

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
June 19, 2021**

APPROVED

2.0 Call to Order – President Barb Hendren called the meeting of the Apple Canyon Lake Property Owners Association to order at 9:01 am on Saturday, June 19, 2021.

3.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Barb Hendren, Gordon Williams (via Zoom), Bob Ballenger (via Zoom), Mike Harris, Henry Doden, Tom Ohms, Steve Borst, John Anderson, and Nolan Mullen. Shaun Nordlie was also in attendance.

4.0 Orders of the Day – Mike Harris nominated Barb Hendren for President, seconded by Henry Doden. Motion carried unanimously. Barb Hendren nominated Mike Harris for Vice President, seconded by Tom Ohms. Motion carried with Mike Harris abstaining. Mike Harris nominated Tom Ohms for Corporate Secretary, seconded by Gordon Williams, motion carried with Tom Ohms abstaining. Barb Hendren nominated Steve Borst for Treasurer, seconded by Henry Doden. Motion carried with Steve Borst abstaining.

5.0 Approval/Adopt Minutes from the May 15, 2021 Meeting - Tom Ohms motioned “to approve the minutes from the May 15, 2021 meeting.” Seconded by Mike Harris, motion carried with Nolan Mullen and John Anderson abstaining.

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

7.0 Committee/Commission Reports

AECC – Gordon Williams reported that they met on June 5. Discussed five new inquiries about building single family homes. Discussed roadway access cutting into ACL property; three lot combinations; passed a new single-family home building project; storage shed at sports complex; deck upgrades, dock upgrades and garage construction.

Deer Management – Gordon Williams reported they met on May 29. Archery applications are being taken and reviewed. Discussed improvements we would like to see at the archery range.

Trails - Tom Ohms reported they met on May 29. General maintenance and repairs were discussed. Continue to look at Security reports. Next meeting is June 29.

Rules & Regulations – Mike Harris reported there are several agenda items today from Rules & Regs.

Budget - Steve Borst reported they met in May mainly reviewing budget audits. Detailed discussion on IL minimum wage. Will meet again June 25.

Campground – Steve Borst reported they met on June 12. Discussed the new pavilion, hoping to have the concrete poured next week. Discussed the Pancake Breakfast, over 400 served that day. Positive discussion about some of the good work our Maintenance Department is doing. Next meeting July 10.

Foundation – Gordon Williams reported they met on June 4. Talked about the bench program, we do have benches in stock. Reviewed the UTV raffle – 2021 Polaris 570 – fund raiser for us. Tickets are available at the office and online. Drawing will be September 11. Starting to plan the Poker Run on September 11. Reviewed the Garden Club grant and also researching some dog stations.

Board Policy Ad Hoc – Barb Hendren reported they have had weekly meetings.

Recreation – John Diehl reported they have been discussing events coming up – Independence Day; Ice Cream Social. Also looking to expand holiday events. Recreation Commission is down to two members. Don’t have to be on a commission to help out with some of the events.

Conservation – Paula Wiener reported they are having the ACL Animal Count this weekend. Hope to do this annually. Last meeting was June 5. Lake monitoring report (first one). Tracking slips were handed out at the Marina. Spring shocking took place, no results yet.

Golf – Shaun Nordlie reported they are working on the Big Cup.

Legal – Shaun Nordlie reported they are working on getting more votes for the Declaration.

8.0 General Manager’s Report – Shaun Nordlie received word yesterday, Verizon cell phone tower has been cancelled. If you are a Verizon cell phone user, complain. Unfortunately, we have to go back to square one. Fish shock on June 10; water was 78 degrees. Fishery is doing well. 4th of July – fireworks will be July 3. Double the show this year, celebrate getting past COVID.

9.0 President’s Report - will be in *The Apple Core*.

10.0 Property Owner Comments

11.0 Consent Agenda

11.1 Committee/Commission Changes - Tom Ohms motioned “to approve the consent agenda items: Committee/Commission changes (to appoint Vickie Sershon to the Tellers Commission; Randy Meyer to the Trails Commission; and Rich Krasula, Gary Hannon, Bob Ballenger, Ron Carpenter, Steve Nelson, Henry Doden, Mike Cammack, and Angie Marek to the Flood Mitigation Ad Hoc Commission; and to accept the resignation of Marcy Stanger from the Golf Commission and Sheila Gee from the Recreation Commission).” Seconded by Bob Ballenger, motion carried unanimously.

12.0 Unfinished Business

12.1 Rules & Regulations – Guests – Mike Harris motioned “to approve the Rules & Regulations section Guests as included in the June Board packet.” Seconded by Gordon Williams, motion carried unanimously.

13.0 New Business

13.1 Children’s Garden Signage - Tom Ohms motioned “to approve the Garden Club’s request to install ACL signage for the Children’s Garden in the vicinity in the area of the serpentine walkway with the funds coming out of the Operating fund.” Seconded by Henry Doden, motion carried unanimously.

13.2 Recreation Commission Designated Funds Purchase – Sport Box – Gordon Williams motioned “to approve the Recreation Commission’s request to purchase a storage container for use as a sports box, to be placed at the Multi Sport Complex, and sports equipment at a cost not to exceed \$1,500 to be paid from the Recreation Commission’s designated fund.” Seconded by Mike Harris. Discussion: Board has to approve all designated fund purchases. Motion carried unanimously.

13.3 Lot Combination Agreement – Schroeder – Tom Ohms motioned “to approve the Lot Combination Agreement requested by Edward A. & Kathleen A. Schroeder for lots 56 and the west half of 57 in the Eagle (10) subdivision. Once recorded, the Lot Combination Agreement may not be revoked or rescinded.” Seconded by Steve Borst. Discussion – which half of the divided lot pays the dues? What if the agreement between these two disintegrates? Who is legally responsible for the dues of the subdivided lot? The subdivision took place in 1992 and according to Jo Daviess County, Lot 57 no longer exists. The paperwork for ACL lot combination was never executed. We asked our legal counsel to review this after discussion at two different AECC meetings. He informed us that there is nothing in our governing documents preventing subdivision of lots. We may want to consider adding language to the Building Code preventing subdivision of lots in the future, since it could be problematic if the subdivided lot goes to foreclosure. AECC decided to approve this lot combination and look at adding language to the Building Code. Motion carried with Bob Ballenger abstaining.

13.4 Lot Combination – Hill - Mike Harris motioned “to approve the Lot Combination Agreement requested by Harold Dennis Hill, Jr. & Caryn E. Hill for lots 58 and the east half of 57 in the Eagle (10)

subdivision. Once recorded, the Lot Combination Agreement may not be revoked or rescinded.”
Seconded by Steve Borst. Discussion – thank you to Dave Allgood for researching all of this for us.
Thank you also to Joe Wiener. Motion carried with Bob Ballenger abstaining.

13.5 Lot Combination – Allgood – Tom Ohms motioned “to approve the Lot Combination Agreement requested by David Allgood for lots 173 and 174 in the Pioneer (13) subdivision. Once recorded, the Lot Combination Agreement may not be revoked or rescinded.” Seconded by Gordon Williams, motion carried unanimously.

13.6 Rental Boat Motor – Mike Harris motioned “to approve the purchase of a new 2021 Mercury 50ELPT CT motor from Plowman’s Marine of Woodruff, WI for an amount not to exceed \$9,000 to be paid out of the 2021 R&R fund.” Seconded by John Anderson. Discussion: Bob Ballenger – two motors going bad? Seems odd that these motors are failing in such a short time. Steve Borst – have to keep your equipment up if you are going to rent boats. People do complain about the rental boats – operators don’t obey the rules. Shaun Nordlie - we do make changes every year to try to educate better. We make about \$30,000 – \$35,000 a year on boat rentals. Mike Harris – what else can we do to make these motors last longer? Maintenance schedule? Shaun Nordlie - won’t resell the motor – keep as a backup. Gordon Williams - in the future would like to see us put the boats in water sooner to get thoroughly looked over so available to our members. Motion carried unanimously.

13.7 Gifts, Grants & Bequests Policy – 1st Reading – Mike Harris motioned “to suspend Robert’s Rule of Order,” seconded by Steve Borst at 10:13 am. Motion carried unanimously. Discussion: a form was created years ago, so the form was updated, and guideline section was created. This is formalizing donations. Once a bench has lived its life, who is responsible for maintaining this or replacing this? We don’t have anything in place right now. Getting some requests now.

13.8 Rules & Regulations – Snowmobiles – 1st Reading – Discussion: Gordon Williams – seeing the fine schedule, looks like a one-time \$1,000 fine. Would like to see that per day and fine continues on until UTV or snowmobile is out. IDNR will also fine. Shaun Nordlie – if machine goes in the water, may be difficult to find someone to get out here. Could be two to three weeks. Rewrote language in #7. Get some language in there to give us some teeth if we felt they were not acting urgently enough. But as long as they were working towards that, a fine would not kick in. Gordon Williams – if one time fine, this person could wash their hands from it and walk away. Could pay the fine and leave it. Shaun Nordlie – if a boat sinks, we don’t have a fine for that. In #7, if they abandon the machine, there would be IDNR and EPA charges. Bob Ballenger – we do not own the lake. How legal is it for us to assign a fine for something we don’t own? Who is going to pay for it to take it out? Us. Julie – if they were to leave the vehicle, we would get them for abandoning the vehicle, felony charge. IDNR – if accidental or reckless? Situational. Would change up their fines. If a boat sinks, no fine; but ATV that goes through a fine; not treated equally. Steve Borst – found the language relates to snowmobiles. But #7 referring to anything that goes through the ice. Any passenger machine? Bob Ballenger – opposed to fining somebody for something they didn’t intentionally do. Nobody did this intentionally. Shaun Nordlie – reckless to be worthy of a fine? Bob Ballenger – have to define that. If IDNR has their own rule, why are we creating a 2nd rule. Shaun Nordlie – reason is to make sure it is known to make sure it is safe out there and that you know the lake. If you don’t and you are reckless, there is a consequence to it. Steve Borst will send definitions of different types of vehicles to Shaun; need to consider a fine for boats; but not tied to this, might come afterwards. Bob Ballenger – have we asked IDNR if we can make this rule? They own the lake, we do not. Shaun Nordlie – will ask. Barb Hendren – also hearing besides the \$1,000 fine, we want permission to examine a monthly fine? Henry Doden – states additional fines may be assessed by Board depending on conditions. That is what it says. Steve Borst – took out fine altogether, fine on a per incidence basis. Mike Harris – can’t just pull things out of our hat. Have to be fair. Will go back to the Rules & Regulations Commission. We’ve had these same discussions in Rules & Regs.

13.9 Open Discussion about COVID-19 – Shaun Nordlie – as of June 11, we are in Phase 5, completely open. Big thing was the pool, no reservations now. Back to what we normally were. Hopefully take off agenda going forward.

13.10 Capital Projects Update – now have official members to the Flood Mitigation Ad Hoc Commission. Start looking at proposals.

Tom Ohms motioned “to reinstate Roberts Rule of Order,” at 10:45 am. Seconded by Gordon Williams, motion carried unanimously.

Mike Harris motioned to adjourn at 10:45 am.

Recording Secretary, Rhonda Perry

President, Barb Hendren

Corporate Secretary, Tom Ohms

Date