



WONDER LAKE

SPECIAL REPORT FOR ALL MPOA MEMBERS

THE RESULTS ARE IN AND THE SSA TO FUND LAKE RESTORATION IS MOVING FORWARD

In an effort to help everyone fully understand the complexity of the effort to establish funding for our Lake Restoration effort, below is a time-line of the events leading up to the recent announcement by the Village of Wonder Lake that our SSA is moving forward.

TIME LINE TO ESTABLISH SPECIAL SERVICE AREA TAXING DISTRICT (SSA) TO FUND THE RESTORATION OF WONDER LAKE

September 12, 2007

Following months of review, meetings with consultants and land owners, crunching numbers and reviewing sediment depths, the MPOA Lake Maintenance Commission presented an updated lake restoration plan to the MPOA Directors. This plan calls for dredging the West Bay from the south shoreline north to an imaginary east-west line that borders the north edge of Walkington Island, all of the South Bay, the three coves in White Oaks Bay, the small cove adjacent to the Lookout Point park, the restoration of O'Brien Shoals and Wickline Island, and to establish a long-term maintenance plan to address the natural in-flow of sediment from Nippersink Creek.

A minimum of 963,000 cubic yards of sediment will be scheduled for removal at a total fixed cost of \$5,932,730, plus interest.

This "more affordable" plan is significantly less expensive than the \$ 13 million proposal that was recommended by our consultant in 2006, and will address the immediate problems of providing lake access, deepening the lake, and adding 75 - 100 acres of navigable lake surface.

It was proposed that consideration be given to fund the lake restoration project by establishing a Special Service Area (SSA) taxing district to apply to all properties in our community and around our Lake that have lake access, either by deed or by geographic location to the shoreline. This would be a one-time SSA, as any future additional dredging would be funded by revenue generated through the sale of the dewatered sediment.

October 10, 2007

At their regularly scheduled meeting, the Directors called for a special meeting of the MPOA Board of Directors for November 1, 2007. The purpose of the meeting was to consider requesting that the McHenry County Board establish a SSA to fund lake restoration.

November 1, 2007

Following two MPOA Open House presentations, an IL Environmental Protection Agency sponsored Lake Fest, two public meetings (one at Harrison School on 9/29/07 and one at Greenwood School on 10/6/07) and presentations at several subdivision general membership meetings, the MPOA Directors voted by a 60% majority (39 YES, 27 NO and 1 Abstention) to seek SSA funding for a \$5,930,780 Lake Restoration Project through McHenry County Government.

November 21, 2007

By unanimous vote, the Village of Wonder Lake Board of Trustees passed a resolution supporting the establishment of a SSA by McHenry County to fund a lake restoration program.

December 6, 2007

Utilizing information from its consultants and legal counsel, the MPOA presented their plan to restore Wonder Lake to the McHenry County Planning & Development (P & D) Committee and requested that consideration be given to accept their application for a SSA to fund the project.

December 17, 2007

An informal recommendation from the McHenry County P & D committee was to instead present the SSA application to the Village of Wonder Lake for consideration as the committee members present felt that the restoration effort is a local matter that should be administered through a local unit of government.

January 2, 2008

Based on the McHenry County P & D Committee's recommendation, your MPOA submitted a SSA application to the Village of Wonder Lake Board of Trustees. The Board members present unanimously accepted the application.

March 18, 2008

The McHenry County Board, by a 16 to 7 margin, passed a resolution supporting the creation of a Wonder Lake Special Service Area (SSA) through the Village of Wonder Lake.

September 10, 2008

In October of 2007, the Sunrise Ridge Estates (SRE) subdivision board notified your MPOA officers that they would like to have their subdivision properties excluded from the SSA boundary, and if necessary, withdraw from the MPOA, and relinquish their deeded lake rights.

Acting on the advice of our attorney, your MPOA officers spent the next ten (10) months attempting to work out an agreement with SRE that the MPOA Delegates could consider in order to accommodate their request. The SRE Board rejected certain stipulations proposed for consideration. Specifically, SRE rejected the MPOA request for.

- SRE to indemnify the MPOA against any litigation brought by SRE property owners not wanting to give up lake rights.
- SRE to reimburse the MPOA for legal expenses incurred while attempting to reach an agreement.

The decision by the SRE Board to reject our proposed agreement prompted the MPOA Directors at their September, 2008 meeting to approve (by a 62% majority) a motion to suspend ALL MPOA efforts to consider allowing SRE to be removed from the SSA.

The effort to establish a SSA to fund our Lake Restoration was again put on the front burner.

November 5, 2008

The Village of Wonder Lake Board of Trustees unanimously passed an Ordinance Proposing the Establishment of a Special Service Area for Lake Restoration.

December 5, 2008

Following the completion of the Notice of hearing, tabulation of all PINs within the proposed SSA boundary, the legal description, map of the area and the mailing list, the Notice of Hearing was distributed by first class mail to all effected property owners.

December 17, 2008

The Village of Wonder Lake Board of Trustees conducted a hearing on the proposed SSA at Greenwood School. Following a presentation by the MPOA, any and all parties present were provided with the opportunity to ask questions and comment. After all had been heard, the hearing was adjourned.

January 10, 2009

An open house was held at the MPOA office and information related to the proposed SSA was distributed to all attendees.

February 17, 2009

Petitions in opposition to the proposed SSA were submitted to the Village of Wonder Lake Village Clerk. Each sheet was numbered and recorded in the presence of those submitting the petitions. Copies of all the numbered petitions were then delivered to the Village's attorney for review and analysis.

In order for the SSA to be stopped, objectors needed to present petitions containing the signatures of 51% of the landowners within the proposed SSA boundary, and 51% of the registered voters.

May, 2009

Based on recommendations from their bond consul, the Village of Wonder Lake agreed to seek a neutral third party consultant (Taussig & Associates) to determine the results of the Owner Petitions submitted to the Village Clerk on Feb. 17, 2009. The agreement required that the consultant:

- A. *Research and prepare a list of owners of record as of December 17, 2008 for all Parcel Identification Numbers ("PINs") provided to Consultant by the Village.*
- B. *Using the list compiled in Task A, Consultant will certify as to the number of objection petitioners as a percentage of the total number of owners of record. This certification will assume that all signatures set forth in the owner of record objection petitions are valid and should be counted.*

August 5, 2009

The Village of Wonder Lake's announced their findings related to their research.

Following an exhaustive verification of the owners of record of all PINs located within the proposed SSA boundary, Taussig and Associates, Inc. has determined that the signatures on the Owner Petitions submitted to the Village of Wonder Lake on February 17, 2009 do not constitute the 51% total necessary to prevent the SSA from moving forward. In addition, the Village has determined that based upon McHenry County voter registration records, the Elector Petitions submitted to the Village of Wonder Lake on February 17, 2009 do not constitute the 51% total necessary to prevent the SSA from moving forward. These results were obtained counting every opposition petition submitted, with none disqualified or ruled invalid.

THE NEXT STEP

By a majority of both the property owners and the electors, it is clear that the community supports the lake restoration plan presented for consideration to the MPOA Board of Directors on September 12, 2007. The MPOA Board must now begin the job of establishing the necessary time-line and authorizing the gathering of the data that will enable our consultants to complete the regulatory permit applications and begin engineering the sediment dewatering facility.

On-going sediment testing conducted over the past 13 years by the MPOA has determined that the sediment to be dredged from Wonder Lake is safe, and will not require any special handling. However, additional sediment testing will also be performed, with the results reviewed

and approved by the appropriate regulatory agencies as part of their permit issuance process.

Once permits are issued by the regulatory agencies, we can start preparing bid packages for the construction of the sediment dewatering site, and for the dredging itself, hopefully in 2010.

In the meanwhile, your MPOA Officers and Directors will begin working with NRB Land to draft an agreement to govern the use of a portion of their property for a temporary sediment dewatering and processing facility. This generous gesture by NRB Land to provide the use of their land at no cost to the MPOA, is greatly appreciated.

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