



Memorandum

To: ACL Board

Date: December 8, 2020

From: Megan Shamp

Memo #: 2020-90

Topic: December committee/commission changes

Recommendation: To appoint Steve Swedberg to the Conservation Commission, Nick Gouskos to the Budget Commission, and Dave Allgood to the AECC.

*Plan on a Page: High Performing Operations and Management –
To operate at full efficiency and effectiveness for the benefit of the
Association*



Memorandum

To: Board of Directors

Date: December 8, 2020

From: Rules & Regulations Commission

Memo: 2020-97

Topic: Trash Disposal & Recycling Rules & Regulations

Issue: Staff submitted amended Trash Disposal & Recycling language to the Rules & Regulations Commission at their November 6 meeting. The amended language reflects changes in the number of trash passes issued per Trash Assessment paid and the separate disposal permit required for mattresses – both changes created in the 2021 Budget adopted by the Board at their October meeting. The Commission has reviewed the amended language as presented by staff and motioned to approve the Trash Disposal & Recycling section with noted changes.

This language was presented to the Board of Directors at their November meeting for first reading. Questions raised at that meeting were – why an increased charge for box springs and why do permits have to be used within the same month purchased. Staff clarified with Montgomery that box springs would not be charged the increased price – these will remain regular Large Items and can be disposed of for a \$15 fee. The Association reports the number of Large Items, and next year, mattresses, that are sold each month to Montgomery. The permit needs to be used in the same month it was purchased to ensure we are reporting an accurate number to Montgomery.

Recommendation: To approve the Rules & Regulations section Trash Disposal & Recycling as included in the December Board packet.

Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.

Trash Disposal & Recycling

Preamble: Household trash and recyclables must be taken to the Solid Waste/Recycling Center during specified hours of operation; pickup is not available. Separate areas are provided for trash and recyclables. Recycling information is included in the Solid Waste/Recycling Center brochure. Every lot with a home will be required to pay an annual Trash Assessment, due March 1 of every year. Owners of unimproved lots may elect to pay the Trash Assessment to use the Solid Waste/Recycling Center facility. Violations of the Trash Disposal & Recycling Rules and Regulations of Apple Canyon Lake will result in a fine.

A. Registration

1. Upon payment of the Trash Assessment, ~~one two trash passes will be issued. Owners may choose two~~ Trash Auto Stickers, ~~two or~~ Paper Trash Passes, or ~~one of each will be issued~~. The sticker/pass issued by the Association must be presented to the attendant to enter the Solid Waste/Recycling Center. Entry to the facility will be denied without the appropriate pass.
 - a. Trash Auto Sticker – Must be affixed to the driver's side lower windshield of the auto. Recommended if one vehicle will be accessing the facility each and every time. May not be used on an ATV, UTV, or golf cart.
 - b. Paper Trash Pass - May be transferred between autos or used by an ATV, UTV, or golf cart. Any ATV, UTV, or golf cart entering the facility must be registered with the Association and display a current year sticker. Paper Trash Pass must be displayed on the dash with the number facing outward.
2. ~~If needed, one (1) additional Trash Auto Sticker or Paper Trash Pass may be purchased. A maximum of two Trash Auto Stickers, two Paper Trash Passes, or one Trash Auto Sticker and one Paper Trash Pass is allowed per Trash Assessment paid. If a pass is lost, a replacement pass may be purchased, the fee for which will be determined annually by the Board of Directors.~~
3. All Trash Auto Stickers and Paper Trash Passes expire March 1 of each year. If the current year Trash Auto Sticker or Paper Trash Pass has been issued prior to March 1, the previous year's Sticker/Pass is no longer valid, and the current year Sticker/Pass must be used.
4. Photographs of, photocopies of, or other unauthorized use of a Trash Auto Sticker or Paper Trash Pass is strictly prohibited.

B. Large Item & Electronic Item Disposal

1. Those property owners who have paid the Trash Assessment may purchase Large Item **Disposal**, **Mattress Disposal**, and Electronic Item Disposal Permits. A permit is required for each item being disposed of. These permits are available for purchase at the ACL Association Office.
 - a) Large Item Disposal Permit – required to dispose of furniture, **box springs**, ~~mattresses/box springs~~, microwaves, appliances, etc.
 - b) **Mattress Disposal Permit – required to dispose of mattresses**, ~~box springs~~
 - c) Electronic Item Disposal Permit - required to dispose of televisions, computers, computer monitors, printers, stereos, and all other electronic equipment.
2. The property owner must transport and unload all Large Items, **Mattresses**, and Electronic Items. The permit must be presented to the Solid Waste/Recycling Center attendant when dropping off the item(s).
3. Large **Items**, **Mattresses**, and Electronic Items must be disposed of in the same month the permit is issued. No refunds will be issued for expired or unused permits.

C. Prohibited Items

1. No hazardous materials may be disposed of at the Solid Waste/Recycling Center. Septic tanks, septic components, tires, batteries, paint, stain, and CFL lightbulbs are examples of materials not allowed. Anyone found disposing of hazardous materials will be fined.
2. Building materials cannot be disposed of at the Solid Waste/Recycling Center. The property owner or their contractor must utilize an on-site dumpster for any construction or renovation projects.
3. Yard and landscape waste cannot be disposed of at the Solid Waste/Recycling Center. These materials may be disposed of in accordance with section XX Burning.

D. Improper Disposal of Trash

1. Property owners who drop off household trash or recyclables outside the gates of the Solid Waste/Recycling Center, place household trash or recyclables in ACL dumpsters or trash cans, or improperly dispose of trash anywhere on ACL property will be issued a citation and be subject to fines. Property owners who observe the illegal dumping of trash anywhere on the property are encouraged to report such activity directly to the Safety and Security Department or General Manager. This includes dumpsters and trash receptacles at the Marina, Campground, and Pro Shop.
2. No burning of household trash or recyclables is allowed.
3. Littering is prohibited. Trash cans are provided at each amenity and along the trails to dispose of garbage. Disposal of household trash or recyclables in these trash cans is prohibited per D.1. above.
4. Outdoor ashtrays are provided at each amenity for disposal of smoking materials.



Memorandum

To: ACL Board

Date: December 8, 2020

From: Shaun Nordlie

Memo #: 2020-87

Topic: Social Media Policy

Issue & Analysis: The Association maintains several social media accounts to communicate with our membership, guests, and the public. One of these accounts, the Apple Canyon Lake Owners Group was specifically created to allow our owners, guests, and anyone with an interest in Apple Canyon Lake to discuss issues related to Apple Canyon Lake, ask for local recommendations, and share photos & memories. Over the past few years, staff has struggled with inappropriate posting & commentary in this Facebook Group specifically. The Group guidelines provided previously are vague and not specific to the Association. The Association's legal counsel has prepared a Social Media Policy with input from ACL Managers & Communications staff. This policy will provide guidelines that anyone participating in the Group must follow. The Social Media Policy will apply to all Association social media accounts.

The Social Media Policy was presented to the Board for first reading at the November meeting. The only suggestion made at that time was to format it in the policy format used by the Board Policy Ad Hoc Commission. The formatting change has been made.

Recommendation: To approve the Social Media Policy as included in the December Board packet.

*Plan on a Page: High Performing Operations and Management
Long Range Goals and Measures – Assure the knowledge and understanding of roles,
responsibilities and governing documents by the Board of Directors*

Section 8000

8XXX: Social Media

Social media is a powerful communication tool with the potential to inform an audience and support other forms of communication. Used properly, it can prove more effective than other traditional modes of communication, particularly when communicating with younger or more technologically savvy audiences. The Association has created the Apple Canyon Lake Owners Group to allow our owners, guests, and anyone with an interest in Apple Canyon Lake to discuss issues related to Apple Canyon Lake, ask for local recommendations, and share photos & memories. Anyone participating in the Owners Group is required to follow the guidelines outlined below

It shall be the responsibility of the General Manager to assure compliance with this Policy.

It shall be the policy of the Board:

- a. To establish a social media account or accounts that can benefit the members of Apple Canyon Lake Property Owners' Association by providing current information concerning the Association's affairs.
- b. Association social media accounts shall be used for the good or benefit of the entire community.
- c. With respect to any social media accounts provided by Apple Canyon Lake Property Owners' Association, the Association shall have the sole authority and responsibility to:
 1. Establish and manage its social media accounts;
 2. Post to its accounts on behalf of the Association;
 3. Educate Association staff and members on the appropriate use of the Association's social media account(s) and the specifics of the Association's social media policy and guidelines;
 4. Monitor the Association's accounts to assure accuracy, timeliness and appropriateness based upon this Policy;
 5. Address any issues, concerns or violations of this Policy;
 6. Remove, in its sole discretion, any posts that the Association deems inaccurate, inappropriate or having the potential to harm any other person or party or that it otherwise deems to be a violation of this Policy.
- d. Posts to Association accounts and comments on posts shall adhere to the following standards, as interpreted by the General Manager. Posts that contain any of the following or that are of the following nature are not permitted:

1. Harassing, discriminatory, threatening or defamatory language and/or materials;
 2. Pornographic, obscene, hateful or unlawful language, images and/or materials;
 3. Profanity;
 4. Copyrighted materials;
 5. Junk messages, advertisements or other commercial solicitations;
 6. Personal views and/or opinions that are presented as those of the Association;
 7. Political endorsements or endorsements of candidates for the Association's Board of Directors;
 8. Inappropriate content for family-friendly viewing;
 9. Controversial or that otherwise seek to engage in specific discussions of Board decisions, Association business, Association governance and/or vendor or employee performance;
 10. Shared or "copy and paste" posts are not allowed from anyone other than the Association, only original content is permitted;
 11. The sale of any goods or services is not allowed. Posts donating or offering free goods or services are permitted.
- e. Photos posted to the Association's social media account(s) may be used for ACL marketing and promotional materials.
- f. The Association reserves the right to remove any posts or comments it deems in violation of the standards set forth in Section (d) herein and suspend and/or terminate access to anyone for violations of these standards. Anyone who believes a post or comment violates this policy should report that post or comment to the Association for review.

Cross-References:

Adopted:

Last Revised:



Memorandum

To: ACL Board

Date: December 8, 2020

From: Shaun Nordlie

Memo #: 2020-88

Topic: Membership Records Policy

Issue & Analysis: The Association's Amended & Restated Bylaws require that we make an annual directory of all Members and a current roster of the Voting Member designated for each Lot and Dwelling available to the membership for examination and copying. Article VIII Power and Duties of the Board of Directors states -

l. To maintain a current roster of all Lots and Dwellings, all of the Owners thereof, the Voting Member designated for each Lot and Dwelling, and the annual and special assessments applicable thereto. Such records shall be kept in the office of the Association and shall be open for examination and copying at convenient hours of weekdays by any Member or their authorized agent. To prepare an annual directory of the names and addresses of all Members and make it available to all Members upon request and the payment of a reasonable fee.

The substance of this section is unchanged in the proposed Bylaws that will be sent to the membership for a vote. The proposed language in Article VII Powers and Duties of the Board of Directors reads –

h. To maintain a current roster of all Lots and Dwellings, all of the Owners thereof, the Voting Member designated for each Lot and Dwelling, and the annual and special assessments applicable thereto. Such records shall be kept in the office of the Association and shall be open for examination and copying at convenient hours of weekdays by any Owner or their authorized agent. To prepare an annual directory of the names and addresses of all Owners and make it available to all Owners upon request and the payment of a reasonable fee.

Last year we had an incident where it was believed the Association's Membership Directory was inappropriately used for commercial solicitation. It was later discovered that the membership information was purchased from a third-party site and was not obtained from Association documents. To protect the Association and its Members and prevent inappropriate use of Member information in the future, the Association's legal counsel has prepared a Non-Commercial Purpose Policy for Document Inspection and form for our use. Going forward, anyone wishing to examine or copy these documents (including purchasing a Membership Directory) will first be required to complete the Non-Commercial Purpose Policy for Document Inspection form. The membership directory will not be provided to anyone who is not a Member of the ACLPOA. If a Member violates the Policy outlined in the form and uses the information for a Commercial Purpose or for a purpose unrelated to the Association, that member shall be subject to a fine of \$1,000 per violation.

The Membership Records Policy was presented to the Board for first reading at the November meeting. The only suggestion made at that time was to format it in the policy format used by the Board Policy Ad Hoc Commission. The policy section of the document has been excerpted and formatted for enclosure in the Board Policy book; however, the resolution (which references the policy in Exhibit A) and form will not be included in that document. The original four pages as prepared by legal counsel will be presented to the member wishing to examine or copy these documents (including purchasing a Membership Directory) and that member will first be required to complete the Non-Commercial Purpose Policy for Document Inspection form.

Recommendation: To approve the Membership Records Policy as included in the December Board packet.

*Plan on a Page: High Performing Operations and Management
Long Range Goals and Measures – Assure the knowledge and understanding of roles,
responsibilities and governing documents by the Board of Directors*

**RESOLUTION BY FORMAL ACTION OF THE BOARD OF DIRECTORS OF APPLE
CANYON LAKE PROPERTY OWNERS' ASSOCIATION CONCERNING USE OF
MEMBERSHIP RECORDS**

WHEREAS, a meeting of the Board of Directors ("Board") of Apple Canyon Lake Property Owners' Association (the "Association") was duly called and held pursuant to the Illinois General Not-For-Profit Corporation Act of 1986 ("NFP Act") (805 ILCS 105/1 et. seq.), the Illinois Common Interest Community Association Act ("CICAA") (765 ILCS 160/1, et. seq.), and the Association's Declaration and Bylaws, proper notice having been duly provided to Association members, a quorum of the Board being present at the meeting identified below, and the meeting being properly convened and proceeding with Association business, including the resolution set forth herein;

WHEREAS, pursuant to Section 1-30(i)(v) of CICAA, following submission of a written request articulating a proper purpose, a member or owner shall be entitled to review and inspect those records that must be maintained by the Association as described in Section 107.75 of the NFP Act;

WHEREAS, Section 107.75(a) of the NFP Act provides, in part, that the Association shall keep a record including the names and addresses of its members that are entitled to vote;

WHEREAS, Article VIII, Section 1(l) of the Association's Amended and Restated Bylaws further provide that the membership list maintained shall also include the names and addresses of all current owners, in addition to the voting members;

WHEREAS, Section 107.75(a) of the NFP Act further provides, in part, that following submission of a written request articulating a proper purpose, a member or owner shall be entitled to review a record including the names and addresses of the Association's members that are entitled to vote;

WHEREAS, the Board of Directors has determined it would be improper and not in the Association's best interests for a member or owner to use the membership list for any purpose not related to the Association or for a Commercial Purpose;

WHEREAS, a membership list is used for a commercial purpose when the list, information contained therein, or any portion thereof, is used or offered for sale, resale, solicitation or advertisement of sales or services ("Commercial Purpose");

WHEREAS, the Board of Directors seeks to act in a manner consistent with Section 19 of the Illinois Condominium Property Act (765 ILS 605/1 et. seq.) by requiring members/owners who request to inspect and/or copy the Association's membership list first execute a certification affirming the information obtained will not be used for a Commercial Purpose or for any purpose not related to the Association;

WHEREAS, the Board of Directors determined it to be in the Association's best interests to impose a fine of \$1,000.00 per violation of the certification affirming the membership list will not be used by an owner or member for a Commercial Purpose or a purpose not related to the Association;

NOW THEREFORE, in furtherance of the above stated determinations, objectives and goals, the Board, by resolution, does hereby adopt the following policy related to the review and inspection of its membership list:

See EXHIBIT A, attached.

END OF TEXT OF RESOLUTION

Adopted this _____ day of _____, 2020 in Apple River, Illinois.

Being a proper majority of the Board of Directors of Apple Canyon Lake Property Owners' Association.

CERTIFICATE

I, the undersigned, hereby certify that I am the duly elected, qualified and acting Secretary of Apple Canyon Lake Property Owners' Association, an Illinois Not-For-Profit Corporation; that I am the custodian of the records and seal of the corporation and that the attached is a true, correct, and accurate copy of the Resolution of the Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affix this corporate seal this _____ day of _____, 2020.

APPLE CANYON LAKE PROPERTY OWNERS'
ASSOCIATION

Its Secretary

“Exhibit A”

NON-COMMERCIAL PURPOSE POLICY FOR DOCUMENT INSPECTION

OBJECTIVE/PURPOSE: This policy is created and in compliance with Section 1-30(i)(v) of the Illinois Common Interest Community Association Act (“CICAA”) and Section 107.75(a) of the Illinois General Not-for-Profit Corporation Act (“NFP Act”) by the Board of Directors for Apple Canyon Lake Property Owners’ Association (“Association”).

This policy shall provide members of the Association with the procedure to request inspect, examine, and/or make copies of the Association’s membership list, as referenced in Section 107.75(a) of the NFP Act. This policy is applicable to all Association members and their agents. This policy is available to all Association members upon request from the Association.

RESPONSIBILITY: The Association’s Board President or the Association’s General Manager, shall be responsible for implementing this policy.

POLICY:

Pursuant to Section 107.75(a) of the NFP Act and Article VIII, Section 1(l) of the Association’s Amended and Restated Bylaws, members of the Association may request to inspect, examine and/or copy an Association record giving the names and addresses of all owners and members entitled to vote. The purpose of the inspection, examination, and/or copying of such records shall be related to the Association and shall not have a Commercial Purpose as described herein. Inspections, examinations, and/or copying shall be conducted at the Association’s principal office. Any member of the Association requesting to inspect, examine and/or copy the membership list must sign and acknowledge the Association’s Non-Commercial Purpose Certification Form prior to inspection, examination, and/or copying of the membership list. Such form is attached to this policy.

Any member who wishes to inspect, examine, and/or copy such records shall proceed as follows:

1. Submit a written request to the Association’s Board of Directors stating that he/seeks to review, inspect and/or copy the Association’s membership list.
2. Sign and acknowledge the Association’s Non-Commercial Purpose Certification Form.

Once the written request has been received by the Association, it will be reviewed. If it is determined that the request is for a Commercial Purpose or for a purpose unrelated to the Association, the request will be denied.

If a member violates the Non-Commercial Purpose Certification Form and uses the information for a Commercial Purpose or for a purpose unrelated to the Association, that member shall be subject to a fine of \$1,000.00 per violation (e.g. if member uses 10 members’ names or information for a Commercial Purpose or for a purpose not related to the Association, that member would be subject to a fine of \$10,000.00).

Non-Commercial Purpose Certification Form

I, _____, a member of Apple Canyon Lake Property Owners' Association, hereby certify that the purpose for my request to inspect, examine, and/or copy the Association's membership list is not for a Commercial Purpose nor for any purpose unrelated to the Association.

I understand that a Commercial Purpose is the use of any part of the membership list or the information derived from the membership list, in any form for sale, resale, or solicitation or advertisement for sales or services.

I understand that should the membership list I am requesting to inspect, examine, and/or copy be used for a Commercial Purpose or for any purpose unrelated to the Association, I may be subject to a fine in the amount of \$1,000.00 per violation.

Date: _____

Name: _____

Address: _____

Signed: _____

Section 8000

8XXX: Membership Records/Non-Commercial Purpose Policy for Document Inspection

This policy is created and in compliance with Section 1-30(i)(v) of the Illinois Common Interest Community Association Act ("CICAA") and Section 107.75(a) of the Illinois General Not-for-Profit Corporation Act ("NFP Act") by the Board of Directors for Apple Canyon Lake Property Owners' Association ("Association").

This policy shall provide members of the Association with the procedure to request inspect, examine, and/or make copies of the Association's membership list, as referenced in Section 107.75(a) of the NFP Act. This policy is applicable to all Association members and their agents. This policy is available to all Association members upon request from the Association.

The Association's Board President or the Association's General Manager shall be responsible for implementing this policy.

Pursuant to Section 107.75(a) of the NFP Act and Article VIII, Section 1(l) of the Association's Amended and Restated Bylaws, members of the Association may request to inspect, examine and/or copy an Association record giving the names and addresses of all owners and members entitled to vote. The purpose of the inspection, examination, and/or copying of such records shall be related to the Association and shall not have a Commercial Purpose as described herein. Inspections, examinations, and/or copying shall be conducted at the Association's principal office. Any member of the Association requesting to inspect, examine and/or copy the membership list must sign and acknowledge the Association's Non-Commercial Purpose Certification Form prior to inspection, examination, and/or copying of the membership list. Such form is attached to this policy.

Any member who wishes to inspect, examine, and/or copy such records shall proceed as follows:

1. Submit a written request to the Association's Board of Directors stating that he/seeks to review, inspect and/or copy the Association's membership list.
2. Sign and acknowledge the Association's Non-Commercial Purpose Certification Form.

Once the written request has been received by the Association, it will be reviewed. If it is determined that the request is for a Commercial Purpose or for a purpose unrelated to the Association, the request will be denied.

If a member violates the Non-Commercial Purpose Certification Form and uses the information for a Commercial Purpose or for a purpose unrelated to the Association,

that member shall be subject to a fine of \$1,000.00 per violation (e.g. if member uses 10 members' names or information for a Commercial Purpose or for a purpose not related to the Association, that member would be subject to a fine of \$10,000.00).

Cross-References:

Adopted:

Last Revised:



Memorandum

To: Board of Directors

Date: December 8, 2020

From: Barb Hendren

Memo: 2020-96

Topic: General Manager's Compensation Package

Issue & Analysis: The Executive Committee is responsible for providing the General Manager with instructions, directions, goals and objectives regarding his/her duties within the scope of duties and authority delegated to the General Manager by the Board. The Executive Committee is to annually evaluate the General Manager's performance with input from all Board members, and recommend for the Board's approval of the annual evaluation and compensation package for the following year consistent with any employment agreement between the Association and the General Manager.

The Executive Committee met with Shaun Nordlie in June and December to review his short- and long-term goals. It was determined that Mr. Nordlie met his goals and will receive a commensurate bonus.

An evaluation has also been conducted on Mr. Nordlie's overall performance in his role as General Manager. The performance evaluation is based on Mr. Nordlie's job description. The performance evaluation is the basis for which the 2021 salary compensation is determined. The Board of Directors have discussed and agreed on an appropriate increase for Mr. Nordlie's 2021 salary.

Recommendation: To approve Mr. Nordlie's compensation package, as agreed upon by the Board of Directors.



Memorandum

To: Board of Directors

Date: December 8, 2020

From: Barb Hendren

Memo: 2020-95

Topic: General Manager's Performance Goals 2021

Issue & Analysis: It is the responsibility of the Executive Committee to provide the General Manager with instructions, directions, goals and objectives regarding his or her duties within the scope of duties and authority delegated to the General Manager by the Board. The Executive Committee is also charged to annually evaluate the General Manager's performance with input from all Board members, and recommend for the Board's approval the annual evaluation and a compensation package for the following year consistent with any employment agreement between the Association and the General Manager.

The Executive Committee met with Shaun Nordlie, GM, in December 2020 to set his short- and long-term goals for 2021. The Executive Committee will review the Goals with the General Manager periodically throughout the year. An evaluation will be conducted on Mr. Nordlie's overall performance in his role as General Manager and will serve as the basis for which the 2022 salary compensation is determined.

Recommendation: To approve the 2021 Job Performance Goals for Shaun Nordlie recommended by the Executive Committee for the General Manager.



Memorandum

To: ACL Board

Date: December 8, 2020

From: Shaun Nordlie

Memo #: 2020-98

Topic: Managers Compensation Bonus

Issue & Analysis: Throughout the COVID-19 pandemic, the management team of Apple Canyon Lake has been working to bring owners the safest, most enjoyable experience at the lake, despite the circumstances. In March, when the initial closings were put in place, managers, working from home, reviewed each executive order and change in restrictions in order to open amenities and facilities safely. As each amenity was able to open, standard operations were not possible due to the restrictions imposed by the state, so the management team had to come up with a new plan for operating each amenity safely. They then educated the owners on the new procedures so they could enjoy Apple Canyon Lake during the pandemic. While doing this, the managers also operated within their budgets not knowing what the results would be for the year when sales were lower, and staff increased in some areas to keep the Association operating and safe. I would like to recognize the managers for their work this year for going above and beyond in very trying times to assure that owners had a place to relax and not think about the issues of the pandemic.

Recommendation: To approve the manager's compensation bonus, as agreed upon by the Board of Directors.



Memorandum

To: Board of Directors

Date: December 8, 2020

From: Joe Wiener, Building Inspector

Memo: 2020-94

Topic: Lot Combination 07-076 and 07-077

Issue & Analysis: Allen & Barbara Hendren have requested a Lot Combination of lots 76 and 77 in the Apache (7) subdivision. This request was reviewed and approved by the Architectural and Environmental Control Committee at their October 3 meeting.

Recommendation: To approve the Lot Combination Agreement requested by Allen & Barbara Hendren for lots 76 and 77 in the Apache (7) subdivision. Once recorded, the Lot Combination Agreement may not be revoked or rescinded.

Plan on a Page: Improvement of Infrastructure – To develop, maintain and improve the existing infrastructure.
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: ACL Board

Date: December 8, 2020

From: Conservation Commission

Memo #: 2020-89

Topic: Creel Limit Change

Issue & Analysis: At their November 7, 2020 meeting, the Conservation Commission invited Joe Rush, ACL lake consultant, to speak to the commission about possible creel limit changes for 2021. In 2019, Joe introduced research that proved that taking too many of the larger male bluegills off the beds during spawn hurt the entire bluegill fishery for the lake. At the time, the Conservation Commission asked owners to volunteer to only take five bluegills over 8". In 2020, it was decided by the Conservation Commission to again ask owners to volunteer to only take five bluegills, but also educate owners on why they were making this request and the effects on the bluegill population. In 2021, the Conservation Commission wants to make the change official with the creel limits. They have heard requests from owners that five bluegill are not enough to feed a family, so they have increased the limit to eight and will use the slogan "Only keep 8 over 8" to educate owners on the change to the limit and why it is necessary. The current limit on bluegill is 25 fish total, no matter the size.

Recommendation: To approve the request to change the creel limit for 2021 for bluegill to 25 bluegill, with only 8 of these bluegill over 8".

*Plan on a Page: High Performing Operations and Management
Long Range Goals and Measures – Assure the knowledge and understanding of roles,
responsibilities and governing documents by the Board of Directors*

Appl: Canyon Lake Property Owners Association Committee Motion Card

Conservation ^{COMMISSION}
~~Committee~~

Date 11-7-2020

move:

Conservation Commission recommends to the
ACL Board to approve the creel limit
of 25 bluegill ~~to~~ with only 8 of these fish
over 8 inches.

Action Taken unanimously approved

OHMS
MOTION MADE BY: Tom Chans
MOTION SECONDED BY: Mike Comstock per norm
CHAIR: P. M. Lady Wiener

VOTE RECORDED

YEA: 7
NAY: 0
ABSTAIN: —

Date Received _____

Given to 12/19/20
BoD

Date Completed _____



Memorandum

To: ACL Board

Date: December 8, 2020

From: Shaun

Memo #: 2020-91

Topic: Dredge Repair

Issue & Analysis: In August, we started to have bolts break off the casing on the pump of the dredge. Our mechanic checked out the pump and determined that there was an issue with the casing that needed to be repaired before the pump could possibly be damaged. Ellicott Dredge Technologies out of New Richmond, WI manufactured the dredge, so maintenance called to get a quote for the repair and schedule the pump to be picked up. Ellicott stated that the casing would need to be repaired, but also included in their quote, an estimate to repair the pump if it too was damaged. Once the dredge pump was delivered to Ellicott, they were able to determine that the pump was fine and did not need repair. The total cost of the repair of the casing with parts, labor and transportation is \$14,643.31. The cost for Lyons drilling to bring a crane out and lift the pump back on the dredge is estimated at \$1,260. The dredge is scheduled to be delivered back to ACL before the end of the year, so we are ready for the 2021 dredge season.

Recommendation: To approve the expenditure of repairs to the dredge for an amount not to exceed \$15,903.31 with \$14,643.16 to be paid to Ellicott Dredge Technologies of New Richmond, WI and \$1,260 to be paid to Lyons Well Drilling Company of Stockton, IL using unused money out of the 2020 R&R budget.

*Plan on a Page: High Performing Operations and Management
Long Range Goals and Measures – Assure the knowledge and understanding of roles, responsibilities and governing documents by the Board of Directors*



Memorandum

To: ACL Board

Date: December 8, 2020

From: Shaun Nordlie

Memo #: 2020-100

Topic: Permission to Negotiate Fees with Lien/Foreclosure Lot Owners

Issue & Analysis: Throughout this year, Apple Canyon Lake has reached out to owners who have been affected by the COVID-19 pandemic and need assistance for payment of the annual assessment (dues) and fees. Staff is seeking approval from the Board of Directors to allow them, in coordination with ACL's legal counsel, to negotiate with owners who are unable to pay their fees, which will allow the Association to avoid costly foreclosure fees that would otherwise be inevitable. These negotiations are only to be used in special circumstances where all other options have been exhausted. All negotiations and alternatives to foreclosure will be guided by advice from legal counsel.

Recommendation: To allow staff, in coordination with ACL's legal counsel, to negotiate with owners who are unable to pay their fees in order to avoid foreclosure. These negotiations are only to be used in special circumstances where all other options have been exhausted. All negotiations and alternatives to foreclosure will be guided by advice from legal counsel.

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Long Range Goals and Measures – Assure the knowledge and understanding of roles,
responsibilities and governing documents by the Board of Directors*



Memorandum

To: Board of Directors

Date: December 8, 2020

From: Rules & Regulations Commission

Memo: 2020-92

Topic: Lake Rules & Regulations – 1st Reading

Issue: Staff submitted amended Lake language to the Rules & Regulations Commission at their September 11 meeting. The language was reviewed again in October and recommended for approval by the Rules & Regulations Commission at their October 2 meeting. The amendments are largely housekeeping oriented, duplicating common rules from the Swimming Pool section pertaining to Nixon Beach to the Lake section.

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

Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.

VII. LAKE

A. Nixon Beach and Swimming

Amenity tags and a vehicle sticker or Guest Parking Pass are required to access Nixon Beach.

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Illinois Department of Public Health requires:

Amenity tags

1. Individuals who are not toilet trained or otherwise suffer from incontinence are required to wear tightly fitted rubber or plastic pants while in the lake. Anyone exhibiting symptoms of diarrhea in a 24-hour period should not visit the beach. Anyone with open wounds should not visit the beach.
2. Pets are not allowed on the sand area of the beach or in the pavilion.
3. Swimming is limited to Nixon Beach, no wake areas and in the main body of the lake within 75' of the shoreline. No one shall swim alone.
4. Posted Rules at the beach are to will be strictly enforced. Those rules include but are not limited to:

- a) The beach closes at 10:00 p.m. and reopens at 5:00 a.m. daily. Utilization of the beach other than during these hours requires a permit from the Aquatics Manager. Swimming is prohibited before sunrise or after sunset, or when lightning or thunder is present, including a 30 minute period after the last thunderclap is heard or lightning strike is observed.
- b) Glass items, breakable containers or hazardous ~~metal~~ objects are not permitted on the beach. Littering is prohibited.
- ~~c) No alcoholic beverages allowed. Any patron who staff deems to be intoxicated will not be allowed entry to the beach area.~~
- ~~c) No smoking or vaping allowed within fifty (50) feet of the beach. "Smoking" is defined as the act of lighting, smoking, or carrying a lighted or smoldering cigar, cigarette or pipe of any kind. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars. Please refer to Section IV for ACL cannabis rules.~~
- ~~d) Swimming is permitted within the designated swimming boundaries only~~
- ~~e) No fishing allowed within the designated swimming boundaries.~~
- ~~d)f) Apple Canyon Lake is not responsible for lost or stolen property~~

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5. Persons under the age of 13 must have an adult who is responsible for them present at all times.
6. Grills are limited to grassy area behind Pavilion.
7. Signage shall be posted "No Lifeguard Present, Swim at your Own Risk" as necessary.

B. Scuba Diving

Non-compliance with the following rules will result in a fine.

1. Notify security prior to scuba diving

2. Divers are responsible for designating "Occupied Diving Area" with approved markers.

3. Scuba diving is permitted in no wake zones.

4. Diving is limited in the main body of the lake within 75' of the shoreline.

5. No scuba diving is permitted in the main body of the lake on weekends or holidays.

Amended: March 17, 2018

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Memorandum

To: Board of Directors

Date: December 8, 2020

From: Rules & Regulations Commission

Memo: 2020-93

Topic: Fishing Rules & Regulations – 1st Reading

Issue: Staff submitted amended Fishing language to the Rules & Regulations Commission at their September 11 meeting. The language was reviewed again in October and recommended for approval by the Rules & Regulations Commission at their October 2 meeting. The amendments clarify where fishing is allowed, what type of fishing is allowed, and housekeeping.

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

Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.

VIII. FISHING RULES

Preamble: All rules of the Illinois Department of Natural Resources apply at ACL and will be enforced by ACL Security and IDNR. Fishing regulations regarding Apple Canyon Lake defined length and creel limits are subject to change. Size and creel limits will be posted each season at the Marina and published in *The Apple Core*. Fishing is for property owners and their guests or occupants with an amenity tag pass. Failure to comply with the fishing regulations will result in a fine for each violation.

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1. Each person fishing is responsible for knowledge of current size and creel limits for each species of fish. Violations will result in a fine PER FISH.

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2. Fishing is allowed from Association common property & greenway or Association docks not otherwise prohibited below.

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3. Fishing is also allowed along the Harold Bathum Trail.

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4. Persons shall be limited to two pole and line fishing only. This regulation permits the angler to harvest fish with no more than two poles with no more than two hooks or lures per line.

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~~1. The following recreational fishing tactics are expressly prohibited including, but not limited to: Snagging, spearing, use of firearms, hoop nets, bows, traps, snares, seines, bank poles, trot lines, commercial fishing devices, or any other fishing method besides pole and line. Persons shall be limited to using rod and line only. The following recreational fishing tactics are expressly prohibited: Snagging, spearing, use of firearms, hoop nets, bow, traps, snares, seines, bank poles, trot lines or any commercial fishing devices~~

5.

6. Persons shall have at all times in their possession a valid Illinois Fishing License while engaged in fishing activities.

~~2.7. No person shall introduce any fish species into Apple Canyon Lake waters, except by authority of the Illinois Department of Natural Resources.~~

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~~3.8. No fishing is allowed in the following areas: These areas are dangerous - no fishing or trespassing/entry allowed.~~

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a. On the dam.

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b. All reaches of the spillway.

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c. From the buoy marker to the spillway.

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d. Bottom of the spillway to the bridge.

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~~4.9. No fishing from shore at North Bay Wilderness Area Nature Walk.~~

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~~5.10. No fishing in the Marina Bay between the parking lot and the posted signs.~~

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~~6.11. No fishing from the Cove docks or the area in front of the Cove parking lot during Cove operating hours.~~

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~~7.12. Violations of Illinois Department of Natural Resources rules are prohibited~~

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Open
discussion
about
COVID-19

13.1

CAMP

update