

**Dutch Creek Homeowners Association**  
**Johnsburg, IL.**  
**HOA meeting**  
6/19/ 2024 at 7pm  
Village Hall in Johnsburg

**BOD Members Present:**

Jack Weigert – Acting President and Architectural Review volunteer  
Jeff Elser- Architectural and Landscaping Review Committee Chair  
Mike Cooper – Security issues  
Jeff Peevy – Tennis court repair/ maintenance plan  
Emily Magaw - Treasurer

**New Members**

Gary Foley -- President  
Kathy Korshak -- Treasurer  
Michelle Breen – Secretary  
Tom Benck – Vice President  
Greg Nemec – Member at Large [g-nemec@hotmail.com](mailto:g-nemec@hotmail.com)

**Absent**

Marie Peevy – Entertainment committee

**Attendance by homeowners:**

Ed and Pam Wiersum  
Margie Nemec  
Jeff and Jaimie Elser  
Craig and Cheryl Hammond  
JoAnn Halvorsen  
Eileen Strzalka  
Mike Cooper  
Jim Hayman  
Debbie Masura  
Gretchen Short

**Resignations:**

Jeff Peevy  
Emily Magaw – Treasurer, served 4 years

**Meeting:**

The meeting was called to order by Jack Weigert.

**New Business**

**Previous Minutes of Meeting dated November 23, 2023**, posted on website: DutchCreekEstates.com. Jack summarized the minutes. Minutes were approved by voice vote.

**New Board Members Approved**

New Board Members were approved by voice vote of homeowners present (all yeas, zero nays)  
Gretchen Short volunteered for Architectural and Landscaping Review Committee

**Previous Landscape report dated November 23, 2023**, was read by Jack Weigert. Report was not approved. Future reports will be completed by Jeff.

**KSN (Kovitz Shifrin Nesbit) Retainer Agreement.** Gary Foley presented information on law firm. Cost is \$4,200/year (\$350/month). Gary presented an enhanced option that costs \$675/month. The enhanced option would include fixing the bylaws to bring bylaws to current legal compliance. New President, Gary Foley made motion to sign 2 page (\$375/month), one-year contract with KSN to be HOA attorney. Motioned seconded by Jack and Kathy. Vote: motion passed with one abstention and zero nays. Craig Hammond requested the contract.

### **Northwest Management Company**

On 11/17/2022 and 6/13/2023 the Board decided not to use outside help. (Details in Minutes dated 6/13/23); however due to the lack of volunteers, the need to handle violations, and the need to maintain records and perform other secretarial work, the Board is considering a contract with Northwest Management Company.

Gary Foley presented information on this management company. We do not need to change the bylaws to hire a management company. The proposed cost of hiring this company is \$10,800 and add-ons could bring this to an estimated \$12,000.00 per year. At \$12,000.00 per year, the increase to the annual dues of the 114 units would be approx. \$105.00

would result in a \$200 dues increase/year for each homeowner.

### **Pending Meeting Village of Johnsburg Planning & Zoning Commission Meeting June 26.**

Tom Benck presented Jack Pease proposal that will be presented for approval at the Village Zoning Commission. The proposal will allow for (1) combination of lots in Development Phases 3, 4 and 5 and (2) construction of auxiliary buildings. A petition against approval was circulated.

### **Problem with Bylaws**

Our bylaws are 8 years old. State law now allows electronic notices through email and text. Changes to bylaws require approval of 51% of the members (58 signatures needed). We will run out of money in three years if we don't remove the 5% annual cap on the increase of dues. Goal: New set of bylaws within the next 12 months.

## **Old Business**

**License plate reader system.** Mike Cooper will procure another quote for a license plate reader system to record who is parking at our park. Quote is for information and cost. Installation will depend on need in order to keep the park area safe. First quote was for \$1350.

Current status: Item is on hold for future consideration

### **Violations**

Jack emailed list of "Open violations" to Rob on 12/22/2023. **Violations will now go through Jeff and proposed management company will send initial letter and follow-up letters. Note: No vote on proposed management company.**

### **Contracts for renewal: Board approved all three contracts 1/24/2024**

#### **Landscaping- Three-year contract:**

Brightview wanted a 5% increase each year of the three-year contract. Negotiated this down to 3% on 10/14.

Ref. 2023 cost was \$22,576. 2024 will be \$23,253. 2025 will be \$23,950. 2026 will be \$24,668.

Note that Brightview did keep their pricing level on the three-year contract that ended in November of this year.

Contract was signed Jan.2024

**For smaller landscaping jobs, we have used Rubino Landscaping without a contract**

#### **Tree care - One year contract**

McGinty Bros. Ref. cost for 2023 season was \$4,728. Prepayment \$4,511. Savings \$237. Included Ashborer injection. 2024 season is \$4,177. Prepayment price is \$3,968.15 a savings of \$208.85. No Ash borer injection.

Ashborjet injection- Emerald Ash Borer due in 2025 will add additional cost.

Contract was signed Jan.2024

**Pond treatment and equipment repair-** Two-year contract 2024-2026

Environmental Aquatic Management. (EAM) Ref. cost for 2023 season was \$6,400.

Cost quoted for 2024 is \$7,500. Cost for 2025 is \$8,700.

Budget for aeration equipment repair or replacement use \$1,700. (Budget for 2023 was \$1,500)

Budget for seasonal removal, cleaning, test, store and reinstallation in spring of 2024 use \$1,100.

(Actual cost for 2023 was \$981)

Prices have increased due to more chemicals needed for algae treatment plus chemical costs have gone up substantially.

Contract was signed Jan.2024

### **Financial Report:**

**Updated Financial Report was not received**

Since Emily was absent, a zoom meeting was held 1/24/2024 to address all financial issues.

Year-end Financial report dated 12/31/2023 was submitted and approved.

Confirm who is authorized to sign checks? Currently Emily. Rob will apply for authorization.

Capital reserve balance was at \$4,000.

Lien: James Marshal two liens, accumulated interest and costs to date. Rob and Elvis will determine course of action to resolve these overdue payments. No yearly accounting was sent to the owner.

One owner has not paid their dues in 2022 and 2023 as of 1/24/2024. Rob and Elvis will determine course of action to resolve these overdue payments.

Budget for 2024 was reviewed and approved by the board.

Annual dues for 2024 were increased from 460 to 485 to cover increased contract costs.

Fee increases approved by the Board (**November meeting**)

Late payment of unpaid dues was approved 4/18/23.

The late penalty fee will increase from the current \$25 to \$50 for the first reminder letter. If not paid, the penalty will increase to \$100 with the second reminder letter. This is being incorporated into the dues letter sent out by the treasurer.

Assessment Letter Fee of \$50 fee for a real estate assessment letter request was approved on 4/18/2023. This letter is issued by the treasurer confirming that there are no financial liabilities against the property.

### **Newsletter**

**The need for a volunteer to create and disseminate newsletter remains. Previous ideas include posting newsletter on the web-site and sending it out in an E-blast.**

### **Web site and content**

**No update.**

Emily will supply the required documents relating to real-estate transaction for posting. Having this type of information on our web site will reduce the board's involvement when others i.e., lawyers are looking for information.

Status: Open

E-blast was set up by Rob on 10/4/23 to provide information to the homeowners.

Rob and Ed Wirsum are responsible for posting items to our website.

### **Community Gatherings:**

**Need for a Community Gathering Committee remains. Previous ideas include: more Social Media presence, a summer social party, and Christmas lamp post decoration contest.**

### **Consolidation of HOA records to a digital format**

First brought up by Jack on E-mail 10/6/20 to all members. The following information to be digitalized:

- Five binders of Minutes of Meeting
- One binder of Year End Letters written by HOA presidents to the homeowners, and
- One binder with all revisions to the Rules and Regulations.

All binders are currently in Jack's possession. Ed Wirsum procured quotes to do this work. Lowest cost is 25 cents per sheet. Final cost would be approximately \$1500. Board said No to this but further options were not discussed.  
Case is closed for now.

## **Maintenance Section**

Park, tennis court and parking lot:

Playground climbing equipment: Final cost for the purchase was \$6809, installation \$3910, tax \$476. Total \$11,196 **The playground improvements are finished.**

New signs purchased for the park, parking lot and tennis court. Cost was \$465.45. **The new signs, including "no fishing" sign are posted.**

Solar Lights for tennis court, cameras for park and tennis court and trash cans for both areas purchased by Jeff. Cost was \$2,168.

Tennis court repair cost \$1,500.

Parking lot sealing \$400.

Rocks for park pond shoreline: None added in 2023. More to be added in spring of 2024 to replace the ones thrown into the pond. Previously done by Rubino Landscape in 2021 for \$365.

Mail box repair.

**Mail boxes have been repaired.**

Street repaving **No Update.** Gretchen Short received information from the village on how streets are rated and the current ratings of our streets. All information passed to Members. Mike Cooper will work with Gretchen to see if a date can be established for repaving.

Tennis court repair **Some repairs are completed.** Jeff and Marie Peevy will work on a game plan for 2024 tennis court improvements. Areas to be looked at are leveling, resurfacing, possible drain installation, new net and ratchet, additional pickle ball courts along with nets, repairing cracks in the green colored wall, repainting the wall, repainting the fencing around the court and repairing the deteriorating cement area outside the west side of the court. Due to cost considerations this work may have to be split up between 2024 and 2025. Current budget for this work is 10,000.

Parking lot

Front section by the swale needs repair and resurfacing. Superior Paving quoted to repave the front section of parking lot for \$6,300 with 2" compacted new asphalt. Entire parking lot was quoted at \$9,450. Installation of a culvert pipe to allow drainage will add \$3,100 to each one of the prices.

Pavement Solutions quoted \$6,987 to repave the entire lot plus \$1,900 for a 12" culvert pipe. Pipe can be furnished by the village according to one contractor. Surface is still in decent shape, no repaving at this time.

Re-quote is required.

Seal coating was done in Oct. 2023 by Davey Seal Coating costing \$400.

Pond behind Farmington Ln.

**Shoreline work and weeds need to be addressed.**

Level was reduced by Patrick Short (one of the homeowners on this pond). Overflow piping was cleaned out.

Future repairs will be required. Estimated cost based on previous quote is \$4,000-\$4,500.

Patrick Short has allowed access through his property to treat the pond during the 2023 season.

Well

Shut down done in Nov. by volunteer Joe Hyerczyk. He is also storing the hose. Start-up will be in Spring 2024.

Landscaping for front entrance

**Watering is done by Rubino Landscaping.**

Quoted by Brightview for \$2435. Some plants were moved to balance out each side of the entrance.

Additional flowers were installed. Work was completed late October. The funds to pay for this were taken from the tree planting budget. We did not plant three trees this year.

Garbage disposal:

**No update.** At park and tennis court. Who will dispose and add new bags? There is no garbage pick-up at these two locations. Jeff will address this.

Brightview quotes:

**No update.** Enlarge the mulch rings around all spruce trees that have been planted to avoid mower damage. Cost \$505  
Remove excess mulch around the trees on the east front entrance berm. Mulch is too high. Cost \$693. Brought to the HOA attention by Rubino Landscape. All pricing is too high. Additional quotes are required if work is to be done.

**Misc. items**

Beaver problems: Susan Heaney reported that beavers are damming the outflow of pond # 3 behind her house endangering the large oak tree's roots sitting in soil that is too wet. Per the developer, the three owners of the pond are responsible for any work relating to the pond which also includes any beaver removal.

Status: This item is closed.

**Meeting adjourned:****Filing requirements:**

The following items will be filed into the HOA Master File kept by the Secretary.

Min. of Meeting dated 11/29/23

Treasurers Financial Report dated 12/31/23 approved by the Board

2024 budget approved by the Board

Min. of Meeting dated 6/13/23 - approved by Board

Landscaping report dated 6/13/23 - approved by Board

Respectfully submitted by Michelle Breen