

DIRECT LINES WEEKLY SUBMISSIONS

Saturday July 9, 2022

To the HHIMR BOD/BOG and HHIMR Manager,

My wife and I are continuing to have issues with the Board's position with respect to the lack of support for non View Properties listed sites. As with other Alliance Realty property listings, of which there are currently 5 total site listings, we are being biased against by the very Board that should be protecting our ownership interests. We request the Board clarify the current position that only View Properties listed sites are included in the rental packets provided to potential buyers. We note and reference the letter of June 17, 2021 provided to Mr. Bob Clarkson by the prior HHIMR BOD President Ms. Patti Muse, which the preferred realtor, Alliance Realty, was notified that other realtor listings had been permitted to include flyers in the rental packets. Why has this precedent been changed unilaterally by the BOD? This has the effect of causing bias against all non View Properties listings, and as a result, is unacceptable to the multiple site owners with whom we have discussed this condition. I have included the body of the referenced letter, and draw your attention specifically to the last sentence in paragraph one which states " "but will also allow View Properties and any other Realtor doing business in the resort to provide their own flyer of listings to the office for inclusion in the rental packets." :

"Subject: Realtor Access in Resort

Thank you for offering your thoughts to the Board of Directors this afternoon in Executive Session. After extensive discussion about how to best serve the interests of all owners selling their lots, the Board has decided to slightly alter the current arrangement on a trial basis. This trial arrangement allows Alliance the same access to rental packets, office space and website advertising that you currently have, but will also allow View Properties and any other Realtor doing business in the resort to provide their own flyer of listings to the office for inclusion in the rental packets.

This arrangement will be reviewed after three months when we can see what impact it has on both sellers and agents. Changes which may be made upon review could include requiring payment of a fee for access to the rental packets or other resort resources, or restructuring our arrangements to have, for example, a preferred vendor with full access to resort resources and approved vendors with lesser access. We hope that we will be in a better position to craft a full solution once we evaluate this trial arrangement.

We greatly value the efforts that Alliance has made to promote the resort and hope to continue our relationship with you. However the Board feels that we must provide for the needs of all owners, not just those who choose to use your services. We hope that an incremental approach will allow us to come to a solution that satisfies all parties.

Patti Muse
President
HHIMR POA"

Does the HHIMR BOD believe that it is representing "the needs of all owners, not just those who choose to use your service", which is now View Properties?

The above questions require your expeditious response as we continue to evaluate our options given the unilateral change in position taken by the BOD.

In addition, on a more personal note, we were on site yesterday and have a question with respect to the care of our property. Behind our site is a large "common area" that had been tremendously overgrown with debris, weeds, ground growth, etc. We personally cleared out the area, utilized our resources (2 weeks of our time, personal truck, and finances) to resolve the condition in the early part of this year. It again is overgrown with brush and other debris. What is the policy for maintenance of "common area"?

We look forward to your response.

Chuck and Donna Greco, and others...

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Answer:

Thank you for your direct line.

The board understands and hears that you're disappointed with the recent decision by resort leadership to provide equal and open access to all realtors who sign the Preferred Broker Agreement. This agreement provides the resort with some elements of basic control over how vendors operate within the resort as well as compensates the resort for the added workload that providing greater visibility to their services create. These concepts are widely supported among the owner population.

This program is available to all realtors who are interested, and like yourself, we are disappointed that Alliance has chosen not to participate.

It is the board's responsibility to support the resort in a way that provides the best possible outcomes for the resort, owners, and our rental guests. At times, individuals within the resort may see a situation differently, and we respect that. However, it is not the job of the board to incorporate every individual viewpoint in each decision made. As such, there are times when some individuals disagree with the position that has been taken.

As to the direct issue of providing a listing of all available lots for sale in rental packets, the resort is unfortunately unable to do so given restrictions within the realtor regulatory environment. This was new information to us as Alliance had been doing that for many months, and it now seems that their prior activity violated several regulations within the realtor community. That said, through our website as well as through signs posted in the pool area, potential buyers are provided access to the entire inventory available for sale through the View website and it's link to the broader MLS environment. We continue to explore other means by which we can provide the entire inventory of lots for sale and will keep the community apprised if new ideas come to light.

To reiterate, we are sorry that Alliance hasn't signed the Preferred Broker Agreement, and wish they had done so. As mentioned in our summary, we went as far as to provide them an opportunity to opine on the agreement itself, and they refused to even take that step to collaborate with our community.

As you have identified, this means that realtors who have not chosen to adhere to very basic marketing stipulations and compensate our community for the privileges of greater access, are at a disadvantaged position, and since those realtors have done so by choice, their position is self inflicted. As such, the board strongly disagrees with the characterization that this is somehow biased against owners who have chosen to use a non-preferred realtor, as that choice has been made individually both by the owner and those realtors.

I hope this further clarifies the situation, and wish you the best with your decision to sell your lot.

Thank you for your response, but with all due respect, this appears to be just more justification for what we believe is a poor, biased decision.

In addition, you did not address our concern with the lack of maintenance of the common area behind our site. Will you provide a response to this as well?

Respectfully,

Chuck Greco

Answer:

The maintenance concern will be addressed by Wendy.

Again, we understand that you believe the decision to offer controlled access to any realtor who desired it as a poor one. Obviously we disagree.

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As to it being a biased one, the fact that any realtor can sign the agreement and immediately enjoy the same privileges works in direct contrast to that theory. To provide only a single realtor those benefits would ring true of a bias, which is the opposite of the environment the PBA created.

Thank you.

Thank you for your direct line. In regards to your question pertaining to the common area. We do not maintain the common area on the perimeter of the resort. We only maintain the common areas in the central area of the resort.

Hi there,

We were planning on doing our 90 day turn today (about 2 weeks before our official date), but last night's Postings, in regards to the Valet / Guide service has caused us to rethink that. I fully understand the issue with the insurance, but up until now, I guess I didn't fully understand the scope of what was being proposed. I understood the Hold Harmless part, and while I figured it was aimed primarily at renters, have no problems signing one as an owner. What really surprised me was that even with the hold harmless, that the valet / guides would no longer offer any assistance or direction in the parking process. I thought that would be the process for which the resort would be held harmless for. Worst case, I figured it would be an either / or...either you back it in yourself, without any help, or accept our guidance, while acknowledging the fact that suggestions from staff are just that, and in either case, you are ultimately in control of your coach, and any damage is your responsibility. But again, I figured most of this would be aimed at renters.

But last night's Postings seemed to say that even as owners, and even after signing a hold harmless, we will not be given assistance getting on and off our lot. Am I reading this correctly? If so, I'm not sure what to do next. Primarily due to a large oak tree on one of the street side corners on our lot (which grows out over the road), getting on and off is not a simple operation. While we've never even really had a close call, it requires several sets of eyes, and usually a series of small tweaks and adjustments to get it right. It's not so much technical, as it is fluid, if that makes sense. We've always been extremely grateful for the assistance provided by the valets, but have also always accepted all responsibility for any outcome. My 'crew' as it was phrased in the Postings consists of my wife, who will be the first to tell you that she is not the person you want giving directions when backing the coach. She's sitting next to me as I type this, and said it's ok for me to say 'she lacks the skills and confidence for the job'.

I realize that this is not the preferred situation, is a HUGE adjustment for the resort, and is being done without a great deal of time to analyze all the possible ups and downs. As such, I'm hoping that either I have misunderstood the policy going forward, or if not, that we can reach some sort of an agreement on how this plays out with owners like us.

Toby Johnson

Answer:

Everyone on the Board feels the same way you do about our Guides. We all count on them and we greatly appreciate their presence but unfortunately, the insurance coverage exclusion applies to both owners and renters. While the HHW must go into effect asap for the known reasons, the Board is looking for safe ways to give owners and renters the option of requesting Guide assistance, with the understanding that our Guides bear no responsibility for any potential damages.

Because this is work in progress, please allow me 2 or 3 additional days to provide you with a response to your concerns.

Thank you for your patience.

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Thanks Spiros for the quick reply. I blame myself quite a bit for our predicament...I have always put so much faith in the valets, that I haven't done the work required to really master getting on and off my lot, without their help. They have me adjust the steering wheel just a bit, and back up 6 more feet, then adjust again...why, exactly, did they do that? Etc. So I believe my problem is more short term, but overall, I have big concerns over how this will impact our resort going forward. In a large majority of the reviews I have read, something along the lines of 'the sites are really tight, but the awesome staff got us in and out, without issues'...but I'm sure I'm preaching to the choir here.

I have quite a bit of experience in dealing with above average risk profiles. In my work history, I have manufactured components for high powered electrical equipment, have built and sold high performance, custom motor vehicles, managed the business side of a race car team, and been a firearms instructor. I know how difficult managing risk and dealing with insurance (and high risk 'self insured' activities), regulatory agencies, and the like can be. As such, I'd like to offer a few thoughts...take what you want, discard the rest :-)

Perhaps the biggest thing I have found to both mitigate risk and sooth insurers and agencies is to have a well thought out, well documented, plan. Such a plan would include things like, waivers, scope of activity, training, communication, as well as accident reporting and investigation. In addition to the impact such a plan would hopefully have on our attractiveness to insurers, and therefore our rates, the work that comes in putting together, implementing, and following the plan will provide real benefit to the resort, our staff, and our customers. A few data points I see needing for such a plan include:

- who are the customers, and do they represent different risk levels? In our case, I see renters and owners being the first distinct customer groups. While there is no doubt some overlap, I would largely expect owners to have more RV experience (fewer folks buy an RV, and then rush out and buy a lot), and they clearly have a higher vested interest in the problem, so are probably less likely to come after the resort. There may or may not be more groups worth identifying, I don't know.

- What can be learned from the previous claims? Were they investigated? Are there things like pictures and statements from those involved on file? Which lots were involved? Are lots in a particular phase more prone to issues? What about things like tree / rock / other enhancements...is there a pattern there? I'd also look at things like driveway angle, elevation (does it have a big bump or dip at the roadside, which creates either a need for more throttle, or a tendency to roll faster at some point?) How about coach size vs. lot size, or even coach manufacturer (some have more steering angle than others)? How many valets were present? These are just a few that came to mind quickly...I'm sure there are more, and even if good reports and such are not available, a lot of this information can still be gathered.

You mentioned staff training, and I agree that is huge.

Depending on what is learned from the previous accident studies, maybe a 'ranking' of lots based on difficulties is in order. Maybe a particular lot needs a minimum of 2 or even 3 valets, maybe only certain valets, with higher levels of experience and training.

what type of reporting is filed for each park? Not just the ones that result in claims, but all of them. Lots to learn here, I think

How about video recording? Body cams or go-pros would be ideal, but even just a cell phone video that shows the parking process would be very useful. This could be filed as part of the above mentioned report

And if I can help in any way, let me know.

Thanks, as always, for all you and the board do for our paradise.

Toby

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Answer:

Good morning Toby,

It is refreshing to hear from owners like yourself, who offer intelligent suggestions for solutions rather than just constant complaints. The Board really appreciates you. Many of your suggestions, regarding preventive measures as well as keeping records by using body cams, doing lot inspections with before and after pictures etc. have been discussed and are under consideration.

A quick update on the parking assistance question. We have added language to the HHW Agreement that allows owners and renters to request or decline parking assistance by our Guides . The document is sent to our Attorney for final review. The approved revised HHW will be posted in next week's Postings from Paradise.

Thanks again

Question: I rely on the always helpful, professional and careful assistance of our excellent Resort Guides to help me back in to my rather difficult- to -access lot. We have never had an accident of any kind in backing in. In fact, even if a mistake is made, I would not report it unless it was obviously willful or somehow catastrophic. If I understand the Treasurer's guidance in today's newsletter correctly, if any sort of accident occurs when my coach is being backed in, it must be covered by my policy and is not the Resort's responsibility. If this is the case, that is reasonable, understandable and perfectly acceptable.

On the other hand, if a Resort Guide's assistance is no longer available, would I be able to hire a Resort Guide as a "Private Contractor" or "temporary employee" and pay him/her directly for their services?

If the 90 day turn around rule will remain in effect, what avenues do you recommend I take in order to ensure that my coach backs onto my lot successfully and harmlessly.

I do need your assistance. Thanks.

Answer:

You are raising a very important question. The Board is looking for ways to accommodate owners and renters without exposing the Resort to any liability. Please allow me an additional 2 or 3 days before I provide you with a response to your question.

Thank you for your patience.

A quick update on the parking assistance question. We have added language to the HHW Agreement that allows owners and renters to request or decline parking assistance by our Guides . The document is sent to our Attorney for final review. The approved revised HHW will be posted in next week's Postings from Paradise.

Tuesday July 12, 2022

I would like to propose a bylaw change to address the owners who do not keep current on POA quarterly payments. If this is not a bylaw issue, then the board should consider making this a policy.

1. Any owner who is in arrears by two quarters will have a late fee of Fifty (50.00) dollars added to their balance due.
2. Each additional quarter of non-payment will incur an additional Fifty (50.00) dollar fee.
3. Any owner in the rental program will have their lot removed from the program.
4. Any funds accrued in the owner's rental account will not be disbursed until the owners POA account is current.

John Scott

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Answer:

Thank you for your direct line. This issue has already been added to the docket for board discussions. Since the bylaws currently do not penalize owners who are in arrears on their POA fees, we believe that a change to the bylaws will require a vote by the owners. We will keep everyone apprised of this.

Hi... my lot 184 backs up to the open space that is being eroded from the grading or non grading that was done last year. It looks like someone is mowing

And grading across from the lots next to ours... but stopped before our lot. Who do we talk to to make sure that the area behind our lot is being mowed and graded? It is a terrible mess behind our lot. We are losing ground because there is erosion. Help please.

Also, a lot next to our was a big mess of weeds and over growth. My husband spent hours cleaning up and weeding the lot. When a lot is unkempt it makes the resort look bad. Do we have a plan for this kind issue? You all are doing a great job... thank you for everything you do.

Sherry Wilson

Answer:

Thank you for your direct line. The grading on the opposite side of the lots has been completed. We are waiting for the company J & S to return and complete the project. There is a tree stump that still needs to be removed. We will have them install rip rap along the lot side of the lagoon. This will protect your lot from future erosion. We are also receiving quotes for the vegetation to be planted across the lagoon.

As for the maintenance of the neighboring lot, we are working with the Property Enhancement Committee to develop a landscaping checklist for all lots in the resort.

Wednesday July 13, 2022

As an owner I was wondering if there are plans to have a way for owners not in the resort for owners week to be able to submit or appoint a proxy to be able to get the quorum needed for voting important issues. Not being able to reach quorums for so many years is NOT acceptable. There are many ways to reach this goal.

Zielinski Carmella

Answer:

Thank you for your direct line and for your question. Article II, Section 3 of the Bylaws confirms that the presence in person or by proxy of the valid members is counted towards reaching a quorum. As with the April 9th Annual Owners Meeting, proxies were accepted towards the count of valid members. You will recall that even with the proxies, we still fell short of having a quorum. We will make sure that the proxy form is available on the Owners Login site.

Is there a list of owners' businesses that we can contact if we need a product or service?

Mary Dale

Answer:

I do not have a separate list of Owners who have a business. I have the approved vendors list, for a vendor who has provided a business license and proof of insurance to the resort. According to the Covenants it states that "no commercial activity of any kind whatsoever can be conducted on or from any unit or lot in the properties."

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Thursday July 14, 2022

Who the hell is this guy playing around with my electric stanchion. This is the second time. I have been told that he is working for you and is a camp worker. I want to verify this with you.

Answer:

That is a workamper, he was responding to a request to have the breaker checked for the sprinkler system. He misheard the lot number and mistakenly went to your site. On good news, your 110 breaker is working. I did address the situation with him and it will not happen again without your direction.

Hope you are having a great day.

Thanks Wendy for following up so quickly. (Name omitted), I'm sorry but I have to say that your tone is totally uncalled for. A simple question would have sufficed without the snarkiness. Please be kind. Thank you.

Hello Marylis,

In response to your comment (above), if you took the time to improve the resort instead of the time you spend on Facebook and comments like this, you would have a lot less SNARKIE residents. This has been an ongoing issue for many residents in the resort where residents and renters walk thru owners lots, dogs pooping and peeing on bushes, etc. and I am sure they are NOT aware that stepping on sprinkler heads destroys them and then landscape dies from lack of water, male dogs peeing on bushes, flowers, etc. kills them especially when they are new. So residents try to improve lots and have no support from people like you.

I feel you do a very POOR JOB as our President of the resort because you know what is happening and you have NEVER sent out an email to owners as well as fines, etc. for renters if they damage property of others. You just bitch about owners who complain instead of saying we will discuss this at a board meeting and hopefully find a solution or improvement.

We totally removed all landscaping and installed all new bushes, etc., stone and installed a sprinkler system. We have had sprinklers broken from being stepped on, bushes step on, bushes died from lack of water, bushes died male dog pee on bushes. I am NOT the only resident who has complained to you and our board and we have never seen you or our manager send out an email about this.

I just had renters behind our lot with two big dogs and walked over on our lot about 10 times in one day, peed, pooped on my lot. Pictures were sent to Wendy and I asked her to forward them to the board and she told me I had to do it myself in an email. So maybe if you put in the renters agreement "IF YOU TRESPASS ON OTHER LOTS" you will be asked to leave immediately without a refund and they would think twice about it. I put a small no trespassing sign but the manager told me to take it down. I put up fishing line to hold up the branches on my dying bushes and the manager told me to take it down when you can not even see it. Other lots have ropes in the back of their lots but other lots can not have them. If I have any more damage to my lot I will be holding you and the Resort responsible.

As I mentioned a few times, you should hire a RV management company like every other RV Resort does. I own in 4 other RV resorts and aware of several others that all hire professional RV management companies.

We have been going to the Island for 35 years, and I would of sold my lot a long time ago and sadden that friends I talked into purchasing in our resort already sold and had I same issues I am having.

I continue to pray for improvements in our resort, but with your SKARKIE comments I doubt that will happen as long as you are President of the board.

Have a Nice Day

Answer:

1. I actually don't spend very much time on Facebook. Oops, I did recently post a photo of my dog on the Social site. My bad.
2. As for this being an ongoing issue for "many residents," in the past year I believe only you and two other owners have submitted complaints about others walking on their property. If other owners are having these issues on an ongoing basis, then they should submit a direct line.

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3. Short of you hiring a private security guard to sit on your property 24/7, it is very difficult to catch the person trespassing in the act of doing so. By the time it's reported, the person is long gone. As for the renters behind you who cut through your lot "about 10 times in one day," as you were already notified, Wendy did talk to them and they stopped doing it. Wendy is conscientious and again, if trespassers are reported to her, she jumps on it and hopefully, can catch them in the act.
4. As far as us never sending out an email about this, I disagree. We have put articles in the "Postings" reminding owners to stay off of other owners property. For the renters, we have language in their packets about that, as well as they are reminded when they check-in that the lots are privately owned and to stay off of them. In addition, there is language regarding this on the reservation site. With regard to your suggestion of implementing a fine, we will take it under advisement.
5. As to your statement about management companies, I question if "every other RV resort does" and there are pros and cons with them. Some are good and I've also heard horror stories about others, even at the high-end resorts. Remember that even with a management company, for this particular issue, there is an onsite manager and they too would have to catch the trespasser in the act.
6. Regarding some lots having ropes along the back, as has been explained before, for safety reasons the guidelines allow them if the lot is along the lake or lagoon. For lots that are in violation, we have expressed before that as we discover violations, Terrence is notifying the owner to correct it. I find it interesting that recently, we were accused of having the least number of rules of any resort, yet when we try to enforce the rules we have, we get backlash.
7. I'm sorry you feel I am doing a poor job as the board president. I do my very best but obviously, I can not please everyone. As you know, there is currently a vacancy on the board.

Thank you.