

August 6, 2019 Meeting of Sunset Lake Association Board of Directors

I. Call to Order, President Wilken- called to order, 7:00pm

II. Pledge of Allegiance, Randy Smith

III. Roll Call (Sec. Walkenbach)

Pres. Wilken	P												
VP Johnson	A												
Interim Treasurer Muschong	P												
Secretary Walkenbach	P												
Mark Severns	P												
Randy Smith	P												
Joyce Munie	P												
Dennis Denney	P												

IV. President Wilken, call for changes or corrections to the agenda

- ACTION, close the agenda, motion by Joyce Munie, second by Treasurer Muschong. Motion passes

V. Membership and Guest Recognition

President Wilken, Board changes- President Wilken read the following "July 17, 2019 I hereby resign my position on the Sunset Lake Association Board of Directors. Per legal counsel advice, I will be appear at the August 2019 Board of Director's meeting and read my official resignation into record. I have returned all items belonging to Sunset Lake Association to the office. All keys have been turned in to Ruth Anne Love per office procedures. Keys include: Master Key to office and shop, office storage room, hall, and employee file cabinet. I have a copy of this letter with Ruth Anne's initials. On July 16, 2019. I appeared with Mark Severns at the Law Office of Justin Reichert to provide an interview to the IDHR investigator. I understand should any further questions need to be answered by me, I am legally bound to do so. Deb Martin"

- ACTION, Joyce Munie moves to accept the resignation of Deb Martin, second by Dennis Denney, motion passes.

President Wilken then reported that he has appoint Sue Muschong Interim Treasurer until a new Treasurer can be voted on by the Board.

Lot 50, Camilla Winterland- Before I start I would like to say a personal note to Gary Wilken, he is a close friend and neighbor, my remarks are not personal. One week ago I emailed Gary stating I wanted to be on the agenda, he reached out and I met with him along with John Kemp. I didn't get a lot of answers. In April I thought letters were going out, I later learned only one went out on August 28th and to only one person. Members need to be informed on money that has been misappropriated.

Lot 112, Deb Martin "August 6, 2019, I hereby tender my official resignation as Treasurer of Sunset Lake Board of Directors. My resignation is due to the efforts of the Board President and Secretary to undermine the proper accounting procedures for a Not For Profit Corporation as well as an Association by giving multiple people access to the QuickBooks System. The President's requests for the deletion of invoices for his perceived friends cause

great concern in previous months. More recently, his inability to comprehend fiduciary responsibilities and require all members of the Association to pay for motorized and non-motorized boat stickers was outright theft. The Secretary has instructed office personnel to violate accounting practices that were in place and gave permission to people in her network to install sea walls without proper Board approval. The Building Committee Chair collects checks from members of the Association, and in one case, has not deposited it nor returned the check to the owner. Recently the President asked a fellow Board Member to help him understand the Treasurers Report and he was informed that the Association should have no such thing as a Reserve Account, that it is only a number on paper. All money should be in the General Account for spending. It is my understanding that the Board Member giving that advice is to be taking my place as Treasurer. In addition, I hereby tender my resignation to the Board of Directors of Sunset Lake. I took my appointment, and election to this board with great responsibility. I performed my duties without prejudice or favoritism. I always took into account what was best for the entire membership, rather than the easy or comfortable route or acknowledging the good ol boy network. I have brought forward the proof of illegal meetings and yet this board continues to meet in secrecy and behind closed doors without the membership's knowledge. This board also refuses to enforce the rules for which they were elected to enforce. Those who do enforce the rules have their committees taken away and given to other Board Members. Consistent ethics violations of this board by voting on issues they have a direct conflict of interest with is undeniable. Finally, to provide correct information to the membership, it is true I began taking proper action against this Board of Directors for their defamation and illegal practices. It did not go unnoticed that the Rules Committee Chair stated that the motion brought forward for dredging did not specifically say what coves would be dredged in order to calm the Vice President. Due to the planned spillway repairs for the month of September, it has become a sensitive matter. Members of the board have caused issues between neighbors of this Association that are unnecessary. The President stated recently that he gets many complaints and he tells them it is a neighbor issue, thus refusing to enforce rules. This is an unresponsive contradiction to running a complaint driven board. I voiced my concern in the fall of 2018 that complaint driven boards lead to divided groups. They have unfortunately achieved this goal. I want to apologize to all that voted for me to continue on the Board of Directors in October 2018. I had all intentions to fulfill my duties and represent you and your desire for this lake to be a quiet space for all. Recently it became apparent that I could do far more work off the board than on. I encourage the membership to stay active and ask questions, file Request for Information sheets and hold this board and all future boards accountable. respectfully submitted, Deb Martin."

"Now I'm going to address as a member, your inactions have caused great damage and the rumors have already started spreading. Lot 111 stood up here last month and spewed a bunch of lies one of those lies was this that, that I or my husband called the Illinois Commerce Commission on them and filed a JULIE report. We took it upon ourselves following that meeting to file a FIOA request not only did the Martin's not file anything on the Tabor's nobody had filed any such complaint with ICC. You are feeding this narrative Mr. Wilken and you know it. Police were called to my house Sunday night because of your inactions in enforcing rules. Membership has gone above and beyond. We no longer count on you. I will continue to call state and federal authorities as needed."

Lot 118, Richard Mauk- The last three weeks have been unbelievable, I am ready to get back to my church group. Last month's meeting made my heart break.

Lot 141, John Earley- I feel your pain Gary, I saw the bullets fly too when I sat in that chair for about 12 years as President. A few that want to stir the pot will continue. They are a few on the lake, not many. The hate you

just heard is only from a very very few select individuals. I have had some concerns about this Board and the previous Board, but I have seen good logical decisions being made. This is a good logical Board of Director's sitting here. I believe the Board has been subject to serious misguidance but I think that has come to an end. The time has come to quit listening to the five percent, don't worry Gary or take the hatred to heart.

Lot 111, Nikki Tabor- I would like to second John's comments.

Lot 254, Debbie Thompson- I too would like to second John's comments. I do have concerns, especially on the lake. I have seen activity on the lake at 1 or 2:00am. We need to have safety on our lake. We need to educate our members. This will be our business when there is a law suit. I am supportive of this Board.

Lot 36, Linda Urban- I'm with Debbie Thompson and am concerned about patrolling our lake. People fly in and out of our bay and there doesn't seem to be anyone patrolling.

VI. Reports

a) June 4, 2019 Board Meeting

- ACTION, approval of minutes; motion to approve, Joyce Munie. Second by President Wilken, motion passes.

b) July 2, 2019 Board Meeting; motion to approve, Joyce Munie. Second by Dennis Denney, motion passes.

- ACTION, approval of minutes

c) Treasurer's Report- see ATTACHMENT ONE, including monthly expenditures

- ACKNOWLEDGMENT, President acknowledges report and files with Secretary

VII. Old Business

a) Assessments, delinquencies, foreclosures, property tax delinquencies - no report

b) Spillway work and tower restoration, update President Wilken, Mark Severns- Vector Construction Inc. will begin work on August 26th on the spillway. They will take about 25 days. We won't need to lower the lake any lower than it is now unless we get some big rains. The lake will be lowered in early October for the planned dredging.

c) Legal actions, President Wilken- A revised lease was sent to the Girard Fire Protection District's attorney on July 17. Between 2013 and 2016 SLA took depreciation on the building, but we didn't legally own the building per the previous lease. We will be working with our accountants to see if we need to revise previous taxes. The revised lease reflects that SLA does own the building. This Board was told we would be tax exempt if we filled out paperwork showing the building was owned by us but used as a public safety building. That doesn't seem to be true. We likely will have to pay property taxes so this is something the Board is looking into and the language for the revised lease may reflect a financial decision. Joyce Munie moves to suspend rules, Debbie Thompson states that if Chris Bruley becomes uncooperative in turning over SLA tax documents to us can't we stop him from building on his leased lot? Joyce Munie moves to unsuspend rules.

On July 18th Bob Sons was sent (and a receipt was provided) the letter from our attorney requesting information on funds. Mr. Sons has 30 days to respond. This letter was sent to Mr. Sons only based on recommendations by our attorney. Future letters may be sent depending on the response of this first letter.

A Memorandum of Understanding has been sent to 15 members that were part of the consolidated lot issue, 11 of the MOUs have been signed and sent back for incorporation into lot files. We will be following up on the other four (lots 20, 102, 150 and 166).

The Department of Human Rights hearing concerning Jim Wilson was held on July 16, 2019 with a decision expected in the next two to four months. This will be the last piece of legal issues regarding the termination of Mr. Wilson. We still have three lots in various degrees of litigation, lots 117, 144, 165.

- ACTION, Joyce Munie moves to allow President Wilken to move forward getting closure on each of these cases as discussed in closed session. Randy Smith seconds, motion passes.
 - d) Lot 165 septic escrow, President Wilken, see above
- ACTION, see above

VI. Reports

a) President Report, President Gary Wilken- SLA pays Real Estate taxes on 15 separate parcels that include roads and right of way, dam & spillway, common areas, farm ground and office and maintenance buildings. The 2018 Real Estate Taxes that are now due in 2019 total \$3,605.00. SLA is a "General Not for Profit Corporation" register with the Illinois Secretary of State. There are several interpretations of which State laws govern SLA. There are further interpretations regarding what these laws really mean. The Board is in the process of seeking clarification. Thanks for the continued great work by Mike Bigley our maintenance man. He keeps the common areas looking great. Thank also to John Kemp, Ken Jones, Thane Johnson, Arlen Sieg and Joe Diefenbach for assisting with mowing and burn pile control. I apologize if I missed anyone. A special thanks to Gene Truax and Jerry Wake for the countless hours they have spent the few months removing algae from the North Lake Road bay where the docks for non-adjacent leaseholders are located. Thanks to Sue Muschong for stepping into the interim treasurers role. You have been outstanding! And finally, the Board will be looking at the Rules & Regulations, as well as the forms that are currently being used to file complaints and Request for Information. The process needs to be clarified.

b) Water Safety, Thane Johnson- No report, Vice President Johnson absent from meeting. However, President Wilken did state that as a Board we do take members comments regarding lake safety seriously, and we particularly understand the need to better educate our lake users.

c) Building & Construction, Sue Muschong- July Permits: Lot 278 boat dock (\$30), Lot 225 patio extension (\$25), Lot 225 roof extension over patio (\$25) and Lot 209 boat lift (\$30). Pending Permits Lot 203 new dock (waiting on drawings), Lot 112 dock (waiting to be resolved), Lot 102/102A new home (waiting on final design).

d) Dam, Roads & Grounds, Mark Severns- Rock is starting to be delivered this week. We will try to oil and chip the parking lot if we have the funds left after the routine road work is complete. As reported the spillway work is set to start and we don't anticipate any problems.

e) Finance & Insurance Committee, Interim Treasurer Sue Muschong- We will continue to hold the Finance Committee meetings at the previously scheduled time, 1:00pm on the Thursday 's after each monthly

Board meeting. I hope all committee members will continue to be active and participate. A 2020 Budget will be presented at the September Board meeting.

f) By-Laws, Rules & Regulations, Joyce Munie- the Committee met in July to discuss By-laws, there are some proposed changes that will be brought to the Board under new business. Also, at the last meeting there was discussion on the Rules stating that a 12 year old can either be a spotter or drive a boat (if they have taken a state of Illinois safety class), I wanted to make sure everyone is aware, our Rules also state that someone in the boat must be at least 18 years of age.

g) Sanitation, Secretary Walkenbach- Lots 188 through 215A and 276 through 288 were inspected this past month. Two lots the chlorine tube wasn't found, these may be old lateral systems, 16 were deficient in chlorine, 12 emails were sent and Rockie called the other four.

h) Lake Management, Randy Smith. Charlie Edwards our lake sampler went out and transparency readings were 34", 33" and 27" and he also looked for the presence of a blue green algae bloom and found none.

i) Special Events, Dennis Denney- The fireworks were awesome, I received a lot of great comments about the show. The vendor we used is already booked for the 2020 July 4th weekend. So next year the fireworks will be on June 27th, we are then penciled in for July 3rd, 2021. Please come and support BINGO, most of the participants are not SLA members, we need to support our activities. There are five boat docks signed up to participate in the Poker Run on August 10th. John Kemp and Norm Brand are spearheading the fishing tournament on August 31st.

- ACTION, approval of Committee Reports via Consent Agenda. Joyce Munie makes the motion, seconded by Mark Severns. Motion passes.

VIII. New Business

a) Board Treasurer

- ACTION, Board election of new Treasurer. President Wilken moves to approve Sue Muschong as Treasurer of the Board of Directors, seconded by Joyce Munie. Motion passes.

c) Rules & Regulations, Joyce Munie- Article IV Section 2, notification to members of Rules & Regulations changes. (see separate document for four page listing)

- ACTION, send the four page update to members with the Annual Meeting packet. So moved by Joyce Munie, seconded by Dennis Denney. Motion passes.

d) Current SLA By-Laws (see separate document for By-Laws to be presented)

- ACTION, approve current/updated By-Laws as presented which will then be placed on our webpage. So moved by Joyce Munie, seconded by Treasurer Muschong. Motion passes.

e) By-Law changes proposed for 2019 Annual Meeting (see separate document)

- ACTION, approve proposed By-Law changes to go before the membership at the annual meeting. So moved by Joyce Munie, seconded by Treasurer Muschong. Motion passes (SEE ATTACHEMENT 2 FOR PROPOSED CHANGES)

IX. Membership Transfers

Lot 67, Jamie Stowers to Charles and Kathleen Edwards (current members)

Lot 277, Robert and Teresa Sons to David and Somjai Vinlove (current members)

Lot 135, 135A Albert and Diane Rogers to Andrea Jones and Collin Bushnell

X. Membership and Guest Recognition

Lot 254, Debbie Thompson- In the Annual Meeting packet that goes to all members can we ask members if they want to continue with having the annual fireworks show? There is so much work that goes into funding the show and so few that actually help with fund raising. Perhaps it's time to find out if we should continue.

Lot 78, Marty Crews- I'd like to ask for a sticker for a buddy so he can put it on his boat and use the lake (*sarcasm*). Over the Fourth of July there were five boats with out stickers, 7 kayacks without stickers and two flat bottom boats with no stickers what so ever. President Wilken: we will take this under advisement and your point is well taken. M. Crews: I understand there are five stickers missing from the office. Treasurer Muschong: we will have an answer on that at a later date, I am going through the financials now. M. Crews: what is the process if I see something wrong? President Wilken: Call or email the office. However, we can't enforce Illinois State stickers, that has to be IDNR and we can police SLA and Lot number stickers, we can give them a fine or warn the member. M. Crews: in June I received two notices and one letter saying if my Illinois liscence wasn't renewed I couldn't be on the lake. President Wilken: the Board of Directors did not authorize the emails or letters stating such. The boat owner must answer to IDNR. M. Crews: Why is there free access to the lake for some members friends? Some members have three boats. President Wilken: Since you have such a visable spot on the lake to see all the coming and goings would you consider being deputized? Randy Smith: would you fill out a compliant on these boats? M. Crews: yes, I will help.

Lot 29, John Kemp- Complaint, Lot 24 has last year's sticker on his boat and he has been using it for the last month. There was a boat on the other side of the island with no numbers or stickers. Also, what's up with the island? Will it be cleaned up or left to go? There are old chairs on it and a grill left there hidden in the weeds.

XI. Board Comments

Dennis Denney- Please participate in the fund raising events at the lake.

Treasurer Muschong- Yes, please come to BINGO

President Wilken- If you are interested in running for the Board we need to know by the September meeting. Send an email if you are interested, we have four positions open.

Joyce Munie- Please come to the Poker Run. If you have any questions about the By-Law changes ask me and I can discuss with you.

Randy Smith- Please don't call with problems all weekend, fill out a complaint form unless your problem is a safety issue, then call and report it.

XII. Adjourn 8:39pm

DRAFT