

Holiday Shores
Board of Directors Meeting Minutes

Date: July 24, 2019

Attendance

Board Members

Present: Dave Decker, Ali DeVries, Monica O'Brien, Steve Yates Jr., Anthony Harrell and Matt Ressler

Excused Absence: Tony Harris

Quorum Present: Yes

Others Present

Rob Frey and Megan Jackson from the Holishor Office

Holishor Members Present: 7

Proceedings

Meeting called to order at 7:30 PM

Pledge of Allegiance Recited

Minutes of July 10, 2019

Ali DeVries – Motions to approve the minutes as amended.

Monica O'Brien – Seconds.

All in Favor.

Motion Carries.

Transfers of Property

There are three transfers of property. All three are houses with two triggered initiation fees.

Old Business

PWC Proposed Rule

Monica O'Brien – There was a discussion last meeting about limiting watercraft on our lake. I think this time for the PWC rule, I don't think that is a big concern until later on. If there are too many PWC's on the lake, then maybe at that time address limiting operation to certain days or times if there are too many. **Dave Decker** – Does anybody disagree with that? **Matt Ressler** – No. **Dave Decker** – Tony had a suggested change to the verbiage regarding the two stroke PWC's.

Change in verbiage was discussed.

When this rule takes effect, 2 stroke PWC currently registered with Holiday Shores will continue to be permitted.

When ownership changes that 2 stroke PWC will no longer be permitted.

Roger Rawson, 1851 – I'm trying to understand the discrimination being imposed here by the rule of eliminating two strokes. **Dave Decker** – It's eliminating new two strokes coming onto the lake. Part of the justification for allowing larger horsepower and newer equipment was to improve the quality of the units running with safety and pollution. **Roger Rawson, 1851** – Ok well my question still stands. That is still discrimination because if you are going to eliminate all two strokes boats, you're only picking on one group. **Dave Decker** – You're correct, we are. **Roger Rawson, 1851** – Which is discrimination. **Monica O'Brien** – We discussed that maybe at a later date discussing those but right now we want to focus on this PWC rule. **Roger Rawson, 1851** – So you're saying that it is okay to discriminate now but we might do something later? **Ali DeVries** – We are saying we can only handle one thing at a time and right now, this is the discussion. **Roger Rawson, 1851** – No, you can handle the whole package, don't cherry pick. From what I see, you are

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picking on one group. I've seen the Board do this before and for all classifications this is discrimination. **Dave Decker** – The idea was if you open this up higher horsepower, you're going to see more units being purchased. The idea was that we do not want to bring in new two cycle units onto the lake. **Roger Rawson, 1851** – I understand that. I personally have not seen any problems with two cycles. I never see any out here blowing smoke or oil leaks. I think two strokes are efficient just like four strokes. I just don't see the purpose in doing this. I think you are opening yourselves to a can of worms. **Dave Decker** – How so? **Roger Rawson, 1851** – Because discrimination is discrimination. **Dave Decker** – No one is going to sue me for only allowing four cycles PWC's. **Roger Rawson, 1851** – You can. The fact that you are going to do that for only one section of our boating rules leave you open to discrimination. You're forcing one group to comply and everyone else can purchase and do what they please. **Ali DeVries** – What we are trying to do is say you can keep the units you're still using but we don't want new ones. **Roger Rawson, 1851** – If I wanted to sell my PWC to my neighbor, you're saying that he can't have it now. **Ali DeVries** – That is correct. **Roger Rawson, 1851** – That is discrimination. I disagree on the fundamental definition of discrimination that's all. **Roger Rawson, 1851** – When you only pick on one group and not as a whole. **Ali DeVries** – The industry standard is leading to different things, so I don't feel like we are discriminating. **Roger Rawson, 1851** – Industry standard? What is that? The standard is what is here now at the lake. **Ali DeVries** – Our standard is old. The reason we are looking at this is because everyone asked us to look at our rule and look into changing it because it no longer accommodates what is out in the rest of the world. We want to bring our lake up to the times so there are more options on units to buy and it just so happens that they are better environmentally. We want to continue with that and eliminate the old things that are not as environmentally friendly. We are not trying to discriminate. **Roger Rawson, 1851** – If you're going to say that we can and you can't, that is discrimination. **Ali DeVries** – To a person, not a watercraft. **Roger Rawson, 1851** – If you are not going to address all watercraft in the same parameter. **Anthony Harrell** – Right now we are talking about the PWC rule. **Roger Rawson, 1851** – Well, with the PWC rule you are discriminating by saying you can no longer purchase two cycle units and put it on the water. If you're not going to address it all at once, then you are discriminating. **Anthony Harrell** – They are separate rules, so we have to address them separately. **Roger Rawson, 1851** – They still make highly efficient two strokes. **Ali DeVries** – We are not disagreeing that we should look at both rules. Right now, we are discussing PWC's. **Anthony Harrell** – When we proposed this rule, we provided reasoning for increase in safety because a lot of the newer models are equipped with more safety features along with environmental aspects. That is what the Association agreed to so right now we are dealing with the PWC's. Will we do the same with boats? Maybe in the future, we can put it on the agenda and discuss it but right now, this PWC rule is what is in front of us. I don't totally disagree with you but the way our rules are broken down, they are two separate items. **Monica O'Brien** – Do we need a motion for this new verbiage? **Dave Decker** – No. What we will do is get the new verbiage posted but the next time we make a motion is when we vote on it. That is if we are all in agreement with it.

New Business

Mandatory Boater's Safety Course

Dave Decker – At the last meeting, there was a lot of discussion about starting to require a Boater's Safety course or test and I believe it came down to a proposal that the Association would require that course or test annually for anyone under a particular age. **Anthony Harrell** – I believe that age was sixteen. **Monica O'Brien** – Yes, I think it was twelve to sixteen. **Matt Ressler** – The state regulation is age twelve. **Dave Decker** – Yes but the state doesn't require it on an annual basis. **Anthony Harrell** – David Maibaum put together a nice twenty question exam that pertains to both Holiday Shore's rules and the state's rules. I think it was very well thought out and put together which I will get this out to all of the Board members. I know that the state only requires the exam to be taken once but they could take the state exam once but have only the Holiday Shores boating rules exam annually. **Monica O'Brien** – So the test taken here would only include our boating rules for our lake? **Anthony Harrell** – He had questions that incorporated Illinois state rules and questions that were just in regard to Holiday Shores boating rules. **Matt Ressler** – I think that's a great idea. I would suggest making them take our exam every year until they are eighteen but that is just my opinion. **Monica O'Brien** – I don't necessarily think they need to take it up until they are eighteen. If they were to move onto the lake when they are seventeen, I would say have them take it once. **Matt Ressler** – It's a refresher. I take refreshers every year. **Dave Decker**

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– How do you guys plan on enforcing this? **Ali DeVries** – I think last meeting we discussed issuing a little card. **Monica O'Brien** – I think some kind of proof should be required whether that be a card or certificate. **Matt Ressler** – Let's say they are on the water and they do not have it with them, and they get a fine. **Monica O'Brien** – They could always bring their certificate to the office later. **Matt Ressler** – Yes but that is like getting pulled over on the road and not having your proof of insurance. I also think Public Safety needs to patrol on the water more than they already are. I'm not too concerned with what is going on our streets, the lake needs to be their main concern. **Anthony Harrell** – Let's say a property owner allows their child's friend on a PWC. **Matt Ressler** – Then they cannot operate it. They can ride passenger, but they cannot operate it because they did not take our exam. **Monica O'Brien** – That's a good point. My concern with this Holiday Shores test is the administration of it. I think Tony suggested volunteers. I had a thought about putting the test online to be downloaded but I don't think that's the best idea. I do believe we need to mandate this annual test and incorporate both our rules and state rules. **Matt Ressler** – I would like to see the test Anthony brought that David put together. **Anthony Harrell** – Yes, I will get this to you guys. Tony had re-worded the rule for this mandatory test. It reads, any member wishing to register or operate a watercraft for the first time after 1/1/2019 must pass a Holishor Boating Rules test. Any member who registered a boat prior to this rule going into effect but after 1/1/19 must pass the test before they can register or operate a watercraft in 2020. Going back to Roger's comment with discrimination, all watercraft is included in this rule. **Matt Ressler** – That's fine too. It's not just PWC's that we are limiting this to. **Dave Decker** – Anthony brought something up other than the age restriction, he's talking about everybody in general. I think we need to segregate the two conversations. We need to focus on the age limit to be either sixteen or eighteen to take the test and a separate conversation in regard to all new boat operators required to take the test. From what I have heard so far is requiring all younger watercraft operators required to take an annual Holiday Shores test to be certified to receive a card to allow them to operate a watercraft. **Matt Ressler** – Correct. **Monica O'Brien** – Yes. **Dave Decker** – If they have taken the state test, are they required to take the Holiday Shores test? **Monica O'Brien** – Yes. **Dave Decker** – Are we going to pull people over to check this or only check them when an issue arises? **Monica O'Brien** – I would say when an issue arises. **Roger Rawson, 1851** – I think that is a great idea. We had talked about his in the Boating Committee a long time ago to get something going in that direction. We also talked about making a video of rules on our lake. My train of thought is that this ought to be applied to everyone that comes in for a boat sticker. The adults or owners have to take the Holishor test once before they are given their decals. **Monica O'Brien** – I think we are on the same page with that but like Dave had mentioned, that needs to be a separate conversation. We are looking at the younger group of individuals right now. **Matt Ressler** – If we are going to put an age restriction on the test then I say eighteen. They must take the Holishor test every year until they are eighteen. It's similar to a hunting license the way I look at it. **Monica O'Brien** – I could support eighteen, but I could be swayed either way. **Ali DeVries** – I also agree with eighteen. **Anthony Harrell** – I could support either, but I was thinking sixteen. **Dave Decker** – I personally think eighteen is too high. I'll be honest, I'm not in favor of this whole thing but the administration of this is going to be a challenge. If an individual takes their driver's license test once at sixteen and be licensed, I just have a struggle with forcing folks to come in to do this every year up until they are eighteen. **Ali DeVries** – I agree with your statement because I thought about that too. They also boat for maybe half the year verses driving your car every day. **Monica O'Brien** – Looking at Tony's notes, it looks like he is also in favor of sixteen. **Dave Decker** – If we are going to do this, we are going to have to have staff here to manage that. Are you going to have someone proctor the test or are we going to tell them to sit in the library and take it? If we are thinking about this process, then we need to think about those things because we already have pressure from our office staff from how busy they are. **Ali DeVries** – Our office hours could affect those individuals to come take the test. **Dave Decker** – That is very true. **Anthony Harrell** – I'm leaning towards taking the test online then print the certificate when you pass it. **Monica O'Brien** – I think we need to figure out how to do that. You can take the state test online, but I don't know how we would administrate an online test. **Ali DeVries** – If they take it here then you know they are actually taking the test rather than their parents doing it for them online. That is my problem with an online test. **Monica O'Brien** – I feel realistically that no one is going to sit down with the table with them. It's not rocket science, it's just awareness and having them look at it and understand. **Ray Garber, 1822** – I'm not worried about people cheating on the test as long as their physical body is there and they actually have to read it so they will learn. I am not in favor of an online test, but I think this annual test is a fantastic idea.

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Ali DeVries – I definitely think it needs to be a paper test. **Matt Ressler** – I agree. **Jerry Theodore, 1346** – The online test fits the Association better. My youngest son lives in New York but born and raised on this lake. I put him down as an associate member. If he has to do anything than an online test then that is a hard ship. I'm sure there are other members that fall into that same category. I just think the online test would be a better way to go. **Justin Patterson, 1402** – If the test were to be done online, it is not going to be cheap and I don't think anyone knows how many boats that is going to impact and how many kids are out here in that age group to take the test. Nobody knows the answers to those questions so I would advise looking into that before putting a rule in place. You do not know how much that would cost money wise, office time, printing certificates and making the test itself. There will be a cost involved either way. I just think you need to have that in front of you first before making any real decisions. **Anthony Harrell** – So when they take the test online, they pass the test and they are then able to print a certificate. They print their certificate at home and bring it in to the office so that saves money there. It would be done online so that saves the office time as well. **Ali DeVries** – Making that test will cost money. **Justin Patterson, 1402** – Your cost is in the development and the maintenance of the test. As the rules change, the test will have to be changed. You also have to maintain the people that passed. If there were to be incident on the lake, Public Safety arrives, and they cannot find that individual on the list of people who passed the test. **Anthony Harrell** – Justin, I will lean on your IT experience. Would that be a web development process, would we use Excel? **Justin Patterson, 1402** – There are some out of the box products or learning management systems that do things like this, but they are not cheap. The cheaper route would be to have someone develop it but then we would have to support it and change it ourselves. **Dave Decker** – I would like to see this be posted on our technology sites to see what kind of feedback we get from the membership and continue this discussion next meeting. From what I've heard to this point is a mandatory test every year starting at the age of when they pass the Boater's Safety course until sixteen or eighteen. The current thought is requiring them to come into the office to take the test and we will look into the opportunity of doing it online.

Boating Fines Structure

Matt Ressler – These are just my opinions, my proposal for changing the boating fines structure is changing Level 1 infraction which is a written warning and a \$100 fine. I believe right now you only get a written warning but if throw a fine with it, you are going to get people to operate their vessel safely. Level 2 infraction would be \$250 fine, Level 3 infraction would be \$500 fine and a Level 4 infraction would be \$1000. **Ali DeVries** – That's a lot of money. **Monica O'Brien** – What are the fines currently? **Matt Ressler** – Level 1 is a written warning, Level 2 is a \$50 fine, Level 3 is \$100 fine and a Level 4 is a \$200 fine. We don't have a lot of issues right now, but I feel we are going to. This is a way to get their attention to comply with our rules and be safe on the lake. **Monica O'Brien** – I definitely think we need to raise our fines but that is too high. **Matt Ressler** – It's too high to make sure people are being safe? **Anthony Harrell** – I honestly think you will get people's attention on \$50 for a Level 1 infraction. Because you are going from a warning to \$50. If my child costed me \$50, I will definitely have a conversation with them. **Monica O'Brien** – Tony suggested for a Level 3 fine for \$150 in addition to sixty-day suspension and Level 4 a \$250 fine plus a year suspension from membership privileges. **Matt Ressler** – The Fines Committee meetings it all gets negotiated. **Monica O'Brien** – Most of our fines are not that bad to where it needs to go that far. We definitely need to get more Public Safety coverage to enforce our rules. **Ali DeVries** – I don't disagree that the fine for Level 3 should be higher than what it is now because that is reckless operation of watercraft. **Matt Ressler** – What would your recommendation be? **Ali DeVries** – I'm honestly okay with \$500 like you suggested. **Matt Ressler** – Would you suggest Level 1 be raised to \$50? **Ali DeVries** – Yes. I was thinking a \$50 fine for Level 1, \$150 fine for Level 2, \$300 fine for Level 3 and a \$500 fine for Level 4. **Monica O'Brien** – When you look at Level 2 infractions, you're looking at careless operation. **Ali DeVries** – If you get a Level 3 or Level 4 infraction then you're endangering people's lives, or they don't care about the rules. **Dave Decker** – That is something everyone needs to understand is if you have second Level 1 violation it becomes a Level 2 and a third violation of Level 1 because a Level 3. **Jerry Theodore, 1346** – Money wise, it affects people's attitudes, but we have some wealthy people out here, so it won't

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mean too much to some. I think somewhere around the third offense consider banning them from lake privileges. Nothing would send the message more than watching their friends on the lake while they cannot. **Matt Ressler** – They are. Currently on a Level 3 infraction you are suspended for thirty days. **Jerry Theodore, 1346** – I missed that. Thank you. **Justin Patterson, 1402** – This is from the Covenants and By-Laws, Holishor Association Inc. shall have the authority to impose penalties, including monetary fines up to \$200, for each violation of Association Rules and Regulations established and approved by its members, or, as their representatives, by the Holishor Board of Directors. **Monica O'Brien** – We could raise some of the suspensions. **Ali DeVries** – With that said, we can raise a couple of the lower fines and extend suspensions. **Matt Ressler** – You could leave Level 1 at \$50, Level 2 at \$100 and leave both Level 3 and 4 at \$200. **Monica O'Brien** – Even if we leave Level 2 at \$100, that is still double than what it is currently. **Matt Ressler** – I'm fine with that. **Monica O'Brien** – I do think this is something to look at the next Annual Meeting. That By-Law in the future is going to limit us if we don't look at that. **Matt Ressler** – Exactly. **Dave Decker** – I think one of the things would be interesting to know and be part of the discussion is your volume of citations for these different levels and different items. I know we issue a few citations in May after boat decals expire because that is \$100. Do we want to warn people or are we just going to penalize them for it? I think it will be worth while to understand what that volume is for different infractions. I don't know how easy that would be to pull together because I doubt we categorize them when we write them up. We have the Public Safety Report to look at to give us a better understanding of what we are writing citations for when talking about these particular fines. **Monica O'Brien** – Expired boat decals are the easiest to catch and some of these other infractions are harder to catch so maybe we could consider making that part of an exception to the \$50. Maybe a written warning and if they still don't get the decals replaced then give them a fine. **Ray Garber, 1822** – As far as boat decals are a concern, the office spends a lot of time issuing stickers and getting that work done. We have people that not only procrastinate but we also have people who have boats here illegally. I like the idea of \$50 or \$25 but just a written warning gives them no urgency to get their decals. **Matt Ressler** – When you get your sticker it is your responsibility to put them on your vessel. **Dave Decker** – What are the Board's thoughts? **Matt Ressler** – I say we raise Level 1 to \$50, Level 2 to \$100, Level 3 and 4 is \$200 keeping the suspensions the same. At the next Annual Meeting, we put something together and get these fines raised like we were originally discussing. **Dave Decker** – I think someone needs to take the ownership of that and actually write up a proposal and bring it. That is my recommendation. **Monica O'Brien** – I can do that.

Ali DeVries – Motions to change the Fines Structure penalties for the Level 1 infraction to be \$50, Level 2 infraction to be \$100, Level 3 to be \$200 keeping Level 4 at \$200 and the suspensions the same.

Monica O'Brien – Seconds.

All in Favor.

Motion Carries.

Buoy Replacement/Repositioning Status

Rob Frey – We have been working on the buoys that were missing. We have found one of the missing hazard buoys and that has been replaced. The new No Wake buoys have been received and put in place. We have one more to update the old temporary buoy to the new one when it comes in. Right now, all the buoys that were missing have been placed and in the right place.

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Open Floor

Roger Rawson, 1851 – Rob, as you exit Fountainbleu onto Prairietown Road, there is a pothole right in the center of what you would call the right lane. Is that going to be addressed this year? This would be a third year it hasn't been fixed. **Dave Decker** – Is it on Fountainbleu or Prairietown? **Roger Rawson, 1851** – It is on Fountainbleu. It's been bad enough that people with lower cars pull out in the middle of Foutainbleu and it is a hazard. It scrapes the bottom of my wife's car when you go over it. **Rob Frey** – It is on the list to be repaired. **Roger Rawson, 1851** – You say it's been on the list for years now. **Dave Decker** – What he is trying to say it's been on the list to be done and this year it is actually going to be done. **Ali DeVries** – We approved the plan last meeting and it was on our list.

Justin Patterson, 1402 – Can we have a status and cause on the large pothole on Biscay? **Rob Frey** – That hole is going to be excavated tomorrow, when the Julie's are completed, we will find out what is going on there. **Justin Patterson, 1402** – Is that the same area we lost a culvert over there last year? **Rob Frey** – The culvert was not lost, it was erosion due to water piping on the North end of that culvert. This time it is on the South end of that culvert. We will find out more tomorrow when we dig it up. **Justin Patterson, 1402** – Thank you.

Rich Schwartz, 700 – Is there an update on the restaurant situation? It is disappointing on this fine lake that we do not have something. I do not know that much about it because I have been a member for only a few years. **Matt Ressler** – Right now, we do not have an update. Would you like to join the committee? **Rich Schwartz, 700** – I would be more than happy to. However, if you are going to put restraints on restauranteurs, which I heard there are, I think that if it is run properly then it would really drive the property value out here because you have somewhere to go. A lot of the boating that we do is just around the lake rather than going somewhere. **Dave Decker** – When you mention restraints, what specifics are you referring to? **Rich Schwartz, 700** – Advertising and being open all year long. **Dave Decker** – The advertising is limited because this is a private community and a private facility. **Rich Schwartz, 700** – I understand that. **Dave Decker** – As far as opening all year long, that is something that is under negotiation with somebody willing to come in. **Rich Schwartz, 700** – If you are going to support a restaurant with only the members out here, it is not going to work. **Dave Decker** – We used to have a restaurant for fourteen years. You just have to have the right service and restauranteurs. **Rich Schwartz, 700** – I just thinking opening it up to the public will increase the value of the properties around here too. They will see the wonderful view of our lake from the restaurant. **Matt Ressler** – We can share contact information and discuss this further.

Anthony Harrell – Motions to adjourn to Executive Session.

Ali DeVries – Seconds.

All in Favor.

Meeting Adjourned at 9:05 PM.

Meeting Minutes submitted by Megan Jackson.