



# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Megan Shamp

**Memo #:** 2018-78

**Topic:** November committee changes

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**Recommendation:** To appoint Tom Ohms as Chair, Henry Doden as Vice Chair, and Penny Diehl as Secretary of the Trails Committee; and to accept the resignation of Norman Homb from the Trails Committee.

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Association***



# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Megan Shamp

**Memo #:** 2018-81

**Topic:** Appeals Board recommendation

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**Issue & Analysis:** In accordance with the NFP Act, only committees comprised of at least two Board members, with the majority of the committee members being Board members, have the authority to act on behalf of the Association. All other committees are referred to as advisory bodies or commissions. The Appeals Board guidelines state that no member of the Appeals Board can be currently serving on the ACL Board of Directors. As such, the Appeals Board serves in an advisory capacity to the Board of Directors.

**Recommendation:** To accept the recommendation of the Appeals Board to uphold the citation issued to Randy Lange.

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# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Shaun Nordlie

**Memo #:** 2018-83

**Topic:** Home Based Occupations

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**Issue & Analysis:** The Legal Committee has been reviewing the Covenants for the past two years. They are close to finishing their review, but have asked for clarification on Article 3, Section 8 on Home Based Occupations. They requested that the Board review section 8-5B-16 of the Jo Daviess County Zoning Ordinance regarding Home Occupations. This language was reviewed by the Board at their October 20 meeting. They were in favor of adopting 8-5B-16 Home Occupations with the exception of any occupation that requires storage of chemicals. After discussing the issue with staff, I believe the best course of action is to create a Board Policy which addresses allowable home-based occupations. This will allow us to adjust the allowable occupations at any time. The Board's concerns about the language in the Covenants regarding removal of pets will be addressed separately.

**Recommendation:** To approve Article 3, Section 8 on Home Based Occupations as recommended by the Legal Committee. A Board Policy will be created defining those home-based occupations that are permitted by the Board.

***Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Update and align all governing documents by June, 2018.***



# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Rules and Regulations Committee

**Memo #:** 2018-82

**Topic:** Rules & Regulations: Burning

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**Issue & Analysis:** The Rules and Regulations Committee has submitted their recommendations for amendments to section XX Burning and IV Miscellaneous Regulations. These changes include recommendations from staff and Keith Jones of Key & Costello. This language was reviewed by the Board at their October 20 meeting.

**Recommendation:** To approve the amendments to the Rules & Regulations sections XX Burning and IV Miscellaneous as recommended by the Rules & Regulations Committee.

***Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Update and align all governing documents by June, 2018.***



# Memorandum

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**To:** Board of Directors

**Date:** November 6, 2018

**From:** Joe Wiener, Building Inspector

**Memo:** 2018-80

**Topic:** Request to Restrict Lot - Smith

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**Issue:** The office has received a Request to Restrict Lot from John & Pat Smith, owners of lot 11-016. The lot was inspected by the Building Department and found to be vacant.

There are currently 107 approved Restricted Lots which result in an annual revenue loss of \$36,380 based on an \$850 assessment. Based on a \$977.50 assessment, the annual revenue loss will be \$41,837.

**Recommendation:** To approve the request to restrict lot 11-016.

*Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Fund and manage the operational budget with fiscal responsibility.*

*High Performing Operations and Management - 1YAP – Provide on-going training of Board of Directors and staff on governing documents for consistency in decision-making.*



# Memorandum

**To:** Board of Directors

**Date:** November 6, 2018

**From:** Carrie Miller

**Memo:** 2018-79

**Topic:** Designated Signers for ACLPOA accounts

**Issue & Analysis:** The designated signers for all ACLPOA accounts at Apple River State Bank, all ACLPOA accounts at Citizens State Bank, and the CDs at Apple River State Bank, must be updated following the hiring of Ashlee Miller, Financial Manager.

**Recommendation:** To designate Shaun Nordlie, General Manager; Ashlee Miller, Financial Manager; and Carrie Miller, Accounts Payable/Human Resources; and Board of Directors members Jody Ware, President; Bob Ballenger, Vice President; Gary Hannon, Treasurer; Barb Hendren, Corporate Secretary; John Diehl; Mike Harris; Jon Sonntag; Steve Tribbey; and Gordon Williams as designated signers for ACLPOA accounts at Apple River State Bank and Citizens State Bank.

*Plan on a Page: High Performing Operations and Management  
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benefit of the Association.*



# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Shaun Nordlie

**Memo #:** 2018-84

**Topic:** Board Policy: Home Based Occupations

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**Issue & Analysis:** The Board has reviewed section 8-5B-16 of the Jo Daviess County Zoning Ordinance regarding Home Occupations at the request of the Legal Committee. The Board was in favor of adopting 8-5B-16 Home Occupations with the exception of any occupation that requires storage of chemicals. By including this language in Board Policy, it can easily be amended in the future as needed.

The proposed policy is as follows:

No home-based occupation or profession shall be conducted in any Dwelling, Dwelling Accessory Building or Garage except those expressly permitted by the Board. The Board has adopted section 8-5B-16 of the County Zoning Ordinance regulating Home Occupations, with the exception that no occupation or profession requiring the storage of chemicals shall be allowed.

**Recommendation:** No motion required at this meeting. For presentation & discussion only.

*Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Update and align all governing documents by June, 2018.*



# Memorandum

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**To:** ACL Board

**Date:** September 5, 2018

**From:** Rules and Regulations Committee

**Memo #:** 2018-88

**Topic:** Rules & Regulations: Campground – 1<sup>st</sup> Reading

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**Issue & Analysis:** The Rules and Regulations Committee has submitted their recommendations for amendments to section IX Campground. These changes include recommendations from staff and Keith Jones of Keay & Costello. The amendments were also presented to the Campground Committee at their last meeting; that committee did not have any concerns with the amendments.

**Recommendation:** No motion required at this meeting. For presentation & discussion only.

*Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Update and align all governing documents by June, 2018.*





# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Megan Shamp

**Memo #:** 2018-85

**Topic:** Rules & Regulations and Board Policy: Insurance – 1<sup>st</sup> Reading

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**Issue & Analysis:** Shaun Nordlie and I met with both ACL's insurance agent and our attorney regarding certain issues and questions relating to the insurance requirements set forth for property owner registrations, and for guidance on what types of policy documents are acceptable, and what we should be looking for on these documents. Each section of the Rules and Regulations and Board Approved Policy that addresses insurance requirements has been amended for uniformity and clarity.

One of the most time-consuming problems we have is obtaining Additional Insured or Additional Interest endorsements from those owners who are registering a golf cart, ATV/UTV, snowmobile, or who are applying for the Deer Management Program. Our insurance agent acknowledges that insurers are less and less willing to include these endorsements on policies where there is no financial interest, and the Association is more than adequately insured in the event of an accident.

We know there are guest/extended family vehicles, especially ATVs, UTVs, and golf carts being registered by listing the property owner as an Additional Insured. We do not currently require a title to register these vehicles, only the insurance, and there isn't a clear rule against this. We hope to eliminate this by clarifying that the policyholder/named insured be the property owner of record. Drivers, Additional Insureds, etc. will not be accepted.

While including the Additional Insured or Additional Interest endorsement would no longer be required, we do still recommend the endorsement if it is available because renewal documents should automatically be sent to the office. We have discovered that being listed as Additional Insured or Additional Interest does not necessarily mean we will be notified of a cancellation. In one instance a policy had been cancelled for three years and we were not notified by the insurance company or the owner that there had been a change. To ensure there is no lapse in insurance coverage, continuous until cancelled policies/documents will no longer be accepted. Current evidence of insurance will be required for each policy term.

**Recommendation:** No motion required at this meeting. For presentation & discussion only.

***Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Update and align all governing documents by June, 2018.***



# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Megan Shamp

**Memo #:** 2018-86

**Topic:** Boat Slip License

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**Issue & Analysis:** The Boat Slip License must be updated prior to January 1, 2019 to reflect amendments to the Rules & Regulations Section V Boating that were approved at the October 20 meeting.

Sending the non-payment/non-compliance notification letter via Priority Mail allows ACL staff to track that the letter has been delivered, without requiring the property owner to be home to accept the letter or pick it up at the post office. We understand that post office hours are limited, and that most people work and are not home to accept a letter. Our goal is to notify the owner that their slip is in danger of forfeiture, without causing an inconvenience or risking that they may not receive notification in time to act.

Non-motorized watercraft are no longer registered with the State of Illinois, and the Water Usage Stamp that replaced the registration has also been discontinued. Language reflecting the requirements to register a non-motorized watercraft to a Slip has been incorporated into the License.

**Recommendation:** To approve the Boat Slip License as amended and recommended by ACL staff.

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# Memorandum

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**To:** ACL Board

**Date:** November 6, 2018

**From:** Megan Shamp

**Memo #:** 2018-87

**Topic:** Campsite License

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**Issue & Analysis:** Doug Sury has prepared a Campsite License agreement modeled after the Boat Slip License agreement, for those property owners with Seasonal Campsites.

The License includes amendments included in the Rules & Regulations Section IX Campground presented at the meeting today. Approval of the license is needed prior to January 1 so that the License can be included with the statement mailing and referenced in the statement mailing materials that are printed and stuffed in advance.

**Recommendation:** To approve the Campsite License as presented.

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