

**Apple Canyon Lake Property Owners Association  
Board of Directors Meeting Minutes  
February 17, 2018**

**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 9:00 a.m. on Saturday, February 17, 2018.

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

**4.0 Approve/Adopt January 20, 2018 Minutes** - Mike Harris motioned “to approve the January 20, 2018 minutes.” Seconded by Rich Krasula, motion carried unanimously.

**5.0 Treasurer’s Report** – Gary Hannon reported that the end of the year numbers are being finalized and will be published in *The Apple Core*. He also thanked Shaun Nordlie and the management team for a great job adhering to the budget. Shaun Nordlie reported that the 2017 audit was performed two weeks ago. Next month we will be reporting on January and February.

**6.0 Committee Reports**

**AECC** – Joe Wiener reported they are working on two things – goals for this year at the next meeting in March and the attorney has responded to our request to look through the fines language.

**Rules & Regs** – Mike Harris reported that they did not have a meeting this month.

**CAMP Financing & Marketing Ad Hoc** – Barb Hendren reported that they are meeting weekly and there will be a workshop after this meeting.

**Nominating** – Barb Hendren reported there was no meeting.

**Conservation** – Rich Krasula reported that the committee did meet but he was not able to attend.

**Strategic Planning** – Gordon Williams reported that they met on January 26 and discussed the timeline for their goals – they are on track. Also discussed the future foundation.

**7.0 General Manager’s Report** – Shaun Nordlie reported that he will now have good stats from now on regarding the golf course. Overall revenue is going down, seeing that trend since 2014 so we are trying to address that. Boat rentals were down but that is related to the flood. Campsite rental including water and electricity increased while tent site rental was down. We are looking at converting some of those tent sites with electric and water.

**8.0 President’s Report** – Will be published in *The Apple Core*.

**9.0 Property Owners Comments** – no Property Owners Comments.

**10.0 Consent Agenda**

**10.1 Committee Changes** – Rich Krasula motioned “to approve the Consent Agenda items: Committee Changes (to appoint Rich Miranda as Chair of the Appeals Board, Edie Petelle as Vice Chair of the Appeals Board, and Janet Helgason as Secretary of the Appeals Board; and to appoint George Reed and

Steve Tribbey to the CAMP Financing & Marketing Ad Hoc Committee; and Edie Petelle, Ron Beckel, Mike Cammack, Jody Ware, Gary Hannon, and Mike Harris to the Safety & Emergency Planning Committee; and to accept the resignation of Mike Harris from the Strategic/Long Range Planning, Trails, and Maintenance Committees).” Seconded by Barb Hendren, motion carried unanimously.

## **11.0 Unfinished Business**

**11.1 Mulgrew Extension Agreement** – Jon Sonntag motioned “to approve the extension of the assignment agreement between Apple Canyon Lake Property Owners Association and Mulgrew Oil Company of 10314 Silverwood Drive, Dubuque, IA 52003.” Seconded by Mike Harris. Gordon Williams asked about the opt out amount being \$100,000, plus \$10,000 deduction per year on a 10-year contract. He feels these numbers are too high in comparisons to the equipment that would stay here at ACL. Ten years is too long as well. Mike Harris agreed. John Diehl asked about the advisability of an underground tank based on potential risks with flooding and he would like to have a little more flexibility about looking at other options. Previous contract had no liquidated damages clause. Rich Krasula agreed with Gordon Williams about the numbers being too high and suggested Shaun Nordlie talk to them again to try to get the numbers down and/or explore the possibility of shortening the contract. Jon Sonntag motioned “to withdraw the previous motion.” Mike Harris seconded.

**11.2 Rules and Regulations Personal & Commercial Signs** – Rich Krasula motioned “to approve the amended Rules and Regulations, XVI Personal & Commercial Signs as recommended by the Rules and Regulations Committee and Association Attorney.” Seconded by Gordon Williams. John Diehl asked about Section B – intent was to encompass various signs by striking most of For Sale signs – would suggest striking sale. Rich Krasula suggested that XVI-A-General that #1 and #5 contradicted each other and they should be combined; B – commercial signs, change to not more than two sale signs; Rich also suggested adding “within” after “must be removed” in C2 and C3. Motion to approve with changes by Rich Krasula, seconded by Jon Sonntag, motion carried unanimously.

## **12.0 New Business**

**12.1 Attorney for Utilities, Inc. Water Rate Increase** – Rich Krasula motioned “to ratify the electronic vote “to join other Lake Associations to hire Richard Balough to represent them in fighting the proposed increases by Utilities, Inc. services for an amount not to exceed \$10,000. The money will go towards attorney fees for Richard Balough and expert witnesses.” Seconded by Barb Hendren. Marge Clark informed everyone that we have fought this before but was not successful. However, we need to fight these rate increases whenever they come up. Shaun Nordlie has been working with other associations and with the Attorney General’s office. Rich Krasula thanked Shaun for taking the initiative. We have to stay on top of this.

**12.2 Rules and Regulations Housekeeping – 1<sup>st</sup> Reading** – Rich Krasula motioned “to suspend Robert’s Rules of Order.” Seconded by Mike Harris. Motion carried. Shaun Nordlie informed everyone that Keith Jones is the attorney that is going through all of our governing documents and these are his comments. Starting with these first.

Rich Krasula commented on I-C #3 – Private Parties – should consider including set up and clean up. Shaun explained that the actual contract does have more detail about that.

Rich also questioned IV - #5 – should this be the General Manager permission or Conservation Committee permission? Not the AECC? Recommended to take that out and just put General Manager. Strictly for trees and shrubs. Should we include grass? Jim Petelle reminded everyone that we are not proposing any changes – this is strictly language. We are not proposing any changes - you have to separate the meaning from the language. We are trying to get the language straightened out. The committee wants you to consider the language only.

VI - #5 & #8 are redundant – could combine. No reason for #8.

IX – D - 2<sup>nd</sup> paragraph – what is a camping unit? Is it a site, RV/trailer? Need clarification.

IX – E – change may to must.

X - #9 – who issues this pass? And where do you get this pass? #11 says where to get the pass.

XIII - #5 & #6 are redundant.

XI – C2 Where else would you be “off trails?”

Hours for snowmobiles are different? Some things to think about.

Rich Krasula motioned “to reinstate Robert’s Rules of Order.” Seconded by Gordon Williams, motion carried.

Motion to adjourn by John Diehl at 9:58 a.m.

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Recording Secretary, Rhonda Perry

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Secretary, Barb Hendren

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President pro tem, Bob Ballenger

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Date