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been delayed. There is a new boat sticker system in place this year, where each household will be assigned one number. Each boat owned by that household will receive the same number, which will make it easier to identify boat owners.

Fifty-four dues payments have been received so far this year. A resident commented that the dues mailing and attachments were very clear and done well. Thanks, Diane!

If you need to set up a payment plan, please contact Diane at lochlomondPOA@aol.com, or (847) 949-8641, and she can give you some options.

**Reminder:** All back dues must be paid up before you can close on a property. If you know you will be closing, please contact Diane at least two weeks before closing, so that she can send a copy of the required paid assessment letter to your realtor and/or attorney.

#### **DAM, PATH AND ENTRANCES: Dick Lincourt**

The dam and path are in good shape.

#### **LAKE MANAGEMENT: Steve Kephart**

Fishing report: several people have been ice fishing this year, and they are doing well with bluegills.

Some people, many of whom are non-residents have been spotted fishing with minnows and tip-ups, neither of which is allowed on Loch Lomond. If you see someone using minnows or tip-ups for fishing, remind them of the rules. If they are a guest of a resident, please contact the resident to remind them of the rules.

Eagle Scout project proposal: the channel on the southwest side of the lake was dredged years ago, and sandbags were laid across. The sandbags were never removed, and fishermen regularly snag lures on them. Should they be removed? Do they act as a settling pond to catch sediment? More research will be done before a decision is made or a project is started. The Board will contact our engineer Rob Wojtysiak for his input.

Does the Board need to go through a bidding process for lake spraying annually if the prices are in line with what we've paid before? We are in

the middle of a five-year spraying plan for the lake. As long as the prices of the current provider remain reasonable and the services are good, then we will stick with him.

Lily pads: there continues to be discussion as to why they won't grow in our lake. St. Mary's Lake does not have weed growth. We are not sure if this is caused by runoff. We need to do some testing of bottom sediment to see if there are contaminants in the soil that prevent lily pads from growing. Lake County Health would be the first place to contact for sediment tests. The soil has been surveyed by LCH in the mid-2000s.

If we have contaminants in the lake that prevent the lily pads, how healthy are the fish, and can they be tested? The LCH is the group to survey the fish. It would take several years for any significant contamination to build in our fish.

#### **NORTH BEACH: John Emde**

No report.

#### **SOUTH BEACH: Denise Gavin on behalf of Jean Potillo**

Jean has offered to chair the Easter Egg Hunt this year. If you would like to volunteer to help, please call her at 847-949-9370. The Easter Egg Hunt will be held on Saturday, April 3 at 10 a.m., and is open to children under 10.

#### **ADMINISTRATOR/WATER SAFETY:**

##### **Denise Gavin**

Lifeguards: any Red Cross-certified new lifeguards should contact Denise at 847-826-8044.

Denise has been getting phone calls about the certified letters that Diane sent out regarding back dues. She was also contacted by Loch Lomond (Mundelein) Apartments wondering why they are not members of our Association. This apartment building is just east of our border, is not in our subdivision, and the residents who rent there are not property owners, per the name of the Association.



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LOCH LOMOND PROPERTY OWNERS ASSOCIATION P.O. Box 840, Mundelein, IL 60060

847-826-8044

WWW.LOCHLOMONDLAKER.COM

info@lochlomondlaker.com

Larry Rogers, President

Denise Gavin, Administrator

# LOCH LOMOND LAKER

## Minutes of the March 2, 2010 Monthly Board Meeting

### PRESIDENT'S REPORT: Larry Rogers

The Board meeting was called to order at 8:03 p.m. by Larry Rogers, President. There was not a quorum present at the opening of the meeting, so the November and February minutes were not approved until later in the meeting.

### TREASURER'S REPORT: Steve Koch

Steve established a money market account for LLPOA and transferred \$40,000 into it. He established a second CD with a six-month term (operational CD) for excess operational expenses. The first CD is a reserve for capital expenses.

Steve has categorized payments received after November 1, 2009 (beginning of the new fiscal year) as payments of "back dues."

We received a credit from our Workmen's Comp. as a result of the audit completed last fall. We received \$500 from the Illinois EPA for the educational portion of Loch Fest 2009. As of today, we are ahead of our forecast income.

Motion to approve February Treasurer's Report by John Schockmel, seconded by Jon Holsman. Motion passed. Treasurer's Report approved.

Additional Zone Directors arrived at the meeting. A motion to accept the November minutes as presented was made by Jon Holsman, seconded by John Schockmel. Motion passed, November minutes approved.

A motion to accept the February minutes was made by Kathie Knudson, seconded by John Schockmel. Motion passed, February minutes approved.

### MEMBERSHIP REPORT: Jean Potillo on behalf of Diane Adamek

As of March 2, 2010, Diane had almost finished processing the first set of registrations and dues payments. There are 139 (23% of the total 601) families that have paid in full. Of these, 62 are senior citizens. Last year, 156 had paid by now (26%), with 69 being seniors.

There have also been six partial payments and five payments of back dues. Please remember that this year beach tags and boat stickers will not be mailed until dues through 2010 are paid in full.

If you need to set up a payment plan, please contact Diane at lochlomondPOA@aol.com, or (847) 949-8641, and she can give you some options.

### Treasurer's Report February 28, 2010

#### CASH

Beginning Balance 2/1/2010 \$23,452.88

#### INCOME

Dues \$30,550.00

Back Dues \$1,118.75

Operating Interest \$1.24

Miscellaneous Income \$40.00

Swim Lessons \$50.00

Interest -- Operating Acct. \$4.65

Interest -- CD \$169.31

Total Income \$31,932.71

#### EXPENSES

Association Expense \$505.19

South Beach \$74.16

North Beach \$75.33

Membership \$797.31

Social Activities Expense \$300.00

Payroll Expenses \$1,641.69

Total Expense \$3,393.68

Net Income \$28,539.03

#### ADJUSTMENTS

Payroll Liability Adjustment \$77.62

Adjustment \$(3.82)

Transfer to Money Market \$40,000

Ending Balance 2/28/10 \$11,896.40

#### MONEY MARKET AND CD

Money Market \$55,004.81

Operational Reserve CD \$5,002.34

Capital Reserve CD \$33,459.90

TOTAL ASSETS \$105,363.45

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## NEW BUSINESS

Larry Rogers nominated five Directors-at-Large:  
Membership Director: Diane Adamek  
Dam, Path and Entrances Director: Dick Lincourt  
North Beach Director: John Emde  
South Beach Director: Jean Pottillo  
Lake Management Director: Steve Kephart

Currently, the Boat Director position remains unfilled.  
This is the sixth Director-at-Large position.

Residents interested in serving as Boat Director, Vice President or Zone Director are encouraged to contact a Board member immediately. Plans are in full swing for the summer.

**Resource Directory:** Donna Sattler, Zone Director, offered to be the contact person for the LLPOA Resource Directory (copy enclosed). If you have a skill or talent to offer to residents, please send your business card or small advertisement to Donna at: Donna@donnasattler.com. John Popowitch will put the Resource Directory on the LLPOA website. Please use the directory when searching for neighbors who are plumbers, contractors, artists, attorneys, gardeners, carpenters, painters, etc.

## OLD BUSINESS: Larry Rogers

**Spread the word!** We are still in need of Zone Directors for the following Zones: 3, 5, 8, 16, and 20. You do not have to live in the Zone for which you are a Director. We are also still in need of a Vice President and a Boat Director.

Motion to adjourn by Kathie Knudson, seconded by John Popowitch. Meeting adjourned at 8:59 p.m.

## ATTENDANCE

John Schockmel, John Bestler, John Popowitch, Jon Holsman, Steve Kephart, John Emde, Steve Koch, Larry Rogers, Jean Pottillo, Denise Gavin, John Vicik, Sherrill Randau, Gary Randau, Donna Sattler, Diane Rogers, Kathie Knudson.

Minutes respectfully submitted by Kathie Knudson.

## ANNOUNCEMENTS

If you know anyone attending college and in need of some money...

The Northern Association of Boating Administrators (NABA) scholarship applications are due March 31, 2010. NABA annually awards one or more \$1,000 scholarships to outstanding student(s) from colleges and universities across the northern states.

To qualify for the scholarship, students must be **full-time** college or university students majoring in a recreational boating safety-related field such as, law enforcement/criminal justice, natural resources/environmental science, education, public relations/marketing or journalism.

To find out more about this scholarship opportunity and how to apply, visit the NABA Scholarship webpage at:

<http://nasbla.org/files/NABA/NABA%20Scholarship%202010.pdf>

### Board Officers and Directors

President: Larry Rogers (566-7299)

Vice President: OPEN

Secretary: Jennifer Popowitch (566-1692)

Treasurer: Steve Koch (566-3120)

Membership Director: Diane Adamek (949-8641)

Boat/Pier Director: OPEN

Dam/Path/Entrances Director: Dick Lincourt (949-5729)

North Beach Director: John Emde (566-9583)

South Beach Director: Jean Pottillo (949-9370)

Administrator/Water Safety: Denise Gavin (826-8044)

Lake Management Director: Steve Kephart (970-7940)



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to bring, that will be helpful.

Loch Fest will be August 21. There is not a date set yet for the Water Carnival.

**WEBSITE: Katie Cook**

No report.

**ADMIN./WATER SAFETY: Denise Gavin**

The fence by the South Beach gate is in need of repair, and John Bestler will do that repair for us. His price is lower than anyone else Denise has checked with, and he does great work.

The Association will be using Mitch's Landscaping this year, which will allow for a \$3,000 savings for the season. They are going to do more than the last landscapers, including planting and maintaining flower beds, and will spray for weeds as needed at no cost. They have already done their spring clean-up.

Lifeguard letters have been sent out, and most guards are returning. As our guards get older, we need to get the word out to younger residents who are interested in participating. Denise is working with the fire department to work at getting our guards certified in CPR.

A tree will be cut down at the dam, and other trees will be trimmed. New sand will be added at North Beach, and new chairs will be placed at both beaches. Denise got a new lifeguard table for a great price.

**BOAT DIRECTOR: OPEN POSITION**

No report.

**NEW BUSINESS**

The Board has come up with a list of objectives for 2010. A "champion" has been identified for most of these objectives. The champion is not the only person to work on reaching these goals, but is more of a facilitator who will work with the team. If you have a passion for a particular objective, please contact the champion listed for more information.

- Legal: Dick Lincourt
  - This includes, but is not limited to, getting information about how to be on a more sound legal footing, getting good legal representation, and formulating a plan and strategy for the Association.
- Enhance Park Usage: Jean Potillo
  - Possibilities mentioned: Bingo night for seniors, installing horseshoe pits, cardboard boat derby.
  - Horseshoe equipment: If you have some horseshoe equipment that you'd like to donate, please contact Jean.
- Lifeguard Issues: Denise Gavin
  - This includes, but is not limited to, re-writing the guard rules, updating policies for the program in general, and discussing a better

shelter for the guards in inclement weather.

- Clarity of Roles and Responsibilities: Steve Koch
- Develop a Long-Range Plan: Larry Rogers
- Increase Community Participation: Open
  - This includes, but is not limited to, finding residents to fill open Officer and Director positions.
  - If you are interested in spearheading this objective, let a Board member know.

The Board plans to email discussion topics to Zone Directors in advance of the monthly meetings.

**OLD BUSINESS: Larry Rogers**

**Attorney Research: Dick Lincourt**

Thanks to Steve Kephart for presenting the legal information at the last meeting.

The LLPOA is owed an amount of back dues which is significantly larger than our annual budget. In order to properly evaluate whether the proper legal methods are being used to protect the interests of all Association members, the Board has been reviewing several other law firms who specialize in association legal issues (the current legal firm does not). In addition to financial counsel, the Board is seeking guidance on current legislation which may impact Board responsibilities with regard to operational and capital reserves, insurance coverage, and foreclosure actions. Since the Board has the responsibility to act in the best interest of all members and in accordance with state requirements, we feel it is prudent to meet with the firm of Kovitz, Shifrin and Nesbit (KSN) for an initial consultation. KSN is a nationally recognized law firm specializing in association legal issues, and is currently working with the West Shore Property Owners Association on Diamond Lake on similar matters. The initial consultation will include a review of governing documents and current operational practices, with an estimated cost of up to \$500.

Motion by Dick Lincourt: Get approval to make the expenditure to consult with KSN group for legal advice. Seconded by Jon Holsman. Discussion: Q: Will we get a written appraisal after the assessment? A: Yes. Q: As to the limitation of \$500, is there leeway to go over that if necessary?

Amended motion by Jon Holsman: Raise the approved amount from \$500 to \$1,000. Seconded by Harold Hanson. Discussion: Let KSN know about the previous challenges to how the Board runs the Association. Our previous attorney reviewed those challenges, and it will be good to have someone look over that who specializes in the kind of law we need. Question for attorneys: Because we're part of the Association, what kind of personal liability do homeowners need to carry? Q: Will a group of Board members meet with this law firm? A: Anyone from the Board is welcome to attend — the more people who know about the issues, the better off we'll be. After we talk to the attorney, we can invite them to present to the Board, and Attorney Nesbit offered to do this.



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A concern was mentioned about trees that have fallen into the lake. There are Village rules about yard maintenance, but the lake is private property. Our Covenants state that nobody is allowed to intentionally put materials into the lake, but there is no mention of unintentional additions to the lake, such as downed trees.

#### **OLD BUSINESS: Larry Rogers**

**Legal Update:** On May 18, Dick Lincourt, Steve Koch and Buzz Stromberg spoke with Bob Nesbitt of Kovitz, Shifrin and Nesbitt about our governing documents. This initial 2.5 hour conversation was provided to us at no charge.

Summary: We are in the top 1% of the oldest homeowner's associations in the country. Our governing documents are constructed legally and are binding, but are archaic, which makes our documentation difficult to find in searches by title companies. Attorney Nesbitt's recommendation is to re-title a document "Declaration of Covenants" and re-file it with the county so that it is found during title searches. The Board can change the title. He also recommends re-working the governing documents into one to make it easier for the Board to administer the Association, and in anticipation of future LLPOA needs. This action requires 66% of residents to agree to it). The estimated cost of updating our governing documents is \$3,000.

The Board has a fiduciary responsibility to make sure all property owners share the cost of maintaining Association assets by paying annual dues. Attorney Nesbitt recommended a course of action to improve the dues collection process:

1. Tighten up the written dues policy. Treat the dues payments like any other bill, with a short grace period and a substantial late fee. The change in the late fee terms would require a change to the by-laws.
2. Anyone in arrears would receive a letter reminding them to pay. Recent non-payers would receive a "friendly reminder," while inveterate non-payers would receive a letter from the attorney stating how much is owed, and the steps the Board is willing to take to collect the dues owed.
3. Property owners who do not pay the dues owed after receiving the attorney letter could then be subject to court action, which would include legal fees as well as the dues owed. Attorney Nesbitt stated that there was very solid legal precedent in the Illinois court system for collection of Association dues

based on increased market values for all properties in an Association regardless of their location and whether or not the Association assets were utilized by the property owner.

While the board considers court action against an Association member undesirable, collection of the considerable amount of back dues owed (\$188,000) and creating future budgets based on 100% participation of property owners is the shortest path to lower annual dues for all Association members.

Question: In the past, our attorneys have told us that we're on shaky ground regarding dues collection. Have we just been talking to the wrong people?

Attorney Nesbitt specializes in homeowner association law, and our previous attorneys may not have had the same areas of expertise.

Motion to act on the advice of new counsel: Jon Holsman, seconded by Kelley Happ.

**Resident Concern:** Some homes in Loch Lomond have very tall grass in the yards. This is a Village concern, so if you see a house in this condition, first attempt to contact the resident, and then call the Village, who can require that the property is properly maintained.

**LOOK HERE!** We are still in need of Zone Directors for the following Zones: 3, 5, 8, 16, and 20. You do not have to live in the Zone for which you are a Director. We are also still in need of a Vice President. If you are interested, please contact a Board member.

Motion to adjourn by John Popowitch, seconded by Jon Holsman. Meeting adjourned at 9:28 p.m.



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LOCH LOMOND PROPERTY OWNERS ASSOCIATION P.O. Box 840, Mundelein, IL 60060  
WWW.LOCHLOMONDLAKER.COM

847-826-8044

info@lochlomondlaker.com

Larry Rogers, President

Denise Gavin, Administrator

# LOCH LOMOND LAKER

## Minutes of the July 6, 2010 Monthly Board Meeting

### Treasurer's Report June 30, 2010

<b>CASH</b>	
Beginning Balance 6/1/2010	\$30,441.73
<b>INCOME</b>	
Impact Fee	\$(406.25)
Dues	\$12,925.00
Back Dues	\$1,473.75
Miscellaneous Income	\$20.00
Swim Lessons	\$200.00
Interest — Operating Acct.	\$28.27
Interest — CD	\$36.37
Uncategorized Income	\$(50.00)
Total Income	\$14,227.14
<b>EXPENSES</b>	
Association Expense	\$773.19
South Beach	\$1,642.23
North Beach	\$152.49
Water Safety	\$506.61
Dam, Path, Spillway	\$18.18
Lake Management	\$5,233.00
Landscaping	\$1,334.69
Membership	\$111.55
Social Activities Expense	\$149.64
Upgrades	\$280.00
Payroll Expenses	\$13,661.50
Total Expense	\$23,863.08
Net Income	\$(9,635.94)
<b>ADJUSTMENTS</b>	
Payroll Liability Adjustment	\$2,481.71
Transfer to Money Market	\$26.77
Transfer to Cap. Reserve CD	\$34.03
Transfer to Op. Reserve CD	\$2.34
Ending Balance 6/30/10	\$23,224.36
<b>MONEY MARKET AND CD</b>	
Money Market	\$105,089.99
Capital Reserve CD	\$33,591.44
Operational Reserve CD	\$5,011.39
<b>TOTAL ASSETS</b>	<b>\$166,917.18</b>

### PRESIDENT'S REPORT: Larry Rogers

The Board meeting was called to order at 8:00 p.m. by Larry Rogers. Motion to approve June minutes by John Epstein, seconded by Diane Rogers. June minutes approved.

### TREASURER'S REPORT: Steve Koch

The total assets from the first page of the report to the second page are off by the same \$202 that they were last month.

Question: How much is owed in back dues?  
Approximately \$175,000. If you want more information on the back dues collection discussion, go to the website ([www.lochlomondlaker.com](http://www.lochlomondlaker.com)).

Question: What are the capital reserve and operational reserve for? The capital reserve is set aside for future projects, while the operational reserve is for emergencies.

Motion to approve June Treasurer's report by John Popowitch, seconded by Mary Ellen Ferkin. June Treasurer's report approved.

### MEMBERSHIP REPORT: Diane Adamek

As of July 5, we have 451 households paid in full. This is 75% compared to 74% in 2009 and 80% in 2008.

There were numerous closings in the last month. Most went smoothly. However, several times, the realtor, lawyer, and/or homeowner forgot to take the paid assessment letter (PAL) with them to closing, and Diane was called from the closing. Also, several times Diane was called the day before closing for the PAL. If you are selling your house, you must request a PAL as soon as you have a signed contract in order to be assured that you will have it in time for the closing. And then, please remember to take your copy to the closing!



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## TREASURER'S REPORT: Steve Koch

October was a fairly quiet month. In 2010, the Association came in at budget. We had some substantial back dues payments this year. Any payments made after October 31, 2009 (the end of the last fiscal year) were counted toward 2010 dues. We had money credited back to us from the insurance program because we held an audit. Steve is projecting fairly similar income levels for 2011. Income and expenditures ebb and flow from year to year.

On the report pages, all income is listed in the same category now, as opposed to the separate "social activity income" category. There is a new "civil engineering" category, since we need to engage a civil engineering firm to help us assess the needs of the physical assets (dam, depth of lake, spillways, etc.) and to estimate how much improvements will cost.

Some expenses are unexpected; for example, \$7,500 for spillway repairs. We use the operational reserve for those expenditures instead of sending assessments to every property owner above and beyond the annual dues.

Resident Comment: Resident would be concerned about the amount of money we have saved up if we didn't have an earthen dam, and by saving some money, the Board is avoiding having an assessment (or multiple assessments) for the residents in case of an emergency with the dam.

Resident Comment: Compared to a lot of other associations, our dues are very low (approximately \$30 per month), especially when you think of what we get for that amount.

### Q&A

- ✓ Landscaping came in considerably below budget: why is that? We changed landscaping companies (this is our second year with them) and we want to track how much the services cost for a few years before adjusting that number.
- ✓ It is very impressive to see how we've worked under the budget. Is there any way to look at lowering the annual dues? We have to be very careful about that, and we don't have enough information to adjust annual dues amounts in either direction. Some money is being saved up for future large projects.
- ✓ How much is owed in back dues? Approximately 20% of residents are delinquent in some regard. Approximately \$190,000 is owed in total. The budget would be a lot more reasonable if every resident would pay his or her fair share.
- ✓ Does the Treasurer think that \$2,000 will cover professional services (engineering) when \$7,000 is allocated for legal services? The \$2,000 is basically a retainer. We got some advice on that from Rob Wojtysiak, and that number can be revisited. As far as the legal budget, there's some work that will need

to be done in 2011, and we hope to come in under that number.

- ✓ Is there concern that the dues are too high or too low? We need to get more information about what condition the lake should be in so we can budget accordingly; for example, if we have to dredge the lake, that will be a major expense.
- ✓ Is there any benefit to writing off the \$190,000 in back dues? No, since we are not-for-profit.

Steve will be happy to supply anyone with the account detail for the budget.

The presentation of the 2011 budget is for transparency only, and will be approved by the 2011 Board.

Motion to approve the October Treasurer's Report by Steve Kephart, seconded by Harold Hanson. October Treasurer's Report approved.

## MEMBERSHIP REPORT: Diane Adamek

Statistics: We have 599 homes and two vacant lots on Estate Lane, for a total of 601 properties. The owners of the vacant lots are current with their dues payments.

Dues Payments: As of November 12, 2010, paid membership was 497 (83%). In 2009 it was 81%, and in 2008, 85%. There are 176 senior-rate memberships, and 91% have paid. In 2009, the rate was 91% of 172 senior-rate memberships. Of the 425 non-senior rate members, 79% have paid.

Home sales: There have been 22 sales finalized for 20 properties, nine of which were foreclosures. There are two more sales pending, with one expected to close at the end of November. Please welcome all our new neighbors! As of November 13, 2010, there were still 15 "for sale" signs up, and three other houses have signs out sporadically. In 2009, 13 sales were finalized and 15 signs were still up as of the Annual Meeting.

Renters: There are 21 houses being rented by paid members and at least two rented by owners who haven't paid dues in a number of years. In 2009 there were at least 18 rentals. The owners are responsible for paying the dues.

Reminders: A paid assessment letter (PAL) is required at the closing of any house sale. Please let Diane know as soon as a contract is signed, and she will send you, your realtor, and/or lawyer a copy of the PAL or letter with a statement for any outstanding dues that are required to be paid at closing.

## DAM, PATH & ENTRANCES: Dick Lincourt

There were no unusual events this year. Several maintenance projects were undertaken:

- ✓ Trees at the dam were trimmed; required by DNR. Cost \$1,100.



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In May, 2011, all boats will be surveyed. Those not in compliance will be auctioned off. We will also be looking at boat storage at both beaches to determine if more is needed.

Lost and Found Boats: Many residents have been helpful in identifying boats that have washed up on shore, were lost, or were found. Current stickers are essential in this process so that the proper owner may be identified. A chronic issue is "unauthorized use" (joyriding and vandalism). You can help reduce unauthorized use by regularly securing your boat and storing it correctly – and by reporting problems. Thanks to all who help keep a safe and accessible waterfront.

#### ADMINISTRATOR'S REPORT: Denise Gavin

Water Safety: In 2009, a survey was taken to determine if the lifeguards were essential to our lake. Residents overwhelmingly decided to keep them. The guard hours were reduced from 9 a.m.-9 p.m. to 10 a.m.-8 p.m., and that worked out well. This year, 14 guards were hired, and they had one save. There was one beach closing, and 7-8 days the beach was closed for a few hours. The swimming lessons were very successful, with 75 kids participating. During their downtime, the guards painted benches and picnic tables.

We may be losing some guards next year, so Denise will be doing a hiring. If you are Red Cross certified, please call Denise with your information.

The picnics were very popular, especially with the addition of the picnic request form online for easier processing ([www.lochlomondlaker.com](http://www.lochlomondlaker.com)).

#### OLD BUSINESS

None.

#### NEW BUSINESS

##### New Business

##### Amendments: Dick Lincourt

Proposed Amendment 1: The new Common Interest Community Act passed by the State of Illinois supercedes our Bylaws. We need to change the Bylaws to comply with the new law, and then must file them with the County in order for them to become official. Thanks to John Epstein and John Vicik for helping to update the Bylaws. The law doesn't set any size for a Board of Directors (minimum of three officers), and the 3-20 number can be changed later.

##### Q&A

- ✓ Have the changes been reviewed by the lawyer? We discussed it with him, and in the interest of time, we did not have him review it. Before we file them, we'll have them reviewed, and if we missed anything, the law will supercede it anyway.
- ✓ Why did the State pass such a law? There are a lot of property managers in this state, and Illinois has one

of the largest numbers of Associations. There has been a condo law in place, but not homeowners' association law.

- ✓ When the Board prepares to file with the County, will all homeowners get an updated copy of the Bylaws? Yes.
- ✓ If the new law supercedes the Bylaws, why do we have to file them? The new law covers many facets of operation of the Association, but not all of them (i.e., nothing about dues, who is considered a member, how to amend Bylaws, etc.).
- ✓ Was this law created so that homeowners' associations were in less conflict with their villages? It's possible. It is what it is, and now we have to comply with it, regardless of the reasoning behind it.

Proposed Amendment 2: One vote per property, instead of one vote per homeowner. A separate part of the Bylaws currently states that if you own more than one property, you get only one vote.

##### Comments

- ✓ Check with the lawyer before filing with the County to see if this amendment is compliant with the law.
- ✓ We need to address the idea of owners of multiple properties having one vote per property. (This can be approached as a proposed amendment for the 2011 Annual Meeting.)

Proposed Amendment 3: Take away ambiguity of dues mailings by using specific months and dates. This will not change the procedure we've used in the past, but outlines it more specifically.

Question: Does this do away with our opportunity to make two payments? No.

Proposed Amendment 4: Change sections of the Bylaws which specify penalties for late dues payments. This does not establish the policy, but allows the Board to set one. Currently, there is not much incentive to pay on time (5% after two years). The Board also does not want to impose liens on properties. What we currently have in the Bylaws isn't working (\$190,000 in back dues currently owed).

Resident Comment: As the Board has stated in the past, our current documents do not come up in title searches for home sales, so people are often unaware of dues owed on a property. When we re-file with the more appropriately-titled documents, this will help identify back dues owed before a home is sold.

##### Q&A

- ✓ What are some of the ideas the Board has had for this new policy? We haven't set a penalty yet. Part of the advantage of hiring the new attorney is that we can ask him about what some comparable Associations do (common practice).