

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
SEPTEMBER 21, 2013
9:00 A.M. - ACL CLUBHOUSE**

AGENDA NARRATIVE - AMENDED

**CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 5.0
SUBJECT: ELECTION OF OFFICER**

As advised by ACLPOA's attorney, Phil Jensen, Marge Clark is requesting a leave of absence from the Board to serve as Operations Director of the Association until the Board is able to fill the vacancy in the General Manager's position. This will necessitate the Board's electing a Treasurer to serve during this time and perhaps beyond. Also, the Board must designate the newly elected Treasurer to perform the function of managing funds and the budget during the temporary service of the Operations Director.

RECOMMENDED MOTION: TO ACCEPT THE LEAVE OF ABSENCE FROM THE BOARD OF DIRECTORS AS REQUESTED BY MARGE CLARK.

RECOMMENDED MOTION: TO APPOINT AS TREASURER OF THE BOARD OF DIRECTORS; WITH RESPONSIBILITY FOR MANAGING ASSOCIATION FUNDS AND THE BUDGET.

**CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.1
SUBJECT: PROPERTY OWNER CITATION APPEAL**

James & Diana Durso have requested an appeal to the Board of the citation issued to them for Abusive & Threatening Language. The citation and appeal information is included in the Board packet.

RECOMMENDED MOTION: ANNOUNCE DECISION

**CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.2
SUBJECT: PROPERTY OWNER REFUND REQUEST**

Valerie Mayo has requested that the building permit fees (\$2,000 + \$500 Debris Bond) related to the building of her new handicapped accessible home be refunded to offset the hardship associated with the requirement that she dig her own well. A copy of her letter is included in the Board packet.

RECOMMENDED MOTION: TBD

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.3
SUBJECT: RATIFY ELECTRONIC & PHONE VOTE

The Maintenance Department has long expressed a need for a working backhoe. The purchase of the backhoe is included in the proposed 2014 R & R budget; however, in order to complete projects slated for this year, it was proposed that a backhoe be leased using remaining Asset Preservation Funds in 2013 and then purchased in 2014. The lease cost will be deducted from the purchase price.

RECOMMENDED MOTION: RATIFY THE ELECTRONIC AND PHONE VOTE HELD AUGUST 30, 2013 TO APPROVE THE LEASE WITH OPTION TO PURCHASE OF THE JOHN DEERE 310SK BACKHOE FROM MARTIN IMPLEMENT USING ASSET PRESERVATION FUNDS.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.4
SUBJECT: SIGNATURE FOR BANK ACCOUNTS

Remove the previous General Manager Paula A. Lange, previous Operations Director Bob Stanger, and previous Treasurers Ron Carpenter and Duane Suits from any and all bank accounts on which they are still listed and to designate Marge Clark as the person who will sign on the accounts.

RECOMMENDED MOTION: TO REMOVE THE PREVIOUS GENERAL MANAGER PAULA A. LANGE, PREVIOUS OPERATIONS DIRECTOR BOB STANGER, AND PREVIOUS TREASURERS RON CARPENTER AND DUANE SUITS FROM ANY AND ALL BANK ACCOUNTS ON WHICH THEY ARE STILL LISTED. TO DESIGNATE _____, TREASURER, AND MARGE CLARK, OPERATIONS DIRECTOR, AS THE DESIGNATED SIGNERS.

CATEGORY: NEW BUSINESS-COMMITTEES
AGENDA ITEM: 11.5
SUBJECT: COMMITTEE CHANGES VIA MOTION OF CONSENT

- A. To accept the resignation of:
 - 1. Marilyn Detwiler from the Golf Committee
- B. To appoint:
 - 1. Mary Hannon to the Recreation Committee

RECOMMENDED MOTION: APPROVE THE COMMITTEE CHANGES AS LISTED ABOVE.

CATEGORY: NEW BUSINESS-COMMITTEES
AGENDA ITEM: 11.6
SUBJECT: REVISION TO MAINTENANCE COMMITTEE CHARGE

The Maintenance Committee has requested that the Board approve a revision to their charge to include: "in addition to reviewing the bid process from development to awarding of the contract." The revised Maintenance Committee Charge will read: "The Maintenance Committee shall advise the Board of Directors on all matters pertaining to the maintenance, repair or improvement of the Common Properties and facilities of the Association, in addition to reviewing the bid process from development to awarding of the contract, and shall perform such other functions as the Board, at its discretion, determines. The President shall determine the advisability of having a member of the Board of Directors assigned as a liaison to this committee."

RECOMMENDED MOTION: APPROVE THE REVISED MAINTENANCE COMMITTEE CHARGE AS STATED ABOVE.

CATEGORY: NEW BUSINESS-GOLF
AGENDA ITEM: 11.7
SUBJECT: ROCK WALL AROUND POND AT HOLE #6

The Golf Committee has requested that the Board approve the placement of stones on hole #6 to keep the mulch from being washed away, at a cost of \$1251. This will be taken out of the Golf Committee's Designated Fund. The rock wall was reviewed and approved by the AECC at their September 7, 2013 meeting. The balance in the Golf Committee's Designated Fund after this purchase would be \$4161.58. The rock wall will be installed by the Maintenance Department.

RECOMMENDED MOTION: APPROVE THE PLACEMENT OF ROCK AT HOLE #6, AT A COST OF \$1,251 WHICH WILL BE TAKEN FROM THE GOLF COMMITTEE'S DESIGNATED FUND.

CATEGORY: NEW BUSINESS - RESOLUTION
AGENDA ITEM: 11.8
SUBJECT: JO DAVIESS COUNTY HAZARD MITIGATION PLAN

Hazard mitigation planning is the process of determining how to reduce or eliminate the loss of life and property damage resulting from natural and man-made hazards. This process helps the County and participating jurisdictions reduce their risk from natural and man-made hazards by identifying vulnerabilities and developing mitigation actions to lessen and sometimes even eliminate the effects of a hazard. The results of this process are documented in an all hazards mitigation plan.

RECOMMENDED MOTION: TO ACCEPT THE RESOLUTION OF ADOPTION OF THE JO DAVIESS COUNTY MULTI-JURISDICTIONAL ALL HAZARDS MITIGATION PLAN.

CATEGORY: NEW BUSINESS - RESOLUTION
AGENDA ITEM: 11.9
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 begin 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.

1. LOT 06-053 – APPROVE
2. LOT 06-111 – APPROVE
3. LOT 05-139 – APPROVE
4. LOT 07-239 – REQUIRES DISCUSSION

RECOMMENDED MOTION: ALLOW LOTS 06-053, 06-111, 05-139, AND 07-239 TO BE RESTRICTED. RECORDED RESTRICTIVE COVENANT 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: 11.10
SUBJECT: SENIOR EXEMPTIONS

ACL Property Owners may apply for an Annual Senior Exemption on their dues in accordance with the ACLPOA Amended and Restated Covenants, Article VI, Section 13:

Senior Exemption. If a Dwelling qualifies for the Annual Senior Citizen Assessment Freeze as provided in the Jo Daviess County, Illinois Ordinances in effect from time to time, such Dwelling shall be exempt from any increase in future annual assessments which become effective the year after the granting of such Senior Citizen Assessment Freeze. The Owner of a Dwelling which qualifies for this Senior Exemption shall before January 1st provide the Association with satisfactory evidence that the Dwelling has qualified for the County's Senior Assessment Freeze program for the following year. Such dwelling shall continue to remain liable for any ACLPOA Special Assessments approved pursuant to Section 4 hereof. All such ACLPOA Senior Exemptions shall end on the

year immediately following the first to occur of the conveyance or transfer of the Dwelling to a third party or the death of the last surviving Owner entitled to such Senior Citizen Assessment Freeze.

At this time, the following owners have provided the necessary information to qualify for the Senior Exemption and are requesting the Board approve their request to have their Dues exempted from increase in 2014.

- | | | |
|-----------|-----------|------------|
| 1. 12-110 | 5. 12-170 | 9. 02-015 |
| 2. 11-073 | 6. 14-058 | 10. 09-157 |
| 3. 11-045 | 7. 11-083 | 11. 14-070 |
| 4. 11-071 | 8. 11-055 | 12. 09-149 |

RECOMMENDED MOTION: APPROVE THE ACLPOA ANNUAL APPLICATION FOR SENIOR EXEMPTION – 2014 FOR LOTS 12-110, 11-073, 11-045, 11-071, 12-170, 14-058, 11-083, 11-055, 02-015, 09-157, 14-070, AND 09-149.

CATEGORY: NEW BUSINESS
AGENDA ITEM: 11.11
SUBJECT: PRESENTATION BY UNIVERSITY OF DUBUQUE INTERNS

The University of Dubuque summer interns, Tyler DeDecker and Audra Isenhardt, will present their research findings to the Board.

RECOMMENDED MOTION: NO MOTION REQUIRED

CATEGORY: NEW BUSINESS - AECC
AGENDA ITEM: 12.1
SUBJECT: REQUEST FOR VARIANCE

James & Lisa Cousins have requested a variance from the ACL Building Code requirement that all newly constructed homes bury the propane tank. A summary of their request has been provided by Sandra Nolan, Building Inspector, and has been provided to the Board.

RECOMMENDED MOTION: TBD