

Willow Creek of Metamora Board Meeting Minutes December 17, 2015

Board Members in Attendance:

- P - Carla Guiher (President)
- P - Jim Susin (Vice President)
- P - Chad Langan (Treasurer)
- P - Bonnie Nungester (Secretary)
- N - Brad Wilson
- P - Kathryn Diaz
- P - Tom Thomas

P= Attend in Person AT= Attend via Technology N= Not in Attendance

Guests in Attendance: Gary Newswander, John Nungester

Meeting Called to Order at 7:03 PM by Jim Susin

Old Business

Approval of October 2015 and November Annual Meeting Minutes – Brad Wilson is not present and did not submit these minutes; therefore, this will carry over to January Meeting.

Election of HOA Board Members and Officers

7 individuals expressed interest on being on the HOA Board.

- Jim Susin motioned that Carla Guiher be President of the board; motion seconded by Chad Langan, vote in favor was unanimous.
- Carla Guiher motioned that Jim Susin remain as Vice President; motion seconded by Chad Langan; vote in favor was unanimous.
- Jim Susin motioned that Chad Langan remain as Treasurer, motion seconded by Bonnie Nungester; vote in favor was unanimous.
- Jim Susin motioned that Bonnie Nungester be Secretary; motion seconded by Kathryn Diaz; vote in favor unanimous.
- Terms of board members were reset due to resignations, changing of officers and confusion as to term lengths.
- By unanimous vote: 2 year terms will be held by Carla Guiher, Bonnie Nungester, and Tom Thomas; 1 year terms will be held by Jim Susin, Chad Langan, Brad Wilson, and Kathryn Diaz.

Treasurer's Report

- 95.48% of 2015 dues have been paid
- 20 dues notices for 2016 and notice of annual meeting were returned; Chad will verify addresses and correct

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- There were three complaints of dues being listed as past due when they were already paid; Chad will address this issue.
- Current checking balance is \$24,612.65
- All 2015 bills which have been received have been paid. No bills for 2015 have been received for treatment of the lakes. Chad will call Bill of Marine Biochemist regarding services and bills.
- 57% of 2016 budget is projected to be for mowing of common areas
- HOA insurance premium has been paid and the address has been changed with the insurance company to the Board Post Office Box 506 address.
- 14.57 % of 2016 dues have already been paid
- The balance in the Construction Fund is \$3050.00.

Pond Committee Report

Jim Susin met with Wayne Herndon; a fish biologist with the Division of Fisheries of the Illinois Department of Natural Resources on June 25, 2015.

- Wayne Herndon, District 5 Fisheries Manager; 309-968-7563; wayne.herdon@illinois.gov
- Wayne did highly recommend Marine Biochemist who are currently treating algae in ponds. It is illegal to treat a pond owned by multiple people without a license.
- All ponds could benefit from aeration, however, is not a priority at this point.
- The broken concrete between ponds 1 and 2 is within legal guidelines. Wayne did suggest using egg size rocks to build up each side of the slab to force the water to flow down the center of the spillway over the concrete.
- Depth of pond mapping needs to be done on Pond 1. 25% of the surface needs to be an average of 8 feet deep. Wayne can help us do this at no cost but will not have time until fall.
- Wayne suggested getting 5-6 bids for dredging the pond from approved vendors.
- Regarding area behind home of Tom Thomas on Willow Glen rocks/dams are there for a purpose and should be left there. Wayne noted that water from two of the storm sewer drains was gray in color and smelled of raw sewage. Jim Susin contacted David Mueller; Village of Metamora. David told Jim that he HOA could contact the EPA office in Peoria about our concerns. Documentation of sewage water would need to be documented before proceeding to EPA.
- Wayne suggested the purchase of 500 – 1000 mosquito fish to be added to ponds 1 and 2 to help lower the mosquito population. The state of Illinois has a fish sale in April and October through Logan Hollow Fish Co; owner Pete Reiff. Wayne suggested waiting until April to do this.

Additional Pond Committee Report not from meeting with Wayne

- Pond 3; Phase IV is in best shape. A windmill to aerate the pond could be placed on the undeveloped part of the pond at an estimated cost of \$2,025.
- Pond 2: At no additional cost, the contractor added a conduit under a private drive for electric cable to use to aerate to ponds 1 and 2. One line would be run with a separate pump for each pond (1and 2).
- ? Would aeration of ponds 1 and 2 have any effect on Pond 3?
- Estimate of 6-7 thousand dollars to aerate all 3 ponds
- Ponds need a combination of aeration, depth, and grass carp
- Jim will put together an outline of pond solutions, including aeration and maintenance for the January meeting.
- About 2005 Google Maps showed ponds without water
- Discussion of pictures which had been taken of bales of hay from Golf Course being washed into Pond 1 during heavy rains. Whereabouts of pictures is not known.

Mowing Committee Report

- LJ Mowing had mowing contract for 2015 which included spraying for weeds and tree line trimming. No complaints received.
- Jim will check with Jeff Kurtz about written contract. Need to determine if there was a clause for 2 years of service in contract.
- Carla will contact LH Mowing about a bid for 2016 mowing which is to include spraying for weeds, tree line trimming, and an open ended contract to adjust for any land sales of common property.

Architectural Committee (ACC) Report

- Homeway Homes submitted plans for Lot 114, however, did not submit required additional paperwork which includes a checklist reviewing all minimum requirements. Carla states all criteria are met by the plans.
- Discussion was held on what to do with regard to incomplete submittal.
- Kathryn Diaz motioned that contingency approval be given for Lot 114 provided Homeway Homes submits all required paperwork no later than 5:00 pm Monday December 21, 2015. In addition Kathryn moved that all future architectural plans must be submitted with all required paperwork prior to approval; no more contingency votes. Jim Susin seconded motion. Motion passed with unanimous vote.
- Explanation of Construction Fund: Damage deposit by contractors for any damage caused by contractor to neighboring lots, curbing, etc. Damage deposits are not returned until city provides an occupancy permit and lawn is seeded/sodded as required.

New Business

- James Knapp, has been hired on an as needed basis as HOA attorney at a cost of \$250 per hour. Carla estimates he has already worked 3-4 hours.
- Discussion of attorney letter:
 - On July 14, 2014 Busey Bank filed a Quit Claim Deed for Out lots A, B, and C is the Estates at Willow Creek.
 - Sections B and C are adjacent to Coal Bank Road and could be used for signs for Willow Creek Home Owners Association.
 - The HOA has the authority to sell to sell Out lot A. Discussion followed on methods of proceeding. Drainage areas cannot be sold.
 - There is no time limit on filing of lien on property for past due bills and is not a priority.
 - First priority should be to pursue sale of common property.
- Discussion of sale of common property horseshoe area of the Estates and Mulberry Park.
 - Discussion of possible sale of property for \$1 with board paying initial cost for assessment, transfer of deed, and attorney fees. Transfer of title to be completed when home owner reimburses HOA for costs of sale.
 - It is reported that lots 7, 9, and 10, 14, 15,16, and 17 are interested in buying common property adjacent to their property.
 - Gary Newswander objected to the sale of the common property to homeowners. Gary states land should be kept for intended purpose of playground equipment or possibly a dog park. Wants common usage of land to be explored. Gary asked if parks were being sacrificed to care for ponds. Discussion followed on limited used of parks by HOA members. While Gary has seen parks used for walking dogs and driving golf balls; others present had seen little appropriate usage. Carla stated a group of junior high children use the park by her house for inappropriate behavior and also tease the dogs on adjoining properties.
 - Bonnie Nungester noted it has been reported that people who are not members of the HOA already use the ponds. Liability for the HOA needs to be a consideration with regard to selling the common areas.
 - Kathryn Diaz noted that Black Partridge Park offers many amenities which are easily accessible by HOA members.
 - Carla noted that a third option of planting prairie grass in the common areas is an option for the board to consider.
 - Chad will discuss interest of property owners on his street in purchasing common property in the Estates area and report at the next meeting.

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- Discussion of inquiry from David Mueller, Village of Metamora, regarding a Home Business at 1281 Cedar Lake Dr. which is in Phase 4 of Willow Creek.
 - Per Covenants of Phase IV Section 8.6 “No portion of the Subdivision, improved or unimproved, shall be used for any commercial, manufacturing, religious, fraternal, or other business purpose. The only exception to this shall be for home offices which have no employees, drive up customers or regularly scheduled delivery trucks.”
 - Since the proposed business deals with facials and waxes which would involve drive up customers this business is not approved by the covenants.
 - Carla will ensure that Dave Mueller, Village of Metamora, is aware that this business does not meet the criteria of the covenants.
- Formation of Committees:
 - All HOA members are encouraged and invited to join any committee.
 - Two board members should be on each committee.
 - Pond Committee: Jim Susin [Chair], Tom Thomas, John Van Order to be asked to join.
 - Architectural Committee: Carla Guiher[Chair] Gary Newswander, Tom Thomas
 - Mowing Committee: Carla Guiher [Chair], Jim Susin
 - Hospitality Committee: Kathryn Diaz [Chair], Bonnie Nungester. Arrangement with Village Florist to obtain \$20.00 for new home owners in HOA.

Miscellaneous:

- Carla will create a contact list of all board members and e-mail it to board members and alert Andrew to changes in board members.
- Jim will contact Brad Wilson and Jeff Kurtz regarding any HOA paperwork, letters, contracts, billing, post office box key etc. which might still be in their possession.
- Gary Newswander asked if someone could be removed from the board. This is covered in the By Laws, Article VI Section 6. Removal of Officers. Any officer may be removed when, in the judgment of the Directors, the best interest of the association will be served by such removal. Gary expressed interest in becoming a board member should there be an opening.
- Key to town hall used for board meetings was given to Tom Thomas.
- All committee reports (submitted by committee chair), topics of new business, brief Treasurer Report, and board minutes are to be e-mailed to Carla no later than 10:00 pm the second Thursday of each month; this is a week before the board meeting.
- By unanimous consent all board members present agreed that each board member is responsible for creating their own notebook which will contain Phase IV, Phase V, and the Estates Covenants; all Amendments to the Covenants; Letters from the Attorney, Approved Minutes, Pending Minutes and attached committee reports; and any new committee minutes, letters, etc. to be discussed at the current board meeting. All board

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members are to read proposed minutes, committee reports, and letters prior to the board meeting any be prepared to discuss any concerns.

- Carla will compose the agenda for each meeting and attach all committee reports, letters, and the board minutes for board members to read prior to the board meeting. Board members should be ready to discuss, not read.
- Attention all HOA members: Unlocked cars on Willow Glen were entered and anything of value taken. Please be proactive and lock cars.

Task List and Monthly To Do List courtesy of Kathryn Diaz

Board Member To Dos:

- Carla will create a contact list of all board members and email it to board members.
- Jim will contact Brad Wilson and Jeff Kurtz regarding any HOA paperwork, letters, contracts, billing, post office box key etc. which might still be in their possession.
- Jim will check on the bill for the pond from Marine Bio Chem - completed **We hope to have a Marine Bio Chem rep at the January 21 meeting**
- Jim will provide an outline of information about aeration, windmills, and surveying the ponds. He will also contact Wayne Herndon about availability, get cost estimates and provide a list of options regarding the ponds.
- Carla will contact LJ's Mowing about providing a new open-ended bid for 2016
- Jim will send out letters regarding overdue HOA dues.
- Chad will find out who would be interested in purchasing the Horseshoe property.
- Chad will contact Andrew about putting a notice on the website about the recent thefts.

Monthly Tasks:

- Prior month meeting minutes and committee monthly reports, excluding Architectural Committee report, will be emailed to the HOA President by the 10 pm on the second Thursday of the month, one week prior to the monthly meeting.
 - Architectural Committee report will be submitted by the 2nd TH of the month, additional info will be forthcoming if any plans are submitted
- President will compose agenda and email to board members by Monday prior to the Board Meeting; with all pertinent attachments. Board members will read through agenda and reports prior to the monthly meeting.

At 9:30 pm Tom Thomas motioned to adjourn the meeting; it was seconded by Jim Susin; unanimous vote to approve.

Respectfully Submitted,
Bonnie Nungester
Secretary