



# Memorandum

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**To:** ACL Board

**Date:** March 11, 2021

**From:** Megan Shamp

**Memo #:** 2021-18

**Topic:** March committee/commission changes

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**Recommendation:** To appoint Barb Hendren to the Board Policy Ad Hoc Commission.

*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:** March 11, 2021

**From:** Rules & Regulations Commission

**Memo:** 2021-19

**Topic:** Rules & Regulations: Miscellaneous Regulations

**Issue:** The Safety & Security staff brought a revision to section IV Miscellaneous Regulations section to the Rules & Regulations Commission at their September 11, 2020 meeting. Security staff regularly receives complaints for noise nuisances from neighbors but did not have any language in place to issue a citation on. By removing the reference to the noxious or offensive activity taking place on the properties of ACL and all common properties, Security will be able to issue citations for noxious or offensive activity (including noise complaints) that occur on private property. No additional changes were recommended by Rules & Regs, and they recommended the language for approval at the same meeting.

This section was presented to the Board of Directors for first reading at the February 20 meeting. The discussion at that meeting did not result in any changes to the language presented.

**Recommendation:** To approve the Rules & Regulations section Miscellaneous Regulations as included in the March Board packet.

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

13. **Noxious or Offensive Activity:** No noxious or offensive activity shall be ~~carried on while on the properties of ACL and all common properties~~ permitted.

#### **Miscellaneous Regulations**

- All pet violations \$25
- Illegal discharge of fireworks \$100
- Littering or defacing of property at ACL \$100
- Noxious or offensive activity \$250
- Interference with an enforcement officer \$250
- Failure to identify self, fleeing, use of abusive or threatening language towards an enforcement officer or other ACLPOA personnel. \$250
- Speeding or reckless driving of a vehicle or boat \$250

Apple Canyon Lake Property Owners Association Committee Motion Card

Rules & Regs Commission  
Committee

Date 9-11-2020

move:

Rules & Regs Commission recommends to the ACL Board to approve the attached document referring to Nuisance or Offensive Activity as presented.

Action Taken motion passed

MOTION MADE BY: BOB STANGER  
MOTION SECONDED BY: GEORGE DROGOSZ  
CHAIR: VICKIE SEASHON

VOTE RECORDED:

YEA: 6

NAY: 0

ABSTAIN: -

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_



# Memorandum

**To:** Board of Directors

**Date:** March 11, 2021

**From:** Rules & Regulations Commission

**Memo:** 2021-20

**Topic:** Rules & Regulations: Motorized Vehicles-Recreational

**Issue:** The Safety & Security staff brought a revision to the Motorized Vehicles-Recreational section to the Rules & Regulations Commission at their September 11, 2020 meeting. The current fine for operating an unauthorized or prohibited vehicles on the trails or golf course is only \$50.00 which is significantly less than the fine for an authorized vehicle that is not registered (\$250.00). On several occasions last summer, Security caught mini and or dirt bikes on the trails that received a smaller fine than a golf cart without a current year sticker would receive. We are creating a higher fine for prohibited and unauthorized vehicles – amphibious vehicles, go-carts, two and three-wheeled motorized vehicles, and trucks, automobiles, and motorcycles (excluding Emergency, Maintenance, and Security vehicles) caught on our trail system or golf course. The first offense would be \$250 and the second offense would be \$500. No additional changes were recommended by Rules & Regs, and they recommended the language for approval at the same meeting.

This section was presented to the Board of Directors for first reading at the February 20 meeting. There was discussion about prohibited vehicles – these are all listed in section XII. Motorized Vehicles-Recreational, B. Prohibited Vehicles. The only change being presented is the addition of a \$250 fine (for the first offense) for prohibited vehicles being operated on ACL trails or golf course.

**Recommendation:** To approve the Rules & Regulations section Motorized-Vehicles-Recreational as presented in the March Board packet.

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

### Motorized Vehicles – Recreational

• Riding or operating motorized recreational vehicles on closed trails or in an area that is not an ACL authorized area for recreational vehicles:

- First Offense \$100
- Second Offense \$300
- Third or Subsequent Offense \$500

• Any prohibited vehicle that is on the trails or golf course ~~\$500~~ \$250 1st offense \$500 SECOND OFFENSE

• Any recreational vehicle that is on the trails or golf course and not properly registered with ACL \$250

- Operating a recreation vehicle in a careless or heedless manner \$250
- Operating a recreation vehicle on a private property \$100
- Unlawful Operation of All Terrain Vehicles and Golf Carts (under age 16 and/or not possessing a valid driver's license or permit of state of origin) \$250

Apple Canyon Lake Property Owners Association Committee Motion Card

RULES & REGS COMMISSION  
Committee

Date 9-11-2020

move:

Rules & Regs Commission recommends to the  
ACL Board to approve the attached document  
referring to Motorized Vehicles. Recreational  
with the following fine change in the Red  
verbiage on prohibited vehicles on trail or  
golf course from \$500 to read \$250 first offense  
\$500 for second offense.

Action Taken Motion passed

MOTION MADE BY: BOB STANGER  
MOTION SECONDED BY: GEORGE DROGOSZ  
CHAIR: VICKIE SERSHON

VOTE RECORDED:

YEA: 4  
NAY: 2  
APSTAIN: \_\_\_\_\_

*per Karen Drogosz*

Date Received 9/14/20 Given to Board Date Completed \_\_\_\_\_

12. "Designated Trails" – Trails designated by the Association Board of Directors for recreational use by pedestrians and/or motorized recreational vehicles. When using the trails, all pedestrians and motorized recreational vehicles must remain on the clearly marked designated trails located for such purposes within Apple Canyon Lake. Motorized vehicles are not permitted on any walking trail.

#### **B. Prohibited Vehicles**

1. Amphibious vehicles, go-carts, and 2 and 3 wheel motorized vehicles are not permitted on the trail system. Any vehicle using a "skid steer" turning system is not permitted.
2. With the exception of Emergency, Maintenance, and Security vehicles, licensed vehicles such as trucks, automobiles and motorcycles are not permitted on the trails.

#### **C. Registration**

1. All motorized recreational vehicles that are to be on ACL trails must be registered annually and display a current ACL sticker on the center front of vehicle (front roll bar, windshield or front of hood panel so that sticker may be clearly seen from another approaching vehicle or trail walker) and ID numbers as issued by the ACL Association Office. The ID number will be displayed on both the front and rear of the vehicle. The ID numbers may be placed directly on the front center hood or on a front license plate and will also be displayed on a rear license plate. The registered owner will be responsible for the safe operation of the motorized recreational vehicle and be responsible for the activities of their guests.

#### **D. Insurance**

1. All recreational vehicle owners must provide ACLPOA with proof of liability insurance. The minimum required amount of liability insurance coverage shall be \$500,000 for bodily injury and property damage combined. Acceptable proof of liability insurance documents must meet the following requirements: the policyholder/named insured is the property owner of record; the insured vehicle(s) must be described, and the policy term expiration date and liability coverage amounts must be listed. Continuous until canceled policies will not be accepted. Listing the Association as an Additional Insured or Additional Interest is no longer required, but by doing so, the insurance company should automatically send renewal documents.
2. The vehicle operator, operating a motorized recreational vehicle, recognizes and agrees that he/she is using the trails at their own risk, and absolves ACL of any injury sustained while using the trails, regardless of the source or cause of the injury. Each operator must sign a waiver to this effect each year when their vehicle is registered. If under 18 years of age, their parents/guardian must co-sign.

#### **E. Equipment**

1. All motorized recreational vehicles are required to have factory equipped or comparable mufflers in fully operable condition.
2. Noise level shall not exceed 90-decibel levels under normal standard testing.
3. Operable headlights and taillights are required if used after sunset.
4. ATV operators and riders are required to wear Department of Transportation approved safety helmets and eye protection.





# Memorandum

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**To:** Board of Directors

**Date:** March 11, 2021

**From:** Rules & Regulations Commission

**Memo:** 2021-21

**Topic:** Rules & Regulations: Campground

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**Issue:** The Campground Commission requested that grills be allowed to be left outside the campers during the winter at their October 10, 2020 meeting. This request was presented to the Rules & Regulations Commission at their November 6, 2020 meeting. The commission did add additional guidelines to the section, and approved the section as amended at that meeting.

This section was presented to the Board for first reading at the February 20 meeting and there was no discussion about the proposed rule change or objections to it.

**Recommendation:** To approve the Rules & Regulations section Campground as included in the March Board packet.

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

## X.CAMPGROUND

### E. Campground Winter Rules

1. A Camper Storage Fee will be charged to store a camper at the campground over the winter. This fee must be paid prior to the official closing date. If the fee is not paid by the last Sunday in October, a fine will be assessed. If the fee and the fine are not paid within thirty (30) days an additional fine will be assessed monthly until March 1. If the fee and all fines are not paid by March 1, the Seasonal Campsite License will be revoked.
2. Camping units must be removed by the Campground closing date unless Camper Storage has been paid. All items to be removed from the campground must be removed by the same date. Vehicle access to the Campground will not be permitted after the official closing date.
3. Nothing may be left near, under or around the camper to be stored, except a storage container, firewood, tote along, access stairs, grills (as referenced below) and carpeting. All furniture, flowerpots, screen rooms, ~~grills,~~ and like items shall be removed and properly stored off the property and out of view. Anything left on the site after the specified closing date will be disposed of.
4. Grills will be allowed to be stored during the winter months on campsites that have paid for winter storage. Any grills that are left on a campsite must be securely covered and stored near or under the camper. Propane tanks must be removed.
- ~~3.~~
- 4.5. If maintenance is required to work on or near a campsite, the property owners may be required to move their camper to another campsite until the work is completed.
- 5.6. When the campground is officially closed, all electricity and water will be shut off.
- 6.7. After the official closing date, campsites may not be occupied. The campground entrance gate will be locked, and the roads will not be maintained. Anyone wishing to check on their camper prior to the official opening date of the campground will be required to notify the Safety and Security Department of their presence and walk to the camper location.
- 7.8. Seasonal camping units only will be stored at the campground. Boats, ATVs/UTVs, boat and ATV/UTV trailers, etc. must be removed from the Campground before the official closing date.

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**Apple Canyon Lake Property Owners Association  
Rules & Regulations Commission Minutes  
November 6, 2020**

**UNAPPROVED**

The following Commission members were present: Chair Vickie Sershon, Fern Tribbey, Mike Harris, Fred Pfeiffer, Bob Fitzjerrells, Bob Stanger and George Drogosz. Guests: General Manager Shaun Nordlie and Security/Aquatics Manager Julie Janssen (phone).

**1.0 Call to Order** – Chair Vickie Sershon called the Rules & Regulations Commission meeting to order on November 6, 2020 at 10:00am.

**2.0 Approve Minutes of September 11, 2020** – The October 2, 2020 minutes were approved as presented with a motion from George Drogosz and seconded by Bob Stanger. Motion passed.

**3.0 Unfinished Business**

**3.1 Amenity Tags** – Going to ACL Board for First Reading.

**3.2 Noise Nuisance** – Going to ACL Board for First Reading.

**3.3 Unregistered vs Illegal Vehicles** – Going to ACL Board for First Reading.

**3.4 Lake** – Going to ACL Board for First Reading.

**3.5 Fishing** – Going to ACL Board for First Reading.

**3.6 Dear Management Request to Use Practice Broadheads** – Going to ACL Board for First Reading.

**3.7 Other Unfinished Business** – None.

**4.0 New Business**

**4.1 Snowmobiles** – A discussion was held regarding a fine amount when snowmobiles or UTVs go into the lake. Mr. Nordlie will check if this type of violation is covered under Illinois DNR rules.

**4.2 Trails** – Mr. Nordlie presented a request from a property owner to change the trail closing hours on Friday and Saturday nights during the Summer from 10:00 pm to 11:00pm or midnight. It is noted that the trails used to close at sundown some years back. After much discussion, the Commission was not in favor of extending the Summer hours.

**4.3 Campground** – Mr. Nordlie reviewed a Campground request to keep grills stored during the winter months on campsite, with certain rules to be followed. After a Commission discussion, new language was added. Mr. Nordlie will take this item to the ACL Board for First Reading.

**4.4 Trash Recycling Update for 2021** – Mr. Nordlie reviewed the Trash Disposal and Recycling document with the Commission. There is a change in fees for various items and other language changes and deletions were noted. After a discussion, Bob Stanger motioned and George Drogosz seconded, Rules & Regs Commission recommends to the ACL Board to approve the attached document “Trash Disposal and Recycling” with noted changes. Motion passed.

**4.5 Other New Business** – None.

**5.0 Next Meeting Date** – Next meeting will be on Friday, December 4, 2020 at 10:00am.

**6.0 Adjournment** – Meeting was adjourned by general consent at 10:45am.

Respectfully submitted,  
Karen Drogosz

Apple Canyon Lake Property Owners Association Committee Motion Card

Campground Committee

Date 10-10-20

move:

To request the BOD allow grills to be left outside  
campers during the winter

Action Taken

MOTION MADE BY: Joe Joe Raphael  
MOTION SECONDED BY: Chris Blalock  
CHAIR: Shirley Conner

VOTE RECORDED:  
YEA: 5  
NAY: 0  
ABSTAIN: 0

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_



# Memorandum

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**To:** Board of Directors

**Date:** March 12, 2021

**From:** Joe Wiener, Building Inspector

**Memo:** 2021-11

**Topic:** Request to Restrict Lots - Menconi

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**Issue:** The office has received a Request to Restrict Lot from Matt & Ken Menconi, owners of lot 13-154. The lot was inspected by the Building Department and found to be unimproved.

This Request to Restrict Lot was presented to the Board of Directors at the February 20 meeting, at which point the question was raised on how we could be sure the lot was unimproved with the snow cover at that time. Now that the snow has melted, Joe will go out and photograph the lots. This photo will be provided next week.

There are currently 107 approved Restricted Lots which result in an annual revenue loss of \$47,080 based on an \$1,100 assessment.

**Recommendation:** TBD

*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 Board of Directors.*



# Memorandum

**To:** Board of Directors

**Date:** March 12, 2021

**From:** Joe Wiener, Building Inspector

**Memo:** 2021-27

**Topic:** Request to Restrict Lots - Mamlic

**Issue:** The office has received a Request to Restrict Lot from Daniel Mamlic, owner of lots 03-031, 03-032, 03-033. The lots were inspected by the Building Department, and it was found that there is a dwelling, septic system, attached garage, and driveway on 03-032. Landscaping with wall/pavers appears to be encroaching onto lots 03-031 and 03-033.

This Request to Restrict Lots was presented to the Board of Directors at the February 20 meeting, at which point the question was raised on how we could be sure the lot was unimproved with the snow cover at that time. Now that the snow has melted, Joe will go out and photograph the lots. These photos will be provided next week.

Mr. Mamlic requested to restrict these same lots at the July 21, 2018 Board of Directors meeting and was denied.

There are currently 107 approved Restricted Lots which result in an annual revenue loss of \$47,080 based on an \$1,100 assessment.

**Recommendation:** TBD

*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 Board of Directors.*

12.1

Boat Slip Late  
Fee refund  
request



# Memorandum

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**To:** ACL Board

**Date:** March 11, 2021

**From:** Shaun Nordlie

**Memo #:** 2021-26

**Topic:** Campground Pavilion

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**Analysis:** The Campground Commission proposed a new picnic pavilion to the Budget Commission in 2019. After approval it was determined that a permit would be required from the county and prior to approving this permit, the campground would need to be brought up to compliance. This was finally completed in January 2021. The pavilion will be located between the bathhouse and the basketball court. The concrete slab will be 30x40. Concrete and dirt work has been traded with Wiene Excavating and Concrete in return for dirt. The budget for the project is \$30,000 plus the Campground Commission has pledged \$10,000 out of their designated fund if necessary. The AECC approved the pavilion at their March 6, 2021 meeting.

**Recommendation:** To approve the construction of a 30' x 40' unenclosed Picnic Pavilion resembling the attached pictures between the bathhouse and basketball court. Provision will be provided for a future grill installation. A silt fence shall be installed and maintained throughout the project. Jo Daviess County Planning and Development and Health Department permits must be obtained before the construction.



APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION  
 ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE  
 BUILDING PERMIT APPLICATION

PERMIT NO. 21-005 5.2  
 ISSUE DATE 2/6/21

OWNER'S NAME ACLPOA PHONE NO. 815 4922238 SUBDIVISION PRESIDENT (12)  
 ADDRESS 14A157 CANYON CLUB LOT NO. 350  
 BUILDER'S NAME \_\_\_\_\_ PHONE NO. ( ) \_\_\_\_\_

ADDRESS \_\_\_\_\_

GENERAL CARPENTRY CONTRACTOR (Name, Address, Phone)	<b>SELF</b>
CONCRETE CONTRACTOR (Name, Address, Phone)	
ELECTRICAL CONTRACTOR (Name, Address, Phone)	
HEATING CONTRACTOR (Name, Address, Phone)	
MASONRY CONTRACTOR (Name, Address, Phone)	
LANDSCAPING CONTRACTOR (Name, Address, Phone)	
PLUMBING CONTRACTOR (Name, Address, Phone)	
SEPTIC SYSTEM CONTRACTOR (Name, Address, Phone)	
OTHER (Name, Address, Phone)	
RESIDENCE _____ ADDITION _____ REMODELING _____ DECK _____ LANDSCAPING _____ OTHER <input checked="" type="checkbox"/> GARAGE _____ DRIVEWAY _____ PIER/DOCK _____ SHED _____ WATER FRONT _____ GENERAL _____	

DESCRIPTION: **PICNIC PAVILION ON CONCRETE SLAB BETWEEN WASH HOUSE AND BASKETBALL COURT. SIZE ABOUT 30' X 40'**

REQUIRED INFORMATION: FOR ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE ONLY		
PLANS (3 SETS)	SEPTIC DESIGN w/ County Approval	WATER TAP FEE
PERMIT FEES	BOND FEES	TITLE RECORD
COUNTY BUILDING PERMIT	ENTRANCE PERMIT (Township)	OTHER

APPROVED BY: JW Date: 1/29/21

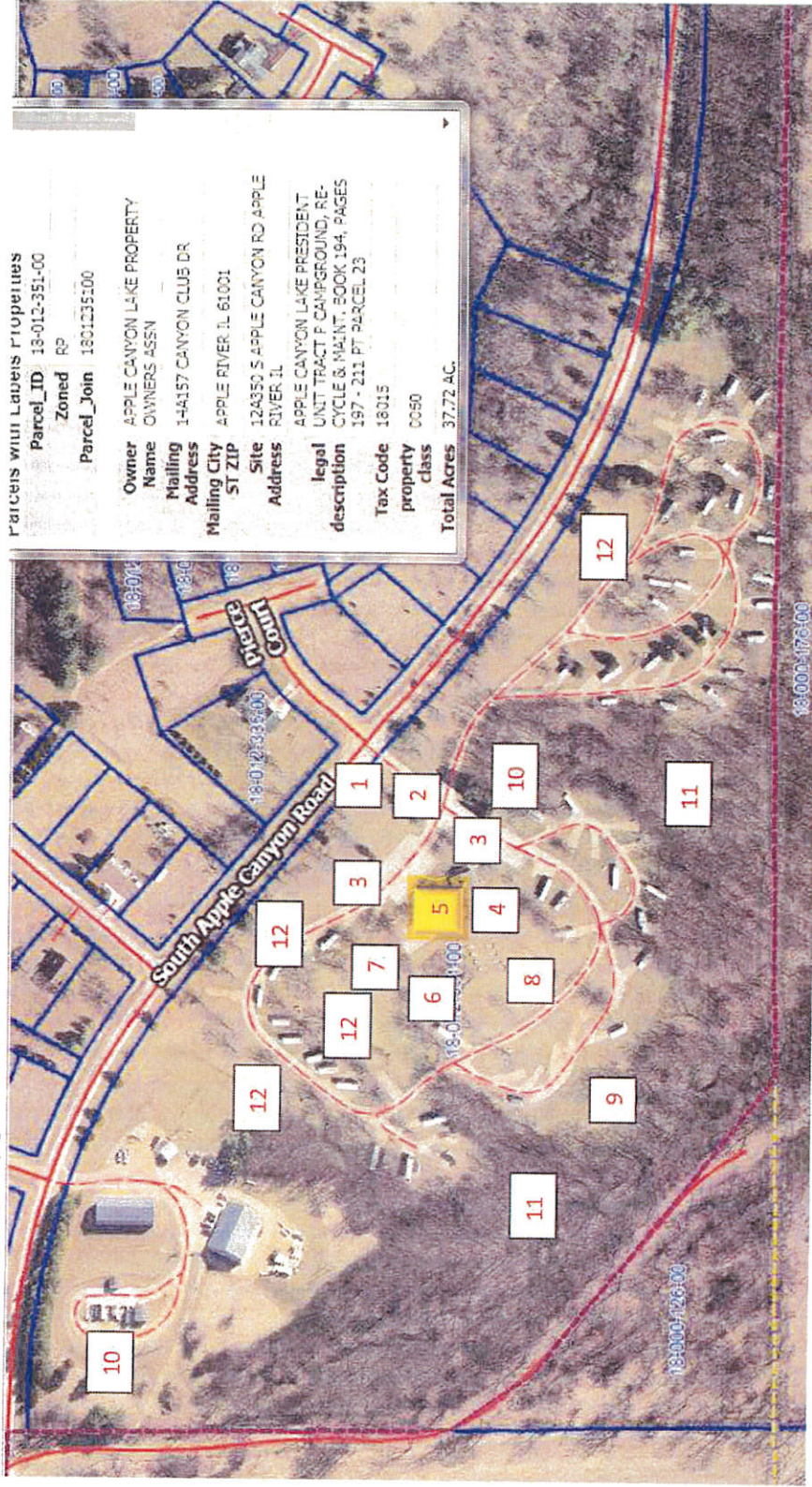
Notes

<p><b>FEE - WAIVED</b></p> <p style="text-align: right;">Total Permits Paid \$ _____</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 70%;">Owner/Builder Signature</td> <td style="width: 30%;">(Date)</td> </tr> <tr> <td style="border-bottom: 1px solid black;">AECC Signature</td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;">AECC Signature</td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;">AECC Signature</td> <td></td> </tr> </table>	Owner/Builder Signature	(Date)	AECC Signature		AECC Signature		AECC Signature	
Owner/Builder Signature	(Date)								
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\*Make all checks payable to Apple Canyon Lake Property Owners Association \* See Back Pg for Breakout.

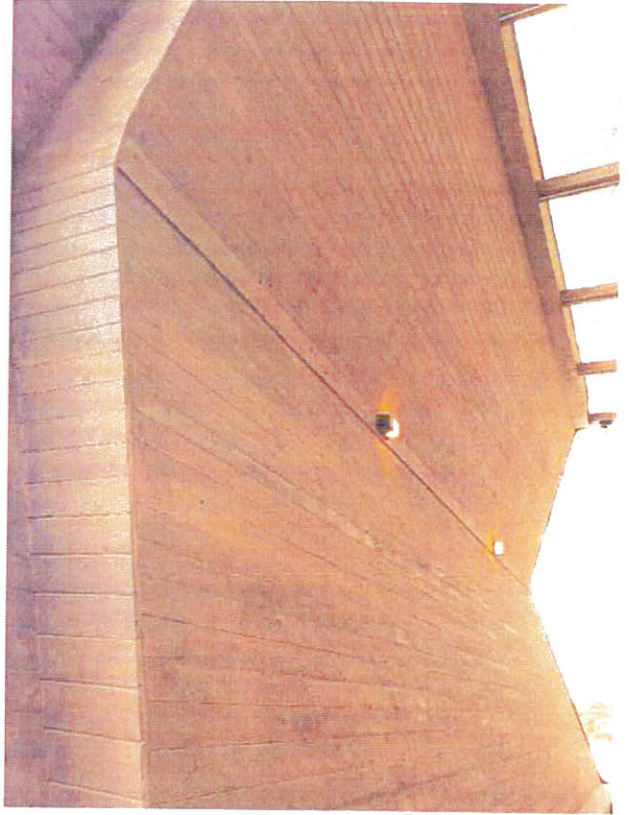
THE ISSUANCE OF A BUILDING PERMIT DOES NOT RELIEVE THE OWNER AND/OR CONTRACTOR AND SUBCONTRACTOR OF RESPONSIBILITY TO COMPLY WITH THE ACL BUILDING CODE AND ALL APPLICABLE STATE AND COUNTY REGULATIONS.  
 NOTE - AN ON SITE DUMPSTER IS REQUIRED FOR ALL NEW HOUSES AND MAJOR ADDITIONS/REMODELING.

# Apple Canyon Lake Campground



The proposed use of the site is to continue to use it as a seasonal recreational camp site for ACLPOA Property Owners. The site is not located within 1.5 miles of an incorporated city or village. The campground is within Thompson Twp. and Scales Mound School District.

- |                                  |                                      |
|----------------------------------|--------------------------------------|
| 1. Ingress and egress            | 9. Leach Field                       |
| 2. Gate / Proposed Secured Entry | 10. Waste/Recycle/Sewer Dump Station |
| 3. Parking                       | 11. Open Space                       |
| 4. Wash House                    | 12. Proposed Pad Spaces              |
| 5. Proposed Pavilion             |                                      |
| 6. Playground                    |                                      |
| 7. Basketball Court              |                                      |
| 8. Septic Tanks                  |                                      |

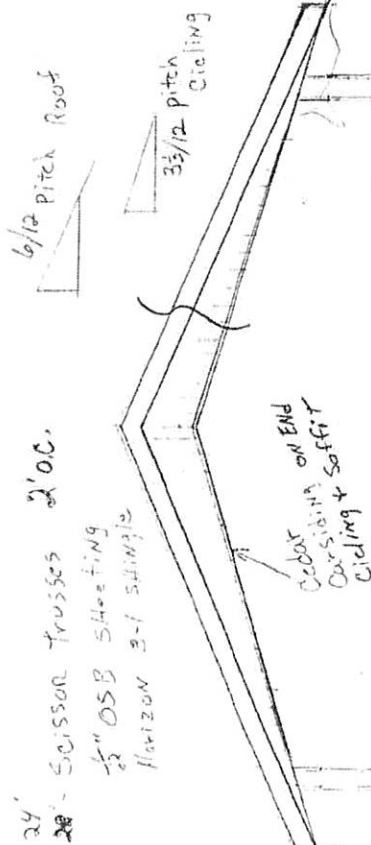
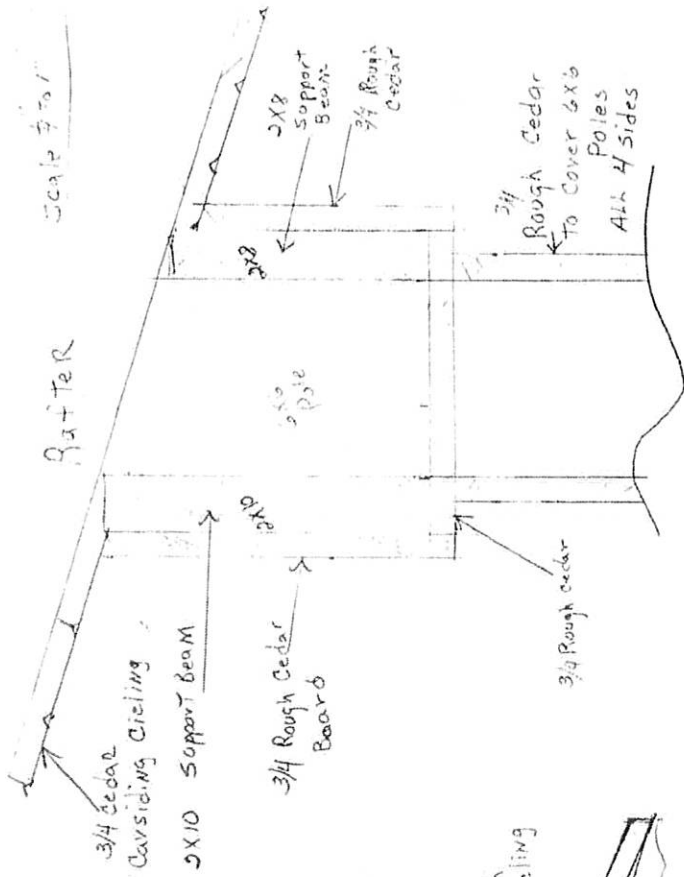


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*Proposed Campground Picnic Pavilion*

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Revised 5/30/94



1" concrete 1/2" on  
Exterior of Concrete Floor

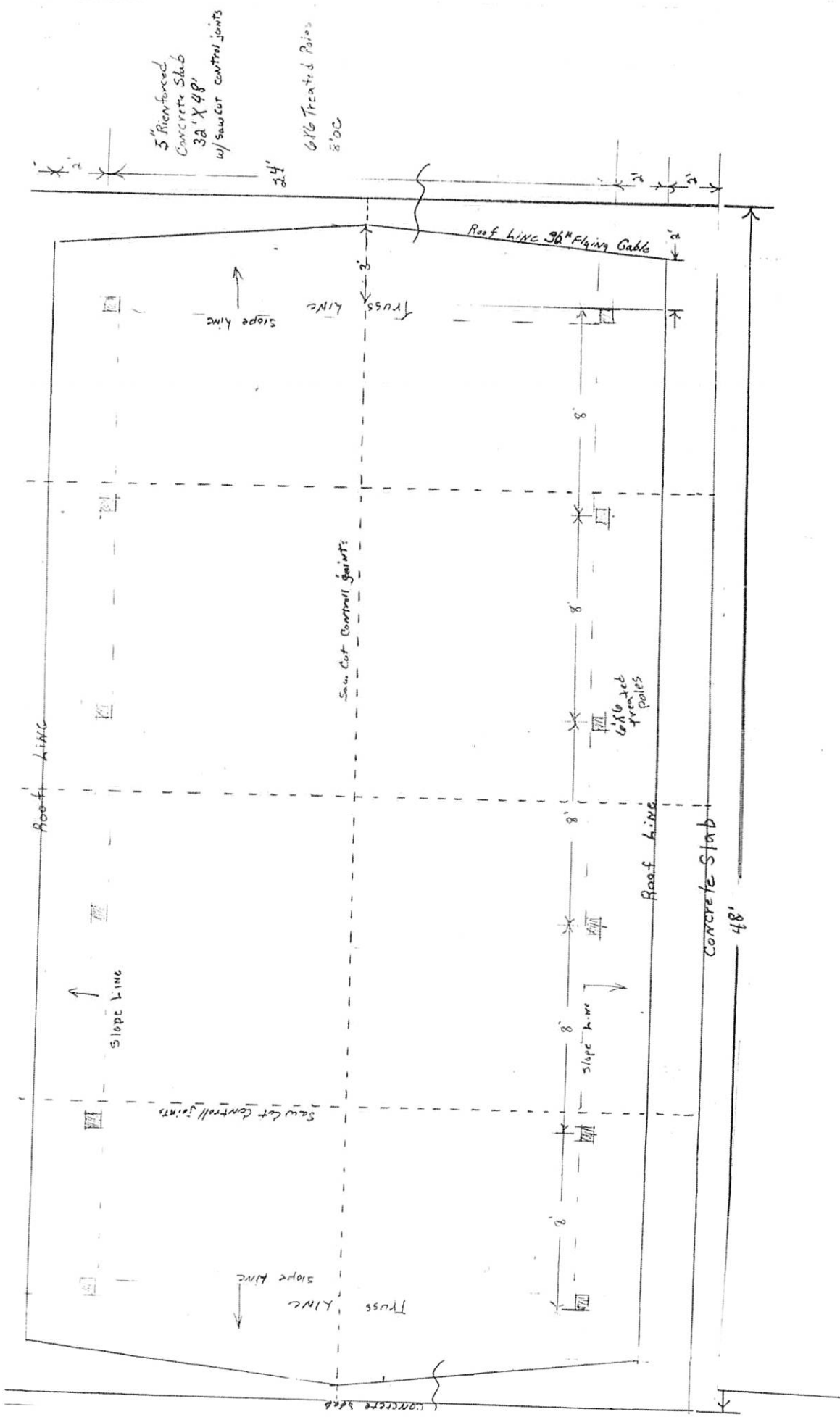
2-#4 Reinforcing Rods  
Perimeter of Concrete Slab  
6"x6" Edge Footing  
of 5" Fibercrete Floor  
w/ Form Finish

5" Reinforced Concrete Floor  
Clips or Compressed Rock Base Under Concrete  
Concrete Base  
Under Base of Poles  
Below Frost Line

6x6 Treated Poles  
Covered w/ Cedar Boards  
Material Between Post & Concrete

Concrete Slab 32'x48'  
Per. Fin. 28'x40'  
Scale 1/2"=1'-0"





5' Reinforced  
Concrete Slab  
32" X 48"  
w/ saw cut control joints

6x6 Treated Poles  
8' OC

Roof Line 96" Flying Gable

Saw Cut Control Joints

6x6 Treated Poles

Concrete Slab

48'

Truss Line  
Slope Line

Slope Line

Roof Line

Saw Cut Control Joints

Slope Line

Roof Line

Concrete Slab

CONCRETE: 12 - Base Pads for Poles 6" x 14" diameter

32" x 48' - Concrete Slab 5" with 12" x 12" perimeter footing with 2#4 reinforcing rod continuous in 12" footing

Concrete will be 5½ bag ready mix with reinforcing fiber added.

Concrete will be finished to a trowel finish.

Concrete slab 32' x 48' will have control saw joints as per plan.

All 6 x 6 poles will have expansion joint material around pole so concrete will not come contact with sides of poles

Base for concrete slab will be 20 yds. gravel chips or compacted crushed rock.

No part of concrete slab will be poured on fill dirt.

PAVILLION SHELTER: *Slope Exterior 4' of floor 1/2" TO 1' ON Perimeter of Pavilion floor Sides & ENDS*  
28' x 44' with 12" flying gable each end with 8" clearance under eaves with a 32' x 48' concrete floor.

Pavillion will be pole type building with scissor truss rafters 6x6 poles #2 S4S CCA .60

2 x 10 & 2 x 8 Doug Fir No. 2 & Btr. truss plates

<sup>24</sup>  
28' - 6/12 engineer scissor truss 2' O.C.

2 x 4 - lateral & web bracing

7/16 OSB Roof Sheathing with clips

2 x 6 - WW No. 2 & Btr. Look Out Framing

15# Felt roofing paper

3-1 Horizion asphalt shingles

Style D Roof edge

Inland Cedar 3/Btr s/s as per plan cover poles, plates & fascia

Inland Cedar 1x6 #KD T&G V/S ceiling & soffits

*ALL Ceiling & soffits TO be Blind Nailed w/ Galv. Nails*

All material & equipment to be stored under tarps while work is in progress.

All debris is to be disposed of by contractor.

Environmental bond is required for this building.

All requirements of zoning will be complied with.

Apple Canyon Lake Property Owners Association Committee Motion Card

Committee: AECC

Date: March 6, 2021

Agenda Item: 5.2

**I Move:**

**Regarding: The ACL Campground**

To permit the construction of a 30' by 40' unenclosed Picnic Pavilion resembling the attached pictures between the Wash House and Basketball Court. Provision will be provided for a future grill installation. A silt fence shall be installed and maintained throughout the project. Jo Daviess County Planning and Development and Health Department permits must be obtained before the ACL permit will be considered issued.

**Action Taken**

MOTION MADE BY: <u>Coody Williams Gil</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>M &amp; H</u> 0711	YEA: <u>9</u>
CHAIR: <u>[Signature]</u>	NAY: <u>2</u>
	ABSTAIN: <u>0</u>

Apple Canyon Lake Property Owners Association Committee Motion Card

Campground Committee

Date 6/23/18

I Move:

The Campground Committee use \$10,000 from our designated funds to go towards the building of a pavilion if approved by Budget for the 2019 Budget

Action Taken

MOTION MADE BY: <u>Yanell L. Co. Jr.</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>Joe Ruffalo</u>	YEA: <u>4</u>
CHAIR: <u>Carly Schmitt</u>	NAY: <u>-</u>
	ABSTAIN: <u>   </u>

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_





# Memorandum

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**To:** ACL Board

**Date:** March 11, 2021

**From:** Pat Reese, Tellers Commission Chair

**Memo #:** 2021-23

**Topic:** Tellers Commission Guidelines

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**Analysis:** The Apple Canyon Lake Amended & Restated Bylaws require that the Tellers Committee "Not less than two months prior to the commencement of the annual meeting adopt written Tellers Committee Guidelines, which will describe the procedures it will follow to count all valid Written Ballots at all votes taken during the following year, which will be submitted to the Board for approval." The only change in the 2021 guidelines from last year is the change from "committee" to "commission". Tellers Commission Chair Pat Reese has reviewed these guidelines and does not feel any other revisions are necessary.

**Recommendation:** To approve the Tellers Commission Guidelines as presented in the March Board packet.

## TELLERS COMMISSION

### OBSERVERS' GUIDELINES:

1. A candidate for election to the board or such candidate's representative shall have the right to be present at the counting of ballots at such election.
2. Observers must remain seated in the area provided while present during ballot counting.
3. Observers must refrain from talking while present during ballot counting.
4. Observers must refrain from any cell phone use while present during ballot counting.
5. Only Board members who are candidates may be present at ballot counting.

### GUIDELINES AND REQUIREMENTS (See Bylaws, Article XIII, Sec. 11)

1. Association attorney shall be present at all ballot counting.
2. Tellers Commission shall consist of not less than five (5) Members approved by the Board.
3. Not less than two (2) months prior to the commencement of the Annual Meeting, adopt written Tellers Commission Guidelines which will describe the procedures it will follow to count all valid Written Ballots at all votes taken during the following year. Guidelines shall be submitted annually to the Board for approval.
4. Before beginning to count Written Ballots, obtain the General Manager's (GM's) verification that the signature of the Voting Member whose name appears on the Return Envelope is authorized to vote for each Lot or Dwelling identified on the Return Envelope.
5. Count all of the Written Ballots cast by all eligible Voting Members, and report the results to the Board President.
6. Deliver all Return Envelopes and Written Ballots to the GM for safekeeping for a period of one year.
7. Ensure that all actions taken shall be taken in such a manner that the vote of any Voting Member shall not be disclosed to anyone, including the members of the Tellers Commission.

### PROCEDURES

#### GENERAL MANAGER'S DUTIES:

1. Upon receipt of each Return Envelope, the GM shall verify that the Voting Member whose name appears on the Return Envelope is authorized to cast Written Ballots for each Lot or Dwelling listed on the outside of the Return Envelope.
2. The GM shall place all unopened Return Envelopes in a secure lock box until the day of the meeting at which the Written Ballots are to be counted, and shall then deliver the Return Envelopes, unopened, to the Tellers Commission on the date set for the votes to be counted.
3. The GM shall permit a Voting Member, not less than one day prior to the start of the meeting, to request his/her Return Envelope be returned and a new Return Envelope, Written Ballot(s) and a new Ballot Envelope be supplied to the Voting Member, so he/she may submit a new Ballot Envelope and a new Written Ballot.
4. Where there are more than one Natural Person listed as owners of a Lot (including spouses), and the designated Voting Member has not cast a ballot by the start of the meeting at which the ballots are to be counted, the GM shall allow one of the other owners, including spouses, to cast a Written Ballot prior to the closing of voting. The GM shall verify that no other ballots have yet been received for that Lot and that the name that appears on the return envelope is an Owner or the spouse of an Owner for that Lot and then add the ballot to those in the secure lock box.

#### TELLERS COMMISSION DUTIES:

1. Obtain the GM's written verification that for every Return Envelope delivered to the Tellers Commission, the GM has determined that the person whose name appears on the Return

- Envelope is the designated Voting Member for EACH Lot and Dwelling listed on the Return Envelope or, in the case where the Voting Member did not submit a ballot and the Lot has multiple Owners who are Natural Persons, the name is that of one of the Owners or their spouses.
2. On the day of the annual or special meeting of Members, receive from the GM all Return Envelopes submitted by Voting Members or members otherwise authorized to vote. All such Return Envelopes shall be delivered unopened to the Tellers Commission.
  3. Separate all invalid Return Envelopes from the valid Return Envelopes. Tellers Commission will count all of the unopened invalid envelopes, and report the total number of invalid Return Envelopes. Set invalid Return Envelopes unopened aside in the lockbox for return to the GM.
  4. Check the number of ballots noted on outside of Return Envelope. Open the Return Envelope. Check that the number marked on the enclosed Ballot Envelope conforms to the number of Lots listed on the Return Envelope. If no number is marked/circled on the Ballot Envelope, the Tellers Commission representative shall mark/circle the appropriate number that conforms to the number of lots listed on the Return Envelope.
  5. Gather all unopened valid Ballot Envelopes together for counting.
  6. Open all valid Ballot Envelopes and remove Written Ballots. Ballot Envelopes are to be destroyed. Only Written Ballots that are in a Ballot Envelope will be counted.
    - a. Valid Ballot Envelope may contain more than one (1) ballot.
    - b. If fewer ballots are enclosed in the Ballot Envelope than the number marked/circled on the Ballot Envelope, the ballots may be counted as valid.
    - c. If more ballots are enclosed in the Ballot Envelope than the number marked/circled on the Ballot Envelope, the ballots shall be declared invalid.
    - d. Set all empty Return Envelopes aside for return to GM.
  7. Count all valid Written Ballots. A Written Ballot will be deemed to be invalid if:
    - (a) Written Ballot has not been placed in a Ballot Envelope;
    - (b) No indication of what vote is being made appears on the ballot;
    - (c) More votes are recorded than is permitted (e.g. three (3) candidates to be elected, and ballot contains votes for more than three (3); or ballot requiring a YES or NO vote, ballot votes for both YES and NO);
    - (d) Ballot is illegible
    - (e) Some other ballot error occurs as determined by Robert's Rules of Order.
  8. Tally votes using the following procedures:
    - a. The Tellers Commission will be divided into two (2) groups--one group of two (2) members, and the second group of the remaining members.
    - b. The group of two (2) members will complete the following tasks:
      - 1) One member will read the ballot.
      - 2) The second member will verify what the first member has read.
    - c. Each member of the second group of remaining members will keep a tally of the votes read.
    - d. When any candidate receives one hundred (100) votes, or a problem arises, the process pauses. All tally sheets are compared to determine if they match each other. If they do not match, the tally sheets are collected and destroyed, new tally sheets are distributed to the members keeping a tally and the same ballots are recounted. This process is repeated until all tally sheets match. Once the tally sheets match, those sheets along with the counted ballots are fastened together and collected by the Chair. New tally sheets are distributed to the members keeping a tally and the process continues with the remaining uncounted ballots until a candidate again receives one hundred (100) votes or a problem arises. This process shall be repeated until all of the ballots are counted.
    - e. After all ballots have been read and tallied, the results of each member's tally sheets will be totaled and compared to the total(s) for the other tally sheets. This process will be repeated until all tally sheets match.

9. Under direction of the Chair, record the total counts on an election summary sheet. Each Tellers Commission member present and participating will sign the election summary sheet. Specifics of the election results will be detailed on the election summary sheet including the total counts by candidate name or by yes or no vote.
10. The Chair will give the election results to the Board President who will announce the election results at the Annual or Special Meeting.
11. Immediately after the announcement of the election results, unless a one-time recount is demanded by ten (10) percent of the members present, deliver the Written Ballots and Return Envelopes to the GM to be secured and stored for one (1) year. A recount will be conducted according to the Tellers Commission Guidelines starting with No. 7.
12. The Tellers Commission is to communicate to the members of the Association the functions, duties, and procedures to be followed by the General Manager, the Commission, and any Observers related to the receipt, verification and counting of the ballots for the annual election of Board Members. The Commission will also submit a report to the membership at the Annual Meeting.

THE ELECTION RESULTS ARE CONFIDENTIAL AND MUST REMAIN CONFIDENTIAL UNTIL AFTER THEY ARE ANNOUNCED BY THE PRESIDENT OF THE BOARD.



# Memorandum

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**To:** ACL Board

**Date:** March 11, 2021

**From:** Rules & Regulations Commission

**Memo #:** 2021-25

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

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**Analysis:** Staff brought revisions to section I Clubhouse to the Rules & Regulations Commission at their February 5, 2021 meeting. The job title of the Communication/Recreation Manager was corrected and a section on Open Clubhouse was added. Minor changes were recommended by Rules & Regulations at that February meeting, and the Rules & Regulations Commission motioned to recommend the revised section to the Board of Directors for approval at their March 5, 2021 meeting.

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

## I. CLUBHOUSE

**Preamble:** The clubhouse is maintained for use of all members and is available on a limited basis for private parties. Contact the **Communications/Recreation Manager** for information.

### A. General

1. Members wishing to schedule the use of space and/or serve food at the Clubhouse are to verify the date and time with the **Communications/Recreation Manager**.
2. Maximum capacity for the clubhouse is 250 persons.

### B. Attire

1. The wearing of proper attire (shirts and shoes) is required in social areas.

### C. Private Parties

**NOTE:** A detailed Rental Rules and Agreement must be signed by Property Owners when renting the clubhouse prior to any rental being permitted.

1. All reservations are to be made through the **Communications/ Recreation Manager** and approved by the General Manager.
2. Reservations are to be made at least one month in advance of event. Association events take precedence.
3. A damage deposit is required upon reservation confirmation. See fee schedule. Refunds of the damage deposit are dependent upon the extent of damage, if any, to the facility occurring during the event.
4. There is a six (6) hour time limit on private parties.

### D. Open Clubhouse

1. **The Clubhouse serves as a quiet place for members to relax, socialize, watch TV, and use free Wi-Fi provided by the Association.**
2. **The hours that the Clubhouse is open for owners is posted in the lobby. However, Association events and meetings take precedence.**
  - **Regularly scheduled events and meetings can be found on the web calendar on the website – [www.applecanyonlake.org](http://www.applecanyonlake.org).**

*Amended: March 17, 2018*

*Amended: July 18, 2020*

**Apple Canyon Lake Property Owners Association  
Rules & Regulations Commission Minutes  
March 5, 2021**

**UNAPPROVED**

The following Commission members were present: Chair Vickie Sershon, Co-Chair Fern Tribbey, Bob Fitzjerrells, George Drogosz, Mike Harris, Fred Pfeiffer and Bob Stanger (Zoom). Guests: General Manager Shaun Nordlie and Security/Aquatics Manager Julie Janssen.

**1.0 Call to Order** – Chair Vickie Sershon called the Rules & Regulations Commission meeting to order on March 5, 2021 at 10:00am.

**2.0 Approve Minutes of February 5, 2021** – The February 5, 2021 minutes were approved as presented with a motion from George Drogosz and seconded by Bob Stanger. Motion passed.

**3.0 Unfinished Business**

**3.1 Amenity Tags** – ACL Board approved at the February meeting.

**3.2 Noise Nuisance** – Some discussion was held by the ACL Board in February; a second reading will be held at the March meeting.

**3.3 Unregistered vs Illegal Vehicles** – ACL Board had a first reading in February. A second reading will continue at the March meeting.

**3.4 Dear Management Request to Use Practice Broadheads** – ACL Board approved at the February meeting.

**3.5 Campground** – ACL Board will have a second reading at the March meeting.

**3.6 Snowmobiles** – Mr. Nordlie reviewed with the Commission Section XIII Snowmobiles. Under C. Operation, No. 7 was added regarding that ACL assumes no liability for individuals operating snowmobiles on the lake when frozen. After discussion, George Drogosz made a motion and Bob Fitzjerrells seconded, “Rules & Regs recommends to the ACL Board to approve Section XIII Snowmobiles per the attached document as written.” Motion passed.

**3.7 Clubhouse** – Mr. Nordlie reviewed with the Commission Section I. Clubhouse regarding new language. Another point was added as D. Open Clubhouse which covers the hours the clubhouse would be open for owners to use. After a discussion, George Drogosz made the motion, and Fern Tribbey seconded, “Rules & Regs recommends to the ACL Board to approve Section I. Clubhouse per the attached document as written.” Motion passed.

**3.8 Guests** – Mr. Nordlie reviewed the language with the Commission. It will come back to Rules & Regs in April for a second reading.

**4.0 New Business** – Julie Janssen brought up the topic for April’s meeting regarding what constitutes a sunrise/sunset no wake time on the lake. Discussion will continue at the next meeting.

**5.0 Next Meeting Date** - Second Friday, April 9, 2021 at 10:00am (due to Easter holiday).

**6.0 Adjournment** – Fern Tribbey made a motion to adjourn at 10:35am.

Respectfully Submitted,  
Karen Drogosz

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs. Committee/Commission

Date 3-5-21

I move:

Rules + Regs recommends to the ACL Board to approve Sect XIII Snowmobiles the attached document as written

Action Taken approved

MOTION MADE BY: George Drogosz	VOTE RECORDED:
MOTION SECONDED BY: Fern Tribbey	YEA: 5
CHAIR: Vickie Sershon	NAY: 0
VICKIE	ABSTAIN: -

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs Committee/Commission

Date 3-5-21

I move:

Rules + Regs recommends to the ACL Board to approve Sect 1. Clubhouse attached document as written

Action Taken approved

MOTION MADE BY: George Drogosz	VOTE RECORDED:
MOTION SECONDED BY: Fern Tribbey	YEA: 5
CHAIR: Vickie Sershon	NAY: 0
VICKIE	ABSTAIN: -

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_





# Memorandum

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**To:** ACL Board

**Date:** March 11, 2021

**From:** Rules & Regulations Commission

**Memo #:** 2021-24

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

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**Analysis:** Staff first brought revisions to section XIII Snowmobiles to the Rules & Regulations Commission at their February 7, 2020 meeting. Minor changes were recommended at that meeting, but the major issue of a snowmobile or ATV potentially falling through the ice into the lake needed further research. Shaun Nordlie and Julie Janssen worked on this throughout 2020 (delayed due to COVID) and presented their findings to Rules & Regs at their February and March 2021 meetings. The Rules & Regulations Commission motioned to recommend the revised section to the Board of Directors for approval at their March 5, 2021 meeting.

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

### XIII SNOWMOBILES

~~Preamble: The ACLPOA assumes no liability for individuals operating snowmobiles on the lake when frozen. Extreme caution should be used!~~

Operators of snowmobiles are to be familiar with the Illinois Snowmobile Registration and Safety Act. Snowmobiles shall be operated on ACL properties in accordance with this Act, ~~including the age of the operator.~~ Violations of the Illinois Snowmobile Registration and Safety Act are prohibited and subject to a fine.

The Golf Course is off limits to any recreational vehicle except golf carts. The Pro Shop may be accessed using the ACL trails. Snowmobile parking is limited to xxx. The Pro Shop is accessible to the public via Lake Road #3. Non-property owner snowmobiles are only allowed at the Pro Shop and must be operated in accordance with the Illinois Snowmobile Registration and Safety Act.

#### A. Registration

1. All snowmobiles that are to be used on the ACL trails and properties must be registered annually with the Association and display a current year ACL sticker on the center front of the vehicle (windshield or front of hood panel so that sticker may be clearly seen from another approaching vehicle) and have ID Numbers as issued by the ACL Association Office. The ID numbers will be displayed on both the front and rear of the snowmobile. The ID numbers may be placed directly on the front center hood or on a front license plate and will also be displayed on a rear license plate. The registered owner will be responsible for the safe operation of the snowmobile and be responsible for the activities of their guests.

2. In addition, all snowmobiles must be registered with the Illinois Department of Conservation, Snowmobile License Section and display the number assigned to that snowmobile or covered by a valid registration or license of another state.

**Commented [MS1]:** Can the public technically ride around the roads? I feel like they can. They can ride on the berm or shoulder of the road to access a trail. jj

#### B. Insurance

1. All snowmobile owners must provide ACLPOA with proof of insurance. The minimum required amount of liability insurance coverage shall be \$500,000 bodily injury and property damage combined. Acceptable proof of liability insurance documents must meet the following requirements: the policyholder/named insured is the property owner of record; the insured snowmobile(s) must be described, and the policy term expiration date and liability coverage amounts must be listed. Continuous until canceled policies will not be accepted. Listing the Association as an Additional Insured or Additional Interest is no longer required, but by doing so, the insurance company should automatically send renewal documents.

~~2. The Association and organized snowmobile clubs must execute an agreement to conduct themselves in a responsible manner at all times and abide by the laws set forth by the State of Illinois Snowmobile Registration and Safety Act, Article V. Control, Section 5-1. In addition, the clubs must file proof of insurance with the Association showing minimum limits of liability for bodily injury and property damage of \$500,000. Amended October 19, 2013 Amended December 15, 2018~~

**Commented [MS2]:** We do not require any evidence of this, but it is required by the Illinois Snowmobile Registration and Safety Act. Correct-jj

**Commented [MS3]:** I don't think we need language for clubs. Agree-JJ

#### C. Operation

1. All snowmobiles must be in a safe operating condition.

2. All snowmobiles shall be operated only on designated trails and not on roads and parking lots.

3. Racing of snowmobiles is not permitted.

4. All snowmobiles shall be operated at a safe speed and in a prudent manner.

**Commented [MS4]:** State statute does allow operation along the road, crossing the road, and in the road in some circumstances. The currently rule conflicts with #5 and #6 below. I believe it is snowmobile etiquette for 5 and 6-jj

5. Riding must be in a single file formation on the right shoulder of the road.
6. All snowmobiles must stop at all streets, drives, and roads and yield right of way to pedestrians or vehicles.

7. The ACLPOA assumes no liability for individuals operating snowmobiles on the lake when frozen. Extreme caution should be used. If a snowmobile or UTV/ATV were to fall beneath the ice, the owner of the machine will be required to remove the machine as swiftly as possible and incur all fines and charges accorded to them by IDNR, ACL and any other entity involved.

87. Pedestrians and cross-country skiers have the right of way on trails.

98. Snowmobiles are permitted on trails between the hours of 6:00 a.m. and 10:00 p.m.

~~9. Violations of the Illinois Snowmobile Registration and Safety Act are prohibited~~

109. ~~4.~~ Operation of a snowmobile on Association property including the Trail System shall be limited to individuals:

- a. Possessing a valid driver's license or permit of state of origin.
- b. Attainment of 16 years of age (or age as mandated by the Association insurance carrier).

Commented [MS5]: Do we need a time they are allowed on the lake and other properties? I think this time is fine same as the trails.

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**Apple Canyon Lake Property Owners Association  
Rules & Regulations Commission Minutes  
March 5, 2021**

**UNAPPROVED**

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Respectfully Submitted,  
Karen Drogosz

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs. Committee/Commission

Date 3-5-21

I move:

Rules + Regs recommends to the ACL Board  
to approve Sect. XIII Snow mobiles  
the attached document as written

Action Taken approved

MOTION MADE BY: <u>George Dwyer</u> <u>DR00002</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>Rob Fitzgerald</u> <u>FITZGERALD</u>	YEA: <u>5</u>
CHAIR: <u>Vickie Sershon</u> <u>VICKIE</u>	NAY: <u>0</u>
	ABSTAIN: <u>-</u>

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs Committee/Commission

Date 3-5-21

I move:

Rules + Regs recommends to the ACL Board  
to approve Sect. 1 Clubhouse attached  
document as written

Action Taken approved

MOTION MADE BY: <u>George Dwyer</u> <u>DR00002</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>Fern Tribbey</u> <u>FITZGERALD TRIBBEY</u>	YEA: <u>5</u>
CHAIR: <u>Vickie Sershon</u> <u>VICKIE</u>	NAY: <u>0</u>
	ABSTAIN: <u>-</u>

Date Received \_\_\_\_\_ Given to \_\_\_\_\_ Date Completed \_\_\_\_\_

Open  
discussion  
about  
COVID-19

# Capital Projects Update