

Dunlap Lake Property Owners Association
Regular Meeting Minutes
July 31, 2006

Present: Larry Ahrens, Gary Arth, Virginia Bryan, Judy Budzileni, Russell Budzileni, Barbara Freeland, Faye Nelson, Alan Orbals, Toni Siler, Roy Wehling, Mary Jo Weimer, Marcia Wever

Absent: Sandra Fultz, Bob Schnietz, and Michael Weber

Guests: Tia Neuenschwander, Jan and Larry Niemann, Allan Eichacker

Old Business:

The minutes of the Silt Meeting had no changes.

The Regular Meeting Minutes for 6-26-2006 were discussed and changes were suggested to the paragraph just above the Financial Report. "court" should be "Board" and there is no dock on the Hastings property, so that phrase will be removed. Barb moved to approve the minutes as amended, Virginia 2nd, all in favor, minutes were approved as amended.

Guest: Tia Neuenschwander, 333 East Lake Drive, here to observe.

Allan Eichacker, 106 Lotus Drive, here to apply for a permit for a dock, preferably on E7. He was referred to the Building and Restrictions committees. They will review the plans and get back to him.

Jan and Larry Niemann, 331 East Lake Drive, here to get more information about issues discussed at the last meeting and to ask questions: Barbara Freeland reviewed the letter read to the Board at the last meeting, stating the Board was not acting in accordance with a previous legal agreement. Barbara took a copy of the letter to the DLPOA attorney, Mr. McCracken, who, after discussions with other involved attorneys, advised the Board to issue a permit for a dock in accordance with the original agreement. A copy of the permit was presented to the Board. The original document was not recorded, but will be recorded against the Hastings property to ensure that this issue will not come up again in the future.

Roy moved to accept the permit, Russ 2nd, Marcia abstained from the vote, all others were in favor, motion passed.

Niemann's had a question about excavating around their dock when the lake is lowered this fall. They want to know if there is a blanket permit from the Corp of Engineers. There may have been a blanket permit around 2000, but no one was sure if we need one. Larry said he would check with the Corp of Engineers to see if a permit is needed, and if so, try to get one before the lake is lowered.

If any construction is needed, what needs to be done? Plans need to be submitted to the Building committee for new construction or changes to existing structures, but repairs, such as replacing wooden piers with concrete, do not need a permit.

Financial Report

Virginia passed out the financial report.

We are not getting sufficient interest from our account at City and Village, so Virginia called and that will be amended. City and Village sends monthly reports, so our information will be about a month behind. Bills should go to City and Village with 2 Board signatures, preferably through Virginia, so she is aware of problems and bills going to City and Village.

Marcia made a motion to approve the Financial Report, Russ 2nd, all in favor, the Financial Report was approved.

Old Business:

The Newsletter is not out yet because of the controversy over the Silt Report.

A discussion followed about the responsibilities of the President, Secretary, and Committee Chairs, and Project Managers. Marcia read a statement from the Roberts Rules that the "President should rule personal remarks out of order" and should only allow "debate about motions and not motives, principals and not personalities". The committee chair should submit a common report, but the chair needs to bring in information from all the committee members. More meetings would help the problem with the silt project, but the committee is not moving forward.

The question was raised about fundamental responsibilities. Who is responsible for the content of the newsletter, the President or the Board?

Marcia moved that, as a Board, we give the President the final authority over content of the newsletter. No 2nd

Judy resigned her duties as secretary, but will stay on the Board on the Safety, Meetings & Elections Committee and the Website Committee.

Barbara Freeland moved that Alan Ortvals take over the responsibility of the Newsletter. Marcia 2nd, Roy and Judy were opposed, all others in favor, motion passed.

Committee Reports

Building Report:

The Hastings matter was already discussed.

Barb handed out an updated Board list for the Black Book. Marcia said a correction to her address is needed, from 123 Park Drive to 216 Park Drive since she has moved, but her phone number remains the same.

The Black book needs to be updated since that has not been done since 2002, and some books since 2000. The books for the Board should all be identical.

Barb had one other open item of a site plan, but it is not received yet.

Commons Report:

The Dunlap Lake sign that was at Jude LeTourneau's house was moved to the triangle at Thomas Terrace. Mary Jo said the owners on the corner of Barnett at Schwarz agreed to let the sign be replaced there.

Contractor Compliance Report:

No report

Dam Maintenance Report:

Russell was contacted by the state that our annual dam inspection is due. He will contact Hurst Roche to schedule the inspection. The bill can be sent to PO Box 5 and Virginia will forward it to City and Village.

Finance Report:

The financial report was already discussed earlier in the meeting.

Fish & Wildlife Report:

Gary is lining up fish stocking for next month. A discussion followed about stocking the lake before the lake is lowered, will they be flushed out the gate? Gary didn't think it would be a problem, and will go ahead with stocking the fish. If the fish are put in the lake at the Barnett ramp at about the same time the lake is lowered, we won't lose any more fish than usual.

A question was raised about irrigating from the lake. After some discussion, the Board members didn't feel irrigation would take enough water out of the lake to matter, even in drought conditions.

Legal:

No Report, the only current legal issue was discussed earlier with guests, Jan and Larry Niemann present.

Meetings and Elections Report:

The Board needs a new secretary. Marcia nominated Virginia; Virginia declined.

The Blessing of the Fleet was postponed until next year.

Restrictions Committee Report:

Relative to dropping the lake, the residents need to be notified if their docks and retaining walls that need repairs.

The restrictions need to be reviewed and updated. There are issues about how many motorized boats, how many canoes and kayaks, right of first refusal, instructions on City and Village procedures, etc., that need to be written or rewritten.

Revisions should be checked by an attorney, then sent to the Association for a vote.

Letters need to go to some owners, as discussed, about some pipes thrown into the water, boats without stickers, shoreline violations, etc. The committee needs to get

together to patrol the shorelines and identify problems so the owners can be notified before the lake is lowered.

Safety Committee Report:

No report, but Toni will call a meeting soon to discuss some issues. Toni getting resistance to proof of boat ownership requirement for boat stickers.

A number of situations were discussed: a boat on the lake, for sale, with a motor too large for the boat; non-registered boats; boats without stickers or stickers in the wrong place on the boats; resistance to Toni asking for proof of ownership, and stickers that will not adhere to some kayak surfaces.

The Safety Committee needs to patrol for violations and contact residents with problems.

Silt & Erosion Report:

The meeting between Roy, Larry, NRCS, and Peter Berrini was discussed. Peter Berrini said he could complete his planning work on the South end for an additional \$2500, which would include two meetings: one with the Silt Committee, and the other with the NRCS to develop lower cost methods of accomplishing what needs to be done at the South end to a point that the Association could get proposals from contractors.

Larry brought pictures of the lake from 1945, 1956, and 1968. Other years are available for purchase.

Larry moved to approve another \$2500 for sediment trapping efforts to cover preliminary design work for NRCS to develop a materials list for bid documents and give a cost for final designs. This would be added to the current C&W contract. Gary Arth 2nd. After a discussion, a vote was taken and the motion passed with the stipulation that Peter Berrini give the Silt committee details of what will be done for the money. The vote was taken and all were in favor of the amended motion.

Larry will call Jan & Larry Niemann when he has their information about permitting.

Website Committee:

The website is current except for the minutes from last month approved tonight.

New Business:

Barbara and Alan met with the mayor, Gary Nieber, Tim Haar, and aldermen Rich Walker and Wesley Tippit about the condition of the streets around the lake. They were told that Barnett is scheduled for overlay repairs and the city is in the process of getting engineering reports on what needs to be done on the rest of the Dunlap Lake streets. This work will be in this next years' budget and the improvements will be done during the next few years.

From Judy's agenda:

- Procedures should be written for City and Village and added to the Black Book

- Should City and Village be doing stickers, since they have the current resident information?
- Should the treasurer still collect money received from RSVPs for gatherings such as the Annual meeting and Holiday Social? (Yes)
- Do we still need the PO Box? (Yes, for mail and RSVPs)
- Do we have form letters that can/should be handed over to City and Village? For instance, a form letter for violations of the restrictions.
- Electronic meeting minutes? Written minutes are required by the Open Meetings Act, but the recording is not required.
- Email voting is not valid, if a vote is needed, a meeting should be called.

Other items were read but not discussed, so Judy requested that items from her written agenda, that were not discussed, be tabled for the next meeting because of the late hour.

Barb moved that the meeting should be adjourned, ? 2nd, all in favor, meeting adjourned at 9:45 p.m.