

**DLPOA**  
**Minutes of Regular Meeting**  
**January 29, 2007**

President called the meeting to order at 7:03 p.m.

**Roll Call:** Present: Larry Ahrens, Gary Arth, Virginia Bryant, Judy Budzileni, Russ Budzileni, Barb Freeland, Sandra Fultz, Faye Nelson, Al Ortvals, Toni Siler, Mike Weber, Roy Wehling, Mary Jo Weimer, Marcia Wever

Absent: Bob Schnietz

Guests: Marilyn Wolf – Park Ave., Lou Perrini – Briar Ln., Irene Homyer – East Lake, Chad and Brad Martens – East Lake (new house), Mike Watts – 441 West Lake, Chris Cottrell – 365 East Lake, George Lynch – Hollyhock

Martens – Received rear yard variance from the city. Requesting variance from DLPOA for detached garage. Presented set of plans to Board. Discussed possible platting error in NW corner of lot and possible error on placement of East Lake. City will not allow attached garage because it violates city side yard requirements but will allow detached garage as it only requires five ft. side and rear set backs. Request referred to Building Committee.

Homyer – Read excerpts of letter from Building Committee regarding her ‘grandfathered’ dock. Discussed previous conversations with Marcia regarding access to Common area adjacent to her property. She noted there are now 3 docks on the Common Area and requested Board to restrict dock owner closest to her retaining wall from parking a boat between dock and wall. Board noted that dock is not in violation of dock permit and no action would be taken. She wanted to know what happens if a boat hits her wall. Board suggested she call the police. She reported that adjacent neighbor re-built their retaining wall up to her new wall. Board noted they would not get involved in neighbor disputes.

Cottrell – Cottrell is adjacent neighbor to Homyer. He wanted to discuss wall dispute. Board will not get involved in neighbor disputes.

**Approval of October 16, 2006 Special Meeting minutes.** Correction under Peter Berrini report – bottom of second paragraph – Peter indicated 130,000 cu.yds. of silt should be dredged as recommended by the Plan. Reference to sub-areas A and B should be dropped. Barb made a motion seconded by Mike to accept minutes as amended. Minutes approved.

**Approval of November 27, 2006 meeting minutes.** Barb made a motion seconded by Roy to accept minutes as presented. Minutes approved.

**Approval of January 15, 2006 Special Meeting minutes** Barb made a motion seconded by Virginia to approve minutes as presented. Minutes approved. Larry abstained.

### **Financial Report**

Virginia provided copy of Treasurer's report for period Nov. 27 – Jan. 28. Marcia moved and Mary Jo seconded to accept the report. Motion passed.

Virginia reported that we are paying an annual storage fee and we should check to see what is being stored. Do we really need it? Russ and Judy will remove lock.

### **Old Business**

Al asked for approval of Property Owners list prepared and updated by Virginia for use as the mailing list for the special assessment ballots. Discussed Restriction #35 regarding interpretation of 'property owner'. List was prepared in accordance with recommendations of Board attorney. Barb moved and Marcia seconded to approve the list. Motion passed. Judy abstained.

Ballot - Form of dredging ballot reviewed/explained by Al. Attorney helped develop the language. Roy commented that members need to understand that it must be received by the 28<sup>th</sup> to be counted, and that members/owners of 2 non-contiguous lots would be responsible for 2 bills for dredging.

Marcia moved and Mike seconded motion to approve the ballot. Motion passed.

Scheffel will mail, receive and count the ballots. They will provide Board with the results without identifying how individual members voted. Al is meeting with them tomorrow.

Board Nominations – Committee reported the following members interested in running for the Board as follows:

Laurie Dillon, Rob Wiemers, Mike Mosella, Mike Watts, Jeff Mills, Al Ortals and Bob Schnietz

### **Committee Reports**

#### **Contractor Compliance**

Roy will continue to check on new construction in the Oaks Subdivision.

#### **Dam and Maintenance**

Gary reported lake lowered again just under 2ft. to allow several owners to complete shoreline protection. Letter from Gene Peters against the lowering of lake was presented to Board.

### **Finance Committee**

The rental storage locker was discussed. Sandy and Judy will inventory contents and report back to the Board.

### **Fish and Wildlife**

Gary has new signs related to 'catch limits'. He was directed to use his discretion on determining location of signs. He will post them weather permitting.

### **Legal**

No report

### **Meetings and Elections**

Judy reported Annual Meeting scheduled. Committee will meet after the meeting to prepare for the Board member election.

### **Safety**

No report

### **Restrictions**

Gary reported that most owners are removing trees from the lake. Williams and Henderson need to be contacted – need to get out additional letters. It was noted that Committee needs to make recommendations to amend the restrictions.

### **Silt**

Larry reported that Plumber would have leased property (in watershed) to us two years ago, but not now. It is currently under development for a new subdivision. Roy asked about the Genesis process of removing different silt outputs. The process will not remove large logs or rocks. Al said that Peter will attend the Annual Meeting to assist with any technical questions. Al reported that if the dredging project was approved, it will take 3-4 weeks for HDR/CWI to complete the application. The IEPA may take 4 months to approve application, so dredging would not begin until approximately August 1 and the project might extend into 2008. Results of dredging will be monitored.

### **Web Page**

Judy reported she could not access the site and may need to update the software.

### **Building**

Marcia reported that Sandy will assume responsibility of issuing dock permits. Marcia asked Board to consider request of Jim Lynch for permit to allow construction of Gazebo on his property. It would require a variance as restriction do not allow unattached structures in yards that are on the lake. It was noted that past requests from other owners have been denied. Barb motioned and Roy seconded to deny permit request. Motion passed. Marcia opposed.

### **Commons**

Sandy has a new bid for E-6 improvements for \$2,000 and will proceed. She will also get bids for limb/tree clean up on all of the common areas. The Board agreed to declare a permit moratorium on new dock permits in common areas because we are running out of space. The committee will meet to consider options.

### **Contractor Compliance**

Roy reported that silt fence on East Lake is down and has been reported. He continues to check the Oaks

### **New Business**

Judy raised the issue of defining 'on vs. off' lake properties. She feels her property should be defined as 'off' for purposes of assessing for the dredging as well as numerous other properties along East Lake along the south end because of the inability to construct docks or seawalls. Judy motioned and Russ seconded to change the designation of certain properties as discussed from on to off lake. Motion failed. Roy and Gary abstained.

Meeting adjourned at 9:25 p.m.