

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION  
BOARD OF DIRECTORS MEETING  
JUNE 15, 2013**

**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 1:00 p.m. at the Apple Canyon Lake Clubhouse, Saturday, June 15, 2013.

**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, Mr. Chuck Larsen, Ms. Debra McNamee, Mr. Rick Paulson, Mr. Erin Winter, and Mr. Mike Harris. General Manager Paula Lange was absent. Recording Secretary Kande Haertel was in attendance.

Prior to beginning the agenda portion of the meeting, President Kavanaugh apologized to those in attendance for the confusion regarding the start time of the meeting and thanked them for their indulgence. Additionally, he stated that the Board had been in Executive Session for the hour and a half preceding this meeting and will return to Executive Session after this meeting. A message has been sent to ACL's legal counsel. The new executive committee will undertake an investigation, which will be done thoroughly, quickly, and expeditiously regarding a number of allegations that have been raised. Every available means will be used, including members of the Executive Committee and independent third party investigators, to get to the bottom of this situation. He also stated that there are a number of innuendoes and perceptions that he and some other members of the Board have protected a certain individual for years and that he has no intention of defending his reputation to anyone, either on the Board or in the audience. He will not be part of any investigation going forward, but he will remain on the Board for the one year that is still under his authority.

**4.0 Orders Of The Day** – President Kavanaugh called for a motion to elect a member for the office of President. Erin Winter moved, Bob Ballenger seconded, to nominate Deb McNamee. There were no other nominations. The voice vote was unanimous. New President Deb McNamee then took charge of the meeting. She thanked Kevin for his time and talents as well as the calm and wise demeanor he has always exhibited in his role as president.

President McNamee then called for nominations for office of Vice President. Josh Cocagne moved, with a second by Mike Harris to nominate Bob Ballenger. There were no other nominations. The voice vote was unanimous.

President McNamee then called for nominations for Secretary. Erin Winter moved, with a second from Bob Ballenger to nominate Josh Cocagne. There were no other nominations. The voice vote was unanimous.

President McNamee then called for nominations for Treasurer. Bob Ballenger moved, with a second by Kevin Kavanaugh, to nominate Marge Clark. There were no other nominations. The voice vote passed with an abstention by Marge Clark.

**5.0 Record/Adopt May 18, 2013 BOD Minutes** – Erin Winter moved, Bob Ballenger seconded, to “adopt the May 18, 2013 Minutes as presented.” Chuck Larsen had changes regarding the Dam Advisory committee report. It was moved to adopt the May 18, 2013 minutes with changes requested by Chuck Larsen to be submitted after the meeting. The motion carried. Bob Ballenger, Mike Harris, and Rick Paulson abstained.

**6.0 Treasurer’s Report** – Marge Clark presented the Treasurer’s Report for the month of May, which she noted had been prepared by past Treasurer Duane Suits. She expressed her gratitude to Duane for his work as Treasurer and his assistance in helping her as well. She also thanked Kevin Kavanaugh for his long service to the Association. May revenues were under budget, and year to date revenues were over budget. Year to date membership assessments were below budget. She then commented on significant line items, which included details indicating that May and year to date operating expenses were under budget as well as line item variances for wages and fringes, registration expenses, land and lake, utilities, and special projects and contingencies. Software and hardware supplies were over budget. Year to date, this activity resulted in operating revenues over expenses over budget. The most significant expenditure in May was payment for the former firehouse. Bob Ballenger moved, Kevin Kavanaugh seconded, to “accept the May Treasurer’s Report as presented.” The motion carried unanimously.

### **7.0 Committee Reports**

**Trails** – Mike Harris reported that the trail widening project began last Wednesday, but he has not had the opportunity to check on the progress at this time. There will be a rock wall constructed at some point in the project. The clean-up went extremely well, but the committee needs Maintenance to assist them; the areas that they have already addressed are overgrown and not being maintained as promised.

**AECC** – Rick Paulson reported that AECC met and granted a variance for a garage encroachment on a side yard and approved deck within 100’ of water with 10’ setback from the water’s edge. The Building Inspector found room addition being done without permit, which was immediately addressed. Approval for the room addition was granted at last week’s meeting.

**Conservation** – Erin Winter reminded everyone of Jan Davis’ request to have additional recycling containers placed around the property, which was discussed during their meeting, but did not make it on to this month’s agenda. There was discussion regarding placing fish cribs in the lake by the Bass Club, which will be placed on next month’s agenda. Kevin Kavanaugh noted that General Manager Lange had been instructed to contact Montgomery Trucking regarding placement of additional recycling containers, but he is not aware of the status of that at this time.

**Campground** – Chuck Larsen stated that the committee met this morning and the recent pancake breakfast was discussed. Final results of this event will be provided to the Board at a future meeting. The AmeriCorps volunteers will be in the campground from July 14<sup>th</sup> thru August 3<sup>rd</sup>, helping with a variety of work. They discussed the open meeting the committee held and felt that it was beneficial and will be done again.

**Long Range Planning** – Chuck Larsen noted that the presentation on the long range planning procedure and the master plan update that was to have been a part of the annual meeting did not take place due to an auto accident. It will be rescheduled. At that time there will also be a question and answers session for those in attendance. He also reminded everyone that the survey is in the *Apple Core* and online and should be completed and submitted as soon as possible.

**Dam Advisory Panel** – Chuck Larsen reported there will be a meeting on June 29<sup>th</sup> at 10:00 a.m. He also noted that before that time there will a Budget Meeting and the panel would like to schedule two things: One is the investigation of options for increasing the spillway capacity. They have an estimate of costs in the range of \$50,000 to \$60,000 and the panel feels one way to handle this would be to set aside \$20,000 a year for three years and then do the work in 2016. Number two is the inspection of the outlet pipe, which has never been done. Even though there are currently no problems indicated, after 40 years it is a good idea to check for potential problems. This work would cost an estimated \$25,000. The panel feels it would be in our interests to set aside funds for this work as well so that the work could be done in 2015.

**Maintenance** – Kevin Kavanaugh reported that the committee postponed their meeting and the rescheduled date is not yet known.

**Rules and Regs** – Josh Cocagne had nothing to report.

**8.0 President's Report** – President McNamee had no report.

**9.0 General Manager's Report** – Paula Lange was absent and no report was given.

**10.0 Property Owner Comments** – Page Schaschwary, 9-31 – She stated that she appreciates the work and time of the Board; she knows they are volunteers and she respects them all immensely. She will be addressing a personnel matter because the General Manager reports to the Board and, therefore, there is nowhere else for her to go but to address those issues here. -She expressed concerns about Paula Lange's actions and policies. President McNamee noted that the serious accusations Ms. Schaschwary raised were being investigated.

Jan Davis, 11-193 – She addressed the Board regarding the existing grievance policy and previous updates to that policy. Changes to the grievance policy and procedure sections were not reflected in the motion or the minutes of any Board meeting. She felt that the Board had granted too much authority to the General Manager and that this should be reviewed. She would also like members of the Board to perform exit interviews with any employees leaving ACL.

Betsy Osika, 12-302 – Addressed the Board regarding the procedures for the pool elevator and locking of same. Bob Stanger, 13-17, and Doug Vandigo, 12-44, provided further information regarding why the elevator is locked as members of the Pool Committee. President McNamee indicated that this will be investigated further. Rick Paulson noted that this will take an interpretation from the Accessibility Coordinator from the State of Illinois.

Jan Hedges, 10-9 – She noted that at the Annual Meeting, it was stated that the pool came in under budget. ACL total dues are based on both dues and an assessment for the pool. What are the chances that this would lead to a reduction in dues? President McNamee stated that this has not been discussed but that there are other projects coming up that will be capital projects. Once the information from the property owners' survey has been reviewed, the Board will have more of a vision regarding the direction the membership wants taken. Marge Clark noted that the assessment amount was based on projected operating expenses and this was not done strictly as a

capital expense for the pool. Under CICAA, revenue must be distributed among operations, capital improvements, and R & R. The current dues structure is to move ACL away from being a fee supported organization. If there is going to be a change in the dues structure, it will be determined by the Budget Committee and the Board, but we must remember that projects are out there that need to be, or wish to be, done. Jan Hedges commended Marge on her skills as Treasurer. She also agreed with Paige Schaschwary's previous statements. At this time Josh Cocagne also interjected that the original plan for the pool included pool furniture on the upper deck; the patio is currently empty.

Steve Davis, 11-193 – He noted that the Annual Meeting was a very good meeting, but the attendance was terrible. Perhaps the date was a factor. Mr. Davis also wanted to talk about the dog kennel. His concern is that the dog house requested over a year ago has not been provided. At this time we are not in compliance with Illinois law. Kevin Kavanaugh commented that the Board was also surprised at the lack of attendance at the Annual Meeting and that it would be addressed for next year. Brian Hartlep stated that Maintenance did have a work order for the dog kennel, but that it was for more work than simply a dog house. It involved cutting concrete and other items and the entire project was being cost out. Jan Davis clarified that the work order was not for all that; she had provided Paula with the ideal situation for these dogs, but her main concern now is a shelter in the existing kennel. Brian Hartlep agreed to make providing a simple dog house a priority.

Norm Vandigo, 12-277 – His comments were regarding EZ Docks. He has extensive experience with various types of piers and docks. Further comments and discussion centered around the use of the posts to anchor EZ Docks, the height of posts and poles on docks in general, and the possible various length extensions to such posts and poles. Kevin Kavanaugh stated that no decision has been made on EZ Dock, or any other type of dock, installation. President McNamee requested the Maintenance Committee place two items on their agenda: The first being to find out more information about dock poles and pole extension and the second being to have the committee become a central source for the analysis of portable docks. This would provide members with a central information source and place to comment. Kevin will ask the Maintenance Committee to look at this. Marge Clark noted that the Board explored pole extensions approximately a year ago and that the Maintenance Department may already have some of the necessary research collected. Kevin Kavanaugh stated that PVC versus chains was tested at that time, but without better results.

Doug Vandigo 12-244 – He noted that the lifeguards and Security employees are to be complimented for the jobs they do. He also commented on a job posting in the previous Sunday's *Telegraph Herald* he requested that the ad be removed; it is in poor taste and sends a terrible message.

Ron Carpenter, 11-247 – He chose not to speak at the Annual Meeting, but did want to go on record as saying thank you to Duane for all that he did, and to all the Board members for their service to the association.

Kathy Richards, 11-255 – She has served on several committees and serves as Chair of the Recreation Committee. She stated that if issues are not resolved, the Recreation Committee members will largely resign. She referred to an email that was sent to the Board improperly; she noted that she is a camper at ACL by choice She stated that she is no less worthy than a homeowner at ACL. She expressed her concerns about reprimands received and investigations

into her background by the General Manager. President McNamee stated that Mrs. Richards's concerns are understood and there will be resolution.

Marcy Stanger, 13-17 – She also commented on personnel issues. She urged the Board to talk to all employees during their investigation.

Isa Magsamen, 2-37 – She also commented on specific personnel issues. She hopes there is an unbiased investigation. She believes that participation at the Lake would improve if the environment were different.

Patrick McGowan, 11-31 – He views the people in attendance at this meeting not as whiners or complainers, but as people trying to add positive input to situations he was not aware of.

Members of the Board are good decent people who should be commended for the time and effort put into their work. He then commented on specific personnel issues and urged a quick resolution.

**11.0 Unfinished Business** – There was not unfinished business.

## **12.0 New Business**

**12.1 Property Owner Citation Appeal** – President McNamee entertained a motion to delete item 12.1 Property Owner Citation Appeal from the Agenda. Kevin moved, seconded by Marge Clark to delete this item. Bob Ballenger questioned why it was being deleted. Kevin Kavanaugh stated there was insufficient information provided regarding past procedures prior to the issuance. He stated that that information would be provided later. The property owner did not withdraw this appeal. Megan Shamp from the Office clarified that this citation had been dismissed by the General Manager; it will not be brought back for further review. Marge Clark stated that she had seconded believing that the appeal had been withdrawn by the property owner. A roll call was requested; Josh Cocagne asked if everyone was clear that the citation was gone. Bob questioned who had the authority to delete the citation. Deb clarified that she had knowledge of the issues regarding Security procedures. Marge was not aware when she seconded the motion that it was dismissed by the General Manager. She is not sure that that authority exists. She withdrew her second. Rich Miranda stated on behalf of the Appeals Committee that he would like to know what the discrepancies were as the Appeals Board went through the whole procedure and then the citation was dismissed. Josh Cocagne moved, with a second from Erin Winter, to table this motion. The voice vote was unanimous.

**12.2 Committee Changes Via Motion of Consent** – President McNamee read the narrative, “to appoint Robert Krzeminski to the Campground Committee”. Chuck Larsen moved, Erin Winter seconded, to “approve the committee changes as listed above.” The voice vote was unanimous.

**12.3 Restricted Lot** – President McNamee requested a motion to restrict lot 08-007. The request failed for want of a motion or a second.

**12.4 Senior Exemptions** – President McNamee read the narrative. Rick Paulson moved, Chuck Larsen seconded, to “approve the ACLPOA annual application for senior exemption – 2014 for lots 09-099, 07-074, 12-049, 09-114, 03-149, 12-236, 09-223, and 09-250.” The voice vote was unanimous.

**12.5 Revised No Boat Slip Waiting List Application --** President McNamee requested a motion to approve the No Boat Slip Waiting List Application as attached and made part of the minutes. Bob Ballenger moved, Chuck Larsen seconded the motion. Megan Shamp provided a brief synopsis of the changes and their need. The voice vote was unanimous.

**12.6 Revised Boat Slip to Trade Waiting List Application –** President McNamee requested a motion to approve the Boat Slip to Trade Waiting List Application as attached and made part of the minutes. Kevin Kavanaugh moved, Erin Winter seconded that motion. The voice vote was unanimous.

**13.0 Other –** There was no other business.

**Adjournment –** Kevin Kavanaugh moved to adjourn to Executive Session. Josh Cocagne seconded. The voice vote was unanimous. The meeting adjourned at 2:20 p.m.

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Recording Secretary Kandee Haertel

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President Deb McNamee

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Date

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Corporate Secretary Josh Cocagne