

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
NOVEMBER 16, 2013**

APPROVED

2.0 Call to Order – President Deb McNamee called the regular monthly meeting of the Apple Canyon Lake Property Owners Association (ACLPOA) to order at 9:05 a.m. at the Apple Canyon Lake Clubhouse, Saturday, November 16, 2013.

3.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following directors in attendance: Marge Clark, Josh Cocagne, Mike Harris, Kevin Kavanaugh, Chuck Larsen, Debra McNamee, Rick Paulson, and Erin Winter. Bob Ballenger was absent. Operations Director Tim Ridder and Recording Secretary Kandee Haertel were also in attendance.

4.0 Record/Adopt Various BOD Minutes – Josh Cocagne moved, Kevin Kavanaugh seconded, to “Adopt the September 14, 2013 Board Minutes as presented.” The motion carried with abstentions from Rick Paulson and Chuck Larsen. Josh Cocagne moved, Rick Paulson seconded, to “Adopt the September 21, 2013 Board Minutes as presented.” The motion carried with abstentions from Kevin Kavanaugh and Erin Winter. Marge Clark moved, Mike Harris seconded, to “Adopt the October 19, 2013 Board Minutes as presented.” The motion carried with abstentions from Erin Winter and Rick Paulson.

5.0 Treasurer’s Report – Marge Clark stated that the financials were received yesterday and there would be no report this month. She then made two announcements: The loan for the pool and new irrigation system had been completed with a rate of 3.23% for five years with annual payments made in April of each year. Also, the Budget Committee meetings would begin on 11/23/13 at 9:00 am in the clubhouse. This will be the first zero-based budget meeting, which is a major step forward in handling ACL’s finances.

6.0 Committee Reports

AECC – Rick Paulson reported that AECC met 11/9/13 and one house, solar panels on the roof of one house, and a new detached garage were approved. Three submittals were incomplete and will be considered at a later date.

Recreation Committee – Kathy Richards reported that the new ACL logo merchandise was available in the office. She also reminded everyone of the Christmas musicale and brunch.

Campground – Chuck Larsen stated that there was a meeting today and that campground rules and regulations and the campsite registration system are on the agenda.

Long Range Planning – Chuck Larsen reported that the next meeting would be 11/22/13 when the results of survey are being discussed. On 12/6/13 there will be a meeting with Planning Resources.

Dam Advisory – Chuck Larsen reported that in the 2014 budget, we recommended that some money be put aside each year for some of the major work needed, and now we will be putting it all into one year and, thus, have revised this for the 2015 budget.

Rules & Regulations – Josh Cocagne stated the committee has met and there is an item on today’s agenda.

Nominating – Rich Miranda urged people to apply for Board positions and requested the Board’s help in recruiting. Four more people are still needed.

Conservation – Erin Winter reported that the committee met on 11/2/13. Lake monitoring is finished for the year. He specifically thanked the Burmeisters for all their work. ACL is pleased to have IEPA Level 3 testing, which means that IEPA pays for sampling, equipment, and lab work and the Burmeisters do the actual sampling. The committee is also discussing leasing a herd of goats to assist with vegetation removal. The next meeting is 2/1/14.

Maintenance – Kevin Kavanaugh noted that discussions regarding the new golf course irrigation system are continuing. No RFP’s have yet been let. It has come to the committee’s attention that a portion of the irrigation line may be on private property and easements are being checked. He also noted that the committee needs Board direction because they are uncertain whether there was a formal request to review several issues regarding docks.

At the end of the committee reports, Josh Cocagne questioned whether the Pool Committee was still active. President McNamee reported that the need for specific committees and their responsibilities is being reviewed by Tim Ridder and this matter will come up at a future Board meeting.

7.0 President’s Report – President McNamee read the following, which will also be in *The Apple Core*, from a prepared report regarding issues that she has researched. At the previous Board meeting where we welcomed Tim Ridder as our new manager, a member asked what the salary was. She responded that salaries were only discussed at the Executive Board level. She did not have the chance to research this since it was an impromptu question and answer, but in the few years that she served on the Board, she was told salaries were discussed among the Executive Committee only. To her knowledge, this has been the practice of the Board since the inception of the Association. As a Board member, her request to review salaries was denied. After the meeting, Norm Vandigo suggested that CICAA may contradict this policy. She asked the attorney to research this and he advised that CICAA does allow for members to request certain information, including salary contracts, by submitting a request in writing to the Association office. For specific details on how to request information, please contact the office. For those of you who attend meetings or read the minutes, you are aware that Henry Doden has brought up the issue of trail riders not staying on the trails, and the liability that the Association has for not stopping this. The attorney’s research indicates that this is not the responsibility of the Association to protect private property from trespassing. With that said, we encourage all trail riders to stay on the Association trail. Staff is working hard to clearly delineate the designated trail. Keith Frederick contacted the Board and asked why the foreclosed properties were not advertised in *The Apple Core*. Great suggestion. Going forward, the list will be published in our paper which will aid prospective property purchasers.

8.0 Operations Director’s Report – Tim Ridder noted that he has only been on the job since Tuesday. He will be working hard to improve the organization. He is leading off by having individual meetings with staff and then perhaps making changes by filling key positions. It is his plan to develop Standard Operation Procedures (SOPs) for work that needs to be done, or is requested, at ACL. He plans to have everything up and running well by peak season. He also asked that you give him some time to get into the job. He requested that if you have questions,

please remember that he is available. He also noted that this is important to him because he lives in ACL and is always available to property owners. He requested that property owners cut him some slack because he is terrible with names. He stated that he is excited about the opportunities at ACL, he has a great Board and great employees, and that only good things are in the future.

9.0 Property Owner Comments –

George Drogosz, 08-048 – Recommended that the website and internet access be utilized to communicate with the Board.

Edie Petelle, 11-209 – Again requested that ACL’s attorney, Phil Jensen, be terminated.

Marcy Stanger, 13-017 – Indicated that she is the Jo Carroll representative for the district and reminded ACL property owners about free home energy audits. She also noted that it is election time again and she is asking for signatures for her election to the Jo Carroll Board.

Steve McIntyre, 11-152 – He stated that he has been living in ACL since 1999. In 1997, the previous owner had the home built on a combination of two lots so that one dwelling could be built on that combination. In 2011, the Covenants were changed for lot restrictions, allowing for reduction in dues. There are now 100 or so double lot owners, which effectively did reduce the number of dwellings in ACL, which he believed to be the intent of the lot restrictions. His property now has a deed restriction, requiring that it be sold as one parcel. He feels that he is paying double dues and would like to have the same dues reduction on his “second” lot. He noted that he cannot build on the second lot because his deed states that he can only have one dwelling for the two lots. He requested that the Board address this and see if he, as a combined lot owner, could get a reduction in dues.

Hans Bender, 14-058 – He raised concerns about the pool in that there is rusting on the metal bars on pool diving board bottom. Also, the handicapped chair is rusting. President McNamee thanked him and noted that this would be inspected and potentially added to the punch list for the contractor to complete. Mr. Bender also felt that a winter reduction in employees would behoove ACL, particularly maintenance department employees. President McNamee stated that Tim Ridder is evaluating current work force and staffing needs.

Henry Doden, 13-129 – He stated that he has talked about animal damage to dam with Seth Sample. President McNamee responded that the issue is being worked on to the best of ACL’s abilities. Mr. Doden also questioned when a boil order is put in place in ACL’s campground. Tim Ridder responded that to the best of his knowledge, IEPA rules were being followed and that there have been no leaks in the campground’s water supply, which means that a boil order is not required.

Jan Hedges, 10-009 – She stated that she is the wife of a Maintenance employee, and that they are a good working group. She noted that a lot of work is accomplished in slower times.

George Drogosz, 08-048 – He spoke as a member of the Trails Committee and expressed concern about the lack of trail maintenance. He felt that if the trails are back in shape, people will stay on the trails and not veer off onto private property. The trails system is in a rebuild mode, suffering from excessive traffic and erosion. He expressed the importance of getting the trail system out of rebuild mode into a routine maintenance mode. Tim Ridder noted that there are differing ideas on how to maintain trails, but stressed the need for Standard Operating Procedures for trail maintenance. The committee and staff will all then be using the same set of standards and everything should work better.

10.0 Consent Agenda

President McNamee explained the procedure for a consent agenda to the audience. Rick Paulson then moved, Erin Winter seconded, to “approve the consent agenda items: Committee changes via motion of consent; Senior Exemptions; Recreation Committee designated fund transfer; and to ratify electronic votes for the apple slide replacement; rescind the leave of absence and reinstate Marge Clark as Treasurer; approve the designated signers for a loan; and to cancel the December Board meeting.” The motion carried unanimously.

11.0 Unfinished Business

11.1 Deer Management Program Rules & Regulations Changes - President McNamee read the narrative and requested a motion stating to “approve the changes to the Rules and Regulations Sections XIV Hunting, Deer Management Program Rules And Regulations; and XIII Archery as included in the Board packet and attached to the motion card.” Josh Cocagne moved, Mike Harris seconded, to make the motion. Jim Petelle reported for the Deer Management Committee and also introduced John Sershon. Discussion followed involving wild animal consumption of dead deer, the use of crossbows and their impact, as well as recent changes in Illinois laws, and the coyote population in ACL. After some further discussion, President McNamee called the question. Marge Clark moved, with a second by Erin Winter, to divide the question. Josh Cocagne rescinded his motion and Mike Harris removed his second. Josh Cocagne moved, Erin Winter seconded, to allow the use of recurve, composite, long bows, and crossbows at the ACL practice archery range according to the Rules & Regulations shown in the side-by-side comparisons of the current and proposed language included with the motion card. Following discussion, a roll call vote showed Chuck Larsen, yes; Erin Winter, yes; Kevin Kavanaugh, yes; Marge Clark, yes; Josh Cocagne, yes; Mike Harris, no; Rick Paulson, no. The motion passed 5-2. Josh Cocagne moved, Rick Paulson seconded, to accept the alternative language recommending that entrails be removed from ACL property or left in the woods at least 100’ from any trails, roadway, residence, or parking area. Field dressing of deer must be done at least 100’ from any residence roadway, or parking area as recommended by the Deer Management Committee and the Rules & Regulations Committee. Following discussion, a roll call vote showed Chuck Larsen, yes; Erin Winter, no; Kevin Kavanaugh, no; Marge Clark, yes; Josh Cocagne, yes; Mike Harris, yes; Rick Paulson, no. President McNamee reported that Bob Ballenger sent in an email vote in favor of leaving entrails in woods and that this vote should be recorded as a yes. Deb will submit the email vote for the record. The motion passed with five yes and three no.

12.0 New Business

12.1 Property Owner Citation Appeal - President McNamee read the narrative. Ron Bronke, 12-332 Eisenhower, appealed a citation issued on 8/5/13 for interference with an enforcement officer. Julie Jansen spoke on behalf of Security Department. Jose Rivera, 7-004, spoke on behalf of Mr. Bronke. The Board recessed at 10:40 a.m. to discuss this matter. The Board returned to regular session and Tim Ridder announced the decision of the Board to forgive the ticket, but informed Mr. Bronke that he must obey orders of a Security Officer and noted that this type of offense should not come to the Board again.

12.2 Restricted Lots – President McNamee read the narrative. Mike Harris moved, Kevin Kavanaugh seconded, to “allow lots 07-178, 08-032, 08-004 and 03-095 to be restricted. Recorded restrictive covenant must be returned to Phil Jensen, ACLPOA legal counsel, and ACLPOA office prior to December 1, 2013 to qualify for reduction in dues for 2014.” Discussion followed regarding the fire pit that was on lot 03-095. President McNamee reported that ACL’s attorney had advised them that if the fire pit, or other structure, has been removed, the lot would qualify for restriction. Marge Clark moved, Josh Cocagne seconded, to divide the question. Chuck Larsen moved, Mike Harris seconded, to restrict 07-178, 08-032, and 08-004. Six votes in favor, with an abstention from Rick Paulson. The motion carried. Chuck Larsen moved, Mike Harris seconded, to restrict lot 03-095. A voice vote showed Chuck Larsen, yes; Kevin Kavanaugh, no; Marge Clark, no; Josh Cocagne, no; Mike Harris, yes; Rick Paulson, no. Erin Winter abstained. The motion failed 2-4.

12.3 Rules & Regulations Section XI Motorized Vehicles – Recreational Changes – President McNamee read the narrative. Josh Cocagne moved, Rick Paulson seconded, to “approve the changes to the Rules and Regulations Section XI Motorized Vehicles – Recreational, as attached to the motion card with the following exceptions: Remove the need to display the Illinois OHV sticker.” The motion carried with Chuck Larsen opposed. It was noted that Tim Ridder will prepare an executive summary of these changes.

12.4 Operational Programs & Procedures – Boat Slip to Trade Assignment & Notification Procedures – President McNamee read the narrative. Rick Paulson moved, Erin Winter seconded, to “approve the changes to the Operational Programs & Procedures sections Procedure for Assignment of Boat Slips and Notification Procedures for Boat Slip Assignments as attached to the motion card.” Discussion followed indicating that the changes offer the right of first refusal on a traded boat slip, which offers fairness to the property owners. The motion was withdrawn by Rick Paulson and the second was withdrawn by Erin Winter. Tim Ridder will do an Executive Summary of options for boat trade procedures that will be on the agenda for January.

12.5 Update Of Rules & Regulations and Architectural & Environmental Control Code – President McNamee read the narrative. Chuck Larsen moved, Marge Clark seconded, to “direct the Rules & Regulations Committee and the AECC to update the Association’s Rules & Regulations and Architectural & Environmental Control Code to conform to the restated Covenants and CICAA by June of 2014.” Rick Paulson stated that the June, 2014 deadline might be difficult to meet. Marge Clark cited several examples of why this update is necessary. The motion carried with Rick Paulson and Josh Cocagne voting no.

12.0 Other Business

Edie Petelle, 11-209 - Noted that at 1:00 p.m. on 11/26/13 in Judge Kelly’s JoDavie County court room, the charges regarding Brian Hartlep would be on the docket.

George Drogosz, 08-048 – Reminded property owners that winter is coming and that they should make certain they have propane available as needed to prevent damage to their homes.

Adjournment – Kevin Kavanaugh moved to adjourn at 11:25 a.m. Motion carried.

Recording Secretary Kandee Haertel

President Deb McNamee

Date

Corporate Secretary Josh Cocagne