

Holiday Shores
Board of Directors Meeting Minutes

Date: June 10, 2020

Attendance

Present: Anthony Harrell, Tony Harris, Matt Ressler, John Crotty, Jerry Allen and Dan Hopkins

Excused: Ali DeVries

Others Present: Rob Clarkson from the Holishor Office

Holishor Members Present: 7

Proceedings

Meeting called to order at 7:30PM

Pledge of Allegiance recited

Meeting Minutes of May 27, 2020

Tony Harris - Motions to approve the minutes as amended.

Matt Ressler - Seconds.

All in Favor.

Motion Carries.

Transfers of Property

We have four transfers of property, three of which triggered initiation fees.

Bills & Salaries

Tony Harris - Motions to approve Bills & Salaries as submitted.

Jerry Allen - Seconds.

All in Favor.

Motion Carries.

Profit & Loss

Submitted for review

Manager's Report

Read by Rob Clarkson

Public Safety Report

Read by Rob Clarkson

Old Business

Correspondence for Signage at the Boat Launch

Anthony Harrell - This is for no-wake conditions once the water raises above a certain level. We used to have a sign out there with a line. If the water was to reach or rise above that line, you know once you put your boat in that the lake is at no wake. The reason that is there is because you don't know until you pull out of the marina cove and you can see the light. That sign went away at some time and we would like to replace it. We are replacing the signs at the main gate with new signs. Rob, do you want to give an update on those? **Rob**

Clarkson - The new signs are supposed to be in tomorrow. I took the old signs down yesterday and keeping

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them stored at the maintenance shed for possible usage later at the marina. **Anthony Harrell** - Perfect. That will save some cost since we have the metal from the old signs. We can use that metal to create new signs for no wake sign at the marina. **Tony Harris** - We will need cost estimates. I know we discussed vinyl signs at the previous meeting. We can decide upon cost whether we want to go with metal or vinyl signs after we get the costs. **Anthony Harrell** - That is all we have to report regarding signage at the marina. **Matt Ressler** - Are we still looking into synchronizing those three lights? **Rob Clarkson** - I have called three different contractors. I had spoken with someone who had done that years ago and it is not cost efficient. **Matt Ressler** - Let's keep this on the agenda, if we can.

By-Lot Assessment

Anthony Harrell - A few meetings ago, a presentation was given by Jerry Allen to the Board, which evaluated several different ways of how we can change the pay structure to get more money for the roads. We had tabled that in order for the Board to review those numbers. We have that report in front of us, so I will open the discussion for that. Jerry, would you like to give us a refresher? **Jerry Allen** - This project was started at the board meeting dated for September 25, 2019 when a letter written by a member inquired why multiple lot owners do not pay assessments for each lot that they own. Currently, we pay by membership, not by the number of lots you own. She was concerned that our roads out here are not great and thought this would be a good way to potentially increase our revenue to keep our roads in better shape. After this letter was brought to the Board, a committee was formed in January and brought this presentation to the Board that covered questions that had been asked. We reviewed over 2,000 properties out here of how they are listed. Both here at the Association and with Madison County's website to see how they have it listed. Also, to double check how many lots or parcels that each member owns. With that effort, we had provided numbers that were presented to the Board in March that I wanted the new Board members to see and to bring this subject back up. I think it is important as we look long range to potentially bring more revenue to keep our roads above the current conditions we have them in now. I will run some numbers by, which may not make too much sense to most of the audience. This information was obtained from the office downstairs. Looking at over 2,000 properties out here, we were trying to figure out how many multiple lots owners we have, that number we uncovered came to 266 owners. Between those 266 different multiple lot owners, there are 689 properties. **Anthony Harrell** - Based on this information, you 266 multiple lot owners? **Jerry Allen** - Correct. **Anthony Harrell** - Then you say equals the number of parcels. Is this information going by lots or parcels? **Jerry Allen** - If you look at the definitions we have in our covenants and by-laws, a lot is a piece of property that is noted on the overall map of the subdivision. A parcel is the same lot, but it is noted by Madison County as a parcel, but it's the same lot. It is basically the same thing. **Tony Harris** - But it's not. **Anthony Harrell** - No, they are not the same. **Tony Harris** - I have three lots. Two of them are combined, which makes one parcel. You really have to be more specific when talking about lots and parcels. You cannot interchange the two. **Jerry Allen** - The way Madison County has it is if you have two lots and you join it into one parcel, that is still one parcel and one lot. **Tony Harris** - No. It's still two lots and one parcel. **Jerry Allen** - As we have it accounted here, that's how it is counted. **Anthony Harrell** - There needs to be some clarification, because I'm still confused between one parcel and one lot. If I have two lots combined as one parcel ID, how did you count that on this? **Jerry Allen** - As one lot. That is why we used the Madison County website to determine if it was one parcel that was once multiple lots and that the information we have is accurate. **Anthony Harrell** - If I'm one of the 266 multiple lot owners and I have one extra lot, which is combined with my home as one parcel ID and you have on a separate line equals the number of parcels. Is that counted as two or one under that line? **Jerry Allen** - That is my mistake. It should say lots, not parcels. **Anthony Harrell** - That is what I'm trying to clarify. **Tony Harris** - I guess I'm still confused. You say 266 multiple lot owners, those 266 own multiple parcels? **Jerry Allen** - No,

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multiple lots. I'm maybe intertwining them a little bit differently. The numbers are still the same, because we looked at Madison County's information to make sure we weren't double counting or not counting it correctly. If you look at the spreadsheet with the overall information on it. If you have two lots, your name is listed on there twice because you have two lots. What the office had noted was if you had two lots, it will say joined or have two parcel numbers. We looked at those parcel numbers to see how Madison County has them recorded. It is all very confusing. **Jerry Theodor, 1346** - Something is not right here, Jerry. This issue, you're going to have to get that straightened out. If a decision is made if this passes, you're going to have to figure out if we are going to be billed per lot or per parcel. If you bill per lot and someone has three lots joined to one parcel, they are going to get three bills. **Jerry Allen** - They would only get one. **Jerry Theodor, 1346** - How many votes do we give the one who owns three lots? Do they get three votes? **Matt Ressler** - They would get one because they have one membership. **Jerry Theodor, 1346** - They get three votes. **Jerry Allen** - That is one of the many questions the committee had looked at. As a committee, we can't answer that question. In March, we had told the Board they are going to have to figure that out. **Jerry Theodor, 1346** - I had been involved in this above five times and I've got to tell you, this is the most difficult thing you can undertake. All of this has to be determined legally. I guarantee you, there will be a lawsuit over this. It's going to happen if you go by lot or per parcel. **Jerry Allen** - In March, we presented a few ways of how to gain this revenue and that is what we are trying to do here, Jerry. You are right, this is something the committee will definitely have to determine. What we as a committee had determined is what was brought up by the Board. Which was the number of parcels, multiple lot owners, how many of those lots are contiguous. I think this gives us a glimpse of what our scenarios would be. One scenario that was asked by the Board being if multiple lot owners had to pay an assessment that everyone else pays for one lot on all the lots they own that are not joined. We can get the information with lot versus parcel correct, but this is just to have a discussion and to bring up the other scenarios that we came up with because there may not be just one answer here. **Jerry Theodor, 1346** - I'm not up here to speak against it, but that parcel and lot thing really needs to be straightened out. Hopefully this will be run by a lawyer because that is the most important part of this. **Jerry Allen** - Yes, it will be. We are just getting this going. **Robert Rhea, 48** - Do you know how many of those 689 parcels are separate lots? **Jerry Allen** - I had parcels noted when I should have it noted as the number of lots. A parcel is basically the overall property. **Robert Rhea, 48** - That's what I'm saying. **Jerry Allen** - The numbers here on the spreadsheet are specifically by lots. That is why we are doing this to see what areas need to be fixed to have this right. **Anthony Harrell** - Here is my thing. Our covenants and by-laws are written as per membership. If we look into this by-lot assessment, it is going to change our entire book of covenants and by-laws the way it's written. We charge association fees by membership in the covenants. **Jerry Allen** - I can go back through these numbers to verify the correct information and fix what needs to be fixed. **Matt Ressler** - Let's finish going through the scenarios. I think that will clear a lot of this up. **Jerry Allen** - The committee came up with five scenarios. One is finding out the total number of lots that the multiple owners have, and if they are not joined, charge each an assessment of \$660. The second scenario is charge by incorporation. At the time this was talked about, we were unsure what the status was of making this an incorporation. The third scenario is the multiple lot owners would pay whatever percentage that \$660 assessment dues go to a road and bridge perspective. We don't know what that percentage number is from a committee perspective that can be adjusted. The fourth scenario is charge by flat foot. If a multiple lot owner has an extra lot, we would charge \$200 for 2021 for example. The fifth scenario, every lot out here touches the road. Whether it is combined or not. Every owner of that property has some responsibility to pay for that road, like we do with our dues and assessments. The idea of this is if we look at the amount of lineal feet that actually touches the road and charge by lineal foot.

Conversation ensues.

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Road Plan Bid Opening

Anthony Harrell - We have three different bids. Rob, do you want to elaborate what this covers? **Rob**

Clarkson - This covers 2,808ft of oil and trap rock, which is a granite type of rock with flatter edges instead of the slag we were using before. That is the broken-up pieces you see on the side of the road because it doesn't bond. In a previous Board meeting, Rob Frey and I were tasked to check areas in municipalities that use this rock. Rob and I checked a road after it had been put down, after it being down during the summer, after it had been plowed and after the winter and we were pretty impressed with how the road held up and the amount of rock that was pushed to the side. **Anthony Harrell** - Thank you. The first bid I opened is from Mike Maedge Trucking in Highland, Illinois. Rather than a total, we have a cost per square yard and number of square yards. Basically, they put one coat of oil and chip, A1 treatment, oil, rock, spread, loaded and rolled for 4.32 miles. The grand total is \$55,820.88 which they do not have on the bid. The second bid we have here is from Counton Petroleum Company. We proposed all necessary labor, materials, equipment, insurance, safety and supervision to complete the following items of work. All materials removed from the projects are to be left on sight, this bid does not reflect weekends or overtime. Holiday Shores will be responsible prior to project start date to proper closing, barricading and/or detouring of traffic away from projects and inform contractor of all safety and health hazards of all individuals around the workplace. This project is to cover 50,684 yards and the grand total comes to \$66,773.38. It's a bit higher than the first and I like they provided more detail. The final bid is from JTC Petroleum. They also have chip spreader and roller and the same approximation on trap rock provider. The total price for the work comes to \$57,386.38. **Jerry Allen** - Does this cover removal of the surface that is there? **Rob Clarkson** - It is to go on top of what is there. **John Crotty** - Have we used any of these three before? **Rob Clarkson** - We have used JTC before for our oil for the patch machine and they have done oil and chip for us. **Anthony Harrell** - Do we need to approve one of these tonight? **Tony Harris** - When were you wanting to get started on this? **Rob Clarkson** - My target was mid-July to mid-August. We did our work too late last year, which is why I brought the plan to you in February. **Tony Harris** - On the budget, we have \$65,874 for road resurfacing. **Anthony Harrell** - To keep this moving forward, can we all agree to eliminate Maedge Trucking? We do not have an itemized list and there was not a total provided. **The Board agrees.** **Anthony Harrell** - The difference between the last two is the self-propelled versus the spreader. **Tony Harris** - I would love to see the self-propelled work done, but I don't think it is worth a \$9,000 difference and it is right on our budget.

Matt Ressler - Motions to approve the bid from JTC Petroleum \$57,386.38.

Dan Hopkins - Seconds.

All in Favor.

Motion Carries.

New Business

Correspondence from Henry Halverson, 1829

I would like to convey concern I have regarding the boating rules currently in place. While I was observing the boating activity on the lake yesterday, I noticed wake surfing. To my knowledge, this activity was prohibited. I was discussing the activity with the Lake Manager, he said while plowing or operating a boat at a speed below or plane is against the rules, the activity of wake surfing is not prohibited. I am not sure when it was removed from the rules, but I do know at some point, wake surfing was prohibited. My concern here is I do not want there to be an issue between property owners and skiers/wakeboarders like we had a few years ago. That resulted in the ski/wakeboard community being under siege because of the actions of a few. 99% percent of us play by the rules but if we allow this activity to continue, we will certainly be back to where we were before. There will be more discussion regarding seawall destruction and unsafe boating conditions. I would also like to add that wake foiling

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is a new activity that has made its way to the community. That is the combination of hydrofoil and a wake surfboard. This is to be pulled at a similar speed as wake surfing and I believe should be banned also. I hope that the Board can move swiftly to clear up what should be an obvious change in our boating rules.

Anthony Harrell - After receiving this letter, I remember that the board had passed that there was no wake surfing allowed on our lake. I reached out to our great historian, Dave Decker. Dave was able to find the meeting minutes from December 11, 2013 in which there was a new proposed rule. **All wake surfing, teak surfing or similar surfing is prohibited.** Dave Decker motioned to approve the proposed rule as amended and Darren Onwiler seconds. It is a rule, but it never made it to our boating rules. We will make sure that we amend those, and Lake Patrol can start enforcing it.

Lake Safety

Anthony Harrell - I am getting a lot of phone calls regarding a number of violations on the lake. I would like to have an open discussion. Rob and I had discussed a heavier lake patrol earlier. I don't want to get into a discussion of what all we have seen. I want to talk about more potential things with getting more patrol on the water. Just know we are doing the best we can to get this under control. I know Rob had a stack of citations on his desk after Memorial Day weekend. Rob, what are your thoughts? **Rob Clarkson** - Budget wise, my concern is the additional hours. I have them out there really hard on the weekends. Sometimes, I pull them off the roads and go with them, just to see how some drive. You can't be everywhere all the time. They do know to look for more blatant things. I'm open for suggestions. **Matt Ressler** - I suggest we reduce road patrol and move them over to a few more hours on the water. **Rob Clarkson** - I have a shift designated for one to come in for just boat patrol. **Anthony Harrell** - I think what we need to do is look at the budget and come up with some type of plan by working with Rob to get more increased patrol on the water or even at the boat ramp.

Variance Request from Jack Godwin, Membership

Anthony Harrell - Basically, we had a member who sold his property. Now he is buying another piece of property and would like his membership to not expire because he will most likely surpass his sixty day grace period. He is requesting that we extend his membership passed that timeline by thirty days. I don't see an issue with this. **Jerry Allen** - My only comment is that I did not see a comment in our rules regarding the sixty day grace period. We need to verify that rule is in place. **Tony Harris** - If we grant this variance, we need to get more information on this from the office.

Matt Ressler - Motions to approve the variance extension for Jack Godwin.

Dan Hopkins - Seconds.

In Favor - Anthony Harrell, Tony Harris, Matt Ressler, Dan Hopkins and John Crotty.

Opposed - Jerry Allen.

Motion Carries.

Variance Request for Fence, 847 Newport Bay

We replaced an extremely worn and rotted fence due to the safety of our animals. A storm had pulled off two planks off the front of the house as well as loosened all of the remaining wood fence panels. With permission, we would like to replace a chain link fence with a four foot wooden privacy fence.

Anthony Harrell - The Building Committee reviewed this and their comments state: **We recommend approving the privacy fence with the exception on St. James Road and consider a similar situation to**

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Prairietown Road where the Board has approved them in the past. The Building Committee does not want to see privacy fences along lakefront properties. Anthony Harrell - To me it sounds like they want to replace the chain link fence with a privacy fence around the property. **Jerry Allen** - I know the rules state you have to have a 50% opening to your wooden fence. Lakefront property is different when it comes to wooden fences. **Tony Harris** - I know privacy fences in general are against our rules. I saw this fence on St. James. **Rob Clarkson** - This fence was installed without a permit. **Tony Harris** - I understand fixing what is there, but this is a solid privacy fence.
No motion was made.

Open Floor

Anthony Harrell - We have a letter from the insurance agent regarding the closing of our beaches. We reached out to them when we had this discussion during the COVID19 outbreak. They came back to us with the information of us not being covered if we allow our beaches to be open. This letter is for our information just restating that fact. **Jerry Allen** - Have we heard any word from our Governor of what phase we are in? **Rob Clarkson** - We are currently in Phase III, which is ten people or less. Phase IV allows for fifty people or less. **Jerry Allen** - What are we going to do with the beaches if we are still in Phase III when the Fourth of July hits? **Rob Clarkson** - It's going to be a challenge.
Anthony Harrell - I will read the letter from our insurance carrier.

Erosion Control Letters

Anthony Harrell - There are seawalls that need repair. We have to have letters sent out to the property owners by August 1st. I just want to know that we are on track to get that done? Jerry, I know you have been a part of this and mentioned a boat ride to identify seawalls that need repair. How is this going to work? **Jerry Theodor, 1346** - I'll be in contact with the other committee members and get back with you next meeting with a date. We go around the lake, identify the lot and what work needs to be done. **Anthony Harrell** - Thank you.

Hearing Panel

Anthony Harrell - In our Covenants and By-Laws, we are supposed to have a hearing panel that consists of five members. We need two Board members to permanently sit on the hearing panel and at least one reserve Board member just in case there is a conflict of interest. We have to have two people from the community that are also on the hearing panel. At this time, I would like to fulfill this requirement. As far as community members, I know Jerry Theodore has volunteered to be on the hearing panel, along with Dave Decker. We may possibly have a third alternative for that. **Jerry Theodor, 1346** - There is a specific way this is supposed to be run. With new Board members, one of them has to be a leader of the meeting. **Anthony Harrell** - I had pointed that out. There is additional information in our By-Laws. Please, when you get time, read those.

Tony Harris - We had our Finance Meeting on Monday. We have one CD that has matured as of yesterday. We have ten days to decide what we do with it before it rolls over into another CD. With the current interest rates what they are, they are not very favorable. I contacted eight banks, four of those do not do CD's for business. Of the four, we have CD's with three of the banks. I have a recommendation from the Finance Committee, and I am asking for approval of that recommendation.

Conversation ensues.

Tony Harris - Motions to have our current CD cashed out, the funds returned to us, deposit with the Busey Bank continue pursuing Mutual of Omaha to get an okay they can do a five year CD at 1.88% If so, proceed with setting up a CD there. If not, I'll look into a one year rate and bring proposals to the next meeting.

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Matt Ressler - Seconds.

All in Favor.

Motion Carries.

Gary Erb, 1000 - What exactly is the setback for a fence line along the road? Everything I'm reading in the building rules is twenty-five foot off the roadside property line. I have a fence going up across the street from me at 1041/1041 that is probably six to ten feet from the property line. I wanted to bring this to the attention of the Board.**Anthony Harrell** - Rob, can you do a drive-by? **Rob Clarkson** - I did. I pulled the permit approved by the committee and it is being put in the way it's supposed to be. When the committee takes their final measurements for closing, they would have to move the fence if it doesn't meet the criteria.

Anthony Harrell - They are doing this with in the permit. **Rob Clarkson** - As far as I can tell they are. Their plans show the measurements. They do not show the corners, they show the setbacks. **Gary Erb, 1000** - That is what I'm getting at. They measured it off the gravel side of the road from what I saw them do. If I were to walk over to the pin they have, I believe the fence line they are putting up is probably within ten feet of the property line. **Jerry Allen** - That ten foot is off of the road side property line? **Gary Erb, 1000** - Yes, if not closer. I just wanted to make you aware of this. **Anthony Harrell** - Thank you.

Joe Roth, 1030 - Tony, if they are closing the beaches, does our insurance give us any rebate since we aren't getting any coverage? **Tony Harris** - That's a good question. I wouldn't imagine we would.

Tony Harris - Motions to adjourn to Executive Session.

Matt Ressler - Seconds.

Meeting adjourned to Executive Session at 9:03PM.

Meeting Minutes submitted by Megan Jackson.

Date: June 10, 2020 PART 2

Attendance

Present: Anthony Harrell, Tony Harris, Matt Ressler, John Crotty, Jerry Allen and Dan Hopkins

Excused: Ali DeVries

Others Present: Rob Clarkson from the Holishor Office

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Proceedings

Regular Session to reopen at 10:14PM

New Business

Crappie Limit

Anthony Harrell - We currently have recommendations from Fred Cronin at IDNR that we harvest the overpopulated crappie population. We have been doing that but in our rules we have a twenty crappie possession limit. We need to continue a variance on that through 2021 so we can improve the overall environment of the lake by removing the crappie.

Tony Harris - Motions to suspend the data limit and size limit on crappie through December 31, 2021.

Jerry Allen - Seconds.

All in Favor.

Motion Carries.

Increased Lake Patrol

Anthony Harrell - I'm open for discussion on this. We want members to know we are enforcing the rules. **Tony Harris** - Are there just standard times we do road patrol? **Rob Clarkson** - They're supposed to patrol the subdivision twice during their shift. **Jerry Allen** - Are we wanting to cut hours off the road to have them on the water? **Rob Clarkson** - If you look at their schedule, you see their regular shift and a boat patrol, which is a special one coming in just to do lake patrol. When the other guy comes in, a lot of the time they will team up so one can drive and the other can look. Each shift, they are supposed to be on the boat, weather permitting. This is a double edged sword. If I pull them off the road, I will get complaints from the other side. **Tony Harris** - Do we have a lot of issues on the water during the week or mostly on the weekends? **Rob Clarkson** - It's crowded, people are home. **Anthony Harrell** - Do we need to adjust the schedule? **Rob Clarkson** - We can make that big push. **Jerry Allen** - I would hope through the Fourth of July. It's our busiest weekend. **Rob Clarkson** - The Fourth is all hands on deck and two boats on the water. **Matt Ressler** - Could we just add an hour or two to the boat patrols? **Rob Clarkson** - I try to change it up a bit. **Anthony Harrell** - What's the latest that they're here? **Rob Clarkson** - Sunday through Thursday, they're done at 10PM and Friday and Saturday, they're off at midnight. **Matt Ressler** - Here is my recommendation. On the schedule starting next week, one will come in at 9:00AM and be on the boat until 1:00PM. At 1:00PM, they will get off the boat and patrol the roads. The second will come in to be on the water from 1:00PM to 7:00PM. **Anthony Harrell** - I don't know if we need to dictate any hours to Rob. **John Crotty** - We need to add more boat time without taking from the budget. Whatever time they can be out there. We could talk about this at the next meeting if things haven't quieted down. **Tony Harris** - Yes. We can see how many citations are being issued and what problems we are still having. **Rob Clarkson** - I can put out a memo to all of them and make that happen.

Tony Harris - Motions to adjourn part two of regular session.

Jerry Allen - Seconds.

Meeting adjourned at 10:46PM

Meeting Minutes submitted by Megan Jackson