

Dunlap Lake Property Owners Association
Board Meeting Minutes
August 31, 2009

Call to order: Tom Bohn called the meeting to order at 7:10 pm when a quorum was present.

Board present: Gary Arth, Tom Bohn, Walter Heck, Sylvia Putz, Jennifer Russi, Michael Watts, Roy Wehling and Rob Wiemers.
Carolyn Green, administrative coordinator.

Board members not present: Larry Ahrens, Scott Bateman, Alan Ortvals, Mark Hicks, Bob Schnietz, Michael Weber, and Ronald Wise.

Visitors included: Ken and Faye Nelson, Lou Perini.

Approval of minutes (Attachment A)

Approval of July's minutes with two corrections noted. Under Commons committee the dead wood is on the wooded area by the Harris' home (not Ahler's). Under Meeting, Elections and Social the best proposal for the holiday party was at Stonebridge golf clubhouse. Jennifer Russi made a motion to approve the minutes as corrected, Walter Heck seconded, and the motion passed unanimously.

Financial report (Attachment B)

Tom Bohn, treasurer, presented the Financial Report and went through the figures. A \$50,000 CD matured today and we need to decide what to do with the cash. Roy Wehling made a motion to approve, Jennifer Russi seconded, and the motion passed unanimously.

Tom Bohn made a motion to reinvest \$50,000 in a CD with a term of up to 8 months if 2% was available, otherwise put the \$50,000 into our ½% savings account. Jennifer Russi seconded and the motion passed unanimously.

Old Business

- Tom Bohn made a motion to authorize \$350 to construct and issue a survey of the membership on revisions to the restrictions. Rob Wiemers seconded and the motion passed unanimously.

- As chair of the safety committee, Tom asked that the board not wait for survey results to revise the boating restrictions. A proposed change was presented, which would allow up to 6 individual watercraft (kayaks); in addition to the 3 multi-person boats currently defined in the restrictions. It also clarified the current restrictions on this subject. After a discussion, Tom made a motion to authorize \$550 to conduct a vote of the membership by mailed ballot to amend Article 16 of the restrictions per the attached description (Attachment C). Walter Heck seconded and the motion passed unanimously.

Committee Reports

Building – Submitted by Tom Bohn

Permits Issue This Month

- 329 Barnett Drive - Two story addition including garage, bedrooms and family room
- 104 Lotus Drive - Cover and screens for existing deck
- 208 East Lake Drive – Addition of a master bathroom

Requested Variance:

452 West Lake Drive is requesting a variance in the setback on the side property line to allow the installation of a 20 foot wide garage. After reviewing the property lines there does not appear to be room for even the 16 wide garage without a variance to the 10 foot setback. The property next to this property

line is parkway that slopes steeply to the lake. The committee recommended the variance not be approved until there is additional information, including drawings of the proposed additions with actual setbacks shown. The Board requested the neighbors also be contacted before the variance is resubmitted

Docks in the Silt Basin (South-End):

The committee has reviewed the temporary platform at approximately 835 East Lake Drive being used to provide access to a pontoon boat. It has determined this is neither a dock nor a permanent structure, and therefore, does not require a dock construction permit. This determination was made based on its small size, lack of permanent attachment to a base or foundation (it was secured to keep it from floating away when the water rises), it did not extend over the shoreline, and the ease at which it can be removed from the area.

Regarding Whitman's dock request: The committee would support a temporary platform similar to the design described above and not exceeding a 12' x 4' (4ft. dimension parallel to shoreline) for boat access that extends no further than 3' past the shoreline. The platform must be secured to avoid floating away during high water and easily removed from the parkway. The association needs a legal document that states: the Association is not responsible for the replacement or repair of the dock if and when it must be removed for expansion or cleaning of the silt basin; and that the owner will remove or pay for the removal when such work is to be done. The building committee requires a signed copy that would be kept for future reference.

Regarding Roy's dock request; the building committee can't issue a permit to build a boat dock on another resident's parkway. A legal document would be required between Roy and the property owner who has legal rights to utilize the parkway where the dock would be located. Then the association would have to grant a variance to allow the building of the dock. The exact details would require legal review, to ensure that all parties involved are properly protected.

Rob Wiemers recommended a universal plan for docks in the silt basin; a moveable – not permanent attachment. Walt Heck will draw up something for review by the committee.

New Boardwalk on Parkway

320 West Lake Drive: Reviewed a wooden walkway along shoreline that is currently under construction. It was determined that the addition is not classified as a boat dock since it does not extend out over the water. The resident will be contacted and informed that a building permit is required and Board approval is required for structures on the parkway. Once the request for a permit has been made the committee will schedule a site visit and review the walkway from the shoreline. Based on the findings the resident may be informed that modifications may be required.

Commons: Submitted by Michael Watts

Docks: There is a request for a dock at Cottage and Barnett. Right now there is a dock on the neighbor's property that may be a temporary solution. Jim Wescotts also wants a dock built.

The wood debris has been picked up and the last trees on West Lake should be dropped soon. This is the last task on approved tree work.

A new issue is the Cottonwood tree on E2. Mike will get bids.

It was mentioned that the sign on B3 is gone.

Brian Polinski mows on B-3 (behind Gary Arth). Brian wants to know if two half-dead trees can be topped. He would do this job for \$300. Mike Watts will look into this matter.

Meeting, Elections and Social: Submitted by Michael Watts

- Fishing tournament plans are going well. The committee requests that the Association cover signs, publicity and postage which will be reimbursed if there is a good turnout. Walter Heck made a motion to approve up to \$500 for purchase of these items. Rob Wiemers seconded and the motion was approved unanimously.

- Michael Watts and Sylvia Putz have been working on the Holiday Social. The cost will be \$14 per meal. Mike Watts made a motion to have \$700 available to the committee for event preparations. Walter Heck seconded and the motion passed unanimously.

Fish and Wildlife: Submitted by Gary Arth

Gary Arth made a motion to approve \$2,500 to stock the lake this fall. Walter Heck seconded and the motion passed unanimously.

Legal:

The Dunlap Lake Home Property Owners Association has been served through our lawyer by the Morgan's on E. Lake that were denied a permit to build a dock. The dock proposal was on the parkway next to the Nelson's property. Ken and Faye Nelson, who were also named in the lawsuit, were present and shared that they have talked to Coffey and McCracken about representing them.

Restrictions: No Report

Web Page: No Report

Silt Committee: Submitted by Rob Wiemers

Ron Wise reported that sulfur has been applied to the area to be reseeded on the south-end. The contractor, Stormwater Erosion Specialists (SES), plans to plant in the next 4 weeks. This is included in last month's \$11,500 plan which was approved by homeowners at the South-end. The contractor is including the berm on the Budzileni's property.

It was recommended that the contractor plant a hardy grass, rather than blue grass, that will survive long-term.

Safety: Submitted by Tom Bohn

Patrol Boat Status: As mentioned last month the patrol boat has significant leaks in the riveted seams. Currently the boat is useless and we need to make a decision on what to do with it. There was a discussion about fixing the leaks, but no-one had first hand experience with this. The safety committee was requested to find out what the boat was worth as scrap aluminum. The need for the organization to own a boat was discussed without resolution. Alternatives proposed were to purchase a used boat (after it has been check for leaks) for \$300 to \$500, or purchase a new boat for \$1,500 to \$1,800.

No-Sticker Notices: 48 notices were attached to watercraft that did not have a boat sticker visible. I expect this represented about 90% of the boats on the lake with this problem. They were attached to the following type boats: Single person Kayaks – 15; Paddle Boats – 9; Pontoon Boats – 9; All Others – 15.

So far at least 13 new stickers have been ordered for boats receiving notices and at least 8 people have said they have stickers and they would be installed or they were on the boat but not visible. Of the 22 boats rechecked so far: 6 had ordered stickers; 6 more now had stickers that could not be found on them during the first check; 3 were removed; and the remainder (7) had done nothing. (Boat sticker sales are up this year.)

The criteria for this inspection was that only one sticker was necessary to pass, whether readable or not. We will continue to check the remainder of the boats receiving notices for compliance and those not in compliance will be identified and the Board will be requested to notified by registered mail and fined then for the violation.

Boat Sticker Postcard: The postcard responses have pretty much dried up after receiving some kind of response (return postcard, e-mail, phone call, etc.) from a third of postcards sent out. We continue to try and update the current boat sticker list with phone calls, checking and voiding stickers for people who have moved, and by verifying new applications where there are more than three stickers currently on file.

Boat Inventory: During the month of September we plan to take an inventory of the boats with stickers on the lake. It will be used to verify the current sticker list and to give us a more accurate estimate of boats currently on the lake.

Water Testing: We are looking into the cost of having the lake water tested 3 time a year; late spring, mid summer and early fall. Anyone with questions, comments or suggestions on procedures should e-mail or contact Sylvia at sylvia31750@hotmail.com

Contractor Compliance: No Report

Dam and Maintenance: No Report

New Business

No new business

The meeting was adjourned at 8:16 pm.
Next meeting will be at 7 pm Monday, September 28, 2009.

Respectfully submitted,
Carolyn Green, Administrative Coordinator.

PROPOSED AMENDMENT TO ARTICLE 16

16. PRIVILEGES OF OWNERSHIP

- A. Owners shall, subject to compliance with these Restrictions, have license, personally, and for their family and guests, to have the use and privileges of the lake in the Subdivision, which shall include boating, swimming, fishing, and the use of parkways and assigned common areas, including the right to moor boats on said parkways and assigned common areas, subject to the rules and regulations prescribed by the Board.
- B. For each Dunlap Lake Subdivision property, including annexed properties, the owner or owners shall be entitled to own, and operate on the lake, a total of three (3) boats that have a rate capacity of two (2) or more persons and each may be powered within the limits described below. Only one (1) of these boats shall be a pontoon boat. The maximum length of a pontoon boat on the lake shall not exceed 24 foot, not including the outboard mount and motor projection. All other boats shall not exceed 20 foot in length. With permission of the property owner, a resident or guest may operate the owner's boats subject to compliance with all applicable restrictions and government regulations, and subject to the boat owner assuming responsibility for the conduct of the operator.
- C. For each Dunlap Lake Subdivision property, including annexed properties, the owner or owners shall be entitled to own and operate on the lake a total of six (6) individual watercraft with a capacity of no more than one (1) person. The individual watercraft shall not be powered in any way other than wind or the occupant's physical strength. With permission of the property owner, a resident or guest may operate the owner's individual watercraft subject to compliance with all applicable restrictions and government regulations, and subject to the boat owner assuming responsibility for the conduct of the operator.

The term "individual watercraft" shall mean any non-motor powered watercraft with a buoyancy capacity of less than 350 pounds and specifically designed to accommodate only one person.

- D. Boats used on the lake are limited to a 7.5 horsepower outboard motor except pontoon boats which are limited to a 9.9 horsepower motor. Electric motors used as the main propulsion source shall meet the same power limitations. No more than one outboard motor per boat will be allowed. Inboard and inboard/outboard motors are not permitted on the lake. It is not the intent of this requirement to restrict the mounting and use of a 12 volt electric trolling motor in addition to one outboard motor.
- E. Boats and individual watercraft must be owned by a Dunlap property owner, registered with the State of Illinois if required by regulation or law, and be in compliance with all safety requirements defined by the U.S. Coast Guard and the State of Illinois. All boats and individual watercraft operating between sunset and sunrise are to be equipped with, and operating, navigational lights.
- F. All boats and individual watercraft used on the lake shall be registered with the Association and have permanently attached legible Dunlap Lake boat stickers which are clearly visible at all times. The procedure for registering and obtaining stickers from the Association along with defining the displaying requirements shall be defined by the Board.
- G. Owners who lease or rent their property may elect to transfer the rights of boat ownership to their lessee or renter. Owners choosing to do so must include this transfer of rights specifically in a written lease/rental agreement which is filed with the Association Board. If the owner chooses to transfer these rights, he must remove from the lake and property all boats and watercraft he owns.
- H. The Owner of Record is responsible for fines that are assessed as a result of a resident, tenant, or guest violating these restrictions. A representative of the Board, shall notify the responsible owner in writing of the violation of the restrictions. The owner will be given ten (10) days to correct the violation. If the owner does not correct the condition within the designated time, it shall result in a fine as defined in Article 7 of these Restrictions.

EXISTING RESTRICTIONS - ARTICLE 16

16. PRIVILEGES OF OWNERSHIP

Owners shall, subject to compliance with these restrictions, have license, personally, and for their family and guests, to have the use and privileges of the lake in the Subdivision, which shall include boating, swimming; fishing, and the use of parkways and assigned common areas, including the right to moor boats on said parkways and assigned common areas, subject to the rules and regulations prescribed by the Board.

Outboard motors used on the lake will be limited to a 7.5 horsepower (mounted on boat) and a 9.9 horsepower for pontoon boats. No more than one outboard motor per boat will be allowed upon the lake.

Each owner shall be entitled to own and use on the lake a total of three boats (only one may be a pontoon boat or two boats and a floating raft). Pontoons may not exceed twenty-four (24) feet in length. Boats must be owned by a Dunlap property owner/tenant, registered with the State of Illinois, and display a Dunlap Lake sticker as well as be in compliance with all safety rules as regulated by the U.S. Coast Guard. Owners will be assessed a fee, as determined by the Board, for the purchase of a Dunlap Lake sticker