

Date: February 25th 2015

Attendance

Board Members

Present: Dave Decker, Rich Hertel, Roger Rawson, Monte Thus, Gary Kluckman, Darren Onwiler and Alan Huelsmann.

Quorum Present: Yes

Others Present

Glenn Dalton, Rob Frey, and Brandy Pickett from the Holishor Office.

Holishor Members Present: 13

Proceedings

Meeting called to order at 7:30 PM

Pledge of Allegiance Recited

Minutes of February 25th, 2015

Adjustments to be made by Dave Decker and Rich Hertel and prepared for the next board meeting.

Transfers of Property

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Correspondence

Read by Rich Hertel.

Letter from Teri Dinnius

Teri Dinnius forwarded a letter to the Board of Directors with concerns for her safety from aggressive dogs in Holiday Shores. Her dog Peanut was attacked by a large aggressive dog and had to be treated by the vet, with some serious injuries. She would like to know what can be done about animals running loose without being on a leash and to rid these aggressive dogs from Holiday Shores.

Letter from Joseph and Nikki Winkelmann

Joe and Nikki also forward a letter to the Board of Directors that agrees with Teri Dinnius about concerns for aggressive dogs within the Holiday Shores community; they are also expressing concerns that next time it may not be an attack on another animal but on a human.

Letter from Tim Thompson

Forwards a letter to the Board of Directors that weighs in on the leash issues, stating that Madison County is who has jurisdiction over Holiday Shores, but would like Holiday Shores to take action towards the members for animals running wild and making messes.

Comments:

Dave Decker: Madison County has the jurisdiction over Holiday Shores but if having issues; please contact us along with Madison County. **Terri Dinnius:** When contacting Madison County they know which dogs out here are the problem dogs and I do not understand why we cannot do anything about it. I was told because it is not in our by-laws, there needs to be something in our by-laws that say keeps them on a leash or in a fence. I am concerned that it could have been the small child down the street. I do not think that it is fair to the people who are responsible that we cannot walk down the streets without fear of aggressive animals. **Roger Rawson:** By-laws article 3 Section 2, Animal Control: Holishor Association shall have the authority to issue citations to owners of any animal running loose off of owner's property without visible restraints or human

companion, and with any animal causing frequent or long continued noises that shall disturb the comfort or repose of any ordinary person. **Teri Dennius:** What are we doing to support that? **Roger Rawson:** I have also been scared by dogs. Illinois Law has an Animal Control Act Section 13, second paragraph; any person having knowledge of anyone bitten by an animal, you are to contact the administrator, which is Madison County. There are rules and laws in place but the people need to make the calls to the proper authority in position to do something about it and I also say take pictures. It is a reality of life that you need to be careful; someone's dog could come around the corner at any time. That is just the community that we live in and people just aren't responsible to take care of their pets the way that they should. You just need to be diligent making these calls and trying to press charges. **Darren Onwiler:** I would like to back what Roger had to say. These issues; I have dealt with them personally and professionally for many years. These issues take diligence; there is not a onetime call to take care of this problem. First and foremost, I am sorry that your pet was injured. Anytime you see a dog at large make a call to Animal Control, because that is their job and their responsibility within the county to enforce that law. You can also contact the sheriff's office; they will respond but are limited in the action that they can take. They can issue the owner of the dog a notice to appear in court for allowing the dog to run at large, and they can call Animal Control. Within the sheriff's office our call is to Animal Control they are the persons responsible for enforcing the pet laws. It will take multiple calls and repeat calls to get a final resolution. Our public safety will issue citations for the by-laws that we have in place, but further than that, there is nothing more that we can do and would recommend that you contact Animal Control. **Teri Dinnius:** is there a fine? **Glenn Dalton:** Animal Control is involved from the start. It is a \$25 fine and will escalate from there with each offense after the third offense could mean a loss of privileges and amenities to the member. **Dave Decker:** Madison County is going to be the best bet for resolutions to your issue; they have more power to take dog and impound it. **Darren**

Onwiler: As far as Animal Control they have a set protocol that if a dog has bitten someone they impound the dog for a short time and released back to the owner. If a second offense happens they take further action from there. **Mike Shive(1394)** Could something be written in our by-laws that we do not have to go through Madison county? **Rich Hertel:** What do you suggest? **Darren Onwiler:** Well that is beyond the scope of what our public safety officers should be doing. **Mike Shive (1394)** I suggest we do not allow pit bulls. **Glenn Dalton:** In part of the Animal Control Act that you are referring to. You cannot specify a breed. **Roger Rawson:** If you look up the Animal Control Act you will see what is allowed and what isn't. You will see that we do not have the authority to do anything except write a citation. We cannot trespass on to private property. **Darren Onwiler:** This is a responsibility of the owners, to keep them in control and on a leash. **Glenn Dalton:** When we get a call we go out and investigate. If it is an aggressive dog, we call Madison County. In some cases we seize the dog and return it to its owner. However if it is on private property we cannot go and seize the dog because then we would be trespassing. **Dave Decker:** These rules are in our by-laws. **Laura Scatturo (1716)** Why would you wait on Madison County to issue a citation? **Glenn Dalton:** I am only allowed to write citations on what I observe. **Bob Lowrance (883)** Check into your homeowners insurance to cover medical costs to your pet. **Gary Henderson (979)** Suggests adding some community information to the future editions of the Holiday Times on Animal Control numbers indicating citations could be given for unleashed and loose pets.

Holiday Shores Lots- Real Estate Committee recommendation Information Only

Old Business

Covenant Amendment Affirmation Status

Dave Decker: At the last meeting we indicated we still need just under 100 votes for the affirmation. After recent conversation with our lawyer, the definition of lots worked under our expectations that when you join lots to be one parcel for tax purposes they are still considered two lots. We are discussing this with the lawyer because we are being very cautious. He stated that you would be entitled to two votes towards the affirmation. I was afraid of this and we have taken a step backwards, instead of having the roughly 1800 lots counted for voting we now have 1960 that are needed and we will still need 2/3 for this to pass. If you have signed the affirmation and voted one lot and you have two lots you will need to vote and sign again for the other lot, we cannot change that for you. This is to ensure that we are being as cautious as possible. **Gerry Theodore (1346),** Problem in this regard as to the Building Committee, we have got to quit letting people build against two lots, our rules say that you cannot not put certain buildings on 1 lot. **Dave Decker:** we need to go back and look at how that impacts the rules that we have. Is it covenants, by-law or a rule? **Gerry Theodore** It is in the covenants and it states, you cannot build shed on a lot without a home there first. It will change how we will look at things and when you speak with the lawyer maybe he will think differently. I have never agreed that it is per lot vote; I have valid argument why we should be membership vote. **Dave Decker:** We need to work under recommendation of out our lawyer; we will be covered on membership, and lots to be joined. It is best approach we as an Association can take to protect ourselves. **Roger Rawson:** There is a difference being joined as to being plotted. **Gerry Theodore:** Our view on the Building Committee side, we consider that they are officially joined as one lot. **Dave Decker:** That is something that we need to discuss.

Restaurant Update

All the equipment is in and they are having the health inspection on Friday of this week. If all goes well they are hoping to be open the following week.

Port Lane Drainage- Update

We received a work order from the engineering firm to do the initial study.

Barge Utilization –

Copy of proposed Barge Rules included. Barge Utilization

The latest version of the proposed Barge Rules, dated January 25 2015, was discussed. **Roger Rawson:** noted that Item/rule 14 should be expanded to September thru April because more projects could be completed. After much discussion it was agreed not to change the existing recommend rule. It was also decided to let the rule stand, and that no work could be done on Sundays. Discussion ensued regarding the staging area for materials and loading of the barge. The area near the ski beach was recommended as the staging location but turned down because of the potential damage to that area. After some discussion it was agreed that the marina might be a recommended location and that any contractors would negotiate this with the owners of the marina. **Darren Onwiler:** suggested that the Building Committee charge an additional \$50.00 permit fee for those projects requiring the use of a barge.

2016 Proposed Budget.

Dave Decker: stated that at the last board meeting a proposed 2016 budget had been presented. This budget did not include an assessment increase. At the last meeting no one had any comments or voiced any concerns for the budget other than allocations for the roads, which were small. The board then discussed three different options regarding how the association would react to the increases in the minimum wage. Three options were discussed: 1) only those under the new minimum would receive an increase, 2) all hourly employees would receive the same

increase equal to the increase in the minimum wage, 3) all hourly employees would receive an increase based on percentage increases. Discussion ensued among the Board Members. The board members were split between Scenario 1 and 2 with several members weighing in. It appeared that those that spoke were split 50/50 vs. Scenario 1 and 2. Dave proposed an idea that at the annual meeting the members should vote between the two scenarios regarding minimum wage. Scenario 1 - Bring only the affected employees' pay up to the minimum wage requirement as required by the State of Illinois. If the 2016 Budget is substantially affected, an assessment would be required as offset. Scenario 2 - Bring the affected employees' pay up to the minimum wage requirement as required by the State of Illinois and increase every unaffected employees' pay by the same dollar amount. If the 2016 Budget is substantially affected, an assessment would be required as offset.

Two motions were made as follows:

1) **Darren Onwiler** recommended that the 2016 Budget be submitted as a separate ballot item without Scenario 1 and 2 for overall approval. **Alan Huelsman** seconded. Motion carried.

2) A motion was made by **Darren Onwiler** to have a second ballot to choose between Scenario 1 and 2 **Monte Thus** seconded. Motion carried.

2015 Drawing for Annual Dues and Assessments.

If Dues and Assessments were paid in full by February 14th 2015 you were entered into a drawing to receive a refund.

Jeanie Votruba (493) drew **Joseph Hudson Sr. (702)** to receive refund of dues and assessments.

Open Floor

Jeanie Votruba Chairman of the Nominating Committee: reports that there are a 2 people interested and 1 possible candidate and have spoken with about 15 others.

Dave Decker: Motions to move to Executive Session

Roger Rawson: Motions, **Rich Hertel:** seconds.

Executive Session

Holiday Shores Lots- Real Estate Committee recommendation

Meeting adjourned at 9:35 p.m.