

## July 2, 2019 Meeting of Sunset Lake Association Board of Directors-draft

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

II. Pledge of Allegiance, VP Johnson

III. Roll Call (Sec. Walkenbach)

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

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

Add action item under agenda item VIII. c) approval of scanning machine for the office and an action item under VII. b) approval of construction oversight services

- ACTION, close the agenda. Motion by J. Munie, second by VP Johnson, motion passes

V. Membership and Guest Recognition, prior to recognizing members President Wilken reminded members that the Board appreciates all commenter's as long as they are in order. A warning will be given and if a member is disorderly a second time they will be escorted out of the building or the meeting will be adjourned.

- Lot 207, Sue Muschong. I would like to apologize to the BOD and Sunset Lake Members for not taking the highroad at last month's meeting. I was truly frustrated by hearing that the BOD doesn't appreciate or give Deb Martin credit for all she had done for Sunset Lake, in fact we do. To make things even more surreal the year before I stood up and defended her and the BOD against those who didn't like what we were trying to accomplish. We're a good Board, who are working very hard to make Sunset Lake a peaceful and happy place to live. We will not always agree but will try to understand each other and move forward together. Our loyalty isn't to one person but to all SLA members and what is best for our beautiful Sunset Lake. As always I and the Board will treat every SLA member with respect and consideration. But we need to be treated the same. And to Gary thanks for your calm, rational and sensible leadership.
- Lot 225, Ellen Harlow. Wondering if the consideration of assessments is going to be brought to the members for a vote since the Board hasn't been given explicit authority to move forward. President Wilken, we will talk tonight about the lots that have been previously approved by other Boards, there will still be four lots that have yet to be brought to the Board for approval. Those will happen at a later date.
- Lot 118, Richard Mauk. Presented the definitions for malfeasance and misfeasance and stated that we have these problems sitting on the Board of Directors. I think it is horrible, and I think it is horrible the way some people on the Board talk to other people, it's disgusting, it's sickening. Thanks to our Vice President for stepping up and helping diffuse a situation that could have gotten violent. I heard we are selling the lake, is there any truth to that? (President Wilken, no we aren't selling the lake, that's the first

I've heard that one). Also, I haven't received any minutes at my house for the last five months, the Association knows my address because I get everything else. I, and I'm sure everyone here would like to know the amount of money spent every month and on what. (President Wilken, the minutes and all other documents can be found on the SLA webpage). There are cliques all over spinning garbage, most are all of you are good Board members, just a few aren't and if you don't get rid of the few you are all going to be rotten apples.

- Lot 16A, Frank Mineo. There are four or five documents for the consolidated assessments/lots, where did the other 15 come from? (President Wilken, we will discuss later in the meeting) and do these leases say that they will follow to the next owner when transferred? (President Wilken, yes)
- Lot 116A, Barb Anderson. verbatim "I have a correction and some additions to the draft of the June minutes that were published on the Sunset Lake website recently. I will first read what was published that I said: Lot 116A, Barb Anderson- I am a neighbor of Deb's and other board members so what is going on is not nice, this Board is only working for themselves." I would like that sentence completely removed from the draft minutes and corrected read what I really said (NOTE: the June Board meeting meetings were updated to include verbatim what was said by Ms. Anderson, not updated with the following) 1. I am a neighbor of Deb's so I do know what is going on in the neighborhood. I am sick to my stomach about this meeting (closed meeting before June board meeting to remove Deb from office). 2. Deb has worked tirelessly for us. 3. I feel this board has its own agenda. 4. We belong to an HOA at home and we know every month exactly to the penny our HOA budget. 5. This board is an outdated system of financial management. We need to look into another form of governance. We have lost \$250,000 already. 6. You heard Deb's report where we may have more expenses than income at this point in time. 7. This is a disaster! I would like those seven items included in the June minutes and the published remark stricken from the draft minutes. Now, this is a new remark for the July minutes: I do not believe in a biased reporting of minutes or the Sunset lowdown. I firmly believe we need video streaming of the board meetings for accountability and transparency. Part-time lake residents would have much more involvement via their computers and everyone would be able to discern what is true and what is false and not depend upon hearsay or biased reporting. In addition, I filed a complaint about the condition of a neighbor's property in January 2019. I am still waiting for a disposition to by complaint. A formal complaint system also needs to be in place so once again there is accountability. Rules and regulations need to be enforced by the board and not based on other factors. thank you for listening."
- Lot 16A, Marge Mineo. I was told by a Board member that a lien was being placed on Bob Sons house, why hasn't that been done? (President Wilken, I don't know who told you that) you told me that (I told you I would be contacting our attorney to discuss the protocol of such an action) ok, so tell why isn't it being done? Why can't it be done at this meeting? What is taking so long? (it is part of tonight's agenda)
- Lot 111, Nikki Tabor. I would like to address a few things so other can understand how we have suffered blatant harassment of Dan and I since we move her in June 2018. We haven't felt welcomed until recently when a few members have reached out to us. Deb Martin has used her authority to keep us from getting permits, Deb had our own file at her home. Deb Martin placed cameras at the office and hall that capture audio along with video, this is a two party consent state, this is illegal. Deb Martin had access to those cameras at home. When the Board became aware of this the cameras were taken down. She violates the complaint rules, when she has a complaint she picks up the phone to complain. Deb called ICC for on us for a JULIE violation, she was seeking a fine, there was no violation. She has

complained about our invisible fence, burning siding and oil, told Thane Johnson to have Jimmy take siding from the burn pile to our house to match it. We are remodeling, our yard isn't always going to look nice during construction, she has complained about leaves, marking flags, erosion. We have seen Mr. Martin leering in our house windows. She reported on 2/6/19 that we were throwing dog do in the lake. We will not move, we will not be bullied. Thank you to the Board of Directors. Also, she split purchases so they appear on different receipts. (Marge Mineo, how do you know this?) It was told to me by a member of the Finance Committee. If the Board doesn't act there will be more chaos. Something needs to be done.

- Lot 77, Jonathon Cox. I'm a new member, part time. We love the lake and people out here. Please realize how cheap it is to live here and what a gem we have.

## VI. Reports

### a) June 4, 2019 Board Meeting

- ACTION, approval of minutes. J. Munie moves to approve, VP Johnson second. discussion follows.
- ACTION, Treasurer Martin moves to table approval of the minutes, second by J. Munie. motion passes.

b) Treasurer's Report. See attachment 1. Additionally, there is a concern that 49.5% of our income comes in the first 1/4 quarter of the year. Also, the interest is not accurate on the report, I forgot to update it and the Special Events is not current, some of the expenditures have not been found. A question by J. Munie, wanting to know how much do we have in escrows that will be paid out? Treasurer Martin, none. President Wilken did state that we need to look at escrow report and reconcile it, but we won't be paying any more escrows out.

- ACKNOWLEDGMENT, President acknowledges report and files with Secretary

## VII. Old Business

a) Assessments, delinquencies, foreclosures, property tax delinquencies - Treasurer Martin. There have been not updates/changes since the last report, except that Lot 67 paid all delinquencies.

b) Spillway work and tower restoration, update President Wilken, Mark Severns. At last month's meeting we approved moving forward with a contract to Vector Inc. based on their bid. That contract will be signed next week and we will be getting a schedule soon after that for the work to be completed.

- ACTION, Greene and Bradford Engineering have given SLA an estimate, itemized listing, laying out all repairs (taping/spraying) and providing construction inspection/oversight services at a rate of \$120/hr for engineering services not to exceed \$9,000 . J. Munie moved to approve hiring Greene and Bradford according to the above restrictions, second by VP Johnson. Motion passes.

c) Legal actions, President Wilken. We have by count 10 actions on-going, 1) Firehouse lease, I will discuss this later in the meeting; 2) Demand letter to former President Sons, this is in the final stages of drafting, waiting on the attorney to finalize; 3) Consolidation of lots for assessments, this is on the agenda for tonight; 4) Wilson case, the unemployment case was found in SLAs favor, Mr. Wilson will be required to pay back any unemployment he may have received from the State. There is a hearing, via telephone on July 16 for the Human Rights case; 5) Bitner/Earley, this will soon be resolved; 6) Septic arbitration, complete; 7) septic escrow issue, this might be concluded; 8) Lot 144 has been filed and papers have been served. A status hearing will be

held July 22; 9) Lot 117 assessment/fines, this has been filed with Macoupin County; 10) Lot 215 turned to HUD, there is a mix up in the billing so we are working with our attorney to see if we need to be reimbursed.

d) Dredging discussion, options and schedule. President Wilken gave an overview of the dredging issue from 2018 to present.

- ACTION, approve up to \$18,000 to dredge the two and 1/2 coves that were to be dredged this past winter, in the fall/winter of 2019. A negative in the budget will be borrowed from the Reserve Account and will be paid back by 2020 Lake Maintenance Assessment fees. Motion moved forward by J. Munie, second by D. Denney. President Wilken moves to suspend rules, second by J. Munie, motion passes. Discussion follows. Motion by President Wilken to unsuspend rules, second by J. Munie, motion passes. Treasurer Martin calls for a roll call vote, Johnson-No, Martin-abstain, Walkenbach-Aye, Severns-Aye, Smith-No, Muschong-Aye, Munie-Aye, Denney-Aye, Wilken-Aye. Motion passes.

e) Consolidated Lot resolution- See attachment 2 for report/letter read by President Wilken

- ACTION, approval of recommendation to proceed and approval to proceed to finalize documentation of consolidated assessments. So moved by President Wilken, Second by VP Johnson. Motion passes, seven Aye, one No.

f) Firehouse lease. President Wilken reported the revised Fire House Lease is drafted and ready to be sent to the Girard Fire Protection District for signature.

- ACTION, approval of changed lease agreement with Girard Fire Protection District for Sunset Lake Substation. So moved by President Wilken, Second by J. Munie. Discussion follows, motion passes.

g) Potential misappropriation of funds

- ACTION, approval of revised letter from Sunset Lake to former President Sons seeking information on expenditures. Motion made by President Wilken, second by VP Johnson. Discussion follows, motion passes.

## VI. Reports

a) President Report, President Gary Wilken- passes for now. Will add if needed to other reports

b) Water Safety, VP Johnson- there are a couple of boats on the lake without stickers, I have spoken to them and they will be stickered.

c) Building & Construction, Sue Muschong- June permits, Lot 137 dock addition (\$30), Lot 165 framing/siding (\$25), Lot 159A new home (\$100). Pending permits, Lot 112 boat dock, (waiting to be resolved), Lot 102/102A new home (waiting on final designs), Lot 225 extended patio (\$25, waiting on contractor information). June has been a slow month which I have appreciated as I was on vacation. Thanks to the members who have called asking me if their projects needed permits. It is always a good idea to double check.

d) Dam & Roads, Mark Severns- I've had some calls concerning Hickory and southside roads, I'll be checking on those. We will start oil & chip where we left off last year. Will need to see the cost since taxes have gone up with how far we will get. I'll be putting a plan together and will start in Augustish.

e) Grounds, VP Johnson- There is a tree down on a lot and they need help getting it off the property. S. Muschong reports that neighbors have stepped up and will be helping.

f) Finance & Insurance Committee, Treasurer Deb Martin- See attachment 3 for report. Additionally it was noted that Secretary Walkenbach did not \$27,000 for Lake items for the 2020 budget, she presented a wish list of items that could be part of a 10 year plan. The next Finance Committee meeting will be on July 11, 1:00pm and someone from an HOA Management Company will be there to discuss how this type of company works for Homeowner organizations.

g) By-Laws, Rules & Regulations, Joyce Munie- Our By-Laws won't be using any legal funds to update. This past month I met with one other SLA member and two others couldn't attend and I will be updating them on our meeting. Our priorities are making sure the ByLaws on the webpage are up to date with any past actions. Ellen Harlow is working on our past minutes to find changes that might not have been added to our ByLaws. I am looking for consistency between our ByLaws and our Rules & Regulations. Treasurer Martin asked if we are going to come into compliance with of the law to address complaints? Discussion followed on which Illinois statute we must follow.

h) Sanitation, Secretary Walkenbach- Lots 128-182 were inspected this past month, 11 required follow up, two filled with chlorine immediately (they were at the home) and eight emails were sent out. Three other lots have issues that need to be followed up on, two no chlorine tube found, these might be old lateral systems and one had a stuck lid but it was obvious there had been activity around the tube recently. I will be following the email group lists which should get me around the lake twice a year.

h) Lake Management, Randy Smith- Illinois Department of Natural Resources did a fish survey last month and sent us the report. All is good and they have made some recommendations to us. This report will be posted on our webpage.

i) Special Events, Dennis Denney- Attendance for BINGO has been 14, 19, 32, 17, 16, and 14, we were notified that both Carlinville and Divernon have started a Thursday night BINGO game that is against ours. For the summer we will be scaling back to the second Thursday of each month. Boat Parade July 6th, meet at the launch at 10:30am (volunteers and judges needed); Fireworks July 6th at dusk. Poker Run August 10th, still need a couple of docks. and Fishing Tournament August 31. The Father's Day fishing tournament was postponed on both dates due to weather, although we probably pulled the plug to early on the second date. Entry fees will be refunded or can go to the August tournament.

- ACTION, approval of Committee Reports via Consent Agenda. Motion by Treasurer Martin, second by M. Severns, motion passes.

#### VIII. New Business

a) 2019 Annual Meeting/Nominations/Directed Proxy- Secretary Walkenbach- All nominations need to be received by the Board by the September meeting if you want to be on the ballot for the Board of Directors election at the 2019 Annual Meeting in October. We will be using a directed proxy system again, all ballots mailed to members and voting is either by US Mail or in person at the Annual Meeting.

b) SLA Office staffing, office hours, hiring (summer help, receptionist)- No summer help will be need this year and we will have an executive Board meeting to discuss and make a recommendation regarding office hours in the future. We are holding off on a receptionist position at this time.

- ACTION, approval to purchase (rent) a remote deposit scanner machine from our bank at the cost of \$30 per month. Motion moved by Treasurer Martin, second by D. Denney. Discussion follows with a roll call vote following; Johnson- No, Martin- Aye, Walkenbach- Aye, Severns- Aye, Smith- No, Muschong- Aye, Munie- No, Denney- Aye, Wilken- Aye, motion passes.

IX. Lease Transfers, none

X. Membership and Guest Recognition

- Lot 112 Deb Martin- I don't think you answered Marge's question on putting a lien on a house. (President Wilken, I presented that question to our attorney and he said we don't have to put a lien on any particular house, it can be any house or any assets).

XI. Board Comments

- VP Johnson- I'd like to apologize to the Tabor's for one Board member calling you white trash as witnessed by two other Board members. I'm very sorry that happened and that doesn't speak to the rest of the Board.
- President Wilken- Thanks to Ellen Harlow for putting together a membership directory. If any members would like one please contact the office, they can provide you one or email you one. We will not be posting the membership list on our webpage because the tab we thought was secure for members only is not. I would also like to resurrect the businesses/service list that SLA use to provide members, it was especially helpful to new members. This service list will not be a recommendation but merely a list of known providers of a variety of services.
- Treasurer Martin- I'm not happy the email that went out, it was liable and deserves a rescind, there was not a breach of confidentiality.
- Dennis Denney- 50/50 of \$17 won by Marge Mineo
- Lot 111, Dan Tabor- I want to make sure that the Board addresses the complaint I filed and I appreciate Thane Johnson for his words.

XII. Adjourn- Motion by J Munie, second R Smith. 9:29pm