



# Memorandum

**To:** ACL Board

**Date:** January 14, 2015

**From:** Megan Shamp

**Memo #:** 2015-3

**Topic:** Ratify Electronic Vote - Revised Annual Boat Slip License

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**Recommendation:** To ratify the electronic vote to “approve the revised Annual Boat Slip License as attached. The License Agreement has been reviewed and approved by the Association’s Attorney Phil Jensen.”

**Issue:** Revisions to the Annual Boat Slip License were approved by electronic vote in December 2014 so that the document could be included in the January statement mailing. Changes included the location of requirements for maintaining an Association-licensed boat slip in the Governing Documents. Staff has been directed to enforce the Rules and Regulations and Operational Programs and Procedures currently in place, and to do so, the language in the License Agreement had to be strengthened.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Megan Shamp

**Memo #:** 2015-6

**Topic:** January committee change

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**Recommendation:** To appoint Bill Windisch to the Budget/Finance Committee.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Megan Shamp

**Memo #:** 2015-4

**Topic:** Jo Daviess County SWCD Professional Services Agreement

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**Recommendation:** To renew the professional services agreement with the Jo Daviess County Soil and Water Conservation District for the period of January 1, 2015 through December 31, 2015.

**Issue:** Our current contract with the Jo Daviess County Soil and Water Conservation District (SWCD) expired December 31, 2014. This service agreement provides ACLPOA with professional services of the SWCD, our primary contact being Mike Malon, Resource Conservationist. The renewal does include an hourly fee change to \$50 per hour from \$42.50; this increase has already been included in the 319 Grant.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Megan Shamp

**Memo #:** 2015-7

**Topic:** signer for ACLPOA bank account

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**Recommendation:** To appoint Interim Operations Director Rick Paulson as an authorized signer.

**Issue:** US Bank requires an annual list of those who are authorized to sign checks.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Golf Committee

**Memo #:** 2015-8

**Topic:** Golf Committee Designated Funds purchase

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**Recommendation:** To approve the payment of \$1,750 from the Golf Committee Designated Funds towards the purchase of nine new benches on the golf course.

**Issue:** ACL Maintenance Staff approached the Golf Committee about possibly sharing the cost of replacing the benches on each hole of the golf course. The existing wooden benches are in horrible condition and require a great deal of annual maintenance including bringing them out of the elements, sanding, and painting. The new benches are made of recycled plastic and require no maintenance other than cleaning. The memorial plaques on the existing wooden benches will be transferred to the new plastic benches. The total cost of replacing the nine benches is \$3,330 plus tax and shipping. The Golf Committee is asking to fund half of the purchase (\$1,750) from their Designated Funds.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Cindy Carton

**Memo #:** 2014-89

**Topic:** 2015 Galena Triathlon discussion

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**Issue & Analysis:** The Jo Daviess County Convention and Visitor's Bureau (CVB) hosts the Galena Triathlon & Duathlon, which begins at Apple Canyon Lake and ends at Rec Park, Galena, on the third weekend of May. They plan to host their 20<sup>th</sup> Annual Triathlon/Duathlon on May 16, 2015.

In the past, the CVB has made a payment of \$5 per hour, per ACL volunteer who contributes to the success of the event. Each volunteer also received a t-shirt for their efforts (and our volunteers LOVE their t-shirts.) In an effort to save escalating costs this year, the CVB is not planning to make the payment for the volunteers or purchase t-shirts for them.

It is not possible for Apple Canyon Lake to assist in hosting this event without these volunteers. I typically fill 110-120 volunteer positions each year. We use this donation to host our own Volunteer Appreciation Dinner each year because it is difficult for many of our volunteers to make it to the lunch in Galena that day. Last year's payment came to \$1267.50.

In addition to the payment we collect for the volunteers, the CVB collects a \$5 Lake Usage Fee from each athlete who registers for the event. When the race is filled to capacity at 1400 athletes, which hasn't happened in several years, ACL receives \$7000 from the CVB. Race enrollment has dropped over the past several years, and in 2014 the CVB paid ACL \$3005 for 601 athletes.

The tasks and expenses to host this event are consistent whether there are 1400 athletes or 600 athletes. Total staff hours for 2014 came to 113.50 to prepare and host the event at a cost of \$2045.17. Please see the attached report depicting Revenue and Expenses.

Another point to consider is that there is a degree of inconvenience to our property owners. Some of our members think it is great; some hate it.

Melosa Belger, from the CVB would like to attend the January Board meeting and present her argument for hosting the event again in 2015. She is also sending a letter to the Board.

**Recommendation:** While I feel that commitment from our volunteers will wane if they do not receive their t-shirt or realize that there is no compensation for their efforts; and the event takes a considerable amount of work to host the event; and that it creates an inconvenience to some property owners; it is up to the Board to decide:

- if ACL should look at this as a "Good Neighbor event" and continue to host the event here without the volunteer payment or t-shirts for volunteers.
- if ACL should charge a straight fee to host the event here.
- if ACL should not host the event at ACL.

I will be content with any decision, and work to make it a success.



# Memorandum

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**To:** ACL Board of Directors

**Date:** January 14, 2015

**From:** Cindy Carton

**Memo #:** 2015-2

**Topic:** Transfer of 2015 Logo Merchandise Fundraiser funds

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**Issue & Analysis:** In October 2013, the Recreation Committee received permission to conduct an on-going ACL Logo Merchandise fundraiser. Funds for this fundraiser were not included/available in the 2013 budget, nor were funds appropriated for the fundraiser in the 2014 Budget, which was adopted at the same Board meeting as the Committee's request.

Line items for the Logo Merchandise Fundraiser were created on both the revenue and expense sections in the 2013 and 2014 Communication Department's Operating Budget. However, the fundraiser was not added to the Designated Funds account in either of these two years. I added the fundraiser to the 2015 Designated Funds account when I began working on the 2015 budget in April/May of 2014.

Due to the fact that the total profit of the fundraiser (\$1609.57) did not and will not automatically roll over at year end like the rest of the fundraisers typically do, we need to move \$1609.57 into the newly created Logo Merchandise Designated Fund.

**Recommendation:** Move \$1609.57 from line item 3251-00-02 in the Communications Department to the Recreation Committee's Logo Merchandise Fundraiser Designated Fund.



# Memorandum

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**To:** Board of Directors

**Date:** 10/31/14

**From:** Rick Paulson

**Memo:** 2015-14

**Topic:** Skid Steer

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**Issue:** The John Deere Skid loader was taken to the John Deere dealer in Cuba City for replacement of some bushings and brake issues. Upon inspection of the equipment, it was determined that in addition to the two items above, the machine also has a leaking water pump, radiator and leaking hydraulic pump. The machine is a 1999 model and was purchased by the association when it was new. The cost of repairs could be as much as \$10,000 - \$15,000, which comes close to the actual value of the equipment.

This piece of equipment is vital to the operations of the maintenance department. We utilize this machine for trail construction, retaining wall construction, snow removal, loading, unloading, clearing, and various other uses. This machine was recently used to build the marina trail retaining wall. Because we were able to utilize this machine and the backhoe, we were able to complete this project using in house staff. This resulted in a huge savings to the association. Compared to the previous marina trail work by an outside contractor we saved a considerable portion of the cost of a new machine by utilizing our equipment and manpower. All though the current skid steer is operational at this time, it would be very detrimental to the maintenance operations and the association if it failed during our prime maintenance period. To avoid any delays in the proposed trail and pathways to boat docks projects next summer, I am requesting that the board authorize the purchase a new machine as soon as possible.

We recently obtained quotes from three different manufacturers, John Deere, Case and Bobcat. All three companies have looked at our existing machine and determined a trade in value that is reflected in their respective quote. The new machine will have tracks instead of tires and an enclosed cab which will allow us to utilize the machine during inclement weather. The following are the quotes that we obtained:

John Deer  
Cuba City Wisconsin



This is a brand new machine. The list price of this machine is \$73,423. They are offering us this machine for \$57,500 with a trade in value of \$4,000 leaving a balance of \$ 53,500 plus tax. This is a track machine with an enclosed cab with 69 HP Yanmur diesel engine.

Bob Cat  
Darlington Wisconsin

This is a brand new machine. The list price of the machine without tax is \$67,024. They are offering us this machine for \$52,065 with a trade in value of \$6,500 leaving a balance of \$45,565 plus tax, this is a track machine with an enclosed cab with a 66 HP diesel engine.

Case  
Rockford Illinois

This is a slightly used 2014 Case TR270 track machine with 300 hours. It has an enclosed heated and cooled cab and a performance package. It has a remaining warranty through October of 2015 with a special promotion powertrain and electrical components warranty until October 2017 or 3,000 hours. The list price of the machine new is \$69,500 they are offering us this machine for \$44,600, this is a used track machine with an enclosed cab with a 68 HP diesel engine. After further negotiations I was able to get the price reduced to \$41,500. Subtracting the trade in value of \$7,500 and adding the tax of \$2,805, the total purchase price of this machine including tax equals \$36,805.

In addition to the new machine, I am also asking that we be allowed to purchase a dozer blade attachment for the new machine. This attachment will allow the maintenance staff to utilize this piece of equipment for maintaining our existing trails, constructing new trails and pathways to boat docks. The dozer blade has an articulating blade that allows us to shape and maintain the crown on the trails along with creating and maintain drainage swales adjacent to the trails. In essence the dozer blade turns the piece of equipment into a trail groomer simply by adding an attachment. The original quote for the dozer blade was \$5,900. After further negotiations I was able to get the price of the blade down to \$5,410. With tax the price of the dozer blade is \$5,856.33.

The total purchase price for this machine with the new dozer blade is \$42,661.

Staff recommends that the board approve the purchase of the Case TR270 track machine and the dozer blade attachment. This is a quality used machine in excellent condition. The cost of the used Case and the new dozer blade are less than either of the two other quotes. Again, the purchase of this machine will ensure that the maintenance department has the necessary equipment to continue to make proposed improvements throughout the property in 2015. I checked with Rich and Duane and they both agree on the following. We have a board motion in January to have some of the leftover Operating funds from 2014 transferred to the R&R fund. We could then have

the board approve an emergency motion to accelerate the replacement of the skid loader that was tentatively planned for purchase in 2017 (\$49,285) in the most recent Reserve Study. Based on the straw poll, I have leased the machine for the month of January and the monthly rent will be applied to the purchase price.

**Recommendation:** To accelerate the replacement of the 1999 John Deere Skid Steer from the scheduled replacement in 2017 to 2015 due to an emergency need, and authorize the Interim Operations Director to enter into a contract with Miller, Bradford, and Risberg, Inc. of Rockford, IL for the purchase of a 2014 Case TR270 Compact Track Loader and dozer attachment for an amount not to exceed \$45,000.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Rules and Regulations Committee

**Memo #:** 2015-5

**Topic:** Rules & Regulations Committee request

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**Recommendation:** To approve the request of the Rules and Regulations Committee to act as a "clearing house" to request such action and track the question until it is resolved.

**Issue:** The Rules and Regulations and other ACL committees are in the process of aligning the existing Governing Documents with one another. The Rules and Regulations Committee is asking to act as a "clearing house" for all necessary changes so that these changes can be coordinated and tracked until approved by the Board of Directors.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2015

**From:** Megan Shamp

**Memo #:** 2015-9

**Topic:** Approve foreclosure of liens on ACL lots

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**Recommendation:** To approve foreclosure of liens on ACL lots 03-120, 04-045, 06-100, 06-101, 07-060, 08-082, 08-110, 08-174, 08-183, 09-036, 09-051, 09-083, 09-138, 10-007, 10-142, 11-200, 11-207, 11-319, 12-028, 12-071, 12-141, 12-173, and 13-160.

**Issue:** Liens have been filed on 25 lots which remain unpaid as of today's date. Two lots are pending a tax deed and we have been advised by our attorney not to proceed with foreclosure at this time. To move forward with the lien and foreclosure process, the Board must approve foreclosure of liens on these lots. Per the Board Approved Policy: "4. If after September 1, the delinquent account balance still exists and no arrangements have been made with the Association to satisfy the outstanding balance, the process of foreclosure on the recorded lien to obtain a court order authorizing sale of the property to satisfy the delinquent assessment(s) will commence. 5. Subsequently, the process of foreclosure on the recorded lien to obtain a court order authorizing sale of the property to satisfy the delinquent assessment(s) will commence." These property owners will have until the day prior to the auction to redeem their property and remove it from the Sheriff's Sale. Those lots that are not redeemed will be sold at the Sheriff's Sale auction, at a date to be determined.



# Memorandum

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**To:** ACL Board

**Date:** January 14, 2014

**From:** Steve Davis

**Memo #:** 2015-10

**Topic:** Restricted Lots recommended for approval by staff

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**Recommendation:** To approve the Request to Restrict Lot for lots 13-081 and 10-014. The recorded Restrictive Covenant must be returned to Phil Jensen, ACLPOA Legal Counsel, and the Association Office on or before December 1, 2015 to qualify for the reduction in the annual assessment (dues) for 2016.

**Issue:** Staff is in receipt of two applications for restricted lots. Both lots were inspected and deemed to be unimproved by the building department staff. The following is a list of lots that have no structures or any history of a structure on the lot:

13-81 W Apple Canyon Rd  
10-14 Hawk Ct

If both lots are approved today, there will be 109 approved Restricted Lots.