

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
March 21, 2020**

APPROVED

2.0 Call to Order – President Jody Ware called the regular meeting of the Apple Canyon Lake Property Owners Association to order at 9:00 a.m. on Saturday, March 21, 2020.

3.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following directors in attendance: Jody Ware; and via Zoom: Barb Hendren, Steve Tribbey (9:07), Gary Hannon, Tom Ohms, John Diehl, and Gordon Williams. General Manager Shaun Nordlie was also in attendance via Zoom. Bob Ballenger and Mike Harris were absent.

4.0 Approve/Adopt Minutes from the February 15, 2020 Meeting – Tom Ohms motioned “to approve the minutes of February 15, 2020.” Seconded by Gordon Williams, motion carried.

5.0 Treasurer’s Report – Treasurer’s Report will be in *The Apple Core*.

6.0 Committee/Commission Reports

Nominating – Barb Hendren reported that we have seven candidates for the Board. Next meeting scheduled for March 24 at 1:00 p.m.

Conservation – Paula Wiener reported that Conservation will be responsible for the Kids Camp this year. Changed the ages to 5-7 and 8-10. Spring Clean Up is still being planned for April; Watershed Education Day – we will see what happens for both events.

AECC – Steve Tribbey reported they met on March 7. Thirteen houses have been built since 2016. Two houses have been built this year. Discussed setback enforcement from the County and will need to discuss this further. Worked on the definition of the AECC Building Code; Energy Policy was discussed with regards to solar panels. April 4 will be the next meeting.

Deer Management – Gordon Williams reported they met on February 15 discussing the results of the deer season. We have set the date for the application process for this year and also for the Youth Archery Day. Also discussed the progress of electronic sign in program – went very well for all the hunters this year. Continued discussion on Chronic Wasting Disease.

Rules & Regulations – Shaun Nordlie reported they discussed the golf course and snowmobiles a little bit more – will bring back in April. Also discussed adding marijuana to the smoking policy.

CAMP A&D – Steve Tribbey reported they met on February 26, working on ways to bring us back within budget. Special Use Permit was approved by Jo Daviess County.

Trails – Tom Ohms reported that the trails are open but encourage using social distancing. First meeting will probably be scheduled for the end of April.

Recreation – John Diehl reported that there were two recent meetings. Set up planning groups – looking at July 4th celebrations and so on. Good plan in place for now. Elected co-chairs Mary Hannon and Fern Tribbey.

CAMP F&M – no meeting. Gary Hannon reported they are looking at all options for financing of the buildings.

Board Policy Ad Hoc – Jody Ware reported that their meeting will be rescheduled.

ACLPO Foundation – Jody Ware reported that they will be meeting on March 27 at 3:00. The purpose of the first meeting will be discussing and voting on the removal of a Foundation Board Trustee. At 3:15 we will be discussing events and possible replacement of the Board of Trustees’ member.

Strategic/Long Range Planning – Jody Ware reported they will be meeting on April 3 at 3:00 p.m. via Zoom. Will be working on the 2021 Plan on A Page with the hope of bringing the plan to the Board in July or August.

7.0 General Manager's Report – Shaun Nordlie reported that obviously the Coronavirus has been the main topic. After today, the Office will close. Security will be on site 24/7; all staff have been sent home. Managers are working from home. Lake and trails will be open. No facilities will be open; restaurant will be closed for now. Will revisit this weekly. Postponing assignments for campsites and boat slips. Encourages all to continue to watch Facebook and website, everything changes daily.

8.0 President's Report – Jody Ware commented that these are unprecedented times. This is our first digital meeting via Zoom. This will probably not be our last Zoom meeting. Please encourage all ACL friends and neighbors to participate via Zoom. She also wanted to thank Shaun and the staff their dedication and for trying to keep members informed.

9.0 Property Owner Comments

10.0 Consent Agenda

10.1 Committee/Commission Changes – Steve Tribbey motioned “to approve the consent agenda items 10.1 Committee/Commission Changes (to appoint Tim Reese as Chair, Fred Turek as Vice Chair, and Pat Reese as Secretary of the Golf Commission; and to accept the resignation of John Sershon from the Deer Management Commission and Cindy Donth-Carton from the CAMP Architecture & Design Ad Hoc Commission).” Seconded by Tom Ohms, motion carried.

11.0 Unfinished Business

11.1 ACL Building & Environmental Code – John Diehl motioned “to suspend the recommendation, there are still things needing to be changed.” Seconded by Gordon Williams. Will bring this back at the next meeting.

11.2 Energy Policy – Steve Tribbey motioned “to adopt the Keay & Costello, P.C. proposed 1st amendment to declaration (77051105XCF553) as amended at the March 21, 2020 Board of Directors meeting. The document will act as a secondary document providing a publishable policy guiding the AECC review of building permit applications for solar energy installations until adopted as a primary governing document.” Seconded by Barb Hendren. Discussion: Shaun Nordlie noted that they further discussed item g – new language, hire a licensed installer. And j – control over the angle. Adding a variance would be needed if it does not match. Might be good to have that authority. Everything else is the same. The changes for g – we would hire a solar installer and that should be added. J – cross out “whenever possible” and add “unless approved as a variance in writing by the AECC.” S – “when applicable, the Architecture and Environment Control Committee may determine specific location.” Barb asked if we have the expertise to do this. Shaun Nordlie talked to Joe Wiener about this and discussed how often this would come into play, but this would give them the authority to question the location. Steve Tribbey noted that we recognize that we are not experts, we would use the guidance of the installers and work with the neighbors. We would surely seek professional advice on this. John Diehl motioned “to amend the Energy Policy with item g as printed on handout; j as printed on handout; and S (the selected text as uppercase) as printed on handout.” Seconded by Steve Tribbey. Motion carried to accept the proposed amendment. Steve Tribbey motioned “to adopt the Keay & Costello, P.C. proposed 1st amendment to declaration (77051105XCF553) as amended at the March 21, 2020 Board of Directors meeting. The document will act as a secondary document providing a publishable policy guiding the AECC review of building permit applications for solar energy installations until adopted as a primary governing document.” Seconded by Barb Hendren. Motion carried.

11.3 Board of Directors Mission Statement – Gary Hannon motioned “to approve the revised Board of Directors Mission Statement “The Apple Canyon Lake Property Owners Association Board of Directors shall act in a fiscally responsible manner, as a fiduciary, while exercising all powers and authority vested in the association, so as to preserve its values and amenities, and promote health, safety, and welfare for

the common benefit and enjoyment of its membership while maintaining its not-for-profit status.”
Seconded by Gordon Williams, motion carried.

11.4 Rules and Regulations: Swimming Pool – Tom Ohms motioned “to approve the Rules & Regulations: Swimming Pool as amended at the March 2020 Board Meeting.” Seconded by Gary Hannon. Discussion: Shaun Nordlie reported that at the last R&R meeting it was discussed to combine 3 & 4 under section A. General. We do deal with two different things, thought it be best to keep separate. Jody feels it is best to be separate but feels last sentence should not be there if talking about smoking and vaping. The word intoxicated should not be in that last sentence. But could be marijuana. Marijuana – will have to be more specific when it comes to marijuana. Are we ready to address this? Should this be under drugs? Jody Ware noted no smoking or vaping of tobacco products – could add marijuana. Gary Hannon feels we should move last sentence of #4 to #3; then add in #4 to cover the marijuana when it is ready. Keep #3 and #4 separate, add tobacco in #4. Maybe not prepared to write that today and get approved. Should we shelf this until next month or leave it knowing we will have major changes. Bring back when we get marijuana situated and ready to add. Gary Hannon also asked about #2 specifically mentioning Gatorade. Should make this more general, could say sports drink. Gordon Williams motioned “to suspend and table this due to additional work to be done.” Seconded by Tom Ohms, motion carried.

12.0 New Business

12.1 Bass Club Fishing Off Spillway – Tom Ohms motioned “to approve the Bass Club to fish the spillway in 2020, returning all fish caught to the lake as long as they are species that are currently in the lake.” Seconded by Steve Tribbey. Tentative date was April 11 but that may change. Only property owners may participate. Jody Ware mentioned insurance – have a copy on file along with volunteer waiver forms and have participants sign off. Over 140 Walleyes were caught last time and that was at least 10 years ago. Motion carried.

12.2 Teller Committee Guidelines – Barb Hendren motioned “to approve the Tellers Committee Guidelines as presented.” Seconded by Steve Tribbey, motion carried.

12.3 Verizon Cell Phone Tower Contract – Gary Hannon motioned “to approve the contract for a Verizon cell phone tower with Dolan Realty Advisors of Kirkwood, MO as negotiated by Keay and Costello, Association Legal Counsel.” Seconded by Gordon Williams. Shaun explained it would be \$12,000 rent annually. We would also have the benefit of knowing if it would be reassigned. Motion carried.

12.4 Partial Payment of UTV Loan – Gordon Williams motioned “to accept the partial repayment of the UTV loan to be paid from the association’s payable account #2335-001 “due to ACLPO Foundation”, in the amount of the account balance as of 3/31/20, estimated to be approximately \$5,000.” Seconded by Tom Ohms. Jody reported as of yesterday, the balance was \$4,900.00. Exact amount will be at the next meeting. Motion carried.

13.0 Other

13.1 CAMP Update – Barb Hendren motioned “to suspend Roberts Rule of Order.” Seconded by Steve Tribbey at 10:16 a.m. This will be on our agenda at each meeting moving forward. Shaun Nordlie reported that we were supposed to have a meeting with the contractors yesterday for them to be able to come out and ask questions. Moved it to April 1st, but that will probably change too. Bids would be due April 7th if we can keep the April 1st date. Farnsworth did send a contract for construction and administrative. May go to time and materials – costs came in \$38,000; this is higher than what we thought. Septic update – talking with the county health department, the administration building would be a new field. Would be probably on the other side of the road going down to The Cove. We cannot tap in the existing field. Existing field is old and really when the pool was installed there should have been a new field with the pool installation. Clubhouse septic would need a new system, but not recommended until phase 2. The health department is concerned about the old field. Cord is pushing for June 1st for the start date; but with the virus, June 1st is off the table. Maybe August 10th – wait and see what happens with Coronavirus. April 2021 is also on the table. If weather would cooperate, most likely the slab could

be poured before pool season. August 2021 could also be thrown out there. Gordon Williams asked how comfortable we are with time and materials rather than fixed price. Shaun Nordlie reported that we have done that before with Farnsworth. Gary Hannon asked if the plan was to hook up the pool and current clubhouse to the new system? What would we do with the old field? Shaun reported that we would not hook up the clubhouse and pool to new system – they would stay on the old for now. We would not tap everything into the new field. Gordon Williams motioned “to reinstate Roberts Rule of Order.” Seconded by Barb Hendren at 10:27.

Motion to adjourn by Tom Ohms at 10:28.

Recording Secretary, Rhonda Perry

President Jody Ware

Secretary, Barb Hendren

Date