

COUNCIL MEETING MINUTES

August 6, 2011

Jack Toomey called the regular meeting of Holiday Camplands Council to order at 11:05A.M.

All stood for the Pledge of Allegiance.

1. ROLL CALL

Roll call was taken and the following members were present: Jack Toomey, Roy Kightlinger, Joan Cagney, Tom Tobolewski, Mariellen Haak, Anthony Valore, Ken Harris, Harlan Shober, Linda Sneed, Andy Hodovan, Michael Kidd, James Keefer, Jim Hunter, James Retsch, Cheryl Galvin, Robert Johnson, Paul Lowe, David Best and Attorney David McCombs. Gloria Teichman was excused.

2. APPROVAL OF 7/16/11 COUNCIL MINUTES

MOTION: Tony Valore made a motion to accept the minutes as written. It was seconded by Paul Lowe. There being no objections, the minutes were approved as written.

3. TREASURER'S REPORT

Tom Tobolewski gave the Treasurer's Report. Linda Sneed made a motion to accept the Treasurer's Report as read. It was seconded by James Keefer. Treasurer's Report was accepted as read.

4. LOT OWNER COMMENT/QUESTION

Ron McLaughlin - 806 Winnebago - Addressed Roy on the "Gold Cart like vehicle" issue. Ron had pictures he wanted to show Council of what he states is in the Campgrounds. A Honda and Kawasaki 610 cc Mule. In his 10 to 11 years that he has been in the Campgrounds, he states he has been stopped zero times by Security or the Sheriff, while riding around in his car, golf cart, motorcycle and quad that he states he has been riding in the Campgrounds for the last two weeks. He states he is going to be fined \$50 per incident, when there are habitual people who have their plates scratched week after week, time and time again, and they are not fined. He asked Roy if he had an answer for this. Roy stated, not until he is done with his two minutes. Ron stated to Roy that he needed more than two minutes. Mr. McLaughlin stated he has been told the roads inside Holiday are private. He also states that he called the Engineers Office, he doesn't seem to think so. He called the County Auditor's office, Map Division, Mr. Tyler, he was told these are "Secondary Access Roads." The Sheriff's Office said there is absolutely no way they can have any jurisdiction or authority in the Campgrounds if these are private roads. Ron stated to Roy that he has to decide what type of roads these are because week after week the Sheriff is giving DUI's, driving while suspended or whatever he sees fit to give in here. Three different Sheriffs, plus the Ashtabula County Sheriff says these are Secondary Public Access roads. Ron asked if anyone believed what he was presenting or if they wanted to believe Mr. Kightlinger?

He then stated Roy told him he had to put something on the Corporate Agenda to straighten up a mess, which he states is to allow a 610 cc Mule into the Campgrounds. He states, nobody had to have a Corporate Meeting to bring these in the Campgrounds. He cited an issue on the 4th of July weekend where a non lot owner was driving one in the Campgrounds. He asked, if anyone thought that was fair, that a 19 year old kid could ride a 610 cc four wheeler? He got no response.

Ron stated whether it is 610 cc or his 12,000 pound tow truck (6 tons), it doesn't matter. 15 mph, is 15 mph. He states his 400 cc Quad does not belong in the Campgrounds anymore than the rest of them, but you cannot arbitrarily discriminate against him. He states there are 30 some hundred campers in the Campgrounds, and you need to run this place accordingly. He states that Roy gets paid a boat load of money, and that Roy dropped the ball. Ron stated they are \$15,000 machines and they are titled just like his four wheeler from the State of Ohio as an off road vehicle.

Ron stated everyone can look at pictures and say that they are not the same, but when a jury of 12 people states that they are the same, you know that it is going to cost Holiday Camplands. He stated to Roy that he was not going for peanuts, he has been harassed and discriminated against. He has also been harassed about his attire the last two years. He has more than enough witnesses on that. He asked Roy if he had an answer for him. Roy asked if he was done. Ron said he did not know.

Roy stated the “attire” has to do with Ron wearing a Volunteer Corp. uniform when he is no longer in the Volunteer Corp. Ron stated that he bought these shirts. Roy stated he was given a shirt. Roy stated he was no longer in the organization and asked him not to wear the shirt so that people did not mistake him for a Volunteer Corps member.

Roy states a 610 cc Kawasaki, is a 400 cc unit and less than 15.5 hp. The Council and the Corporate Body upholding this, has chosen to differentiate between different types of vehicles. If this came up at a Corporate Meeting they may all be thrown into the same category. Roy stated you can go to the companies websites; a utility vehicle is not the same as a quad. There is a difference. They may have the same engine, but if the engine is put into a boat it would not be appropriate to use it in Gault Lake. If it were on an airplane it would not be appropriate to drive an airplane in the Campgrounds. Roy said it is the way the rules are written. It is not the engine. It has to do with what the vehicle is. His job is to enforce the rules, not to make them. He informed Ron that the rules were his responsibility (as a lot owner) to change if he felt they were not appropriate. Ron stated that they were not his problem.

Roy stated that there are plenty of places in Richmond Twp., where you can buy a piece of property and you can do anything you want on it. There is no zoning. You chose to come into a place where as a “body”, the majority rules. That is done through a Council and a Corporate Body and at the meetings. Unfortunately, Roy stated he is in charge of enforcing those codes, even if he does not agree with them, if they are outdated and even if he does not think there is a good reason for them because times have changed. None of this is Roy’s problems, but only lot owners can change and challenge if that is what he/she chooses to do. None of this is under the purview of the General Manager. Roy stated golf carts are used for many other things, not just on golf courses.

Ron also stated that the Sheriff cannot do anything if he was to ride it within the Campgrounds, and Roy is barking up the wrong tree. Roy stated the Campground roads are like a “Wal-Mart parking lot”, private property, Wal-Mart can chose to let a utility vehicle in their lot, but not quads if they choose to do so.

Ron says he was not going to bring anything up at a Corporate Meeting, and that he would be holding hands with Roy in court.

Ron McKenna – 1038 Monitor Court. Agrees with Tony Valore on the Emergency Reserve Savings Fund. Ron had a suggestion when doing the budget. On the revenue, from the pumping and building permits going into the general fund. He felt this money should be put into a savings account in case of an emergency. It would not be spent, but kept for an emergency.

Bill Phillips – 693 Camplands. How MRV’s over 100cc make it into the Camplands when the rules state that anything over 100cc’s you should not be running it. He stated this was his understanding of the rule. He sees them on the golf course. If there are 20 of these in here, how did this happen? He has his golf cart, he is happy with his 15 mph on the golf cart. If rule says anything over 100’s and it is the rule it should not be in here. If you do it for one you got to do it for all. He was only stating his feelings.

Roy Kightlinger – Until the last year there has been no limit at all for a “golf cart like” vehicle. It is now 15.5 horsepower. At least it established a limit of some sort. I have no problem with people riding any legally plated golf cart or “golf cart like vehicle” at the golf course. He preferred anybody whether they were in a golf cart or not to stay on the path because he did not think it was that much of a walk. Please keep the carts on the path even the regular golf carts because they create maintenance headaches. That is why the path was put in. At this point, the golf course is open to any legally plated golf carts or “golf cart like” vehicle.

Donald Fehriens – 1595-1596 Coachman. Has a motion on the Corporate Agenda. He wanted to clarify for Council that it is a Park Model with a title, and a room addition with a separate title. He stated a Modular Home was two separate units with one single title. He stated that there were Cree's and Fame units in the Campland that were titled two separate units. This was before the permanent additions were allowed. He would be keeping it under the square footage requirements. It would be a two separate titled unit. The builder he would be using is Heritage Park Models. He hopes to have the specifications by the Corporate Meeting. His stipulation was that we wanted to exceed the length of 35' for a porch that would be integral and keep the whole unit itself removable. He was not asking for any more length, width or square footage in regards to living space. He stated that a Park Model was 400 sq. ft. The room addition is separate that is 3 sided, with a separate title. He stated this makes it 2 trailers. Since he has 2 lots it was permissible by the By-Laws to have 2 trailers. His only exception since it would be manufactured, would be, it would come in on a 45 ft. frame, 10 ft. of this being a porch that he would not be able to enclose. As long as he met all of the easement requirements of a single lot, that was all he was asking for. Not a Modular Home, which he thinks is what everyone has thought. He explained the difference between an RV and a Park Model. He stated he is asking for a Park Model and a room addition.

Roy had a few clarifications to discuss with Don. He did not know where Don got the 35 ft. limit if it was an RV. Don stated the State of Ohio stated this. Roy stated he was referring to the rules of the Camplands. He stated there is nothing in the rules referring to the length on a trailer. You have to prove it is an RV. Roy stated the core unit needed to be 400 sq. ft. Roy and Don had a brief discussion on the wording Don was using. Roy stated it needed to be called exactly what it is, an enclosure. Don stated he did not know at the time the correct wording to use. Roy asked Don if the core unit was an RV. Don stated, "Yes" Roy stated he would be adding a 3 sided enclosure to this. Don said yes. Roy informed Don that the County has standards for enclosures. If the County permits him to put this enclosure up and he does what he has to do foundation wise to satisfy the County he did not see where there would be an issue, but he would need to see details to know for sure.

Roy stated to have Heritage do the design, then for Don to take it to the County and ask if it was an enclosure. If they did not approve, ask what Don could do to make the design an enclosure. Roy would go through our rules to see if it was legal. He thought the County was going to have to have Don meet foundation requirements.

Roy stated if the County were to approve Don's plans as an enclosure, he did not feel it needed Corporate Body approval.

Roy and Don discussed Don going to the County & getting approval for his motion. Roy and David McCombs stated that if Don believed his plans were legal now he could table the motion.

Bill Phillips - 693 Camplands. Asked why a motion was being put on the Corporate Agenda to increase the horsepower on the golf carts. What was the reasoning behind it? Jack Toomey replied, "You will have to ask at the meeting."

Sam Brent - 220 N. Apache. Concern about MRV's with higher horsepower than we want to bring in here. What is the big deal with raising the horse power? He stated the cc limits needs changed. Roy stated to Sam that he could change these rules as a lot owner. His job as the General Manager is to enforce these rules.

5. The Manager and Rules & Regulations Committee would recommend the following be added to Article VIII, Section 22

Pools / Amusements

Roy gave a brief explanation stating there is nothing in the rules on pools. The rules are silent. He believes a rule should be in place regarding a pool as a starting place. He stated he had met with the Rules and Regulations Committee and recommended consideration of the change. The motion for discussion was made by Harlan Shober and seconded by James Retsch. After a brief discussion, the first and second motions were withdrawn. It was recommended by Attorney McCombs, this motion be tabled until the September Council Meeting to allow for a working session of Council for further input.

Jack Toomey stated that this motion would be tabled until the September Council Meeting.

6. LOT OWNER COMMENT /QUESTION

Sue Anderson - 820 Skipper. Sue stated the motion regarding pools and amusements did not address trampolines. They are very dangerous unless they have the nets. She asked that this also be considered when addressing the motion that has been tabled.

7. COMMITTEE REPORTS

1. Buildings & Grounds – Tony Valore. No report.
2. Recreation – Paul Lowe. No report.
3. Finance Committee – Tom Tobolewski. No report.
4. Rules & Regulations – Jim Keefer. No report.
5. Safety – Jim Retsch. Security logged approximately 1,548 miles, worked 424 hours and had 56 calls/complaints. The biggest issues were the accidents involving motor vehicles. Jim once again reminded everyone to watch out for their neighbors regarding thefts.
6. FLO – Gloria Teichman. Gloria was excused. Therefore, there is no report.
7. Election Committee – Judy Gaiser. Elections would be held August 6th and 7th. Also August 13th. Also a reminder that Absentee Ballots are available.
8. Sportsmen Committee – Ken Harris. Gave an update on upcoming events. Also, a reminder that swing tickets were still available.
9. Volunteers Corp. – Harlan Shober. The Volunteer Appreciation Luncheon will be held at 11 AM, August 28, 2011 at the Clubhouse.
10. Water Committee – Jack Toomey. No report.

8. OLD BUSINESS

There was none.

9. NEW BUSINESS

There was none.

10. MOTIONS FOR 8/6/2011 COUNCIL MEETING

Michael Kidd proposed a motion regarding Campland Yard Sales. One yard sale weekend per month from May through September. These could possibly be held on the third weekend of the month.

11. APPEAL HEARING ASSIGNMENTS

825 M Skipper. Tony Valore was unable to attend. Ken Harris attended in his absence.

12. MEETING ADJOURNED

Tony Valore made a motion to adjourn the meeting. It was seconded by Linda Sneed. The meeting was adjourned at 12:13 p.m.

Respectfully Submitted,
Joan Cagney, Secretary

APPROVED _____