

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
JULY 20, 2013
9:00 A.M. - ACL CLUBHOUSE**

AGENDA NARRATIVE

**CATEGORY: NEW BUSINESS-AECC
AGENDA ITEM: 11.1
SUBJECT: PROPERTY OWNER REQUEST FOR VARIANCE**

Diane Wertz is requesting a variance to replace a deck. The permit was denied by AECC due to non-conformance of the current deck; unless the project would bring the existing deck into conformity. Ms. Wertz has stated her reasons for requesting the variance in a letter to the Board of Directors. She will also be present at the meeting.

RECOMMENDED MOTION: TBD

**CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.2
SUBJECT: GARDEN CLUB ENTRY ISLAND REQUEST**

Rosanne Brandenburg and Nancy Winter have requested to address the Board about the entry island at Apple Canyon Road and Lake Road #3. They have plans from McKay Nursery to complete the initial planting; which will be maintained by volunteers from the Garden Club. They request that the funds be provided to complete the planting before this fall.

RECOMMENDED MOTION: TBD

**CATEGORY: NEW BUSINESS-CONSERVATION
AGENDA ITEM: 11.3
SUBJECT: WATERSHED PLAN**

The Conservation Committee has recommended the Board approve that Mike Malon, Resource Conservationist, JDSWCD, and Seth Sample, ACL Environmentalist, develop a watershed plan for the purpose of getting a 319 Grant.

RECOMMENDED MOTION: APPROVE THAT MIKE MALON AND SETH SAMPLE DEVELOP A WATERSHED PLAN FOR THE PURPOSE OF GETTING A 319 GRANT.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.4
SUBJECT: PROPERTY OWNER REFUND REQUEST

Kenny Roddick has requested that the Board refund the \$200 monthly boat slip rental fee he paid the day before being assigned a Sub-Licensed Boat Slip. The Sub-Licensed Slip has already been paid for as well.

RECOMMENDED MOTION: TBD

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.5
SUBJECT: PROPERTY OWNER REFUND REQUEST

Duane Helin has requested that the Board refund the \$5 boat registration fee. After paying the fee he decided not to use the boat.

RECOMMENDED MOTION: TBD

CATEGORY: NEW BUSINESS-COMMITTEES
AGENDA ITEM: 11.6
SUBJECT: COMMITTEE CHANGES VIA MOTION OF CONSENT

- A. To accept the resignation of:
 - 1. Don Cisek from the Deer Management Committee
 - 2. Duane Suits from the Long Range Planning Committee
 - 3. Tim Johnson from the Long Range Planning Committee

- B. To appoint:
 - 1. George Drogosz to the Maintenance Committee
 - 2. Duane Suits to the Budget Committee
 - 3. Chuck Larsen to the Nominating Committee
 - 4. Rosanne Brandenburg to the Nominating Committee

RECOMMENDED MOTION: APPROVE THE COMMITTEE CHANGES AS LISTED ABOVE.

CATEGORY: NEW BUSINESS - RESOLUTION
AGENDA ITEM: 11.7
SUBJECT: RESTRICTED LOTS

Property Owners may apply to have their lot Restricted based on the following:
AMENDED AND RESTATED COVENANTS, Article VI, Section 12.

Restricted Lots. The Owner of any Lot upon which no Structure has been erected may enter into an agreement with the Association wherein the Owner agrees that said Lot shall remain forever-vacant open space upon which no Structure of any kind shall be erected, except one requested by the Association and agreed upon by the Owner and the Board. All agreements creating a Restricted Lot shall be in substance and form acceptable to the Board and suitable for recording, and when agreed to by the Association shall be recorded with the Recorder of Deeds of Jo Daviess County, Illinois. Restricted Lots subject to such an agreement shall beginning in the year following the recording of such agreement be liable for only sixty per cent (60%) of any future annual assessments. Restricted Lots shall continue to remain liable for any Special Assessments approved pursuant to Section 4 hereof. The Owner of a Restricted Lot shall have all of the rights and privileges of any other Owner, except as modified by such agreement, and shall continue to remain responsible for the maintenance of such Restricted Lot as is the owner of any other vacant Lot.

Sandra Nolan, ACL Building Inspector, has verified there were no structures on the lot. The lots were also crossed checked with the County to make sure there was no septic system on the lot. At this time, the following property owners are requesting the Board approve their request to have their lot Restricted. Once Board approved, the property owner will be given the legal document prepared by ACLPOA Legal Counsel to take to the JDC Recorder's Office to have their deed changed and recorded.

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|-------------------------|---------------|
| 1. LOT 08-117 – APPROVE | 4. LOT 12-340 |
| 2. LOT 04-021 – APPROVE | 5. LOT 11-236 |
| 3. LOT 09-131 – APPROVE | |

RECOMMENDED MOTION: ALLOW LOTS 08-117, 04-021, 09-131, 12-340, AND 11-236 TO BE RESTRICTED. RECORDED DEED MUST BE RETURNED TO PHIL JENSEN, ACLPOA LEGAL COUNSEL, AND ACLPOA OFFICE PRIOR TO DECEMBER 1, 2013 TO QUALIFY FOR REDUCTION IN DUES FOR 2014.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.8
SUBJECT: AMENITY TAG REPLACEMENT REQUEST FORM

The Association Office staff is encountering a problem where property owners claim they have lost the 10 Amenity Tags issued at no charge. These property owners are unwilling to purchase the additional tags at \$15 each, or an additional \$100 OARF if they have multiple lots. The Office staff requests that the form enclosed in the Board packet is approved to acknowledge tags that have been lost, while creating a penalty for abuse of the Amenity Tag system. There is currently no provision for replacement tags or abuse of the Amenity Tag system.

RECOMMENDED MOTION: APPROVE THE AMENITY TAG REPLACEMENT REQUEST FORM AS ATTACHED.

CATEGORY: NEW BUSINESS-CONSERVATION
AGENDA ITEM: 11.9
SUBJECT: FISH CRIBS

The Conservation Committee has recommended the Board approve placing fish cribs in Apple Canyon Lake at designated areas as shown on the map enclosed in the Board packet.

RECOMMENDED MOTION: APPROVE THE PLACEMENT OF FISH CRIBS AT THE LOCATIONS DESIGNATED ON THE ATTACHED MAP.

CATEGORY: NEW BUSINESS-CONSERVATION
AGENDA ITEM: 11.10
SUBJECT: RECYCLING CONTAINERS

The Conservation Committee has recommended the Board approve placement of recycling containers for glass, cans, cardboard, and paper at the Marina, Pro Shop, Nixon Beach, Clubhouse, and Campground, with signs promoting recycling to save our landfills. Montgomery Trucking does not have indoor-size containers and recommends that we have a separate trash can designated for recyclables. All items can be mixed in the same can as they are sent to a sorting facility. Plastics marked #1 through #7 could also be accepted. The Maintenance Department staff will take the recyclables to the Recycling Center and put them in the area already designated for these items.

RECOMMENDED MOTION: APPROVE THE PLACEMENT OF RECYCLING CONTAINERS AND SIGNAGE AT THE MARINA, PRO SHOP, NIXON BEACH, CLUBHOUSE, AND CAMPGROUND.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.11
SUBJECT: SALE OF LOTS NOT SOLD AT SHERIFF'S SALE

Four lots on the ACL foreclosure list did not sell at the Sheriff's Sale held June 1, 2013. These lots are 04-064, 08-004, 09-074, and 10-111. Three other lots were taken by the Association in 2012, lots 08-061, 08-062, and 08-079. ACL management is requesting approval to go ahead in selling the remaining lots, following the same requirements outlined at the auction; that 2013 Dues (\$750) and applicable OARF(s) are paid in full in addition to the purchase price of the lot. All back taxes will be the responsibility of the purchaser. The Association's legal counsel has prepared two options through which the Board can complete these sales (outlined in Resolution Authorizing the Sale of Association Real Property Acquired through Foreclosure Sales included in the packet). Deeds will be prepared by Association Legal Counsel Phil Jensen.

RECOMMENDED MOTION: APPROVE THE SALE OF LOTS 04-064, 08-004, 09-074, 10-111, 08-061, 08-062, AND 08-079 REMAINING FROM THE SHERIFF'S SALES FOLLOWING METHOD 1 _____ OR METHOD 2 _____ AS OUTLINED BY PHIL JENSEN.