

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
September 16, 2017**

APPROVED

2.0 Call to Order – President Pro Tem Bob Ballenger called the regular meeting of the Apple Canyon Property Owners Association to order at 9:02 a.m. on Saturday, September 16, 2017.

3.0 Pledge of Allegiance – After the Pledge of Allegiance a quorum was present with the following directors in attendance: Bob Ballenger, Gary Hannon (via teleconference), Rich Krasula, Barb Hendren, Mike Harris, John Diehl, and Gordon Williams. Jody Ware and Jon Sonntag were absent. Shaun Nordlie was also in attendance.

4.0 Approve/Adopt August 19, 2017 Minutes – Rich Krasula motioned “to approve the August 19, 2017 minutes.” Seconded by Mike Harris. Rich Krasula noted a change in 13.5. It should read “Rich Krasula and Jim Craig are no longer signers because of the board election, and John Asta due to his resignation from board. Motion carried.

5.0 Treasurers’ Report – Gary Hannon reported that the report will be delayed and will be published in *The Apple Core*.

6.0 Committee Reports –

Clubhouse Area Master Planning (C.A.M.P.) – Barb Hendren reported that this committee has had two meetings and at the first meeting, four conceptual plans by Farnsworth were discussed. Then met again to talk about what they liked best about each option. Farnsworth was contacted and will incorporate the ideas/plan of the committee. This committee will meet one more time prior to the 10/5 and 10/8 Town Hall meetings.

Nominating – Barb Hendren reported they had their kick off meeting to discuss strategies for the year. They will have a coffee for those interested in running for the Board, after the board meeting in November, coffee and light refreshments.

Conservation - Rich Krasula reported the committee has not received the permit for the stream bank stabilization program. Hopefully the project will start sometime this winter for phase 1. The committee reviewed the ongoing and recently completed Greenway Stewardship Program, and made several suggestions. There will be a nature hike on October 7.

Strategic/Long Range Planning – Gordon Williams reported the committee met and reviewed the strategic plan and bylaws. Discussed a startup grant to start up the ACL Foundation and working on ACL Foundation budget. We have created an upfront budget. Also working on 2019 Plan-on-a-Page.

7.0 General Manager’s Report – Shaun Nordlie reported the pool still has water in it due to a heater going out. Waiting for the part and once that is here and fixed, the pool will be emptied. Frontier is working on the PRI to this building. Should have phones delivered this week. Flood expenses have totaled \$46,540 so far for flood related repairs. The Cove will be closing the weekend after Columbus Day, Pro Shop is in fall hours October 1, Golf Course closes November 1 and will go to winter hours then. Marina is in fall hours now.

8.0 President’s Report – Bob Ballenger reported that Jody Ware’s report will be in *The Apple Core*.

9.0 Property Owner Comments

Marcy Stanger, 13-17 – reported highlights from Jo Carroll Electric.

Henry Doden, 13-129 – commented on usage of trails, dock construction, and disposal of property.

Norm Vandigo, 12-277 – commented on the need for a flood plan.

10.0 Consent Agenda

10.1 September 2017 Consent Agenda Items – Barb Hendren motioned “to approve the consent agenda items: Committee changes (to appoint Tom Ohms to the Trails Committee and Rich Krasula to the AECC).” Seconded by Gordon Williams, motion carried unanimously.

11.0 Unfinished Business

11.1 Update to Amended and Restated Bylaws to Comply with CICAA – Motion to suspend Robert’s Rules from Mike Harris. Discussion included:

- Article 6 section 1 – through the advice of our attorney, we cannot use the criteria of being convicted of a felony or not being 21. Also clarifying that if a couple owned a unit, only one of them can serve on a board unless they own a second unit.
- Article 8 section 1 (i) – change to majority of total voting members in the Association, not two thirds. Majority of board members or majority of voting members? Need clarification.
- Article 9 section 8 – changes that came through in January that CICAA required. In the past, we’ve always had executive sessions and a notice. Now we can have executive session that we do not have provide notification for certain items per CICAA that will be listed. Cannot discuss everything and no voting in closed session.
- Article 10 section 1 – just to clarify some things. Has to be a positive vote of 2/3 of voting members. Again, just voting members that show up at the meeting? Attorneys responded that all voting members. Should say 2/3 of the total voting members of the association. If voting members abstain, that is essentially a negative vote.
- Article 13 section 6 – we had to add “at least two board members to the AECC committee”. This is due to the Illinois Non-for-Profit Act. Since the AECC does make decisions, we should have the majority of the committee members be board members. If we add another non-board member to the AECC, we also would need to add another board member.
- Article 14 section 3 – notice of a meeting. Special meeting of the members, we have to send out notice by mail, hand delivery, or we can also use electronic communication, (with member permission).
- Article 16 section 1 (d) – this section deals with contracts, leases, etc. 1g deals with required by the Not-For-Profit Corporation Act. How much notice is given? The office wanted 10 days before. If something older, it may take a couple of days to produce the document.
- Article 16 section 3 – member of association can examine or make copies of records – removing “but only for a proper purpose”. Again, in the last sentence “and a proper purpose for the request” needs to be removed.

We will vote at the next board meeting.

11.2 Attendance at Appeals Board Hearings – Second Reading – Mike Harris motioned “to approve adding “the petitioner or his representative must appear in person before the Appeals Board”.” Seconded by Rich Krasula. What happens if the petitioner gets into an accident and cannot attend? Extenuating circumstances, etc. This is the only place in the guidelines that mention a representative. There are two paragraph 12’s and 2nd paragraph 12 is largely redundant. Some other changes are inconsistent. This discussion should have been discussed at the first meeting. Some of the information we have now we did not have at the first meeting. If you want to change something, it should be returned and the process should start over. This could be considered meeting #1 since we did not have some of these changes or specific wording. If we are going to go through all the guidelines this should go back to committee. After much discussion, motion was withdrawn by Mike Harris.

12.0 New Business

12.1 Approve Foreclosure of Liens – Rich Krasula motioned “to approve foreclosure of liens on the following lots: 01-079, 03-152, 03-187, 04-005, 04-131, 04-140, 05-025, 05-074, 06-023, 06-088, 07-049, 07-103, 07-156, 07-177, 07-191, 07-205, 07-226, 08-029, 08-030, 08-076, 09-003, 09-085, 10-110, 10-150, 11-050, 11-134, 11-137, 11-242, 12-024, 12-051, 12-226, 13-057, 13-098, 13-114, 13-173, and 13-174.” Seconded by Barb Hendren. Shaun explained that typically some will pay before going to foreclosure, but we still want to list all. Clarified also that we could purchase three lots back from the county. If we get those back cheap, we could resell. Those three might not be foreclosed, but in case it won’t work that we can purchase them, we can still foreclose. What about one owner that owns more than one lot – can still get amenities on one lot even if not paying dues on 2nd lot. Mike Harris thought we changed that so they could not do this. Shaun will check on this. The whole process costs about \$2,300-\$2,600 per lot, from lien through foreclosure. Can lot owners donate their lot to the Foundation? That will be a discussion as we move forward with Foundation work. Motion carried unanimously.

12.2 Request to Restrict Lot – Mike Harris motioned “to approve the request to restrict lot for 10-142.” Seconded by Gordon Williams. Question if this would have a negative financial impact on all the other property owners, answered yes. No unique characteristics about this property has been stated. Motion fails with six nay votes.

12.3 ACL Building & Environmental Code Revision Recommendation from AECC - First Reading – motion to suspend Robert’s Rules. Several cases each year, people would rather pay the fine of \$50.00 rather than obtain a building permit.

- A.1 – property owner or voting member – which one? Probably should be sent to voting member. Response within 10 days – should be longer? Or postmarked within 10 days? 15 days is too long.
- B.1 – what is this paragraph doing in here – applies to the Appeals Board. Should be in their guidelines.
- C.1 – typo (lowercase f in Fines).
- Discrepancy with fine amounts.
- Flat fee fine schedule summary – there is an * at the end of first line, only this section.
- C.2a seems very vague.
- C.2c Fine for removal or trimming of trees. Could find no code anywhere mentioning this. Does this apply to bushes?
- Shouldn’t these fines be put with the rest of the fines?
- Why has this proposal never gone to Rules & Regs? Rules are for owners, not for the Association. Years ago, Rules and Regs became the clearinghouse for any changes. This discussion should have taken place in a committee meeting; clean it up and then present to the Board. But this is a first reading, so it is up for discussion.

After a lengthy discussion, it was decided this should go to the next AECC meeting, then Rules & Regs Committee for further discussion and clarification before going to Board. Does everything (guidelines and policies) go to Rules & Regs? Depends – but we are talking about a rule with this. As a clearinghouse, Rules & Regs makes sense after AECC. Motion to reinstate Roberts Rules.

Motion to adjourn by Rich Krasula at 10:35 a.m.

Recording Secretary, Rhonda Perry

Secretary, Barb Hendren

President Pro Tem, Bob Ballenger

Date