

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
January 18, 2025**

APPROVED

1.0 Call to Order: Meeting called to order by Vice-President Bill Becker at 8:00 AM. Other Directors present: Carmel Cottrell, Brian Holt, Mark Kosco, Deb McNamee. Nolan Mullen, Bob Ballenger and Mike Ward via Zoom.

2.0 Executive Session – Motion to proceed to executive session made at 8:00 AM by Brian Holt, seconded by Carmel Cottrell. Motion carried. Nolan Mullen left the meeting at 8:44 AM.

3.0 Return to Open Session – Motion to return to open session made by Carmel Cottrell at 9:08 am. Seconded by Mark Kosco motion carried unanimously.

4.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Bill Becker (president pro-tem), Bob Ballenger (via Zoom), Carmel Cottrell, Brian Holt, Mark Kosco, Debra McNamee, Laura Pratt and Mike Ward (via Zoom),. General Manager Jon Sabo was also present. Nolan Mullen was absent.

5.0 Treasurer's Report – will be in *The Apple Core*. Good news, we have purchased a new seven month CD on December 23, 2024 for \$256,500. Thank you Apple River Bank. It has earned almost a thousand dollars interest already. Maturity date is July 6, which is perfect timing for our budget review. Jon, Ed and Steve have a meeting set up next week to continue to review the Reserve Study. The hope is to complete the review before the budget process starts.

6.0 6.0 Committee/Commission Reports

Dam Advisory/Spillway Project – Mike Yorke reported that Phase 1 has been completed. We are well into Phase 2. Phase 2 is removing rock out from in front of the new weir, so water can flow unabated. This is for maximum efficiency of our new weir. The new weir is a beautiful site to see. Mark Kosco - Shout out to Barry Kren and Jeff Rice for the time they have spent on this project.

Nominating – Mike Yorke reported that as of this moment, we now have eight candidates for the board. Hard deadline is end of business day on Monday, January 20. Next big event will be Meet the Candidates, right here and on April 26.

Recreation – Leann Killeen reported we had a great Holly Jolly. Everyone loved it. We had a meeting on Thursday – discussion about recycling cans. Would like to see 10 [collection] cans available, comes out to about \$1000. Right now, we only have one in all of ACL. Will bring more information back to the board in March.

Strategic Long Range Planning – Mike Ward reported that the commission has drafted a preliminary new format. The process to create the vision, the strategy, and how we link to the one-year action plan is something we are looking at. Will be presenting next month. Time to take a look at the vision of ACL. February 8, on a Saturday, will be the next commission meeting.

7.0 General Manager's Report – Jon Sabo reported that he would like to address recent concerns about some of the fish that have been caught. Tyler reached out to SIU who houses the Illinois Aquatics Culture College, and they recommended a lab in Maine. Spoke to the managing biologist on Wednesday regarding the screening that would be appropriate. Expecting preliminary results on Tuesday. The biologist did send us an email indicating no obvious concerns and fish would be safe to eat. However, when in doubt throw it out. As soon as we get that data we will continue to communicate that. Mike Ward and Jon are continuing the training session at the Pro Shop. Pleased to see how well the 3-season room looks compared to last year. Jon will be testifying at the Jo Daviess County Zoning Board of Appeals on Wednesday regarding an application. Started the process with the State of IL to allow early alcohol sales at the Pro Shop and Marina on Sundays.

8.0 President's Report – will be in *The Apple Core*.

9.0 Any Additions to the Agenda – Laura Pratt motioned “to add 12.1 - New Business, Vehicle Identification Form.” Seconded by Carmel Cottrell. Motion carried unanimously.

10.0 Consent Agenda – Approve/Adopt Minutes from December 21, 2024, Board Meeting, and Committee/Commission Changes – Deb McNamee motioned “to approve/adopt the minutes from the December 21, 2024, Board Meeting and to approve the Committee/Commission changes.” Seconded by Laura Pratt, motion carried unanimously.

11.0 Unfinished Business None

12.0 New Business

12.1 Vehicle Identification Form – Discussion: Laura Pratt reported that this form/ information is used in other communities but is approved in their Bylaws or in their Rules & Regs. This was never brought to the Board for approval. This is a violation in procedures at ACL. Not arguing about the benefits of doing this, that is a separate issue to discuss, but on how this was implemented, feel that this should be terminated. Laura Pratt motioned “to cease collection of vehicle identification and license plate information immediately. Delete all acquired data. Delete the posting of form.” Seconded by Bob Ballenger. Discussion: Jon Sabo – implementation is a direct correlation to the integration of the new NorthStar system. POA module; member module; and all transportation related items (boats, kayaks, cars, UTVs, golf carts). As of this morning, 1057 [vehicles] have voluntarily submitted this data. This is a critical component for NorthStar. This was also a request from Security. For example: running a plate would determine if the car is the owner's car by running a query in NorthStar. If you are security pulling up to a house, expecting to see no car there, you want to know if it is a potential friendly or a potential not friendly. By deleting the data, we don't know how that would affect the system if that data were deleted. Laura Pratt - no safeguards are in place to prevent unauthorized access to this data. Sworn police officers cannot access this data from the DMV without due cause. They can be held criminally liable. There is no way to detect unauthorized access. What are the consequences. Mark Kosco – if an employee gave this information out, this would be grounds for immediate dismissal. License plates cannot be used to gain personal information. September 2022 – It was brought to Rules & Regs Commission by a staff member to resume this process, pending board approval of the language. Not sure why it didn't get to the board, somehow, we missed a step. Jon Sabo – I was unaware of that. When the directive was to properly implement NorthStar, we were thinking of that objective. For the sake of the ownership, clear distinction. We are entitled for protection against government. We are all undivided owners. To surmise that our intent is equal to the state's laws to protect us citizens from a government out of control is bad. Confidentiality – one breach and you are fired. A license plate is not private. Not controlling which vehicle the sticker is on, just trying to get data to better serve the community. We have many bank accounts on file. Would respectfully ask the board to not, at this juncture, undo this. Do not know what would happen to NorthStar if we deleted this. Mark Kosco – worried about license plate – but birthday and other information is open to millions of people on Facebook. Jon Sabo – Illinois law, #3: Any legitimate business having a legitimate purpose is entitled to those records. Every citizen in the state of Illinois has the right to request through the DMV, the ownership record of any vehicle. Reason is – you are responsible for that vehicle if you buy it. All of you have the right to go to DMV to ask for records on a plate. Laura Pratt- Can you show me that in writing? Jon Sabo – yes. Carmel Cottrell – As a former police officer, we would never give information out on a license plate. The plate is public, you see them everywhere. However, when you want that information nobody will give it to you. How our association is run – why wasn't this brought to the board first before this was enacted. Jon Sabo – That's a valid question. The board directed to implement NorthStar, was the intent. Did not dawn on me that this needed to go to the board. Mike Ward – this goes back to the purpose of giving license plate information. Point is – in the

two scenarios you gave, it would be important to know the make and model of the car. Would be happy to give ACL the make and model of my car, not the license plate. Are there other solutions without giving out information like license plates, that can be tied back to personal information. Jon Sabo – in that context, would agree. Bob Ballenger – two discussions but only one motion. This never came to the board. Today’s motion is to stop it. Mark Kosco – maybe this should go back to Rules and Regs. Brian Holt – safeguard aspect – build in a privacy policy, etc. Deb McNamee – can we get more examples of the benefits of this; what will this help us do? Penalty if the car is not registered? Jon Sabo – plan was just to implement. Enforcement was not a mindset. Brian Holt – disclosed to third parties? Jon Sabo -only if served with valid subpoena. Bill Becker - Need develop a policy for this – hate to see us delete everything and then have to redo everything. Hold somewhere and not utilize it until a policy is in place. Jon Sabo – if you were to sign in on the membership side, click on vehicle tag, we can see at that module, make and model of car. Plate is not an obvious item – have to go to the next step. Brian Holt motioned *“to amend the motion to read to not delete the information collected. Stop collecting this information for now.”* Seconded by Deb McNamee. Discussion: Brian Holt - If outcome is that we do want to continue, then we would not have to resubmit that information. But you do not have to submit this information in order to get your sticker. Amendment to motion – motion carried unanimously. Brian Holt – we can choose to delete the data later if needed. Vote on the motion – *“to cease collection of vehicle identification and license plate information immediately, to not delete data acquired, and to remove the posting of this form.”* Motion carried with Mark Kosco abstaining.

Jon Sabo stated he will be responsible for getting this to Rules & Regs. Expectation is to have something back by April.

Brian Holt left the meeting at 10:12 am.

13.0 Property Owner Comments

Sandy Conley 3A97 - Been here two years, appreciate what the board does. Legal concerns on what she is hearing . Are we seeking legal counsel to address these issues? Fish – exposure if someone eats the fish and has health issues. Concern about license plates - can understand people’s concern. If they don’t want to give that information, that is fine – should give them that option. What are we doing to protect ourselves legally? Thank you for working on this board.

Steve Davis 11-193– Cove for breakfast. First time was terrible; second time was even worse. Eighth board meeting since he brought up cleaning up the trees, bushes, etc. Dam is a big issue – work being done all over ACL, but not where it is needed the most.

LeAnne Kileen, 12A62 – when we do our trail paperwork for dos and don’ts – we give out our driver’s license number. Don’t get what the difference is. Golf vehicles and UTV’s are connected to our address. All on the database. License plate should have been explained why. All of a sudden, we are doing it. For our safety – should have made that known.

Rich Hedges 10-9 – When vendors come in to do the work on the lake is anyone checking their equipment that they bring in? Where else have they been? All of a sudden we have Zebra Mussels in the lake. They go to all different lakes and rivers – could bring in problems.

Eddie Patel, 11-209 – Question for Mike Yorke– Employee running for the Board – will they resigning Jon Sabo – Policy [Bylaws] would force the person to leave employment if they accept the seat.

Russ Piagentini 14-075 – 1. Am running for the board, have an issue with the Bylaws about employees running for the board. Major conflict in the past but would like new dialog with this Bylaw. Not looking to delete this Bylaw (would take months) just asking the board to review, revise or modify this clause to allow homeowners like me to run for the Board. 2. ACL should take over scrap metal and recycling. We have the vehicles and the manpower to do this. Close to \$2000 that we have taken in – could have been \$4000. 3. Every committee member/representative should be at

these meetings, in person or by Zoom. 4. Rumor has it the new construction at Pro Shop might be taken now in the spring. Waste of money. Think that is wrong. Why would you take it down?

14.0 Adjourn – Motion to adjourn made by Carmel Cottrell at 10:23 AM. Seconded by Deb McNamee, motion carried.

Recording Secretary, Rhonda Perry

President, Nolan Mullen

Corporate Secretary, Laura Pratt

Date