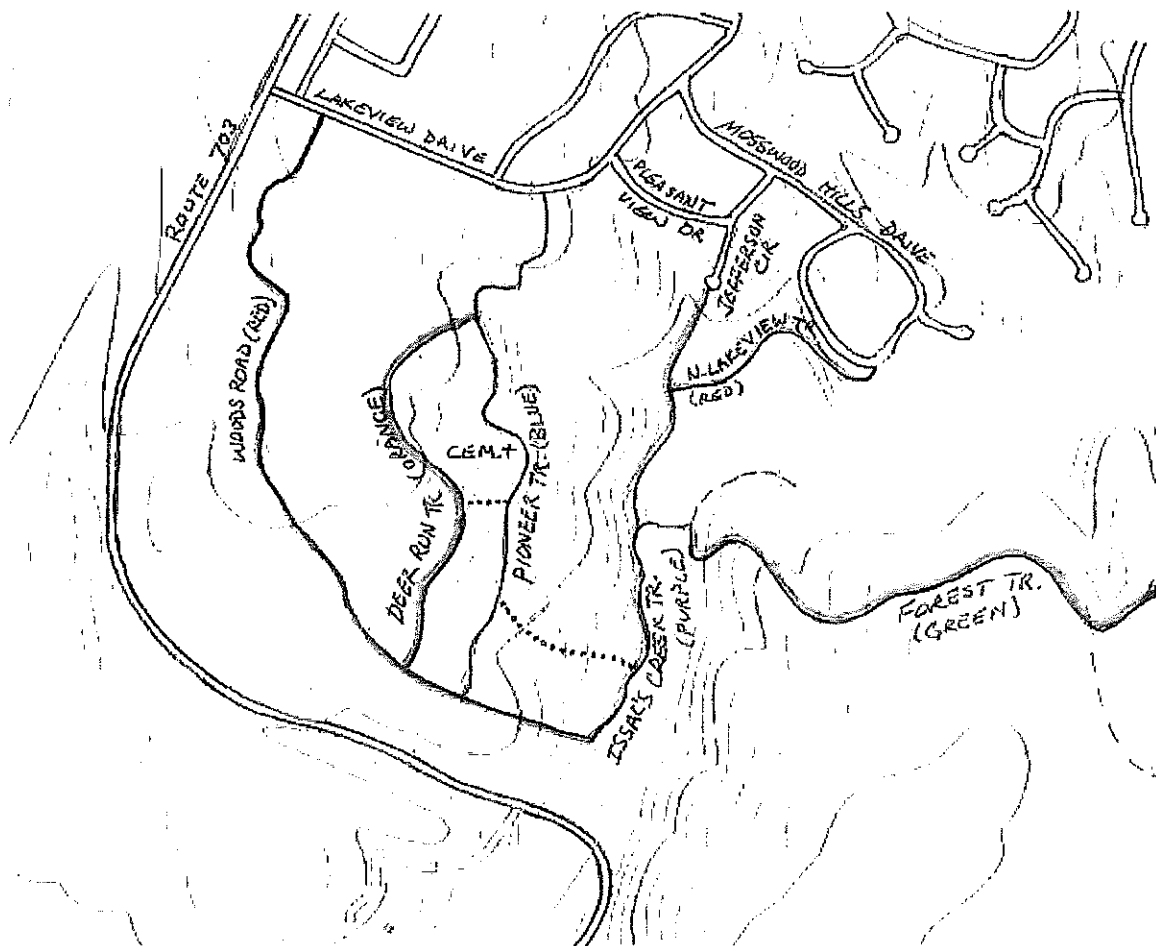
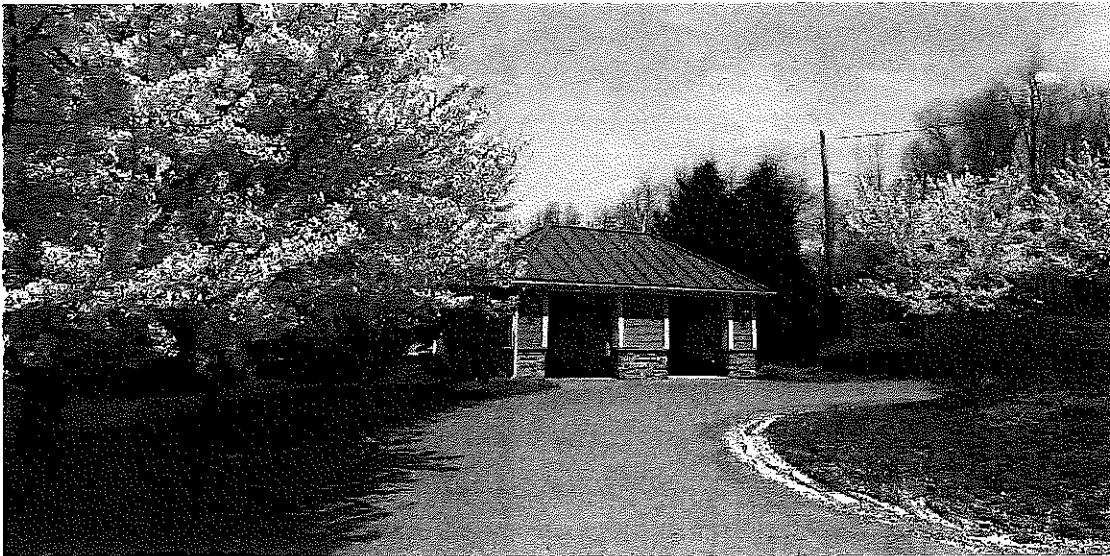


Figure 27 – Hiking Trails at West End of Lake



## MAIL STATIONS

Lake Holiday has five mail stations within the community. Three structures are covered by a roof, and two are enclosed on three sides with a roof. Lighting was added to the Sunset Circle station in 2016. Mailboxes are the responsibility of the U.S. Postal Service.



*Figure 28 – Colonial Drive Mail Station*

## ROADS

Lake Holiday owns over 28-miles of privately maintained, paved and gravel roads in the community. Re-surfacing and tar and chip maintenance occur on a planned, systematic schedule by contractors hired by the Association or by maintenance staff.

Lake Holiday's roads are private; however, there is a state code that allows private subdivision roads to be adopted by the county and for the enforcement of state laws by the Frederick County Sheriff's Office. When the community was called The Summit, such a request was made to the county Board of Supervisors and remains in place today.

During the winter, our maintenance team provides most of our snow removal and adds environmentally safe cinders to roads for improved traction. In summer months, culverts are maintained and repaired, and leaves and debris are removed from roadside ditches, as needed.

## MAINTENANCE BUILDING AND TRASH COMPACTOR

The maintenance building and compound provides a fenced and gated enclosure to store maintenance equipment and materials. The facility enables the full-time maintenance team to coordinate tasks, such as mowing and daily maintenance of all common areas and amenities.

The trash compactor site on West Masters Drive continues to be heavily used by members. Security cameras and signage are used to curb illegal dumping. A large yard waste receptacle helps residents maintain and upkeep the exterior of their properties.

A Frederick County Convenience Center, at 5633 N. Frederick Pike, is located behind the former Gainesboro Elementary School, for recycling and disposal of larger items, such as cardboard boxes, etc. that should not be placed in the trash compactor.

The Frederick County landfill also provides waste disposal and recycling of other items, such as metal, tires, appliances, etc. (visit the Citizens' Convenience Centers page for hours, directions, and information [here](#)).



*Figure 29 – Maintenance Building and Trash Facility*

## ASSOCIATION OWNED LOTS AND PARCELS

In 2017, the Association owned approximately 244 non-utility lots in sections 8A, 5A, 6A and 6B. The lots were part of the original developer's foreclosure settlement and deed transfers from members in lieu of debt. Nineteen utility lots, not desirable for home construction, were also owned by the Association. Six level, buildable utility lots were sold.

Beginning in 2017, the LHCC Board approved a plan to convert association-owned lots into common area, and slowly reduce the association's annual real estate and sanitary district tax burden of approximately \$80,000. Common area is owned by all members and can be considered for use in the development of future amenities. However, residential homes cannot be built on common property and it cannot be sold.

In section 8A, where most of the non-utility lots were located, private owners were offered the opportunity to swap their lot for a non-utility lots in other sections to retain their membership status. By the end of 2020, all association-owned lots will be converted to common area.

In 2015, Lake Holiday was given large parcels of land on both sides of the lake when a developer decided to withdraw from the community. The developer had purchased the land and 500 acres on the south side of the lake from a trust corporation that inherited it all when the original developers of the subdivision declared bankruptcy in the early 1980's. Parcels A through L (as designated on the Frederick County GIS maps), the Redland Road Tract and the land where the maintenance facility is located, have all been converted into common area.

The former golf course property, purchased in 2015 by the association, is the only remaining land within Lake Holiday that is owned by the association. When the mortgage is paid off in 2021, then this property will become common area.

# CAPITAL IMPROVEMENT PROJECTS AND FUTURE LAND USE 2020-2029

The following projects were prioritized by the Master Planning Committee for the years 2020-2029. The Capital Improvement Fund was established as a source of funds for multi-year projects that exceed \$5,000 in total cost. The Master Planning Committee believes this is a fiscally responsible approach to improving Lake Holiday. Changes to the list can only be approved by the Board of Directors.

## Current/Future Project Priority Ranking:

Ranking	Project Information
1	Dog park (planned opening in Spring 2021)
2	One half mile of additional walking trails connecting Country Club Park
3	Fish stocking (completed in Nov. 2020)
4	Beach II, phase one: beach improvements / erosion control / parking spaces
5	One (1) speed camera
6	Concrete tees for the disc golf course
7	Additional split-rail fencing along Redland Road
8	Beach I: additional parking spaces
9	Additional boat slips for the Marina
10	Beach II: pavilion structure
11	Beach II, phase two: Additional parking / removal of trees / new camping spaces
12	Beach I: ADA path to the beach
13	Two (2) speed cameras
14	Beach II: phases one and two (except for restrooms / bath house)
15	Beach I: beach improvements / erosion control with 3-tier retaining wall
16	Beach II: restrooms / bath house
17	Beach I: all phases
18	Athletic field (removed from consideration)

## WALKING TRAILS

Mowed walking and biking trails are located along the former golf course property. In 2018, a section of trail was topped with gravel to connect Country Club Park to the clubhouse parking lot, ending at the mail station across from the clubhouse.

Using a phased plan, additional sections of the old golf course trail will be topped with gravel. The goal is to incrementally enhance the trails to offer a safe place for pedestrians and bicyclists to walk or ride. The plan includes a portion of trail behind the homes on Lake Holiday Road to provide a way for students to walk to/from the bus stop.

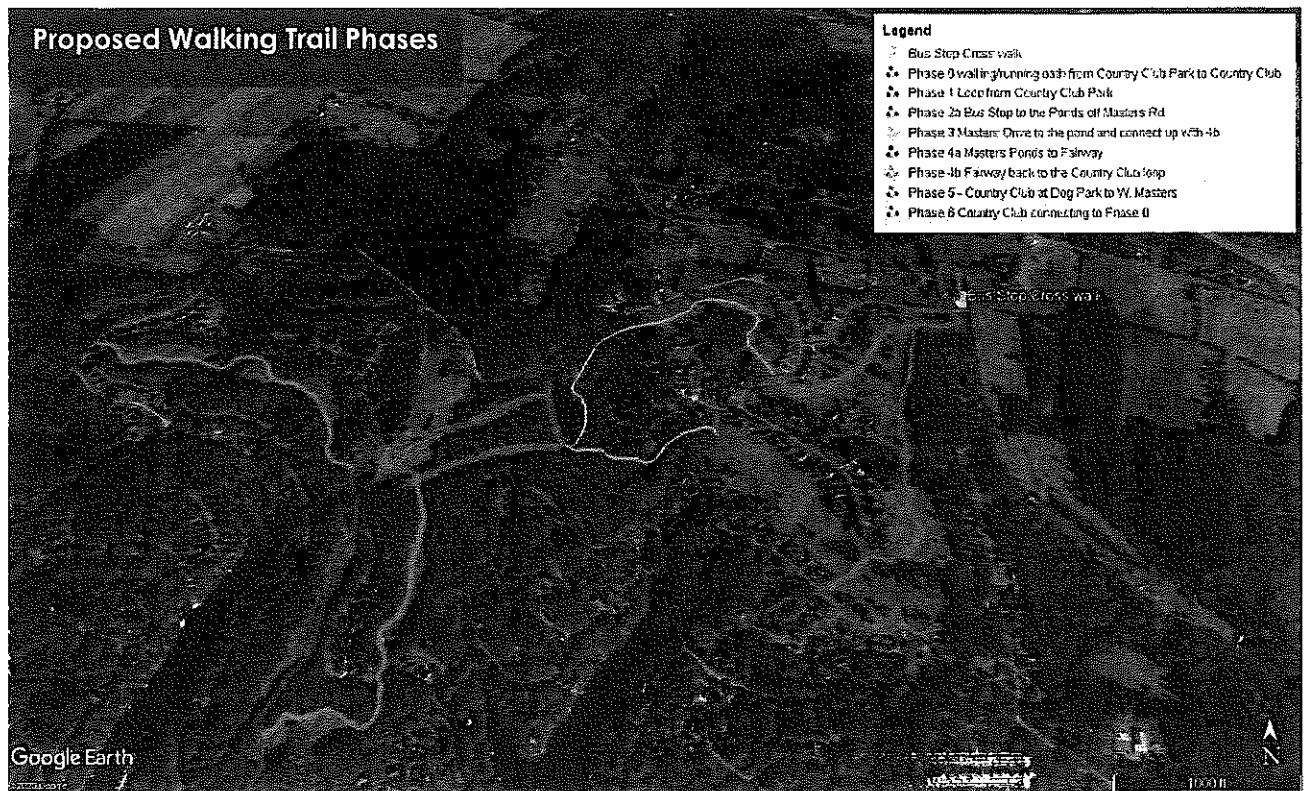


Figure 30 – Multi-Phased, Old Gold Course Walking / Biking Trails

## BEACH II ENHANCEMENTS

Beach II enhancements are part of a multi-year plan. In 2013, sand was replaced, the cove enlarged, floating dock moved and swings, a slide and kayak racks added.

Rapid housing growth, storm events, and the migration of sand into the cove have made improvements a priority. In 2020, a temporary, treated wood barrier was installed at the water's edge, sand pulled back and gravel added to prevent further erosion. Storm water management controls at the back of the beach and under the sand could help to prevent further erosion by channeling water from the beach.

A professional site plan was approved by the Board in 2020 and most of the funds set-aside for long-term improvements of Beach I were transferred to expedite the first phase for Beach II. The plan has been provisionally approved by the Frederick County Department of Planning and Development, and the Army Corps of Engineers granted a permit for the project. After final approval is received from the county, estimates will be obtained to begin the grading of the site.

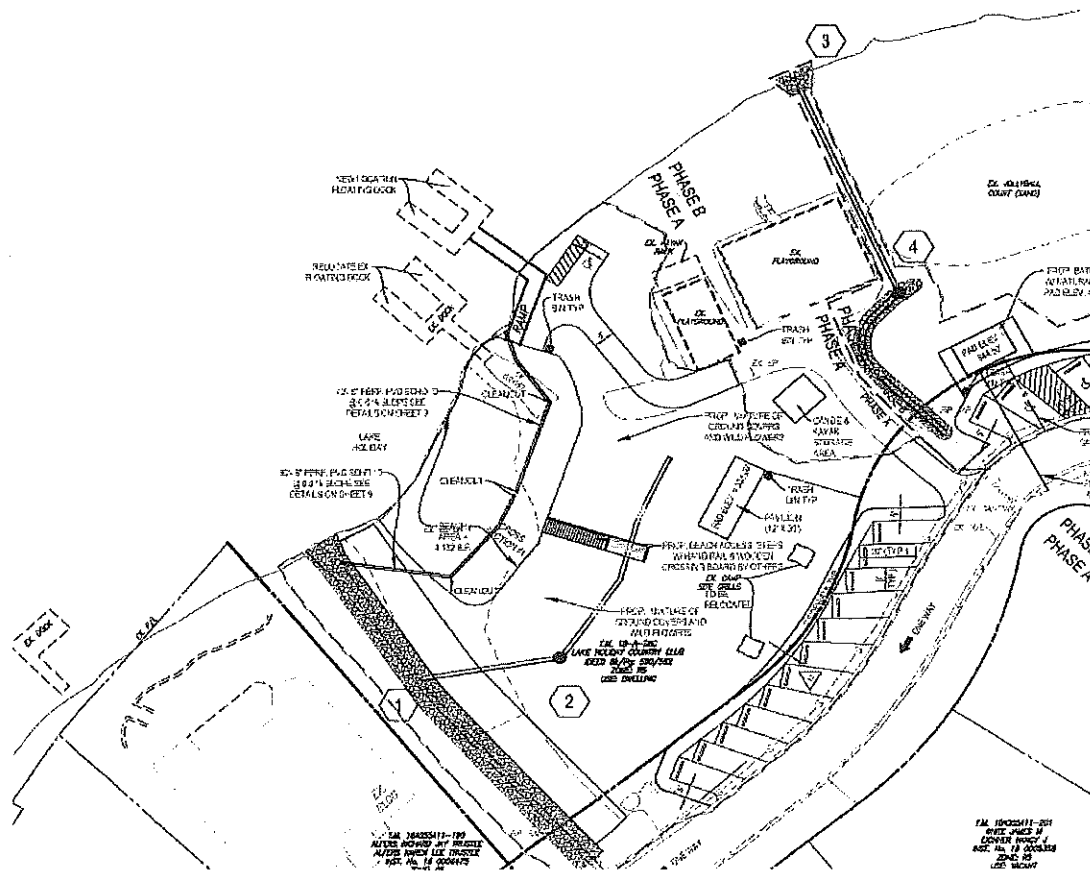


Figure 31 – Greenway Engineering Site Plan for proposed Beach II Improvements – Phase One

Companies with the proper expertise will need to be engaged via an RFP process to complete phase one ("Phase A" on the site plan above), as follows:

- Excavating, grading, and installing a rock berm with steps
- Determining the optimal placement of the dock
- Improving access with handicapped parking spaces near the beach
- Adding 20 parking spaces angled to the right
- Making Sleigh Drive a one-way road
- Grading for a future beach pavilion and restrooms / bathhouse

The financial impact of further improvements planned for phase two and beyond can be managed by implementing phases over multiple years. However, the budget remains a major factor, especially for high cost items, such as the construction and maintenance of restroom facilities.

Phase two would be a longer-range project and requires a land disturbance permit from the county ("Phase B" on the site plan below).

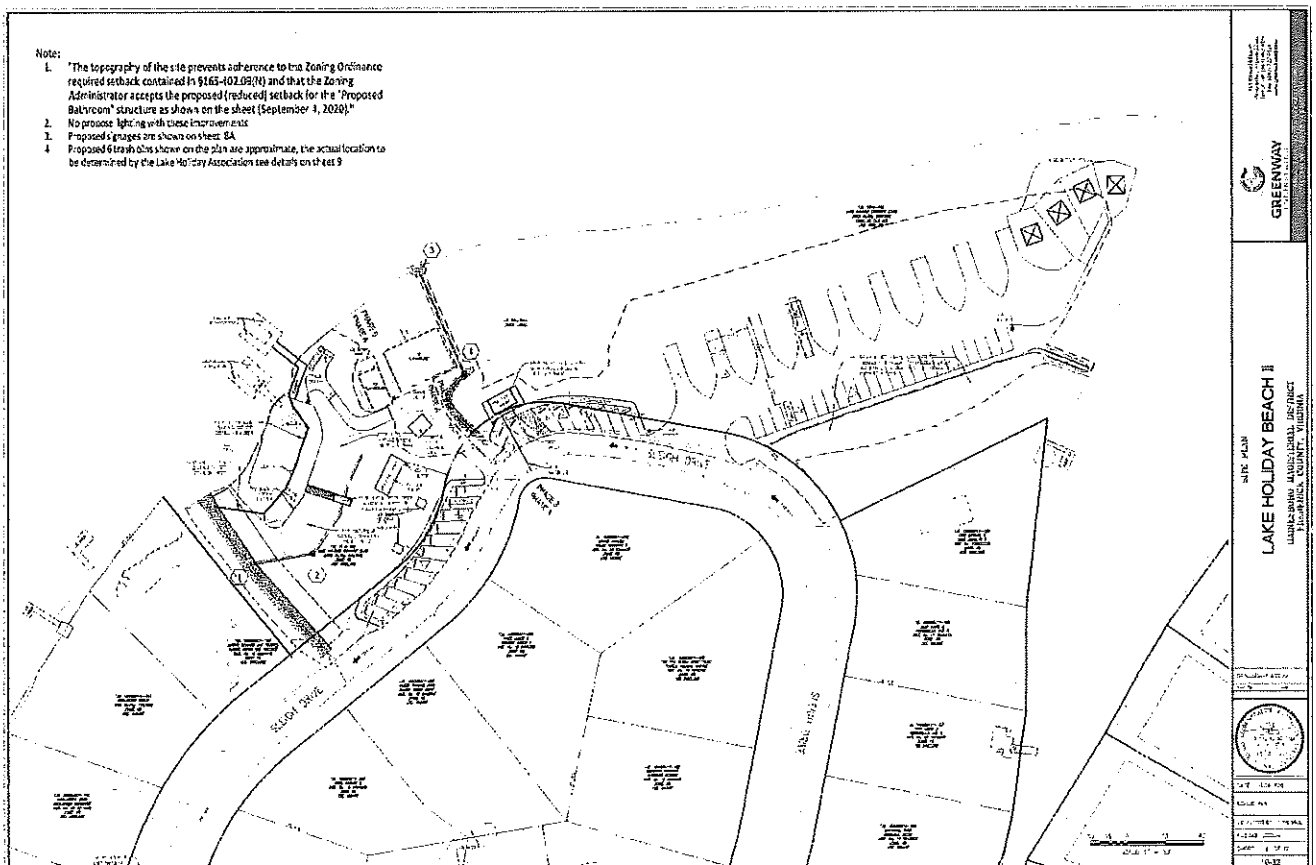


Figure 31– Greenway Engineering Site Plan for Proposed Beach II Improvements – Phase Two

Budget estimates for material and labor for Beach II enhancement phases are dependent on tasks our maintenance team could manage vs. tasks that would need to be outsourced.

The proposed plan for phase two includes the following:

- Moving the campsites to create a larger buffer between campsites and nearby residences
- Grading and clearing for nine, newly positioned campsites by the lake
- Clearing trees and creating a gravel driveway
- Adding gravel to campsites and repositioning numerical markers
- Adding paved parking spaces near the road

In subsequent years, additional enhancements could include a 36 x 36 SF pavilion structure, picnic tables, restrooms and a bath house to replace the current porta-potties. Building a bath house with a shower would be the most ambitious and expensive project to plan within a 10-year timeframe.

The addition of structures would also require enhanced security measures, such as cameras and increased security patrols.



## BEACH I ENHANCEMENTS

Sand retention and storm runoff are primary concerns due to the slope of the beach area. Based on the amount of storm runoff during the summer season, sand must be dredged from the water's edge and the beach smoothed by our maintenance crew. Each year, significant funds are spent on replacing sand. There is currently no handicapped access to the beach and parking is insufficient during the summer.

An engineered site plan was developed in 2020 and includes the following:

- Lowering the grade of Beach I by creating a series of 3-4-foot-high retaining walls at the back of the beach and in front of the volleyball court
- Beautifying the retaining walls with shrubs and flowers
- Installing a storm water management system behind the retaining walls and under the sand to channel run off around the sandy beach
- Creating 40 new parking spaces near the volleyball court and playground area
- Adding a maintenance road and handicapped access on the far side of the beach
- Building a boardwalk next to the lake connected to the existing path and fishing pier and around the picnic area for handicapped access to the beach



*Figure 32 – Current View of Beach I from the Lake*

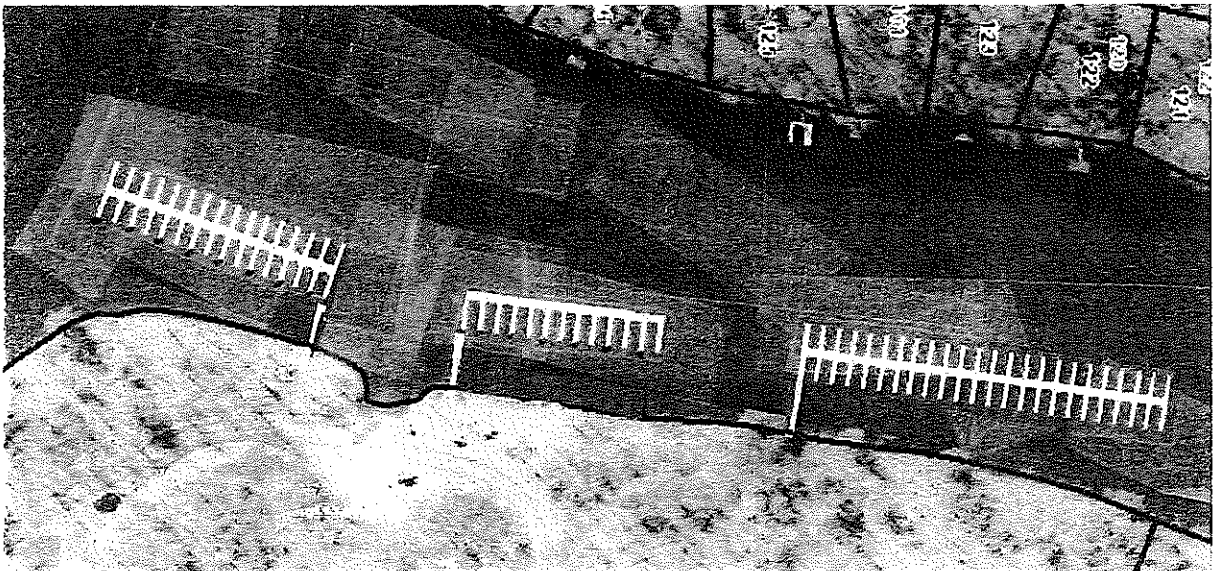
The cost is significant, and improvements would require many years to build-up the necessary funds. A phased approach could enable the expansion of the parking lot, then addition of a boardwalk, storm water management system, retaining walls, etc.

## MARINA RECONFIGURATION AND BOAT SLIP ADDITIONS

There has been repeated damage to dock hinges and anchors associated with high winds that cause uncontrolled movement of the docks. Two of the dock structures are positioned perpendicular to the shoreline placing them at high risk for continued damage.

A proposed reconfiguration of these docks, parallel to the shoreline, and new shallow water anchoring systems and stronger hinge connections will minimize future damage to the marina. In addition, three additional slips will be gained. The new gangplanks will be 6 feet wide for greater stability and easier passage. This project will be completed in the early spring of 2021.

As the community continues to grow, the demand for additional boat slips will continue to increase. There is a waiting list for boat slips. An estimate was obtained a few years ago to add additional slips. This is a very expensive endeavor. Money is being accrued annually for 8-10 slips, to be added by 2028.



*Figure 33 – Proposed Configuration of the Marina*

## CONCLUSION

The Lake Holiday Country Club Master Plan is a guide for the entire community. Balancing the input of our committees and members with the need for fiscal responsibility is always considered.

The Master Planning Committee uses the Plan to shape and develop future amenities for our community, and it is reviewed, updated, and modified at least annually. As with all plans, future needs may arise that could alter the Capital Improvement portion of the Plan.

The Master Planning Committee appreciates the input given by the community in the 2017 survey and values the commitment of our members for continuing to make Lake Holiday Country Club a desirable place to live.

# APPENDIX A: LHCC Board and MPC Members

## 2020-2021 Officers

- Richard Traczyk: President
- Dr. James Coates: Vice President
- Ed Noble: Treasurer
- Betka Hardgrave: Secretary

## 2020-2021 Members At Large

- Robert Adams
- Elizabeth Hair
- Patricia Majewski
- Darrell Melcher
- Robert Middleton
- Jon Reedy
- Jarret Tomalesky

## 2020 Master Planning Committee

- Pat Majewski, Chair
- Chris Anderson
- Michael Bradshaw
- Carlos Fiol
- Betka Hardgrave
- Peggy McClurken
- John Martel
- Cathy Melcher
- Darrell Melcher
- Robert Middleton
- Ed Noble
- Alex Perka
- Pam Perka
- Richard Traczyk

## APPENDIX B: ADDITIONAL DOCUMENTS

### 2017 MEMBER SURVEY

2017 Member Survey Executive Summary <https://lakeholidaycc.org/2017-lhcc-survey-executivesummary/>

2017 Member Survey Full Report <https://lakeholidaycc.org/2017-lhcc-surveyreport/>

### 2017 MPC SWOT Analysis

The 2017 Master Planning Committee SWOT Analysis

<https://lakeholidaycc.org/2017-lhcc-mpc-swot/>

### IMPORTANT DOCUMENTS

Virginia POA Act, LHCC Deeds of Dedication, Articles of Incorporation, Bylaws, Policies, Rules and Procedures, Master Plan and Budget

<https://lakeholidaycc.org/important-documents/>

### LAKE MANAGEMENT PLAN

The Lake Management Plan is available at <https://lakeholidaycc.org/2018-lhcc-lakemanagementplan/>

## APPENDIX C: PROJECTS UNDER CONSIDERATION

In 2021, the Master Planning Committee will consider the feasibility of future amenities and enhancements recommended by LHCC committees, outlined below:

- Expand the marina, currently at capacity with 91 boat slips.
- Replace the former earthen cart path washed out in 2018 with a pedestrian bridge as a part of expansion of the walking / hiking trail leading to W. Masters Dr.
- Explore proposed improvements to the route(s) of existing hiking trails.
- Discuss a possible location for a second boat ramp in the future.
- Investigate the feasibility and cost of creating a gravel roadway through the South Side Nature Preserve that includes a bridge over Isaacs Creek.
- Benchmark other lake communities of similar size to compare major areas such as amenities, safety and security protocols and policies.
- Provide periodic awareness of emergency exit locations, particularly focused on outreach to South Side residents.

# Master Plan Update Process

The Plan is updated annually by the Master Planning Committee and the process includes an evaluation of the budget, and allocation of Capital Improvement Projects (CIP) funding and/or the Replacement Reserve that is managed by the Finance Committee.

The Master Plan highlights current amenities, focuses on proposed improvements, and correlates estimated project costs and timelines with the annual and long-term LHCC budget. As a living document, The LHCC Master Plan is re-visited annually to document accomplishments, proposed needs and priorities and amenities for future consideration. The document is then reviewed by the Board of Directors.

## LHCC Master Plan Background

The original Plan was developed by baselining similar lake communities and comprehensive plans for Frederick and Warren Counties. This Plan supersedes previous plans titled *Vision Ten* and *Vision Five*.

A sub-group assessed current and desired amenities and developed a list of proposed Capital Improvement Projects for review and discussion.

The Committee also created a SWOT analysis ("Strengths, Weaknesses, Opportunities and Threats"), including strengths to preserve; remediation of perceived weaknesses; current and future opportunities; and possible external threats. This resulted in two lists that were evaluated based on a weighted criteria and consideration of costs, community desire, and ease of implementation (see [Appendix B](#)).

Input was also extracted from the 2017 LHCC community survey (conducted every five years). A comprehensive report and executive summary of this survey, prepared by Lake Holiday resident, Dr. Russ Brayley, professor, School of Recreation, Health, and Tourism, College of Education and Human Development at George Mason University (see [Appendix B](#)).

# ACKNOWLEDGEMENTS

The 2020-2029 version is the third update of The LHCC Master Plan and continues to be a culmination of the efforts of many people. The Master Planning Committee commends previous committees and members for their insight and creation of the community's Mission Statement, Goals, and Objectives in the original *Vision Ten* and *Vision Five* documents.

The Committee is indebted to the efforts of Dr. Russ Brayley, Professor, School of Recreation, Health, and Tourism, College of Education and Human Resources at George Mason University. Dr. Brayley provided pro bono analysis of the Lake Holiday Survey conducted in 2017. His expertise in survey construction and analysis proved invaluable as he prepared the extensive report that serves as a guide for the community and a framework for this Plan.

Thank you to several members for providing permission to use their community photographs in this Plan. Photographers include Alex and Pam Perka, Cathy Melcher, Debbie Powell Vance and Sean Winfrey. Greenway Engineering site plan images used with permission.

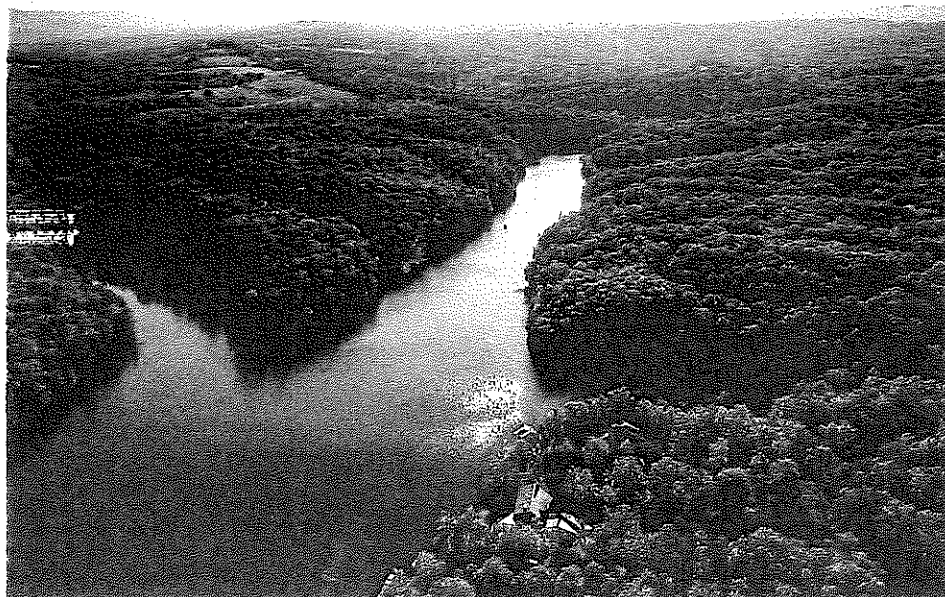


Figure 34 – Aerial View of Lake Holiday in Autumn



# Lake Holiday

Lake Holiday Country Club, Inc.  
1045 Lakeview Drive  
Cross Junction, Virginia 22625

A copy of the full budget is now available at the office and posted on the LHCC website <https://lakeholidaycc.org>  
Lake Holiday will no longer be issuing coupon books. Auto payments can be setup at the office. All assessments levied by LHCC are in accordance with declarations and bylaws. Assessments are payable in monthly installments, and are due by the 1<sup>st</sup> of the month.

## FY 2021 LHCC Budget Summary

<b>Revenue</b>	
Assessment Revenue	\$1,891,358
Other Revenue	\$342,481
<b>Total Annual Revenue</b>	<b>\$2,233,839</b>
<b>Expense</b>	
Admin. Expense	\$156,000
Personnel	\$606,130
Taxes/License	\$21,229
Committee Exp.	\$8,000
Utilities	\$74,700
Annual Contracts	\$562,125
As Needed Contracts	\$143,550
Materials & Supplies	\$156,550
<b>Total Operating Exp.</b>	<b>\$1,728,284</b>
<b>Capital Improvement</b>	<b>\$128,800</b>
<b>Golf Course Loan</b>	<b>\$38,646</b>
<b>Transfers to R. Reserves</b>	<b>\$338,109</b>
<b>Total Expense</b>	<b>\$2,233,839</b>

### *FY2021 Assessments*

	Annual	Monthly
Homes	\$1,711.34	\$142.61
Utility Lot	\$1,567.26	\$130.61
Nom-Utility	\$587.72	\$48.98

Respectfully,

  
Jarret Tomalesky  
LHCC Treasurer

# Statement of Insurance Coverage

Client#: 1876240

60LAKEHOL

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/05/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: McGriff Insurance Services, 38 Rouss Avenue Suite 100, Winchester, VA 22601, 540 662-3865. CONTACT NAME: Shannon Grogg, PHONE: 540 437-1338, FAX: 888-746-8791, E-MAIL: SLGrogg@McGriff.com. INSURER(S) AFFORDING COVERAGE: INSURER A: Lexington Insurance Company (NAIC # 19437), INSURER B: National Union Fire Ins Co of Pitt. PA (NAIC # 19445), INSURER C: Granite State Insurance Company (NAIC # 23809).

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSR, SUBR, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Includes rows for Commercial General Liability (Policy 41LX00323476614), Automobile Liability (Policy 02CA00554730314), and Umbrella Liability (Policy 29UD01965714511).

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER: Lake Holiday Country Club Inc, 231 Redland Road, Cross Junction, VA 22625. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Shannon Grogg.

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## Current Financial Statement

**Lake Holiday Country Club, Inc.**  
**Summary Report**  
**Supplementary Information**

A

Current Assets:	<u>December 2021</u>
<i>Undesignated:</i>	
Checking Account	<u>1,384,098.84</u>
Total Undesignated Funds	<u>1,384,098.84</u>
<i>Designated:</i>	
Conformance Bonds	43,742.64
Capital Reserves	378,410.30
Replacement Reserves	<u>2,695,730.06</u>
Total Designated	<u>3,117,883.00</u>
<b>Total Cash</b>	<u><u>4,501,981.84</u></u>
Accounts Receivable (Lot Owners)	<u>356,103.91</u>
Accounts Payable - Operating	<u>11,019.75</u>
Golf Course Loan	<u>-</u>

K

**Lake Holiday Country Club, Inc.**  
**Statement of Assets, Liabilities and Equity - Income Tax Basis (Condensed)**  
**Supplementary Information**

	<b>December 2021</b>
<b><u>Assets</u></b>	
Checking Account	1,384,098.84
Conformance Bonds	43,742.64
Capital Reserves	378,410.30
Replacement Reserves	2,695,730.06
<b>Total Cash</b>	<b>4,501,981.84</b>
Accounts Receivable (net of \$130,000) allowance for doubtful accounts)	226,103.91
Prepaid Insurance and Other Current Assets	22,555.77
<b>Total Current Assets</b>	<b>248,659.68</b>
Land	215,673.67
Land (re: Golf Course)	600,000.00
<b>Total Fixed Assets</b>	<b>815,673.67</b>
Investment in LHCC Properties LLC	18,400.00
<b>Total Assets</b>	<b>5,584,715.19</b>
<b><u>Liabilities and Equity</u></b>	
Accounts Payable - Operating	11,019.75
Conformance Bond Deposits	43,742.64
Payroll Liabilities	6,733.13
Prepaid Residential Assessments	151,496.91
Accrued Vacation & Payroll	22,520.70
Contract Liabilities - RR Assessment	1,996,797.13
Contract Liabilities - CI Assessment	319,689.42
<b>Total Current Liabilities</b>	<b>2,551,999.68</b>
Golf Course Loan	-
<b>Total Long-Term Liabilities</b>	<b>-</b>
Equity	3,032,715.51
<b>Total Liabilities and Equity</b>	<b>5,584,715.19</b>

**Board of Directors Meeting Minutes**  
**(6 months)**



# LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** February 23, 2021; 6:30 pm, Club House Great Room

**Directors in Attendance:** Richard Traczyk, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair, Jon Reedy, Robert Adams

**Directors on the phone:** none

**Directors absent:** Jarret Tomalesky

**Invited Attendance:** Mike Goodwin, General Manager

**Call to Order:** The meeting was called to order at 6:30 with a quorum present.

TOPIC:	DISCUSSION:
<b>Agenda Approval</b>	<b>Motion:</b> (Traczyk) Approve agenda without changes. <b>Action:</b> Vote 9-0 (unanimous). <b>Motion carried</b>
<b>Open Forum</b>	No Open forum item.
<b>Tab 1 – Approval of February 3, 2021 BOD meeting minutes</b>	<b>Motion:</b> (Traczyk) To approve minutes. <b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b>
<b>Tab 2 – President's Report</b>	Misinformation and wrong assumptions abound in the community concerning snow removal. GM report has provided information in the last two newsletters.  Washout/hole on the walking trail on the golf course. Replacement costs are substantial. Need to figure out how to mitigate the danger of someone falling into the hole.  Clubhouse rental: office is responding to rental agreements. VA governor restrictions are still in place.  Fitness Center: equipment moved out; getting ready for the ventilation system upgrade and the flooring replacement. No date for reopening.  Snack Shack: two vendors remain in the review process.
<b>Tab 3 – General Manager's Report</b>	Beach II: RFP sent out to 7 excavating/land development firms. Proposals are due on April 19, 2021.  Clubhouse:

	<ul style="list-style-type: none"> <li>• HVAC: contract with Air Care Services executed. Upgrade material ordered. No start date for the upgrade</li> <li>• Fitness Center: Winchester Flooring to provide proposal for selected flooring. Work could begin in few weeks. Room has been painted; lightbulbs replaced.</li> </ul> <p>2017 Kubota M7060 Engine Failure: tractor purchased in 2017 does not have engine warrantee (expired on June 30, 2020). Decisions on replacement of the engine or getting it fixed were discussed. Decision was reached to get the engine fixed. Cost to be covered by the operational budget. <b>Board members (9:0) voted for this motion.</b></p> <p>Clubhouse wedding rental: longstanding clubhouse reservation for a wedding on April 9&amp;10 is an issue. Wedding requestor claims "church rule" should apply. Per Board direction, this is not a "church event" and the Governor's executive order (attendance is limited to 10 people) applies. Office to communicate with the association member.</p>
<b>Tab 4 – Treasurer's Report</b>	LH financial health continues in the positive direction. Golf Course loan was paid off ahead of due date.
<b>Tab 5 – Committee Reports</b>	No additional discussion. Reports accepted ASIS.
<b>Tab 6 – Snack Shop Proposals</b>	<p>At the February 3<sup>rd</sup> board meeting decision was made to request additional information from vendors interested to run the Snack Shop. Follow up meeting with two vendors (Melissa Rivera and Crystal Thompson (current vendor) was conducted on February 17. Based on the feedback from President Traczyk and Director Melcher, board of directors decided to engage Melissa Rivera the owner of "the Munchie Duck's" to run the Snack Shop. Final contract to be validated by legal counsel.</p> <p><b>Motion:</b> prepare contract with "Munchie Duck's" owner. Present the contract at the next Board meeting.  <b>Action:</b> 7 in Favor; two members (Ed Noble and James Coates) opposed. <b>Motion carried.</b></p>
<b>Tab 7 – Resolution 2021-01, Transfer of Privately Owned Lots to LHCC</b>	<p>Pat Majewski updated Resolution.</p> <p><b>Text:</b> "Therefore, be it resolved, the Board of Directors of the Lake Holiday Country Club, Inc. hereby shall accept title to any privately owned non-utility lot within the Lake Holiday community and shall accept title to utility lots on a case-by-case basis."</p> <p><b>Motion:</b> accept the update.  <b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b></p>
<b>Tab 8 – Architecture Appeal</b>	On the November 16, 2020 meeting, Architecture Committee "disapproved" request by Lot 014, Section 4B, 511 Northwood Circle

	<p>Owner to install a fence on the property line to block the neighbors leaves from blowing onto his property. Owner sent a letter to Board requesting to "over-turn" the committee's decision.</p> <p><b>Motion:</b> Accept Architecture committee decisions.</p> <p><b>Action:</b> 8 in Favor. Darrell Melcher abstained. <b>Motion carried.</b></p>
<b>Tab 9 – Campsite Rental Fee</b>	<p>Beach II Campground Rental Fee Rate and Time of Stay was reviewed by Board. Current fee is \$10 for two weeks stay. Request is to raise the fee and adjust the Time to stay.</p> <p><b>Motion:</b> Change the campsite rental fee to <b>\$5 per day</b> for a <b>maximum stay of 14 days</b> with the possibility to renew rental after a 14-day break.</p> <p><b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b></p>
<b>Tab 10 – Teleconferencing Board Meetings</b>	<p>Due to the COVID Pandemic, there have been multiple requests to teleconference the Board Meetings to LH community. Technical Committee team is recommending using "Microsoft Team" software to conduct Board and committee meetings.</p> <p>Board discussion included: facilitation of the meetings using this software and the ability of the LH members to configure software.</p> <p><b>Motion:</b> of accepting the Technical Committee's recommendation was tabled. The Board decided to test the functionality of the platform before voting on the motion.</p> <p><b>Action. None</b></p>
<b>Tab 11 – Safety related Road Signage</b>	<p>A resident has contacted both General Manager and Safety Advisory Committee Chair to express concern for the safety of residents travelling along the stretch of curvy roadway between the Clubhouse and Country Club Drive. Safety committee recommends that the board approve and purchase 2 "winding road" signs.</p> <p>Board discussion: we have many road signs already. Residents need to observe the existing road signs.</p> <p><b>Motion:</b> Safety committee recommends that the board approve and purchase 2 "winding road" signs.</p> <p><b>Action:</b> 5-9 (unanimous). <b>Motion Failed.</b></p>
<b>Adjournment / Announcements</b>	<p>The next Regular Board Meeting will be March 23, 2021 at 6:30 p.m. in the Clubhouse Great Room.</p> <p>Meeting completed around 8:30 pm.</p>

Respectfully Submitted,  
Betka Hardgrave, Board Secretary

## LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** March 23, 2021; 6:30 pm, Club House Great Room

**Directors in Attendance:** Richard Traczyk, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair, Jon Reedy, Jarret Tomalesky

**Directors on the phone:** Robert Adams (access via Microsoft TEAM conferencing software)

**Directors absent:** none.

**Invited Attendance:** Mike Goodwin, General Manager

**Call to Order:** The meeting was called to order at 6:30 with a quorum present.

**Note:** John Stover and Juan Hernandez attended the Board meeting to support the use of Microsoft TEAM conferencing software. Several board members had the laptops and monitored the use. Feedback was positive on the use of the TEAM conferencing software.

TOPIC	DISCUSSION
Agenda Approval	<b>Motion:</b> (Traczyk) Move Tab 8 (Snack Shop Contract) after Tab 3 (General Manager's Report). <b>Action:</b> Vote 10-0 (unanimous). <b>Motion carried</b>
Open Forum	Jon Reedy presented a topic on "Restaurant at the Lake Holiday". Since 2017 survey on Lake Holiday amenities, establishing restaurant at the Lake Holiday continues to be a topic discussed by many Lake Holiday members. Jon requested that a new "survey" to be created to receive members feedback on the restaurant. Jon asked if the board would support funding of the survey. Director Traczyk made a comment: if this topic is supported by board members, a TAB should be created for the next board meeting.  Darrell Melcher presented a topic on "private security services" to be provided at the Lake Holiday. There are security companies who could be contracted to provide a "full set of services". This type of request needs to be presented at the Master Planning committee meeting.
Tab 1 – Approval of February 23, 2021 BOD meeting minutes	<b>Motion:</b> (Traczyk) To approve minutes. <b>Action:</b> 10-0 (unanimous). <b>Motion carried.</b>
Tab 2 – President's Report	Staff has received numerous calls about snow removal procedures and road conditions this last winter. There was enough equipment to handle different road conditions.

	<p>Munchy Duck Café owner Melissa Rivera reviewed the contract to operate café at the clubhouse. Board will need to review and approve contract.</p> <p>Dog Park is ready for official opening. How should the opening be handled? Organized event or message to community. Target date is Mid-April.</p> <p>Fitness Center: upgrades completed. Center is ready for opening. Director Coates will provide guidelines for center use.</p> <p>Nomination committee is established. Director Hardgrave is the committee liaison. Hardgrave, Coates, Traczyk, Tomalesky and Middleton positions will need to be filled.</p> <p>Teens from the community (Chloe and Louis Langston) built "Free Little Libraries" boxes and dog exercise equipment. Boxes are at each mail station. Dog equipment will be installed at the Dog Park.</p> <p>Front entrance gate arm is broken. Replacement of the unit to be considered.</p> <p>Food Trucks are coming back to provide variety of food. "Smoker" vendor would use Beach II.</p> <p>Debbie Corrigan's request to use clubhouse for an event with more than 25 people was discussed. Debbie's rental request was approved by the board. There is an assumption that Virginia Governor will change the gathering to 50 people per event.</p> <p>Dance Group (James Coates presented): Shenandoah University dance group has asked for permission to conduct video taping of the group's performance at the Beach 1. University provides legal documentation to ensure that LH is not liable for the event. Proposed dates for the event: May 15 (or 16).</p> <ul style="list-style-type: none"> <li>• <b>Motion:</b> (Coates): to approve use of Beach 1 for the event.</li> <li>• <b>Action:</b> 10-0 (unanimous). <b>Motion carried.</b></li> </ul>
<p><b>Tab 3 – General Manager's Report</b></p>	<p><b>Clubhouse:</b></p> <ul style="list-style-type: none"> <li>• HVAC upgrades completed. Air Care Services completed upgrade on time and at the proposed price. Circulated air is now UV treated.</li> <li>• Fitness Center: Winchester Flooring completed installation of the 8MM thick rubber tiles. Work was completed as budgeted at \$7,500. Fitness equipment movement will be coordinated with Director Coates.</li> </ul>

	<p>2017 Kubota M7060 Engine Failure: Winchester Equipment has completed the engine replacement at a cost of \$20,089.40.</p> <p>Association AED replacement: responding to "product recall" associated with critical circuit board malfunction, LH unit is being replaced. After "rebate of \$725", cost of replaced unit is \$661.</p> <p>Undeveloped Area Roadway and Drainage Improvements: as the weather has improved, improvement efforts restarted. Improvement activities will continue through the summer. Request to use CIF (slated for the Beach III access road) to improve the drainage and the access road was discussed. Since the Master plans does not include Beach III projects, it was agreed to use the CIF for drainage and road work repairs. Master planning will discuss the request for "sand placement "at the Beach III.</p>
<b>Tab 4 – Snack Shop Contract</b>	<p>Director Hair presented the written contract for the Munchie Duck Café. 2 changes were identified. Owner Melissa Rivera agreed to the contract content.</p> <p><b>Motion:</b> approve contract with the requested changes. <b>Action:</b> 10-0 (unanimous). <b>Motion carried.</b></p>
<b>Tab 5 – Treasurer's Report</b>	<p>LH financial health continues in the positive direction.</p>
<b>Tab 6 – Committee Reports</b>	<p>Activities Committee: March meeting minutes included 2021 events and budget. Cost of events exceeds the allocated annual funds of \$8K. There is concern about the committees planning efforts (experience in created and getting plans approved; types of events proposed etc.). Using LH funds to cover the "gift cards" for the winners of the cornhole tournament was discussed. "Gift cards" cannot exceed \$25 per card. Only LH members can receive money prizes. Board discussed "guidance to the committee". Committee liaison, Robert Adams to communicate "guidance" at the next Activities meeting.</p>
<b>Tab 7 Compliance Appeal</b>	<p>Citation for "dumping item in the trash compactor" was issued to Property Owner, Stephanie Ryan. Ms. Ryan attended the Board meeting to appeal the citation.</p> <p><b>Motion (Traczyk):</b> "drop" citation. <b>Action:</b> 7-3 (Pat Majewski, James Coates, Darrell Melcher opposed). <b>Motion carried.</b></p>
<b>Tab 8 – Fitness Center Guidelines</b>	<p>Director Coates presented draft guidelines for the Clubhouse Fitness Center. Board members provided updates. Guidelines and the opening date of April 1 will be communicated to LH members.</p>

	<p><b>Motion:</b> approve guidelines and opening date of April 1.  <b>Action:</b> 10-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 9 – Teleconferencing Board Meetings</b></p>	<p>Due to the COVID Pandemic, there have been multiple requests to teleconference the Board Meetings to LH community. Decision on which technology is to be used will require additional testing.</p> <p><b>Motion:</b> move to have the LH Board to teleconference the Board meetings and further test which platform to use.  <b>Action.</b> 10-0 (unanimous). <b>Motion carried.</b></p> <p><b>Motion:</b> Allocate \$3K to purchase "BIG BROTHER" software.  <b>Action.</b> 10-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Executive Session: Personnel Performance review</b></p>	<p>General Manager to receive "pay raise" and bonus as discussed.</p>
<p><b>Adjournment / Announcements</b></p>	<p>The next Regular Board Meeting will be April 27, 2021 at 6:30 p.m. in the Clubhouse Great Room.</p> <p>Meeting completed around 8:30 pm.</p>

Respectfully Submitted,  
Betka Hardgrave, Board Secretary

# LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** April 27, 2021; 6:30 pm, Club House Great Room

**Directors in Attendance:** Richard Traczyk, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair, Jon Reedy, Robert Adams

**Directors on the phone:** none.

**Directors absent:** Jarret Tomalesky.

**Invited Attendance:** Mike Goodwin, General Manager

**Call to Order:** The meeting was called to order at 6:30 with a quorum present.

**Note:** John Stover supported the use of Microsoft TEAM conferencing software. Meeting was available online to Lake Holiday members.

TOPIC	DISCUSSION
<b>Agenda Approval</b>	<b>Motion:</b> (Traczyk) to approve agenda as-is. <b>Action:</b> Vote 9-0 (unanimous). <b>Motion carried.</b>
<b>Open Forum</b>	<p>There were about 50 people attending Open Forum, most of them to support and advocate for a restaurant at Lake Holiday.</p> <p>Anthony Morelli responded to feedback from the Association attorney Doug McCarthy on Lake Holiday Board of Directors' term limits. Anthony was the involved in preparing the Policies, Rules and Procedures (PRP) Number 16 for the "term limits" based on the interpretation of the Virginia Bylaws. Anthony's position is that the counsel does not provide correct "reading of the bylaws."</p> <p>Note: see attachment at the end of the minutes. Anthony was reading from this email at the Board Meeting.</p> <p>More on this topic (see Tab 12).</p> <p>Restaurant related discussion. There has been a lot of traffic on Next Door and Facebook about interest in a potential restaurant at Lake Holiday. Several attendees presented their cases in support of the restaurant. Lisa Cox, Stephanie Ryan, Jennifer Files, Joe Ashcroft, Michelle Sunderland, Shawn Winfrey, James Cox, Josh Wheely expressed different ideas on the restaurant and the survey.</p> <ul style="list-style-type: none"><li>• Facebook survey response is incredibly positive for the restaurant.</li><li>• 2017 survey only asked 5 questions which did not represent the restaurant venue being pursued by the current advocate</li></ul>



New amenities: Dog park is opened; the fitness center is fully functional. Food trucks are back on weekends. Munchie Ducks food venue to open on Memorial weekend.

How to respond to requests to remove trees (fallen or down dead trees) in the common areas of the Lake holiday community. Option is to ask the LH attorney to draft a "hold harmless" document. Pat and Mike to create "TAB for the next board meeting" on how to proceed.

Clubhouse bathrooms will be reopened on Memorial weekend. Bathrooms will be locked down at night. Portable restrooms will be in place for the summer season. Need to finalize daily cleaning process.

Speed cameras are ready for installation.

Beach II proposals: two proposals were received. Master Planning committee to review proposals. May BOD meetings will have TAB.

Patrolling of the Lake Holiday has started. Need full accounting reports from the Sheriff's department on violations.

Phase II walking trails: work to start next week. \$17,800 is already allocated for the project.

Gazebo for the dog and the Country Club parks. Richard recommends buying two Costco gazebos for \$1,700 each instead of moving the bus stop pavilion (which is an expensive move). Funds for this purchase would come from the last year budget.

**Tab 3 – General  
Manager's Report**

Walking trails: trail is approximately ½ mile in length and will create a walking circuit from CCP to the large roadside pond on West Masters and back. Trail will be available in May.

Old Pumphouse removal: collapsed irrigation pumphouse located on the former golf course property is being removed. Yearly operating budget is used to cover expenses. Concrete pad will be left behind; could be used for picnic table etc.

Redland Road Fencing: yearly budget includes \$13K for the planned extension of the fencing and for the rehabilitation of the existing fencing. McGrane Fence Co. manager will update proposal. It is expected that the cost of the material will be increased. With the price increase, office has sought additional pricing from competitors. There is very little interest for this job. Estimates we have received are more than \$5K above the approved budget.

to explore use of the Microsoft platform.

- Any sub-committee focused on the "restaurant exploration" needs to follow established rules and procedures.

**Recommendation:**

- Form a sub-committee with members from the Master Planning and Building&Grounds committees plus any interested Board and community members. Objective is to create survey questions to be validated by the Board.
- Use Microsoft platform to run the survey.
- Robert Adams and Jon Reedy will lead the sub-committee. Sub-committee will be established under the Master Planning Committee.

**Motion:** Form a sub-committee under MP.

**Action:** 9-0 (unanimous). **Motion carried.**

**Motion:** Use Microsoft software platform for the survey.

**Action:** 9-0 (unanimous). **Motion carried.**

**Tab 8 – Priority of  
New/Revised Capital  
Improvement Projects  
for 2022**

**Issue:** Master Planning Committee has presented the proposed CIP projects and monetary revisions to existing projects. Board needs to review and approve/disapprove any of them. Changes to project ranking can be made as well.

**Board Decisions:**

- Change name of the CIP "Fitness Equip" to "Outdoor Fitness Equip". **All approved.**
- Remove CIPs "Fish Stocking" and "Fish Survey". These projects are part of "Replacement Reserve." **This change was approved by all except James Coates.**
- Remove "Road lines" CIP. **This change was approved by all except Darrell Melcher.**
- Move "Marina Slips" as number 1 Project in the "Summary Decision" table. **This change was approved by all except James Coates, Ed Noble and Richard Traczyk.**

**Motion:** Review and approve CIP projects and their ranking .

**Action.** Approve changes based on Board Decisions. See Updates above (Board Decisions). **Motions were carried (see above).**

**Tab 9 – Proposal for  
Fish Habitat**

**Issue:** The Lake Committee is requesting Board to approve placement of "larger types of Fish Habitat/Cover" at Lake Holiday in the 20+/-foot depth ranges.

**Recommendation:** LC recommends the construction and placement

# LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** May 25, 2021; 6:30 pm, Club House Great Room

Directors in Attendance: Richard Traczyk, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair

Directors on the phone: none.

Directors absent: Jarret Tomalesky, Robert Adams, Jon Reedy

Invited Attendance: Mike Goodwin, General Manager

Call to Order: The meeting was called to order at 6:30 with a quorum present.

*Note: Microsoft TEAM conferencing software was not used due to lack of experience with the system outside of Technology committee specialists who were not available to support the meeting*

TOPIC:	DISCUSSION:
Agenda Approval	<b>Motion:</b> (Traczyk) to approve agenda as-is. <b>Action:</b> Vote 7-0 (unanimous). <b>Motion carried.</b>
Open Forum	Darrell Melcher: <ul style="list-style-type: none"><li>• The Request for Proposal (RFP) for the security firm contract is in 'Draft' mode. Official release has been tentatively set for the end of August. The current contract does not terminate until the end of 2021.</li><li>• The speed camera has been set up and tested in the initial location (W. Masters and Green). 100 citations issued in 2 weeks.</li><li>• 4<sup>th</sup> of July celebration: Map for traffic management completed.</li></ul>
Tab 1 – Approval of April 27, 2021, BOD meeting minutes	<b>Motion:</b> (Hardgrave) To approve minutes. <b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b>
Tab 2 – President's Report	Dog Park users are asking for water bowls to be placed in the park. Response: dog owners are responsible to supply water to their pets.  Lower-level clubhouse daily bathrooms cleaning will be provided by Munchie Duck Café owner. 200 dollars per week through October 1, 2021, will be paid for this service.  Speed cameras are in place on West Masters and Green roads. Citations are issues for 10mph over the speed limit.

	<p>Beach II proposals: three proposals were received. Master planning has recommended Pine Knoll Construction. Vote is tonight.</p> <p>Pontoon boat: supplement the current unreliable patrol boat by purchasing a used boat from a LH member. Board to approve \$5,000 for the purchase. Non-designated funds will be used for the purchase.</p> <ul style="list-style-type: none"> <li>• <b>Motion</b> (Traczyk): approve \$5,000 for purchase of the boat.</li> <li>• <b>Action:</b> 7-0 (unanimous). Motion carried.</li> </ul> <p>Phase II walking trails completed.</p> <p>E. coli concentration at the lake: testing results show acceptable level of E. coli.</p> <p>Excessive noise from Beach II after hours: many complaints received. Note: more on this topic from the GM report.</p> <p>Activities committee is asking for approval to allow “ax throwing” for the July 3<sup>rd</sup> community event. Vendor with the trailer would provide the service. Board members responded to this request with concerns (where to place to trailer, potential risk to participants etc.). <b>Decision:</b> NO to “ax throwing”. Message will be delivered to Brittany Barrow (member of the activities committee).</p> <p>Nomination committee and President exchanged emails on “changes to BOD size: from current 11 directors to 9”. More on this topic in the future.</p>
<p><b>Tab 3 – General Manager’s Report</b></p>	<p>Excessive noise from Beach II after hours: staff received several reports regarding the loud noise and inappropriate behavior. This has occurred over the few weekends as late as 1 or 2 am. Request to board is to review current association rules. At the minimum current rules posted at the beach need to reference the “county code ordinance”. Pat Majewski will work with GM to update the association rules as well. Regarding the number of visitors permitted at the beaches board decided against the limits.</p> <ul style="list-style-type: none"> <li>• <b>Motion</b> (Hair): post signs on all beaches to follow the county code ordinance.</li> <li>• <b>Action:</b> 7-0 (unanimous). Motion carried.</li> </ul> <p>Parcel 12A (former golf course) washout/ravine: large ravine on this parcel (created by heavy rains over years) has been subject to complaints from the LH members who use the trails. Recommendation is to improve the parcel (remove trees and complete grading). Estimated cost of these improvements is around \$6,000. Work (if approved) would be completed during dry weather. Long term improvements will be made from 2021 budget.</p>

	<ul style="list-style-type: none"> <li>• <b>Motion</b> (Hair): move forward with the land improvements at the project cost of \$6,000. Use undesignated funds.</li> <li>• <b>Action:</b> 7-0 (unanimous). Motion carried.</li> </ul> <p>Office to resume Full Staffing Onsite: based on VA covid restrictions changes, office will be fully staffed starting June 1, 2021.</p> <p>James Coates will update exercise room rules based on the state mandate. All board members approved these decisions.</p> <p>Old Pumphouse removal: collapsed irrigation pumphouse located on the parcel 12A was removed. Small cleanup tasks will be completed by the maintenance staff.</p> <p>Beach III access road improvements: drainage and surface issues are being worked on. Improvements will be completed ahead of July fireworks display.</p>
<b>Tab 4 – Treasurer’s Report</b>	<p>LH financial health continues in the positive direction. Director Noble explained some of the April expense items overruns (10K retainer). Overall YTD expenses are positive.</p>
<b>Tab 5 – Committee Reports</b>	<p>Technology committee verbal report was provided by director Hair.</p> <ul style="list-style-type: none"> <li>• Additional members joined the committee.</li> <li>• MS TEAM software roll-out depends on getting Office staff trained. Technology committee will identify volunteers to provide training as well as cover the board meetings.</li> <li>• Concern raised about the “committee chairs” not using the “official mail id assigned to each chair”. Message will be sent out to get chairs support for using the “official” mail id.</li> </ul> <p>Note: request to director Hair to submit a committee report in the future.</p>
<b>Tab 6 – Conversion of Property to common areas</b>	<p>Former golf course land loan has been paid off. Three golf course parcels need to be converted into common area. This change will save on taxes (approximately \$8,000). Also, 4A/220 lot which was returned to the LLC needs to be converted to common area. It is not a desirable building lot.</p> <p><b>Recommendation:</b> Master Planning Committee unanimously recommends that the golf course parcels and lot 4A/220 be converted into common area.</p> <p><b>Motion:</b> Approve converting three former golf course parcels into common area.</p> <p><b>Action:</b> 7-0 (unanimous). Motion carried.</p> <p><b>Motion:</b> Approve converting 4A/220 lot into common area.</p> <p><b>Action:</b> 7-0 (unanimous). Motion carried.</p>
<b>Tab 7 – Approve Beach II proposal</b>	<p><b>Issue:</b> There are three proposals to consider for Phase One of the Beach II site plan. These proposals are in response to an RPP sent</p>

	<p>out to seven contractors with April 19 deadline for response. Two proposals were received by the deadline. One was received in Mid-May. At the May 5<sup>th</sup> MPC meeting, the two received proposals were reviewed.</p> <p>Proposals:</p> <ul style="list-style-type: none"> <li>• Trustland company bid: \$170,000. Schedule: September – November.</li> <li>• Pine Knoll Construction company bid: 135,560. Schedule: September – October. Included “proposed add-ons” with cost of \$19,455.</li> <li>• Keystone Builders company bid (came in late): \$123,500.</li> </ul> <p>MPC chose Pine Knoll as the preferred contractor.</p> <p><b>Recommendation:</b> MPC chooses Pine Knoll Construction as contractor for land excavation and development of Beach II. Cost was a consideration as was the experience at Lake Holiday and their reputation within Frederick County.</p> <p><b>Motion:</b> Approve Pine Knoll Construction’s proposal for land development work for Phase One of Beach II project and the “proposed add-ons”.</p> <p><b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 8 – Hold Harmless for Tree Cutting</b></p>	<p><b>Issue:</b> requests from Lake Holiday members to cut up fallen trees and remove deadfall from the common areas. These common areas are next to member’s lot.</p> <p><b>Background:</b> there is a request (from Architecture committee and the Board president) to create a “risk/hold harmless agreement “. This agreement would be signed by the “requestor” who wants to access the common area to remove dead trees.</p> <p><b>Recommendation:</b> if the LHCC attorney is satisfied with some version of an agreement, then the Board should approve its use for members to participate in tree cutting and removal activities.</p> <p><b>Motion:</b> Approve the “Assumptions of Risk, Waiver of Liability &amp; Indemnity agreement” document, with proposed changes (add lot-id to a signature section).</p> <p><b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 9 – Garden Club recognition</b></p>	<p><b>Issue:</b> Recognize the Garden Club as an official Club at the Lake Holiday.</p> <p><b>Background:</b> Volunteers taking care off the grounds of the Club house and Gate house would like to be recognized as an official club. This would provide them with the support the other “official”</p>

	<p>clubs receive (such as access to Club house meeting space, use of the newsletter etc.).</p> <p><b>Recommendation:</b> Board to vote to officially recognize the Garden Club.</p> <p><b>Board direction:</b> General Manager is responsible to work with Lake Holiday Clubs. The same applies to Garden Club. Board directors do not vote on the “volunteer clubs” functions or recognition.</p>
<p><b>Tab 10 – Status of Electronic Voting Progress</b></p>	<p><b>Background:</b> LH board gave “green light” to nomination committee at the April meeting to explore electronic voting as option for the 2021 election.</p> <p><b>Progress Report:</b></p> <ul style="list-style-type: none"> <li>• “Election Budy” system fits the requirements (easy of use, security, auditability, cost, and other factors).</li> <li>• Sample election was tested within the nomination committee.</li> <li>• Each board member will receive voting credentials to be used to test the platform and provide feedback.</li> <li>• Next steps: several steps need to be completed (work with the technical committee to collect members information; publish article in the July newsletter, send postcards to members, draft revisions to PRP 16)</li> </ul> <p><b>Recommendation:</b> Board members to try the sample election within a week and provide feedback to nomination committee.</p>
<p><b>Tab 11 – Need for Bylaw Clarification re: Director Term Limits</b></p>	<p><b>Background:</b> at the April board meeting, the Nomination Committee presented a request to change the By-law and PRP to ensure that “Board Directors elected by the membership shall not serve more that six (6) years consecutively”.</p> <p><b>Motion:</b> the nomination committee is recommending that the By-law amendment as presented in the TAB, be approved by the Board, and be included on the ballot for the 2021 Annual Meeting of members. This change will ensure that Directors will not be able to serve more than six (6) years of consecutive elected time.</p> <p><b>Action. Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Adjournment / Announcements</b></p>	<p>The next Regular Board Meeting will be June 22, 2021, at 6:30 p.m. in the Clubhouse Great Room.</p> <p>Meeting completed around 8:30 pm.</p>

Respectfully Submitted,  
Betka Hardgrave, Board Secretary

# LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** June 22, 2021; 6:30 pm, Club House Great Room

Directors in Attendance: Robert Adams, Jon Reedy, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair

Directors on the phone: none.

Directors absent: Jarret Tomalesky, Richard Traczyk

Invited Attendance: Mike Goodwin, General Manager

Call to Order: The meeting was called to order at 6:30 with a quorum present.

Note: Microsoft TEAM conferencing software was used; John Stover provided technical support.

TOPIC:	DISCUSSION:
<b>Agenda Approval</b>	<b>Motion:</b> (James Coates) to approve agenda as-is. <b>Action:</b> Vote 8-0 (unanimous). <b>Motion carried.</b>
<b>Open Forum</b>	Carol Demery: requested adding "pickleball" lines to the existing tennis court lines. Response: maintenance crew will add "yellow" temporary lines.  Lake Holiday resident provided positive comments on "Munchie Duck Café" services.
<b>Tab 1 – Approval of May 25, 2021, BOD meeting minutes</b>	<b>Motion:</b> (Hardgrave) To approve minutes. <b>Action:</b> 8-0 (unanimous). <b>Motion carried.</b>
<b>Tab 2 – Vice President's Report</b>	Water leaks: Aqua is investigating. Nothing has been found.  Haines patrol is checking all boats in the marina. LH members need to be aware of "motorized boards" on the lake. Lake Patrol is checking registration of all watercrafts at the member's private piers/docks.  Clubhouse parking: guest parking is an issue which needs to be addressed. <ul style="list-style-type: none"><li>• Darrell Melcher will lead a sub-committee to recommend a solution.</li></ul> Positioning of the food trucks on weekends and holidays needs board's attention. <ul style="list-style-type: none"><li>• July 3<sup>rd</sup>: setup completed.</li></ul>



	<p>Kids jumping from the dam: considering fencing along that area.</p> <p>Speed camera is working. Citations are issued; some LH residents complain about the speed camera location.</p> <p>Munchie Duck Café operator has requested permission to adjust the layout of the “game room area”.</p> <ul style="list-style-type: none"> <li>• Board’s direction: General Manager to coordinate with the operator on the use of the “game room area.”</li> </ul> <p>Board meeting use of the “TEAM software”: Robert Adams volunteered to configure the software at the future meetings.</p> <p>New pontoon boat is being serviced for use starting in July.</p> <p>Maintenance staff changes: new hire for the summer; will lose one member. Anyone interested in positions to contact LH office.</p> <p>Stop signs at the gate are ignored by motorists. Citations are issued.</p> <p>“Disc Golf” tournament on June 12, 2021: limited attendance due to weather. Participants were pleased with the event.</p>
<p><b>Tab 3 – Treasurer’s Report</b></p>	<p>LH financial health continues in the positive direction.</p>
<p><b>Tab 4 – Committee Reports</b></p>	<p>Nothing to report.</p>
<p><b>Tab 5 – PRP 2 Common Area use changes Plus Noise Reduction Policy</b></p>	<p><b>Issue:</b> LH office has received complaints regarding noise coming from Beach II area late in the evenings and at night.</p> <p><b>Recommendation:</b> PRP 2 to be updated with list of changes; Pat Majewski provided the list.</p> <p><b>Motion:</b> Approve the recommended changes to PRP 2 Common Area Use; direct office to update the camping permit.</p> <p><b>Action:</b> 8-0 (unanimous). Motion carried.</p>
<p><b>Tab 6 – Security Services for LHCC: request for Proposal</b></p>	<p><b>Issue:</b> current security contract expires on December 31, 2021. A Request for Proposal (RFP) to be completed to select a security provider to support Lake Holiday Country Club Inc. (LHCC) for the next three years (2022-24).</p> <p><b>Recommendation:</b> The Safety Advisory Committee submits the security services RFP for the final review and approval to distribute to multiple security firms. RFP schedule to be followed.</p>

	<p><b>Motion:</b> Approve the Security Services RFP and the RFP schedule to initiate the proposal and selection process for the LHCC security firm of record for 2022-24.</p> <p><b>Action:</b> 8-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 7 – 2021 Marina Reconfiguration/Slip Addition Project</b></p>	<p><b>Issue:</b> the board previously approved \$90K for reconfiguration of the Marina. Project delays with the current vendor are due to delivery lead times and inability to confirm dock material pricing. Deep Creek Docks (current vendor) will not be able to support project until Spring of 2022.</p> <p><b>Background:</b> due to issues with current vendor and the dock breakage issues, additional vendors were contacted regarding material supply and vendor availability. Engagement with some vendors resulted in getting options to “reconfigure” the marina and add more slips.</p> <p><b>Recommendation:</b> The Lake Committee requests Board to approve \$140K to fund implementation of the “parallel to shoreline dock system” recommended by vendors and installation of 16 new slips.</p> <p><b>Motion:</b> funds not to exceed \$140,000 to be released to facilitate LHCC’s 2021 Marina Reconfiguration Project</p> <p><b>Action:</b> 8-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 8 – LHCC Increased Enforcement Capability for Repeat Violators/Reckless Operation of Vehicles and Boats, etc.</b></p>	<p><b>Issue:</b> The Board has consistently stated that the Virginia Property Owner’s Association Act (POAA) limits LHCC’s ability to impose/enforce rules beyond those stated in Section 55.1-1819 “Adoption and Enforcement of Rules”.</p> <p><b>Background:</b> LHCC has experienced reckless operation of vehicles/boats in the past involving personal injury, damage to Association property, etc. Typically, these incidents failed to result in any significant action against the offender.</p> <p><b>Recommendation:</b> form a Working Group to review other HOA’s (Lake of the Woods is one of them) methods to control reckless operations and provide recommendations to Board.</p> <p><b>Motion:</b> form a Working Group to review the potential need for development of more stringent LHCC Enforcement/Compliance guidelines.</p> <p><b>Action:</b> Working group created: Jon Reedy, Pat Majewski, Elizabeth Hair and Darrell Melcher.</p>
<p><b>Tab 9 – Suggested Election – Related Bylaw Changes and Clarifications</b></p>	<p><b>Recommendation:</b> The Nomination Committee recommends changes to the portions of the Bylaws that relate to Elections. Once approved, they will be included on the ballot for the 2021 Annual Meetings of Members.</p>

	<p>Propositions (Tab provides details of the changes):</p> <ol style="list-style-type: none"> <li>1. Proposition 1: Absentee Ballot</li> <li>2. Proposition 2: Number of Board of directors: from 11 to 9</li> <li>3. Proposition 3: Board of Directors: term of office</li> </ol> <p><b>Motion:</b> Board to approve the Nomination Committee Recommendation  <b>Action. Action:</b> 8-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Adjournment / Announcements</b></p>	<p>The next Regular Board Meeting will be July 20, 2021, at 6:30 p.m. in the Clubhouse Great Room.</p> <p>Meeting completed around 8:30 pm.</p>

Respectfully Submitted,  
Betka Hardgrave, Board Secretary

# LAKE HOLIDAY COUNTRY CLUB

Minutes of Board of Directors Regular Meeting

**Date/Time/Place:** July 27, 2021; 6:30 pm, Club House Great Room

Directors in Attendance: Robert Adams, Jarret Tomalesky, Richard Traczyk, James Coates, Pat Majewski, Ed Noble, Darrell Melcher, Betka Hardgrave, Elizabeth Hair

Directors on the phone: none.

Directors absent: Jon Reedy

Invited Attendance: Mike Goodwin, General Manager; Michele and Mike Bradshaw representing nomination committee

Call to Order: The meeting was called to order at 6:30 with a quorum present.

Note: Microsoft TEAM conferencing software not used; Technical support was not available

TOPIC:	DISCUSSION:
Agenda Approval	<b>Modifications:</b> add Sanitary District Paydown subject to Treasury report. <b>Motion:</b> (Richard Traczyk) to approve agenda with modifications. <b>Action:</b> Vote 9-0 (unanimous). <b>Motion carried.</b>
Open Forum	Frances Coates: objected to "tree logging" by contractors.  Elizabeth Hair: validation process for cleaning Clubhouse facilities after an event. Discussed "cleanness checking" provided by existing "Church customer". Should any other validation be considered?  Richard Traczyk: Jarret Tomalesky missed "3" BOD meetings. Board agreed to keep Jarret on for the remainder of his term.  Robert Adams: "electronic registration form" filling out issues. Michele Bradshaw took notes of the problem.
Tab 1 – Approval of June 27, 2021, BOD meeting minutes	<b>Motion:</b> (Hardgrave) To approve minutes. <b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b>
Tab 2 –President's Report	<b>Misc.:</b> 4 <sup>th</sup> of July celebration was a success. Munchie Duck Café received a health permit for full business. New patrol boat is in service.  <b>Dogs on Beach I and II:</b> need to remind community about dog rules (not allowed on Beach I and II). Newsletter will have an article on this subject.

	<p><b>Town Hall meeting:</b> scheduled for August 28. Presentations are Work in Progress. The Tech Committee will use audio/visual equipment to support meeting.</p> <p><b>Traffic violations management:</b> office has hired temporary staff to manage the procedures. Violations are in range of 100 – 300 per month.</p> <p><b>LH resident's email addresses:</b> The Tech committee is resolving issues with access and system "bugs". August 10 will be a community wide "trial test".</p> <p><b>Sheriff's Department contract to be discontinued:</b> service does not meet the "expectations". Violations reports are not provided to LH; impact of the Sheriff's "daily patrol" services is very limited.</p> <p><b>Motion:</b> (Traczyk): To discontinue Sheriff's contract at the end of August 2021.</p> <p><b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 3 – General Manager (GM) report</b></p>	<p><b>Marina Reconfiguration Update:</b> on June 29 met with Lakeside Dock Sales and Service and Keystone builders to cover changes to reconfiguration proposal and the land works to be completed. Proposal with changes was accepted on July 8. \$40K deposit made to Lakeside Docks. Reconfiguration project will start early October.</p> <p><b>Security Service RFP Update:</b> six security firms received the RFP; response is due on August 16.</p> <p><b>Beach II noise complaint:</b> Pat Majewski will meet with the member to collect more data.</p> <p><b>2020 Audit by Decker and Company:</b> preparing for July 28 audit.</p> <p><b>Beach III area improvements:</b> completed widening of the access road; removed large dead trees; created blockage with the trees to prevent un-authorized parking.</p> <p><b>Clubhouse HVAC unit:</b> heat pump and the air handler need to be replaced instead of continuing with the upgrades. "Heil brand" 3-ton unit cost estimate is \$7,480.</p> <p><b>Motion:</b> replace HVAC unit; cost not to exceed \$8,000. Air Care Services to be used to complete work. Use Replacement Reserve to fund this project.</p> <p><b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b></p> <p><b>Marina Stairway:</b> GM is recommending the removal of the wooden stairway from the parking area to marina. Stairway is beyond repair.</p> <p><b>Motion:</b> remove stairway.</p>

	<b>Action: 9-0 (unanimous). Motion carried.</b>
<b>Tab 4 – Treasurer’s Report Sanitary District Paydown</b>	<p>LH financial health continues in the positive direction.</p> <p><b>Sanitary District Paydown:</b> met with the County on “paying down” the “bond for the spillway “. LH Association can make a principal payment of \$2.5 M on October 1. Payoff of the bond would be shortened to about 3.5 years. Need Board approval to make this payment and send a letter to County Attorney and Frederick County Supervisors.</p> <p><b>Motion:</b> to forward a letter to the Frederick County Attorney requesting that the Frederick County Board of Supervisors approve the prepayment of the portion of the loan in the amount of \$2.5M.</p> <p><b>Action: 9-0 (unanimous). Motion carried.</b></p>
<b>Tab 5 – Committee Reports</b>	Nothing to report.
<b>Tab 6 – PRP 2 Common Area use Final</b>	Pat Majewski presented the updated PRP. Issue with the overnight boat parking (by the residents who live close to the beach) was discussed. Pat to review the “PRP” and identify changes (if needed).
<b>Tab 7 Lake Holiday Forest Management</b>	<p><b>Issue:</b> LH resident John Sorna recommends using his “forest management educator friend” to complete an assessment of the LH forest health in the “common areas”. Note from John’s “friend” was provided to Richard Traczyk.</p> <p><b>Recommendation:</b> Forest Management plan is assigned to Master Planning Committee. Vision, objectives of the forest management will need to be defined. Engaging government entities could be considered.</p> <p><b>Motion:</b> table the issue for now. Master Planning committee to formulate long term Forest Management plan.</p> <p><b>Action: 9-0 (unanimous). Motion carried.</b></p>
<b>Tab 8 - PRP16 (Elections and Voting) – Proposed Changes</b>	<p>Mike Bradshaw, Nomination Committee member, presented changes to the PRP 16.</p> <p><b>Motion:</b> LH Board to approve the PRP 16 proposed changes.</p> <p><b>Action: 9-0 (unanimous). Motion carried.</b></p>
<b>Tab 9 – Common Area Tree Removal Form</b>	<p><b>Issue:</b> Architectural Form for the Brush/Tree Removal from the Common Area.</p> <p><b>Background:</b> Form to accompany the “Hold Harmless Agreement” for brush/tree removal from Common Area. Form will be used by Architectural committee.</p>

	<p><b>Motion:</b> Board to approve the PRP 1, Section R-1: " Brush/Tree Removal from the Common Area Approval Form"</p> <p><b>Action:</b> 9-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 10 – Electronic Voting Status</b></p>	<p>Michele Bradshaw, Nomination Committee member, presented status of the Electronic Voting activities:</p> <ul style="list-style-type: none"> <li>• Election Buddy software tested with board members, favorable feedback</li> <li>• July Newsletter article explained the electronic voting</li> <li>• Working with the Tech committee to collect member information</li> <li>• Prepared additional documents to be shared with the community</li> <li>• Next steps: finalize the online forms; launch publicity campaign; create voter database; finalize the electronic ballots and communicate with members etc.</li> </ul>
<p><b>Adjournment / Announcements</b></p>	<p>The next Regular Board Meeting will be August 24, 2021, at 6:30 p.m. in the Clubhouse Great Room.</p> <p>Meeting completed around 8:30 pm.</p>

Respectfully Submitted,  
Betka Hardgrave, Board Secretary

# LAKE HOLIDAY COUNTRY CLUB

## Board of Directors Regular Meeting Minutes

**Date/Time/Place:** 24 Aug, 2021; 6:30 pm, Clubhouse Great Room

Directors in Attendance: James Coates, Elizabeth Hair, Pat Majewski, Darrell Melcher, Ed Noble, Jon Reedy, Richard Traczyk

Directors on the phone / linking in: none.

Directors absent: Robert Adams, Betka Hardgrave, and Jarret Tomalesky

Invited Attendance: Mike Goodwin, General Manager

Call to Order: The meeting was called to order at 6:35 with a quorum present.

Note: Microsoft TEAM conferencing software was used; John Stover (Tech Com) provided technical support and will submit video to Mike Goodwin for posting.

TOPIC:	DISCUSSION:
Agenda Approval	<p>Director Hair motioned to approve agenda as-is.</p> <p><b>Action: Vote 7-0 (unanimous). Motion carried.</b></p>
Open Forum	No discussion.
Tab 1 – Approval of 27 Jul 2021, BOD meeting minutes (Director Hair)	<p><b>Motion:</b> Approve previous Board minutes.</p> <p><b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>
Tab 2 – President's Report (Director Traczyk)	<ul style="list-style-type: none"> <li>• Our newsletter publisher, Peggy McClurken, will be retiring in October. Need to find replacement from the community.</li> <li>• Dog Park: Discussed landscaping; Director Traczyk and others met with contractor; proposal forthcoming for implementation this fall.</li> <li>• Beach II will be closed in Sept. Canoes and kayaks will need to be removed and swimming will not be allowed once work begins. Work should take approximately 10 weeks.</li> <li>• The marina will be closed in Oct so reconfiguration can begin. Will need to remove boats for work to commence.</li> <li>• The Frederick County Board of Supervisors approved early pay down of Lake Holiday dam debt saving over \$500K over the life of the bond.</li> <li>• MPC committee investigating forestry program for Lake Holiday.</li> </ul>
Tab 3 – General Manager's Report (Mike Goodwin)	<ul style="list-style-type: none"> <li>• Clubhouse HVAC Unit has been replaced and on budget.</li> <li>• Marina Stairway has been removed.</li> <li>• The 2020 Audit by Decker and Company is on schedule to complete by Sept.</li> <li>• Five (5) proposals were received for the Security Services contract and are fairly competitive.</li> </ul>



	<ul style="list-style-type: none"> <li>• The termination of the Agreement of Sheriff's Services was submitted and expected to take effect on 27 Aug 2021.</li> <li>• Beach II Project should start the week after Labor Day. Pine Knoll Construction is waiting on the permit.</li> <li>• <b>Replacement Reserve Expenditure Recommendation:</b> <ul style="list-style-type: none"> <li>○ <b>Salt/Grit Spreader</b> is at the end-of-life expectancy and not worth repairing. Replacement cost is approximately \$8K and in stock. <b>Board agreed to replace with Replacement Funds.</b></li> <li>○ <b>Tennis Courts and Basketball lines</b> need repainting. Cost is \$9,875 but doesn't include Pickleball lines on the tennis courts. <b>Board agreed to restripe the lines and add Pickleball lines to one tennis court.</b></li> </ul> </li> <li>• Parcel 12A (former golf course) washout/ravine has been graded and is no longer a safety concern; however, the soil in the area will not support a bridge as previously discussed.</li> </ul>
<b>Tab 4 – Treasurer's Report (Director Noble)</b>	<p>LH financial health continues in the positive direction. Finance Committee requested the Frederick County Board of Supervisors consider paying down Lake Holiday debt with collected funds, which they approved, saving over \$500K for Lake Holiday.</p>
<b>Tab 5 – Committee Reports</b>	<p>Update on Building and Grounds: Co-chairs resigned; Dustin Terry has assumed the Chair responsibilities until the October meeting, when re-elections will take place. (Director Coates)</p>
<b>Tab 6 – Update to PRP 2, Common Use Area (Director Majewski)</b>	<p><b>Issue:</b> Two Board directors requested additional revisions to PRP 2  <b>Motion:</b></p> <ol style="list-style-type: none"> <li>1. Change title to Common Area Recreational Use</li> <li>2. In the general rules two numbered items were added about dogs.</li> <li>3. Expanded where smoking is not permitted.</li> <li>4. Closing the beaches after midnight or 1am</li> <li>5. A general rule paragraph about Beach II boat dock.</li> <li>6. Additional revisions to the camping section, particularly about the boat dock and camping permits placed on boat.</li> <li>7. Direct Office to make changes to reflect new boat dock policy on Camping Permit.</li> </ol> <p><b>Director Coates requested a separate motion for closing the beach at midnight.</b>  <b>Action:</b> 3 approved (Directors Majewski, Melcher and Reedy); 4 opposed (Directors Coates, Hair, Noble and Traczyk). <b>Motion failed.</b></p> <p><b>Motion:</b> Approve the remaining above recommended changes to PRP 2 Common Area Use and direct office to update the camping permit.  <b>Action:</b> 7-0 (unanimous) <b>Motion carried.</b></p>
<b>Tab 7 – Updating / Unifying PRP 4 and PRP 5 (Director Noble)</b>	<p><b>Issue:</b> In PRP 4 Compliance and PRP 5 Entry, Road Use and Parking have conflicting timelines regarding initial issue of a Citation Notice as it regards to safety-related and one-time violations; therefore, the citations were not processed timely.</p>

	<p>The original motion called for extending the Office processing period for Citation Notification to the members to fifteen (15) business days and update both PRPs.</p> <p>Director Melcher requested a change to the motion: Extend to 30 calendar days versus 15 business days and approved the changes.</p> <p><b>Motions:</b></p> <ol style="list-style-type: none"> <li>1. Change the current wording in PRP 4, Section G2: Notice of the citation shall be mailed to the member who is responsible for the cited individual within thirty (30) calendar days of the incident.</li> <li>2. Change the current wording in PRP 5, Section G3: A Courtesy Notice or Citation Notice will be mailed to the property owner within thirty (30) calendar days of the alleged offense.</li> </ol> <p><b>Action:</b> 5 approved (Directors Coates, Hair, Majewski, Melcher and Traczyk); 2 opposed (Directors Noble and Reedy). <b>Motion carried.</b></p>
<p><b>Tab 8 – 2022 Budget Review (Director Noble)</b></p>	<p><b>Issue:</b> Review proposed 2022 Budget</p> <p>Of note:</p> <ul style="list-style-type: none"> <li>• 5.1% increase in Expenses. 2022 Total projected - \$2,348,946</li> <li>• No increase in assessments from 2021 to 2022</li> <li>• Homeowners assessment decrease of \$3.76/year due to increase in homes sharing cost of trash contract. All others stay the same.</li> <li>• Growth in capitalization fees due to increased home sales</li> <li>• Small increase in power boat fees</li> <li>• \$35 increase in boat slip fees; additional slips from reconfiguration</li> <li>• 25% increase in clubhouse rental fees</li> <li>• Carryover of \$33K in undesignated funds</li> <li>• Estimating a 17% Expense increase in upcoming Gate and Patrol Contract even with reducing the Sheriff Patrol to just July 3.</li> </ul> <p>Director Coates motioned to have a combined Finance Committee and a Special Board Meeting for a final review of the 2022 Budget, on Tuesday, September 21, at 6:30 p.m.</p> <p><b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>
<p><b>Tab 9 – Painting of Clubhouse Lower-Level (Director Coates)</b></p>	<p><b>Issue:</b> Lower level of Lake Holiday Clubhouse needs a fresh new coat of paint.</p> <p><b>Motion:</b> Approve operators of the Munchie Duck paint the lower-level of the Clubhouse; using the funds from the Clubhouse maintenance budget, pay for the cost of the paint and up to \$75 for supplemental supplies (brushes, roller, pans).</p> <p><b>Action:</b> 7-0 (unanimous). <b>Motion carried.</b></p>

	Discussion concerning use of the common area/game room by the Munchie Duck ensued. The owner of the Munchie Duck must get permission from the General Manager to use / place any items in that area.
<b>Tab 10 – Shenandoah University Dancers at Lake Holiday (Director Coates)</b>	<b>Informational tab only:</b> Director Coates presented the final video from the Shenandoah University Dance Ensemble performance on Beach 1, 15 May 2021.
<b>Announcements / Adjournment</b>	<ul style="list-style-type: none"> <li>• Town Hall on Sat, 28 Aug 2021 at 10 a.m. in the Clubhouse Great Room.</li> <li>• The next Regular Board Meeting will be 28 September 2021, at 6:30 p.m. in the Clubhouse Great Room.</li> <li>• Combined Finance Committee / Special Board Meeting on Tuesday, September 21, at 6:30 p.m. for a final review of the 2022 Budget.</li> </ul> <p>Meeting adjourned at approximately 8:45 p.m.</p>

Respectfully Submitted,  
Elizabeth Hair, Acting Board Secretary

**Rules, Policy & Procedures Manual**  
**(Edition 1)**

# Lake Holiday

## **POLICIES, RULES, AND PROCEDURES** **PRP NO. 1**

### **Architectural Guidelines**

**Revised and**

**Approved by the Board of Directors**

**Date: April 25, 2017**

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# PRP NO. 1 ARCHITECTURAL GUIDELINES

## SECTION A. OVERVIEW

The intent of the Architectural Committee is to preserve the appearance of Lake Holiday as a treed and natural environment. As such, a major consideration when approving exterior colors and additions is how naturally they blend with the environment and the surrounding homes. Architectural Guidelines apply to both initial home construction and to homeowner projects. A separate PRP outlines initial construction rules and procedures in detail.

Review and approval by the Architectural Committee is mandatory prior to any action by the property owner. The appropriate forms (and any drawings, site plans, etc.), which are required to make the decision, need to be submitted to the committee before any construction can take place. In case of a conflict between these guidelines and the Virginia Construction Code, the Virginia Construction Code shall apply. Nothing in this document absolves the property owner of obtaining permits required by Frederick County under the Virginia Construction Code.

In instances where the application is not approved, the Architectural Committee can provide assistance to find alternative solutions that will meet the property owner's needs and that would comply with their Deed Covenants. The Architectural Committee can also act as a resource for information during the planning stages of your project.

With the exception of prohibited items, please understand that these guidelines are general in nature and each application will be considered on its individual merit. Approval, rejection or modification will be based primarily on the individual need and desired effect of the proposed project.

## SECTION B. TIME FOR COMPLETION OF PROJECTS

1. Exterior work on existing houses or structures, including site cleanup, should be completed within six (6) months of the issuance of the LHCC permit. The property owner may request an extension of the completion date for an additional six (6) months. The request must be in writing and must be received by the Architectural Committee at least thirty (30) calendar days prior to the end of the initial six-month construction period. If the exterior work on the existing structure is not completed within the six-month period plus the six-month extension, if requested, the property owner may be assessed in accordance with the Virginia Property Owners' Association Act. An appeal of any such assessment may be made in accordance with PRP No. 4, Compliance.

## SECTION C. APPROVAL PROCESS

1. The Architectural Committee must pre-approve exterior home improvements as defined in this policy statement. The application forms (and any drawings, site plans, etc.) that are required must be submitted to the Architectural Committee and approval granted before any changes or construction may occur.
2. Specific Guidelines and Application Forms for the following projects are downloadable from the LHCC website and are also available in the Management Office. If your project involves any of these structures, please refer to the appropriate guideline or section (see Table of Contents for specific page numbers).
  - a. Accessory Structures
  - b. Awnings
  - c. Boat Docks

- d. Decks, Porches and Patios
- e. Dog Runs and Shelters (discontinued)
- f. Fences
- g. Flags and Flagpoles
- h. Home Businesses
- i. Rooftop Ventilators and Skylights
- j. Satellite Dishes
- k. Retaining Walls
- l. Tree Removal
- m. Tree Replacement
- n. Tree Replacement List
- o. Exterior Heating Fuel Tanks
- p. Paving Projects

#### **SECTION D. DESCRIPTION**

The Architectural Guidelines cover all additions as well as changes to the exterior style, colors and materials of a house or another structure already in existence.

1. The Architectural Committee encourages the use of subtle natural colors and materials that blend with the natural environment. Bright colors are not acceptable and will not be approved. White may be used sparingly for trim and accent, but will not be approved as a structure's primary color.
2. All changes must be consistent with the Lake Holiday Initial Construction Guidelines and the Frederick County of Virginia Codes. If a conflict exists between the Lake Holiday Construction Guidelines and the Frederick County of Virginia Codes, then the more restrictive guideline will apply.
3. An Application for improvements is NOT required for repair work or maintenance where no change to materials, colors or general appearance takes place. If in doubt, it is best to submit an application.

#### **SECTION E. GUIDELINES FOR APPLICATION**

1. In general the following applies to all applications. Residents starting projects that involve visible home exterior changes should submit an application package consisting of:
  - a. An Architectural Approval Form (available from the Management Office). A general purpose form is available for projects not specifically covered in other sections.
  - b. A picture, sketch and/or description of the proposed project (if applicable)
  - c. Color chips, product brochure clipping or material samples (color photos are preferred)
  - d. A site plan showing the location of the project with respect to the house and boundaries (if applicable)
2. Staple or fasten items to the application to avoid loss. Clear plastic zip bags may be used to contain samples. Please limit sizes of documents and samples to 8.5 inches x 11 inches.
3. The Architectural Committee maintains files in the Management Office for improved Lake Holiday lots. These files sometimes have copies of surveys and building plans, which may be helpful in preparing your application. Please contact the Management Office for assistance.



## SECTION F. ACCESSORY AND TEMPORARY STRUCTURES

### 1. Accessory Structures

- a. Accessory Structure Definition: An accessory structure is any out building or other type of detached structure, including, but not limited to, storage or garden shed, play house, tree house, screened shelter, hot tub enclosure, gazebo, or any parts thereof. The following guidelines apply.
- b. All accessory structures are to be reviewed by the Architectural Committee prior to construction accompanied by a current site plan indicating placement of the structure.
- c. Accessory structures may not be used as a temporary dwelling.
- d. All setback requirements must be maintained and no accessory structures may be located forward of the front line of the house.
- e. Where practical, all accessory structures shall be placed such that they are not visible when the house is viewed from the front. Any exception to this must have prior approval from the Architectural Committee. Consideration will be given to line of sight from neighboring homes, the lake and roads within Lake Holiday.
- f. All accessory structures shall not exceed 150 square feet in size and the walls shall not exceed 8'-6" in height.
- g. Construction, finish materials and colors shall match or complement that of the home.
- h. Metal structures, temporary boat storage units and free-standing carports will not be approved.
- i. Construction and other temporary structures shall be governed by LHCC Article VII, Initial Construction Guidelines, Section B.4.b.
- j. Tree houses - Lake Holiday Country Club shall not assume responsibility for validating the integrity of any tree in which a tree house is approved for construction by the Architecture Committee.
  - (1) Architectural Committee approval for tree houses only considers the location, size and aesthetics of the proposed tree house. The Committee make no assurances as to the safety of the structure
  - (2) As a requirement for approval, the property owner must sign a waiver indemnifying and holding harmless Lake Holiday Country Club.
- k. Accessory Structures Application – Attachments and Criteria
  - (1) A picture or drawing or other description indicating the colors as well as construction materials or samples.
  - (2) The exact external dimensions (width, length and height) of the proposed structure.
  - (3) A scaled, accurate site plan showing the location of the proposed improvement in relation to the existing structure(s), property lines and setbacks.

(4) The location of the proposed structure must be staked, marking the corners for site review by the Architectural Committee and staff.

(5) A fully completed Accessory Structure Application Form.

## 2. Temporary Structures

- a. Definition: A portable covered or enclosed storage container (storage container).
- b. Placement of a storage container on any property within Lake Holiday Country Club, Inc. requires completion of an application and approval by the Architectural Committee. The application is available on the LHCC website. Generally, application processing will require five (5) days advance notice.
- c. LHCC will allow the temporary placement of a storage container on a lot for the purpose of outdoor storage of household possessions or for use associated with moving into or out of the dwelling on that lot.
- d. Approval will be granted for a period up to thirty (30) days. One fourteen (14) day extension may be granted by the Architectural Supervisor if requested prior to the end of the thirty day period.
- e. The storage container shall be located on the lot so as to avoid encroachment into established setbacks and easements, unless otherwise approved by the property owner who has the easement right-of-way.
- f. Stacking of storage containers is prohibited.
- g. The placement of a storage container on a roadway surface is prohibited without prior approval of the Architectural Supervisor. Generally, the following will apply to all street parking of storage containers:
  - (1) It must not be located within 15 ft. of a fire hydrant or neighbor's driveway.
  - (2) It must be completely off the paved surface of the road.
  - (3) The longest side of the container must be parallel to the street, and the container must be placed no closer than two (2) feet of the paved surface.
  - (4) It must not block visibilities (sight lines) needed for safe traffic flow.
- h. The Lake Holiday Entrance Gate staff will be informed of all approved storage container permits along with the term of the permit. Property owners having a storage container delivered through the Lake Holiday entrance gate should provide the vendor/driver with the destination street address and name of the property owner.
- i. No more than two (2) storage containers will be permitted on the lot at any one time.

## SECTION G. AWNINGS

1. The following guidelines apply:
  - a. Awnings need to comply and must blend in with the overall color scheme of the house.

- b. Awnings must not provide a noticeable color contrast or diminish the natural hues of the surrounding environment.
2. Application Criteria
- a. A permit to install awnings is required and the Architectural Committee must approve the application prior to installation.

## **SECTION H. BOAT DOCK FACILITIES GUIDELINES**

1. A Boat Dock Facility is any structure that includes, but is not limited to, floating, fixed (supported on pilings) or cantilevered boat docks, boat-lifts, piers, ramps, slips, inflated water toys and accompanying shoreline decks, patios and or other fabrications. Approval of Boat Dock Facilities will be based on specific needs and uses.
2. Guidelines
- a. The Architectural Committee reviews all Boat Dock Facilities. LHCC, Inc., which operates as a Property Owners' Association, is mandated by their governing documents to maintain control over boat dock installations to provide for commonality of size, shape, color, and to preserve the access, safe use and enjoyment of the lake. The Architectural Committee requires that an application must be submitted and permit must be issued before any work can commence on any Boat Dock Facilities.
  - b. Property lines and side set back lines extend into the lake and must be maintained so as not to obstruct access from adjoining properties. (See Drawing on Application Form.)
  - c. Boat dock facilities will be limited to a boat dock, pier or slip that may not extend further than 24' (twenty-four feet) into Lake Holiday from the shoreline. Docks that may need to extend over 24' (twenty-four feet) from the shoreline due to unusual and/or shallow conditions will be reviewed on a case-by-case basis and may require additional restrictions. No structure; including but not limited to docks, platforms, floats and piers; may be positioned outside of the area defined by a line twenty-four feet from shore and the property setback lines.
  - d. Boat dock facilities (including any docked boat) that are located in coves or inlets shall project into the lake no more than one-third the distance to the opposite shoreline or 24' (twenty-four feet), whichever is less. In narrow sections of Lake Holiday, a clear channel at least 40' (forty feet) in width shall be maintained, whenever possible, between the facilities on opposite shorelines, with the location of such channel being as nearly as practicable over the deepest portion of that section of the area.
  - e. Maintenance standards will apply to all docks regardless of date of construction. No docks will receive any grandfathering privilege. All docks will be inspected for integrity periodically and may be inspected after major storms. Boat dock facilities must be maintained so as not to present any hazard to the operations and enjoyment of the lake and the proper functioning of the spillway of the dam.
    - (1) Boat dock facilities shall be tethered using galvanized or stainless steel cables such that they will not come loose under major storm conditions and/or significant rise in lake level.
    - (2) Boat docks shall be maintained in a safe condition. This includes, but is not limited to, replacement of missing flotation devices, repair or replacement of non-functional flotation devices, replacement of broken or lifted planking, correction of un-level or sagging

structures and repair or replacement of missing or broken shore attachment cables or chains.

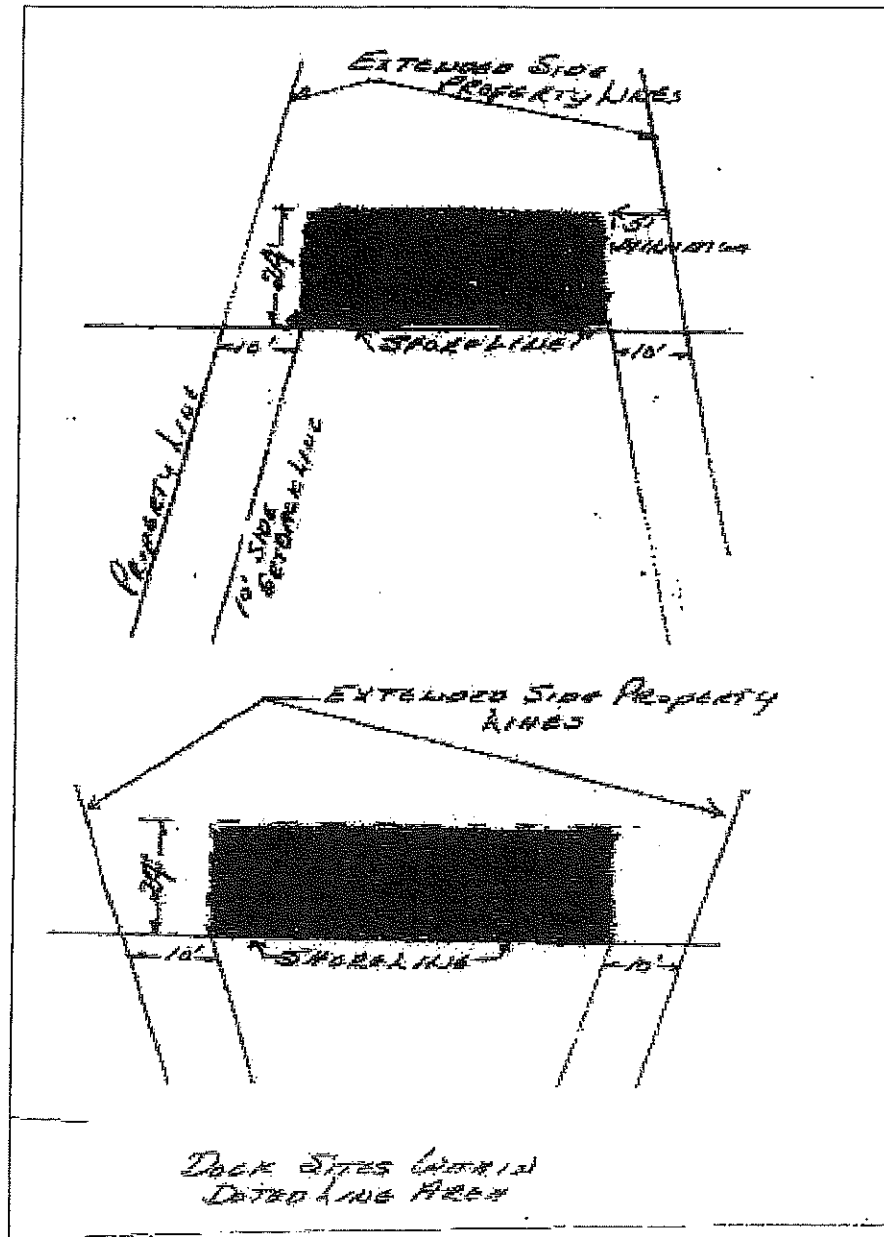
- (3) Docks that are structurally failing and pose a hazard from use or are in danger of breaking free of their anchors are considered in need of replacement, repair, or removal.
  - (4) The owner of any boat dock facility deemed hazardous, as the result of an inspection and written report by the General Manager or designate, will be issued a Courtesy Notice with the written report attached requiring the repair, replacement or removal of the offending dock.
  - (5) The owner shall have fifteen days to submit a plan to the Architectural Committee for either repair, replacement or removal of the dock. If the plan is approved, the owner must complete the repair, replacement or removal of the dock within thirty days. If the plan is not approved, the owner will be given fifteen days to correct the plan in accordance with recommendations of the Architectural Committee.
  - (6) Failure of the owner to comply will result in the matter being referred to the Compliance Committee which, in accordance with standard policy, will schedule a hearing concerning the violation. Such hearing may result in a determination to assess the Owner in accordance with the Virginia Property Owners' Association Act and/or a directive to the General Manager to effect repair or removal of the offending dock
- f. All boats must be secured to a boat dock or to the shoreline area. Mooring is prohibited.
  - g. Plastic drums, Styrofoam or similar flotation materials shall provide buoyancy for all floating boat dock facilities. Steel drums are prohibited as well as plastic or composite drums that have contained toxic materials. All flotation devices shall be securely fastened to the dock members to ensure that they will not become detached.
  - h. No structural walls or roofs are allowed on docks and piers. Railings are permitted provided they are primarily for safety.
  - i. Some construction materials use toxic substances as preservatives such as creosoted and pressure treated lumber products. Use of composites, plastics, and other products, which are less harmful to the lake environment, is strongly encouraged.
  - j. Conservation and preservation of the natural shoreline will be an essential part of the approval process. Dock facilities may adversely impact near-shore shrubs and vegetation on Lake Holiday, which in turn negatively affects near-shore habitats for fish and wildlife. Additionally, placement of docks and removal or thinning of near-shore vegetation may negatively affect aesthetic values of these areas.
  - k. Owners of existing docks were issued a deck plate identifying the section and lot number at which the dock is placed. The plate must be affixed to a vertical surface of the dock where it is most visible at all times to a boat approaching the dock from the lake. This surface will usually be one that runs parallel to the shoreline. Failure to affix the deck plate may result in an assessment in accordance with the Virginia Property Owners' Association Act.
  - l. Failure to adhere to these guidelines or installation of a dock without permit may result in an assessment in accordance with the Virginia Property Owners Association Act as well as removal of the dock at the property owner's expense.

- m. Complying with the above requirements will benefit all members of our association with respect to safety of docks, the safety of navigation and the proper functioning of our dam. However, it should be clearly understood that Lake Holiday Country Club, Inc. does not guarantee or warrant the effectiveness of the above procedures and will not be responsible for any claims, damages, or injury allegedly arising out of or in connection with compliance or failure to comply with these standards.

3. Boat Dock Facilities – Application Criteria and Procedure

- a. Before any construction may begin, including renovation of existing docks, an application containing the following information must be submitted. Upon approval by the Architectural Committee, a permit will be issued to the property owner.
- b. The permit application must include a description of the dock, a construction plan, details of the anchoring system and a site plan.
- c. Provide a picture, drawing or other description indicating the color, materials and samples.
- d. Provide a construction plan showing by notes or detail, all of the structural elements of the structure, including piling embedment, beam sizes, framing, and strapping details. Frederick County does not require a permit for a boat dock. However, permits are required for shoreline decks and any electrical wiring or plumbing.
- e. Provide details of dock or pier anchoring system to shore.
- f. Provide a scaled, accurate site plan showing the location of the proposed facilities in relation to the shoreline or shorelines in a cove and setbacks. The site plan must show the size and projection into the lake and include all dimensions of the planned structures.

Figure 1 - Example Drawing of Boat Dock



## SECTION I. NON-HARDSCAPE DRIVEWAYS

Members who have driveways which are not finished in a hardscape (such as approved paving, concrete or pavers), are required to maintain sufficient gravel, and/or utilize other appropriate measures, at all times to prevent the migration of dirt and debris from the lot onto the community roadway.

## SECTION J. DECK, PATIO, AND PORCH

1. A deck, patio or porch is any attached structure that is at ground level or raised including, but not limited to, elevated decks supported by beams, ground level decks, open porches, screened porches and ground level patios. Also included are detached decks and patios that are located elsewhere on the property such as at the lake shoreline.
2. Frederick County Code Definitions
  - a. Deck: A structure that is elevated more than eight (8) inches from the finished grade level. Permit required.
  - b. Patio: A structure/surface that is eight (8) inches or less in height that has no attached structure/roof system of any kind. A patio does not require a permit, however, all county codes must be satisfied. For example, the thickness of concrete paving, etc.
  - c. Railing requirements: Any deck that is higher than thirty (30) inches above grade must have railings. Rail height shall be between thirty-six (36) and forty-two (42) inches, and have no more than six (6) inch openings.
3. The following guidelines apply:
  - a. All such structures are reviewed by the Architectural Committee.
  - b. All setback requirements must be maintained with the exception of shoreline decks, which act as dock anchoring devices.
  - c. All structures with the exception of open porches should be primarily located at the rear of the home. In certain instances other locations will be evaluated based on specific needs and uses.
  - d. Privacy of adjacent homes should be considered when planning such structures.
  - e. Construction and finish materials should match or compliment that of the home. Consideration will be given to the design and compatibility of all materials, colors, railings, steps, trim and roof coverings.
  - f. Any changes to existing structures (decks, porches, patios, etc.) should provide for continuity in regard to materials, colors, and railings, trim and roof coverings.
  - g. Under deck areas that are used for storage require the use of decorative screening and/or landscaping to minimize adverse visual effects.
4. Deck, Patio, and Porch Application Criteria
  - a. Picture or drawing or other description indicating the color and materials or samples.

- b. Drawings of all details of design and appearance.
- c. The dimensions of the proposed structure.
- d. Photograph of the existing house showing where the deck will be located. Photographs of adjacent homes taken from the proposed location if applicable.
- e. A scaled, accurate site plan showing the location of the proposed improvement in relation to the existing structure, property lines and setbacks.

## **SECTION K. DOG RUN AND SHELTER GUIDELINES**

1. A dog run is an open outside area to which a dog is confined, which is large enough to walk or run around in. A SHELTER refers to a dog house.
2. Compliance with Frederick County Requirements: These guidelines are intended to aid the residents of Lake Holiday in providing aesthetically acceptable outside pet containment areas. They do not relieve the owner from complying with Frederick County requirements for monitoring their pet's behavior to ensure they are not a nuisance to neighbors.
3. The following guidelines apply
  - a. Any dog run or shelter must be located in the rear yard area, directly behind the dwelling and as close as practical to the dwelling. It should be located as far from shared property lines as possible so that it will have the least impact on neighbors for visibility, noise and smell. It must be located where it will be visually unobtrusive. Considerations will include, but may not be limited to the proximity of neighbors' windows and outdoor living areas. A dog run must be inside the setbacks of the lot.
  - b. Buried electric invisible fences are a hi-tech solution to dog containment. These "fences" however are not foolproof, and it is the owner's responsibility to insure that the dog remains within its confines.
  - c. Cable dog runs are an acceptable means to keep dogs restrained. A cable run is a horizontal overhead cable between two trees or posts, to which a leash is attached. They are less visible than a fenced enclosure, but should be likewise located away from public roads and adjacent properties.
  - d. Fenced dog runs should match other approved existing fencing where possible. Fenced dog runs must adhere to the Lake Holiday Fence Guidelines, with exceptions as follows:
  - e. Vinyl coated wire mesh attached to an open fence style is acceptable. The mesh or wire may not be taller than the fence it is attached to.
  - f. Chain link fenced dog runs may be approved if "totally concealed" from view with adequate screening materials. Any shrubbery or tree screening would have to totally obscure the dog run / shelter year round, deciduous bushes would not be acceptable.
  - g. A fenced dog run must not exceed 15' x 15' feet and six feet in height.
  - h. Dog runs and shelters must be removed when the property is sold or when they are no longer being used for their intended purpose.



- i. Resin plastic or wood dog houses are permitted. Shelters should match or compliment the primary residence color scheme. Homemade shelters must display an acceptable degree of workmanship and durability.
4. Dog Runs and Shelters-Application Criteria:
  - a. Submit an application form, and include information indicated per your type of dog run or shelter.
  - b. Site Plan: Provide a scaled, accurate site plan showing the location of the dog run and/or shelter relative to the home and setbacks is required. The plan can be drawn onto the most recent copy of your lot survey. Please indicate type and dimensions of the dog run area and/or shelter, and materials and colors of the shelter if any.

## **SECTION L. FENCE GUIDELINES**

1. The original design concept of Lake Holiday promotes a feeling of open space to enhance the natural beauty of the area. To that end, fences have generally been discouraged. Fences may be approved to enclose service or pet areas, when required for safety issues or as decorative features. They may not be used to enclose or define property lines.
2. Fenced Enclosures, or areas with fence on three or more sides, are considered structures, and may not be built in setback areas. Enclosures intended for pet containment are considered Dog Runs and are subject to the guidelines and restrictions thereof.
3. Safety and Security – Fences, and temporary fences that abate a condition specific to the applicant or neighboring residents or property require written justification, and may be approved at the discretion of the Architectural Committee. Temporary fences must be removed when the condition no longer exists or when the residence is resold.
4. Decorative fences consisting of a short run of fence along a boundary of an adjacent property, not to exceed one third of that boundary line, are not considered structures, and may be placed in the setback not less than one foot inside the property line, at the discretion of the Architectural Committee and subject to the Governing Documents. Applications for any fence within 10' of the property line require both the property line and proposed fence to be staked and strung for inspection by the Architectural Committee prior to approval. Accuracy of placement is the responsibility of the Applicant. Dated copy of notification of adjacent neighbor(s) by mail must accompany the application.
5. No residential fence may infringe on a neighboring property, common area or Right-of-Way.
6. The following guidelines apply:
  - a. All new or replacement fencing requires Architectural Committee review.
  - b. Fencing should not extend beyond the front of the home except for approved decorative fencing.
  - c. All new or replacement fencing shall not exceed 4' in height, except for lift station enclosure fencing which shall not exceed 6' in height.
  - d. Fencing should be of an open design. Consideration is given to color, material, design and structural integrity. Natural colors and materials, which minimize visual impact, are preferred. White or very light colors are not allowed.

- e. Pet enclosures must meet all Fence and Dog Run Guidelines and must match any other approved, existing fencing on the property.
  - f. Chain link, metal and plastic fencing will not be approved. Chain link and metal fence and railing may be used in common areas and right-of-way by the Property Owner's Association or Utility Company where it is cost effective or functionally superior to natural materials.
  - g. Stockade (board on board) fence will only be approved for applications where a safety or security issue exists. Written justification must accompany the application and will be considered by the Architectural Committee. Fences built under this special consideration must be removed when the safety or security issue is no longer valid or prior to the property being sold.
  - h. Any exceptions to the above guidelines must be reviewed and receive approval from the Architectural Committee.
7. Fence Application Criteria. Provide the following:
- a. A picture or drawing of the fence type, please specify whether it will be for decorative, pet or service area, or for safety issues.
  - b. The dimensions – specify the height and lengths.
  - c. Structural Integrity—the maximum span between posts shall not exceed eight (8) feet. The posts must be securely imbedded.
  - d. Posts – specify the post type. They may be pressure treated pine, cedar, locust, redwood, composite material, or steel pipe columns. The size equivalent to a 4 X 4 post.
  - e. Color—the fence may be natural, pre-colored, painted or stained. It is recommended that wood fencing receive an initial and periodic protective finish, applied to both sides. Provide color samples.
  - f. Site Plan—a scaled, accurate site plan showing the location of the fence relative to the home and setbacks. The fence can be drawn onto the most recent copy of your lot survey.

## **SECTION M. FLAGS AND FLAG POLES**

1. A flag is any banner or flag that can be flown or hung, including but not limited to National, military, and decorative flags.
2. Virginia legislation prohibits community associations from restricting the display of any flag and the installation of any necessary supporting structures for any flag without rules being disclosed in the Association Disclosure Package. LHCC, Inc. has no desire whatsoever to prohibit the display of the American flag. We also take no position on what kind of flag is flown: American, Swiss, flowers, military, or just pretty colors. The primary concern, as it is with everything else, is that what is done is appropriate to a residential neighborhood in general.
3. The display of any flag and the installation of any necessary supporting structures for any flag on or within the private properties, including on any Lot or any improvement thereon, is expressly prohibited without the approval of the Architectural Board unless it is within the following limits.
  - a. Generally, one flag or banner may be displayed on a projecting (angled) 6' flag pole on the front of a home over a porch, door or other appropriate location at or below the roof eave line.

- b. One additional flag or banner may be displayed in a similar manner on the rear facade of a home. Requests for additional flags will be considered on a case by case basis.
- c. The maximum permitted flag size is 4' X 6'.
- d. Freestanding flag poles are permitted on residential lots, 20' height limit.
- e. If your flags do not meet the Flag Display Guidelines, you may request the Architectural Committee approve your particular situation. This will be done on a "case by case" basis.

## **SECTION N. HOME BUSINESSES**

1. Persons considering using their home for business purposes should consider the impact of the business on immediate neighbors and the neighborhood in general.
2. Business activities in the home or outside of the home shall not be or become an unreasonable annoyance or nuisance to the neighborhood.
3. Traffic generated by the business shall not create a safety hazard, congestion, or a nuisance in the immediate area or the community.
4. Parking relating to the business shall not interfere with the normal traffic pattern in the community and with access of neighbors to their driveways.
5. No sign or other advertising device of any nature shall be placed on the property.
6. No storage of materials or any other exterior indication that a home business exists.
7. No one is employed in a home business other than members of the family residing on the premises.

## **SECTION O. ROOFTOP VENTILATORS AND SKYLIGHTS**

1. Unventilated attic temperatures can reach 150 degrees during the summer causing heat energy to radiate downward into the rest of the house. This results in discomfort and higher air conditioning costs. An unventilated attic may also trap moisture which can lead to reduced insulation efficiency and other problems. Fortunately, most new homes are constructed with attic ventilation, the most common consisting of continuous eave and ridge vents. This arrangement allows air circulation through convection and is usually sufficient for most houses.
2. Where attic venting is inadequate or nonexistent, a number of choices are available. A variety of electric attic fans are available which mount in gables or the roof itself. Many are temperature controlled and do not require manual intervention. A "whole house" fan which mounts in the attic floor is designed to exhaust air from lower floors and draw in cooler air from downstairs windows. Attic vents of a minimum area are required for operation. A wind driven turbine vent is also available which resembles a metal chimney with a rotating slotted ball on top. Eave vents or other inlets are also needed. Movable skylights are sometimes employed as attic vents.
3. The LHCC Architectural Committee is particularly concerned with the use of the turbine type vent since it is commonly found on commercial and farm buildings. Our intent is to keep appearances residential. The home version of a turbine vent measures over a foot in diameter and almost two feet high, making it an obvious addition to most roofs. Further, multiple units may be required to provide adequate ventilation.

4. Residents adding attic or rooftop ventilation or skylights which involve visible exterior changes should submit an application consisting of the following:
  - a. An Architectural Approval Form (see instructions on form)
  - b. A picture and/or description of the ventilator or skylight
  - c. Sketch of rooftop indicating ventilator or skylight placement location(s)
  - d. Turbine ventilators may be used where no other solution is practical, provided that they are positioned away from public view where possible. Please state the reason for choosing a turbine type vent.
  - e. Ventilator and skylight colors must blend in with existing house and roof colors. Unpainted metal ventilators are not acceptable.

## **SECTION P. SATELLITE DISH OR ANTENNAS**

Antennas one meter or less in diameter or diagonal measurement which are designed for over-the-air reception of signals together with their associated mounting hardware and mast, if applicable, which are placed or installed on a privately owned property at Lake Holiday Country Club, Inc. must comply with the following restrictions, unless the particular restriction would impair the user's ability to receive signals from a provider of DBS, MMDS or TVBS.

1. The FCC Telecommunication Act of 1996, amended in 2001, limits some restrictions on specified antennas. At the same time it allows for reasonable restrictions and rules regarding the location and appearance of the antennas that are covered by the Act. An association such as Lake Holiday Country Club, Inc. can not endorse rules that prevent or unreasonably delay or unreasonably increase the cost of the antenna/satellite, installation, maintenance or use, or preclude acceptable signal reception. An association can require property owners to place the satellite dish, to the extent feasible, in certain locations that are not visible or are least visible from the street and common areas. Associations can require homeowners to provide prior notification so that they can be informed of the preferred and acceptable locations. "Reasonable" architectural guidelines or policies, which do not impair signal reception, will continue to be enforceable.
2. The following types of exterior antennas shall be permitted:
  - a. Direct broadcast satellite (DBS) antennas one meter (39") or less in diameter.
  - b. Multi-channel, Multipoint distribution system (MMDS) antennas one meter (39") or less in diameter.
  - c. Television broadcast stations (TVBS).
3. The following conditions must be satisfied to protect both the safety and appearance of our community:
  - a. Prior to installation, the property owner will provide notice by submitting a Satellite Dish Notification Form. Both the Form and a prioritized list of placement suggestions are available from the Management Office.
  - b. The person providing notice shall be the owner of the property upon which the antenna is to be installed, or be acting pursuant to a valid Power of Attorney executed by the owner.

- c. The antenna shall be installed at a location that has the least visible impact on the common areas and surrounding properties.
- d. All wiring and materials associated with installation of antenna shall be concealed and unobtrusive as possible.

## **SECTION Q. RETAINING WALLS**

A retaining wall is a system that resists lateral soil pressure (or a wall that holds back soil).

1. Pre-Construction Review and Approval
2. Review by the architectural committee is required prior to any action by the property owner. The appropriate forms (and any drawings, site plans, etc.) that are required need to be submitted to the committee. Review and approval must occur before any construction can occur.
3. The Architectural Committee need not approve retaining walls that are less than two (2) feet in height.
  - a. Retaining walls have numerous applications; i.e., erosion control, leveling or retaining slopes to provide a more vertical character.
  - b. Retaining walls will be approved on a case-by-case basis.
4. The following guidelines apply:
  - a. All retaining walls shall be constructed with components, colors and textures that blend with the natural setting and architecture of existing structures.
  - a. They should be configured to fit sensitively with topography.
  - b. Environmentally safe materials with a long life expectancy such as stone or concrete should be considered.
  - c. Railroad ties or any other form of creosote lumber will not be approved. All Virginia and Frederick County requirements must be met.
  - d. Shore walls on lake front property shall be constructed in a manner that conserves and preserves the natural shoreline.
  - e. Shore walls shall not be constructed beyond the waterfront property line.
  - f. No lot or parcel shall be increased in size by filling the waters on which it abuts.
5. Retaining Wall Application Criteria – The following shall be submitted to the Architectural Committee for review prior to construction:
  - a. A detailed purpose, description, picture or drawing of the retaining wall.
  - b. Dimensions, colors, and samples of materials.
  - c. A scaled, accurate site drawing/plan showing the location of the proposed retaining wall in relation to the home, property lines and setbacks.

- d. The Architectural Committee maintains files on improved lots here at Lake Holiday. These files sometimes have copies of surveys and building plans that may be helpful in preparing your application.

## **SECTION R. TREE REMOVAL GUIDELINES**

1. The following guidelines apply:
  - a. No trees larger than two (2) inches in diameter measured six (6) inches above the ground may be removed without permission from the Architectural Committee. This rule is contained in the Deeds of Dedication which must be agreed to in order to purchase a lot in Lake Holiday.
  - b. Tree stumps should be removed as close to the ground as possible. Stump grinding is recommended.
  - c. Pruning and trimming may be done without being reviewed.
2. The following criteria are taken into consideration when reviewing applications:
  - a. Crowding trees that are too close to allow proper growth.
  - b. Impacting overhead utility lines or underground piping.
  - c. Leaning due to damage or unnatural growth.
  - d. Dead and diseased trees.
  - e. Location: trees that are too close to houses or driveways, etc.
3. Procedure
  - a. Complete the Tree Removal Request form and return it to the office.
  - b. Mark all trees to be removed with plastic bag strips or survey tape.
  - c. The Architectural Committee will make an appointment to visit the site.
  - d. The Architectural Committee will evaluate whether or not the above criteria have been met, and if so, provide written authorization for the removal.

## **SECTION S. TREE REPLACEMENT GUIDELINES**

1. Lot owners, who violate tree removal guidelines as stated in Section R, may be required to replace trees at the discretion of the Architectural Committee. Lot owners are ultimately responsible for tree removal by contractors or other parties hired to do work on their property.
2. Replacement trees must be at least a two (2) inch caliper tree. Caliper is a nursery term that references the tree trunk diameter measured six (6) inches above the ground for trees up to and including four (4) inches, and twelve (12) inches above the ground for larger trees. Depending on the species, a two (2) inch caliper tree is ten (10) to fifteen (15) feet in height.

3. Replacement trees must be quality nursery stock. Woodland transplants are not acceptable. Species selected should be indigenous to the area, or have a good chance of survival in this climate and soil. (See SECTION T. TREES INDIGENOUS OR AVAILABLE TO LAKE HOLIDAY)
4. Replacement trees must be planted in a manner to insure survival and growth.
5. A site plan or sketch of the property showing the location of the replacement trees must be submitted for file.
6. Replacements must be planted within 60 days of notification with exceptions made for the December 1- April 1 time frame.
7. Failure to comply will result in fines as specified by LHCC Enforcement of Rules.
8. Tree replacement is one of several remedial activities undertaken by the Architectural Committee. Unauthorized tree cutting and other violations may result in actions outlined in other guidelines.

#### **SECTION T. TREES INDIGENOUS OR AVAILABLE TO LAKE HOLIDAY**

1. The list below is intended as a quick reference, but is not a comprehensive selection guide. Consult your nursery for best choices for any particular location and soil condition.

2. Key:

- I Indigenous Species
- A Generally Nursery Available
- E Evergreen
- G Good Results Observed
- V Variable Results
- X Not recommended

- Arborvitae, American 40' (AVE)
- Alder 20-80' – (I)
- Ash, White/Green – 40-90' (I)
- Aspen 30-70' – (I)
- Basswood – 60-100' (I)
- Beech, American – 60-100' (I)
- Birch, White/Yellow/River/Sweet/ – 30-80' (AIV)
- Bitternut – 30-100' (I)
- Black gum aka Sour gum/Pepperidge/Tupelo – 50-130' (I)
- Cherry, 30 varieties – 10-100' (AIG)
- Cypress, Leyland – 60-70' (AGE)
- Dogwood 10-100' (AIG)
- Elm, American/Slippery/Rock – 20-100' (IX)
- Fir, Douglas/Balsam/Noble/White/Farges/ – 65-250' (VE)
- Fruit trees: Apple, Crabapple, Pear, Plum, Peach, Apricot – 10-60' (AV)
- Hackberry – 15-100' (IX)
- Hawthorn – 10-40' (I)

- Hemlock – 60-200' (AIVE)
- Hickory, Shagbark/Mocker nut/Bitternut – 40-150' (I)
- Holly, American – 20-50' (AIGE)
- Juniper, Skyrocket/Spartan/Wichita Blue – 10-60' (AIE)
- Locust, Black/Honey – 10-100' (IX)
- Maple, Sugar/Black/Red/Silver – -100' (AIG)
- Mulberry – 30-50' (I)
- Oak, White/Bur/Chestnut/Chinkapin/Swamp/Black/Red/Pin – 40-130' (AIG)
- Pine, Eastern White – 100-200' (AIGE)
- Pine, Virginia/Pitch – 30-100' (IXE)
- Pine, Austrian/Scotch/Black – 40-60' (AGE)
- Redbud 10-30' (AIG)
- Sassafras 25-50' (I)
- Spruce, Red/White/Black (I)
- Spruce, Blue (AV)
- Sumac, Stag horn/Smooth/Dwarf/Poison –10-30' (IX)
- Sycamore, American 60-100' (I)
- Tulip tree 80-165' (I)
- Walnut, Black – 80-130' (I)
- Willow, Black/Weeping/Pussy – 20-60' (AIG)

## SECTION U. EXTERIOR HEATING FUEL TANKS

1. Addition of exterior fuel tanks to a preexisting residence is regulated by these Architectural Guidelines. This section specifies the architectural requirements for adding an exterior fuel tank to an existing residence and the requirements for obtaining approval for such addition.
2. The following guidelines apply:
  - a. All proposals to add exterior fuel tanks are reviewed by the Architectural Committee. Architectural Committee approval is required prior to installation of an exterior fuel tank. Fuel oil tanks may be installed; (1) indoors in the main building or an accessory building; or (2) outdoors above ground, on the side or rear yard and screened from view from any lot, street, lake, or the golf course.
  - b. An accessory building, as mentioned above, must either, (1) be preexisting and in compliance with all specifications and requirements of the Lake Holiday Architectural Guidelines, or (2) be separately approved for construction in accordance with the Architectural Guidelines, Article I, Section A.
  - c. Liquefied petroleum gas (such as propane) tanks that are not portable may be installed above ground on the side or rear yard, and must be screened from view from any lot, street, lake, or the golf course. Tanks larger than one hundred (100) pounds capacity must be buried.
  - d. Screening materials and color shall compliment the design and color scheme of the residence and shall be selected to be in visual harmony with the general surroundings. In the interest of preserving the natural wooded appearance and harmony of the community, muted



colors, such as natural and earth tones are recommended. Very light colors are strongly discouraged.

- e. All other types of underground fuel storage tanks, for example gasoline or diesel tanks, are prohibited.
  - f. The fuel tank installation must comply with all applicable state and county building codes and regulations
3. Exterior Heating Fuel Tank-Application Criteria
- a. Complete and submit the Exterior Fuel Tank Application Form to the Architectural Committee.
  - b. Include a drawing showing the proposed location of the fuel tank in relation to the existing structure(s).
  - c. If the proposed fuel tank is above ground and require screening, provide samples of the proposed screening material and a drawing showing the dimensions of the proposed screen structure.

## **SECTION V. PAVING PROJECTS**

- 1. Paving is defined as any concrete or asphalt mixture used to create a permanent load-bearing surface for vehicle traffic.
- 2. The following guidelines apply:
  - a. All proposed paving projects shall be reviewed by the Architectural Committee (excluding resurfacing existing paved surfaces where the limits of the existing paved surface are not changed).
  - b. No work shall begin on a paving project governed by this procedure until a permit has been issued by the Architectural Committee.
  - c. The proposed pavement may not extend beyond the owner's property boundaries except for that portion that extends from the front property line to the street.
  - d. No trees may be removed for the paving project unless specifically approved under a separate Tree Removal Application.
  - e. If specialty paving materials such as polished stone in a concrete matrix, pre-cast pavers, and/or colored concrete are proposed, a color sample or color photo of the material shall be submitted with the application.
  - f. Paving project plans shall include consideration of storm-water management where the paving could divert storm-water onto a neighboring lot with potentially adverse impacts.
  - g. Paved entrances shall be 12' wide and transition smoothly into the existing roadway surface. The entrance radius should be 12'.
  - h. The paving project shall not adversely impact the positive drainage of the ditch-line or culverts. If an existing culvert does not provide positive drainage due to damage or poor placement, the paving project plan must include upgrades to address the deficiencies. If no

culvert is currently in place, the paving project plan must include provisions to install an appropriate culvert, if needed.

3. The following shall be submitted to the Architectural Committee for review prior to construction:
  - a. A Paving Project Approval Form (available from the Management Office)
  - b. A site plan indicating the proposed location of paving in relation to the home and property boundaries.
  - c. Note: The Architectural Committee maintains files on improved lots here at Lake Holiday. These files may have copies of site plans that would be helpful in preparing your application

## **SECTION W. CHIMNEY FLUE**

1. Addition of an exterior chimney flue to a preexisting residence is regulated by these Architectural Guidelines. This section specifies the architectural requirements for adding an exterior chimney flue to an existing residence and the requirements for obtaining approval for such addition.
2. The following guidelines apply.
  - a. All exterior flues shall be boxed in using materials which match or complement the dwelling. Boxed flues shall run from ground level and pass above the roof line and meet all current Frederick County building codes. Any exposed flue pipe shall not exceed 6 inches above the chimney box and need not be painted. Exposed exterior metal flues will not be approved.
  - b. Boxed flues which exit the current roof line shall be constructed of materials which match or complement the dwelling and meet all current Frederick County building codes. Any exposed flue pipe shall not exceed 6 inches above the chimney box and need not be painted.
  - c. Bright metal (unpainted) flashing is not permitted.
  - d. All chimneys must have fire screens.
3. Exterior Chimney Flue Application Criteria
  - a. Complete and submit the Chimney Flue Application Form to the Architectural Committee.
  - b. Include a drawing showing the proposed location of the chimney in relation to the existing structure.
  - c. Provide samples of the proposed material to be used to construct the chimney, a photograph of the existing home displaying the current color pattern and a drawing showing the dimensions of the proposed chimney.

### REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original	All	
V1.1		Original	E.1-8	
V2	4/27/2010	Original		
V3	5/24/2011	Accessory structures	E.1.J (1&2)	
V4	9/25/2012	Time for completion	B (new section)	
V5	8/27/2013	Incorporation of PRP-10	H.2.e, k, and m	
V6	4/28/2015	Non-hardscape driveways	I (new section)	
V7	4/25/2017	Tree removal/replacement	R.1.a; S2, S3	

# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 2

### Common Area Use

Revised and

Approved by the Board of Directors

Date: April 23, 2019

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## **PRP NO. 2 COMMON AREA USE**

The common area recreational amenities consist of the lake, beaches, roadways, picnic areas, camping areas, volleyball, tennis, and basketball courts, playground, marina and boat ramp, and baseball field. Additional common areas includes the golf course property, former Miller and Smith property, the property along Redland Road between the bus stop and community entrance, boat & RV storage areas, community garden, gate house, and clubhouse.

All common area amenities are for the use and enjoyment of association members in good standing. A property owner or resident must be present with guests at all times.

It is the member's responsibility to keep their family and guests safe when using the recreational facilities. Children under the age of 12 should be accompanied and supervised by an adult (age 18+) at all times.

**Call 911 in case of an emergency. A phone for emergencies will be provided near the clubhouse.**

### **SECTION A. COMMON AREA RULES**

1. No alcoholic beverages are permitted on the beaches or at the marina.
2. Parking permitted in approved areas only, which includes but are not limited to: clubhouse parking lot, bus stop, community hub, parking areas at beach locations.
3. No open fires are allowed. Use of cooking grills while in the marina area is prohibited.
4. Do not feed the waterfowl.
5. No glass containers permitted on any beach area.
6. Documented certified service dogs are permitted in common areas accompanied by their owners. All other dogs are permitted on common areas EXCEPT for the beaches, picnic areas, sports fields/courts, and playgrounds.
7. Discharge of fireworks within the community is prohibited with exception of planned commercial public displays with prior approval of the Board of Directors.
8. Neither planting nor removal of landscaping of any kind is permitted on any common area with exception of the Community Garden. (e.g. trees, bushes, flowers, etc.)
9. Smoking is prohibited on the golf course property due to the threat of grass fires.
10. Trails courtesy - cyclists and runners are required to give pedestrians ahead the right-of-way. Passing is permitted only after offering a clear verbal indication of your approach, passing only when a clear, safe opportunity is presented.
11. Do not harm or destroy any native wildlife, naturally occurring vegetation, or domestic animals.
12. No member may place permanent structures (e.g. playsets, sheds, garages) on Association-owned property/common area without prior written approval from the Board of Directors.

## **SECTION B. LAKE SWIMMING & PICNICKING GUIDELINES**

1. Swimming in the lake is at the user's own risk at all times. Use caution and be aware of changing water depths in the lake as the bottom slopes downward, oftentimes close to the shore.
2. Use caution when making entry into the water. One should never swim alone and always use the buddy system. Weaker swimmers should stay in chest-deep water and not use flotation devices in deeper water. Non-swimmers and weak swimmers should wear U.S. Coast Guard approved personal flotation devices (PFDs) while in the water.
3. Children that are not toilet-trained must wear swim diapers in the water to prevent the spread of bacterial illnesses and possible closure of the beach areas.
4. At the first sign of lightening or thunder, exit the water and all other areas and immediately seek safe shelter indoors.
5. It is recommended that footwear be worn in the picnic and beach areas. All trash must be placed in appropriate refuse containers.
6. Please use caution and be courteous during boat launch and recovery operations at the marina.
7. The bathrooms outside the lower level of the clubhouse close during the season (Memorial Day weekend through Labor Day) at 7:00 PM. The bathrooms are closed out-of-season. A portable toilet is available at the marina and near the camping sites and beach on the south side.
8. Tables at the picnic area are not reserved and are available on a first-come, first-served basis.
9. The picnic area may be used for group get-togethers and parties. A list of 6 or more invited non-Member guests is required at the Front Gate with the Member's reservation request form at least 48 hours before the scheduled event. The list will be posted at the gate to facilitate entry by guests.
10. All sports courts available on a first-come, first-served basis. If others are waiting to use a court, please limit your usage to one hour.
11. **Call 911 in case of an emergency.**

## **SECTION C. CAMPING RULES AND GUIDELINES**

Camping is an amenity enjoyed by association members and guests at the designated area on the south side of the lake. Charcoal and gas grills are permitted and a special container is provided for the disposal of ashes and/or hot coals; however no open fires are permitted. All campers are expected to respect the danger of fire and exercise extreme caution.

Campers are responsible for following the camping rules. Campers are expected to maintain a clean and safe campground. Members must be present with their guests at all times.

1. All assessments and fees must be current at the time of application for use of campsites.
2. No less than one week in advance Members must provide a written request, a \$40.00 check or money order deposit, and \$10.00 usage fee per campsite in order to make a reservation. The \$40 deposit will be returned upon inspection of the campsite provided there were no violations of rules. Reservations will not be taken more than three (3) months in advance. The maximum

overnight camping stay is two weeks. You may request a specific campsite(s), numbered 1 through 9.

3. Camping sites are located to the right of the numbered post as you face the lake. RVs and similar vehicles must pull straight into their site.
4. A camping permit issued by the association office must be displayed on the owner's tent or RV at all times. If there is no permit or the permit has expired, all personal property on the campsite will be removed and brought to the Association office. The Member having made the reservation shall be responsible for all costs associated with disposal and/or storage of personal property left behind. All personal property must be removed from the campsite at the end of the reservation.
5. Be respectful of others and keep your noise level down. Sound carries easily over the water. No loud music or other disruptive noise after 11:00 p.m.
6. All refuse must be picked up and disposed of in the trash receptacles provided.
7. Boats may be docked overnight near the campsites when a dock is available and only when the owner occupies a campsite.
8. All LHCC Boating Rules and Regulations apply (PRP-3).
9. **Call 911 in case of an emergency.**

#### **SECTION D. AUTHORIZED VENDOR RULES AND GUIDELINES**

1. A vendor is defined as a business who wishes to sell its products to members. A vendor shall provide his/her own equipment and supplies for operating its business on the premises.
2. A vendor will only set up in a designated space on the common area. This designation will be determined by the General Manager and his agents.
3. Vendors must be authorized by the General Manager to sell on common area. The vendor will be required to sign a hold harmless indemnification agreement, provide a copy of the declaration page of the vendor's liability insurance policy with LHCC listed as an additional insured and fill out an application with necessary contact information.
4. All vendor equipment and supplies must be removed from the common area at the end of each vending day. If the vendor will be selling for more than one consecutive day and has a vehicle or trailer from which its sales are transacted, arrangements may be made to remain in place until the sales are completed for that period. Clean-up on a daily basis is the responsibility of the vendor prior to departing the LHCC premises.
5. All LHCC Rules and Regulations apply to vendors. Serious infractions may result in the loss of permission to conduct business at Lake Holiday.
6. It is solely the vendor's responsibility to ensure the safety of patrons while they are purchasing products at the vendor's station on the common area.
7. **Call 911 in case of an emergency.**



## **SECTION E. GOLF COURSE PROPERTY USE AND GUIDELINES**

The golf course property may be used for recreational activities such as walking, running, jogging, hiking, cycling, exercise of pets on-leash, picnicking, sports in open areas, catch-and-release fishing, photography, operation of electronically controlled remotely-piloted aerial and aquatic vehicles, and more.

All prohibitions and restrictions previously written herein apply to the golf course property.

1. Please respect the rights and privacy of private property owners. Please enter and exit the golf course property where it abuts a roadway. With the express permission of any property owner, you may enter through that owner's property.
2. Keep noise to a minimum and do not encroach on any private property.
3. **Call 911 in case of an emergency.**

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2	7/28/2008	Beach Use rules & guidelines	D.19	
V3	4/26/2011	Total rewrite	All	
V4	7/26/2011	Pets	A.6	
V5	6/26/2012	Rename		
V6	9/23/2014	Service dogs, list of non-member guests	A.6, B.16	
V7	3/27/2018	Clarified opening summary; clarified & consolidated existing rules & regulations. Added Section E, Golf Course Property	All sections	ALM
V8	04/23/2019	No permanent structures on Association Property added	A.12	ALM

# Lake Holiday

## **POLICIES, RULES, AND PROCEDURES** **PRP NO. 3**

**Lake Use, Boating, & Fishing**

**Revised and**

**Approved by the Board of Directors**

**Date: January 6, 2021**

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## PRP NO. 3 LAKE USE, BOATING, & FISHING

### POLICY

The lake is the single most important asset of our community. It is common area, subject to the Association Documents and the Rules and Regulations established by the Board of Directors. The Board of Directors, Members (who may also be referred to as "Lot Owners"), LHCC employees, and all developers and builders within Lake Holiday are individually and collectively responsible for ensuring that no action is taken or decision made that would be detrimental to the condition of Lake Holiday.

Understanding that purpose, the policy of this PRP is to encourage all types of recreational use of the lake in a manner that is safe and preserves the health and beauty of the lake. The following rules and procedures govern lake use and boating activities on Lake Holiday.

### RULES

#### SECTION A. BOAT AND TRAILER REGISTRATION

1. Rules:

a. LHCC Registration.

(1) Boat Registration: All boats to be used on Lake Holiday must be registered annually with Lake Holiday Country Club, Inc. (LHCC) prior to launching on Lake Holiday. For purposes of this PRP, there are three (3) categories of boats: (A) boats with motors of 10 horse power or more, including all methods of propulsion (also in this PRP called "**over 10 HP boats**"); (B) boats with motors under 10 horse power, including all methods of propulsion (also in this PRP called "**under 10 HP boats**"); and (C) non-motorized boats, including kayaks, canoes, row boats, sail boats, paddle boards and all other flotation devices that are propelled without a motor (also in this PRP called "**non-motorized boats**"). Over 10 HP boats and under 10 HP boats collectively may be referred to as "**power boats**" in this PRP.

(2) NonLake Use Sticker: All boats entering Lake Holiday that do not have a current LHCC registration sticker must display a "NonLake Use" sticker as prescribed in PRP No. 5, Section B.4.d (Entry, Road Use and Parking Procedures) until properly registered with LHCC and a current lake use registration sticker is displayed on the boat.

(3) Trailers: All boat trailers stored in Lake Holiday must be registered with LHCC. (See PRP No. 5, Section B.4.d.) The boat trailer sticker may be obtained at the LHCC Office for no cost. Once the trailer registration sticker is issued by the LHCC Office, the trailer registration sticker must be affixed on the frame near the hitch. Trailers only need to be registered once, not annually. Trailers without current stickers may be removed from LHCC common property by LHCC. The trailer owner will be responsible for towing and storage fees, and if not paid the trailer may be seized and sold.

b. State Registration. All boats with motors (regardless of horse power), including electric motors, must display a current registration sticker from the Commonwealth of Virginia or the state of residence of the boat owner.

c. Boat Registration Rights. Boats are registered against specific lots at Lake Holiday. The person registering a boat must be a Member of, or tenant living at, Lake Holiday. Only one

person (the Member or tenant) may register any boat against a specific lot. If the boat registrant is a tenant, the Member/lot owner of a rented lot may not register any boat against the rented lot if the tenant has registered a boat against the rented lot. (See PRP 15 (Home Rental), Section B.5.)

- d. Number of Boats. Regardless of the number of lots owned or rented, no Member or tenant may register more than four (4) boats with motors, only one of which may be an over 10 HP boat. There is no limit on the number of non-motorized boats that may be registered by a Member or tenant, subject to Section A.1.c regarding relinquishment of a Member's rights to a tenant.
2. Procedures: The following are requirements and procedures for registering a boat and/or trailer at Lake Holiday.
    - a. The LHCC boating year runs from March 1 each year through the last day in February of the succeeding calendar year. Any boat using the lake must display the applicable registration sticker for the current boating year.
    - b. The Member, and boat owner if different from the Member (e.g., a tenant), each must be current in payment of all dues and assessments and must otherwise be in good standing under LHCC's bylaws and current PRPs before being allowed to register a boat.
    - c. To register any boat, the boat owner must submit the following to the LHCC office:
      - i. a completed current Boat Registration Form, which indicates the lot and Member or tenant against which the boat is being registered. The Boat Registration Form can be obtained at the LHCC Office or downloaded from the LHCC website;
      - ii. proof that the boat owner has passed the LHCC boating test if required under Section B.2.a of this PRP;
      - iii. payment of appropriate registration fees; and
      - iv. If the boat owner is a tenant at Lake Holiday, a letter from the Member/property owner authorizing the tenant to register a boat and relinquishing the Member/property owner's right to register any boat at Lake Holiday.
    - d. To register a power boat, the boat owner must also submit the following to the LHCC office:
      - i. a copy of the current state registration for the boat, indicating the boat is owned by the person registering it;
      - ii. proof that the boat owner and any proposed operators have taken and passed a boating safety course approved by the Commonwealth of Virginia;
      - iii. for all boats with gas powered motors (regardless of horse power), proof that the boat is covered by a separate policy of boat owner's liability insurance, including coverage for third party damage and bodily injury resulting from the operation of the covered boat; coverage under a homeowner's insurance policy is not acceptable unless it specifically includes coverage for third party damage and bodily injury resulting from the operation of the covered boat; and
      - iv. documentation of the length of the boat.

- e. Prior to registration, the LHCC General Manager, or a designated representative, must inspect all power boats. This inspection is required once prior to the initial registration, however LHCC may require a re-inspection of any boat to verify continued compliance with LHCC rules. The inspection must be scheduled with the LHCC office during normal office hours. A checklist of items to be reviewed during the inspection is attached as Appendix B.
- f. At the time of registration, the registrant must sign the statement set forth in Appendix C that they have read, understand and will comply with current LHCC rules as set forth in this PRP.
- g. If a boat is erroneously registered by the LHCC Office, and is determined in violation of this PRP, the registration will be revoked, the boat owner will be prohibited from operating the boat on Lake Holiday. The boat will not be registered in the future until said violation is corrected, if applicable. If the violation is corrected within the calendar year of registration, then registration will be re-instated and the boat thereafter may be used on Lake Holiday.
- h. All boat registration stickers must be placed on the starboard (right) side of the stern (back of the boat) well above the water line so they are easily visible from passing boats.
- i. If a boat is found in Lake Holiday without a current registration sticker (or Non-Lake Use sticker), the boat owner (and Member if the boat owner is a tenant) will be issued a citation which will be handled according to LHCC compliance procedures. If the violation has not been corrected within fifteen (15) days after final determination of the violation by the Compliance Committee, LHCC may remove the boat from Lake Holiday. The boat owner will be responsible for any towing and storage fees. If not paid, the boat may be seized and sold for nonpayment.
- j. No person may rent out any boat on Lake Holiday.
- k. Upon discovery, the Lake Patrol will escort any unregistered boat off the lake immediately. In addition, a citation may be issued and the incident may be referred to the Compliance Committee for appropriate action, including potential fine.

## SECTION B. BOATING SAFETY

1. Rule: LHCC requires that all boat operators comply with all applicable LHCC and Virginia boating safety requirements.
2. Procedures:
  - a. Any person registering a boat at LHCC must have taken the LHCC boating test within the past two (2) years. If the boat registrant has not taken the LHCC boating test in the past two (2) years, s/he will be required to take and pass the test before the boat will be registered. The LHCC boating test is based on this PRP and the information found at the Virginia Department of Wildlife Resources ("DWR") Boat Virginia website ([www.boat-ed.com/va](http://www.boat-ed.com/va), Study Guide Units 3, 4 and 5). The test may be obtained on the LHCC website and taken at home or obtained and taken at the Management Office.
  - b. LHCC requires that all operators of boats on Lake Holiday comply with LHCC, Virginia and U.S. Coast Guard boating safety laws. While Virginia requires that operators of over 10 HP boats must have taken and passed a boating safety course, Lake Holiday requires that all operators of power boats (regardless of age) must have taken and passed a boating safety course. Details concerning the law and course material may be found at [www.dwr.virginia.gov/boating/education/requirements/](http://www.dwr.virginia.gov/boating/education/requirements/). The person registering the power boat

at LHCC must present evidence that s/he has taken and passed a boating safety course approved by the State of Virginia.

- c. Virginia laws regarding alcohol consumption apply throughout Lake Holiday, including at Beach I, Beach II, the Marina, the Fishing Pier and on boats.
- d. All boats must comply with and be operated in accordance with U.S. Coast Guard and State of Virginia regulations and standards of safety. A summary of U.S. Coast Guard rules is located at [www.uscgboating.org/](http://www.uscgboating.org/). A summary of Virginia rules is contained in the Virginia Watercraft Owner's Guide available at the LHCC office or at [www.dmv.virginia.gov/boating/wocg/](http://www.dmv.virginia.gov/boating/wocg/).
- e. Children under age 13 must wear a PFD at all times when on board any boat being operated on Lake Holiday.
- f. All boat owners and operators must review the Virginia Watercraft Owner's Guide for details on safe boating, including the requirements for personal flotation devices, fire extinguishers, use of anchor and navigation lights, navigation rules, safe boating, high speed boating activities, weather considerations and unlawful acts.
- g. Operators of over 10 HP boats must be at least 16 years of age or accompanied by an adult of at least 21 years of age.
- h. No boat may park in the area near Beach I designated as parking for the Lake Patrol boat other than the Lake Patrol boat. Violators of this space may be issued a citation and fined. Boat owners wanting to moor their boats near Beach I should position their vessel(s) to the direct left of the area designated for the patrol boat as you face Beach I.
- i. All boats leaving the area of Beach I must back away until well clear of the designated Restricted Area around Beach I.
- j. Over 10 HP boats and under 10 HP boats, other than the Lake Patrol boat, are not permitted within twenty-five feet (25') of the buoys marked "No Boats" at Beach I other than to tie up on the shoreline in the designated areas.

## **SECTION C. BOAT AND BOATING RESTRICTIONS**

1. Policy: Lake Holiday has imposed restrictions on the types of boats that may be registered and/or used at Lake Holiday
2. Rules: The following are the restrictions on the types of boats that may be registered and/or used at Lake Holiday and the use of boats at Lake Holiday:
  - a. No boats, except pontoon boats as set forth in Section C.2.b., may exceed 21 feet in length overall.
  - b. No pontoon boats may exceed 24 feet in length overall, except those that have been registered by the current owner on a continuous basis since 1998. An owner of a grandfathered pontoon boat may not pass this exception on to another boat registrant.
  - c. Boats with cabins (an enclosed area with fixed bulkheads and overhead) and/or overnight sleeping accommodations are not permitted on Lake Holiday, except those that have been registered by the current owner on a continuous basis since first registered. An owner of a



grandfathered boat with a cabin and/or overnight sleeping accommodations may not pass this exception on to another boat registrant.

- d. Boats with flushable or self-contained toilet facilities are not permitted on Lake Holiday.
- e. Personal water craft of any type (such as jet skis, sea doos, wave runners, etc.) are not permitted on Lake Holiday. DWR defines personal watercraft as motorboats less than 16 feet in length that are powered by jet pumps, not propellers, where the persons stand, kneel or sit on, rather than sit inside, the boat.
- f. Jet (impeller) powered boats having no features of a fishing boat are prohibited for use on Lake Holiday. A boat propelled by jet power that is designed, intended and primarily used for fishing (as outlined below) shall be referred to the Lake Committee for approval after inspection by the LHCC Office. Examples of features typically found on "jet propelled fishing boats" include, but are not limited to: aluminum hull, permanently mounted trolling motor, pedestal seats, decks, rod lockers, fish finding electronics, live well, and/or a center console. Should the office staff or Lake Committee have a legitimate concern that a boat presented with the above features may not be intended as "primarily for fishing use" and deny approval, boat owners shall have the ability to appeal the decision to the Board. Any jet powered boat registered by the current owner on a continuous basis since 1999 will be considered "grandfathered" and may be registered. An owner of a grandfathered jet powered boat may not pass this exception on to another boat registrant.
- g. Airboats, hover craft and other aircraft type propeller driven boats are prohibited on Lake Holiday.
- h. Boats of any propulsion method designed and/or equipped for racing and boats designed merely for speed (e.g., those having no leisure areas or features of a fishing boat or not designed specifically to pull water skiers/tubers) are not permitted on Lake Holiday.
- i. Guest's boats are not permitted on Lake Holiday. Misrepresentation of boat ownership will be referred to the Compliance Committee for appropriate action.
- j. Wake enhancing devices may not be used on Lake Holiday, but the presence of wake enhancing devices in a boat will not make the boat ineligible to be registered.
- k. All inboard and inboard/outboard engines must have their exhaust ported below the waterline.
- l. A boat playing music must keep the volume at a level that cannot be heard outside of the boat.
- m. The use of a cooking grill on a boat is not permitted while the boat is docked or moored in the marina area.
- n. Boats may not tie up to any LHCC buoy, including No Wake and Slalom Course buoys.
- o. Boaters are not permitted to beach, dock or moor their boats on any private property without the written permission of the owner of such property.
- p. Residents are not permitted to install private buoys (for whatever purpose) anywhere in the lake.

- q. Boats with "automobile type" headlights in addition to running lights should only use the "automobile type" headlights when docking, not when running on the lake.

## **SECTION D. DESIGNATED LAKE AREAS**

1. Policy: Certain areas of Lake Holiday are designated for specific uses.
2. Rules: All boaters must comply with the uses in the designated areas. A map of these designated lake areas is included as Appendix A.
  - a. HIGH SPEED AREA. The High Speed Area is the main body of the lake east of Beach I (as marked by the "No Wake" buoys), excluding the area from the shoreline 100' into the lake (which is a No Wake Area). The maximum speed in the High Speed Area is 36 MPH.
  - b. NO WAKE AREAS. The No Wake Areas are (i) the areas west of the "No Wake" buoys at Beach I, (ii) all of the lake fingers and coves inside of the "No Wake" buoys, and (iii) the 100' wide zone along the shoreline of the High Speed Area. Subject to Section E.1.i, all boats must travel no faster than "no wake" speed in the No Wake Areas. "No wake" speed is defined as the slowest possible speed required to maintain steerage and headway (one notch above neutral).
  - c. SLALOM COURSE AREA. The Slalom Course Area is located in the No Wake Area near the Marina cove and Beach III, and includes the areas 100 yards to the east and west of the ends of the Slalom Course (to allow room for boats to turn).
  - d. RESTRICTED AREA. The Restricted Area is the area of the lake within 100' of Beach I, and is bounded by buoys. No power boats are allowed in the Restricted Area. All boats leaving the area of Beach I must back away until well clear of the Restricted Area.

## **SECTION E. HIGH SPEED AREA AND HIGH SPEED BOATING ACTIVITIES**

1. Policy: LHCC has established rules and procedures governing the use of the High Speed Area and high speed boating activities on Lake Holiday.
2. Rules and Procedures: The following rules and procedures govern high speed boating activities at Lake Holiday: :
  - a. High speed boating activities include all activities where a person on a water sport device is being towed by a boat at faster than "no wake" speed. . All such activities are limited to the High Speed Area of the lake, except as follows or as otherwise permitted or restricted herein:
    - (1) Water skiing is also allowed in the Slalom Course Area.
    - (2) Pulling a tube is permitted in the No Wake Areas as long as the no wake speed is strictly adhered to.
  - b. Power boats operating in the High Speed Area must travel in a counterclockwise direction, around the periphery of the lake and not in the center of the lake.
  - c. Anyone participating in high speed boating activities must wear a US Coast Guard approved Personal Flotation Device (PDF). Ski belts are not US Coast Guard approved.

- d. When hazardous boating conditions exist in the High-Speed Area, the Lake Patrol boat will display a RED flag indicating all boat traffic must slow to 20 mph or less. Hazardous conditions will be determined at the sole discretion of the Lake Patrol.
- e. High speed boating activities are not permitted during the period from one half hour after sunset to one half hour before sunrise. During such period, boat speed in the High Speed Area for all boats is limited to 15 mph.
- f. Skiers, tubers, etc. already underway have the right of way over other skiers, tubers, etc. just starting.
- g. A downed skier, wake boarder, etc. must hold a ski, kneeboard, wake board or other object upright above the water so s/he is visible to other boats.
- h. Approaching boats must maintain a distance of at least 75 feet from any downed person.
- i. Participants in high speed boating activities must stay a minimum of 100' away from the shoreline and/or from any dock or boat moored at a dock or along the shoreline except when commencing such high speed boating activity (e.g., being pulled up to water ski).
- j. All boats under power must maintain a minimum distance of 200' directly behind and at least 100' to the left or right rear of any boat participating in high speed boating activities.
- k. Dropping a ski is not permitted between noon and 6:00 p.m. on Saturdays, Sundays and federal holidays between and including Memorial Day weekend and Labor Day weekend. At other times, a ski may only be dropped close to shore or in a No Wake Area.
- l. Towing more than one water-skier, tube, knee-boarder, etc. simultaneously is not permitted between noon and 6:00 p.m. on Saturdays, Sundays and federal holidays between and including Memorial Day weekend and Labor Day weekend.
- m. All boats engaging in high speed boating activities must carry a second person to serve as a spotter or have a rearview mirror in place.
- n. Any vessel engaging in high speed boating activities must display a ski flag (international orange) when (i) a person is in the water preparing to engage in a high speed boating activity, or (ii) a downed skier, knee boarder, wake boarder, etc. is in the water.
- o. Zigzagging, 360 degree turns, donuts and figure eights are prohibited at all times, as is operation of any vessel in an unsafe manner.
- p. Use of "kite tubes" or similar towed devices intended to rise up into the air is prohibited.
- q. Boat racing on Lake Holiday is prohibited.
- r. Non-motorized boats are strongly cautioned not to enter the High Speed Area when high speed boating activities are in progress or boats are running fast, other than when in route to a No Wake Area by the most direct route.
- s. Swimming:
  - (1) All swimming at Lake Holiday is at the swimmer's own risk.
  - (2) Swimmers are prohibited from crossing the High Speed Area of the lake at any time.

- (3) Swimmers are prohibited from swimming more than 50' out from any shoreline in the High Speed Area.
  - (4) Anyone who is distance swimming in a No Wake Area (including the No Wake Areas within 50' of the shoreline in the High Speed Area) is required to tow some type of highly visible float device to notify other lake users of their presence.
- t. Minimize wake: In order to minimize shoreline erosion and damage to docks and boats along the shoreline caused by a large wake, the following restrictions apply:
- (1) Use of wake enhancing devices of any kind are strictly prohibited anywhere in the lake.
  - (2) Except for a brief period when accelerating onto plane or decelerating off plane, "plowing" is prohibited. "Plowing" refers to operating at a speed that results in the bow rising higher than the stern thus producing a large wake. Boats that are plowing must either accelerate onto plane or decelerate to stop plowing.

## SECTION F. SLALOM COURSE USE

1. Policy: LHCC has allowed the installation of a slalom ski course on Lake Holiday to challenge advanced skiers and serve as a learning aid for intermediate skiers.
2. Rules: LHCC has established the following rules and procedures for using the Slalom Course:
  - a. A boat towing a skier in the Slalom Course has the right of way over all other craft. Any boat wishing to use the Slalom Course must approach any boat in the Slalom Course Area (not engaged in running the Slalom Course) and advise them that they are going to use the Slalom Course, and such other boat must immediately exit the Slalom Course Area.
  - b. Even though located in a No Wake Area, water skiers may proceed at normal ski speed in the Slalom Course Area. Maximum boat speed in the Slalom Course is 36 MPH.
  - c. Only water ski and wake board boats may use the Slalom Course as other boats may damage the Slalom Course. Pontoon and deck boats are not allowed to be used to pull a skier through the Slalom Course.
  - d. Only slalom skis and combo skis are allowed in the Slalom Course. Knee boards, wake boards, tubes and other inflatables are not permitted in the Slalom Course.
  - e. Boats not using the Slalom Course are not permitted to drive through the Slalom Course; they must drive around it. However, fishing in the area of the Slalom Course is permitted provided no skiers are using the Slalom Course.
  - f. The Slalom Course may be entered and skied in both directions, without stopping between passes, except between noon and 6:00 p.m. on Saturdays, Sundays and federal holidays between and including Memorial Day weekend and Labor Day weekend. During such restricted periods, the skier must stop at each end of the Slalom Course before making another pass.
  - g. When making the turn at the west end of the Slalom Course, the boat towing the skier must make the tightest turn possible to minimize incursion into the No Wake Zone. When making the turn at the east end of the Slalom Course, the boat must turn to the right (south), without entering the cove, immediately after the skier has exited the Slalom Course and must stay as far out of the High Speed Area of the lake as possible.

- h. If the skier falls in the Slalom Course, the boat must return immediately, pick up the skier and clear the course.
- i. No boat shall begin running the Slalom Course while another skier or boat is in the Slalom Course or waiting to start at either end of the Slalom Course.

**SECTION G. MARINA, DOCKS AND FISHING PIER**

- 1. Policy: LHCC encourages the safe use of the Marina, the Marina docks and the Fishing Pier.
- 2. Rules: LHCC has established the following rules concerning the use of the Marina, the docks at the Marina and the Fishing Pier:
  - a. Boats must be parked only in designated areas in the Marina. In no case may a boat be parked in another boat owner's slip.
  - b. Power boats must stay to the right of the buoy when leaving the Marina and also stay to the right of the buoy when entering the Marina.
  - c. No vehicle parking is permitted on the boat ramp or in the area of the boat ramp other than (i) when loading a boat on or off a trailer and (ii) vehicles displaying current handicap stickers parking in the designated handicap spaces.
  - d. Parking on the road from the Marina to the Clubhouse is on a "first come, first served" basis. The wheels of all vehicles and trailers parked on any road in the marina/clubhouse area must be entirely off the pavement to allow for the easy passage of vehicles with trailers along the roads.
  - e. No fishing is permitted from the Marina docks, the boat ramp or Beach I.
  - f. No swimming is permitted from the Marina docks, the fishing pier or on the boat ramp. All swimming at Lake Holiday is at the swimmer's own risk.
  - g. No boats may be moored to the fishing pier.

**SECTION H. FISHING REGULATIONS**

- 1. Policy: LHCC desires to protect the health and future of the fish population in the lake.
- 2. Rules: To enforce this policy, the following rules have been established to manage the harvest and use of the fish in the lake.
  - a. The Commonwealth of Virginia's regulations on fishing licenses apply to anyone fishing on Lake Holiday. Lake Holiday is considered an "inland water" under Virginia's fishing license regulations. Please see [www.dwr.virginia.gov/fishing/regulations/licenses](http://www.dwr.virginia.gov/fishing/regulations/licenses) for who is required to have a fishing license.
  - b. The following length and creel limits are to be observed when fishing at Lake Holiday:

Species	Length Limit	Creel Limit
Largemouth Bass	Catch and release only	None
Smallmouth Bass	Catch and release only	None
Striped Bass	Catch and release only	None

Walleyes	Catch and release only	None
Bluegill/Sunfish	No length limit	50 per day
Catfish	No length limit	25 per day
Yellow Perch	No length limit	20 per day

- c. In order to enforce established creel limits, Lake Patrol has the authority to inspect the contents in live wells on boats either on the lake or at the marina.
- d. Stocking. No one may stock or release fish (unless complying with the creel limit) or bait species into the lake without the approval of the Lake Committee.
- e. Fish Habitat. LHCC has approved installing certain fish habitat structures in the lake to provide habitat for small fish (fry) as they are spawned or introduced into the lake. The Lake Committee will install fish habitat structures in certain areas of the lake and will provide additional habitat structures to homeowners who are willing to put them into the lake along their shorelines. Contact the Lake Committee to obtain fish habitat structures.
- f. Fishing Tournaments. The following rules apply to all fishing tournaments held at Lake Holiday.
- (1) It is against LHCC rules to hold fishing tournaments without prior written approval from the Lake Committee. The Lake Committee has the discretion to limit the number of tournaments per year, the hours of tournaments and other rules governing fishing tournaments.
  - (2) Anyone wishing to hold a fishing tournament on Lake Holiday must submit an application for a fishing tournament to the Lake Committee no less than thirty (30) days prior to the proposed date of tournament, on the form attached in Appendix D. The Lake Committee will approve or reject the application within ten (10) days of submittal.
  - (3) The following are the tournament regulations to be used during an approved fishing tournament
    - 12" minimum length limit for largemouth or smallmouth bass;
    - 3 or 5 fish limit per team/boat, determined based on the time of year and the lake conditions at the time of the tournament;
    - no piercing cull tags allowed;
    - all tournaments are open to participation by any current Member or tenant of Lake Holiday, unless approved for a specific purpose (i.e., youth or veterans' event);
    - Persons who are not Members or tenants at Lake Holiday may fish with a current Member or tenant, but no guest boats are permitted on the lake;
    - all participants in fishing tournaments must obey all lake rules (e.g., speed limit, observing No Wake Area rules, only traveling in a counterclockwise direction in the High Speed Area, etc.).

## **SECTION I. LAKE HEALTH**

1. Policy: The health of Lake Holiday is of paramount importance.
2. Rules: LHCC has established the following rules to protect the health of the lake:
  - a. Boat owners are responsible for preventing any fuel leakage from their boat into the lake. In the event of any fuel leakage, the boat owner is responsible for all costs incurred by LHCC and any third parties in connection with the clean-up of the leaked fuel.
  - b. Any boat leaking any type of fluid into the lake will be removed and banned from the lake until properly repaired.
  - c. When fueling a boat, the boat operator must use best efforts not to spill any gas or oil into the lake. However, as Lake Holiday is a boating community and the use of combustion engines is permitted, minimal discharge of byproducts from the normal use of such engines is expected and not prohibited.
  - d. No discharges of liquids, solid wastes or other harmful matter of any kind may be introduced directly into the lake or any area where it is reasonable to expect that such substance may leach into the lake.
  - e. Residents are urged to use environmentally friendly herbicides, pesticides and chemicals, and only in a conservative manner.
  - f. Invasive species (e.g., zebra mussels) can cause damage to Lake Holiday. To prevent the introduction of invasive species into Lake Holiday, any boater who uses a boat on another body of water must—before bringing the boat back into Lake Holiday—power wash or scrub the hull, propeller, bilge, live wells, trailer (and dive gear if used) to kill any invasive species that may have attached to the boat or gear. Boaters also should wait 24 hours after washing a boat before launching it into Lake Holiday waters.
  - g. All lake users must clean up and properly dispose of any trash they produce at the beaches, the marina, the fishing pier and/or the parking areas.
  - h. No one may place any structure into the lake (including fish habitat structures) unless approved by the Architectural Committee or the Lake Committee.

## **SECTION J. RULE ENFORCEMENT**

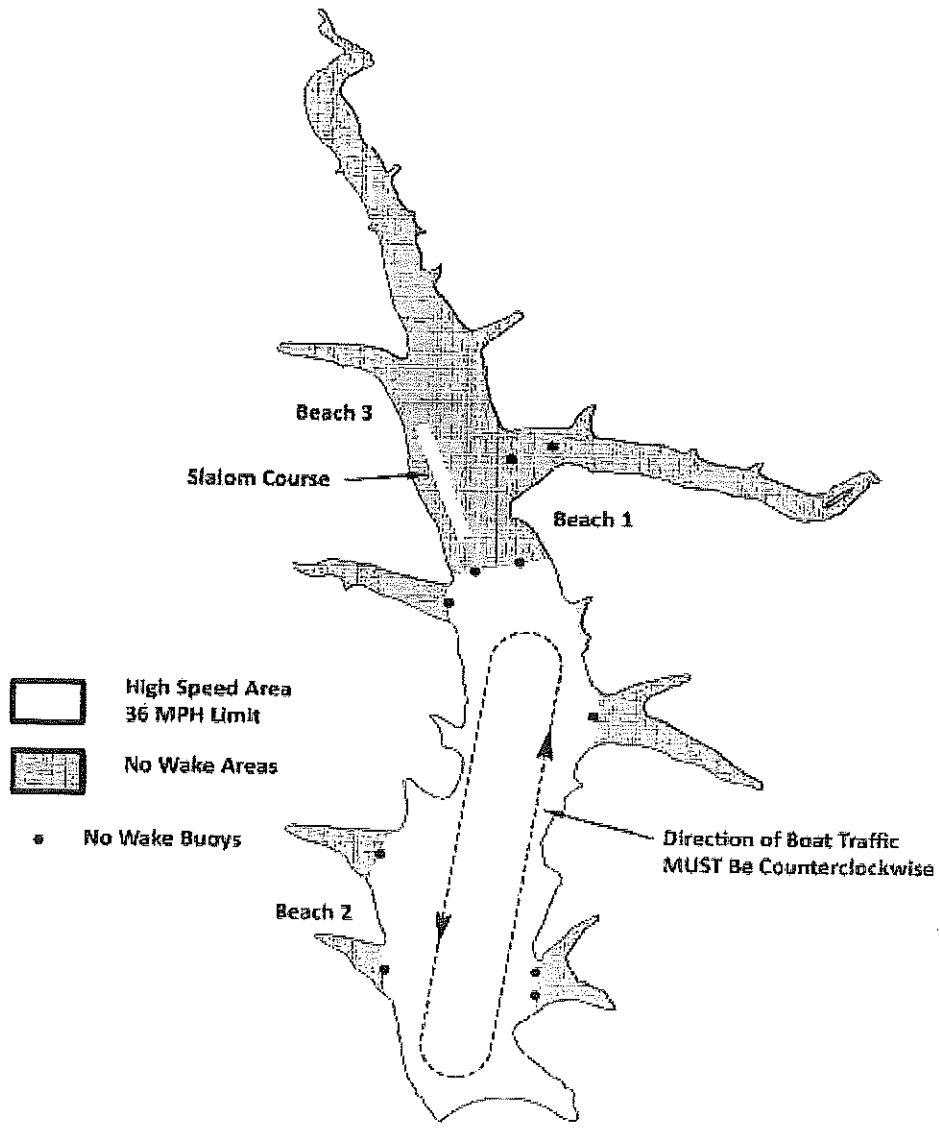
1. Boat owners are responsible to ensure that anyone operating the owner's boat on Lake Holiday abides by the rules set forth in this PRP. The Member is responsible for any violation of this PRP by his or her tenants.
2. Boating rules and marina parking rules will be enforced by the Lake Patrol, roving patrol and other persons designated by the Board of Directors. Boat operators must obey instructions given by the Lake Patrol.
3. All boats operating on Lake Holiday are subject to inspection at any time by the Lake Patrol and/or the Virginia State Game Warden.
4. The Lake Patrol has the authority to write citations against any boat owner or operator who is in violation of the rules, refuses to obey instructions or operates a boat in an unsafe manner. The

citation is valid against a boat owner even if someone else was operating such owner's boat. The citation could result in a reprimand, monetary assessment (up to \$50.00 for a single offense or a daily assessment of \$10.00 for up to ninety (90) days) and/or revocation of the privilege of operating a boat on Lake Holiday.

5. The Lake Patrol will report all accidents and infractions to the LHCC Office and the LHCC Office will notify the Lake Committee chairperson of the same.
6. State law requires that all boating accidents involving more than \$2,000 in property damage be reported to the Law Enforcement Division of the Department of Game and Inland Fisheries. Accidents involving death, personal injury or a disappearance must be reported immediately by calling 8002375712.
7. General information from DWR may be obtained by calling 804-367-1000 during normal business hours.



# APPENDIX A: LAKE MAP



**Lake Holiday**

**APPENDIX B: BOAT INSPECTION CHECKLIST**  
(Power Boats Only)

Name \_\_\_\_\_ Date \_\_\_\_\_ Lot No. \_\_\_\_\_  
 Member \_\_\_\_\_ Tenant \_\_\_\_\_  
 Sticker Number \_\_\_\_\_ Boat Registration Number \_\_\_\_\_

---

Length of Boat \_\_\_\_\_ (Maximum length for pontoon boats is 24' and all other boats is 21'.)

Paperwork includes

- Current state registration (power boats only) \_\_\_\_\_
- Proof of insurance \_\_\_\_\_  
 (For gas powered boats, only, regardless of size of motor. Proof of Insurance must show that the boat owner has liability insurance, including coverage for third party damage and bodily injury; coverage under a homeowner's insurance policy is not acceptable unless it specifically includes coverage for third party damage and bodily injury resulting from the operation of the covered boat.)
- Proof of having taken LHCC boating test (office to provide) \_\_\_\_\_
- Proof of passing boat safety course \_\_\_\_\_
- If a tenant, letter from Member/lot Owner relinquishing right to register boats against the specific lot \_\_\_\_\_

Prohibited:

- Flushable or self-contained toilets \_\_\_\_\_
- Cabin (enclosed area with fixed bulkheads and overhead) \_\_\_\_\_
- Overnight sleeping accommodations \_\_\_\_\_
- Jet engines (Fishing boats with this type of engine may be exempt and will be evaluated on a case by case basis.)
- Boats designed or equipped for racing \_\_\_\_\_

All boats must conform to U.S. Coast Guard and State of Virginia regulations and standards of safety ([www.boat-ed.com/va](http://www.boat-ed.com/va))

	Y or N		Y or N
Sound Device _____		Fire Extinguisher _____	
PFD _____		Throwable PFD _____	
Nav. Lights _____			

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- Sticker affixed \_\_\_\_\_
- Current state registration affixed \_\_\_\_\_
- Boats used in other waters reminder \_\_\_\_\_
- Trailer sticker reminder \_\_\_\_\_
- Answer questions boater may have \_\_\_\_\_
- Person inspecting boat \_\_\_\_\_
- No use of wake enhancing devices reminder \_\_\_\_\_
- Signed statement that boater has read and will comply with PRP 3 (See Appendix C) \_\_\_\_\_
- Check both Member and tenant have not registered boats against lot \_\_\_\_\_

### APPENDIX C: COMPLIANCE STATEMENT

I certify that I have read and will comply with PRP 3, Lake Use and Boating. I understand and agree that I am responsible to ensure that anyone operating my boat on Lake Holiday abides by the rules set forth in PRP and that I am responsible for any violation of this PRP by me or my tenants.

I understand and agree that if I (or those for whom I am responsible) violate the policies, rules or procedures set forth in PRP 3, I may be subject to a citation which could result in a reprimand, monetary assessment (up to \$50.00 for a single offense or a daily assessment of \$10.00 for up to ninety (90) days) and/or revocation of the privilege of operating a boat on Lake Holiday.

I understand that I am responsible for any fuel spills from my boat into the lake and for all costs incurred by LHCC and any third parties to clean up any fuel spills from my boat.

ACCEPTED AND AGREED:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

Lot No.: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX D: FISHING TOURNAMENT APPLICATION**

**Applicant Information**

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**Tournament Information**

Date: \_\_\_\_\_ Hours of event: \_\_\_\_\_ - \_\_\_\_\_  
Purpose of Event (e.g. open / charity / special event): \_\_\_\_\_  
Expected # of Boats/Anglers: \_\_\_\_\_  
Creel Limit per Boat/Angler requested (circle one): 3 or 5

**Tournament Rules**

- 12" minimum length limit for largemouth or smallmouth bass
- 3 or 5 fish limit per team/boat, determined by the Lake Committee / Fisheries sub-committee, based on the time of year and the lake conditions at the time of the tournament
- NO PIERCING CULL TAGS ALLOWED
- All efforts must be made to keep fish alive and in good condition, no culling of dead fish
- Persons who are not Members or tenants at Lake Holiday may fish with a current Member or tenant, but no guest boats are permitted on the lake
- All participants in fishing tournaments must obey all lake rules (e.g., speed limit, observing No Wake Area rules, only traveling in a counterclockwise direction in the High-Speed Area, etc.)
- Applications for a tournament should be submitted at least 30 days prior to desired event date

**Rules in PRP 3 Read and Agreed to:** \_\_\_\_\_  
(Sign & Print Name)

Date: \_\_\_\_\_

**Office Use:**

Approval by Lake Committee: Approved  Denied  Date: \_\_\_\_\_

LC Chairman Signature: \_\_\_\_\_

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1	8/22/2008	Original	All	
V2	01/26/2010	Boat Restrict	B-5	tl
V3	02/23/2010	Correct Errors	F.7, F.13	dn
V4	04/26/2011	Number and Type of Permitted Registered Boats	§A.5	
		Definition of Restricted Area	§D.4	
		Defining Restricted Areas & Display of Red Flag	§E.4, 5, 8 & 10	
		Display of Orange Ski Flag	§F.12	
V5	06/26/2012	Renamed		
V6	08/27/2013	General Revision and incorporation of PRP No. 11	All	
V7	02/25/2014	Clarify Member and Tenant Rights	§A.1.c; A.2.c; A.2.i; I.1	
V8	08/26/2014	Definition of "Weekend"	E.1.k; E.1.l; F.1.g	
V9	05/ /2015	Prohibition on mooring on private property	C.1.c; C.1.o; Appendix B	
V10	6/ /2015	Boat registration	A.1.b	
V11	11/ /2015	Buoys; VA Boating Safety Course	C.1.p; A.2.c(5); B.2.b	
V12	2/22/2016	Boating Safety Course; Wake Enhancing Devices	A.2.c(5); B.2.b; C.1.i	
V13	4/26/2016	Clarify Distance from Shore Rule; Typos	D.1.a	
V14		PFDs; Jet Fishing Boats; Music; Typos	B.2.e; C.1.f; C.1.m; C.1.n	
V15	5/30/2017	Minimize wake, no plowing	E.1.s	
V16	10/24/2017	Add new first sentence to opening paragraph from now defunct PRP-11.		ALM
V17	12/19/2017	Add "fishing" to the Title of the Document		ALM
V18	06/26/2018	Add fishing regulations; add prohibition on placement of unapproved fish habitat structures	H, I, J	ALM
V19	07/24/2018	Remove from Appendix B inspection requirement for flares. Our waterway is not applicable	Appendix B	ALM
V20	04/23/2019	Added walleye to limits chart; added Lake Patrol enforcement; added Fishing Tournament Registration detail; added Appendix D - Fishing Tournament Application.	Section H.1.b; H.1.c; H.f.2; Appendix D	ALM
V21	01/06/2021	Addresses boat liability insurance and boat owner liability for fuel spills; clarifies which boats need insurance; clarifies which rules apply only to boats with motors; clarifies boat registration rights; miscellaneous other changes.	Various	

# Lake Holiday

## **POLICIES, RULES, AND PROCEDURES** **PRP NO. 4**

### **Compliance**

Revised and

Approved by the Board of Directors

Date: August 24, 2021

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## **PRP NO. 4 COMPLIANCE**

### **SECTION A. PURPOSE**

The purpose of this policy and procedure is to document the enforcement process of the Articles of Incorporation, Bylaws, Deeds of Dedication and Policies, Rules and Procedures of Lake Holiday Country Club, Inc. (LHCC). These documents may also be referred to as the Governing Documents.

### **SECTION B. DEFINITIONS**

1. **Member:** A Member is a property owner at Lake Holiday.
2. **Safety-Related Violation:** A violation is Safety Related if it is reasonable to believe that the violation could result in harm to a person or property.
3. **One-time violation:** A violation that, once it occurs, cannot be rescinded and leaves a permanent result.
4. **Citation:** A citation is a written declaration to a Member that a violation is alleged and that the violation is the responsibility of that Member.
5. **Courtesy Notice:** A Courtesy Notice is a written declaration to a Member that a violation is alleged; that said violation is the responsibility of that Member; and the violation is such that it is correctable by the Member.
6. **Governing Documents:** The Articles of Incorporation, Bylaws, Deeds of Dedication, and Policies, Rules and Procedures of Lake Holiday Country Club, Inc.
7. **Mediator Panel:** The Mediator Panel is a group composed of impartial members of the Association who volunteer to review alleged violations of the Governing Documents and to make a determination of either compliance or non-compliance for each allegation.
8. **Hearing:** A hearing is a meeting of a Mediator Panel to take testimony and evidence regarding an alleged violation and make a determination on that allegation.
9. **Offense of a Continuing Nature:** An offense of a continuing nature is an offense of the Governing Documents which is unresolved by the offending Member following a determination by a Mediator Panel.
10. **Association:** Lake Holiday Country Club, Inc.

### **SECTION C. COMPLIANCE COMMITTEE VESTED AUTHORITY**

The Compliance Committee is a mandatory committee, as specified in Article IX of the Bylaws and its authority is from the Board of Directors, as delegated under Article VII of the Bylaws. Compliance determinations and corrective action assessments are authorized and specified in Section 55-513 of the Virginia Property Owners' Association Act.



## **SECTION D. MEDIATOR PANEL STRUCTURE**

When required by this procedure, a Mediator Panel will be composed of no less than three (3) members of the Compliance Committee. The Mediator Panel may be the entire Compliance Committee as long as the number of members meets this criterion. No member of the Board of Directors may serve on the Mediator Panel.

## **SECTION E. PRESUMPTION OF COMPLIANCE**

1. All property owners are presumed by their acquisition, and all tenants by their occupancy of the property, to have freely and knowingly accepted, ratified and agreed for themselves, family members, guests and other invitees, to comply with the Governing Documents.
2. Property owners are responsible for communicating the Governing Documents to their tenants, for obtaining written tenant agreement to adhere to the Governing Documents, and for responding promptly to complaints made to the General Manager regarding any violation of the rules by the tenants.

## **SECTION F. REGISTERING A COMPLAINT**

1. Any property owner having reason to believe that the conduct of another property owner, invitee, or tenant has breached any of the Governing Documents may bring that possibility to the attention of the General Manger.
2. The General Manager, other designated individuals, or employees acting on behalf of LHCC, task forces, or committees may also proactively initiate a complaint.
3. The complaint may be written or verbal. Wherever possible, digital pictures should be taken as evidence. The signature of the complainant, if a property owner, is not required.
4. If a property owner complainant declines to commit the allegations of breach in writing, the complaint will be documented by the LHCC Office. Confidentiality will be maintained on signed property owner complaints unless the complainant is required or desires to give evidence at a hearing.

## **SECTION G. THE COMPLAINT PROCESS**

1. When the LHCC Office receives or initiates an identified complaint, a unique identifying Compliance File Number will be assigned to it. This Complaint File Number will be used to track the complaint through all phases of the process. All correspondence relating to the complaint will reference the Compliance File Number.
2. If a complaint is determined to be valid and is a one-time violation, the General Manager or other duly authorized individual shall issue a citation. A copy of the citation is given to the Compliance Committee Chairperson. Notice of the citation shall be mailed to the member who is responsible for the cited individual within thirty (30) calendar days of the incident. The role of the Mediator Panel in adjudicating a citation is to determine whether the violation occurred and whether the citation was issued in accordance with Lake Holiday's Policies, Rules and Procedures.
3. If a complaint is not a one-time violation, the General Manager or otherwise duly authorized individual will verify the complaint's validity; and assuming the complaint is valid, will then communicate with the applicable property owner, attempting to resolve the issue informally to obtain compliance. If compliance is achieved, it will be so noted and the process concluded. If

compliance is not achieved, a Courtesy Notice will be issued by the General Manager or other duly authorized individual, providing a period of two weeks (14 calendar days) to resolve the violation. If compliance is achieved, no further action will be taken and the process concluded. If compliance is not achieved, the complaint will be referred to the Compliance Committee Chairperson for the next scheduled Mediator Panel Hearing.

## **SECTION H. MEDIATOR PANEL PROCEDURE**

1. When a Mediator Panel is scheduled to hear a complaint, and before any charges or suspension may be imposed, the affected Member shall be given an opportunity to be heard and to be represented by counsel before the Mediator Panel. Notice of a hearing, including the charges or other sanctions that may be imposed, shall be mailed by certified mail, return receipt requested, to the Member at the address of record with the Association at least 14 calendar days prior to the Hearing, as required by the Virginia Property Owners' Association Act.
2. When a Hearing has been scheduled (and the Member notified, as above) it is the Member's responsibility to attend the Hearing, if he/she wishes to participate in the proceedings. The Hearing shall not be postponed because the Member does not attend the hearing.
3. Hearings are open to all Members, but may be moved to Executive Session by the Mediator Panel or at the request of the Member who is the subject of the hearing.
4. The Mediator Panel may be assisted at the hearing by counsel and/or technical experts. The costs of counsel or technical experts assisting the Mediator Panel or the Board of Directors shall be the responsibility of LHCC. The President of the Board of Directors must approve in advance any request to engage legal counsel to assist the Mediator Panel.
5. At the hearing, evidence and/or testimony concerning the alleged non-compliance shall first be presented by LHCC. Evidence and testimony may include documents, exhibits, and witnesses. The Member may then offer rebuttal evidence and/or testimony. Finally, each party may summarize their evidence and testimony, if they wish to do so. Members of the Mediator Panel may direct questions or challenges to the witnesses for either party.
6. Testimony by either party shall be directed solely to the Mediator Panel members. The cited Member, that Member's representative, and the Association's witnesses, experts, and representatives may all question or challenge the other party's testimony and evidence. However, such questions and challenges shall be directed to the Mediator Panel. The Mediator Panel members shall have exclusive privilege to directly question or challenge a witness for either party.
7. In all situations, LHCC will bear the burden of facilitating the process. The Mediator Panel will receive testimony and evidence regardless of who initiated the complaint.
8. After all information has been presented, the Hearing will be closed to allow the Mediator Panel to determine whether the alleged violation did occur and to determine appropriate action. Such determinations shall be made in accordance with the opinion of a simple majority of the members of the Mediator Panel. In the case of a tie vote, the determination shall be a default ruling in the favor of the alleged offending Member and no further action shall be taken. Determinations shall be based on which items of testimony or evidence are dominant or superior in force, importance, credibility, or influence.
9. The Hearing determination shall be mailed by certified mail, return receipt requested, to the Member at the address of record with the association within seven (7) days of the Hearing.

## **SECTION I. DETERMINATION OF CORRECTIVE ACTION**

1. For violations of the Governing Documents, a Mediator Panel (as empowered by the Board of Directors) may assess charges against any Member for any violation committed by the Member or his/her family members, tenants, guests, or other invitees, in accordance with The Property Owner's Association Act of Virginia – Section 55-513.
2. Determinations by the Mediator Panel may be in the form of a warning or an assessment. For traffic violations, one warning may be issued per household within a 12-month period. Any subsequent traffic violations will result in an assessment.
3. The amount of any charges so assessed shall not be limited to the expense or damage to the association caused by the violation, but shall not exceed fifty dollars for a single offense or ten dollars per day for any Offense of a Continuing Nature. The total charges for any Offense of a Continuing Nature shall not be assessed for a period exceeding ninety days. After the date, a lawsuit is filed challenging any such charges, no additional charges shall accrue. If the court rules in favor of the Association, it shall be entitled to collect such charges from the date the action was filed as well as all other charges assessed against the lot owner prior to the action.

## **SECTION J. APPEAL**

1. A Member may appeal the determination of the Mediator Panel to the Board of Directors. A written, Notice of Appeal must be received at the LHCC Office, addressed to the President of the Board of Directors, within 14 calendar days from the date of the Mediator Panel's letter of determination.
2. An appeal shall consist of a hearing before the Board of Directors, as an agenda item, normally within a regularly scheduled monthly meeting. The General Manager will prepare a notification of the Board appeal hearing date, which will be signed by the President of the Board of Directors, and mailed by certified mail, return receipt requested, to the Member at the address of record with the Association, at least 14 calendar days prior to the meeting.
3. When an appeal hearing has been scheduled and the Member notified as above, it is the Member's responsibility to attend the hearing. No appeal will be considered if the Member does not attend the hearing. The Member may re-file the appeal within 5 business days of the original appeal hearing date. If the Member does not appear for the second appeal and has not notified the Office, the appeal is denied and the original determination stands.
4. The Board appeal hearing determination shall be prepared by the General Manager, signed by the President of the Board of Directors, and mailed by certified mail, return receipt requested, to the Member at the address of record with the Association within 7 business days of the hearing.

## **SECTION K. UNRESOLVED COMPLIANCE VIOLATIONS**

1. If after using the procedures, including for appeals specified above, the member is found in violation, the member shall be notified of the appropriate level of assessment, the requirement to correct the violation (if correctable), and declared "no longer eligible and in good standing" as defined in the Bylaws until the assessment is paid and the violation is corrected.
2. If the violation is corrected (if correctable) and the assessment is paid, the member's ineligibility shall be rescinded.

3. If the violation is not correctable but the assessment is paid, the member's ineligibility shall be rescinded.
4. If the violation is correctable but goes uncorrected, LHCC may file a lien and/or seek injunctive relief for any single compliance offense of a continuing nature with an account balance of \$900 or greater, regardless of the type of violation category.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2	4/28/2009	Revise & reformat	Definitions, F.6, F.8	
V3	8/25/2009	citations	D.1, E.3, G.2	
V4	5/25/2010	Definitions, panel structure, complaint process, panel procedure, corrective action	B.4, D.1, G.2, G.3, H.3, H.7, I.2	
V5	8/24/2010	Appeal	J.3	
V6	6/26/2012	Rename, unresolved violations	K	
V7	8/25/2015	Complaint process	G	
V8	1/23/18	Definitions, mediator panel structure, presumption, complaint process, panel procedure, appeal, unresolved compliance	B5-9, D, Delete E3, G2-3; H1,2,6,8,9; J4, K4	EN, ALM
V9	8/24/2021	Change in citation notice to members to 30 calendar days	G2	EAN

# Lake Holiday

## **POLICIES, RULES AND PROCEDURES** **PRP NO. 5**

### **Entry, Road Use and Parking**

**Revised and**

**Approved by the Board of Directors**

**Date: August 24, 2021**

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## PRP NO. 5 ENTRY, ROAD USE, AND PARKING

### SECTION A. PURPOSE

The purpose of this document is to establish the policy and procedures for entrance gate access to Lake Holiday Country Club, Inc. (LHCC), road use and parking rules within the community and law enforcement's responsibility for traffic violations. As a gated community, Lake Holiday limits entry into the community in order to maintain the privacy of its property owners and tenants of record.

### SECTION B. POLICY

1. The LHCC-owned roads are designated as public "highways" for law enforcement purposes including for felonies, misdemeanors and traffic infractions as written in the Frederick County ordinances. [Chap 158, Art. IV, Sec. 158-18 The Summit] (<https://ecode360.com/8707705>).
2. Private Security personnel are responsible for enforcing rules and regulations of LHCC and for protecting Association common areas and assets as provided for in the contractual agreement and/or otherwise agreed upon in writing by the security contractor and Association management/staff.
3. Frederick County Sheriff's deputies enforce state law and local ordinances and may stop vehicles, issue citations for traffic violations, and arrest for reckless driving or DWI.
4. Only vehicles that comply with Title 46.2 Motor Vehicles, Code of Virginia shall be permitted on Lake Holiday roads. Frederick County has adopted the State Uniform Traffic Code (Title 46.2) in its entirety. All-terrain vehicles (ATVs) are not permitted throughout the Lake Holiday community. <https://law.lis.virginia.gov/vacode/title46.2/>
5. Motor Vehicles without a current registration and license plate are not permitted on roads within Lake Holiday.
6. The storage of unregistered vehicles without a current license plate on a member's lot shall be in accordance with the applicable Section's Deed of Dedication and Frederick County ordinance.
7. Property owners are responsible for the actions of themselves, their families, authorized visitors, contractors, and tenants while within Lake Holiday.

### SECTION C. ENTRY PROCEDURES

1. **Property Owners, Tenants, Visitors:**
  - a. Property owners, tenants of record, adult residents age 18 and over and Lake Holiday staff are the only individuals who may authorize the admission of visitors or contractors to Lake Holiday. Minor children (under age 18) and guests of the owner or tenant may not authorize entry.
  - b. Owners and tenants are responsible for notifying their visitors of the requirement to present proper ID to enter Lake Holiday. Any visitor refusing to show proper ID will not be allowed to enter the community.
  - c. Gate Security personnel are required to refuse admission to any individual for whom LHCC has issued a No Trespassing Order. A No Trespassing Order may not be overridden by any



property owner or tenant. The General Manager has the sole authority to withdraw a No Trespassing Order.

**2. Motor Vehicle Bar Code Decal:**

- a. Owners in good standing and their tenants may obtain bar code decals at the administrative office for their own registered vehicles. When properly installed, the decal will open the automatic entrance gate in the right lane. The bar code decal must be installed and visible at all times within Lake Holiday.
- b. Bar code decals shall be issued for temporary registrations/tags only until the expiration date of the registration/tag after which time the bar code label will automatically deactivate. In order to prevent deactivation, it is the sole responsibility of the member to update the Administrative Office immediately upon receipt of permanent registration/tag so that the deactivation can be removed in the system.
- c. Only one bar code decal per owner in good standing, regardless of the number of lots owned, will be issued free of charge. A \$10.00 fee will be charged for each additional decal. Tenants do not receive free bar code decals.
- d. Owners who are delinquent in paying assessments will have their bar code decal deactivated.
- e. Bar code decals that fail to operate properly through no fault of the owner will be replaced at no cost.

To obtain bar code decal(s) a valid driver's license (or other government issued photo ID) and current registration for each vehicle to be registered must be presented. Tenants must also present a valid current lease or rental agreement.

- f. Motorcycle owners may obtain a \$5 special sticker from the administrative office. Only one such sticker will be issued per motorcycle. The sticker shall be placed on the top of the engine in front of driver seat so that the security officer may easily see it upon entry. The owner must present their registration to receive the pass. MOTORCYCLES SHALL USE LEFT-HAND LANE TO ENTER.

**3. Boats and Boat Trailers:**

- a. Boats and Boat Trailers must display applicable current Lake Holiday stickers at all times within Lake Holiday. Boat and trailer stickers are issued in accordance with PRP 3, Lake Use and Boating.
- b. Residents bringing unregistered boats into Lake Holiday will be issued a Non-Lake Use sticker until the boat is properly registered. The guard will personally affix the Non-Lake Use sticker to the boat before allowing entry. A Non-Lake Use sticker is sufficient for storing boats and trailers in the Lake Holiday storage lot only.
- c. Visitors are not permitted to bring boats or watercraft of any kind into the community. Contractors are permitted to bring boats into Lake Holiday if authorized by the general manager or his staff.
- d. All trailered boats, regardless of the owner's membership status, must enter the front gate through the left lane.

#### 4. Vehicles Towing Trailers and Campers:

All vehicles towing trailers or campers must enter the front gate through the left hand lane

#### Visitor Passes:

- a. Gate Security will issue a Visitor Pass to all authorized visitors and contractors who will be in the community for more than one day. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times within Lake Holiday.
- b. One-day visitors will not receive a Visitor Pass.

### SECTION D. ENTRY AND AUTHORIZATION PROCEDURES

1. **Right Lane Entry (Bar Code Decal):** Owners and tenants with an active bar code decal enter in the right entry lane with the automatic gate.
2. **Left Lane Entry:** All vehicles without an active bar code decal must enter using the left entry lane. All vehicles must come to a complete stop at the gate. **All vehicles will be challenged by the gate guard EXCEPT for the following:**
  - Lake Holiday Vehicles
  - Law Enforcement Vehicles
  - Emergency Vehicles
  - Major-Branded Delivery Vehicles (UPS, FedEx, DHL, et cetera.)

All other commercial and service vehicles, government vehicles, real estate appraisers and home inspectors will be permitted to enter without authorization after stopping at the gate, identifying the address(es) being visited for security to record, producing their driver's license for scanning, and producing company credentials/identification (if applicable).

#### 3. Owners or Tenants Using Left Entry Lane:

- a. An owner or tenant must present a valid driver's license (or other government issued photo ID) that matches a list of owner and tenant names on file in order to gain entry.
- b. Owners and tenants are encouraged to register driver's license numbers for all household members. The driver's license registration will expedite entry in a vehicle without a bar code decal.
- c. Tenants must present a valid lease or rental agreement at the administrative office to have their name registered for entry using an ID.
- d. Owners and tenants towing boat trailers, other types of trailers, and campers must use the left entry lane.
- e. Motorcycles must use left entry lane.

#### 4. Pre-Authorized Temporary Visitors:

- a. Owners and tenants may pre-authorize short term visitors for a period up to 7 days. After 7 days the visitor must be reauthorized. One-day visitors will not receive a Visitor Pass. Temporary authorization is intended for occasional guests or for temporary workers needing

entry.

- b. **CapSure online authorization:** Owners and tenants may pre-authorize visitors using the CapSure web portal located on the Lake Holiday website. An online tutorial and Guest Registration Guide are available on the website. Owners and tenants must first contact the administrative office to obtain an ID and Password for access to online authorization. This is the preferred method of authorization.
  - c. **Telephone authorization:** Owners and tenants may also pre-authorize up to 5 visitors by phone. Phone authorizations can be made either to the Lake Holiday Gate House or the administrative office. Phone authorization should be made from a pre-authorized phone number to ensure that the caller is an owner or tenant. Contact the administrative office to register any phone numbers to be used for phone authorization. A driver's license number will be used for identification if calling from an unregistered phone number.
  - d. Visitors must use the left entry lane, stop at the gate and present a valid driver's license (or other government issued photo ID) to the guard. The visitor must give the guard the name and address of the owner or tenant they are visiting. After verifying the visitor's name on a list of authorized visitors, the guard will issue the driver a Visitor Pass if visiting the community for more than one day. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times when the vehicle is in Lake Holiday.
  - e. Persons already with a current, valid Visitor Pass should present the pass to the gate guard. The guard will scan the pass to confirm it is still valid (not expired or revoked) and then open the gate for entry.
5. **Permanent Visitor Authorization:** Owners and tenants may authorize up to five (5) visitors such as family members, childcare providers, etc. to have permanent visitor authorization. A written list must be provided to the administration office. The owner or tenant is responsible for the actions of their permanent visitors at all times while within Lake Holiday. Visitors will remain authorized to enter Lake Holiday until the owner or tenant notifies the office to end their authorization.
6. **Visitor entry without Pre-Authorization:**
- a. Visitors must use the left entry lane, stop at the gate and present a valid driver's license (or other government issued photo ID) to the guard. The visitor must give the guard the name and address of the owner or tenant they are visiting. If the visitor's name is not on the pre-authorization list, the guard shall make a reasonable attempt to contact the owner (or tenant) being visited using only the telephone number for that owner (or tenant) on file. If the owner or tenant is reached the guard will verify their identity and authorization may be given. The guard will then issue a Visitor Pass valid for not more than seven (7) days.
  - b. One-day visitors will not receive a Visitor Pass.
  - c. If the owner or tenant being visited cannot be contacted, entry will not be permitted.
  - d. The Visitor Pass must be placed on the dashboard in clear view through the windshield at all times when the vehicle is in Lake Holiday. The pass must be presented to the guard to expedite reentry and return to Lake Holiday during the authorized visit.

**7. Group authorization:**

- a. The administrative office can provide group authorizations for parties, weddings or other special events of six (6) or more at Lake Holiday.
- b. A written list of visitors to be authorized must be provided to the administrative office a minimum of 48 hours prior to the entry date.

**8. Contractor Authorization:**

- a. Owners and tenants may authorize short-term contractor entry as temporary visitors (see above). Owners may request an Extended Contractor Pass for contractors who will be working in Lake Holiday for an extended period of time such as new home construction.
- b. The owner must provide this request in writing to the administrative office and include the company name, reason for request, and time frame of request. To cover potential road damage, a contractor fee may be charged related to the number and size of vehicles.

**9. Real Estate Authorization, Model Home, and Open House Visitors:**

- a. No individual will be allowed to view any resale property within Lake Holiday unless accompanied by a licensed real estate agent or the property owner. Realtors escorting clients into Lake Holiday must continually accompany them until those clients leave Lake Holiday.
- b. Realtors will be admitted into Lake Holiday when they present their driver's license (or other government issued photo ID) and their business card to the guard at the gate.
- c. Real estate open houses may be held on any Wednesday or Sunday, except holidays between the hours of noon and 4:00 p.m., unless the administration office has pre-approved other arrangements. The realtor is required to provide the gate guard, in writing, the address(es) of the open house(s). It is recommended that the realtor provide maps for the gate guard to distribute to open house visitors. Visitors must provide the address of the open house and present a valid driver's license (or other government issued photo ID) in order to gain entry.
- d. Real estate sales offices and models may be open any day. When open, the person staffing the sales office or model shall inform the gate guard that the office or model is open. Visitors shall receive a Visitor Pass to visit an open model or sales office.

**10. Repossession Entry and Authorization:**

- a. Repossession agents must contact the Lake Holiday administrative office and obtain authorization prior to coming to the gate. The office will call the gate to authorize entry and issue a 3-day printed pass signed by office staff. The 3-day special pass must be presented to the guard.

- b. After entry, repossession agents must first go to the administrative office and present a valid driver's license (or other government issued photo ID) and business card. The office will make copies of their paperwork to retain in the resident's file and verify that the resident still lives in the community. The repossession agent may not enter Lake Holiday for any other purpose.

## SECTION E. ADHERENCE TO TRAFFIC AND PARKING REGULATIONS

Any individual operating a vehicle within the community must observe all traffic rules and regulations relating to:

1. **Speed:** The maximum speed on any road within Lake Holiday is twenty-five (25) miles per hour, unless otherwise posted. Common sense should dictate slower speeds during periods of inclement weather or when road surface conditions are dangerous.
2. **Traffic Signs:** All posted traffic signs are to be observed. For example, a stop sign requires coming to a complete stop before proceeding.

3. **Parking:**

- a. Definitions for purposes of this PRP No. 5:

"Roadway" means that portion of the road improved, designed, or ordinarily used for vehicular traffic.

"Common area on the side of the roadway" means the area on the side of the roadway that is owned by Lake Holiday Country Club which is the owner of all platted roads in the development. The deed plats indicate the roads are generally 60 feet wide. Therefore, generally 30 feet on either side of the center of the roadway surface is common area, owned by the association. It's the owner's responsibility to know where their property line is.

"Passenger vehicle" means motorcycles, automobiles, minivans, sport utility vehicles, and light duty pickup trucks used primarily for transport of passengers.

"Commercial vehicle" means any motor vehicle or trailer with commercial license plates/registration and used for purposes of transporting property or performing services other than or in addition to personal passenger transportation.

"Unauthorized vehicles" means boats, boat trailers, trailers, semitrailers, carping trailers, motor homes, tractor trucks, buses, minibuses and any box trucks and pickup trucks except for "dually" pickups used for passenger transportation.

"Construction equipment and vehicles" means tractors, dump trucks, machinery, or other mechanical equipment either self-propelled or towable.

- b. Passenger vehicles shall be parked on the owner's lot (preferably the driveway). Passenger vehicles may also be parked in common area directly in front of the owner's lot or in a designated parking area. However, no passenger vehicle shall be parked on the roadway surface except as permitted in (b) below. All wheels shall be off the roadway surface.

- c. In order to accommodate short-term visitors and private events, passenger vehicles may park on common area on the side of the roadway for up to 48 hours with wheels on the road surface not to exceed two (2) feet. No vehicle may park in such a way as to block emergency vehicles from passing.
- d. No passenger vehicle shall be parked on common area on the side of the roadway in front of another lot owner's property overnight without the permission of the owner or tenant.
- e. No passenger vehicles shall be permitted to park across from another lot owner's driveway so as to impede safe exit from the driveway.
- f. Passenger vehicles that do not have a current license plate, registration sticker and a Virginia state inspection sticker (if registered in Virginia) shall not be stored or parked on common area on the side of the roadway.
- g. No unauthorized vehicles shall be parked or stored on the roadways or on common area by the sides of the roadways except as otherwise authorized in section g.
- h. Commercial vehicles may park on common area on the sides of the roadways with wheels on the roadway during normal work hours (7 am to 7 pm, Monday through Friday) and during weekend emergencies as long as no more than one-third (1/3) of the lane is obstructed and warning devices are placed to adequately warn traffic of the obstruction. At all other times commercial vehicles shall not be parked on common area on the side of the roadways, even if completely off the road surface. Exempt from this rule are passenger vehicles that exhibit signage.
- i. No construction equipment or vehicles shall be parked or stored on the roadways or on common area on the sides of the roadways except during ongoing construction of a house or house addition.
- j. During a snow or ice event, all vehicles shall be removed from the roadways and from common area on the sides of the roadways as determined to be necessary by administrative office so as to allow efficient and safe plowing of the roadways.
- k. The administrative office may grant a temporary waiver of any parking rule in special situations and may block roads and redirect traffic as needed. This waiver may not be for more than 48 hours and may be revoked at any time without cause. Any request for a permanent waiver of any parking rule shall be approved by the Board of Directors.
- l. Lake Holiday Country Club shall have the right to tow any vehicle parked in the common area in violation of the parking regulations. The administrative office shall make a reasonable attempt to contact the owner of the vehicle and/or have the vehicle moved before towing. The owner of the vehicle or his authorized representative shall have forty-eight (48) hours to move the vehicle off of common area. This 48-hour grace period shall only apply to the first such violation. Subsequent violations for the same offense may be subject to immediate towing. Towing and related charges shall be at vehicle owner's sole expense.
- m. Any resident, tenant or guest, who parks a motor vehicle or otherwise stores construction equipment in the common area on the sides of the roadways, does so at their own risk; and by parking or storing equipment in the common area relieves Lake Holiday Country Club, Inc., from any liability, claims or damages sustained, which may occur to the vehicle or equipment parked in the common area, or any other claim which may arise from the vehicle or equipment being parked in the common area; including but not limited to damage from

road maintenance activity, snow removal activity and/or towing or removal of unauthorized vehicles and/or equipment ("illegally parked").

## SECTION F. ENFORCEMENT

1. Private security officers are responsible for the enforcement of Lake Holiday traffic rules, including ensuring that all vehicles have the proper Visitor Pass or bar code decal displayed at all times
2. Frederick County Sheriff's deputies are responsible for enforcement of state law and local ordinances for traffic regulations within the Lake Holiday community.
3. Illegally parked vehicles are subject to towing. (See Section E.3.k above)

## SECTION G. COURTESY NOTICE AND CITATION NOTICE ISSUANCE

1. **A Courtesy Notice** will be issued, in accordance with Lake Holiday Policies, Rules and Procedures, for failure to have a current Lake Holiday bar code decal or Visitor Pass properly displayed on a vehicle within Lake Holiday.
2. **A Citation Notice** will be issued, in accordance with Lake Holiday Policies, Rules and Procedures, for roadway violations, which includes speeding, failure to follow traffic rules, not observing posted traffic signs, or illegal parking. Security may document non-compliance with radar guns, video cameras and photographs.
3. **Property Owner, Tenant or Authorized Guest Drivers:** A Courtesy Notice or Citation Notice will be mailed to the property owner within thirty (30) calendar days of the alleged offense. This will include alleged violations by a tenant or by a guest of the property owner or tenant.
4. **Vendors or Tradesmen:** Based on the license plate number and its vehicle registration, a Citation Notice will be mailed to the driver's company address of record. Repeat violations by the same vehicle will result in that company losing all further access privileges to Lake Holiday.
5. **Builders and Subcontractors:** If a builder or builder's subcontractor is issued a Citation Notice, the builder's conformance bond will be debited \$50 for each violation.
6. **Lake Holiday Employee:** If a community vehicle is cited for traffic violations, the driver will be subject to progressive discipline in accordance with the LHCC Employee Manual.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2	1/29/2009	Incorporate former Article XIII	All	
V2.1	3/31/2009	ATV use	B.5.c	
V3	8/24/2010	Parking on roads	B.6.a.(3)	
V4	1/25/2011	Left lane full stop at gate	C, C.1.a, C.2.a	
V5	3/22/2011	Type of hanging tags	C.2	
V6	8/23/2011	Entry process	D	
V7	7/24/2012	Implement Capsure, Resolution 2002-13, Resolution 2009-01, PRP-8	D.7; B.4.d, B.5.a.(3); C.6.a, C.6.b; D.9.a, D.9.b	
V8	9/24/2013	Policy	B.1.b.,B.4.f., B.5.a.(3),(4), (5),(6), C.1.	
V9	10/22/2013	Policy	B.1.b.,B.4.f., B.5.a.(3),(4), (5),(6), C.1.	
V10	8/26/2014	Required registration, number of free decals, number of visitors by phone authorization, group authorization	B.4.c, C.1.b, C.2.b, C.2.c	
V11	8/25/2015	Rearrange section, removal of process servers, no one-day guest passes, new exceptions list, new parking regulations	B, C, D, E, F	
V12	6/28/2016	No barcodes for temporary tags	B.4.b, D.1.a	
V13	12/20/2016	Adherence to traffic & parking regulations, enforcement	E.3	
V14	2/28/2017	Adherence to traffic & parking regulations	E.3	
V15	09/25/2018	Reformatting & reorganization across all provision; divided into two "main" features (General & Gate Entry); added temp registration; revised motorcycle language to reflect current practice; tightened up who will be challenged & requirements for ID; waivers reduced from 7 days to 48 hours; clarified law enforcement's role in enforcement activities.	A, B, C.2.b, C.2.g, D, E, F	ALM
V17	8/24/2021	Change in citation notice to members to 30 calendar days	G3	EAN



Lake Holiday

**POLICIES, RULES, AND PROCEDURES**  
**PRP NO. 8**

**Association Complaint Procedure**

Revised and

Approved by the Board of Directors

January 24, 2017

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## PRP NO. 8 COMPLAINT PROCESS

### SECTION A. GENERAL

1. The purpose of this PRP is to outline the procedures for resolving complaints from Lake Holiday Country Club, Inc. Members or other citizens. The Virginia Common Interest Community Board, which regulates common interest communities, requires these communities to establish written rules for receiving, considering and resolving complaints from Members and other citizens concerning the action, inaction or decisions of the governing board, managing agent or association inconsistent with applicable laws and regulations (Virginia Property Owners' Association Act and Virginia Non-Stock Corporation Act). This PRP implements the Complaint Procedure based upon Section 55-530 of the Code of Virginia and Section 18VAC 48-70-10, *et seq.* of the Virginia Administrative Code.
2. Common interest communities in addition may establish rules for receiving, considering, and resolving complaints from Members concerning the action, inaction or decisions of the governing board, managing agent or association inconsistent with the association's governing documents (Deeds of Dedication, Articles of Incorporation, Bylaws, Policies, Rules, and Procedures and Resolutions). This PRP implements this procedure as well.

### SECTION B. DEFINITIONS

1. A **"common interest community"** means real estate located within Virginia subject to a declaration which contains lots, at least some of which are residential or occupied for recreational purposes, and common areas to which a person, by virtue of his ownership of a lot, is a member of an association and is obligated to pay assessments provided for in a declaration.
2. **"CICB"** means Common Interest Community Board. This is a policy board within the executive branch of the state government which promulgates regulations, licenses managers to ensure proper training and approves training programs among other duties.
3. **"Association"** and **"LHCC"** means the property owners' association at Lake Holiday.
4. **"Board"** means the entire Board of Directors of Lake Holiday Country Club, Inc or those present, if a quorum, at the designated meeting for Complainant's hearing.
5. **"Member"** means a property owner at Lake Holiday.

6. **"POAA"** means the Virginia Property Owners' Association Act, Title 55, Chapter 26 of the Code of Virginia which is the law governing common interest communities in Virginia.
7. **"Office"** means the administrative office for LHCC, Inc. located at 231 Redland Road, Cross Junction VA 22625.
8. **"Complainant"** means a property owner at Lake Holiday or a citizen who files a Complaint pursuant to this PRP.
9. **"GM"** means the LHCC General Manager.
10. **"Written Acknowledgement of Receipt"** means if by electronic mail, a record of the original electronic mail sent to the address provided and an electronic return receipt by the recipient. If by the postal service, by certified mail, return receipt requested.
11. **"Officer"** means the President, Vice President, Treasurer, and Secretary of the LHCC Board of Directors.
12. **"Final Adverse Decision"** means a final determination issued by the Board pursuant to this PRP that is opposite of, or does not provide for, either wholly or in part, the cure or corrective action sought by the Complainant.
13. **"Day"** means a calendar day.

### **SECTION C. APPLICABILITY OF COMPLAINT PROCEDURE**

1. The Complaint Procedure described in this PRP applies when a Member, resident or citizen alleges that an action, inaction or decision of the LHCC Board of Directors, a committee of the LHCC Board, or the LHCC General Manager violates community association laws or regulations such as the POAA or the Non-Stock Corporation Act.
2. This Complaint Procedure also applies when a Member alleges violations of Association governing documents such as the Bylaws and Deeds of Dedication, and/or policies, rules and regulations or any other internal documents of the Association.
3. This Complaint Procedure does not apply to disputes within the Association such as between Members or disputes that normally go through the Compliance process or are an appeal of a Compliance Committee Determination handled under PRP No. 4.

## **SECTION D. INITIATING A COMPLAINT**

1. The Complaint shall be submitted in writing, using the Complaint Form. A copy of the form is attached as Exhibit A. It can also be downloaded from the Association web site or by requesting a copy from the Office.
2. The Complaint Form shall include the address and telephone number of the Office and the mailing address, telephone number, and electronic mail address of the Office of the Common Interest Community Ombudsman. The Complaint Form shall include a description of the Complainant's right to give notice of adverse decisions pursuant to regulation.
3. The Complaint shall include: contact information for the Complainant including an electronic mail address, a description of the specific and relevant facts and circumstances that is allegedly a violation of the POAA, Non-Stock Corporation Act, Association governing documents (LHCC Articles of Incorporation, LHCC Bylaws, LHCC Deeds of Dedication) and/or Association policies, rules and procedures (PRPs) and Resolutions.
4. To the extent that the Complainant has knowledge of the law or regulation or governing document applicable to the Complaint, he or she shall provide that reference on the Complaint Form. The Complaint shall also specify the action, result or resolution that is being requested.
5. A statement whether or not the Complainant agrees that all written acknowledgements and notifications or other correspondence may be transmitted by each party via electronic mail and its receipt acknowledged in the same manner.
6. Signature of Complainant and date.
7. The completed Complaint Form along with all supporting documents and other materials relating to the Complaint shall be either hand-delivered or mailed to the Office and addressed to the LHCC General Manager. If both parties agreed to transmittal via electronic mail, the Complaint Form and the Complaint may be electronically mailed to the GM at gm@lakeholidaycc.org. The mailing address, if mailing is necessary, is: 231 Redland Road, Cross Junction VA 22625.
8. The Complaint shall be submitted within 30 days of the alleged act, or failure to act, which is the subject of the Complaint.

## **SECTION E. RECEIPT AND ADEQUACY OF THE COMPLAINT**

1. The Office shall stamp the date of receipt on the Complaint Form, establish a record number for the Complaint and maintain a complete file in the corporate records. The GM shall notify the Board within 24 hours by electronic mail. The

President of the Association shall be notified immediately and provided a copy of the Complaint.

2. The LHCC General Manager shall provide Written Acknowledgement of Receipt of the Complaint to the Complainant within 7 days of receipt. The Association shall retain a copy of all Written Acknowledgements of Receipt in the corporate file.
3. The President together with the other Officers of the Association shall review the Complaint within 7 days of receipt. If it appears the Complaint is incomplete and missing important information, the President shall inform the GM of the specific inadequacies and the GM will then in the original Written Acknowledgement of Receipt of the Complaint include the identified problems. Such notice shall describe how the Complaint is incomplete and advise the Complainant of the need to submit additional information before the Complaint can be formally accepted and forwarded to the Board for consideration.
4. In the notice there shall be a deadline of 7 days for submitting the additional information. Once this information is received, an additional Written Acknowledgement of Receipt will be provided to the Complainant within 24 hours. If the Complainant does not provide the additional information within the requested time frame, the Board may consider the Complaint as submitted and make a final determination.
5. On the same day that the original Written Acknowledgement of Receipt of the Complaint is provided to the Complainant, the GM shall provide the entire Board with a copy of the Complaint. If the Complaint requires revisions, once the revisions are received then on the same day additional acknowledgement of receipt is provided to the Complainant, the Board will also be provided with the revisions.

#### **SECTION F. CONSIDERATION OF THE COMPLAINT**

All completed, signed and dated Complaints forwarded to the Board shall be considered by the Board at an open meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

1. Complaints will be considered by the Board at a regular or special Board meeting held within 60 days from the date on which the Complaint was forwarded to the Board for consideration. Notice of the date, time and location of the Board's consideration of the matter shall be given to the Complainant by electronic mail, with electronic return receipt requested, or certified mail, return receipt requested, to the Complainant's address as provided in the Complaint at least 14 days prior to consideration by the Board.

2. The Board shall hold an open meeting and may query the Complainant to further develop the facts and supporting details. The Complainant may bring witnesses that he/she feels will contribute to a better understanding of the issues involved in the Complaint.
3. If the Complainant intends to have legal counsel present at the meeting of the Board, the Complainant shall provide written notice to the GM at least 7 days in advance of the scheduled meeting so the Board may arrange to have Association legal counsel present as well. If the Complainant fails to provide notice in advance of the meeting, then the Board may postpone the meeting and arrange an alternative meeting date.
4. The Board is under no obligation to postpone a scheduled meeting at the request of the Complainant; however, one reasonable request for postponement may be granted by the President after consultation with the Board. A request for postponement shall be submitted in writing at least 7 days in advance of the meeting.
5. The Board shall make a decision on the Complaint by a majority vote of the Board at the designated meeting. The Board, by majority vote, may ask a Board member to recuse himself due to a conflict of interest. The decision shall fall into one of the following two categories:
  - a. A decision that additional time is required to make a final determination, in which case the Board shall postpone the final determination until a later scheduled Board meeting whose date is announced at the meeting or by giving 14 days notice to the Complainant. If additional information is needed, a written request will be provided to the applicable party(s) with copy to the Complainant, specifying a deadline by which time the requested information will be received by the GM and forwarded to the Board; or
  - b. A final determination on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved or implemented by the Board.
6. After the final determination is made, the GM shall provide the Complainant with written notice of the final decision by electronic mail, receipt requested or by certified mail, return receipt requested, to the address provided in the Complaint, within 7 days.
7. The notice of final determination shall be dated as of the date of issuance and shall, where applicable, include:
  - a. Specific citations to applicable provisions of Association governing documents, regulations or laws that led to the final determination;

- b. The Association's registration number as assigned by the CICB, and if applicable, the name and CICB-issued license number for the GM; and
- c. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" (a final determination that is opposite to, or a denial of, the corrective action sought) with the CICB via the CIC Ombudsman **ONLY IF** the Complaint alleges action, inaction or decisions by the governing board, managing agent, or association contrary to the POAA or Non-Stock Corporation Act or other laws regulating common interest communities in Virginia. The Notice of Final Adverse Decision must be accompanied by the designated fee in the DPOR regulations or the Complainant may file a Fee Waiver Request Form.
- d. **The ability to file a Notice of Final Adverse Decision with the CIC Ombudsman is only available for alleged violations of the VA POAA and the VA Non-stock Corporation Act.** A Final Adverse Decision regarding alleged violations of Association documents is not eligible for appeal to the CIC Ombudsman.
- e. There is no appeal process for final decisions within the Association.

#### **SECTION G. ASSOCIATION RECORDS**

1. A record of each Complaint shall be maintained by the Association in the Office within the corporate records (including the Complaint Form and attachments, related acknowledgements and notices, and any action taken by the Board in response to such Complaint) for no less than one year from the date of the Board's final action on the Complaint.
2. A copy of this PRP shall be included as an attachment to the LHCC Disclosure Packet for new homeowners and shall be readily available on the LHCC web site and upon request to all members of the Association and citizens.

#### **SECTION H. ADDITIONAL INFORMATION**

The web site for the Commonwealth of Virginia DPOR (Department of Professional and Occupational Regulations) Office of The Common Interest Community Ombudsman contains relevant information and a useful flow chart, Guidelines for Review of Complaint Submissions. In addition, the Complainant may contact the Ombudsman's Office at 804-367-2941 or [CICombudsman@dpor.virginia.gov](mailto:CICombudsman@dpor.virginia.gov).



## Lake Holiday Association Complaint Form

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (Board) of Lake Holiday Country Club, Inc. has established this Complaint Form for use by persons who wish to file written complaints with the Association regarding the action, inaction or decision by the Board, a duly approved Association Committee, or the Association General Manager that is allegedly inconsistent with applicable laws and regulations and/or with the Association governing documents (Deeds of Dedication, Articles of Incorporation, Bylaws, Policies, Rules and Procedures and Resolutions). LHCC Policy, Rules & Procedures (PRP) No. 8 contains complaint process details.

Please include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations or Association governing documents that support the complaint.

Name: \_\_\_\_\_

Complainant category:  owner  tenant  non owner/tenant

Mailing Address: \_\_\_\_\_

Lot/Unit Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Preferred method of communication:  paper copy  email

Complaint to include relevant persons, time, dates and places involved. (If there is insufficient space, please attach a separate sheet of paper to this complaint form):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of attachments (Attach any supporting documents, correspondence and other materials related to the complaint.): \_\_\_\_\_

Specific law or regulation or governing document relevant to the complaint that the Association is allegedly not following:

\_\_\_\_\_

Adverse impact to owner/tenant/citizen due to Association's alleged non-compliance with Virginia law or regulations or Association governing documents:

\_\_\_\_\_

Requested action or resolution: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature of complainant \_\_\_\_\_

Date sent by complainant: \_\_\_\_\_

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee.

The Ombudsman may be contacted at:

**Office of the Common Interest Community Ombudsman  
Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, VA 23233  
804/367-2941  
CICOmbudsman@dpor.virginia.gov**

*To be completed by LHCC Office:*

Record number \_\_\_\_\_

Date received by LHCC Office: \_\_\_\_\_

Method of Form delivery (email, USPS, UPS, FEDEX, etc): \_\_\_\_\_

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry by:
Original V1.0	08/28/2012		all	
V2	01/24/2017		all	

# Lake Holiday

## **POLICIES, RULES, AND PROCEDURES** **PRP NO. 9**

### **Waste Management**

Revised and

Approved by the Board of Directors

Date: September 26, 2017

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## **PRP NO. 9 WASTE MANAGEMENT**

### **SECTION A. TRASH COMPACTOR**

A trash compactor for the purpose of waste management is located at the Association Maintenance Facility on West Masters Drive. Only resident's household trash/refuse generated within Lake Holiday may be disposed of at the Association waste management location(s). Trash generated outside of the community is prohibited for disposal within the community. All users of Association facilities must be either resident members in good standing or tenants of members in good standing. Use by others is prohibited.

Hours of operation are posted at the Administration Office, at the Maintenance Facility (compactor), and on the Association website.

The trash compactor at the Maintenance Facility is the only authorized location within community for any property owner to dispose of their approved household waste. Private contractor dumpsters located at building sites are for the sole use of the contractor and are not to be used by property owners.

The compactor is for ordinary household trash only. Trash should be bagged or boxed before being deposited in the compactor. Empty cardboard boxes, if not being recycled, should be flattened. All trash must fit into the compactor. All disposal guidelines posted at the Association site as well as at Frederick County Citizen's Convenience Center sites must be followed.

Large, bulky items must be taken directly to the Frederick County Landfill Center.

Leaving trash or other items on the premises around the compactor or elsewhere in the Maintenance Facility is strictly prohibited. The site is monitored and violations rules will result in a Compliance Violation citation.

### **SECTION B. PROHIBITED ITEMS**

If you observe illegal dumping, please call the Administration Office. The Association will take action. Please report, if possible: the license plate of the vehicle in question, the date, and the time of the infraction.

The list below is not all-inclusive, but includes many of the items that should never be disposed of in or around the compactor.

- Hazardous Waste of any kind: pesticides, paint, batteries, oil, gas, kerosene, etc.
- Appliances: ranges, dishwashers, washers, dryers, refrigerators, microwave ovens
- Furniture, mattresses, bed frames
- Electronic equipment/devices: televisions, computers, monitors, air conditioners
- Demolished structures: doghouses, sheds, home interior items, cabinetry
- Construction materials: drywall, paint, roofing, lumber, block, concrete, insulation materials
- Large toys such as kiddie pools, swing sets, playhouses

- Yard waste

Leaves and trimmings from trees and shrubbery are to be placed in the area designated for such material at the Maintenance Facility and are not to be placed in the compactor.

Violations of these rules will result in a Compliance Violation citation.

## **SECTION C: HAZARDOUS WASTE**

Hazardous waste is not to be placed in the compactor, at the compactor site, or disposed of anywhere within the community. Hazardous waste should be properly handled and disposed of. Frederick County Public Works has a hazardous waste removal program at no cost to county residents. Call 540-665-5658 for more information or click here to visit: [The Frederick County Household Hazardous Waste Program](#).

## **SECTION D: RECYCLING**

Residents are encouraged to recycle whatever and whenever possible. Aluminum and steel cans, glass, cardboard, newspapers, and many different types of electronic devices are just a few items that are recyclable. Please take these items to a Frederick County Citizen's Convenience Site or the Frederick County Landfill for recycling. Recycling reduces the amount of waste in the compactor; reduces the amount of waste going to the landfill; reduces costs to the association with respect to waste management; and protects the environment.

Contact Frederick County Public Works at 540-665-5600 for more details regarding all waste management matters or click here to visit: [The Frederick County Public Works Website](#).

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2	2/28/2012	Trash Compactor, Recycling	A, C	
V3	6/26/2012	Renamed	All	
V4	9/26/2017	Corrected Version Number to include 'Original'; Renamed "Waste Management"; simplified all sections for clarity; made prohibited items its own section (B); added info & weblink (C); added info & weblink (D).	A, B, C, D	ALM



# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 12

### Committees

Revised and

Approved by the Board of Directors

Date: January 28, 2020

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## PRP NO. 12 COMMITTEES

### SECTION A. PURPOSE

The purpose of this document is to define the missions, roles, and responsibilities of Lake Holiday Country Club, Inc. (LHCC) committees and to provide related guidance for their organization, authorities, and operations.

Committees are formed within Lake Holiday to perform specific functions in direct support of the LHCC Board of Directors. In general, these functions involve efforts focused on the investigation, research, and analysis of substantive issues that the Board of Directors alone would not be able to efficiently or effectively conduct. In this capacity, Committees generally serve directly as an extension of the Board, but have no authority to make decisions on behalf of the Board. Committees will conduct their activities and submit reports and recommendations to the LHCC Board of Directors, but the Board of Directors is ultimately responsible to make all decisions and establish policies and procedures for LHCC.

Committees may develop ideas for activities, plans, or projects of value to the community. The committee shall prepare a preliminary report for the Board book so the Directors may ascertain the level of interest in pursuing these proposals, and subsequently provide direct tasking to the committees for action.

Three Committees and their charters are mandated by LHCC Governing Documents. Additional committees are approved by the Board, which has the power and authority to create, change and terminate the charters. The Board may create committees and working groups to accomplish specific tasks or projects to broaden the scope of community input, provide assistance, recommendations and information for the association's use and overall benefit. It may also create Committees in response to short-term, emergent requirements, or to serve in larger roles that have an enduring or long-term requirement.

Committees also serve an additional function by allowing property owners of LHCC to join; and in an organized manner promote common goals, improve the community, and enhance community spirit. Committees allow for LHCC members to shape the future of the community and provide a venue to express opinions and ideas.

### SECTION B. ORGANIZATIONAL GROUP TYPES

#### 1. Mandatory Committees

- a. Three Mandatory Committees are explicitly required by LHCC governing documents and established permanently to aid the LHCC Board of Directors in accomplishing its duties: Architectural Committee, Compliance Committee, and the Nominating Committee.
- b. A Board Liaison will be appointed to each Mandatory Committee. The board liaison may observe, advise, and participate with the committee in every capacity as a non-voting member except as otherwise specifically provided for herein. The Chairperson leads the committee. The Board will approve the Chairperson.
- c. A Board Director may be a member of the Architectural Committee, but not a member of the Compliance or Nominating Committee.
- d. Each year at the Board of Directors organizational meeting following the election of new Board Members, the Board will select the Board Liaisons to all committees.
- e. The chair of the Nominating Committee will be approved by the Board of Directors six months prior to the annual meeting.

## 2. Special Committees

- a. Special Committees are established by the Board of Directors to accomplish a particular task or to oversee a specific area in need of management or oversight. As a rule, these Committees should be chaired by members not presently serving on the Board. However, the following Committees shall be chaired by a current Board Member unless the Board approves otherwise by a super majority vote: Finance Committee.
- b. The Board has the authority to establish other committees as needed at any time to carry out specific objectives or tasks. These committees shall cease to exist once the assignment is complete.
- c. The LHCC Board will assign a Board Liaison to serve on each Special Committee unless that Committee is chaired by a Board Member. The Board Liaison and/or Committee Chairperson will present recommendations to the Board for consideration and action.

Unless assigned as a Board Liaison, an LHCC Board Member may be a member with voting privileges of any Special Committee. The Committee Chairperson will chair their respective committee and should be present at regular LHCC Board Meetings when issues relevant to that committee are on the agenda. They will provide committee reports for the monthly Board book, as well as address the Board (at the Board's request) on any applicable agenda item or issue. The Board must approve the Chairperson chosen by members of each respective committee.

The Chairperson of each committee, after verification of a member's eligibility, shall approve new members to the committee once they request to join at any time throughout the course of the year, and shall keep the Administrative Office and Board of Directors up-to-date on the committee roster.

- d. Committee Organizational Meeting: The previous chairs of each committee will be responsible for preparing an agenda and calling a meeting of each committee as soon as possible following the Board organizational meeting. The new Board Chairpersons and Liaisons will be introduced at those meetings and the new chairs will assume their roles. Each committee secretary will prepare a roster of committee members for presentation in the board book and for approval at the Board's next regular meeting.

## 3. Subcommittees and Working Groups

- a. Sub-Committees: A sub-committee may be established by the larger committee or by the Board of Directors to divide work load, tasks, or to pursue unique objectives within the larger scope of the committee's responsibilities. Sub-Committee members must be approved members of the larger committee, unless otherwise approved by the Board of Directors. Subcommittees report to the parent committee and not directly to the LHCC Board of Directors.
- b. Working Groups: Periodically the board may deem it appropriate to appoint a number of Board Members to accomplish a specific task, further research a topic, prepare a document or strategy, etc. This "working group" will normally include only Board Members, be in existence for a relatively short period of time, and operate directly as an extension of the Board of Directors. Community members with specialized or unique qualifications directly relevant to that working group's particular task or objective may be invited by the Board to join the working group.

## SECTION C. GENERAL GUIDELINES

### 1. Authority

- a. No committee Chairperson, group of committee members, or an individual committee member shall represent or give the impression that they represent LHCC to any public official or other entity, nor enter into any form of negotiation without the express permission of the Board of Directors.
- b. A committee member shall not represent himself or herself as having the authority of the committee unless they have been specifically authorized to do so by the Chairperson.
- c. Committees do not have the authority to expend funds without Board approval. No capital improvement project may be initiated without the approval of the Board. All community events planned and conducted by any committee must have prior Board approval.

### 2. Participation and Conduct

- a. All committee members must be "eligible and in good standing members" according to the LHCC Bylaws. Property owners are encouraged to volunteer their time to be on any committee.
- b. A committee meeting quorum shall consist of 50% of the members plus one present at a meeting. The President and Vice President are ex-officio members of all committees and, if attending a Committee meeting, will count toward the quorum and will have all of the rights and privileges afforded to other members, including voting.
- c. All committees will be generally guided by the procedural and Code of Conduct requirements that govern the Board, although the committee may choose to follow a modified "rules of order" as deemed appropriate. This includes having open meetings and providing access for the inspection of all committee-related documents at the Administrative Office. A committee member has a duty to represent and promote only what serves the best interests of the community at large. Each individual shall, at all times, show respect for the other members and their opinions, as well as supporting the voting decisions made by the committee.
- d. Access to and communications with the membership is of paramount importance. To that end, all committee members who have an email address should provide the valid email address, if they have one, to the Administrative Office in order to facilitate email communications by between committees, the board of directors and the membership.

Those who provide valid email addresses shall be added by the Administrative Office to the email forwarding roster associated with each committee's Lake Holiday email address to streamline communications. Committee Chairpersons are responsible for updating the Administrative Office as to current committee rosters and any changes thereto.

### 3. Meeting Schedules and Attendance

- a. Committees are specifically charged to perform tasks as directed and in support of the LHCC Board of Directors. The regular monthly meeting day, date and time will be set by a majority vote of the committee's membership.
- b. The Chairperson will verify that all committee members are invited to all meetings and that the meetings are announced to the General Membership. Committee members failing to participate in three (3) consecutive meetings may be dropped from the member roster by a majority affirmative vote of the Committee.

#### 4. Financial Operations

- a. In response to a budget call issued by the Treasurer, each committee shall submit an annual budget request. The committee submission may include request funds for any or all of the following: 1) routine general fund expenditures for the coming fiscal year; 2) "new starts", i.e. projects requiring multi-year funding not yet included in the Capital Improvement Fund; and 3) funds required in the coming fiscal year for already-approved Capital Improvement Projects.

Requests for "new start" funding shall include the amount requested for the coming fiscal year as well as an out year estimated funding profile, and an estimate of the total cost of the project. Requests for projects included in the approved Capital Improvement Fund shall include the balance currently in the CIP for that project at the end of the prior fiscal year, as well as an out year estimated funding profile, and an estimate of the total cost of the project.

Budget requests shall be submitted in the format provided by the Treasurer's annual budget call.

- b. Requests for funding new capital improvement projects (CIPs) shall be submitted first to the Master Planning Committee (MPC) in response to a request issued by the MPC. Each committee shall identify proposed CIPs for the coming fiscal year that the committee wishes to recommend. The MPC will consolidate the CIP requests received from all committees into a single list and present the list to the Board for initial approval of the concept.

Committees receiving favorable decision for their requested CIPs shall be directed to prepare a more complete plan including implementation steps and a detailed breakdown of estimated costs for the project that will be included in the annual budget request identified in paragraph 4.a above.

To ensure inclusion of the CIPs in the annual budget cycle, the lists of CIPs must be submitted and the individual projects approved by the Board no later than its April regular meeting. The Board may, at its discretion, attach a priority designation to the projects receiving a favorable decision and consider additional CIPs. A favorable decision does not guarantee funding in the next year's budget. Rather, it indicates that the CIP is eligible to compete along with all other budget requests during the preparation of next year's budget by the Treasurer and Finance Committee. The Treasurer, assisted by the Finance Committee, will make recommendations to the Board for final budgetary decisions.

- c. The LHCC General Manager will coordinate Requests for Proposals (RFPs) and may prepare and present proposals in collaboration with the LHCC Treasurer and submitting committee for Board consideration and funding. These proposals shall be submitted in time for inclusion in the Board Book.
- d. It is the responsibility of the Chairperson and all members of a committee to maintain accurate records of any expenditure incurred in accordance with the approved budget. The Chairperson shall submit all receipts for budget-approved expenses to the LHCC General Manager within thirty (30) calendar days for reimbursement. Any expenditure by committees outside of the approved budget will not be reimbursed, unless there is further action by the Board expressly approving the committee's justification for such additional expenses.

All approved significant expenses (greater than \$50) shall be paid by the Association office as opposed to being paid by a committee member and reimbursed. Exceptions to this policy can be made by explicit approval of the LHCC Treasurer.

- e. Committees are responsible for preparing for Board approval all activity and function fees such as refreshments, fishing tournaments, sale of sweatshirts, and for collecting and accounting for the fees. Any activity expected to generate revenue shall be approved by the

Board prior to the activity and net income so generated shall be spent with Board approval for said committee purposes. A Financial Income Report shall be submitted by the committee to the LHCC General Manager at the conclusion of the fundraising activity.

No expenses shall be paid from the fees collected by the committee. The LHCC General Manager will verify that monies collected from committee activities are appropriately accounted for in a separate general ledger account for that committee and ensure that expenses are paid and accounted for separately.

#### 5. Publicity of Committee-Sponsored Activities

Committees will publicize their events through the LHCC newsletter and website whenever possible and through appropriate use of the mailbox shelters. Any committee desiring to add an announcement to the LHCC newsletter and website must do so through their Chairperson, with text and/or graphics to be emailed to the TechComm Committee Chairperson. Newsletter announcements are due each month by the required date as stated in the Newsletter.

#### 6. Reports

- a. Each committee, sub-committee, and working group shall maintain and publish a timely and formal record of each meeting in the form of Minutes. Copies shall be provided to the Board and the Management Office for record purposes and property-owner reference. All minutes of meetings will be published in the Board Book, once these minutes have been approved by the committee members, and will be posted on the Lake Holiday website after Board approval.
- b. At the Board's request, the Chairperson shall submit a special report in writing or by email of their overall activities and progress. At the Annual Meeting, a year-end committee report may be delivered at the Board's request to the General Membership.
- c. The Chairperson shall submit any matters coming from the committee that may require Board approval ten (10) calendar days prior to the next Board meeting. The report shall consist of a summary of its findings and recommendations, and shall be submitted in writing or by email. It will then be placed on the agenda for Board review and consideration.

### **SECTION D. DUTIES AND RESPONSIBILITIES**

#### 1. Committee Chairperson/Co-Chairpersons

- a. Ensure meeting agenda and materials are provided to the Management Office at the same time they are provided to the Committee members.
- b. Start the meeting on time, have an agenda and stick to it.
- c. Use Goldberg's Rules of Order, as modified by the committee, to maintain good order and discipline of the committee membership during meetings.
- d. See that minutes are kept of each meeting and that the minutes are distributed to all committee members and an approved copy is provided in a timely manner for the Association records at the Management Office.
- e. Keep the meeting moving, encourage participation and keep remarks to the point. Prevent general discussion and side conversations because interest lags when attention is not focused.

- f. Listen, remain open-minded and encourage free expression of ideas, opinions, and recommendations.
- g. Invite constructive criticism and agreeable disagreement while ensuring civility of the discussion. Take appropriate action to eliminate the use of inappropriate language, verbal tone, or physical gestures during the debate of issues.
- h. Sum up what the speaker said. Encourage speakers to speak clearly, concisely and audibly. If necessary, have speaker repeat points that may not have been heard.
- i. Avoid hasty actions resulting from a lack of time. Instead, plan to continue the discussion at the next meeting. Halt aimless discussion by assigning further study or dismissing the item from the agenda.
- j. If pertinent, obtain a decision on the matter.
- k. At the end of the meeting, inquire to see if members felt that the topics were adequately discussed.
- l. Attend LHCC Board meetings if possible to better interact with the Board regarding Committee matters.

## 2. Committee Members

- a. Attend and participate in all meetings. If not able to consistently fulfill obligations as a member, the individual should resign from the committee.
- b. Do required homework, study agenda items prior to the meeting and complete research or reading in time to contribute effectively to the discussion at the meeting.
- c. Reports or items for discussion should be written and submitted to the Chairperson.
- d. Stick to the agenda during the meeting.
- e. Speak clearly and keep responses concise and to the point.
- f. Do not engage in side conversations. They are distracting to other committee members.
- g. Exercise civility and moderation during debates. Avoid the use of inappropriate language or verbal tone during discussions, including demonstrative physical gestures or body language. Committee members should conduct themselves, at all times, in accordance with the same Code of Conduct standards governing the Board.
- h. Subsequent to a vote, support the decisions of the majority or provide a written statement of concerns regarding the decision that will be included in the minutes.

## 3. Committee Terms of Office

- a. Committee members serve at the pleasure of the Board. Consideration should be given to developing procedures that will assure continuity, but which will also encourage new membership.
- b. A chairperson and any other officers required by the committee shall be elected at the first committee meeting following the Association Annual Meeting. A new committee roster shall be provided to the Board for approval following this committee meeting.



4. Non-Discrimination

- a. Members of any committee shall not discriminate based on race, color, national origin, gender, sexual orientation, or religious belief.
- b. The Committee Chairperson shall receive any complaints from property owners on any matter involving LHCC functions, duties and activities within the field and scope of responsibility of the committee. The committee shall review and offer recommendations concerning complaints to the LHCC General Manager and the Board.

## SECTION E. COMMITTEE CHARTERS

### Mandatory Committees

#### 1. Architectural Committee

PURPOSE: The Architectural Committee's primary goal is to maintain and enhance property values in Lake Holiday.

RESPONSIBILITIES:

- Reviews requests for changes to current homes and properties and plans for proposed new home construction.
- Reviews plans for initial building construction and upgrades to buildings on Lake Holiday owned property including common areas. The scope of review is limited to standards of external construction, renovation, site issues, landscaping, removal of trees on private lots, and preservation of the aesthetics of the LHCC community and environment.
- Prepares and publishes Architectural Guidelines and Guidelines for Initial House Construction consistent with the Deeds of Dedication subject to final approval by the Board of Directors.

#### 2. Compliance Committee

PURPOSE: The Compliance Committee provides a peer review for any property owner alleged to have breached any of the requirements of Covenants of Deeds of Dedication, Bylaws, or Policies, Rules and Procedures (PRPs).

COMPOSITION:

- No member of the Board of Directors may serve on the committee.
- The Board Liaison and/or Board Director may attend the meeting but may not be present during deliberations.
- The committee shall consist of a Chair and no less than three other property owners.

RESPONSIBILITIES:

- When resolution cannot be achieved through an informal process with the General Manager, and the person is alleged to be in noncompliance, the impartial committee members will review and make determinations in all such matters.

### 3. Nominating Committee

**PURPOSE:** The Nominating Committee coordinates and is responsible for LHCC election activities and solicits qualified candidates for open vacancies on the LHCC Board of Directors. The committee shall be responsible for providing recommendations to the Board of Directors regarding all matters and documents relating to the nomination and election process.

#### COMPOSITION:

- The committee shall consist of a chairperson and at least four (4) other members in good standing who shall be approved by the Board of Directors at the committee's organizational meeting.
- The committee members are approved by the Board no later than six months prior to the Annual Meeting and shall serve until a new Nominating Committee is formed.
- There shall be a Board Liaison.

#### RESPONSIBILITIES:

- Promote nomination activities through newsletter articles, flyers, website, and other appropriate media to the membership.
- Inform prospective candidates of director's responsibilities and practices.
- Organize and conduct "Meet the Candidates" Forums.
- Monitor administration of election process, including mailings, hiring of vote administrator as applicable.
- Monitor backup process for tallying votes in the absence of vote administrator.
- Provide guidance to candidates individually and through small group meetings.
- Review election timelines in Elections and Voting PRP and coordinate scheduling with Administration Office.
- Participate on Election Challenge Review Panel in the event of an election challenge.

## **Special Committees**

### **4. Activities Committee**

**PURPOSE:** The Activities Committee promotes a community spirit throughout the year through coordinating a variety of community activities annually.

**RESPONSIBILITIES:**

- Plan, coordinate and promote annual community activities that may include, but not limited to the following:
  - o Spring Fling
  - o Memorial Day Event
  - o Independence Day Event
  - o Labor Day Event
  - o Fall Fest
  - o Trunk or Treat and spooky trail
  - o Holiday Pot Luck
- Advocates increased use of the clubhouse to enhance community social interaction.

### **5. Buildings and Grounds Committee**

**PURPOSE:** The Buildings and Grounds Committee, in consultation with the General Manager, shall provide recommendations to the Board of Directors upon their request or initiate ideas that require Board approval for implementation concerning improvements and repair to association existing / proposed amenities and structures on common area.

**RESPONSIBILITIES:**

- Research, investigate and obtains project and cost information for purposed improvements and repairs to common area amenities and structures.
- Aids in the planning process of implementing proposed improvements approved by the Board of Directors.
- Plans and proposes ideas to promote preservation of the environment.

### **6. TechComm Committee**

**PURPOSE:** The TechComm Committee shall assist the Board of Directors and Office Staff as appropriate in making critical decisions by providing assistance, advice, research, and recommendations involving all matters related to technology & communications.

**RESPONSIBILITIES:**

- In conjunction with the Administration Office performs official communications throughout the community including, but not limited to: community business, informative articles, community activities & events, committee and Board of Directors meetings.
- Submit quarterly strategic technology & communications plans and updates to the Board of Directors.
- Perform community outreach in the areas of news, activities, and areas of interest by collecting articles, promoting advertising, and publishing newsletters and digital posts; make recommendations for association website content and official Facebook page.
- Execute Board Directives related to technology improvements and ongoing continuous improvement of technology throughout Lake Holiday.
- Consult with office personnel and Lake Holiday committees to streamline efficient project implementation.
- Perform modest training classes for staff and membership as appropriate.
- Engage with the community to enhance technology knowledge.

**7. Finance Committee**

**PURPOSE:** Under the oversight and direction of the Treasurer the Finance Committee shall make recommendations to the Board of Directors that ensure fiscally responsible policies and procedures are implemented.

**RESPONSIBILITIES:**

- Assist the Treasurer with the development of an annual budget, capital improvement budget, and the preparation / update of the Replacement Reserve Study, which anticipates the cost and schedule requirements to repair, renovate, and replace capital assets owned by the Association.
- Monitor actual expenditures.
- Oversee annual audit in accordance with state and local regulations.
- Provide long term financial planning recommendations to the Board of Directors.

**8. Lake Committee**

**PURPOSE:**

The purpose of the Lake Committee recommends actions and projects to the Board of Directors for preserving and enhancing the health, conservation, and quality of the lake. The committee works to promote safe and appropriate operation of recreation lake activities.

**RESPONSIBILITIES:**

- Initiate, investigate, and recommend policies and actions for maintaining and improving the health and preservation of the lake and shoreline including water quality testing, erosion and sediment control measures and aquatic vegetation control.
- Recommend controls, conservation, and enhancements to the lake
- Recommend policies, procedures, and rules for lake recreational use including boat tests, boat registration / inspections.
- Investigate and recommend improvements for use and design of marina.
- Annual review and update of lake management plan. Interface with lake management consultants.
- Educate the community on best practices for preserving the health of the lake and safe recreational use.

**9. Master Planning Committee**

**PURPOSE:** The Master Planning Committee's primary goal is to provide the community with a sense of direction. The committee shall create and update a Master Plan for the Association that helps guide the Board of Directors and committees in budget process for future enhancements to the community and current asset management.

**COMPOSITION:**

- There shall be at least one representative of Buildings & Grounds, Lake, Finance, and Security Committees.

**RESPONSIBILITIES:**

- Review and update the Master Plan as required.
- Conduct a survey every 5 years to address changing demographics, trends and amenity use.
- Serve as the committee responsible for creating strategic plans based on receiving all committee requests for capital improvement projects.

**10. Safety Advisory Committee**

**Purpose:** The Safety Advisory Committee consults with the board of Directors, general manager and other committees to initiate ideas and recommendations that when implemented, can enhance the safety of Lake Holiday community roadways, perimeters and common areas.

**Responsibilities:**

- Elevate awareness of the Lake Holiday rules, regulations, policies, protocols and enforcement methodologies.
- Advise the Board of Directors and General Manager about the need to address certain activities or areas of concern.

- Research, investigate and obtain project and cost information for proposed safety-related technologies and methodologies.
- Leverage information collected from existing and/or new technologies to make data-driven recommendations (e.g. electronic speed monitoring, etc.)
- Partner with the Master Planning Committee to develop community operating procedures for incident response, emergency evacuation preparation and recommend safety measures for future modifications.
- Communicate safety-related information, such as emergency evacuation routes, special event traffic routes and the availability of CERT and other life-saving courses provided by law enforcement, fire departments, EMS and other organizations.

## **SECTION F. ANNUAL REVIEW AND APPROVAL**

This document shall be reviewed and revised annually, as appropriate, then approved by the LHCC Board of Directors.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1	1/29/2009	Reformatted & revised document for Election Task Force & Building, Grounds, and Safety Committee		
V2	4/27/2010	Reformatted document & updated committee charters	All	
V3	3/22/2011	Change "Task Force" to Committees and reorder	E	
V4	8/27/2011	Add Security Charter	E	
V5	2/28/2012	Made an Official Article & revised charters	E	
V6	7/24/2012	Re-identify document as a PRP		
V7	1/22/2013	Added "clubs" and "working groups"; updated committee charters, deleted defunct committees	B, C, E	
V7.1	2/26/2013	Land Advisory name and charter added	E.2.h	
V8	6/23/2013	General guidelines - Buildings & Grounds Committee	C.1, E.2.b	
V9	2/25/2014	Standing Committees, meeting schedule & attendance, committee charters	B.2.a, B.2.b, C.3, C.3.d, E.2.d, E.2.e	
V10	3/24/2015	Annual review, remove land, remove front gate, chair reports	B.2.a, C.5.a, C.6.b	
V11	6/26/2016	Add words to clarify roles & interaction; Finance Committee Charter	C.1.a, C.4, E.2.d	
V12	3/28/2017	Added "working groups"; simplified committee structure; added wording applicable to Mandatory Committees; added Master Planning Committee; added wording to promote more community involvement; restructured finance process; created new charter format; added charters for new committees - Master Planning, Security, Technology; removed Land Advisory Committee; removed Sanitary District Working Group	A, B, B.1.d, B.1.e, B.2.a, C.3.a, C.4.b, E.2.f, E.2.g, E.2.h,	
V13	7/25/2017	Revised scheduled start times for M-F and Sa-Su options. Revised Communication Committee to TechComm Committee to reflect merger with Technology Committee; added updated charter TechComm; deleted Technology Committee; fixed formatting issue & table with Revision History; created footer to automatically paginate document	3.C.a., E.2.c, E.2.h, Revision History	ALM
V14	1/23/2018	Change all references to Standing Committees to Special Committees; Clarify liaison roles; Revisa meeting times requirement; Clarify 3 missed meeting requirements & actions; Add environmental bullet to B&G; Remove requirement for Chair to be Director from Master Planning	B.1.b, B.2.c, C.3.b, E.5, E.9	ALM
V15	09/11/2018	Clarify purpose, scope, composition for Nominating Committee.	E.3	ALM
V16	09/25/2018	Update to authorize Committees to approve members once eligibility validated instead of BOD; clarify MPC role in yearly projects budget & updates to capital improvement projects.	B.2.c & d, C.4.a	ALM
V17	08/27/2019	Add provision requesting all committee members to provide a valid email address to the Administrative Office; revise Nominating Committee "Purpose" for clarity and improved reading structure.	C.2.d; E.3	ALM
V18	01/28/2020	Revised MPC sector to include Security Committee in Composition and revised Responsibilities, second bullet, to change survey from 3 years to 5 years	E.9	PMM

# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 13

### Communications

Revised and

Approved by the Board of Directors

Date: September 26, 2017



### 3. Other Submissions

Submission of articles, notices, and announcements may be accepted from any membership source for review, approval, and inclusion in the Community Newsletter. Submissions shall be considered if informative, entertaining, non-confrontational and/or in keeping with laws or other LHCC regulations; and should be community-focused. Editorials, personal opinion articles, letters and similar are not printed in the Newsletter.

The Association reserves the right to determine the placement and size of charity and non-profit event notices in its Newsletter, on the Website or in other publications.

### 4. Community Calendar

The Community Calendar is included in the Community Newsletter. The Community Calendar will only be current as of the date of inclusion in the Community Newsletter.

## SECTION C. INTERNET COMMUNICATIONS

The official Lake Holiday website, Facebook page, and any other official channels ("internet properties") and their maintenance are the responsibility of the General Manager. The General Manager must have unrestricted access to all official communication vehicles as an Administrator.

The Lake Holiday website is not to be used as the official archive. All official documentation archives are stored and managed by the Administrative Office.

The only people who may be granted administrative or content management privileges to official internet properties are: an active Board Director, an active TechComm Committee member, General Manager, administrative staff, and technology-related subcontractor staff. Board Directors and TechComm Committee members must be approved by the General Manager and the Board of Directors.

The Board Secretary is responsible for ensuring that the Community Newsletter and all other appropriate documentation is posted to the official Lake Holiday website by authorized administrators. These documents include but are not limited to:

1. Board of Directors Meetings
  - a. The meeting agenda, tab items, and meeting minutes.
  - b. The Treasurer's profit and loss statements and quarterly statements.
  - c. Notices, announcements, articles, or other appropriate content.
2. Committee Minutes and/or Reports
  - a. Committee minutes and reports, as presented in the Board Book, are posted to the website.
3. Governing Documents
  - a. The most current approved revision of these documents posted include the LHCC Articles of Incorporation; Bylaws; Policies, Rules and Procedures (PRPs) and Resolutions.
4. Community News and Announcements, Board Book Material, Calendar, and Alerts

- a. Unless otherwise agreed with the General Manager, it is the responsibility of the Administrative Office to post this information.
5. Annual Meeting of the Membership, Election Notices, Candidate Information, & Election Results
    - a. Posting of candidate information, Annual Meeting presentation slides, and election results are posted as soon as practicable.

#### **SECTION D. BROADCAST ANNOUNCEMENTS**

Broadcast announcements are the responsibility of the Board President, Board Secretary, or Administrative Office. Broadcast announcements are used to communicate emergency or important community information. Broadcast announcements may include, but not limited to, weather-related community hazards, road closures, utility shut-offs, changes in office hours, and other closings or cancellations.

Broadcast announcements may be transmitted using email, official internet properties, and any other appropriate method.

All broadcast announcements shall include the name and title as the electronic signature of the author.

#### **SECTION E. DIRECT MAILING**

All direct mailings to the membership are the responsibility of the Administrative Office.

#### **SECTION F. COMMUNICATION ADVERTISEMENTS**

Advertising opportunities are available within the Lake Holiday communication vehicles.

1. Advertisement locations, size, placement, and associated fees are recommended by the TechComm Committee and approved by the Board of Directors.
2. Advertisers communicate with the Administrative Office.

**SECTION G. COMMUNICATION VEHICLES AND AUDIENCES**

✓ = Association Audience

✓ = External Audience

Content	COMMUNICATION VEHICLE				
	Official Website	Internet Properties	Community Newsletter	Email	Text Message
Board Meetings	✓✓		✓	✓	
Emergency Alerts	✓✓	✓✓	✓	✓	✓
Community Activities	✓✓	✓✓	✓	✓✓	
Committee Updates	✓✓		✓	✓	
Lake Testing/Studies	✓✓	✓✓	✓	✓	
Advertising	✓✓	✓✓	✓		
Surveys	✓	✓	✓	✓	
Governing Documents	✓✓	✓✓	✓		
General Information	✓✓	✓✓	✓	✓✓	

<u>ITEM</u>	<u>DEADLINE</u>
Regular Board Meeting	Minimum 7-day notice
Special Board Meeting	Minimum 3-day notice
Emergency Board Meeting	As soon as possible
Newsletter	1st day of the month
Committee Articles	15th of the month

### REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1	8/28/2012	Original		
V2	1/22/2013	Procedures; announcements	C, D	
V3	8/26/2014	Advertisement sizes	B,4	
V4	2/24/2015	Add Facebook	D	
V5	9/26/2017	Total Rewrite	All Sections	ALM

# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 14

### Clubhouse

Revised and

Approved by the Board of Directors

September 26, 2017

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## PRP NO. 14 CLUBHOUSE

Lake Holiday Country Club enjoys a beautiful Clubhouse fully equipped for hosting community meetings and recreational events. The rules and regulations that follow are designed to minimize accidents, ensure your safety and assure years of enjoyment by all LHCC Members and their guests.

Clubhouse users are encouraged to know these rules and to cooperate with administrative staff in their enforcement. The day-to-day operation of the Clubhouse is administered by the Association General Manager. Call the Administrative Office to reserve the facility, learn about scheduled events, or to report problems. The Office is open Monday through Friday from 8:00 a.m. until 5:00 p.m.. The phone number is 540-888-3549. After office hours, please call the Front Gate to report problems. The number is 540-888-3936.

### SECTION A. DESCRIPTIONS AND USES

1. Terms:
  - a. "Clubhouse" refers to the Lake Holiday Clubhouse located at 1045 Lake View Drive, Cross Junction, Virginia.
  - b. "Association" refers to the Lake Holiday Country Club Property Owners' Association.
  - c. "Member" refers to a Lake Holiday Country Club lot owner.
  - d. "Eligible Member" refers to a Member who is eligible and in good standing as the term is defined in the Lake Holiday Country Club, Inc. Bylaws; Article II, Section 10.
  - e. "Eligible Tenant" is a tenant of property within Lake Holiday Country Club whereby the property owner is an "Eligible Member".
  - f. "Lake Holiday Club" is any officially recognized club that is open to the eligible members and eligible tenants of Lake Holiday and uses the Clubhouse or other common area to conduct its meetings. Clubs must be self-financed and receive no direct support from the Administrative Office or the association. A club may collect dues or fees from its members to cover the costs of club activities. Costs that may be charged by a club include facilitators or instructors, required supplies or equipment necessary, and any other reasonable expenses for club activities.
  - g. "Business event" is any event at which business activities are conducted between members and/or guests invited by the member holding the business event. Business events are not necessarily open to all members. Business activities shall include any form of immediate or deferred payment for goods or services, distribution of marketing materials, and solicitation/promotion of same.
  - h. "Administrative Staff" refers to the LHCC General Manager and paid office personnel under the direction of the LHCC General Manager.
2. Fees and Charges: All fees for Exercise Room key fobs and facility rental fees are determined by the Lake Holiday POA Board of Directors. The fees in effect at any given time are set forth in the Fee Schedule. A copy of the Fee Schedule may be obtained from either the Lake Holiday website ([www.lakeholidaypoa.com](http://www.lakeholidaypoa.com)) or from the Administrative Office.

3. Member Use:

- a. Membership in Lake Holiday Country Club entitles the Member to use the Clubhouse or to attend functions at the Clubhouse. It is open to all Lake Holiday Eligible Members and tenants of Eligible Members. The requirement for eligibility is waived for meetings statutorily open to the entire Membership (e.g. the Annual Meeting).
- b. A Proximity key fob may be purchased from the Administrative Office by each Eligible Member or Tenant. The key fob will provide access to the Clubhouse Lower Level. It does not include the exercise room. It may be used by any member of an Eligible Member's or Tenant's household. Children under the age of 18 must be accompanied by an adult at least 21 years old.
- c. Eligible Members will be issued temporary one-day key fobs during Administrative Office hours on the day of the event when they have reservations to use Clubhouse facilities.

4. Clubhouse Description:

- a. Lower Level: includes gathering room, exercise facility, office, and restrooms.
- b. Upper Level: includes the great room, catering kitchen, meeting/storage, the Administrative Office, restrooms, and outdoor decks.

5. Clubhouse Use:

- a. Any member or tenant in good standing may initiate a Lake Holiday Club following demonstration of sufficient interest by Association members and approval of the General Manager.
- b. Lake Holiday clubs may reserve and use the clubhouse facilities for meetings and other club events at no charge. Business events may not be sponsored by a club to avoid paying rental fees. Payment to a facilitator or instructor (e.g. a yoga instructor) for a club activity shall not be construed as a business event.
- c. A point of contact for each approved club must be provided to the General Manager, be responsible for complying with the rules, and is responsible for any damages done to the Clubhouse shown to be caused by the club's activities.
- d. The Clubhouse is primarily for Association-sponsored events and member-sponsored events that are either private or open to the membership. Use of the Clubhouse for public events is prohibited. In this context, a public event is one where the principle sponsor is not a Member or where the majority of attendees are expected to be non-Members. A Member-sponsored private event where the attendees are predominantly friends and relatives of the Member is not considered a public event.
- e. Members may rent the clubhouse in order to hold a business event with approval of the General Manager. Business events may be open to visitors not predominantly friends or relatives of the member(s) holding the event. All non-member visitors must be the guest of a member. The member host is responsible for their guests' behavior and actions while in Lake Holiday.
- f. The use of the Clubhouse by a non-member to promote or conduct business is prohibited.



- g. Neither the Beach nor the picnic area are rentable spaces. Parties who rent the Clubhouse or reserve the upper deck have access to the picnic area and beach, but not exclusive use. Couples are welcome to say their vows and take photographs on either beach, but -may not block off any section or prevent members and their guests from using any portion of either amenity.
  - h. Surveillance cameras operate continuously at the Clubhouse. All camera images are recorded.
6. Clubhouse Upper Level Access:
- a. A key fob is issued to each Board of Directors member and Committee Chair. Key Fobs are also issued to each Club's designated point of contact for scheduled Club activities.
  - b. Key fobs are issued on a strict need for access basis.

## **SECTION B. GENERAL CLUBHOUSE RULES**

1. The hours of operation of the Clubhouse facilities -are established by the Board of Directors and are subject to change. The hours are published on the LHCC website and at the Administrative Office.
2. Eligible members are entitled to reserve the Clubhouse for any Lake Holiday Club or other event that is advertised as open to all residents, members, or tenants. There shall be no fee required unless the use is for businesses and is approved by the General Manager. In such cases, rental rates shall apply.
3. Shirts and shoes are required on the premises of the Clubhouse. Beach attire is permitted in the lower level gathering room.
4. Swimming attire is not permitted in the upper level rooms.
5. Smoking is prohibited within the Clubhouse and on its decks. Smoking is permitted in the special smoking areas designated outside.
6. No commercial advertisements will be posted or circulated in the Clubhouse during public events. Members who have rented the clubhouse for business events may circulate marketing materials and advertising during their rental period. Solicitations are prohibited except as permitted by the Board of Directors.
7. Petitions may not be originated, solicited, circulated or posted on the Clubhouse Facilities without written approval of the Board of Directors.
8. Clubhouse users must return portable tables and chairs to the storage room upon completion of their activity.
9. Members using the catering kitchen must clean it after use.
10. With the exception of folding tables and portable chairs, all property and furniture belonging to the Clubhouse must not be moved from room to room or from the Clubhouse without authorization of the General Manager.

11. Service dogs are permitted with their owners. All other animals are not permitted on Clubhouse grounds or within the facility.
12. Administrative Staff -are fully authorized to enforce the Rules and Regulations.
13. The LHCC General Manager is the authorized Operations Director of the Clubhouse. Please contact him/her with any problems concerning operation of the Clubhouse facility.
14. Please report damage, misbehavior and violations of these Rules to the LHCC General Manager. Violations are reviewed and adjudicated in accordance with the Lake Holiday Compliance Policy and the Virginia Property Owners' Association Act.
15. Access to the mechanical rooms is prohibited unless authorized by the General Manager.
16. A documented inspection of the facility will be performed by Administrative Staff with the primary event contact individual prior to and following each event for purposes of checking for damages (- e.g., carpet stains, equipment, kitchen appliances, etc.).

### **SECTION C. SPECIFIC PROCEDURES, RULES & REGULATIONS**

1. Exercise Facility Use (Lower Level):
  - a. Hours of operation: 4:00 a.m. to 10:00 p.m., seven (7) days a week.
  - b. Each household electing to join the Exercise Facility shall pay a one-time fee for a proximity key fob. (Refer to Fee Schedule at the office or on the web site at [www.lakeholidaypoa.com](http://www.lakeholidaypoa.com)). Proximity key fobs are available for purchase at the Administrative Office. Only one key fob can be issued for each household. Any Eligible Member may join the Exercise Facility. Ineligible Members are denied access by deactivation of proximity key fob.
  - c. The Eligible Member to which the proximity key fob is assigned must sign a hold harmless agreement. In addition, the Member must list all family members who might use the exercise facility.
  - d. Exercise Facility Members must observe the posted directives for use of room, equipment, and facility policies.
  - e. Appropriate clean exercise attire is requested at all times. The following dangerous garments are prohibited: boots, sandals, open-toed and open-backed shoes. Use of improper footwear could result in deactivation of a proximity key fob.
  - f. Membership in the Exercise Facility is not transferable. Proximity key fobs may only be used by a member of an Eligible Member's or Tenant's household.
  - g. Members are requested to immediately notify the LHCC Office when a proximity key fob is lost or stolen. The fob will be deactivated. The Member may purchase another fob for a small fee.
  - h. Respect and avoid disrupting and/or interfering with others who are working out.
  - i. Members must provide towels. Please wipe off all equipment after use.

- j. LHCC is not responsible for lost or stolen personal items.
  - k. Capped water bottles are permitted. Food and drinks of any other type are prohibited. Please dispose of all trash in the bins provided just outside the Exercise Room.
  - l. Please limit cardio workouts to 30-minute intervals whenever another Member is waiting to use the equipment. Please slow down, clear, and reset equipment for the next Member.
  - m. The Association welcomes personal trainers with the following conditions. They shall:
    - (1) Sign in at the Administrative Office.
    - (2) Provide a written statement from the Member authorizing their service.
    - (3) Provide proof of insurance.
    - (4) Sign a hold harmless agreement.
  - n. All exercise equipment is for use at the Member's own risk. Consult a physician prior to using the facility to assure physical readiness for exercise.
  - o. Users under the age of 18 must be accompanied and supervised by a parent or a responsible adult at least 21 years old.
  - p. Exercise Room participants should report equipment problems, personal injuries, and specific concerns immediately to the Administrative Office.
  - q. Video cameras and audio equipment are installed to record activity in the exercise room. The recordings will be maintained for a period of up to thirty (30) days.
2. Great Room and Catering Kitchen Use (Upper Level):
- a. The great room is available to members by reservation seven days per week and year round.. Reservations must be made to use the facility.
  - b. Members not holding a current proximity key fob must obtain a single-day-use key fob from the Administrative Office.
  - c. Users under the age of 18 must be accompanied and supervised by a parent or a responsible adult at least 21 years old.
3. Gathering Room Use:
- a. The gathering room complex is open from 7:00 a.m. through 10:00 p.m. to all Eligible Members holding a proximity key fob.
  - b. The gathering room complex may be used as additional or overflow meeting space. The gathering room is not available for reservations. Its use is on a first-come, first-served basis.
  - c. Beach attire is permitted in the gathering room. Please towel dry before entering.
  - d. Users under the age of 18 must be accompanied and supervised by a parent or a responsible adult at least 21 years old.

4. Exterior Deck Use:

- a. The exterior decks are open year round. Interior Clubhouse furnishings are not for use on the deck unless specifically authorized by the General Manager.
- b. The upper level deck is available for private use via reservation. It is closed to general Members when in use by reservation.

### SECTION D. ROOM RENTALS AND RESERVATION REQUESTS

The Association encourages the use of the Clubhouse facilities by Eligible Members for private events on any day or evening. Eligible Members may contact the Administrative Office for available dates. If in the case of an emergency, the Board of Directors may pre-empt any scheduled use of the Clubhouse.

1. The Clubhouse must be reserved in advance on a first-come, first-served basis by Eligible Members.
2. Reservation forms must be submitted seven (7) days in advance of the event date.
3. Members making reservations of clubhouse facilities:
  - a. Complete and sign a Reservation Agreement.
  - b. Provide proof of insurance (a typical home owner policy is sufficient proof of insurance).
  - c. Sign a hold harmless indemnification agreement; and
  - d. Provide two (2) checks. The first covers the use fee. The second check is a refundable security deposit. Both checks must be made payable to Lake Holiday Country Club.
4. Reservation of the Clubhouse facilities by Members for use by non-Members is prohibited.
5. The Member host reserving the facility must be in attendance throughout the event.
6. The reserving Member is responsible for returning the facility to its normal condition and fully cleaning it after the event. The Security Deposit will be returned to the Member in full when the facility is left in acceptable condition. In the event it is not left in acceptable condition, the security deposit will be applied to cleanup costs and necessary repairs. Should costs exceed the amount of the Security Deposit, the Member who reserved the facility will be billed for the excess cost. Unpaid charges will be collected in the same manner as assessments. A documented inspection of the facility will be performed by Administrative Office staff with the primary event contact individual prior to and following each event for purposes of checking for damages (e.g., carpet stains, equipment, kitchen appliances, etc.).
7. A Member who reserves the Clubhouse for a private event will defend, indemnify, and hold harmless the Association, its Officers, Directors, employees, and agents from all claims, damages or legal action of any type arising from the use of the Clubhouse and/or serving of alcoholic beverages. The Member must indicate the intention to serve alcoholic beverages. Under some circumstances, attendees may provide donations. (See Section E). Vendors hired to serve alcoholic beverages must provide a Frederick County liquor event license and, be insured with the Association as an Additional Insured Party.

8. Regularly scheduled LHCC club reservations and Activity Committee events are placed on the Community Calendar in perpetuity. The first time a request for such reservation is made, the request must be in writing, include the date and time and a primary and alternate contact with telephone number. The Administrative Office is notified of a change to the reserved date. If at the time the reservation is made a previous reservation exists, the previous reservation takes precedent and the club's meeting for that date is either cancelled or moved to a different location. The contact for the club must make the decision.
9. No recurring club events may be scheduled for Saturdays or Sundays without prior approval of the Board of Directors.
10. Activities Committee events may be scheduled two years in advance.
11. Reoccurring club meetings may be scheduled more frequently than once a month with the following stipulation:
  - a. The club maintains one firm monthly meeting date;
  - b. Additional meeting dates within the month are subject to availability;
  - c. Paid events have a scheduling priority over club "additional" meeting dates within the month; and;
  - d. Reservations are accepted up to, but not more than 12 months in advance.
12. To ensure return of rental fees, cancellations must be submitted seven (7) days before the reserved date. Cancellation of an event that does not honor the seven (7) day advanced notice will result in a cancellation fee assessed to the reserving Member or reserving private party.
13. General Manager approval is required for fireplace use. Due to insurance requirements, when the fireplace is used, an Association-provided attendant must be present. A fee will be charged for private use to cover the cost of the attendant and the wood consumed.
14. Caterer's supplies and equipment must be removed from the facility immediately following all events.
15. Children under 13 years must be supervised by a parent or a responsible adult at all times while in the upper level of the Clubhouse.
16. The Member holding a reservation is liable to the Association for the value of damaged, removed or missing property.
17. Reservation requests are accepted only when accompanied by the required usage and security funds, if applicable.
18. The Administrative Office can provide group authorizations for parties, weddings or other special events of six or more at Lake Holiday. A written list of visitors to be authorized must be provided to the Administrative Office a minimum of 48 hours prior to the entry date.
19. Events are limited to 250 guests due to the occupancy load limit of the Clubhouse for upper level room rentals.
20. Room Rentals include: tables, chairs, easel without paper.

21. Use of the Great Room and Kitchen, is on a first-come, first-served basis.

## **SECTION E. POLICY AND OPTIONS FOR ALCOHOL**

Lake Holiday is protected by host liquor liability insurance coverage. Subject to the terms of the Association's policy, this coverage will indemnify and defend the Association against third-party liability claims affiliated with serving alcoholic beverages. However, this coverage does not protect the Association if the alcoholic beverages are sold. In all cases, consumption of alcohol on LHCC property is governed by Virginia ABC laws. If and when alcoholic beverages are sold by the Association, either directly or indirectly, Single Event Liquor Liability insurance coverage must be purchased from the Association's insurer at a cost of \$500 per event. Note that if an admission or cover fee is charged where food and alcoholic beverages are served, it constitutes the sale of liquor.

No banquet license is required for members holding private parties as long as alcohol is not sold or charged for in any way, the drinking is limited within the clubhouse premises, and the party is not open to the public. (Reference Code of VA 4.1-200, paragraph 10.) Listed below are six different options along with the requirements for legally selling and serving alcoholic beverages at Association-sponsored events. The hosting Member or organization must inform the General Manager that alcohol will be served and comply with all of the requirements for the option selected.

**Option 1** **Sale** of alcoholic beverages (wine & beer):

1. Purchase Single Event insurance policy..
2. Purchase ABC Banquet Special Event license.
3. Display all ABC licenses.

**Option 2** **Sale** of alcoholic beverages (wine, beer and mixed beverages):

1. Purchase Single Event insurance policy.
2. Purchase ABC Banquet Special Event license.
3. Purchase ABC Mixed Beverage Club Event license.
4. Display all ABC licenses.

**Option 3** **Donations** for alcoholic beverages (wine, beer and mixed beverages):

1. Request a donation in lieu of an admission or cover charge.
2. Purchase Single Event insurance policy.
3. Purchase ABC Banquet Special Event license.
4. Display all ABC licenses.

**Option 4** **Sale** of alcoholic beverages at Catered Events (wine, beer and mixed beverages)

1. The caterer will obtain the necessary insurance policy and ABC licenses for the event.
2. The catering company shall provide the requisite license to distribute alcohol.
3. The General Manger will confirm proof of licensure with the service provider before contracting, and require that the Association is named as "Additional Insured".

**Option 5** Requirements for **servicing** alcoholic beverages at no cost (wine, beer, mixed beverages):

1. No banquet license is required.

**Option 6** **BYOB** -- A "bring your own beverage" (**BYOB**) event (wine, beer, mixed beverages):

1. When **only** BYOB is permitted, no special ABC license or single event insurance coverage is required. At such an event, no alcohol may be served by Association employees or designated volunteers.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1		Original		
V2.2	6/22/2010	Specific procedures, fee schedule	C.1.a., b. & c. C.4.b & c.	
V3.1	4/26/2011	Eligible users & purposes	All	
V4	7/26/2011	Alcohol license policy	E	
V5	1/24/2012	Clubhouse use & rules	A.5.f, B.3.a, B.7	
V6	6/26/2012	Renamed		
V7	11/12/2012	Fee schedule	F	
V8	2/26/2013	Board room use, room rental, reservations	C, D	
V9	7/23/2013	Free club use & lower level meeting room	A, C, F	
V10	9/23/2014	No beach rental, service dogs, board room & upper level closing time, list requirements, advanced notice changed to 48 hours	A.5.g, B.12, C.2, D.7, D.17	
V11		Board room use, clubhouse scheduling, priority fee schedule	C.3.c, D.9, D.17, D.20	
V12	6/28/2016	Upper level clubhouse key fob issuance	A.6	
V13	9/26/2017	Wholesale changes to all sections for clarity of terms and formatting; removal of references to lower level meeting room.	ALL	



# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 15

### Home Rental

Revised and

Approved by the Board of Directors

Date: January 6, 2021

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## PRP NO. 15 HOME RENTAL

### SECTION A. LEASING AND RENTAL POLICY

Leasing and rental of homes at Lake Holiday shall be strictly in adherence with the following Rules. Violation of these rules shall be considered a violation of the relevant Declaration (Deed of Dedication) in accordance with Paragraph 55-515 of the Virginia property Owners' Association Act. Violation of these rules shall be pursued in accordance with Paragraph 55-513 of that Act.

All homes in Lake Holiday are single-family dwellings. A "single family" is defined as one family unit, which may include a single person, a couple, parents and their children of any age, grandparents and grandchildren. Roommates living together and maintaining a household may be included, but not more than four unrelated persons occupying a dwelling, living together and maintaining a household shall be deemed to constitute a "single family."

### SECTION B. RULES FOR LEASING AND RENTAL

1. A home at Lake Holiday may be leased or rented for an initial period of not less than six months. The term of the lease or rental may be extended past the initial period at the discretion of the Owner and the lessee or renter.
2. Such lease or rental must be documented in the form of a lease or rental agreement between the owner and the lessee or renter. Such lease or rental agreement shall state that the lessee or renter is obligated to understand and obey all of the Rules and Regulation of Lake Holiday.
3. A lessee or renter must register all cars with the Management Office.
4. The Owner must give notice to the Management Office at the time any new tenant leases or rents a home. The Owner must provide name(s) of the tenant(s) and confirm the Owner's contact information.
5. A lessee or renter shall be granted limited rights of a Member of Lake Holiday to include use of the roads, use of the recreational and social amenities, access to a gate card, optional membership in the Exercise Facility, use of the marina and use of the trash facility. Rights granted to the lessee or renter are relinquished by the owner/Member, except access to the rental property. Notwithstanding the foregoing, the owner/Member renting to the lessee or renter shall have the right to retain the right to register and use boats at Lake Holiday and, if so retained, the lessee or renter shall have no right to register and use boats at Lake Holiday.
6. A lessee or renter shall not be granted the right to vote in any Association election or referendum.
7. A lessee or renter shall be subject to all restrictions of the Lake Holiday Governing Documents and to all of the Rules and Regulations of Lake Holiday. The Owner remains responsible for the actions of the lessee or renter. Action for any violations by a renter or lessee will be pursued in accordance with the Virginia Property Owners' Association Act, Paragraph 55-513, as though the violation had been committed by the Owner.
8. A lessee or renter shall be granted the right to invite guests into Lake Holiday with the same privileges and restrictions that apply to an Owner. The Owner remains responsible for a guest's actions and behavior. Action for any violations by a renter's or lessee's guest will be pursued in accordance with the Virginia Property Owners' Association Act, Paragraph 55-513, as though the violation had been committed by the Owner.

9. Failure of an Owner to fully resolve any violation on the part of a renter or lessee will result in the Owner rights suspended under Article III of the Lake Holiday Bylaws.
10. Should the Owner become delinquent on assessments or be found in violation of the Governing Documents or Rules and Regulations of Lake Holiday, the Owner's rights shall be suspended under Article III of the Lake Holiday Bylaws and such suspension shall also apply to the lessee or renter.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
		Original		
V1	6/23/2009	Reformatted	All	
V2	6/26/2012	Renamed		
V3	9/25/2012	"Single Family" defined	A	
V4	1/6/2021	Boating Registration Rights	B.5	

# Lake Holiday

## POLICIES, RULES, AND PROCEDURES PRP NO. 16

### Elections and Voting

Revised and

Approved by the Board of Directors

August 27, 2019

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## **PRP NO. 16 ELECTIONS AND VOTING**

### **SECTION A. PURPOSE**

The purpose of this PRP is to establish the election and voting process to be followed by Members, LHCC Administrative Office Staff and the Independent Vote Administrator, ensuring that all aspects of it are in compliance with the Virginia Non-Stock Corporation Act, the Property Owners' Association Act and LHCC Governing Documents. Also included are the related topics of voting for propositions to change the Articles of Incorporation and/or Bylaws, vote tabulation, tie-vote resolution, election vote challenges, the Board Organizational Meeting, and the filling of open Board of Director positions that may occur between annual elections.

### **SECTION B. INITIAL ACTIVITIES**

Each March, the LHCC Administrative Office establishes the current year's specific key election activity dates, as defined by the Standardized Schedule contained in Section D of this document. The Office then updates the Election Activities Timeline, subsequently scheduling applicable activities and events on the Community Online Calendar. The Board of Directors identifies an Eligible Member who is willing to form the Nominating Committee. The Nominating Committee and its Chair are subsequently approved by the Board of Directors at the April meeting.

### **SECTION C. KEY DEFINITIONS**

**Eligible Member:** Eligible and in Good Standing Members shall mean and refer to those Members who have paid all dues, assessments, and other charges owed to the Association, and such Members must also be in material compliance with all restrictions, rules, regulations and covenants of the Association. In order to vote, a Member must be eligible as of the Record Date.

**Record Date:** A date to determine Eligible Members. The date is set twenty-one calendar days after the announcement of the date for any meeting of the Membership. Any announcement of a meeting of the Membership shall be given at least thirty calendar days prior to the date of the meeting.

**Board of Director Open Positions:** The Board has eleven members, with staggered three-year terms. The number of Directors may be increased or decreased by amendment to the Bylaws. Each year, there will normally be three or four open positions. Additional positions may be open if a Director left the Board during the preceding year.

**Candidates for Election to the Board of Directors:** Biographies/Position Statements must be submitted by the specified date and each candidate must be certified as an Eligible Member. Other candidates may be nominated from the floor of the Annual Meeting of Members, where they must be certified as Eligible Members as of the Record Date, as well as provide evidence of their willingness to serve on the Board. All candidates must have been Members of the Association for at least one year, as of the date of the Annual Meeting of Members.

**Election:** Election to the Board of Directors shall be by secret ballot. At each such election, the Members present in person or by absentee ballot may cast, with respect to each vacancy, as many votes as they are entitled to cast under the provisions of the Articles of Incorporation. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

**Independent Vote Administrator:** An Independent Vote Administrator will be appointed to oversee the election process, count all ballots and certify the results of any election.



## **SECTION D. STANDARDIZED SCHEDULE**

The basis for establishing each year's specific key election activity dates is the Annual Meeting of Members, which is held on the fourth Saturday of October. Additionally, notice of this meeting must be given not less than fourteen days or more than sixty days before the date of the meeting.

Using the current year's calendar date for the fourth Saturday in October as the baseline, other key election activity dates may then be established, based on the number of calendar days prior to that day, as follows:

1. 180+ calendar days prior – Board of Directors appoints the Nominating Committee at its regular April Meeting.
2. 92 calendar days prior (13 weeks plus 1 day), on Friday – Letter from the Nominating Committee mailed to all Members, soliciting candidates for the Board and outlining resume submittal guidelines.
3. 77 calendar days prior (11 weeks), on Saturday – 1<sup>st</sup> Candidate Briefing Session.
4. 59 calendar days prior (8 weeks plus 3 days), on Wednesday – 2<sup>nd</sup> Candidate Briefing Session.
5. 45 calendar days prior (6 weeks plus 3 days), on Wednesday – Candidate Resumes due by 5 p.m. at the LHCC Administrative Office. (If submitted electronically, the communication must have an electronic record showing submission by this deadline.)
6. 36 days prior (5 weeks plus 1 day), on Friday – Mailing of Official Notice of Annual Meeting of Members.
7. 28 days prior (4 weeks), on Saturday – Candidates Forum.
8. 15 days prior (2 weeks plus 1 day), on Friday – Official Record Date.
9. 2 days prior, on Thursday – Absentee Ballots due by 5 p.m. at the LHCC Office.
10. 1 day prior, on Friday – Meeting between the Independent Vote Administrator, Office Staff and Nominating Committee representatives.

## **SECTION E. VOTING**

Each individual lot that a Member owns shall be represented by one ballot. Voting for more candidates than there are open positions on the Board will result in disqualification of the ballot.

There are two ways that a Member may cast his/her ballot, including:

1. In-Person Voting: After proper check-in and determination of eligibility, a Member will receive a ballot, which must be cast by 10:30 a.m. to be counted.
2. Absentee Ballot: Each Member may vote by absentee ballot. All absentee ballots must be in hardcopy form. Once submitted, an absentee ballot may not be retracted or changed unless it is withdrawn by the Member in-person at the Annual Meeting of Members. Absentee ballots must be received at the LHCC Office by the date and time specified in the official Notice of Annual Meeting of Members. Absentee ballots received by mail shall be placed into the absentee ballot box in their unopened mail-in envelope. The absentee ballot box shall be conspicuously placed in

the LHCC Office so that members who hand-deliver their absentee ballots to the office may place them directly therein.

## **SECTION F. CHECK-IN AT THE ANNUAL MEETING OF MEMBERS**

Two check-in stations will be utilized, both with check-in sheets. Check-in sheets will note the eligibility of the Member to vote, as of the Record Date, and additionally reflect whether an absentee ballot envelope has been received for that Section and Lot.

1. Check-In Station One is for those Members who have either cast an absentee ballot or are ineligible or do not wish to cast an in-person ballot. Check-in will involve noting the property's Section(s), Lot Number(s) and signing their name to officially signify attendance.
2. Check-In Station Two, organized alphabetically by last name, is for those who will cast a ballot at the meeting (Eligible Members who have not voted by absentee ballot). Check-in will include showing a government-issued photo ID and signing their name on the check-in sheet.
  - a. It will then be verified that the individual is an Eligible Member. The Independent Vote Administrator will oversee this activity, and upon satisfactory completion of the process, will provide a ballot and ballot envelope, unless Association records reflect that an absentee ballot has been previously received. The Independent Vote Administrator will note the applicable Section and Lot Number of the Member on the ballot envelope. Note: only the Independent Vote Administrator shall provide ballots and envelopes. The Independent Vote Administrator or a designated assistant will mark the check-in sheet for each ballot given out, to provide an accurate count and record of the ballots distributed at the meeting.
  - b. If available records indicate that a Member is not eligible to vote, but the Member contests that record, the Independent Vote Administrator will provide a ballot and ballot envelope (noting the Section and Lot Number thereon) with "Contested" printed on the envelope. "Contested" shall also be noted on the check-in sheet. To the extent possible as time permits at the meeting, LHCC Staff will research the matter of eligibility or ineligibility of the Member in order to advise the Independent Vote Administrator, assuming that the contested ballot envelope is returned.

## **SECTION G. DETERMINATION OF MEETING QUORUM**

In determining whether a quorum is present "...the presence at a meeting of the Eligible Members (in person or by absentee ballot) entitled to cast at least ten per cent (10%) of the total eligible votes of the membership shall constitute a quorum."

Prior to the commencement of the Annual Meeting of Members, the General Manager will provide the Independent Vote Administrator, in writing, the total number of Eligible Member votes as of the Record Date.

## **SECTION H. PREPARATION FOR RESOLVING A TIE VOTE**

Prior to the actual tallying of ballots (votes), a set of consecutively numbered papers shall be prepared and folded so that the numbers are not visible. The number of papers shall equal the number of valid candidates including any candidates from the floor that arise during the annual meeting of members. Every valid candidate present shall select one of the folded papers, and the number chosen by each shall be recorded. Valid candidates not present shall have a paper selected on their behalf by the Independent Vote Administrator.

In the event of a tie, the candidate with the higher number shall prevail. As an example, if there is a tie for a Director position between three candidates whose selected numbers are 11, 6 and 4 the candidate with the number 11 shall be elected.

The Independent Vote Administrator shall be responsible for preparing the papers, explaining the tie vote process to all candidates, conducting the drawing of numbers and recording the candidates' numbers before the actual tallying of ballots.

## SECTION I. TABULATION OF VOTES

1. With check-in, distribution and collection of ballots complete, the last phase of the election process commences to determine the election's outcome. Although the goal is to facilitate the announcement of voting results of the election at the Annual Meeting of Members, the overall guiding factor in the completion of the vote tabulation is total accuracy. Therefore, it is not subject to a time or schedule constraint.
2. The Independent Vote Administrator is in charge of this activity, with assistance from the General Manager and office staff, as required. Absentee ballots are to be opened and tabulated only by the Independent Voting Administrator and no earlier than 24 hours prior to the Annual Meeting of Members.
3. Eligible Absentee Ballots cannot be withdrawn, changed or superseded by another document unless the voting Member requests to withdraw his or her ballot while in-person at the Annual Meeting of Members.
4. Eligible Meeting Distributed Ballots (in-person), including Contested Ballots determined to be Eligible, are superseded by an Eligible Absentee Ballot unless withdrawn in-person at the Annual Meeting of Members.

The Independent Vote Administrator shall:

1. Reconcile election records, count the ballots and certify the election (see the Vote Tabulation Summary Form following in Section J, Steps 1 – 29). A similar form that provides the same information may be utilized.
2. Tabulate any proposition(s) proposing amendments to the Bylaws (Steps 30 & 31).
  - a. When there are ballot propositions concerning amendments to the Bylaws (as specified in the Bylaws, Article XIV), each proposition must receive a vote of a majority of the eligible voting power of the Association present in person or represented by absentee ballots, as described above in Section E.2 in order to be approved.
  - b. The total eligible voting power of the Association present or represented by absentee ballot is reflected in Step 30 (Step 3 + 5 + 14 + 24). In Step 31, in order to be approved, the total affirmative votes for each proposition (Step 26, 27, and 28) must be greater than fifty percent (50%) of the number in Step 30.
3. Tabulate any propositions proposing Amendments to the Articles of Incorporation (Steps 30 & 32).
  - a. When there are ballot propositions concerning amendments to the Articles of Incorporation (as specified in the Articles of Incorporation, Section XII), each proposition must receive more than sixty-seven percent (67%) of the total eligible voting power of the membership of the Association, present or represented, in order to be approved.



## SECTION J. VOTE TABULATION SUMMARY FORM

Vote Tabulation Process		Step	+/-	Count	Action	Total
<b>Absentee Envelopes</b>						
Received Prior to Meeting		1				
Ineligible or withdrawn		2	-		Void	
Total Eligible Absentee Envelopes (Step 1-2)		3	=			
<b>Eligible Member Envelopes</b>						
Distributed at Meeting		4				
Not Returned		5	-		Verify	
Received Eligible Member Envelopes (Step 4-5)		6	=			
<b>Contested Envelopes</b>						
Distributed at Meeting		7				
Not Returned		8	-		Verify	
Received (Step 7-8)		9	=			
Ineligible		10	-			
Eligible Contested Envelopes (Step 9-10)		11	=			
<b>ALL Eligible Member Envelopes</b>						
Eligible Member Envelopes		12				
Eligible Contested Envelopes		13	+			
Eligible Member and Contested Envelopes (Step 6+11)		14	=			
Matched to Eligible Absentee Envelopes		15	-		Void	
Total ALL Eligible Member Envelopes (Step 12-13)		16	=			
<b>Tabulation of Eligible Absentee Ballots, Member Ballots, and any Proposition Questions</b>						
Eligible Voting Total (Step 3+14)		17	=			
Open Absentee Envelopes, Count & Document Ballots		18			Tabulate	
Open Member Envelopes, Count & Document Ballots		19			Tabulate	
Prepare Candidate Vote Results		20			Tabulate	
Total Eligible Voting Power Present (Step 3+5+14)		21	=			
Bylaw Amendment Vote Result to Pass		22			> 50% of Step 21	
Article of Incorporation Amendment Result to Pass		23			> 67% of Step 21	
Total Owners (for Each Applicable Section or Sections)		24			From GM	
Declaration(s) Amendment Vote Result to Pass		25			66.7% of Step 24	

## **SECTION K. CUSTODY OF ELECTION RECORDS**

Subsequent to the counting of ballots and certifying the results of the election, the Independent Vote Administrator shall retain custody of all voting records for one year from the date of the election.

## **SECTION L. ELECTION CHALLENGES**

Candidates and electors both have a right to challenge the eligibility of candidates or the election voting results. The challenger shall file a written notice of the challenge to the election with the General Manager within 48 hours of the election. The notice shall present in detail the specific facts of the challenge and the desired remedy.

Upon receipt of a challenge to the election, the General Manager shall immediately notify the Independent Vote Administrator, the members of the Nominating Committee, all members of the Board of Directors at the time of the election, the Association's legal counsel, and all the candidates and provide a written copy of the election challenge notice.

Any member(s) of the Board of Directors whose name(s) is on the ballot at the time of the election challenged shall not be involved in any part of the challenge process unless that director is submitting the challenge.

Upon notification of the challenge, the Nominating Committee (excluding any candidates that are on the Committee) shall call a meeting of Committee members, the Independent Vote Administrator and the General Manager. They shall meet the next business day or as soon as possible, but not later than three business days after notification, and shall serve as a temporarily constituted Election Challenge Review Panel ("Panel"). The General Manager and Independent Vote Administrator shall be advisors to protect the Association's interests, but will not be voting members of the Panel. The Panel shall determine if the challenge is legitimate.

If the challenge is determined to be legitimate, the Nominating Committee shall make a recommendation to the Board of Directors for remedial action. The Association's legal counsel shall be consulted for advice if deemed necessary. The decision made by the Board of Directors shall be final.

The desired objective shall be to resolve the challenge within 48 hours of the first meeting of the Panel.

Once there is a resolution to the challenge, whether it is found to be legitimate or not legitimate, the Board of Directors shall present the findings in written form to the General Manager for publication on the Association web site and for posting at all official Association posting locations.

Until the election challenge is resolved and despite the expiration of the Director's term and the Officer's term, the Director(s) and Officer(s) in office at the time of the election challenge shall continue to serve. The Board Organizational Meeting may have to be adjourned to be continued after the election challenge is resolved.

## **SECTION M. BOARD ORGANIZATIONAL MEETING**

Following the election "Newly elected Directors shall be installed at the first meeting of the Board of Directors, following each annual meeting of Members. This meeting, considered an organizational meeting, shall be held within seven (7) working days after the annual meeting of the Association when Directors are elected. Outgoing Directors shall continue to serve until this organizational meeting is held unless they were appointed by the Board to fill a vacancy."

## **SECTION N. OPEN BOARD OF DIRECTOR POSITIONS BETWEEN ELECTIONS**

Upon receipt of a Board Member's resignation, the Association shall solicit the membership for an interim Director by mailing a solicitation for candidates to all Association Members and publishing announcements in the Lake Holiday Community Newsletter and on the Association's website. A minimum of two weeks following the mailing to Members shall be available for qualified candidates to apply, by submitting their biography/position statement, which must be received at least (7) seven calendar days before the designated regularly scheduled Board meeting. Once a candidate has submitted his/her biography/position statement, the LHCC Office will verify eligibility.

Candidates shall meet the same requirements as established for annual elections.

If there are one or more vacancies, each will be voted on separately, using the following process:

1. The open position to be filled is announced, as well as the candidates for it. Each candidate shall be voted for separately in an order determined by random drawing of names.
2. In keeping with the Virginia Property Owner's Association Act, a vote is taken for the candidate by a show of hands of those Directors present, or by voice via telephone.
3. The General Manager tallies and announces the results.
  - a. If a candidate receives a majority affirmative vote, he/she immediately joins the Board.
  - b. If there are no additional open positions, voting is complete.
  - c. If there are any additional open positions, the process returns to Step No. 1, above, for the next position.
  - d. If no candidate receives a majority affirmative vote, then the topic is included on the next Board of Directors Regular Meeting Agenda to determine whether to solicit further candidates to fill the vacancy or vote to leave the position open.

## **SECTION O. FILLING OPEN DIRECTOR POSITIONS AT ANNUAL MEETING**

Positions of less than three years may be open if a Director left the Board during the preceding year. After all votes have been tallied and verified by the Vote Administrator at the Annual Meeting, the open three-year terms are filled first, then any additional open positions. Total votes (highest to lowest) determine the order of election. No candidate may run for an open Director position that exceeds the maximum term limit as defined in the Bylaws.

In the event that after the Annual Meeting the number of vacant Board positions has not been filled, those positions will remain vacant until the Board decides to either:

1. Fill the position(s) by the Board voting for an interim Director (refer to Section N), or
2. Leave the position(s) vacant until the next Annual Meeting.

## REVISION HISTORY

Revision	Approval Date	Subject	Revised Sections	Initialed for LHCC Records Entry:
V1	6/22/2010	Original		
V2	9/28/2010	Prepare for resolving potential tie vote, annual review and approval	C.7	
V3	5/24/2011	Annual review and approval, typos, dates, election challenges	All, D (for election challenges)	
V4	6/26/2012	Complete revision, incorporate resolutions 2006-04, 2008-01, 2008-05, 2010-07	All	
V5	5/27/2014	Correct process for open board seat & Bylaws reference	N	
V6	7/22/2014	Board vote to fill vacancy, determine who fills open positions at the annual meeting	N, O	
V7	9/22/2015	Vacant board positions after annual meeting	O.1, O.2	
V8	7/25/2017	Eliminate Election Committee; proxy notary, clarifications	Numerous	
V9	10/24/2017	Clearly define requirements for election challenges for clarification.	L	ALM
V10	09/11/2018	Remove requirements for proxy voting as passed at 2017 annual meeting via Bylaws - elimination of proxy voting; add provision for when a Vote Administrator is unable to be retrained.	E, F, I, J	ALM
V11	08/27/2019	Correct errors, provide clarifications, allow withdrawal of absentee ballot	D, E, F, G, I, J, L, N, O	ALM



# CIC Certificate

VOID

COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400, Richmond, VA 23233  
Telephone: (804) 367-8500

EXPIRES ON  
11-30-2021

NUMBER  
0550004040

COMMON INTEREST COMMUNITY BOARD  
COMMON INTEREST COMMUNITY ASSOCIATION REGISTRATION



LAKE HOLIDAY COUNTRY CLUB, INC  
MIKE GOODWIN  
1045 LAKEVIEW DRIVE  
CROSS JUNCTION, VA 22625



VOID

Status can be verified at <http://www.dpor.virginia.gov>

*Michael J. Sanderson*  
Michael J. Sanderson, Director

(SEE REVERSE SIDE FOR PRIVILEGES AND INSTRUCTIONS)

DPOR-LIC (02/2017)