

Sunset Lake Association

30505 East Lake Dr, Girard, IL 62640
217-627-3339

MEMORANDUM

TO: Board of Directors and Bill Hohimer, Superintendent

FROM: Kristy Barnes

SUBJECT: Monthly Board Meeting

DATE: May 2, 2012 TUESDAY

Please plan to attend the Directors' Meeting on Tuesday, May 2, 2012
7:00 P.M. The meeting will be held at the Community Center, Hanauer Hall,
30505 East Lake Drive.

Thank you!

SUNSET LAKE ASSOCIATION

AGENDA

May 2, 2012 7:00pm

CALL TO ORDER

ROLL CALL

VISITORS

SUPERINTENDANT'S REPORT

OFFICE MANAGER'S REPORT

APPROVAL OF THE MINUTES OF April 2012

APPROVAL OF BILLS PAID FOR April 2012

COMMITTEE REPORTS:

AQUATIC CONTROL & WATER SAFETY

-BILL URBAN

BUILDING & CONSTRUCTION COMMITTEE

- MIKE COLBROOK

ROADS/DAM /GROUNDS COMMITTEE

-JOHN KEMP

FINANCE COMMITTEE

- CHERYL STINE

LEGAL & INSURANCE COMMITTEE

- NORMAN BRAND

SANITATION COMMITTEE

-JIM SEGELKE

SHORELINE & BOAT DOCKS COMMITTEE

- KEN JONES

WATER QUALITY & CONSERVATION

- STEVE KOLSTO

OLD BUSINESS -

NEW BUSINESS -

TRANSFERS -

ADJOURNMENT -

SUNSET LAKE ASSOCIATION
Balance Sheet

ash Basis

Mar 31, 12

ASSETS	
Current Assets	
Checking/Savings	100.00
0100 Cash on Hand	513.61
Checking, First Midwest	
Money Market, General Fund	60,285.31
Operating Cash	3,473.50
Fireworks Reserve	19,253.96
Escrow	68.75
Money Market, General Fund - O...	83,081.52
Total Money Market, General Fund	29,031.28
1 Year CD	15,600.26
1 Year CD - First Midwest	128,326.67
Total Checking/Savings	128,326.67
Accounts Receivable	-59.00
0160 · 0160 Accounts Receivable	-59.00
Total Accounts Receivable	-59.00
Other Current Assets	173.22
Expenses paid - then Invoiced	173.22
Total Other Current Assets	173.22
Total Current Assets	128,440.89
Fixed Assets	
FIXED ASSETS	
Community Center	41,298.00
Garage	22,824.00
Dam & Spillway	143,467.75
Roads & Driveways	36,347.63
Maintenance Equipment	13,813.71
Vehicles	7,773.00
Policing Equipment	4,635.60
Office Equipment & Furniture	8,347.75
Buildings & Other Depr Assets	85,865.83
Total FIXED ASSETS	364,373.27
DEPRECIATION	
Depreciation- Comm. Center	-12,602.00
Depreciation- Garage	-1,341.00
Depreciation- Dam/Spillway	-143,467.75
Depreciation-Road/Driveway	-36,347.63
Depreciate-Maint Equipment	-12,198.71
Deprec - Vehicles	-7,773.00
Depreciate-Police Equipmt	-10,843.71
Depreciate-Office Equipmt	-2,139.64
Deprec - Buildings & Other	-85,863.06
Total DEPRECIATION	-312,576.50
LAND	
Farm Land	16,000.00
Lake Site	39,773.18
Picnic Area	4,000.00
Total LAND	59,773.18
Total Fixed Assets	111,569.95
TOTAL ASSETS	240,010.84
LIABILITIES & EQUITY	

SUNSET LAKE ASSOCIATION

Balance Sheet

ash Basis

	<u>Mar 31, 12</u>
Liabilities	
Current Liabilities	
Other Current Liabilities	
Escrow for Septic, Rip Rap	16,999.00
Fireworks	2,653.50
Payroll Liabilities	
FICA Expense	294.89
Employer Share FICA Payable	0.03
FUTA Liability	-294.46
Federal Income Tax Withheld	591.20
Illinois Income Tax Withheld	259.94
Total Payroll Liabilities	<u>851.60</u>
Total Other Current Liabilities	<u>20,504.10</u>
Total Current Liabilities	<u>20,504.10</u>
Total Liabilities	20,504.10
Equity	
Legacy Retained Earnings	-88,783.93
Retained Earnings	91,347.34
Previous Years Adjustment	149,989.81
Net Income	66,953.52
Total Equity	<u>219,506.74</u>
TOTAL LIABILITIES & EQUITY	<u><u>240,010.84</u></u>

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through April 2012

ash Basis

	Jan - Apr 12	Budget	\$ Over Budget	% of Budget
Income				
Membership Assessment	107,022.00	113,208.00	-6,186.00	94.5%
Boat Permits	3,274.25	4,500.00	-1,225.75	72.8%
UTV & Golf Carts	125.00			
Building Permits	90.00	1,000.00	-910.00	9.0%
Fines & Penalties	0.00	200.00	-200.00	0.0%
Farm Income	2,700.00	3,200.00	-500.00	84.4%
Interest Income	0.00	5,000.00	-5,000.00	0.0%
Transfer Fees	1,200.00	6,000.00	-4,800.00	20.0%
Cable Franchise Fee	343.89	1,000.00	-656.11	34.4%
Maint. Fees Superintendent	250.00	1,074.00	-824.00	23.3%
Hall Rental	100.00			
Chlorine Tablets	340.00			
Tower Ground Rental - Royell	400.00			
Miscellaneous Income				
SLA Hat	10.00			
Miscellaneous Income - Other	0.00	500.00	-500.00	0.0%
Total Miscellaneous Income	10.00	500.00	-490.00	2.0%
Total Income	115,855.14	135,682.00	-19,826.86	85.4%
Expense				
Capital Improvements	0.00	9,000.00	-9,000.00	0.0%
Repairs & Maint, Equipment				
Office	265.00	1,000.00	-735.00	26.5%
Community Center	264.21			
Dam	0.00	3,000.00	-3,000.00	0.0%
Lake	50.00	300.00	-250.00	16.7%
Stock Fish	1,499.29	1,500.00	-0.71	100.0%
Weed Control	0.00	3,856.00	-3,856.00	0.0%
Grounds				
Grounds	-50.00			
Grounds - Other	0.00	300.00	-300.00	0.0%
Total Grounds	-50.00	300.00	-350.00	-16.7%
Grounds Supplies	335.66			
Misc. Maintenance	24.64			
Roads				
Rock	193.95			
Roads - Other	0.00	12,494.00	-12,494.00	0.0%
Total Roads	193.95	12,494.00	-12,300.05	1.6%
Shop Supplies	15.12			
Equipment (Truck & Tractor)	9,102.14	4,000.00	5,102.14	227.6%
Total Repairs & Maint, Equipment	11,700.01	26,450.00	-14,749.99	44.2%
Conservation & Watershed	1,500.00	2,000.00	-500.00	75.0%
Vehicle Gas & Oil	1,420.67	5,000.00	-3,579.33	28.4%
Property Tax	0.00	4,400.00	-4,400.00	0.0%
Insurance				
Auto	1,090.00			
Property (Hall)	4,000.00			
Umbrella Liability	925.00			
Workers Compensation	2,182.00			
Insurance - Other	0.00	8,408.00	-8,408.00	0.0%
Total Insurance	8,197.00	8,408.00	-211.00	97.5%
Professional Fees	0.00	2,500.00	-2,500.00	0.0%
Supplies (Hall & Office)				
Office	112.61			
Copier	264.27			
Printing	478.13			
Total Supplies (Hall & Office)	855.01			
Utilities				
Telephone	344.07			
Gas and Electric	3,108.79			
Water	100.00			
Utilities - Other	0.00	8,500.00	-8,500.00	0.0%

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through April 2012

ash Basis

	Jan - Apr 12	Budget	\$ Over Budget	% of Budget
Total Utilities	3,552.86	8,500.00	-4,947.14	41.8%
Payroll Expenses				
Superintendant	13,699.04	41,097.00	-27,397.96	33.3%
Secretary Salary	7,175.68	21,527.00	-14,351.32	33.3%
State & Federal Unemployment	86.11			
Employer Share FICA Expense	1,585.33			
Payroll Expenses - Other	0.00	4,500.00	-4,500.00	0.0%
Total Payroll Expenses	22,546.16	67,124.00	-44,577.84	33.6%
Miscellaneous Expense	543.85	2,300.00	-1,756.15	23.6%
Total Expense	50,315.56	135,682.00	-85,366.44	37.1%
Net Income	<u>65,539.58</u>	<u>0.00</u>	<u>65,539.58</u>	<u>100.0%</u>

SUNSET LAKE ASSOCIATION
Transaction Detail By Account
 April 2012

Date	Num	Name	Memo	Split	Paid Amount
Apr 12					
4/11/2012	Debit	941 Deposit	EFT #270144652181587	-SPLIT-	-1,285.30
4/11/2012	5499	Bob Sons	fireworks donations	Fireworks	-5,000.00
4/11/2012	5500	Logan Hollow Fish Farm	Stock fish	Stock Fish	-1,499.29
4/11/2012	5501	Nilwood Water System	#400 water bill	Water	-20.00
4/11/2012	5502	Rural Electric Con. Cooperative ...	Acct. #275300	Gas and Electric	-428.27
4/11/2012	5503	CRA Payment Center	Acct. 5043931148702735	Equipment (Truc...	-163.79
4/11/2012	5504	Illinois Department of Revenue	37-0763644	-SPLIT-	-422.46
4/11/2012	5505	AT & T Mobility	acct # 293183827 (217 622-3572)	Telephone	-37.44
4/11/2012	5506	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
4/11/2012	5507	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
4/11/2012	5508	Sievers Equipment	chain saw	Grounds Supplies	-264.56
4/11/2012	5509	Bramley, Tim #173	escrow balance from new septic	Escrow for Septi...	-569.00
4/12/2012	5510	R.W. Troxell & Company	policy # CPA0899316 Auto	Auto	-1,090.00
4/12/2012	5511	M & M Service Company	grass seed	Grounds Supplies	-71.10
4/19/2012	5512	Illinois Director of Employment S...	0472946 8, FEIN #37-0763644	State & Federal ...	-86.11
4/20/2012	5513	Walmart	hall supplies	Community Center	-54.06
4/25/2012	5514	Nilwood Water System	#400 water bill	Water	-20.00
4/25/2012	5515	Frontier	acct#12 1454 2712035089 04	Telephone	-42.37
4/25/2012	5516	PowerNet Global Communications	customer # 10159190	Telephone	-8.53
4/25/2012	5517	Bob Sons	2 TV's for raffle Fish Tourn.	Fireworks	-976.00
4/25/2012	5518	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
4/25/2012	5519	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
					-15,948.44
Apr 12					

Expenses	15,948.44
Escrow	-569.00
Fireworks	-5,000.00
Fish Stocking	-1,499.29
Total Expenses	8,880.15

**SUNSET LAKE ASSOCIATION
MINUTES OF THE MONTHLY MEETING
May 1, 2012**

CALL TO ORDER: President Bob Sons called the meeting to order at 7:00 p.m. Also present for the meeting were, Steve Kolsto, Jim Seggelke, Norm Brand, Cheryl Stine, Mike Colbrook, Bill Urban, & Ken Jones. ~~Absent~~ was John Kemp.

VISITORS: Ed Snell #286, Linda Urban #36, Ray Reardon #256A, 257, Dan Duncan #7, Gene Truax #71

air walk
Kathy Catto #214 - aeration system in case - total submerged -
weighted line - circulate water + eliminate gas - mos.
weed & algae - healthy - talked to Steve - to review

SUPERINTENDENT'S REPORT: Bill Hohimer stated good for case - member to pay for it all

doing good till rain - mowing - goose eggs - 15. nest →
3 nest didn't moss with island. 1st treated -
something got so thru - new egg Bill U. picked up boy -
broke - down - deer move dirt - tree cut - no charge

OFFICE MANAGER'S REPORT Kristy Barnes stated she worked on quarterly reports for state, federal & unemployment. She paid state and federal monthly deposits. She also worked on special meeting ballots, check in list, copied information sheets and typed up minutes. Sent sympathy cards to the families of Roy Barnett & Mary Crawford. Had orientation with lot #48.

APPROVAL OF MINUTES OF April 2012

A motion to approve the minutes was made by Jim and seconded by Steve. Motion passed unanimously.

APPROVAL OF BILLS PAID FOR April 2012

The bills were normal & usual.

Expenses 15,948.44 - escrow 569.00, fish stocking - 1,499.29 & fireworks deposit 5,000.00 total expenses 8,880.15

Upon a motion by John and seconded by Bill, the Board voted unanimously to approve the bills paid for **April 2012**

COMMITTEE REPORTS:

AQUATIC CONTROL AND WATER SAFETY: Bill Urban stated 4-8 - fishing - '99s
can - shooting - told not to do - Logan Hollow - fish
b - albino - what they seen - McCormick No New
Sticker - a missing # 25⁰⁰ fine + sold sticker -
Fishes man. bass population getting smaller - discussed
people taking over #s - +
Bill H. - talked about stickers curling up -

BUILDING AND CONSTRUCTION COMMITTEE: Mike Colbrook stated 3 permits Lot
#246 dock, 86,88 boat dock, 173A boat dock - lot of repairs but no permit
case Shower Hebever. need.

*
Fivehouse Newsletter
ROADS / DAM / GROUNDS COMMITTEE: John Kemp stated full pool -
103 - dog run will take down - talked about
goose eggs - if mess with federal office - put
in newsletter
GPS - not wking - call GPS # -
maybe put #s - on home for 911 -

FINANCE COMMITTEE: Cheryl Stine stated 94% membership -

income 85.4% expenses 37.1%

126 - bad shape -

LEGAL & INSURANCE COMMITTEE: Norman Brand stated - ✓ coverage -
when Fivehouse goes in - will have to
resubmitt - may save - few \$

SANITATION COMMITTEE: Jim Seggelke stated N. side down - 127 - done
10 - without - + 1 - five - no bottle - this yr + last
Yr.

R. Maguire. no new rules yet on septic

SHORELINE & BOAT DOCKS COMMITTEE: Ken Jones stated sent #85 - letter -
for boat - rusted poles. - may V. 2 more. that
are in bad shape

WATER QUALITY & CONSERVATION: Steve Kolsto stated John + him V -
try but storms. - ~~we~~ call weed people -
Bill or Steve to call

OLD BUSINESS: - Fish Run - will V. state laws

Karen Deal - will V. lot. - John will
V. grass - + letters will go out -

raffle TV - 1st sell 100 -

Manager's Report April 2012

Worked on quarterly reports for State & Federal & employment

Paid State & Federal deposit

Worked on special meeting - ballots, printouts & check in list, typed up minutes

Sent Sympathy cards to Barnett & Crawford

Had orientation

New tables for hall - white

Ask Bob about Clark's stuff garage sale

Where can put lake boat??

Handicap pole at boat ramp????

NEW BUSINESS:

Signature cards for money transaction?? →

Zoller - cable - water suction tube

boat parade - same day - rivets

table - may use for garage sale or sell

1000 boat - sell - or keep

dog - gone - badly abused

Sound/bee hive - call R.E. said not to worry

ADJOURNMENT: Upon motion by Mike Colbrook, seconded by Jim,
the Board agreed again by consensus to adjourn. The meeting adjourned at 7:50 p.m

ILLINOIS OFFICIAL REPORTS

Appellate Court

Poris v. Lake Holiday Property Owners Ass'n, 2012 IL App (3d) 110131

Appellate Court
Caption

KENNETH E. PORIS, Plaintiff-Appellant, v. LAKE HOLIDAY PROPERTY OWNERS ASSOCIATION, INC., GEORGE LEIDOLF, JAMES MORAN, STEVEN CONDON, DOROTHY FLEMING, JAMES BYRNE, MICHAEL IVANAUSKAS, CINDY KAMINKY and MATTHEW CLIFFORD, Defendants-Appellees.

District & No.

Third District
Docket No. 3-11-0131

Filed

January 24, 2012

Held

(Note: This syllabus constitutes no part of the opinion of the court but has been prepared by the Reporter of Decisions for the convenience of the reader.)

In an action for declaratory judgment and false imprisonment arising from an incident in which plaintiff was stopped for speeding by a security officer employed by defendant property owners' association, the trial court erred in entering summary judgment for defendant on the claims that the officer had no authority to stop and detain drivers and that amber lights could not be used on security vehicles, since those practices were unlawful, but summary judgment was properly entered for defendant on the claims based on the use of recording equipment and radar, because those practices did not violate Illinois law, and since plaintiff was restrained for violating defendant's rule on speeding, not a criminal law, summary judgment for defendant on the false imprisonment claim was reversed and the cause was remanded for entry of summary judgment for plaintiff on the liability portion of that claim and a determination of damages.

Decision Under Review	Appeal from the Circuit Court of La Salle County, No. 09-CH-73; the Hon. Eugene P. Daugherty, Judge, presiding.
Judgment	Affirmed in part and reversed in part; cause remanded.
Counsel on Appeal	John Brechin, of Addison, and Kenneth E. Poris (argued), of Somonauk, for appellant. Bruce Lyon (argued) and Shaun Raad, both of LaBarge, Campbell & Lyon, LLC, of Chicago, and Douglas A. Gift, of Herbolsheimer, Lannon, Henson, Duncan & Reagan, of La Salle, for appellees.
Panel	JUSTICE LYTTON delivered the judgment of the court, with opinion. Justices Holdridge and O'Brien concurred in the judgment and opinion.

OPINION

¶1 Plaintiff, Kenneth E. Poris, filed a 14-count complaint against defendants, Lake Holiday Property Owners Association, Inc. (Association), its board of directors, its chief of security and one of its security officers. Defendants filed a motion for summary judgment on all counts. Plaintiff filed a cross-motion for summary judgment on several counts. The trial court granted defendants' motion for summary judgment. On appeal, plaintiff argues that the trial court erred in granting summary judgment to the Association on his declaratory judgment and false imprisonment claims. We affirm in part, reverse in part and remand.

BACKGROUND

¶2 Plaintiff owns property in Lake Holiday Development. He is a member of the Association. The Association is a not-for-profit Illinois corporation incorporated in 1965. Its articles of incorporation state the purposes for which it was formed:

¶3 "To promote and enhance the civic and social interests of the owners of real estate in Lake Holiday Development *** in so far as those interests relate to the maintenance of Lake Holiday. To acquire and hold real estate in its corporate name; to construct and maintain thereon buildings and structures of all types, roadways, beaches; and, to do all other things reasonably necessary therefor [*sic*] ***."

¶ 4 Pursuant to its bylaws, the Association is governed by a board of directors. The board established the Lake Holiday Private Security Department, created a manual for the department and hired a chief of security, Matthew Clifford, who reports to the board.

¶ 5 The board is authorized to adopt rules and regulations that the board deems necessary for the best interests of the Association and its members. The board promulgated several rules pertinent to this case. The board adopted a rule authorizing "private security officers" to enforce the Board's rules and regulations, including the power to "issue citations for violations." Another rule prohibits members from obstructing officers:

"No person shall knowingly resist or obstruct the performance by one known to the person to be a public safety officer of any authorized act within his or her official capacity. No person shall fail or refuse to comply with any lawful order or direction of any public safety officer authorized by the Lake Holiday Property Owners Association. A request to examine personal identification, such as a driver's license, in addition to a member's amenity pass shall be honored. CLASS A VIOLATION."

¶ 6 The board also approved a rule to regulate speed on Lake Holiday property:

"Unless otherwise posted, the speed limit on all Lake Holiday roads shall be 25 miles per hour. Speed limits shall be strictly enforced. Violations from 1 to 10 mph over the posted speed limit are CLASS C VIOLATIONS. From 11 to 15 mph over the posted speed limit are CLASS B violations. From 16 mph or over the posted limit are CLASS A VIOLATIONS."

A Class A violation carries a \$200 penalty for a first offense. A Class B violation is punishable by a \$100 fine for a first offense. The fine for a Class C violation is \$50 for a first offense.

¶ 7 The security department consists of several "private security officers" in addition to Clifford. The board purchased vehicles for the security department and equipped the vehicles with oscillating and flashing lights, radar units and audio and video recording equipment. According to the security department manual, "Traffic violation enforcement is one of many routine tasks performed by officers." All officers are required to wear a badge, uniform and "duty belt." A "duty belt" may "include weapons that the officer is certified to carry on duty."

¶ 8 On October 20, 2008, plaintiff was traveling on Farmer's Road, which is located in the Lake Holiday Development and owned by the Association. James Podnar, a security officer employed by the Association, measured plaintiff's speed, using a radar unit, at 34 miles per hour. Podnar activated the white and yellow oscillating lights on his security vehicle and pulled plaintiff over. The incident was videotaped from Podnar's security vehicle.

¶ 9 Immediately after he was pulled over, plaintiff exited his vehicle and engaged in conversation with Podnar. Podnar instructed plaintiff to get back in his vehicle and stay there for safety reasons. Plaintiff complied. Podnar then approached plaintiff's vehicle and requested an Association membership card and driver's license from plaintiff. Plaintiff provided the items to Podnar. Podnar took plaintiff's driver's license back to his vehicle. Four-and-a-half minutes later, Podnar exited his vehicle and approached plaintiff's vehicle.

¶ 10 As soon as Podnar reached plaintiff's vehicle, he informed plaintiff that he was being recorded. Podnar told plaintiff that he was issuing him a citation for speeding. When plaintiff

inquired whether Podnar was a police officer, Podnar responded that he worked for Lake Holiday Private Security and was not a police officer. Plaintiff repeatedly told Podnar that he had no authority to detain him. Podnar responded, "I am not detaining you." Podnar issued plaintiff a citation for speeding.

¶ 11 In February 2009, plaintiff filed a complaint against the Association, its board members, Clifford and Podnar. The complaint sought injunctive and declaratory relief, among other things. On February 19, 2009, plaintiff filed a motion for a temporary restraining order prohibiting defendants from pursuing his speeding citation.

¶ 12 At a hearing on plaintiff's motion, plaintiff testified that on October 20, 2008, while traveling on Farmer's Road, he saw white and amber oscillating lights behind him. He pulled over, believing that an emergency vehicle was behind him. Podnar, who was wearing a uniform and a "large belt" and had a "large club-like flashlight," got out of his squad car. Plaintiff testified that he did not feel free to leave. He believed he was under arrest. Following the hearing, the trial court denied plaintiff's motion for a temporary injunction.

¶ 13 Clifford testified that he has been an officer for the Association for 13 years and the chief of security for 9 years. For his entire employment with the Association, it has been the policy and practice of the security department to pull over drivers who are violating Association rules.

¶ 14 The Association has equipped security vehicles with video and audio recording equipment since 2000. It is the procedure of the department to inform drivers that they are being recorded. If a driver says he does not want to be recorded, the officer is to shut off the recording equipment.

¶ 15 In 2007, the security department began using white and amber flashing and oscillating lights on their security vehicles. The La Salle County sheriff's department instructed Clifford to stop using the white lights. The security department now uses only amber flashing and oscillating lights on their vehicles.

¶ 16 Neither Clifford nor any employees of the Association's security department have been given police powers by the La Salle County sheriff's office. Clifford has never been given any authority or permission by any police agency or the La Salle County Board to stop vehicles, use overhead lights, use radar to measure the speed of vehicles or make audio and video recordings on Association property.

¶ 17 On March 19, 2010, plaintiff filed a 14-count third amended complaint against defendants. Count I was a declaratory judgment action against the Association, seeking a declaration that the practices and procedures of the Association's security department are unlawful. Counts II and III alleged breach of fiduciary duty and willful and wanton conduct by the Association. Count IV alleged false imprisonment by the Association. Counts V through XII alleged breach of fiduciary duty and willful and wanton conduct by each individual board member and Clifford. Count XIII alleged nuisance by the Association, and count XIV sought an accounting by the Association.

¶ 18 Defendants filed a motion for summary judgment on all counts of plaintiff's third

amended complaint. Plaintiff filed a cross-motion for summary judgment on counts I, II, IV and XIII of his third amended complaint. The trial court granted defendants' motion for summary judgment.

ANALYSIS

¶ 19
¶ 20

Summary judgment is proper when the pleadings, affidavits, depositions and admissions of record, construed strictly against the moving party, show there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. *Johnson v. Salvation Army*, 2011 IL App (1st) 103323, ¶ 18. Summary judgment "is a drastic means of disposing of litigation and therefore should be allowed only when the right of the moving party is clear and free from doubt." *Purtill v. Hess*, 111 Ill. 2d 229, 240 (1986). We review a trial court's grant of summary judgment *de novo*. *Johnson*, 2011 IL App (1st) 103323, ¶ 18.

I. Declaratory Judgment

¶ 21
¶ 22

Plaintiff first argues that the trial court erred in granting summary judgment to the Association on his declaratory judgment cause of action because the Association's security department is not authorized by law to (A) stop vehicles and detain their drivers, (B) use amber oscillating lights on security vehicles, (C) record individuals whom they stop, or (D) use radar equipment to measure the speed of vehicles.

A. Authority to stop and detain

¶ 23
¶ 24

Plaintiff argues that the security officers employed by the Association have no legal authority to stop and detain drivers.

¶ 25

Security guards occupy the same status as private citizens. *People v. Perry*, 27 Ill. App. 3d 230, 239 (1975). Section 107-3 of the Code of Criminal Procedure of 1963 authorizes ordinary citizens, including security guards, to make an arrest when they have reasonable grounds to believe "that an offense other than an ordinance violation is being committed." 725 ILCS 5/107-3 (West 2008). The express power to arrest granted in section 107-3 "necessarily implies the power to undertake less intrusive actions, such as a traffic stop or a brief detention to await pursuing police officers, so long as there are reasonable grounds to believe the person seized has committed an offense other than an ordinance violation." *People v. Shick*, 318 Ill. App. 3d 899, 904 (2001).

¶ 26

Thus, a security guard, with the powers of an ordinary citizen, may only stop and detain a person if he "has reasonable grounds to believe that an offense other than an ordinance violation is being committed." 725 ILCS 5/107-3 (West 2008); *Shick*, 318 Ill. App. 3d at 904. An "offense" is "a violation of any penal statute of this State." 720 ILCS 5/2-12 (West 2008); 725 ILCS 5/102-15 (West 2008). A "penal statute of this State" is a law enacted by the General Assembly that prohibits some act and prescribes a punishment. See *People v. Kleutgen*, 359 Ill. App. 3d 275, 279 (2005).

¶ 27

In this case, members of the security department stop and detain drivers for violating the

Association's rules, not Illinois statutes. Association rules are enacted by its board, not the General Assembly. The security officers are without legal authority to stop and detain drivers for violating Association rules. See 725 ILCS 5/107-3 (West 2008).

¶ 28 The security officers employed by the Association are attempting to assert police powers. They have neither the right nor the power to do so. They have only those powers that ordinary citizens have. See *Perry*, 27 Ill. App. 3d at 239. The practice of stopping and detaining drivers for Association rule violations is unlawful.

B. Use of amber lights

¶ 29 Plaintiff argues that the Association security department's use of amber oscillating and
¶ 30 flashing lights on its vehicles is unlawful, pursuant to Illinois law. Defendants contend that the Association falls within a class authorized to use amber lights on its vehicles.

¶ 31 Section 12-215(b) of the Illinois Vehicle Code prohibits the use of "amber oscillating, rotating or flashing lights" except on specified vehicles, including "[v]ehicles used by a security company, alarm responder, or control agency." 625 ILCS 5/12-215(b)(13) (West 2008).

¶ 32 The fundamental rule of statutory interpretation is to ascertain and effectuate the legislature's intent. *Beelman Trucking v. Illinois Workers' Compensation Comm'n*, 233 Ill. 2d 364, 370 (2009). The best indication of legislative intent is the statutory language, given its plain and ordinary meaning. *Id.* When a statute leaves terms undefined, we may consult a dictionary to determine their plain and ordinary meaning. *Christmas v. Dr. Donald W. Hugar, Ltd.*, 409 Ill. App. 3d 91, 95-96 (2011).

¶ 33 The parties agree that the Association is not an "alarm responder" or "control agency." However, the Association contends that it is a "security company." Neither the Vehicle Code nor any other Illinois statute defines "security company." Thus, we must look to the plain and ordinary meaning of that phrase.

¶ 34 "Security" is defined as "the quality or state of being secure: as *** freedom from danger." Webster's Third New International Dictionary 2053 (1976). "Company" is defined as "an association of persons for carrying on a commercial or industrial enterprise or business." Webster's Third New International Dictionary 461 (1976). Thus, a "security company" is "an association of persons engaged in the business of keeping people secure and free from danger."

¶ 35 The Association is not a commercial enterprise in the business of "keeping people secure and free from danger." Rather, it is a property owners' association created "[t]o promote and enhance the civic and social interest of the owners of real estate in Lake Holiday Development *** in so far as those interests relate to the maintenance of Lake Holiday." Thus, the Association is not a "security company."

¶ 36 Since the Association is not an entity authorized by the Vehicle Code to use amber lights on its vehicles, the Association's use of those lights is unlawful.

C. Use of recording equipment

¶ 37

¶ 38

Plaintiff argues that the security department's practice of recording drivers with audio and video recording equipment is a violation of the eavesdropping statute.

¶ 39

According to section 14-2 of the Criminal Code of 1961, a person commits eavesdropping when he "[k]nowingly and intentionally uses an eavesdropping device for the purpose of hearing or recording all or any part of any conversation *** unless he does so *** with the consent of all of the parties to such conversation or electronic communication." 720 ILCS 5/14-2(a)(1) (West 2008).

¶ 40

Consent under the eavesdropping statute may be either expressed or implied. *People v. Ceja*, 204 Ill. 2d 332, 349 (2003); see also *Hurst v. Board of Fire & Police Comm'n*, 2011 IL App (4th) 100964, ¶ 19 ("an individual can 'impliedly consent' to the monitoring of his communications for purposes of the eavesdropping statute"). Consent exists where a person's behavior manifests acquiescence or a comparable voluntary diminution of his or her otherwise protected rights. *Ceja*, 204 Ill. 2d at 349.

¶ 41

Implied consent may be deduced from the prevailing circumstances in a given situation. *Ceja*, 204 Ill. 2d at 350. The circumstances relevant to an implication of consent will ordinarily include language or acts that tend to prove that a party knows of, or assents to, encroachments on the routine expectation that conversations are private. *Id.* When an individual is told that his conversation is being recorded and, nevertheless, knowingly engages in conversation, there is no eavesdropping violation. See *id.*

¶ 42

Here, Clifford testified that individuals stopped by security officers are immediately informed that their conversations are being recorded. If a driver objects, the recording is stopped. If a driver does not object, he has impliedly consented to having his conversation recorded. See *Ceja*, 204 Ill. 2d at 350. The security department's use of recording equipment is not a violation of the eavesdropping statute.

D. Use of radar

¶ 43

¶ 44

Plaintiff contends that the security department is prohibited from using radar units to determine the speed of vehicles on Association property, pursuant to supreme court precedent and the Illinois Vehicle Code.

¶ 45

In *People v. Lahr*, 147 Ill. 2d 379 (1992), the supreme court ruled that a police officer outside of his jurisdiction did not make a lawful citizen's arrest because he used tools of his office, including a radar gun, to determine that the defendant committed an offense. The court rejected the State's contention that use of the radar gun was not an assertion of police authority because ordinary citizens may use them, stating:

"Although it is hypothetically possible for a private citizen to obtain a radar gun and conduct his own surveillance of a road, we believe the possibility of this happening is remote. We believe it is generally true that the use of radar guns for monitoring speed of traffic is limited to police officers." *Lahr*, 147 Ill. 2d at 383.

¶ 46

Nothing in *Lahr* prohibits anyone other than police officers from using radar equipment. In fact, the court in *Lahr* acknowledged that it was possible for people other than police

officers to obtain and use radar guns. Thus, the supreme court's decision in *Lahr* does not support plaintiff's position that the Association was prohibited from using radar equipment on its property.

¶ 47 Plaintiff also contends that section 11-612 of the Illinois Vehicle Code (625 ILCS 5/11-612 (West 2008)) prohibits the Association's use of radar equipment. That section provides: "Except as authorized in the Automated Traffic Control Systems in Highway Construction or Maintenance Zones Act, no photographic, video or other imaging system may be used in this State to record vehicle speeds for purposes of enforcing any law or ordinance regarding a maximum or minimum speed limit unless a law enforcement officer is present at the scene and witnesses the event." 625 ILCS 5/11-612 (West 2008). Section 11-612 prohibits the video, photographic or other recording of vehicle speeds to enforce laws or ordinances with a narrow exception for highway construction or maintenance zones; it does not prevent the Association or any other entity from using radar equipment to detect speed. Thus, the Association's use of radar equipment to detect the speed of vehicles on its property is not unlawful.

E. Conclusion

¶ 48 As set forth above, the Association's security department's practices of stopping and
¶ 49 detaining drivers for violating Association rules and using amber flashing and oscillating lights on its security vehicles are unlawful. Thus, the trial court erred in granting summary judgment to the Association on those issues. We affirm the court's grant of summary judgment to the Association on plaintiff's claims that the Association's use of recording equipment and radar violate Illinois law. However, we reverse and remand for the trial court to grant summary judgment to plaintiff on his claims that the Association's practices of stopping and detaining drivers for rule violations and of using amber lights on their security vehicles are unlawful.

II. False Imprisonment

¶ 50 A person commits false imprisonment when he or she unreasonably restrains another's
¶ 51 liberty against his or her will. *Carey v. K-Way, Inc.*, 312 Ill. App. 3d 666, 669 (2000). In order to establish false imprisonment, a plaintiff must prove that "(1) the plaintiff was restrained or arrested by the defendant; and (2) the defendant acted without reasonable grounds to believe that the plaintiff committed an offense." *Id.*

¶ 52 False imprisonment only requires that the plaintiff's liberty be restrained, not necessarily that the plaintiff actually be placed under arrest. *Carey*, 312 Ill. App. 3d at 669. This element is met if a person is compelled to go where he or she does not wish to go or to remain where he or she does not wish to remain. *Id.* at 669-70. The standard for arrest is whether a reasonable person in the plaintiff's place, innocent of any crime, would think that he or she was free to leave. *Carey*, 312 Ill. App. 3d at 670.

¶ 53 Here, Podnar activated his overhead lights, causing plaintiff to pull over and stop. Podnar exited his vehicle, wearing a uniform, badge and duty belt containing weapons. He told

plaintiff to wait in his car and took possession of plaintiff's driver's license. Plaintiff remained in his car for several minutes until Podnar returned his driver's license, issued him a citation and told him he was free to leave.

¶ 54 Under these facts, plaintiff was restrained by Podnar. See *People v. Lewallen*, 247 Ill. App. 3d 350, 354 (1993) (taking driver's license and issuing ticket are evidence of arrest); *People v. Sinclair*, 281 Ill. App. 3d 131, 135 (1996) (requesting a driver's license and telling a person to stay in the car constitutes a seizure). When he is ordered by an individual wearing a uniform, badge and duty belt to wait in his vehicle without his driver's license while the officer prepares a citation, a reasonable person would conclude that he was compelled to stay in his car. See *People ex rel. Ryan v. Village of Hanover Park*, 311 Ill. App. 3d 515, 531 (1999). Since plaintiff's liberty was restrained, the first element of false imprisonment was met.

¶ 55 The second element of false imprisonment is that "the defendant acted without reasonable grounds to believe that the plaintiff committed an offense." *Carey*, 312 Ill. App. 3d at 669. The question is, did Podnar have probable cause to believe that plaintiff committed an "offense"? See *Carey*, 312 Ill. App. 3d at 669. An "offense" includes both felonies and misdemeanors. See *People v. Hill*, 28 Ill. App. 3d 719, 720 (1975).

¶ 56 Here, the evidence establishes that Podnar pulled over and detained plaintiff because he was driving in excess of the speed limit set forth in the Association's rules. The Association's rules are not felonies or misdemeanors. Thus, a violation of a rule or regulation is not an "offense." See *Hill*, 28 Ill. App. 3d at 720.

¶ 57 Because Podnar restrained plaintiff for violating an Association rule, not a criminal law, plaintiff established the elements necessary for his false imprisonment claim. The trial court erred in granting summary judgment to the Association on that count. We reverse and remand to the trial court to enter summary judgment in favor of plaintiff on the liability portion of his false imprisonment cause of action and to determine plaintiff's damages.

CONCLUSION

¶ 58

¶ 59

The order of the circuit court of La Salle County is affirmed in part and reversed in part, and the cause is remanded.

¶ 60

Affirmed in part and reversed in part; cause remanded.

Sunset Lake Association

30505 East Lake Dr, Girard, IL 62640
217-627-3339

MEMORANDUM

TO: Board of Directors and Bill Hohimer, Superintendent

FROM: Kristy Barnes

SUBJECT: Monthly Board Meeting

DATE: June 5, 2012 TUESDAY

Please plan to attend the Directors' Meeting on Tuesday, June 5, 2012
7:00 P.M. The meeting will be held at the Community Center, Hanauer Hall,
30505 East Lake Drive.

Thank you!

SUNSET LAKE ASSOCIATION
AGENDA
June 5, 2012 7:00pm

CALL TO ORDER

ROLL CALL

VISITORS

SUPERINTENDANT'S REPORT

OFFICE MANAGER'S REPORT

APPROVAL OF THE MINUTES OF May 2012

APPROVAL OF BILLS PAID FOR May 2012

COMMITTEE REPORTS:

AQUATIC CONTROL & WATER SAFETY

BUILDING & CONSTRUCTION COMMITTEE

ROADS/DAM /GROUNDS COMMITTEE

FINANCE COMMITTEE

LEGAL & INSURANCE COMMITTEE

SANITATION COMMITTEE

SHORELINE & BOAT DOCKS COMMITTEE

WATER QUALITY & CONSERVATION

-BILL URBAN

- MIKE COLBROOK

-JOHN KEMP

- CHERYL STINE

- NORMAN BRAND

-JIM SEGCELKE

- KEN JONES

- STEVE KOLSTO

OLD BUSINESS -

NEW BUSINESS -

TRANSFERS -#4 Randy & Julie Gibson to Darrell & Renee Sisk
#242 Lavern Harvey to Don Vinlove

ADJOURNMENT -

SUNSET LAKE ASSOCIATION
Balance Sheet

ash Basis

May 31, 12

ASSETS

Current Assets

Checking/Savings	100.00
0100 Cash on Hand	733.89
Checking, First Midwest	
Money Market, General Fund	51,555.66
Operating Cash	-995.50
Fireworks Reserve	25,403.96
Escrow	200.00
Firehouse/ Special Assessment	68.75
Money Market, General Fund - O...	<u>76,232.87</u>
Total Money Market, General Fund	76,232.87
1 Year CD	29,031.28
1 Year CD - First Midwest	<u>15,600.26</u>
Total 1 Year CD	44,631.54
Total Checking/Savings	<u>121,698.30</u>
Accounts Receivable	31,343.75
0160 · 0160 Accounts Receivable	<u>31,343.75</u>
Total Accounts Receivable	31,343.75
Other Current Assets	173.22
Expenses paid - then Invoiced	<u>173.22</u>
Total Other Current Assets	173.22

Total Current Assets

153,215.27

Fixed Assets

FIXED ASSETS

Community Center	41,298.00
Garage	22,824.00
Dam & Spillway	143,467.75
Roads & Driveways	36,347.63
Maintenance Equipment	13,813.71
Vehicles	7,773.00
Policing Equipment	4,635.60
Office Equipment & Furniture	8,347.75
Buildings & Other Depr Assets	85,865.83
Total FIXED ASSETS	<u>364,373.27</u>

DEPRECIATION

Depreciation- Comm. Center	-12,602.00
Depreciation- Garage	-1,341.00
Depreciation- Dam/Spillway	-143,467.75
Depreciation-Road/Driveway	-36,347.63
Depreciate-Maint Equipment	-12,198.71
Deprec - Vehicles	-7,773.00
Depreciate-Police Equipmt	-10,843.71
Depreciate-Office Equipmt	-2,139.64
Deprec - Buildings & Other	-85,863.06
Total DEPRECIATION	<u>-312,576.50</u>

LAND

Farm Land	16,000.00
Lake Site	39,773.18
Picnic Area	4,000.00
Total LAND	<u>59,773.18</u>

Total Fixed Assets

111,569.95

TOTAL ASSETS

264,785.22

SUNSET LAKE ASSOCIATION
Balance Sheet

ash Basis

May 31, 12

LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Escrow for Septic, Rip Rap	22,580.00
Firehouse/Special Assessment	31,600.00
Fireworks	-2,791.50
Payroll Liabilities	
FICA Expense	294.89
Employer Share FICA Payable	0.03
FUTA Liability	-294.46
Federal Income Tax Withheld	591.20
Illinois Income Tax Withheld	259.94
Total Payroll Liabilities	<u>851.60</u>
Total Other Current Liabilities	<u>52,240.10</u>
Total Current Liabilities	<u>52,240.10</u>
Total Liabilities	52,240.10
Equity	
Legacy Retained Earnings	-88,783.93
Retained Earnings	91,347.34
Previous Years Adjustment	149,989.81
Net Income	59,991.90
Total Equity	<u>212,545.12</u>
TOTAL LIABILITIES & EQUITY	<u><u>264,785.22</u></u>

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through May 2012

ash Basis

	Jan - May 12	Budget	\$ Over Budget	% of Budget
Income				
Membership Assessment	108,744.50	113,208.00	-4,463.50	96.1%
Boat Permits	3,756.75	4,500.00	-743.25	83.5%
UTV & Golf Carts	150.00			
Building Permits	140.00	1,000.00	-860.00	14.0%
Fines & Penalties	100.00	200.00	-100.00	50.0%
Farm Income	2,700.00	3,200.00	-500.00	84.4%
Interest Income	0.00	5,000.00	-5,000.00	0.0%
Transfer Fees	1,600.00	6,000.00	-4,400.00	26.7%
Cable Franchise Fee	343.89	1,000.00	-656.11	34.4%
Maint. Fees Superintendent	254.00	1,074.00	-820.00	23.6%
Hall Rental	250.00			
Chlorine Tablets	420.00			
Tower Ground Rental - Royell	500.00			
Miscellaneous Income				
SLA Hat	10.00			
Sport/Chlorine Bottles	6.00			
Miscellaneous Income - Other	0.50	500.00	-499.50	0.1%
Total Miscellaneous Income	16.50	500.00	-483.50	3.3%
Total Income	118,975.64	135,682.00	-16,706.36	87.7%
Expense				
Capital Improvements	0.00	9,000.00	-9,000.00	0.0%
Repairs & Maint, Equipment				
Office	394.50	1,000.00	-605.50	39.5%
Community Center	304.12			
Dam	0.00	3,000.00	-3,000.00	0.0%
Lake	50.00	300.00	-250.00	16.7%
Stock Fish	1,499.29	1,500.00	-0.71	100.0%
Weed Control	0.00	3,856.00	-3,856.00	0.0%
Grounds				
Grounds	-50.00			
Grounds - Other	0.00	300.00	-300.00	0.0%
Total Grounds	-50.00	300.00	-350.00	-16.7%
Grounds Supplies	335.66			
Misc. Maintenance	155.27			
Roads				
Rock	133.95			
Roads - Other	410.23	12,494.00	-12,083.77	3.3%
Total Roads	544.18	12,494.00	-11,949.82	4.4%
Shop Supplies	15.12			
Equipment (Truck & Tractor)	9,102.14	4,000.00	5,102.14	227.6%
Total Repairs & Maint, Equipment	12,350.28	26,450.00	-14,099.72	46.7%
Conservation & Watershed	1,500.00	2,000.00	-500.00	75.0%
Vehicle Gas & Oil	2,203.00	5,000.00	-2,797.00	44.1%
Property Tax	0.00	4,400.00	-4,400.00	0.0%
Insurance				
Auto	1,090.00			
Property (Hall)	4,000.00			
Umbrella Liability	925.00			
Workers Compensation	2,182.00			
Insurance - Other	0.00	8,408.00	-8,408.00	0.0%
Total Insurance	8,197.00	8,408.00	-211.00	97.5%
Professional Fees	0.00	2,500.00	-2,500.00	0.0%
Supplies (Hall & Office)				
Office	286.11			
Copier	1,072.19			
Printing	478.13			
Total Supplies (Hall & Office)	1,836.43			
Utilities				
Telephone	434.38			
Gas and Electric	3,535.72			
Water	120.00			
Utilities - Other	0.00	8,500.00	-8,500.00	0.0%

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through May 2012

ash Basis

	Jan - May 12	Budget	\$ Over Budget	% of Budget
Total Utilities	4,090.10	8,500.00	-4,409.90	48.1%
Payroll Expenses				
Superintendant	17,123.80	41,097.00	-23,973.20	41.7%
Secretary Salary	8,969.60	21,527.00	-12,557.40	41.7%
State & Federal Unemployment	86.11			
Employer Share FICA Expense	1,984.57			
Payroll Expenses - Other	0.00	4,500.00	-4,500.00	0.0%
Total Payroll Expenses	28,164.08	67,124.00	-38,959.92	42.0%
Miscellaneous Expense	642.85	2,300.00	-1,657.15	28.0%
Total Expense	58,983.74	135,682.00	-76,698.26	43.5%
Net Income	59,991.90	0.00	59,991.90	100.0%

SUNSET LAKE ASSOCIATION
Transaction Detail By Account
 May 2012

Date	Num	Name	Memo	Split	Paid Amount
May 12					
5/11/2012	debit	941 Deposit	EFT #270144652181587	-SPLIT-	-1,285.30
5/11/2012	5520	Walmart	hall supplies	Community Center	-39.91
5/11/2012	5521	M & M Service Company	gas #4722159	Vehicle Gas & Oil	-782.33
5/11/2012	5522	Rural Electric Con. Cooperative ...	Acct. #275300	Gas and Electric	-426.93
5/11/2012	5523	Frontier	acct#12 1454 2712035089 04	Telephone	-42.63
5/11/2012	5524	Tom Day Business Machines, Inc.	invoice #48788	Copier	-374.72
5/11/2012	5525	John Deere Financial	battery 4 wheeler	Misc. Maintenance	-130.63
5/11/2012	5526	AT & T Mobility	acct # 293183827 (217 622-3572)	Telephone	-36.95
5/11/2012	5527	Illinois Department of Revenue	37-0763644	-SPLIT-	-422.46
5/11/2012	5528	Secretary of State	truck license	Miscellaneous E...	-99.00
5/11/2012	5529	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
5/11/2012	5530	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
5/21/2012	5531	Postmaster	stamps spraying mailing	Office	-105.00
5/30/2012	5532	Postmaster	stamps spraying mailing 2nd	Office	-24.50
5/30/2012	5533	Tom Day Business Machines, Inc.	invoice #28450 maintenance	Copier	-433.20
5/30/2012	5534	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
5/30/2012	5535	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
5/30/2012	5536	Quill Corporation	C2639930 ACCT	Office	-173.50
5/30/2012	5537	PowerNet Global Communications	customer # 10159190	Telephone	-10.73
5/30/2012	5538	Louis Marsch, Inc.	chip mix/CA15	Roads	-410.23
5/30/2012	5539	Maguire Backhoe Company	rip rap Lot #173 Bramley	Escrow for Septi...	-350.00
5/30/2012	5540	Nilwood Water System	#400 water bill	Water	-20.00
5/31/2012	5541	Runkwitz, Todd - #49C	refund escrow	Escrow for Septi...	-6,500.00
					-15,578.18

Expenses	15,578.18
Escrow	6,850.00
Total Expenses	8,728.18

**SUNSET LAKE ASSOCIATION
MINUTES OF THE MONTHLY MEETING
May 1, 2012**

CALL TO ORDER: President Bob Sons called the meeting to order at 7:00 p.m. Also present for the meeting were, Steve Kolsto, Jim Seggelke, Norm Brand, Cheryl Stine, Mike Colbrook, Bill Urban, & Ken Jones. Absent was John Kemp.

VISITORS: Ed Snell #286, Linda Urban #36, Gene Truax #71, Kathy Catto #214
Kathy Catto Lot #214 addressed the board about putting aeration system in her cove. She said it would be totally submerged and that she spoke with a couple of board members about it. She went over about what it would do. Kathy stated that it would be no cost to the lake that she would be purchasing it.
A motion was made by Steve Kolsto and seconded by Norm Brand to go ahead and put in the H Plat aeration. Motion passed.
The board mentioned to get a hold of Steve Kolsto or John Kemp to monitor it and see how it works.

SUPERINTENDENT'S REPORT: Bill Hohimer stated he was doing good until it started to rain. He has been mowing, & working on the goose eggs. Only had about 15 nest & 3 nests they did not disturb. Bill picked up buoy. He also has moved some dirt and had some tree cuts at no charge.

OFFICE MANAGER'S REPORT Kristy Barnes stated she worked on quarterly reports for state, federal & unemployment. She paid state and federal monthly deposits. She also worked on special meeting ballots, check in list, copied information sheets and typed up minutes. Sent sympathy cards to the families of Roy Barnett & Mary Crawford. Had orientation with lot #48.

APPROVAL OF MINUTES OF April 2012

A motion to approve the minutes was made by _ Jim Seggelke_ and seconded by _Steve Kolsto_. Motion passed unanimously.

APPROVAL OF BILLS PAID FOR April 2012

The bills were normal & usual. Expenses were 15,948.44, escrow 569.00, fish stocking – 1,499.29 total expenses 8,880.15

Upon a motion by _John Kemp_ and seconded by _Bill Urban_, the Board voted unanimously to approve the bills paid for April 2012

SUNSET LAKE ASSOCIATION
Executive Session
MINUTES OF THE MONTHLY MEETING
May 1, 2012

Bob Sons addressed the board about the email from Amy Walkenbach and stopping people on the lake & roads. It is still in the courts about what can be done. The board discussed that you can not detain but you can send a fine for unsafe driving. They will wait to see what happens in the courts.

ADJOURNMENT: Upon motion by Mike Colbrook, seconded by Steve Kolsto, the Board agreed again by consensus to adjourn. The meeting adjourned at 8:08 p.m

Sunset Lake Association

30505 East Lake Dr, Girard, IL 62640
217-627-3339

MEMORANDUM

TO: Board of Directors and Bill Hohimer, Superintendent

FROM: Kristy Barnes

SUBJECT: Monthly Board Meeting

DATE: **July 10, 2012 TUESDAY**

Please plan to attend the Directors' Meeting on Tuesday, July 10, 2012
7:00 P.M. The meeting will be held at the Community Center, Hanauer Hall,
30505 East Lake Drive.

Thank you!

SUNSET LAKE ASSOCIATION

AGENDA

June 5, 2012 7:00pm

CALL TO ORDER

ROLL CALL

VISITORS

SUPERINTENDANT'S REPORT

OFFICE MANAGER'S REPORT

APPROVAL OF THE MINUTES OF June 2012

APPROVAL OF BILLS PAID FOR June 2012

COMMITTEE REPORTS:

AQUATIC CONTROL & WATER SAFETY

-BILL URBAN

BUILDING & CONSTRUCTION COMMITTEE

- MIKE COLBROOK

ROADS/DAM /GROUNDS COMMITTEE

-JOHN KEMP

FINANCE COMMITTEE

- CHERYL STINE

LEGAL & INSURANCE COMMITTEE

- NORMAN BRAND

SANITATION COMMITTEE

-JIM SEGSELKE

SHORELINE & BOAT DOCKS COMMITTEE

-KEN JONES

WATER QUALITY & CONSERVATION

-STEVE KOLSTO

OLD BUSINESS -

NEW BUSINESS -

TRANSFERS

ADJOURNMENT -

SUNSET LAKE ASSOCIATION
Balance Sheet

ash Basis

Jun 30, 12

ASSETS	
Current Assets	
Checking/Savings	
0100 Cash on Hand	100.00
Checking, First Midwest	-1,131.72
Money Market, General Fund	
Operating Cash	42,391.71
Fireworks Reserve	-4,905.50
Escrow	25,403.96
Firehouse/ Special Assessment	2,340.00
Money Market, General Fund - O...	68.75
Total Money Market, General Fund	65,298.92
1 Year CD	29,031.28
1 Year CD - First Midwest	15,600.26
Total Checking/Savings	108,898.74
Accounts Receivable	
0160 - 0160 Accounts Receivable	29,328.75
Total Accounts Receivable	29,328.75
Other Current Assets	
Expenses paid - then Invoiced	173.22
Total Other Current Assets	173.22
Total Current Assets	138,400.71
Fixed Assets	
FIXED ASSETS	
Community Center	41,298.00
Garage	22,824.00
Dam & Spillway	143,467.75
Roads & Driveways	36,347.63
Maintenance Equipment	13,813.71
Vehicles	7,773.00
Policing Equipment	4,635.60
Office Equipment & Furniture	8,347.75
Buildings & Other Depr Assets	85,865.83
Total FIXED ASSETS	364,373.27
DEPRECIATION	
Depreciation- Comm. Center	-12,602.00
Depreciation- Garage	-1,341.00
Depreciation- Dam/Spillway	-143,467.75
Depreciation-Road/Driveway	-36,347.63
Depreciate-Maint Equipment	-12,198.71
Deprec - Vehicles	-7,773.00
Depreciate-Police Equipmt	-10,843.71
Depreciate-Office Equipmt	-2,139.64
Deprec - Buildings & Other	-85,863.06
Total DEPRECIATION	-312,576.50
LAND	
Farm Land	16,000.00
Lake Site	39,773.18
Picnic Area	4,000.00
Total LAND	59,773.18
Total Fixed Assets	111,569.95
TOTAL ASSETS	249,970.66

SUNSET LAKE ASSOCIATION

Balance Sheet

ash Basis

Jun 30, 12

LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Escrow for Septic, Rip Rap	22,580.00
Firehouse/Special Assessment	31,600.00
Fireworks	-6,691.50
Payroll Liabilities	
FICA Expense	294.89
Employer Share FICA Payable	0.03
FUTA Liability	-294.46
Federal Income Tax Withheld	591.20
Illinois Income Tax Withheld	259.94
Total Payroll Liabilities	851.60
Total Other Current Liabilities	48,340.10
Total Current Liabilities	48,340.10
Total Liabilities	48,340.10
Equity	
Legacy Retained Earnings	-88,783.93
Retained Earnings	91,347.34
Previous Years Adjustment	149,989.81
Net Income	49,077.34
Total Equity	201,630.56
TOTAL LIABILITIES & EQUITY	249,970.66

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through June 2012

ash Basis

	Jan - Jun 12	Budget	\$ Over Budget	% of Budget
Income				
Membership Assessment	109,172.00	113,208.00	-4,036.00	96.4%
Boat Permits	3,966.25	4,500.00	-533.75	88.1%
UTV & Golf Carts	150.00			
Building Permits	265.00	1,000.00	-735.00	26.5%
Fines & Penalties	125.00	200.00	-75.00	62.5%
Farm Income	2,700.00	3,200.00	-500.00	84.4%
Interest Income	0.00	5,000.00	-5,000.00	0.0%
Transfer Fees	1,600.00	6,000.00	-4,400.00	26.7%
Cable Franchise Fee	343.89	1,000.00	-656.11	34.4%
Maint. Fees Superintendent	254.00	1,074.00	-820.00	23.6%
Hall Rental	300.00			
Chlorine Tablets	490.00			
Tower Ground Rental - Royell	500.00			
Miscellaneous Income				
SLA Hat	10.00			
Sport/Chlorine Bottles	8.00			
Miscellaneous Income - Other	4.50	500.00	-495.50	0.9%
Total Miscellaneous Income	<u>22.50</u>	<u>500.00</u>	<u>-477.50</u>	<u>4.5%</u>
Total Income	119,888.64	135,682.00	-15,793.36	88.4%
Expense				
Capital Improvements	0.00	9,000.00	-9,000.00	0.0%
Repairs & Maint, Equipment				
Office	724.50	1,000.00	-275.50	72.5%
Community Center	304.12			
Dam	0.00	3,000.00	-3,000.00	0.0%
Lake	50.00	300.00	-250.00	16.7%
Stock Fish	1,499.29	1,500.00	-0.71	100.0%
Weed Control	3,465.00	3,856.00	-391.00	89.9%
Grounds				
Grounds	409.00			
Grounds - Other	0.00	300.00	-300.00	0.0%
Total Grounds	<u>409.00</u>	<u>300.00</u>	<u>109.00</u>	<u>136.3%</u>
Grounds Supplies	335.66			
Misc. Maintenance	614.27			
Roads				
Rock	118.95			
Roads - Other	410.23	12,494.00	-12,083.77	3.3%
Total Roads	<u>529.18</u>	<u>12,494.00</u>	<u>-11,964.82</u>	<u>4.2%</u>
Shop Supplies	15.12			
Equipment (Truck & Tractor)	9,102.14	4,000.00	5,102.14	227.6%
Total Repairs & Maint, Equipment	17,048.28	26,450.00	-9,401.72	64.5%
Conservation & Watershed	1,500.00	2,000.00	-500.00	75.0%
Vehicle Gas & Oil	2,752.77	5,000.00	-2,247.23	55.1%
Property Tax	0.00	4,400.00	-4,400.00	0.0%
Insurance				
Auto	1,090.00			
Property (Hall)	4,000.00			
Umbrella Liability	925.00			
Workers Compensation	2,182.00			
Insurance - Other	0.00	8,408.00	-8,408.00	0.0%
Total Insurance	<u>8,197.00</u>	<u>8,408.00</u>	<u>-211.00</u>	<u>97.5%</u>
Professional Fees	0.00	2,500.00	-2,500.00	0.0%
Supplies (Hall & Office)				
Office	286.11			
Copier	1,072.19			
Printing	478.13			
Total Supplies (Hall & Office)	<u>1,836.43</u>			
Utilities				
Telephone	513.66			
Gas and Electric	4,288.31			
Water	120.00			
Utilities - Other	0.00	8,500.00	-8,500.00	0.0%

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through June 2012

ash Basis

	Jan - Jun 12	Budget	\$ Over Budget	% of Budget
Total Utilities	4,921.97	8,500.00	-3,578.03	57.9%
Payroll Expenses				
Superintendant	20,548.56	41,097.00	-20,548.44	50.0%
Secretary Salary	10,763.52	21,527.00	-10,763.48	50.0%
State & Federal Unemployment	86.11			
Employer Share FICA Expense	2,383.81			
Payroll Expenses - Other	0.00	4,500.00	-4,500.00	0.0%
Total Payroll Expenses	33,782.00	67,124.00	-33,342.00	50.3%
Miscellaneous Expense	772.85	2,300.00	-1,527.15	33.6%
Total Expense	70,811.30	135,682.00	-64,870.70	52.2%
Net Income	<u>49,077.34</u>	<u>0.00</u>	<u>49,077.34</u>	<u>100.0%</u>

SUNSET LAKE ASSOCIATION
Transaction Detail By Account
 June 2012

Date	Num	Name	Memo	Split	Paid Amount
Jun 12					
6/13/2012	debit	941 Deposit	EFT:#270144652181587	-SPLIT-	-1,285.30
6/7/2012	5542	First Midwest -cash	money for garage sale	Miscellaneous E...	-120.00
6/7/2012	5543	Midwest Construction Products C...	fabric roll	Grounds	-459.00
6/12/2012	5544	Postmaster	stamps for mailing firehouse/newsletter	Office	-330.00
6/13/2012	5545	Illinois Department of Revenue	37-0763644	-SPLIT-	-422.46
6/13/2012	5546	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
6/13/2012	5547	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
6/13/2012	5548	Wheeler and Ross Hardware	gas office	Gas and Electric	-228.94
6/13/2012	5549	Frontier	acct#12 1454 2712035089 04	Telephone	-42.33
6/13/2012	5550	Rural Electric Con. Cooperative ...	Acct. #275300	Gas and Electric	-523.65
6/13/2012	5551	AT & T Mobility	acct # 293183827 (217 622-3572)	Telephone	-36.95
6/13/2012	5552	Marine Biochemist	Treatment weeds & algae 5/29/12 & 6/...	Weed Control	-3,465.00
6/13/2012	5553	M & M Service Company	gas #4722159	Vehicle Gas & Oil	-549.77
6/13/2012	5554	Robson, Derek	grounds	Misc. Maintenance	-459.00
6/13/2012	5555	Secretary of State	Annual Report - Not for Profit	Miscellaneous E...	-10.00
6/26/2012	5556	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
6/26/2012	5557	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
6/26/2012	5558	Bob Sons	fireworks	Fireworks	-6,000.00
Jun 12					-17,842.56

Expenses	17,842.56
Spraying	- 3,456.00
Fireworks	-6,000.00
<u>Total expenses</u>	<u>8,386.56</u>

**SUNSET LAKE ASSOCIATION
MINUTES OF THE MONTHLY MEETING
June 5, 2012**

CALL TO ORDER: President Bob Sons called the meeting to order at 7:00 p.m. Also present for the meeting were, Steve Kolsto, Jim Seggelke, Norm Brand, Cheryl Stine, Mike Colbrook, Bill Urban, & Ken Jones. ~~Absent was~~ John Kemp.

VISITORS: Ed Snell #286, Linda Urban #36, Ray Reardon #256A, 257, Dan Duncan #7, Gene Truax #71

#234 - Mike Kaylus - how to regular speed - discussed how fast members -

SUPERINTENDENT'S REPORT: Bill Hohimer stated - really good shape for grass - 1 day for lawn - getting ready garage sale fishing tow sign - need to get - get ready to patch - will try to oil before 4th township - may re oil - Frouher - for new wave - chg cable walnut to Beechview - needs Bob to sign off
+ food - left over pull pork - enough for 60 sandwiches - 2 containers - buns - / electric unhooked -

OFFICE MANAGER'S REPORT Kristy Barnes stated she worked on quarterly reports for state, federal & unemployment. She paid state and federal monthly deposits. She also worked on special meeting ballots, check in list, copied information sheets and typed up minutes. Sent sympathy cards to the families of Roy Barnett & Mary Crawford. Had orientation with lot #48. Posted up coming event on facebook.

Electric

Need
AFST
plug
for
shed
outside

APPROVAL OF MINUTES OF May 2012

A motion to approve the minutes was made by Bill and seconded by Jim Motion passed unanimously.

APPROVAL OF BILLS PAID FOR May 2012

The bills were normal & usual.

chip mix 410 -

Expenses 15,578.18 - escrow 6850.00, total expenses 8,728.18

Upon a motion by John and seconded by Bree, the Board voted unanimously to approve the bills paid for **May 2012**

COMMITTEE REPORTS:

AQUATIC CONTROL AND WATER SAFETY: Bill Urban stated

May - sprayed - 5-28th & 2nd spray - 6-1 - 1st part -
Was done - 2nd time - & hit other places - John - went
over how it was done - pond not done - still
issue - talked about different weed - May need
to still address - Steve - said - clear water -
causes weeds - & we have clear water - asked about
dye - putting in pond -
talked to My/Bio. 1st part - 128- 211A

BUILDING AND CONSTRUCTION COMMITTEE: Mike Colbrook stated 3 permits Lot #145,146 dock addition, 223 deck, 242-railing on existing deck & replace boards on dock, 64 screen in deck

38 dock coming out

\$

ROADS /DAM /GROUNDS COMMITTEE: John Kemp stated

1- lot inspection¹⁵³ #2- need clean-up boat to be removed
Jason - goats on island early May for map for weeds -
we ~~talked~~ talked
guard-rail back up county - 156 wedge will check
Barley - laundry bags - gave to Gene Truett - to try -
seem to think it is working marker gone by Clark - remark -

FINANCE COMMITTEE: Cheryl Stine stated

961. membership

income 87.7% expenses 43.5%

good -

LEGAL & INSURANCE COMMITTEE: Norman Brand stated

- NO

SANITATION COMMITTEE: Jim Seggelke stated finished south-side
60-lot ved. 6 no chlorine

SHORELINE & BOAT DOCKS COMMITTEE: Ken Jones stated Lot #85 - made
repairs - list of several dock will go
back + check -

141 # ~~85~~ - dug out + put bags concrete mix - not
good for lake - taking bebovic - about out -
Bice writes down - everyone - that get it.

WATER QUALITY & CONSERVATION: Steve Kolsto stated he + John -
1st clarity - 4811; 2 places - very good -
d will do water quality - once a month
at site #1

OLD BUSINESS: -
Lot #126 - wants to tear down - dogs
any one want cabinets

Spoke Nathan Jones will tear down - asked
about septic or may sell as is. - Someone that
was cleaning up - passed away.

103 - Kuestro - fence down - dog -
#27 - pool done - + fence up -

Jones - would like letter - on what their plans
Garage Sale Mike - Steve - Norm / Risk Tow^{Ex} Bob - Jim Mike
Jim Steve Jim

NEW BUSINESS:

Signature cards for money transaction??

transfer money Needs 2-signature - anything of 1000 -
out of SLA to another - withdraw - motion by Cheryl Shrie Not
+ Norma - ~~no one from~~ needs 2-
board signature

July - meeting to 7-10

Motion - Norma / Cheryl Shrie
to change date for board

Fish Tow. - Slow times. will keep some
& catch & release

Ground - survey - piece ground to be
clarified for

Transfers #4 Randy & Julie Gibson to Darrell & Renee Sisk

#242 Lavern Harvey to Don Vinlove

#2 Ron & Pam Morrow to Willie Morrow & Lindsy Millburg

#156 Larry & Kim Cooper to Prenice Carter

John Stone

ADJOURNMENT: Upon motion by Mike Colbrook, seconded by Cheryl,
the Board agreed again by consensus to adjourn. The meeting adjourned at 8:25 p.m

Manager's Report May 2012

Worked on transfer & had orientation

Paid State & Federal deposit

Sent out post cards for spraying the lake

Hall rented a few times

Sent Sympathy card to Williams

Sent out 8 letters for no chlorine, speeding, lot #s & grass

Posted events to facebook

Lot #201 leaves??? 200 got letter.

Fine for VanHuss

* Signature card minutes to First Midwest

Ground Coopers/SLA- VanHuss fine

~~Pool extension 5/31/12~~

tickets extra-

Olorin bottle

Sunset Lake Association

30505 East Lake Dr, Girard, IL 62640
217-627-3339

MEMORANDUM

TO: Board of Directors and Bill Hohimer, Superintendent

FROM: Kristy Barnes

SUBJECT: Monthly Board Meeting

DATE: August 7, 2012 TUESDAY

Please plan to attend the Directors' Meeting on Tuesday, August 10, 2012
7:00 P.M. The meeting will be held at the Community Center, Hanauer Hall,
30505 East Lake Drive.

Thank you!

SUNSET LAKE ASSOCIATION

AGENDA

August 5, 2012 7:00pm

CALL TO ORDER

ROLL CALL

VISITORS

SUPERINTENDANT'S REPORT

OFFICE MANAGER'S REPORT

APPROVAL OF THE MINUTES OF July 2012

APPROVAL OF BILLS PAID FOR July 2012

COMMITTEE REPORTS:

AQUATIC CONTROL & WATER SAFETY

-BILL URBAN

BUILDING & CONSTRUCTION COMMITTEE

- MIKE COLBROOK

ROADS/DAM /GROUNDS COMMITTEE

-JOHN KEMP

FINANCE COMMITTEE

- CHERYL STINE

LEGAL & INSURANCE COMMITTEE

- NORMAN BRAND

SANITATION COMMITTEE

-JIM SEGELKE

SHORELINE & BOAT DOCKS COMMITTEE

- KEN JONES

WATER QUALITY & CONSERVATION

- STEVE KOLSTO

OLD BUSINESS -

NEW BUSINESS -

TRANSFERS - Lot #131 Loren & Christine Ost to Jeff & Becky Stevens
Lot #221 John & Joann Munchafen to Harold & Judith Bly

*Brian
Bryce / Adrienne Murphy*

ADJOURNMENT -

**SUNSET LAKE ASSOCIATION
MINUTES OF THE MONTHLY MEETING
August 7, 2012**

CALL TO ORDER: President Bob Sons called the meeting to order at 7:00 p.m. Also present for the meeting were, Steve Kolsto, Jim Seggelke, Norm Brand, Cheryl Stine, Mike Colbrook, Bill Urban, Ken Jones & John Kemp.

VISITORS: Ed Snell #286, Linda Urban #36, Ray Reardon #256A, 257, Dan Duncan #7, Jim Dorr #284, John Mount #182, Mel Lomelino # 197, Don Stowers # 86,88, Dave Campbell # 264, Sandy Richey # 30, B.W. Struple #28, Laura Jones #272.

Ray Reardon asked about burning and if it was for everything. The board said yes. Dan Duncan asked where to get Barley Straw. The board discussed the pro & cons and wants make sure the barley straw is removed.

SUPERINTENDENT'S REPORT: Bill Hohimer stated there had been some concerns about burning. Had some signs made and put up. Bill picked up limbs and did some trimming. Bill talked about getting 4-wheeler fixed. It shuts on and off so he will take it to Carlinville. He also back filled around firehouse and fixed and moved buoys.

OFFICE MANAGER'S REPORT Kristy Barnes stated she worked on two more transfers and had three orientations. She paid state and federal monthly deposits. Sent sympathy cards to the family of Sharon Vest. Sent out three dock letters & one fine for boat numbers. Firehouse assessments are coming in good. She put 26,000.00 in firehouse account.

APPROVAL OF MINUTES OF July 2012

A motion to approve the minutes was made by Cheryl Stine and seconded by Steve Kolsto. Motion passed unanimously.

APPROVAL OF BILLS PAID FOR July 2012

The bills were normal & usual. Expenses 11,240.31, spraying 1,320.00, property taxes 2,064.99, survey 770.00 so total normal expenses were 7,085.32
Upon a motion by Jim Seggelke and seconded by Bill Urban the Board voted unanimously to approve the bills paid for July 2012

COMMITTEE REPORTS:

AQUATIC CONTROL AND WATER SAFETY: Bill Urban stated it has been slow. He had one speeding in the bay.

BUILDING AND CONSTRUCTION COMMITTEE: Mike Colbrook stated he had two building permits one for Lot #48 boat deck extension & Lot # 264 addition on existing dock.

ROADS /DAM /GROUNDS COMMITTEE: John Kemp stated he had few issues. Lot #227 furniture stacked in ditch ready to burn. Talked to the members. Replace buoys and noticed on Lot #263 that they had a big brush pile close to the water. Spoke with members and ask them not to burn. Lake is down about 18”

FINANCE COMMITTEE: Cheryl Stine stated membership is up 91%, boat permits at 91%, income 89.6% & expenses 60.4%. Everything is looking good.

LEGAL & INSURANCE COMMITTEE: Norman Brand stated nothing at this time

SANITATION COMMITTEE: Jim Seggelke stated finished the grounds. Went and rechecked and needs to send out six letters for chlorine.

SHORELINE & BOAT DOCKS COMMITTEE: Ken Jones stated he sent out 3 letters for docks. Two have been repaired. Lot #262 nothing has been done. Recommended sending reminder letter or stop by and talk to her. Lot #7 dock needs repaired. Lot # 7 was present for meeting and said it will be repaired.

WATER QUALITY & CONSERVATION: Steve Kolsto stated he and John should be going out soon. Water chemistry results are not in yet.

OLD BUSINESS:

Discussion about trees dying and heard that arborist said that it may be from squirrels eating bark.

NEW BUSINESS:

The board discussed about a fish that was caught here at Sunset Lake that possibly could be a Snakehead fish. Steve went over some info about snakefish. This is a very aggressive fish. The board said if this fish is caught to freeze it and bring to office and not to throw it back in the lake.

Talked about seeing some beavers by island and around Lot #7

Newsletters coming out shortly anyone having information get it to the office.

Firehouse construction should start next week.

Lot # 102,A talked to Nathan. He is getting prices to get it demolished. They want to sell.

Musso to put it up for sale.

Need to put in newsletter about skiers & tubers getting to close to shoreline.

Concern from Mrs. Jones about boats speeding in no wake thought it was lot #181, 236 & a small boat.

Transfers # Lot #131 Loren & Christine Ost to Jeff & Becky Stevens

Lot #221 John & Joann Munchafen to Brian & Adrienne Murphy

Transfers: The following transfers were approved upon a motion by _John Kemp_ and seconded by _Jim Seggelke_. The Board agreed unanimously

ADJOURNMENT: Upon motion by _Mike Colbrook_, seconded by _Bill Urban_, the Board agreed again by consensus to adjourn. The meeting adjourned at __8:45_p.m

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through August 2012

ash Basis

	Jan - Aug 12	Budget	\$ Over Budget	% of Budget
Income				
Membership Assessment	109,892.00	113,208.00	-3,316.00	97.1%
Boat Permits	4,269.25	4,500.00	-230.75	94.9%
UTV & Golf Carts	150.00			
Building Permits	355.00	1,000.00	-645.00	35.5%
Fines & Penalties	385.00	200.00	185.00	192.5%
Farm Income	2,700.00	3,200.00	-500.00	84.4%
Interest Income	0.00	5,000.00	-5,000.00	0.0%
Transfer Fees	2,400.00	6,000.00	-3,600.00	40.0%
Cable Franchise Fee	343.89	1,000.00	-656.11	34.4%
Maint. Fees Superintendent	254.00	1,074.00	-820.00	23.6%
Hall Rental	400.00			
Chlorine Tablets	610.00			
Tower Ground Rental - Royell	800.00			
Miscellaneous Income				
Donations	400.00			
SLA Hat	10.00			
Sport/Chlorine Bottles	8.00			
Miscellaneous Income - Other	9.50	500.00	-490.50	1.9%
Total Miscellaneous Income	<u>427.50</u>	<u>500.00</u>	<u>-72.50</u>	<u>85.5%</u>
Total Income	122,986.64	135,682.00	-12,695.36	90.6%
Expense				
Capital Improvements	0.00	9,000.00	-9,000.00	0.0%
Repairs & Maint, Equipment				
Office	749.50	1,000.00	-250.50	75.0%
Community Center	531.27			
Dam	0.00	3,000.00	-3,000.00	0.0%
Lake	50.00	300.00	-250.00	16.7%
Stock Fish	1,499.29	1,500.00	-0.71	100.0%
Weed Control	4,785.00	3,856.00	929.00	124.1%
Grounds				
Grounds	409.00			
Grounds - Other	0.00	300.00	-300.00	0.0%
Total Grounds	<u>409.00</u>	<u>300.00</u>	<u>109.00</u>	<u>136.3%</u>
Grounds Supplies	335.66			
Misc. Maintenance	749.27			
Roads				
Rock	-46.05			
Roads - Other	410.23	12,494.00	-12,083.77	3.3%
Total Roads	<u>364.18</u>	<u>12,494.00</u>	<u>-12,129.82</u>	<u>2.9%</u>
Shop Supplies	36.92			
Equipment (Truck & Tractor)	9,387.38	4,000.00	5,387.38	234.7%
Total Repairs & Maint, Equipment	<u>18,897.47</u>	<u>26,450.00</u>	<u>-7,552.53</u>	<u>71.4%</u>
Conservation & Watershed	1,500.00	2,000.00	-500.00	75.0%
Vehicle Gas & Oil	3,035.45	5,000.00	-1,964.55	60.7%
Property Tax	2,064.99	4,400.00	-2,335.01	46.9%
Insurance				
Auto	1,090.00			
Property (Hall)	4,000.00			
Umbrella Liability	925.00			
Workers Compensation	2,182.00			
Insurance - Other	0.00	8,408.00	-8,408.00	0.0%
Total Insurance	<u>8,197.00</u>	<u>8,408.00</u>	<u>-211.00</u>	<u>97.5%</u>
Professional Fees				
Legal Fees	770.00			
Professional Fees - Other	0.00	2,500.00	-2,500.00	0.0%
Total Professional Fees	<u>770.00</u>	<u>2,500.00</u>	<u>-1,730.00</u>	<u>30.8%</u>
Supplies (Hall & Office)				
Hall	22.31			
Office	381.87			
Copier	1,072.19			
Printing	669.38			

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through August 2012

ash Basis

	Jan - Aug 12	Budget	\$ Over Budget	% of Budget
Total Supplies (Hall & Office)	2,145.75			
Utilities				
Telephone	712.72			
Gas and Electric	5,304.99			
Water	160.00			
Utilities - Other	0.00	8,500.00	-8,500.00	0.0%
Total Utilities	6,177.71	8,500.00	-2,322.29	72.7%
Payroll Expenses				
Superintendent	27,398.08	41,097.00	-13,698.92	66.7%
Secretary Salary	14,351.36	21,527.00	-7,175.64	66.7%
State & Federal Unemployment	133.78			
Employer Share FICA Expense	3,182.29			
Payroll Expenses - Other	0.00	4,500.00	-4,500.00	0.0%
Total Payroll Expenses	45,065.51	67,124.00	-22,058.49	67.1%
Miscellaneous Expense	807.25	2,300.00	-1,492.75	35.1%
Total Expense	88,661.13	135,682.00	-47,020.87	65.3%
Net Income	34,325.51	0.00	34,325.51	100.0%

**SUNSET LAKE ASSOCIATION
Balance Sheet**

ash Basis

Aug 31, 12

ASSETS	
Current Assets	
Checking/Savings	
0100 Cash on Hand	100.00
Checking, First Midwest	663.61
Money Market, General Fund	
Operating Cash	25,062.79
Fireworks Reserve	467.01
Escrow	31,903.96
Firehouse/ Special Assessment	1,045.00
Money Market, General Fund - O...	68.75
Total Money Market, General Fund	<u>58,547.51</u>
1 Year CD	29,031.28
1 Year CD - First Midwest	15,600.26
Total Checking/Savings	<u>103,942.66</u>
Accounts Receivable	
0160 · 0160 Accounts Receivable	4,354.25
Total Accounts Receivable	<u>4,354.25</u>
Other Current Assets	
Expenses paid - then Invoiced	408.48
Total Other Current Assets	<u>408.48</u>
Total Current Assets	<u>108,705.39</u>
Fixed Assets	
FIXED ASSETS	
Community Center	41,298.00
Garage	22,824.00
Dam & Spillway	143,467.75
Roads & Driveways	36,347.63
Maintenance Equipment	13,813.71
Vehicles	7,773.00
Policing Equipment	4,635.60
Office Equipment & Furniture	8,347.75
Buildings & Other Depr Assets	85,865.83
Total FIXED ASSETS	<u>364,373.27</u>
DEPRECIATION	
Depreciation- Comm. Center	-12,602.00
Depreciation- Garage	-1,341.00
Depreciation- Dam/Spillway	-143,467.75
Depreciation-Road/Driveway	-36,347.63
Depreciate-Maint Equipment	-12,198.71
Deprec - Vehicles	-7,773.00
Depreciate-Police Equipmt	-10,843.71
Depreciate-Office Equipmt	-2,139.64
Deprec - Buildings & Other	-85,863.06
Total DEPRECIATION	<u>-312,576.50</u>
LAND	
Farm Land	16,000.00
Lake Site	39,773.18
Picnic Area	4,000.00
Total LAND	<u>59,773.18</u>
Total Fixed Assets	<u>111,569.95</u>
TOTAL ASSETS	<u><u>220,275.34</u></u>

SUNSET LAKE ASSOCIATION

Balance Sheet

ash Basis

Aug 31, 12

LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Escrow for Septic, Rip Rap	29,080.00
Firehouse/Special Assessment	4,794.00
Fireworks	-1,328.99
Payroll Liabilities	
FICA Expense	294.89
Employer Share FICA Payable	0.03
FUTA Liability	-294.46
Federal Income Tax Withheld	591.20
Illinois Income Tax Withheld	259.94
Total Payroll Liabilities	<u>851.60</u>
Total Other Current Liabilities	<u>33,396.61</u>
Total Current Liabilities	<u>33,396.61</u>
Total Liabilities	33,396.61
Equity	
Legacy Retained Earnings	-88,783.93
Retained Earnings	91,347.34
Previous Years Adjustment	149,989.81
Net Income	34,325.51
Total Equity	<u>186,878.73</u>
TOTAL LIABILITIES & EQUITY	<u><u>220,275.34</u></u>

SUNSET LAKE ASSOCIATION
Transaction Detail By Account
 August 2012

Date	Num	Name	Memo	Split	Paid Amount
Aug 12					
8/13/2012	debit	941 Deposit	EFT #270144652181587	-SPLIT-	-1,285.30
8/23/2012	debit	Meijers	15 trees	Expenses paid - ...	-235.26
8/14/2012	Debit	Mac's Automotive & Tire	Truck front end booster	-SPLIT-	-160.49
8/3/2012	5579	PowerNet Global Communications	customer # 10159190	Telephone	-9.76
8/6/2012	5580	Nilwood Water System	#400 water bill	Water	-20.00
8/6/2012	5581	Quill Corporation	C2639930 ACCT	Office	-95.76
8/6/2012	5582	DTTLR of Girard	invoice 1914 No Burning signs	Printing	-191.25
8/6/2012	5583	Prairie State Bank & Trust	Firehouse #3	Firehouse/Speci...	-26,906.00
8/14/2012	5584	Illinois Department of Revenue	37-0763644	-SPLIT-	-422.46
8/14/2012	5585	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
8/14/2012	5586	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
8/14/2012	5587	Rural Electric Con. Cooperative ...	Acct. #275300	Gas and Electric	-516.64
8/14/2012	5588	Frontier	acct#12 1454 2712035089 04	Telephone	-42.71
8/14/2012	5589	AT & T Mobility	acct # 293183827 (217 622-3572)	Telephone	-40.79
8/29/2012	5590	Hohimer, William O.	Salary	-SPLIT-	-1,215.28
8/29/2012	5591	Barnes, Kristine S.	Salary	-SPLIT-	-739.80
8/29/2012	5592	PowerNet Global Communications	customer # 10159190	Telephone	-10.09
Aug 12					-33,846.67

Expenses	33,846.67
Firehouse	-26,906.00
Total Expenses	6,940.67

SUNSET LAKE ASSOCIATION

Balance Sheet

ash Basis

Aug 31, 12

ASSETS	
Current Assets	
Checking/Savings	
0100 Cash on Hand	100.00
Checking, First Midwest	663.61
Money Market, General Fund	
Operating Cash	25,062.79
Fireworks Reserve	467.01
Escrow	31,903.96
Firehouse/ Special Assessment	1,045.00
Money Market, General Fund - O...	68.75
Total Money Market, General Fund	58,547.51
1 Year CD	29,031.28
1 Year CD - First Midwest	15,600.26
Total Checking/Savings	103,942.66
Accounts Receivable	
0160 - 0160 Accounts Receivable	4,354.25
Total Accounts Receivable	4,354.25
Other Current Assets	
Expenses paid - then Invoiced	408.48
Total Other Current Assets	408.48
Total Current Assets	108,705.39
Fixed Assets	
FIXED ASSETS	
Community Center	41,298.00
Garage	22,824.00
Dam & Spillway	143,467.75
Roads & Driveways	36,347.63
Maintenance Equipment	13,813.71
Vehicles	7,773.00
Policing Equipment	4,635.60
Office Equipment & Furniture	8,347.75
Buildings & Other Depr Assets	85,865.83
Total FIXED ASSETS	364,373.27
DEPRECIATION	
Depreciation- Comm. Center	-12,602.00
Depreciation- Garage	-1,341.00
Depreciation- Dam/Spillway	-143,467.75
Depreciation-Road/Driveway	-36,347.63
Depreciate-Maint Equipment	-12,198.71
Deprec - Vehicles	-7,773.00
Depreciate-Police Equipmt	-10,843.71
Depreciate-Office Equipmt	-2,139.64
Deprec - Buildings & Other	-85,863.06
Total DEPRECIATION	-312,576.50
LAND	
Farm Land	16,000.00
Lake Site	39,773.18
Picnic Area	4,000.00
Total LAND	59,773.18
Total Fixed Assets	111,569.95
TOTAL ASSETS	220,275.34

SUNSET LAKE ASSOCIATION

Balance Sheet

ash Basis

	<u>Aug 31, 12</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
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TOTAL LIABILITIES & EQUITY	<u><u>220,275.34</u></u>

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through August 2012

ash Basis

	Jan - Aug 12	Budget	\$ Over Budget	% of Budget
Income				
Membership Assessment	109,892.00	113,208.00	-3,316.00	97.1%
Boat Permits	4,269.25	4,500.00	-230.75	94.9%
UTV & Golf Carts	150.00			
Building Permits	355.00	1,000.00	-645.00	35.5%
Fines & Penalties	385.00	200.00	185.00	192.5%
Farm Income	2,700.00	3,200.00	-500.00	84.4%
Interest Income	0.00	5,000.00	-5,000.00	0.0%
Transfer Fees	2,400.00	6,000.00	-3,600.00	40.0%
Cable Franchise Fee	343.89	1,000.00	-656.11	34.4%
Maint. Fees Superintendent	254.00	1,074.00	-820.00	23.6%
Hall Rental	400.00			
Chlorine Tablets	610.00			
Tower Ground Rental - Royell	800.00			
Miscellaneous Income				
Donations	400.00			
SLA Hat	10.00			
Sport/Chlorine Bottles	8.00			
Miscellaneous Income - Other	9.50	500.00	-490.50	1.9%
Total Miscellaneous Income	427.50	500.00	-72.50	85.5%
Total Income	122,986.64	135,682.00	-12,695.36	90.6%
Expense				
Capital Improvements	0.00	9,000.00	-9,000.00	0.0%
Repairs & Maint, Equipment				
Office	749.50	1,000.00	-250.50	75.0%
Community Center	531.27			
Dam	0.00	3,000.00	-3,000.00	0.0%
Lake	50.00	300.00	-250.00	16.7%
Stock Fish	1,499.29	1,500.00	-0.71	100.0%
Weed Control	4,785.00	3,856.00	929.00	124.1%
Grounds				
Grounds	409.00			
Grounds - Other	0.00	300.00	-300.00	0.0%
Total Grounds	409.00	300.00	109.00	136.3%
Grounds Supplies	335.66			
Misc. Maintenance	749.27			
Roads				
Rock	-46.05			
Roads - Other	410.23	12,494.00	-12,083.77	3.3%
Total Roads	364.18	12,494.00	-12,129.82	2.9%
Shop Supplies	36.92			
Equipment (Truck & Tractor)	9,387.38	4,000.00	5,387.38	234.7%
Total Repairs & Maint, Equipment	18,897.47	26,450.00	-7,552.53	71.4%
Conservation & Watershed	1,500.00	2,000.00	-500.00	75.0%
Vehicle Gas & Oil	3,035.45	5,000.00	-1,964.55	60.7%
Property Tax	2,064.99	4,400.00	-2,335.01	46.9%
Insurance				
Auto	1,090.00			
Property (Hall)	4,000.00			
Umbrella Liability	925.00			
Workers Compensation	2,182.00			
Insurance - Other	0.00	8,408.00	-8,408.00	0.0%
Total Insurance	8,197.00	8,408.00	-211.00	97.5%
Professional Fees				
Legal Fees	770.00			
Professional Fees - Other	0.00	2,500.00	-2,500.00	0.0%
Total Professional Fees	770.00	2,500.00	-1,730.00	30.8%
Supplies (Hall & Office)				
Hall	22.31			
Office	381.87			
Copier	1,072.19			
Printing	669.38			

SUNSET LAKE ASSOCIATION
Profit & Loss Budget vs. Actual
 January through August 2012

ash Basis

	Jan - Aug 12	Budget	\$ Over Budget	% of Budget
Total Supplies (Hall & Office)	2,145.75			
Utilities				
Telephone	712.72			
Gas and Electric	5,304.99			
Water	160.00			
Utilities - Other	0.00	8,500.00	-8,500.00	0.0%
Total Utilities	6,177.71	8,500.00	-2,322.29	72.7%
Payroll Expenses				
Superintendant	27,398.08	41,097.00	-13,698.92	66.7%
Secretary Salary	14,351.36	21,527.00	-7,175.64	66.7%
State & Federal Unemployment	133.78			
Employer Share FICA Expense	3,182.29			
Payroll Expenses - Other	0.00	4,500.00	-4,500.00	0.0%
Total Payroll Expenses	45,065.51	67,124.00	-22,058.49	67.1%
Miscellaneous Expense	807.25	2,300.00	-1,492.75	35.1%
Total Expense	88,661.13	135,682.00	-47,020.87	65.3%
Net Income	34,325.51	0.00	34,325.51	100.0%

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 August 2012

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					-33,846.67

Expenses	33,846.67
Firehouse	-26,906.00
Total Expenses	6,940.67

COMMITTEE REPORTS:

AQUATIC CONTROL AND WATER SAFETY: Bill Urban stated slow / 1-speeding
buoy-

BUILDING AND CONSTRUCTION COMMITTEE: Mike Colbrook stated he had two building permits one for Lot #48 boat deck extension & Lot # 264 shoreline restoration. -add dock

ROADS /DAM /GROUNDS COMMITTEE: John Kemp stated few issue 227
furniture ready to burn - replace buoy -
Notice brush pile asked NOT to burn -
later down 18"

FINANCE COMMITTEE: Cheryl Stine stated

membership 91-

income 89.6% expenses 60.4%

LEGAL & INSURANCE COMMITTEE: Norman Brand stated - Nothing

SANITATION COMMITTEE: Jim Seggelke stated finished ground -
6-letters wants to send out.

SHORELINE & BOAT DOCKS COMMITTEE: Ken Jones stated - last 3- letters
dock 2-repair 184- 154- 262- Nothing
done / stop by & talk to her -
Letter #7- dock ~~living~~ over- under block.
Dan- said will be taking care of.

WATER QUALITY & CONSERVATION: Steve Kolsto stated - John- & he should
be going out soon- results not in yet
disc ^{someone} caught fish- snakehead- fish -
catch & freeze
went over about fish & what to do if
caught- very aggressive.

OLD BUSINESS:

trees- dying - arborist said squirrel eating
bark- will kill tree

Manager's Report July 2012

Worked on 2 more transfers & had 3 orientations

Paid State & Federal deposit

Firehouse #3 assessments are coming in good

Put 26,000.00 in firehouse account

Sent Sympathy card to family of Sharon Vest

Sent out letters for dock repairs & fine for boat #s

How many tables for hall - white

Meyers - lib +
asked ?
May - have Steve
write something + letter
send out.

Newsletter

dog -

No wake -

fish

weeds

Snakehead (fish)

From Wikipedia, the free encyclopedia

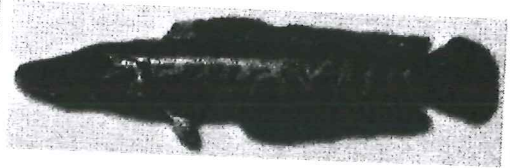
The **snakeheads** are members of the freshwater perciform fish family **Channidae**, native to Africa and Asia. These elongated, predatory fish are distinguished by a long dorsal fin, large mouth and shiny teeth. They breathe air with gills as well as with suprabranchial organs developing when they grow older,^[1] which is a primitive form of a labyrinth organ. The two extant genera are *Channa* in Asia and *Parachanna* in Africa, consisting of 30-35 species.

They have become notorious as an invasive species.

Contents

- 1 Description
- 2 History
- 3 Ecological concerns
 - 3.1 Intentional introductions
 - 3.2 Reported sightings
 - 3.2.1 In the US
 - 3.2.2 Elsewhere
- 4 As food
- 5 In popular culture
- 6 Species
- 7 See also
- 8 References
- 9 External links

Snakehead



Northern snakehead, *Channa argus*

Scientific classification

Kingdom:	Animalia
Phylum:	Chordata
Subphylum:	Vertebrata
Class:	Actinopterygii
Order:	Perciformes
Suborder:	Channoidei
Family:	Channidae

Genera

Channa
†Eochanna
Parachanna

Description

The various species of snakeheads differ greatly in size. "Dwarf snakeheads", such as *Channa gachua*, grow to 10 inches (25 cm). Most snakeheads grow up to 2 or 3 feet (60–90 cm). Two species (*Channa marulius* and *Channa micropeltes*) can reach a length of more than 1 metre (3.3 ft) and a weight of more than 6 kilograms (13 lb).

Snakeheads are thrust-feeders which consume plankton, aquatic insects, and mollusks when small. As adults, they mostly feed on other fish, such as carp, or on frogs. In rare cases, small mammals such as rats are taken.

The giant snakehead (*Channa micropeltes*) is native throughout Asia, and is the most aggressive snakehead.

Bowfin

From Wikipedia, the free encyclopedia

The **Bowfin**, *Amia calva*, is the last surviving member of the order Amiiformes (which includes 3 additional, now-extinct families dating from the Jurassic, to the Eocene), and of the family Amiidae (which contains numerous species in about four subfamilies, only one of which, Amiinae, is still extant). The Bowfin is a freshwater piscivore, preying on fish and larger aquatic invertebrates by ambush or stalking. Native to southeastern Canada and eastern United States, they prefer shallow, weedy waters of lakes or protected back waters of rivers. Bowfin are able to breathe air, using their swim bladder as a primitive lung and can be seen coming to the surface and gulping air even in well oxygenated water. This air-breathing ability allows them to utilize shoreline habitats that are not accessible to other predator fish.

Contents

- 1 Description and biology
- 2 Fishing
- 3 References
- 4 External links

Description and biology

The most distinctive characteristic of the bowfin is its very long dorsal fin consisting of 145 to 250 rays, and running from mid-back to the base of the tail. The caudal fin is a single lobe, though heterocercal.^[1] They can grow up to 109 centimetres (43 in) in length, and weigh 9.75 kilograms (21.5 lb).^[2] Other noticeable features are the black "eye spot" usually found high on the caudal peduncle, and the presence of a gular plate. The gular plate is a bony plate located on the exterior of the lower jaw, between the two sides of the lower jaw bone.

The bowfin is an indiscriminate predator that readily preys on a broad variety of arthropod and vertebrate prey, from insects and crawfish to other fish and frogs.

The male bowfin exhibits extensive parental care. The male clears an area in the mud for the female to lay eggs in, and then fertilizes them. He hovers nearby and aggressively protects the eggs and the fry after they emerge.^[3]

Bowfin



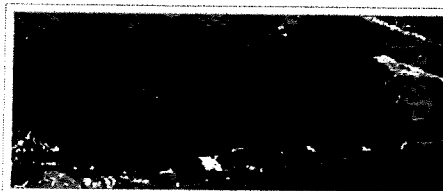
Scientific classification

Kingdom:	Animalia
Phylum:	Chordata
Class:	Actinopterygii
Order:	Amiiformes
Family:	Amiidae
Subfamily:	Amiinae
Genus:	<i>Amia</i>
	Linnaeus, 1766
Species:	<i>A. calva</i>

Binomial name

Amia calva

Linnaeus, 1766



Bowfin in aquarium

NEW BUSINESS:

beaver control -

beaver. North Spot - around 7-

South side

Newsletter - coming out shortly.

Start construction next week.

offer later - 1000-

Need to know when need electrical.

Jones talked to Nathan. getting prices to demolish. - will sell - Musso - to sell

huber & Steiner - - need to put in news letter - getting too close to shore.

Transfers # Lot #131 Loren & Christine Ost to Jeff & Becky Stevens

Lot #221 John & Joann Munchafen to Brian & Adrienne Murphy

Transfers: The following transfers were approved upon a motion by John and seconded by Jim. The Board agreed unanimously

ADJOURNMENT: Upon motion by Mike Colbrook, seconded by Bill Weber, the Board agreed again by consensus to adjourn. The meeting adjourned at 8:42 p.m

2. boat - 181 - / 236 - / No wake -
Poutan -
blonde diver