

MPOA NEWSLETTER – WINTER/2005

PRESIDENT'S LETTER

We received notice on Monday, January 10 that on Friday, January 7, 2005 the 2nd District Appellate Court 3 judge panel completed its review of the appeal filed by former McHenry County State's Attorney Gary Pack and Glen Gable, his assistant and filed a unanimous Summary Order to uphold Judge Sullivan's decision to dismiss the quo-warranto action with prejudice. A complete review of our options related to mining and dredging will be distributed to the membership in the near future.

In the meantime, the MPOA Newsletter was established in 1995. During this 10-year period, the publication has become a major source of information about both your MPOA and community events and activities. In many cases it has been the only source for information about local happenings.

Bill McKinney, our Newsletter Editor has worked hard to organize material and present informative articles related to both the maintenance and the recreational uses of our greatest single community asset. The next time you happen to see him, let him know that you appreciate his dedication. Without his effort and skill, this newsletter would be significantly lacking in both content and information.

At the October meeting, your MPOA Directors requested that each Commission Chairperson submit their goals for 2005 along with a summary of this year's activities. This year-end edition is dedicated to the publication of their responses along with the 2005 balanced budget approved by the Delegates, showing both projected income and expenses.

For many of us, the year has been both frustrating and fruitful. We are still working to balance our accounts payable. The double hit of legal fees resulting from the lawsuit over the annexation of our Lake bottom to the Village of Wonder Lake and the 300% increase in our liability insurance premium has strained both our budget and our ability to address routine matters. Fortunately our financial future appears to be improving during 2005.

Along with the MPOA financial picture, the Officers, Directors and Delegates hope that each Member will enjoy a profitable, healthy and Happy 2005..

Wonder Lake, the MPOA & the Village of Wonder Lake

By Bill McKinney

Below is a summary of events, resulting from the annexation of our Lake bottom to the Village of Wonder Lake.

March 6, 2002

Our Lake bottom was officially annexed into the Village of Wonder Lake.

October 29, 2003

McHenry County State's Attorney Gary Pack, working with the Village of Bull Valley and the City of McHenry filed a Lawsuit against the Village of Wonder Lake to invalidate the annexation.
November 26, 2003

In a ruling by Judge Sullivan the annexation of our Lake bottom was validated and dismissed the State's quo-warranto with prejudice.

December 22, 2003

McHenry County State's Attorney Gary Pack, working with the Village of Bull Valley and the City of McHenry filed an appeal of Judge Sullivan's ruling with the Appellate Court in Elgin, IL.

August 31, 2004

All required documents were filed related to the appeal. The appeal process will now follow its normal course and the Appellate Court will announce its decisions once it has completed its review.

January 7, 2005

In a Summary Order, stamped "Not Precedential" and "not to be Cited" the 2nd District Appellate Court found as Follows; **Thus, the trial court's finding that the annexation met the requirements of section 7-1-48(b) is not against the manifest weight of the evidence. Accordingly, the trial court properly dismissed the State's quo-warranto with prejudice. The judgment of the circuit court of McHenry County is affirmed.**

IN LAYMAN'S TERMS – THE LAKE BOTTOM ANNEXATION TO THE VILLAGE OF WONDER LAKE IS NOW COMPLETE!

What changes have occurred following this landmark decision by the Village and the MPOA membership to join hands and work together to protect the privacy, recreation potential and water quality of our greatest single community asset?

- Overwhelming support for a unified community and for the directions taken by both the Village and the MPOA has emerged.
- Contributions exceeding \$21,000 have been received from the members of the MPOA to help cover legal expenses incurred in defending our actions to annex the Lake bottom.
- The Annexation of a portion of the Oakwood Shores subdivision and all of the White Oaks Bay, Hickory Falls I & II, and Wooded Shores subdivisions has been completed. Other subdivisions are working to complete their petitions to annex.
- With assistance from the Village, an agreement between the MPOA and the developer of the West Bay properties will enabled the MPOA to expand its ownership of Lake bottom parcels, its membership, its revenues and increase the acres of recreational waters.
- The Village of Wonder Lake with the assistance of the McHenry County Planning & Development Department and input from residents in the unincorporated area completed an updated land-use plan for the area.
- The Village of Wonder Lake has hired professional consulting staffs to review, advise and recommend actions related to both the annexation of developed and undeveloped properties and of our community wastewater and drinking water needs.
- The MPOA Directors voted to support a proposal that will help to address community wastewater needs and improve our Lake's water quality.
- The leadership of the Village of Wonder Lake and the MPOA has established a partnership effort to protect the integrity of our community and our assets from the self-serving agenda of surrounding outside political forces.

Our ability to address our community's current and future needs through local political direction and action is a direct result of the annexation of our Lake bottom to the Village of Wonder Lake. The credit should go to all of us who cherish what we have here and are willing to work to protect it.

The current direction of the community began in 1996 when the Village of Wonder Lake, under the direction of Village President Kate Topf, obtained approval from the Village Board of Trustees to participate in a grant application in partnership with the MPOA, seeking funds to assess our community wastewater and drinking water needs. This partnership effort was carried forward into 2004 under the leadership of Bill Madeja, first elected Village President in 2000 and re elected 2003. Bill is a very active member of our community, committed to the protection and enhancement of the many qualities that attracted all of us to this area. Unfortunately, his full-time employment demands required that he resign as Village President this past summer. Following Bill's resignation, the Village Trustees appointed Trustee

Anthony Topf as Acting Village President. Tony is demonstrating a strong commitment to carry forward the goals of his predecessor. We are fortunate to have such quality leadership available to successfully deal with our varied needs. Now that the appeal has been ruled upon favorably, we can finally direct our efforts and funds to the task of addressing our community's needs.

MCHEMRY TOWNSHIP - Tinsel In The Township 2004

McHenry Township coordinated the effort of the privately funded holiday relief program **Tinsel In The Township**, for area children again for the fifth year in a row. 789 local children (McHenry, Wonder Lake, Johnsburg, McCullom Lake, Ringwood and Lakemoor) received toys, holiday decorations and clothing thanks to the generosity of family sponsors, local businesses, individual donors, church groups, scout groups, service organizations and students at both McHenry and Johnsburg schools.

Dan Curran spearheaded the fundraising activities raising over \$10,000 in donations. Supervisor Donna Schaefer and her staff took applications, matched families with sponsors, delivering gifts for families without transportation and coordinating the distribution which began December 15th and continued until noon on Christmas Eve. Volunteers helped to shop for children who were not sponsored. Bud Pflug and the wonderful volunteers of the Marine Corp. Reserve replenished the shelves with toys, games and stuffed animals from the Toys for Tots program. Nancy Hilton recruited her friends to organize the Toy Room giving her the designation of Chief Elf and Santa Helper.

Tinsel In The Township assists all families in Wonder Lake, both in McHenry and Greenwood Township. Families are referred to McHenry Township by schools, social service agencies and are handled on a walk-in basis. Most families are at or below the poverty level. Most are eligible for the free and reduced lunch programs at area schools.

Thank you to all the Wonder Lake residents and organizations who assisted with making Christmas special for area children in need.

2005 Brings 75th Anniversary for WL Sportsman & Conservation Club

In 2005 the Wonder Lake Sportsman & Conservation Club will celebrate its 75th year. The Club organized in 1930 and have flourished ever since. Over the years they have had hundreds of members. In fact, if you have lived on the lake for any length of time you have probably known a member or two. From its inception the Club has always recognized the value of conservation and now they feel it is more important than ever.

The Club currently devotes their money and time to several annual events beneficial to the lake. They stock the lake each fall with several species of fish. They conduct a lake clean up each spring by picking up garbage and debris from each of the beaches. They have also built and maintained over 34 Wood Duck houses around the lake. Additionally they help the McHenry County Conservation District and the Illinois Department of Natural Resources conduct fish studies.

To honor their 75th year the club is making this their biggest conservation year ever. For 2005 their goals include several new projects. They hope to begin the stabilization of

some of the island's shorelines by re-piling the existing rocks that have moved outward into the lake. They would like to divide and transplant the aquatic plants that they introduced in 2003 to several new areas, including some islands. Also, plans are in the works for the "Sponsor a Wood Duck" program. This interactive project involves lakefront homeowners helping the club by hosting a wood duck house on their property (see "Sponsor a Wood Duck" article in this newsletter).

The Club takes great pride in Wonder Lake and its surroundings. They are hoping these new goals will help to improve the environment as well as involve and assist the Wonder Lake community in the conservation of our natural resources. If nothing else it gives them another excuse to be outside enjoying nature!

LAKE USE COMMISSION – Annual Report

The Lake Use Commission has had a very busy year to say the least. As the use of our lake continues to expand we are continuing to assess the make up and responsibilities of the Commission. It is important to the MPOA, The Village of Wonder Lake, and the Lake Use Commission that we all work together to make lake use a safe and enjoyable experience for all.

Our 2005 goals include an event planning project and calendar with all of the various clubs and associations around the lake. Our hope is that by keeping events coordinated, scheduling conflicts will be avoided. Public knowledge and enjoyment of these events will also be increased.

We are in the process of updating the "Lake Use Guidelines" for the 2005 season. This update is relevant due to the many changes that have been made the last two seasons. We will have the information published by the 2005 boating season.

The commission also worked with the Village of Wonder Lake to establish various village ordinances that have become necessary. One of these ordinances includes the Village Lake Patrol Unit's ability to enforce MPOA vehicle sticker use on the lake. Both the commission and the MPOA board are very pleased with the significant increase in the number of vehicle stickers purchased. Not only does this bring needed income to the organization, it indicates how committed the community is to the maintenance of Wonder Lake as a safe and private recreational area.

In 2004 we enhanced the buoy placement, removal and storage process. By making just a few changes, lake safety was improved and will continue to do so into 2005.

If you have any suggestions or questions for the Lake Use Commission, please make your feelings known in writing to your subdivision directors or the MPOA office.

Sponsor a Wood Duck

In February 2004 the Wonder Lake Sportsman's Club built 7 additional wood duck houses. Unfortunately, 7 were destroyed by vandals. Most were located on the islands where vandals used them as firewood. Sadly, these houses had nests in them.

To remedy this, the club came up with the “Sponsor a Wood Duck” campaign for 2005. This plan involves lake front homeowners hosting a duck house on their property. First, and foremost this should stop the vandals. Secondly, the hope is that the community will become interested and involved in helping this wonderful species of duck thrive on our lake.

If you decide to become a sponsor, the first step is to call the club. Then the members will build you a house, work with you to pick the best location, and then mount the house. These wooden houses are approximately 36 inches tall, 12 inches wide and 12 inches deep. They are usually mounted to a tree or a post close to the lake. Each sponsor will receive a valuable information sheet regarding the ducks, their habits and habitat. After each season of use the club will come by for a spring “house cleaning”. Then if you choose, you will be ready for the next generation of “Woodies”.

This would be a great way to teach your children or grand children about these beautiful ducks and about nature right here on our lake. Please consider sponsoring a wood duck house. If you have an interest or just have questions, please call Tony Musel at 815-653-3109.

Wonder Lake Chamber of Commerce

On December 11th the Chamber hosted a Christmas walk called, Winter Wonder Walk 2004. Many of the local business’ participated in this annual event. You could take a nice walk around town and enjoy hot coffee with a sloppy Joe or pizza, and cookies and candy for desert. When you stopped into the Chamber Office you could get your picture taken with Santa, get a big Christmas cookie, a bag of goodies from the Women’s Club, and buy a chance to win the Gingerbread House. Then, off to the see Duke and Tom, the friendly horses who took you for a ride around town. They traveled here with their owners from The Chain O’Lakes Riding Stable. When you went into Wonder Foods, you were greeted with Christmas Carols from some of the local girls from Wonder Lake; Brooke Nelson, Brianna Hartmann, Bryce Hartmann, Karissa Lovergine, Danielle deVencia, Angie Romme and Johnna Romme. We would like to take this opportunity to thank every one for participating in this annual event.

The Wonder Lake Women’s Club – sponsored the pictures with Santa

Paulee’s Pizza – Horse and wagon ride

Jim’s Repair Shop – Horse and wagon ride

Justen’s Funeral Home - Horse and wagon ride

Kennedy Homes – Cash donations

Wonder Lake Marina – sponsored the cookies from Riverside Bakery

The following business’ took part and handed out goodies for the kids.

Dockside, Wonder Lake Insurance, Wright’s Hardware, Wonder Lake State Bank, Banker’s Insurance, Advantage Realty, Bowles Repair, Mike’s Auto, Christine and Company, Video Gallery, Paulee’s Pizza, and Wonder Foods.

The next time you visit one of these establishments, please take the time to thank them for all there generosity. As you stop at the 4-way stop, notice the tree in front of Wright’s hardware. Many children made ornaments and hung them on the tree.

February Elections:

February 22, 2005 the Chamber will be having their 19th Annual Awards Dinner. This year it will be held at the Marquise Banquets Hall located on East Wonder Lake Road. There will be Cocktail Hour, Dinner, Awards and Entertainment. Elections will be held at this time as well. Please watch the mail for your ballots. If you have any questions please contact Missy @ 728-0682 or e-mail chamber@wonderlake.org.

NIPPERSINK CREEK WATERSHED COMMISSION – Annual Report

Dick Hilton, Chairman

2005 Goals

1. As a member of the Nippersink Collaboration group, assist in updating the *Nippersink Creek Watershed Plan* to reflect the changing conditions in the watershed.
2. Assist with a review, update and re publish of the *Nippersink Creek Standards for Development* to include missing elements found in the *McHenry County Watershed Development Ordinance*.
3. Assist property owners in Wonder Lake and throughout the watershed to locate funding assistance for agency approved water quality improvement projects.

2004 Summary

During the year the Nippersink Creek Watershed Committee has worked with other local groups and agencies in the Nippersink watershed to develop collaborative support and partnership efforts for updating our watershed plan in order to reflect current conditions. This effort resulted in the filing of an application for funds set aside for watershed plan updates by the IL EPA under the Federal Clean Water Act, 319 Program. In addition to an update, the grant will enable the “Collaboration” to develop sub watershed plans and potential implementation projects to address natural resource issues within the watershed. It will also provide municipalities and the county with more tools to address the growth and development pressures. The total cost of the project is \$71,641. Of this amount, \$49,290 is requested through the grant, the balance of \$22,351 includes in-kind services and cash commitments from the McHenry County Board and the County’s Planning & Development committee, City of Woodstock, Villages of Richmond, Greenwood and Wonder Lake, the McHenry County Soil & Water Conservation District, the McHenry County Conservation District, Friends of the Fox River, the MPOA, USDA-NRCS, Sierra Club, Friends of the Fox River, MPOA, the Nippersink Creek Watershed Planning Committee, and the McHenry County Defenders who will also act as the local administrator of the grant. **In late December of 2004 the Grant Review Committee advised the Collaboration that a grant in the amount of \$50,000 has been awarded .**

LAKE RENEWAL COMMISSION-Annual Report

Tom Cooper & Jack Islin, Co-chairman

2005 Goals

1. Recommend the formation of a Lake Maintenance commission with the Lake Renewal commission becoming a committee of Lake Maintenance.

2. Establish a Lake maintenance program that includes shoreline, island and shoal restoration, dredging and Lake access for all property owners with deeded access.
3. Seek sources of funding to support activities in goal no. 2.

2004 Summary

The Lake Renewal Commission has spent 2004 waiting for resolution of the appeal of Judge Sullivan's favorable rulings on the annexation of the Lake bottom to the Village of Wonder Lake. Until the appeal is resolved, all proposed dredging activities have been suspended. Should the Appellate Court uphold Judge Sullivan's decisions, the Lake Renewal commission is poised to begin working with the landowners and mining company to renew contracts and establish a timetable for the commencement of a lake restoration project.

In other action, the Commission reviewed and recommended support by the Directors for a proposed wastewater system to service the entire Wonder Lake area. See a related story in this newsletter for an update on this proposal.

MPOA Officer's Report

President, Dick Hilton; 1st Vice-President, John Naatz; 2nd Vice-President Sue Draffkorn;
Secretary, Nancy Burke; Treasurer Dale Kowalski

2005 Goals

1. Develop alternative funding options to support a dredging program and present to the Finance & Budget Commission for review.
2. Develop a job description and funding options for a professional Lake Manager position.
3. Establish the criteria for a Lake Maintenance Commission for consideration by the Directors.

2004 Summary

During the year the Officers have provided the Delegates, Directors and commissions with a partnership effort of assistance to successfully address the many issues brought before the Board. These include approval of a balanced budget for 2005 by the Delegates, potential increases in revenue, membership and Lake bottom ownership through proposed development of the *Maple Hill* and *Lake Point* "West Bay" properties, and acting as a liaison between the MPOA and the Village of Wonder Lake on in-lake activities.

John Naatz (Director, & President of Sunrise Ridge) and Nancy Burke (Delegate, Hickory Falls I & II) were reelected to their 2-year positions at the 2004 Convention of Delegates. Positions open for election in 2005 are president, 2nd vice-president and treasurer. All 3 are 2-year terms. As dictated by the By-laws, any Delegate or Director is eligible to run for these positions except those residing in the Sunrise Ridge and Hickory Falls I & II subdivisions.

MEMBERSHIP COMMISSION-Annual Report

Tom Cooper, Chairman

2005 Goals

1. Create a “new member” packet for distribution to new property owners of the member subdivisions and the proposed Lake Point and Maple Hill subdivisions.
2. Work with the Finance and Budget commission to establish a system for recording “new member” payments received from the proposed Lake Point and Maple Hill subdivisions.

2004 Summary

The Membership Commission participated in the successful negotiations with the developer of the proposed subdivision of properties north and west of the West Bay of our Lake. As a result, the MPOA is now in a position to expand its membership and establish a program to improve the West Bay of our Lake.

Following annexation, re zoning and approval of a concept plan for the proposed Lake Point and Maple Hill subdivisions by the Village of Wonder Lake, the developers entered into an agreement with the MPOA. Upon approval of a preliminary plat by the Village, the developer will transfer ownership of the privately held northern-most lake bottom parcel in the West Bay to the MPOA and pay the MPOA \$100 for each platted lot in the proposed subdivisions. The agreement also includes the establishment a covenant requiring that each owner of a dwelling unit become a member of the MPOA, pay the MPOA \$350 upon receipt of a building permit from the Village and for the 1st 10 years, pay an annual membership dues of \$50.00. In return, the MPOA agrees to grant full use of our Lake to each new member and to dedicate the \$350.00 payment to a West Bay improvement fund. The developer also agrees to restrict development of the West Bay lakefront to the construction of a boat ramp and lakefront park facility for use by the proposed subdivision’s property owners.

DAM COMMISSION REPORT

Tom Cooper, Chairman

2005 Goals

1. Obtain final recommendations and engineering specifications for repair of the sluice gate mechanism on west side of spillway.
2. Obtain final recommendations and engineering specifications for repair of the interior walls of the sluiceway on the east side of the spillway.
3. Obtain specifications and funding sources necessary to properly address the minor erosion occurring on the upstream face of the dam, west of the spillway.

4. Assist in establishing a separation of planning and funding for dam and in-lake maintenance and improvements.

Assist in establishing a long-range plan to restore and increase the financial emergency fund balance.

2004 Summary of activities

In addition to supervising the normal maintenance activities necessary to protect the dam, the commission saw to the completion of the periodic dam inspection required by the IL Department of Natural Resources by our consulting engineer. While free from major problems, the inspection by our consultant brought to our attention the need to address minor erosion occurring along the upstream slope of the dam, west of the concrete spillway. Our consultant has completed recommendations and included them in the dam inspection report to IDNR. (See goal number 3)

The commission also continued the program initiated in 2002 to free the islands of brush and provided additional funds from the dam maintenance budget to keep the lake free from floating debris and obstructions.

2005 Budget Approved by Delegates at September, 2004 Convention

**(Year 2004 Budget included for purpose of
comparison)**

<u>Income</u>	<u>Year 2004</u>	<u>Year 2005</u>	<u>Expenses</u>	<u>Year 2004</u>	<u>Year 2</u>
Annual Dues	\$93,500	\$95,000	Dam & Lake Expenses		
Interest Income	\$300	\$200	Dam Exp		
Other Inc			Elect	\$650	\$
Administration Fees	\$150	\$150	Maintenance	\$6,000	\$20,
Advertising Fees	\$3,000	\$3,000	Total Dam Exp	\$6,650	\$20,
Registration Developer Donation	\$9,000	\$20,000	Lake Exp		
		\$57,500**	Lake Use	\$300	\$
Total Other Inc	\$12,150	\$80,650	Misc	\$200	\$
Total Income	\$105,950	\$175,850	Safety		

Notes:

**** Developer donation contingent on acceptance of preliminary plat for Lake Point & Maple Hill sub'ns by the Village of Wonder Lake.**

Bouys

Bouy Purchase	\$500	\$
Placement	\$1,500	\$1,
Storage	\$600	\$
Equip Maint	\$1,000	\$1,
Fuel	\$100	\$
Labor	\$600	\$
Safety Patrol	\$8,000	\$8,
Storage	\$0	
Water Shed	\$0	
Total Lake Exp	\$12,800	\$12,
Total Dam & Lake	\$19,450	\$32,
Gen & Admin		
Audit	\$600	\$
Bank Charge	\$50	
Dues & Sub.	\$500	\$
Education	\$400	\$
Ins. Exp.	\$1,000	\$1,
Leg. & Prof	\$19,000	\$19,
Liability Ins	\$11,500	\$24,
Misc. Exp.	\$200	\$
Mtg. Exp.	\$300	\$
Newsletter	\$4,000	\$4,
Off. Rental	\$7,200	\$7,
Off. Supp.	\$2,000	\$2,
Payroll		
Secy Salary	\$13,442	\$13,
Payroll Expenses		
Postage	\$2,200	\$2,
Prtg. & Dup	\$2,500	\$2,
Telephone	\$2,000	\$2,
Util. Exp.	\$1,500	\$1,
Total Gen & Admin	\$68,392	\$80,
Total Expenses	\$87,842	\$113,
Net Income	\$18,108	\$62,
Actual Net Income		
Contingency Amount	\$5,298	\$8,

INSURANCE COMMISSION

By: Jim Wisner, Chair

2005 Goals

1. If other insurance coverage is found to be available, the committee will review the policies and the premiums offered and will make recommendations to the MPOA board. If not, and the current policy is renewable, the committee will make a recommendation to the MPOA board regarding that policy.
2. The committee will come to a decision regarding the spreading of the premiums to the MPOA and the covered associations, and it will make a recommendation to the MPOA board for its approval.
3. The committee will continue to seek out the best available insurance coverage at the lowest price for the MPOA and the covered associations.

2004 Summary

1. Reviewed both the liability policy and the Directors and Officers policy.
2. Determined that the requirement for the additional insureds re: contracts issued by the MPOA and the covered associations was too restrictive. Through negotiations with the insurance company, we have gained some leeway in this matter. Contractors who are paid less than \$1,000 in each policy year are exempt from this requirement. Being named as additional insureds on the contracts still remains a good business practice.
3. Contacted other brokers to determine whether there is some additional liability coverage available to us, either a better policy or one for less premium. This process is still on-going, but, as of this date has **not** produced any other options for us.
4. Visited each site for the associations covered as additional named insureds on the MPOA policy and recorded the pertinent features for all of the sites.
5. Based on the visits, a proposal was prepared for determining the annual premiums to be charged back to the individual associations and the MPOA. This is still under discussion by the insurance committee.