

## September 3, 2019 Meeting of Sunset Lake Association Board of Directors

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

II. Pledge of Allegiance, VP Johnson

III. Roll Call (Sec. Walkenbach)

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

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

Added VIII. e) Boat Storage on common ground

- ACTION, close the agenda. VP Johnson moved to close the agenda, Joyce Munie second. Motion passes

V. Membership and Guest Recognition

Greg Kaczynski, Mr. Kaczynski who operates a boat storage service addressed the Board with his concerns over the early dropping of the lake and how that will affect members getting their boats out, especially if they are using him to pull the boats. President Wilken explained our need to lower the lake October 7th but if there was some other way we could help that would be considered. Mr. Kaczynski then suggested he be able to temporarily store boats on the common ground between the boat ramp and Emmerson Airline Road to speed up the process of pulling boats out. The Board agreed as long as the storage was temporary. Mr. Kaczynski it would probably be as short as a week, but weather dependent and maybe two weeks.

Ron Rice, Lot 237, we should lower the lake in the middle of October, people don't want to take out in the beginning of October.

Marty Crews, Lot 78, I am submitting my official self nomination for the 2019 Board of Directors election

Ron Rice, Lot 237, I would like to have a vote taken at the annual meeting concerning lake draw downs and dredging.

Richard Mauk, Lot 118, I've been coming to the Board meetings for the last four months. Last month I made an ass out of myself. I apologize. What I was hearing seemed crazy last month. I didn't understand what was being said, I heard wrong. President Wilken, apology accepted. R Mauk, This body is a body, we need to get along and be friends, we have a good Board of Directors, you just need to love one another.

VI. Reports

a) August 3, 2019 Board Meeting

- ACTION, approval of minutes. Motion to approve, Joyce Munie, second Dennis Denney. Motion approved.

b) Treasurer's Report- Last month I told you I would have an eight month statement ready. I was being very ambitious with my timeline. Debbie, Annette and I realized that we needed more time to complete the cross check review due to some minor problems. For example what we call drop slips which are a daily report for incoming checks and cash. After which they are put in the safe until they are checked by the Treasurer and then deposited. Cash and checks were being put on the same slips so at times it was difficult to separate them properly. We have since changed the procedure and the office staff now keeps cash and checks separate. The other problem was when members paid on-line, some of the payments were hard to track. We will need to find a better reporting method for future payments. The three of us feel very strongly that the cross check review needs to be done with the utmost care so when the financial statement is presented to the members they will know that it is correct. So please be patient and know that the three of us are working very hard on the review. Now for the August report. There are copies of the recap on the back table so you can review it and the full report with breakdowns is on the web page. As I did last month, this month is reconciled with the bank statements. In September two big items will be the spillway repair and the roads. See Attachment 1

- ACKNOWLEDGMENT, President acknowledges report and files with Secretary

#### VII. Old Business

a) Assessments, delinquencies, foreclosures, property tax delinquencies - President Wilken, no report, no changes since last month.

b) Spillway work and tower restoration, update President Wilken, Mark Severns - Vector Inc. started work on the spillway last Tuesday. Another 20 days or so until they have completed their work. No major findings have been discovered other than what we previously knew from the inspections. This is labor intensive, they are three quarters through the tear out. The slab is six inches and reinforced at three inches. The contract states that they can request the Association to lower the lake down one foot, right now that doesn't seem to be needed. The lake will be lowered around October 7th, five to six feet.

c) Legal actions, President Wilken - 1) Girard Fire Protection District, Lease: we have now found the 2012-2016 tax return documents that shows the depreciation amounts for the building, approximately \$1,200 per year for a total to date of \$5,653. SLA: if we retain the building ownership we will have to pay property taxes and building insurance but continue to be able to depreciate the building. GFDP: if GFDP owns the building SLA has no property taxes but SLA would lose the ability to depreciate the building and would have to reimburse the state of Illinois for previously deducted depreciation. We are also still trying to determine if there could be a property tax waiver from Illinois Department of Revenue if the building continues to house the fire department. 2) Misappropriation of Funds: there was no response to the letter of inquiry sent to Mr. Sons. Per legal counsel recommendation follow up letters will be sent to others who may have knowledge related to the questions the Board has raised to Mr. Sons. 3) Multiple Lot Assessments: we are close to closure on the 15 leases which have had a MOU drafted for those members. I am working to propose a resolution at the October Board meeting for the remaining four consolidated lots. 4) Amy Walkenbach and I met with our attorney, Jared Giuffre on August 9th to discuss on-going legal actions regarding lots 117, 144 and 165. It is our hope that these can be resolved out of court. 5) The Board has been threatened with lawsuits and received a letter of complaint by the Illinois Attorney General, Consumer Protection Division via letter dated August 21, 2019. The Board is

preparing a response to the complaint and that will be completed and submitted to the Attorney General's Office by September 11, 2019. No attorney will be required to respond to the complaint.

d) Consolidated Lot Assessments. Already addressed above.

- ACTION, possible action related to Lot 166/166C- Motion by President Wilken to approve the payment of legal fees incurred by Lot 166/166C, to the amount of \$425. Discussion follows. Motion to suspend rules by J Munie, second by VP Johnson. Unsuspend rules, Pres. Wilken moves, J Munie second, motion passes. Vote on motion called, Seven ayes, one nah, one abstain

## VI. Reports

a) President Report, President Gary Wilken- 1) Minutes of the August 6 BOD meeting which includes a BOD member's resignation are now public knowledge. I did not say a word last month regarding all of the allegations and misinformation. I refuse to defend myself in public, but I must go on record to deny the accusations and misguided blame. I will be glad to discuss with any members the actual reality of what has been going on for the last several months. I trust that most people who know me understand that these accusations are baseless and self-serving. 2) Sue Muschong and I are going to meet with our tax preparation firm, Sikich tomorrow to review our 2018 income tax draft return. 3) There are also several BODs and non-BOD members that are trying to clarify and resolve the proper status of SLA General Not For Profit Corporation status. There are several interpretations of which state statutes apply to our Association. The final resolution will clarify our governances as well as our tax filing status. 4) Gene Truax coordinated a meeting on August 19th with Brad Burnet of the USDA NRCS Field Office. Several existing sediment retention ponds, ditch in-lets and receiving lake areas were reviewed. NRCS said that the 2020 Farm Bill that should be in place by October 1, will indicate if any federal cost share programs will be available. Brad will contact us as soon as he has been informed about the possibility of funding. He was very impressed with the field border program along the east side of East Lake Dr. and that type of practice could be considered along the north side of North Lake Drive and the west side of West Lake Dr., where row crops exist. 5) Public Safety & Water Safety will be a priority for the rest of the summer. Improved enforcement of boats without Lot numbers and SLA stickers is being planned. A written plan for the 2020 Boating season will be provided to all the membership next spring to make sure both new and existing boaters are clear on their responsibilities on the lake. If you are interested in being a part of the solution please contact Thane Johnson or Harold Bly. And 6) I am requesting the Rules Committee review and clarify the Request for Information and the Complaint system. Currently it is not clearly spelled out and is often been misused as a general nuisance or a bullying tool.

b) Water Safety, VP Johnson- It sounds like I'm not doing very well at my job, but I am doing a lot. I keep getting calls on boats without stickers but those boats do have stickers. My brother is not bringing his boat to the lake, he is using a family members boat who is a member of the Association.

c) Building & Construction, Sue Muschong- Permits Executed: Lot 17 New window, this should have been reported at the August meeting but was left off the report (\$25), Lot 203, new boat dock (\$30), Lot 287 detached garage (\$70); Pending Permits: Lot 112 boat dock (dredging approved for 2019 during July meeting, waiting for member to chose design and complete application); Lot 102/102A new home (ready for approval 9/2/2019), Lot 217 boat lift (waiting for Board to approve variance), Lot 111 detached garage.

d) Dam & Roads, Mark Severns- So far the spillway work looks excellent. The oil & chipping will start September 17th, oil will be costing us \$2.22 per gallon. We will be within our budget with the total being \$11,157 plus tax.

e) Grounds, VP Johnson- nothing more

f) Finance & Insurance Committee, Treasurer Muschong- The next meeting will be held on Saturday, 9:00am due to a scheduling conflict. I promise coffee and donuts as well as a good discussion on the cross check review and QuickBooks.

g) By-Laws, Rules & Regulations, Joyce Munie- My report will be under New Business

h) Sanitation, Secretary Walkenbach- Lots 216-275 were inspected since the last Board meeting, 11 were found without chlorine, nine members received an email warning them of the situation, two received telephone calls. Lot 102/102A received a NPDES Permit from Illinois to construct a surface discharging septic system.

h) Lake Management, Randy Smith- Charlie Edwards sampled the lake and found transparencies of 40", 42" and 41". He also inspected the lake for the presence of blue green algae and found none. President Wilken, have we continued to work on buoys? R Smith, yes, with a plan of getting the new ones in place next spring.

i) Special Events, Dennis Denney- September 12th is the next BINGO night, the future of BINGO is still to be determined. We've received \$2,638 this past month with our three events, we currently have \$5,852 in the bank for next year. I am suggesting, if we can add a section to our annual assessment invoice that allows members to donate funds for the fireworks show through an addition to their assessment (completely voluntary). Also, I will not be seeking a new term on the Board but I will be around to help with transition.

- ACTION, approval of Committee Reports via Consent Agenda- so moved by J Munie, second by Treasurer Muschong. Motion passes.

#### VIII. New Business

a) Introduction of new Board Member, President Wilken- President Wilken introduced Harold Bly who has been appointed to complete the term of former Board Member Deb Martin. Harold will be focusing on water safety with VP Johnson. Harold introduced himself stating he has a background in public safety and will approach it with kindness and fairness. He's lot is on the main body of the lake and he has some very strong binoculars. He is particularly concerned with boats ignoring the no wake buoys at the island.

b) Variance for garage to be built on Lot 102, Sue Muschong

- ACTION, allow an extra 66 square feet for a garage that is being built as part of a new home. Motion made by Treasurer Muschong, second by VP Johnson. Discussion follows. Motion passes.

c) Variance for boat lift on Lot 217, Sue Muschong/Randy Smith

- ACTION, allow for a boat lift on Lot 217 to exceed more than 1/3 into a bay area. Motion made by Randy Smith, second by Joyce Munie. Motion passes.

d) 2020 Sunset Lake Association Budget, Treasurer Muschong and Joyce Munie

- ACTION, approve the presented 2020 budget to move forward for a vote by the membership at the Annual Meeting. Motion made by Joyce Munie to move the 2020 budget forward as presented to the full membership to vote on it at the 2019 Annual Meeting. Second by Randy Smith. Motion passes. (see attachment 2)

e) A request has been made by Lot 214 to be allowed to store their boat on common ground. The railroad ties and gravel parking area on the common ground was done by the previous member at Lot 214 and not the current member. The current member has always stored their boat on this ground and recently there was a complaint from another member that this was an improper use of common ground. This discussion was tabled until the October meeting to give Board members time to view the site in question.

d) Proposed By-law changes

- ACTION, up to three By-law changes to be approved to move forward to the membership at the annual meeting. Motion made by Joyce Munie to move the three proposed By-law changes on to the full membership to vote on at the Annual Meeting, second by Treasurer Muschong. Motion passes (see attachment 3)
- ACTION- motion by VP Johnson to open the meeting agenda to discuss Ron Rice's request to vote on dredging as a non-binding referendum, second by President Wilken. Motion passes. Discussion follows with the decision to include the dredging question along with a question concerning the future of fireworks as part of the Annual Packet to members for the Annual Meeting.

IX. Membership Transfers,

- Lot 150, William & Theresa Pickford to Roy & Tasha Nesbitt

X. Membership and Guest Recognition

Mary Wake, Lot 41- We all need to be good neighbors, people are flying around, please slow down there are lots of walkers on the roads. President Wilken added, that he recently was made aware that since all the roads are private the county can't enforce rules of the road. They can enforce criminal behavior.

XI. Board Comments

XII. Adjourn, 8:46pm

Respectfully Submitted,  
Amy Walkenbach, Secretary  
Sunset Lake Association