

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MINUTES
FEBRUARY 18, 2012**

APPROVED

2.0 Call to Order – President Kevin Kavanaugh called the regular monthly meeting of the Apple Canyon Lake Property Owners Association (ACLPOA) to order at 9:01 a.m. at the Apple Canyon Lake Clubhouse, Saturday, February 18, 2012.

3.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following directors in attendance: Mr. Bob Ballenger, Ms. Marge Clark, Mr. Josh Cocagne, Mr. Kevin Kavanaugh, Ms. Debra McNamee, Mr. Rick Paulson, Mr. Duane Suits and Mr. Erin Winter. Mr. Chuck Larsen and General Manager Paula Lange were absent. Recording Secretary Dottie Gricius was in attendance.

4.0 Record/Adopt January 28, 2012 BOD Minutes – Erin Winter moved, Bob Ballenger seconded, to “Adopt the January 28, 2012 minutes as amended.” **Correction: Bold type** represents specific language changes to Agenda Item 11.3-Collection & Foreclosures of Delinquent Annual Dues Assessment. “Duane Suits noticed the inconsistency of wording for annual dues, and it was decided to use the term ‘Annual Assessment or any other Assessments’ to replace the word ‘Dues’ where it appears in the title, in Items 1 and 2. In Item 3, Line 1, insert ‘Annual’ before ‘assessment’ and insert ‘or Special Assessment’ after the word ‘assessment’.” This clarification is necessary since the motion identified no specific language change since no attachment was attached to the motion card. The motion carried unanimously.

5.0 Treasurer’s Report – Duane Suits stated there would not be a report this month since he is waiting for the finalized report from the auditors.

6.0 Committee Reports by Board Liaison and/or Committee Chair – Rules & Regulations – Josh Cocagne did not have a report this month.

Conservation – Erin Winter reported the committee meeting was cancelled due to a lack of a quorum.

Trails – Deb McNamee stated there was nothing to report.

Legal – Marge Clark had nothing to report.

Architectural Environment and Control – Rick Paulson reported that the AECC met and is moving forward with changes to the Building Code to coordinate with the Covenants. The septic contractor registration is still in the Building Code and was discussed knowing that all contractor registrations have been cancelled. The committee is looking into the procedures or policies in reference to that.

Pool – Doug Vandigo stated the committee approved the change that was presented at the January Board meeting: the bridge and access from the parking lot’s east end. It turns out that the lift is not necessarily needed and the outside sidewalk access should be kept. He explained a lot of the changes discussed at the committee meeting. When a plan and draft of the updated documents are

ready it will come back to committee. The committee was thanked for coming together at short notice.

Campground – Jim Craig stated that there was a campground mid-winter meeting, basically a social event, where about 65 people met at a potluck dinner.

7.0 President's Report – Kevin Kavanaugh did not have a specific written report but he reminded everyone that this month's copy of the *Apple Core* listed the candidates' biographies. Everyone was encouraged to read those to make a selection to vote on those that best represent the needs, interests and concerns of property owners. As a provision of CICAA and how another community evoked it, he recalled the significant damage by the last storm event. With the storm of the previous years, the maintenance department and contractors took efforts to rebuild our trail system and thankfully that enabled our trails system to withstand the recent storms. For the Territory, it did not – it had damage estimated at \$883,902. They evoked a provision under CICAA, under the Emergency and Assessment Act, and sent an assessment of \$189 to each property owner per lot. He read a note from the General Manager of the Galena Territory which expressed the point that when one becomes a property owner in the Galena Territory, one also collectively owns the common properties managed and maintained by the association. ACL was fortunate to have a good Maintenance Department and that we were able to weather the expenses of repairing the damages out of the Reserves and the Operating Fund as opposed to have to levy an emergency special assessment.

8.0 General Manager's Report – No report was given.

9.0 Property Owner Comment – Stan Hohnstadt read the Editorial Policy about derogatory comments about other not allowed in the *Apple Core*. He stated that after his comment was published, a comment was added after his letter of an inaccuracy which he believed was insinuating he lied. Moreover he stated that if the editor or by extension, the manager had a problem with his statements, he should have been contacted by phone or email. Had someone called him, he would have reminded them of the vote. He requested the board have the editor/manager insert a written apology in the next *Apple Core* in the Letters to the Editor column and refrain from such future comments. No other property comments were given.

10.0 Old Business

10.1 Renewal of Motion – Werning Request for Variance

Debra McNamee moved, Duane Suits seconded, to “Renewal of the motion for a variance request by Werning, lot 12-286.” The motion carried with 6 yea votes, one nay vote by Rick Paulson and no abstentions. There was no discussion but Deb McNamee asked to amend this motion and Josh Cocagne seconded, so that the motion would read: to “Reinstate the Werning building permit and site plan for lot 12-286 as presented.” With no discussion and roll call, the motion carried 6 yea votes to 1 nay vote by Rick Paulson to 0 abstentions.

11.0 New Business

11.1 Committee Changes via Motion of Consent – Josh Cocagne moved, Erin Winter seconded, to “To appoint Martin Handley to the Lake Monitoring Committee and Mike Harris to the Lake Monitoring Committee.” The motion carried unanimously.

11.2 Restricted Lot Request – Bob Ballenger moved, Rick Paulson seconded, to “Approve lot 10-151 as restricted. Recorded deed must be returned to Phil Jensen, ACLPOA Legal Counsel, and ACLPOA’s Office Prior to December 31, 2012 to qualify for reduction in dues for 2013.” With no discussion, the motion carried unanimously.

Agenda Amendment – Marge Clark moved Josh Cocagne seconded, to “Amend the Agenda to include under 12.0 Other: 12.1 to add ‘Language Change to Ballot Mailing Policy’; 12.2 to ‘Delete Board Policy on Proxy’ and to move the old 12.1 ‘Presentation by John Hay’ to 12.3.” The motion carried unanimously.

12.0 Other

12.1 Language Change to Ballot Mailing Policy – Marge Clark motioned and Duane Suits, seconded to “Approve changing the language in Board Policy on Ballot Mailing by **deleting ‘Primary Owner’ and inserting ‘Voting Member’** in its place so the policy will read: ‘In keeping with the **one vote per lot** requirement, all ballots will be mailed only to the Voting Member’.” The motion carried unanimously.

12.2 Delete Board Policy on Proxy

Bob Ballenger moved, Rick Paulson seconded, to “Approve the deletion of Board Policy on Proxy.” The motion carried unanimously.

Adjournment – With Mr. Hay not yet at the meeting, Josh Cocagne moved to adjourn at 9:25 a.m.

12.3 Presentation by John Hay, Candidate for County State’s Attorney

Mr. Hay arrived shortly after adjournment so the Board and audience stayed to hear his credentials as experienced in county attorney offices and currently as a prosecutor for a high number of cases for the Stephenson County State’s Attorney office and a current college instructor on criminal justice. He is running for State’s Attorney and answered multiple questions.

Recording Secretary Dottie Gricius

President Kevin Kavanaugh

Date