

## MPOA NEWSLETTER – WINTER/2006

### PRESIDENT'S LETTER

On January 10, 2006 the MPOA received a donation of land represented by a deed conveying the lake bottom portion of the Andrychowski/Jeffery property located at the southeast end of our Lake. On January 12, 2006 this lake bottom parcel was removed from the plat of properties proposed for annexation into the Village of Bull Valley. That same evening, in response to a petition submitted to the Village of Wonder Lake by the MPOA Board, the parcel was annexed into the Village at a special meeting of the Village's Board of Trustees. A condition of this donation of land is that there will be no mining operation within 2500 feet of the shoreline of our Lake. The MPOA Membership is grateful to the owners for their donation and to the Village of Wonder Lake and in particular, President Tony Topf who played a major role in the negotiations. See inside story for complete details.

We have not yet received notice of disposition of the 2nd District Appellate Court review of the appeal filed by the Village of Bull Valley in May, 2005. Their appeal was in response to Judge Sullivan's decision to dismiss the Buchert, et.al. petition that attempted to forcibly annex a portion of the previously proposed mining site located upland of the southwest end of our Lake into the Village of Bull Valley.

In keeping with the decision of the Directors at their October, 2004 meeting, each Commission Chairperson has submitted their goals for 2006 along with a summary of this year's activities. This year-end edition is dedicated to the publication of their responses along with the 2006 balanced budget approved by the Delegates, showing both projected income and expenses.

For many of us, the year has again been both frustrating and fruitful. The funds received from Neumann Homes has enabled the MPOA to bring our accounts payable into an update, balanced position. The appeal filed by Bull Valley continues to keep our lake restoration planning effort in limbo. Fortunately our financial future continued to improve during 2005 and the engineering design work for the sluice gate and sluice way repairs are in the final stage and will be sent out for bid as soon as our dam engineer completes the Request-for-Proposal.

As this newsletter goes to press, the directors have called for a Special Convention of the Delegates to consider By-Law changes that will give the Directors the regulatory authority to govern the activities in and on our Lake. Detailed information on the proposed changes can be found in the annual report submitted by the By-Laws Commission.

The Officers, Directors and Delegates hope that each Member family will enjoy a profitable, healthy and Happy 2006.

### BULL VALLEY LOSES AGAIN

As this edition goes to print the MPOA received word that the 2nd District Court of Appeals refused to hear the Appeal filed by the Village of Bull Valley in May, 2005. It is now official, the MPOA owns most of the Lake bed and it is annexed into the Village of Wonder Lake. More on how this impacts on our lake restoration efforts in the Spring newsletter.

### PROPOSED BY-LAW CHANGES

In accordance with property owner's requests followed by your Directors' requests to the MPOA attorney in July, 2005 and as outlined in the MPOA 2005 Summer and Fall Newsletters Recreational Use of Lakefront and Islands, below is our attorney's review and recommendations for changes to ARTICLE XI of the MPOA By-Laws.

In your review, please keep in mind that sections 1 and 2 include minor changes to the format to

make this revision more consistent with the rest of our By-Laws and easier to read.

In Section 2. c, the name, Recreational decal is proposed to be changed to Registration Decal and location of the decal is changed to a recommended placement on the right or starboard side of the vehicle.

Sections 3 and 4 are new, proposed changes that are in response to the current inability of the MPOA Directors to adequately respond to conflicts between neighbors that result in restricted lake rights, access and/or usage.

At their January 11, 2006 meeting your MPOA Directors called for a Special Convention of the Delegates to review and vote on these changes on February 8, 2006. The Convention will be held at Christ The King Church Community Hall, 5006 E. Wonder Lake Rd., Wonder Lake, IL. The Convention will convene at 7:00 p.m.

## ARTICLE XI

### LAKE RIGHTS, REGULATIONS FOR LAKE USE, AND ISSUANCE OF FUTURE REGULATIONS

#### Section 1. LAKE RIGHTS.

A. Lake rights may be granted by the M.P.O.A. provided that the individual or entity requesting such a grant shall, at a minimum, document to the satisfaction of the M.P.O.A. that the property for which lake rights is requested shows a clear and certain means of access to the lake.

B. Before lake rights can be granted or any real property belonging to the M.P.O.A. conveyed or otherwise disposed of or dedicated to the public, a Convention of Delegates must approve the proposed action by a 2/3 majority vote of the assembly.

#### Section 2. REGULATIONS FOR LAKE USE.

A. Hunting and Shooting. No person shall be permitted to hunt or shoot on the waters of Wonder Lake, or on the property owned by the M.P.O.A., unless he or she has obtained a permit from the M.P.O.A. Conservation Commission, or is accompanied by a person who has a permit. The permit may be issued only to a person who has lake rights. The applicant must agree in writing to:

- 1) Comply with all State and Federal regulations as well as all flowage agreements.
- 2) Indemnify, hold harmless, and defend the M.P.O.A. and the owners of land overflowed by waters of Wonder Lake, as evidenced by a copy of the certificate of insurance showing such coverage.
- 3) The holder of the permit shall be responsible for the acts of his/her guests or his/her family who may accompany him/her.
- 4) In the event a person fails to comply with any of the above regulations, the permit shall be revoked.

B. Duck Blinds. No person shall be permitted to build a duck blind on the waters of Wonder Lake, unless he or she has obtained a permit from the M.P.O.A. Conservation Commission. The permit may be issued only to a person who has lake rights. The applicant must agree in writing to:

- 1) Comply with all State, Federal and applicable local regulations as well as all flowage

agreements.

2) Remove or cause to be removed the duck blind within two weeks after the close of the duck hunting season.

3) Indemnify, hold harmless, and defend the M.P.O.A. and the owners of land overflowed by the waters of Wonder Lake as evidenced by a copy of the certificate of insurance showing such coverage.

4) The holder of the permit shall be responsible for the acts of his/her guests or his/her family who may use the blind.

5) In the event a person fails to comply with the above regulations, the permit shall be revoked.

C. Registration Decals. The following regulations apply to the issuance of decals and to those persons receiving decals.

1) M.P.O.A. registration decals are issued annually and are required to be affixed to all vehicles placed on and used in the waters of Wonder Lake, irrespective of size or propulsion.

2) Registration decals may be obtained at the M.P.O.A. office or by mail. (Revised 9/10/03.)

3) The M.P.O.A. decal shall be placed on the right (starboard) side of the recreational vehicle windshield. If there is no windshield, the decal shall be affixed on the right (starboard) side of the hull, but not next to or near the Illinois Registration numbers or State sticker.

4) M.P.O.A. recreational Guest decals may be issued by member subdivisions and unsubdivided property owners to members of their respective subdivision or to owners of their respective unsubdivided property, who expect their guests to temporarily place a recreational vehicle on the waters of Wonder Lake for a period not to exceed 72 consecutive hours. (Revised 9/13/95.)

Members who are issued a Guest decal shall be responsible for the acts of their guest.

5) All subdivisions and owners of unsubdivided property are required to provide the M.P.O.A. office with an annual report by November 1st of each year, of the recreational Guest decals issued. (Revised 9/10/03.)

D. Use of Aircraft. The use of aircraft in and on Wonder Lake is prohibited except in case of proven emergency as authorized by the M.P.O.A. through its Directors.

The landing, take off and mooring of aircraft on Wonder Lake in violation of the prohibition shall subject the owner/operator to a fine of \$1,000.00 for each separate offense, to be construed as each unpermitted use of the seaplane and each day the seaplane is moored in violation of the prohibition except where the M.P.O.A. through its Directors has authorized the emergency use and mooring of the seaplane. The determination that a violation has occurred shall be made by the Directors.

Article XI, Section 2D added by amendment as per vote of the Delegates at a Special Convention 4-24-02.

### Section 3. AUTHORITY TO ISSUE FUTURE REGULATIONS.

From and after the date of the Amendment to the By-laws dated February 8, 2006, the Directors are hereby authorized to promulgate additional regulations governing the use and enjoyment of the

lake by its permitted users, as well as penalties for the violation thereof, provided that any such regulations and penalties shall be valid only upon the vote of a two-thirds (2/3) majority of Directors present at a special meeting called for such purpose, or at a regular meeting of Directors. Furthermore, no vote on new regulations may be taken unless and until notice of any intended vote on a proposed regulation, along with a copy of the meeting agenda, shall have been served in accordance with the procedures applicable to notice of meetings set forth in Article IX, Section 3 of these By-Laws, nor will any new regulations approved by the requisite vote of the Directors become effective until fourteen (14) days following the date such regulations in their approved form are served in accordance with the said procedures for service of notice. The Directors shall maintain a current written list of all regulations and their penalties, which list shall be available for inspection and copying in the office of the MPOA.

#### Section 4. PENALTIES.

Except for the violation described in Section 2D above, persons found to be in violation of any regulations set forth in this Article XI or issued by the Directors pursuant to Section 3 are subject to fines established by the Directors consistent with the specific regulations adopted by the Directors in accordance with Section 3 above, provided that the Directors shall set a minimum and maximum penalty for the violation of each regulation. Each day of a continuing violation shall be deemed a separate offense. The Directors shall establish written procedures available to members for notifying any lake users of violations they have committed and of the penalties associated with such violations. The Directors shall have the authority to waive or reduce the amount of any penalties assessed against a lake user who has violated an MPOA regulation when compliance has been prompt, or when a reasonable explanation for the alleged violation has been presented to the Directors

#### NIPPERSINK CREEK WATERSHED COMMISSION

Dick Hilton, Chairman

##### 2006 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. CONTINUING WITH COMPLETION SCHEDULED FOR JUNE 2006
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. CONTINUING WITH COMPLETION TO FOLLOW THE PUBLICATION OF THE UPDATED PLAN
3. Assist property owners in Wonder Lake and throughout the watershed to locate funding assistance for agency approved water quality improvement projects. CONTINUING

##### 2005 Summary

During the year the Nippersink Creek Watershed Committee worked 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 is supported by a \$50,000 grant for watershed plan updates from the IL EPA, supported by Federal Clean Water Act, 319 Program funds. The update is scheduled for completion by June 30, 2006. 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 was requested through the grant and \$50,000 was awarded. The \$22,351 balance 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, the Nippersink Creek Watershed Planning Committee, and the McHenry County Defenders who will also act as the local

administrator of the grant.

To date, the 11 sub watershed areas have been designated and digitized maps that include existing land-uses are under final review, a website has been established (<http://nippersink.org/>) and local and regional comprehensive plans have been entered into our database and will be useful in addressing current and future issues in the watershed.

#### MPOA OFFICER'S REPORT

President, Dick Hilton; 1st Vice-President, Dennis Gallo; 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. CONTINUE TO 2006
2. Develop a job description and funding options for a professional Lake Manager position. ½ MET
3. Establish the criteria for a Lake Maintenance Commission for consideration by the Directors. GOAL MET

#### 2006 Goals

1. Develop alternative funding options to support a dredging program and present to the Finance & Budget Commission for review.
2. Develop funding options for a professional General/Lake Manager Position

#### 2005 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 assisting in the development of a balanced budget for 2006 by the Delegates, potential increases in revenue, membership and Lake bottom ownership through proposed development of the Maple Hill and Lake Point now known as Meadows of the West Bay "West Bay" properties, and acting as a liaison between the MPOA and the Village of Wonder Lake on in-lake activities.

President Dick Hilton (Director, & Board Member representing Wooded Shores), Treasurer Dale Kowalski (President & Delegate representing Lookout Point) and 2nd Vice-President Sue Draffkorn (Delegate representing Indian Ridge) were reelected to their 2-year positions at the 2005 Convention of Delegates. Positions open for election in 2007 are president, 1st Vice-President and Secretary. Both 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 Wooded Shores, Lookout Point and Indian Ridge subdivisions

#### MEMBERSHIP COMMISSION

Tom Cooper, Chairman

#### 2006 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. (MEADOWS OF THE WEST BAY) Continuing from 2005 into 2006. Lake Stewardship Book currently under review and revision.
2. Work with the Finance and Budget commission to establish a system for recording "new member" payments received from the Meadows of West

Bay subdivision. Continuing from 2005 into 2006

#### 2005 Summary

The Membership Commission participated in the activities necessary for the MPOA to now be 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 their preliminary plat by the Village, the developer has paid the MPOA \$100 for each platted lot in the proposed subdivision.

Upon completion of the necessary survey work, sufficient with enough upland property to assure privacy of our lake, the lake bottom portion of their property will be deeded over to the MPOA. The MPOA has agreed to grant full use of our Lake to each new member and to dedicate the \$350.00 payment of each property owner to a West Bay improvement fund.

#### LAKE RENEWAL COMMISSION

(Now a Committee under Lake Maintenance)

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

#### 2006 Goals

1. Work through the Lake Maintenance Commission to establish alternative dredging and funding options for lake restoration.

#### 2005 Summary

The Lake Renewal Commission has spent 2005 continuing to wait for resolution of the appeals of Judge Sullivan's favorable rulings on the annexation of the Lake bottom to the Village of Wonder Lake. Until the current 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 worked with the Directors to accomplish the formation of a Lake Maintenance Commission.

#### Lake Maintenance Commission

##### Mission

To coordinate and plan activities that will protect, preserve and enhance the water quality of Wonder Lake.

##### Scope of Responsibilities

- a. Coordinate efforts to address erosion of the lakefront and to assist property owners in determining the most suitable and environmentally sound protective measures necessary to

minimize the loss of shoreline.

- b. Review and recommend projects that will enhance water quality, reduce erosion of our islands and reestablish and stabilize them from further erosion.
- c. Investigate and coordinate grant opportunities that will financially assist property owners and the MPOA in maximizing efforts to protect and enhance our lake.
- d. Coordinate activities designed to assure all property owners with deeded lake rights access to the lake from their shoreline boundaries.
- e. Work with consultants to establish a dredging program designed to remove existing sediments and establish long-term maintenance programs to minimize future sediment loading.
- f. Coordinate activities with the Nippersink Creek Watershed. Commission to support efforts to minimize sediment loading in our lake.
- g. Establish a guideline for property owners and interested groups to follow and where appropriate, provide assistance in applying for permits from regulatory agencies for proposed projects.
- h. Present an Annual report of activities to the Directors.

#### Annual Treasurer's Report And Finance & Budget Commission

Dale Kowalski, Chairman

##### 2006 Goals

1. Develop a balanced budget for 2007.
2. Continue developing a plan to further increase the Emergency Fund balance.
3. Assist in establishing a funding source for the sluice gate & sluiceway repairs, financial support for a professional General/Lake Manager position and options for funding lake restoration/dredging programs.

##### 2005 Summary

As a result of the increased revenue from the West Bay developer our Accounts Payables are now up-to-date and current.

The Finance & Budget Commission worked to produce a balanced budget for 2006 that was approved unanimously by the Delegates in September.

##### 2006 BUDGET (Attach the excel file)

##### 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. GOAL MET
2. Obtain final recommendations and engineering specifications for repair of the interior walls of the sluiceway on the east side of the spillway. GOAL MET
2. Assist in establishing a separation of planning and funding for dam and in-lake maintenance and improvements. GOAL MET (See Lake Maintenance Commission)

##### 2006 Goals

1. Work with the newly formed Lake Maintenance Commission to obtain specifications and funding sources necessary to properly address the minor erosion occurring on the upstream face of the dam, west of the spillway.

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

#### 2005 Summary of activities

In addition to supervising the normal maintenance activities necessary to protect the dam, the commission saw to the completion of a dam inspection by our consulting engineer as required by the IL Department of Natural Resources. While free from major problems, the inspection by our consultant again 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.

Late in 2005 our dam engineer completed a draft of the engineering specifications for the repair of the sluice gate and sluiceway. Our plan for early 2006 is to incorporate these final engineering specifications into a request for proposal and to submit this to pre-qualified businesses. Our dam engineer will supervise the process and review the bids, make recommendations and supervise the repair project once the funding has been determined and obtained.

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.

#### WONDER LAKE SPORTSMAN'S CLUB

\* 2006 Goals: A primary focus for the Sportsman's Club and Conservation Commission in 2006 will be education on the need for catch and release of game fish in Wonder Lake. This conservation is especially necessary in the Nippersink Creek above the Lake, which contains the best spawning grounds. Purebred Muskies were stocked in December of 2005 with the hope that they will reproduce. The MPOA is once again helping the Club with its fish-stocking program. The stocking along with the increased emphasis on catch and release will help Wonder Lake move toward the trophy fishing lake that we are striving for.

Two projects that will be enhanced in 2006 are the Wood Duck houses and the Aquatic Plant Study. We are expecting more Wood Ducks to nest in the existing houses this season. Valuable knowledge concerning what type of aquatic plant vegetation will thrive in Wonder Lake should lead to improved Lake quality.

\* 2005 Summary: The Ice Fishing Derby is always the first big event of the calendar year for the Sportsman's Club. In 2005, it began a series of five successful fishing tournaments including the Spring/Fall Bass derby and Catfish and Carp Derbies in the summer. These fishing events help in funding the "Sponsor a Wood Duck House" program, the Aquatic Plant Study, Kid's Fishing Derby and participation in WL Boy's Baseball, and the 4th of July Parade.

In the spring, our lake clean-up project sent club members to every subdivision beach to collect garbage. This is an annual event so we will be back again this year.

In the fall, fish netting below the dam placed game fish back into the Lake. This year's fish stocking program put 250 Smallmouth Bass, 256 Walleye Pike, and 51 pure bred Muskie into the Lake. Annexations to Village of Bull Valley

As previously reported in our fall newsletter and following status hearings in November and December, a hearing was held in the Circuit Court in Woodstock to verify a Petition to Annex property into the Village of Bull Valley (VBV). This refers to the petition filed by Richard Buchert et



al and includes several properties on the south and north sides of Rte. 120 as well as the most southeasterly portion of our lake. Michael J. Andrychowski and August E. (Gus) Jeffery are owners of the four most easterly properties in the territory proposed for annexation. These parcels together amount to approximately 60 acres and include the portion of our Lake bottom in the south end of our Lake, contiguous to the Wonder View subdivision's southern boundary and Greenhill Shores western boundary.

Mr. Andrychowski and Mr. Jeffery graciously agreed to donate their Lake bottom property and enough upland property sufficient to protect lake privacy to the MPOA in return for an agreement by the MPOA and Village of Wonder Lake to abandon the proposed mining operation on property bordered by Thompson Road to the south and west of our Lake. Without this agreement and subsequent donation of lakebottom by the owners, as proposed, the annexation to Bull Valley would have provided the VBV with a jurisdictional boundary extending into our lake. In addition to placing Wonder Lake under the jurisdiction of two municipal governments, the annexation would have enabled the VBV to effectively terminate the plan for the proposed mining and restoration of our Lake.

The MPOA Board of Directors concurs with the agreement and the Village of Wonder Lake has agreed to enact an ordinance that will protect the agreement. By covenant to the deed, if the agreement is broken and mining were to occur within 2,500 feet of the shoreline of our Lake, title to the property would revert back to the previous owner.

During the January 12 Hearing on the Petition to Annex to the VBV, the MPOA attorney was present and successfully argued for the removal of the property now owned by the MPOA from the plat of properties proposed to be annexed to the VBV. At a special meeting of the Village of Wonder Lake Board of Trustees the evening of January 12, the property removed from the Petition to Annex to the VBV was annexed into the VWL by a unanimous vote of the Trustees.

On behalf of the entire membership, the MPOA Officers and Directors pledge their support for the agreement and are grateful to the owners for their donation of both Lake -bottom and surrounding upland property sufficient to protect the privacy of our Lake. A special thank you is also extended to the Village of Wonder Lake Board of Trustees and President Tony Topf. Their total commitment to work with the property owners and the MPOA to protect the privacy and jurisdictional integrity of our Lake was the primary factor that enabled us to achieve our mutual goal.

The Lake Maintenance Commission has begun the process of exploring alternatives to the previously proposed mining/dredging plans. As an added note, the dredging of our lake is not impacted by this agreement.

#### CHAMBER OF COMMERCE CHAMBER MEETINGS 2006

Below please find the revised Chamber of Commerce Board meetings.....these meetings are open to the public and all Chamber members are welcome:

JAN. 11 WED. NOON - FEB. 1 WED. NOON - MAR. 1 WED. NOON  
APR 4 WED. NOON - MAY 3 WED. NOON – JUNE 7 WED. 7PM  
JULY 12 WED. 7PM - (Second Wed of month) – AUG 2 WED. 7PM  
SEP 6 WED. 7PM – OCT 4 WED. NOON – NOV 1 WED. NOON  
DEC 6 WED. NOON

The Chamber would like to offer a HUGE THANK YOU to the following business's who made this years WINTER WONDER WALK such a big success:

JUSTEN FUNERAL HOME - BOWLES REPAIR SHOP - JULIAN AGENCY INC  
NEUMANN HOMES - KENNEDY HOMES - W.L. WOMENS CLUB

The following Wonder Lake business's participated and made this Walk so much fun for so many families: MPOA - ADVANTAGE R.E. - DR. SCHROEDER - MIKES AUTO  
SIMPLE CHANGES SALON - CHRISTINE & CO. - VIDEO GALLERY  
ULTIMATE TAN – SUBWAY - PAULEE PIZZA - WONDER FOODS - W.L. CITGO  
WRIGHTS HARDWARE - W.L. STATE BANK - HORIZONTALS SALON  
DOCKSIDE BAR & GRILL - LAKE FRONT SALON - W.L. FIRE DEPT

Please join us for the Annual Awards Dinner at the Marquise Banquet Hall on Tuesday February 28th 6pm. Download an invitation and dinner menu from [www.wonderlake.org](http://www.wonderlake.org) or call the chamber at 728-0682. Great food, great entertainment, and lots and lots of door prizes.

#### FOURTH OF JULY FESTIVITIES

The Fourth of July Committee is Eagerly seeking people to contribute ideas for our upcoming Fourth of July Festivities her here Wonder Lake. Please contact the Chamber at 728-0682.

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