

# THE Apple Core

Inside this Issue...

President & GM Messages .....Pg 2  
 Amenity Hours & Calendar.....Pg 3  
 2021 Budgets..... Pgs 6-7  
 Treasurer's Report .....Pg 8  
 Board of Directors' Minutes ..... Pgs 8-10  
 Commission Minutes .....Pgs 11-16  
 Office Line .....Pg 42  
 ACL Garden Club.....Pgs 48-49  
 Obituary.....Pg 57  
 Letter to the Editor Policy.....Pg 59  
 Classifieds.....Pg 61  
 Communication Connection .....Pg 62

## APPLE CANYON LAKE TOWN HALL

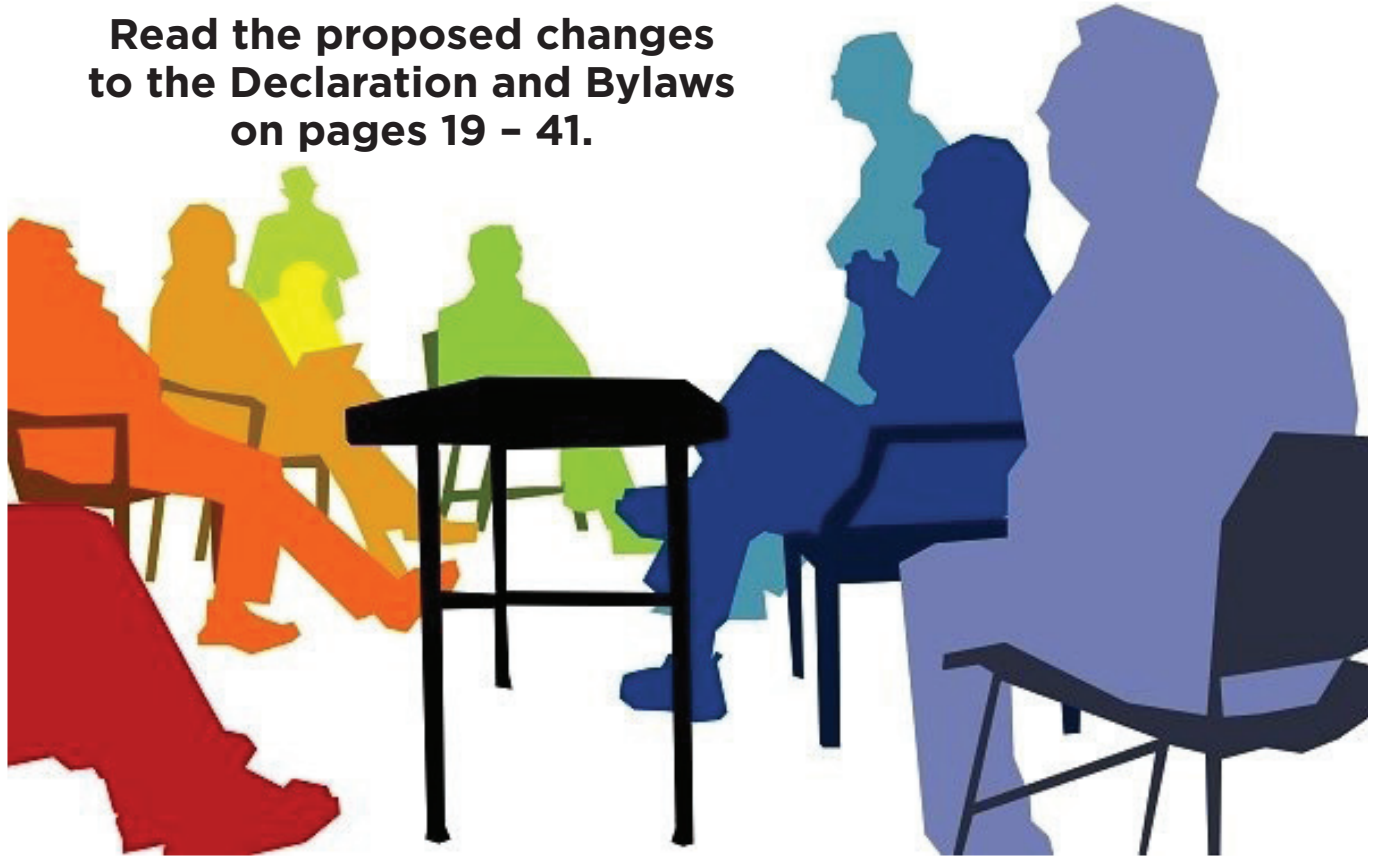


# meetings

October 7th, 21st & 28th  
at the ACL Clubhouse.

Visit [www.applecanyonlake.org/townhall](http://www.applecanyonlake.org/townhall) to get involved!

Read the proposed changes  
to the Declaration and Bylaws  
on pages 19 - 41.



The Apple Core is the official monthly newsletter of the Apple Canyon Lake Property Owners' Association, and is the Association's legal vessel used to inform every property owner of important notices, rules and policy changes, board actions, and other pertinent information of which property owners must be aware.

The Apple Core is published in its entirety each month on the Association's website the same day it reaches local homes via the US Postal Service. See Page 2 inside for local delivery dates.

### OFFICIAL NOTICE OF ACLPOA BOARD OF DIRECTORS' ACTION(S)

#### BOARD APPROVES PUBLISHING PROPOSED 2021 BUDGETS, RELATED FEES, AND ASSESMENTS

Notice is hereby given to all owners, that the ACLPOA Board of Directors, on August 15, 2020, voted to raise the Annual Assessment (Dues) to \$1,100 per lot, consider the adoption of the Association's 2021 Annual Operating Budget; the 2021 Renovation and Replacement (R&R) Budget; and to establish all fees to be charged during the 2021 year. The Proposed Budget is expected to be presented for approval at the Board of Directors' regular monthly meeting on October 17, 2020 at 9:00 am in the Association Clubhouse.

The specifics of the Proposed 2021 Annual Operating Budget, R&R Budget, and Fee Schedules are included in this issue of The Apple Core on pages 6 and 7.



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# MESSAGE FROM THE GENERAL MANAGER

BY SHAUN NORDLIE

The R&R budget is our Replacement and Refurbishment budget. This budget comes together in a few different ways. The most important factor in determining the R&R budget each year is the Reserve Study. This is a spreadsheet that lists by

location all the Association's equipment and facilities that cost over \$5,000 and can be scheduled to be replaced. This includes the vehicles, boats, skid loaders and kitchen equipment. It also includes roofs, windows, HVAC units and parking lots for all our facilities. This Reserve Study is maintained inhouse by the management team and is revised annually. As stated in the budget article last month, if a vehicle is scheduled to be replaced in 2021, but still works fine, the replacement year might be pushed back to 2022 or further. A piece of equipment that is scheduled to be replaced in 2022 but is breaking down often or resulting in numerous man hours or parts to keep it running might be scheduled earlier and replaced in 2021. So, this document is living, it changes often, but gives us an excellent road map for what our R&R expenses should be for the next twenty years. The second factor to the R&R budget is items that are new to the Association but deemed necessary for the operation of a department, safety, or added for additional amenities or activities. We have examples of all these types of purchases within the R&R budget for 2021.

This year's R&R budget is \$535,000. Some details on the R&R budget for 2021 are our continued support of the watershed plan. We will be starting to work on the Winchester Cove area to work on the stream feeding the lake. We are still

in the planning stage of this project, but we know we need to armor or remeander the stream entering the bay. There are currently steep banks along the stream where erosion is a problem. We will also continue our work on dry dams, repairing our existing dry dams if necessary and adding more in areas that we think would be beneficial to keeping silt out of the lake. We will be working with farmers within the watershed to see if they are interested in a dry dam or silt pond on their property that would benefit the lake. We will also be installing taller poles to hold the docks in place. These poles were purchased after the flood of 2017, but our equipment was not sufficient for pounding them into place. This project will coincide with our biennial Rip Rap project which will stabilize another 2,000-2,500 feet of shoreline with rock.

The Pro Shop will be getting new indoor furniture to go along with this year's new carpet and paint job. The Golf Course will continue adding golf cart paths on holes that do not have a path now and replacing older paths that need repair and getting a new mower for the greens.

The pool is scheduled to replace the filter sand, this is what cleans the water as it circulates through the filters. The sand starts to break down and deposit into the pool, meaning it is time for new sand. Security will be getting a new squad also, replacing the Jeep with a Ford, that will be similar to their other squad.

Maintenance will be receiving a new zero turn mower for maintaining the campground, trails, and corners of the entrances. They also will be replacing their rotary cutter used to cut the sides of the trails, steep embankments, and the sides of the roads that we do maintain. The Firehouse is necessary for storing recreation and pool supplies, as well as boats and vehicles in the winter. Next year we will replace the roof and fix some other issues with the building. Maintenance will also be trading in for a new pickup truck and lift gate, replacing a piece of equipment.

These are only a few of the highlights of the R&R budget for 2021. Please look over the R&R list and the entire budget, if you have questions regarding any of the budget please let me know, I would be happy to explain any of the decisions made for 2021.



# FROM THE PRESIDENT

BY BARB HENDREN

The busy season is winding down at Apple Canyon Lake, but that doesn't mean that our staff, administration, Commissions/ Committees and Board of Directors get a vacation. Rather, many staff and department personnel are already preparing for the 2021 season. This also applies to the Nominating Committee. The Nominating Committee recruits candidates for upcoming Board elections which take place in June each year. The process is starting now for June 2021.

The Nominating Committee consists of seven Members appointed by the Board at the Board meeting preceding the regular Annual Meeting, and members serve for the year until the next Annual Meeting. The Nominating Committee is responsible for interviewing all of the candidates and informing all of the Members regarding each candidate's position on matters regarding the Association's affairs, and will cause the candidates' answers to questions related to these matters to be published in *The Apple Core*, to be posted on the Association's website, and to be included with the Written Ballots and other voting materials sent to all Members. There is a "Meet the Candidates" interview process which is usually held after the April BOD meeting preceding the election, which is open to all Members to attend. Questions relating to the Association's affairs are determined by the Nominating Committee, as well as our Members, who receive an invitation to submit questions before the "Meet the Candidates" event. In 2020, due to the COVID-19 pandemic and restrictions on large groups, this meeting was not possible in person, so the questions were submitted to the candidates electronically. They had several days to submit their answers, which were then included in *The Apple Core* and on our website as well as with the printed voting materials. Be assured the current Nominating Committee is discussing the possibility of future meeting restrictions due to COVID-19 and how to handle all the ramifications.

Each Board Member serves for 3 years, so there are typically 3 vacancies to be filled at each election, unless a Board Member has stepped down during their term, in which case there can be more than 3 vacancies.

What does the Nominating Committee look for when recruiting candidates? I was given a handout during Board training that lists essential characteristics of a good Board Member for Nonprofit organizations (from [www.boardsource.org](http://www.boardsource.org)):

- Ability to: listen, analyze, think clearly and creatively, work well with people individually and in a group
- Willing to: prepare for and attend board and committee meetings, ask questions, take responsibility and follow through on a given assignment, contribute personal and financial resources in a generous way according to circumstances, open doors in the community, evaluate oneself
- Develop certain skills if you do not already possess them, such as to: cultivate and solicit funds, cultivate and recruit board members and other volunteers, read and understand financial statements, learn more about the substantive program area of the organization
- Possess: honesty, sensitivity to and tolerance of differing views, a friendly, responsive, and patient approach, community-building skills, personal integrity, a developed sense of values, concern for your organization's development, a sense of humor

The Nominating Committee will be hosting an event for anyone interested in running for the Board. It's an informal get together that allows potential candidates to meeting Board members and ask questions. This event usually takes place Veteran's Day weekend at the Pro Shop but that may change due to all the uncertainty with COVID-19, so watch *The Apple Core*, *Apple Seed*, and our website for more information.

**UPCOMING LOCAL DELIVERY DATES**  
*The Apple Core reaches local homes and is posted in its entirety at*  
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**Nov 5 • Dec 10 • Jan 14**



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### THE APPLE CORE

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 Assistant Editor..... Kirsten Heim  
 Advertising Account Executive ..... Jennie Cowan  
 Editorial Review Committee ..... Barb Hendren, Shaun Nordlie, Doug Vandigo, John Finn  
 Proofreader ..... Doug Vandigo  
 Graphic Designer ..... Monica Gilmore

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**THE APPLE CORE:** 14A157 Canyon Club Drive • Apple River, IL 61001-9576

### ACL CONTACT INFORMATION

14A157 CANYON CLUB DRIVE, APPLE RIVER, ILLINOIS 61001  
 PHONE 815-492-2238 | FAX 815-492-2160 | INFORMATION HOTLINE 815-492-2257

### EMERGENCY FIRE, SHERIFF, AMBULANCE – 911

ACL General Manager – [generalmanager@applecanyonlake.org](mailto:generalmanager@applecanyonlake.org) ..... 815-492-2292  
 Association Business Office – [customerservice@applecanyonlake.org](mailto:customerservice@applecanyonlake.org) ..... 815-492-2238  
 bookkeeper@applecanyonlake.org;  
 officemanager@applecanyonlake.org..... FAX 815-492-2160  
 Communications Manager, Website Administrator ..... 815-492-2769  
 Apple Core Editor [applecore@applecanyonlake.org](mailto:applecore@applecanyonlake.org)  
 Apple Core Display & Website Advertising – [ads@applecanyonlake.org](mailto:ads@applecanyonlake.org)..... 815-858-0428  
 Apple Core Classifieds – [applecore@applecanyonlake.org](mailto:applecore@applecanyonlake.org)..... 815-492-2238  
 FAX 815-492-2160

Board of Directors – [board@applecanyonlake.org](mailto:board@applecanyonlake.org)  
 Committee – [officemanager@applecanyonlake.org](mailto:officemanager@applecanyonlake.org)  
 Work Orders – [maintenance@applecanyonlake.org](mailto:maintenance@applecanyonlake.org)..... 815-492-2167  
 Maintenance & Building Dept – [maintenance@applecanyonlake.org](mailto:maintenance@applecanyonlake.org)..... 815-492-2167  
 FAX 815-492-1107  
 Building Department – [buildinginspector@applecanyonlake.org](mailto:buildinginspector@applecanyonlake.org)..... 815-492-0900  
 Golf Course/Pro Shop – [golf@applecanyonlake.org](mailto:golf@applecanyonlake.org) ..... 815-492-2477  
 Marina & Concession – [marina@applecanyonlake.org](mailto:marina@applecanyonlake.org) ..... 815-492-2182  
 The Cove Restaurant – [coveatacl@gmail.com](mailto:coveatacl@gmail.com)..... 815-492-0277  
 Pool Office – [pool@applecanyonlake.org](mailto:pool@applecanyonlake.org)..... 815-492-0090  
 Safety & Security Department (SSD) – [security@applecanyonlake.org](mailto:security@applecanyonlake.org) ..... 815-492-2436  
 K&S Service Center (Boats, Motors and Service) ..... 815-492-2504

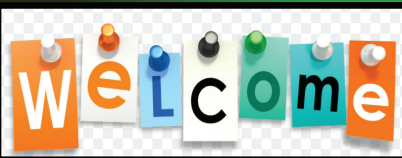
### www.applecanyonlake.org

Find us on Facebook at Apple Canyon Lake POA. Join the Facebook GROUP:  
 Apple Canyon Lake Property Owners Association

### TOWNSHIP CONTACTS

Thompson Township Supervisor (Erin Winter) ..... 815-492-2002  
 Thompson Township Road Commissioner (Dean Williams)..... 815-845-2391

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## TO NEW ACL OWNERS

J. William & Ramona Vincent  
 Alexander & Margaret Kimbro  
 Rick Knutson  
 Erin & Shaun Rice  
 Jodi & Robert Rosenberg  
 Johnny & Grace Eskridge  
 Ryan & Erin Cloos  
 Charles & Karan Walikonis

Matthew & Anne Wielgos  
 Josiah Visel  
 Michael Busch  
 Thaddeus Royer  
 Amy Lank  
 Dustin & Annie Farber  
 Maria Teresa De Jesus Lopez  
 Michael McNett  
 Diane Corbett

## AMENITY HOURS

See Amenity Hours at:  
[www.AppleCanyonLake.org/hours](http://www.AppleCanyonLake.org/hours)

**OCTOBER HOURS:** Due to the COVID-19 Executive Order and stay at home requirements, hours of amenities and offices are changing frequently. Please consult the Apple Canyon Lake website or weekly eblasts for the most recent hours.

**Not getting the Apple Seed e-blasts?**

If you are not receiving the Apple Seed e-blasts, call the office at 815-492-2238 or email us to make sure we have your correct email address on file.

## 2020 CALENDAR OF EVENTS

**We are always in need of volunteers to assist with our activities.**

If we cannot find enough volunteers for the following events, they may be canceled. Please call the Recreation Department at 815-492-2769 today to volunteer for any of these events!

**REGULARLY SCHEDULED ACTIVITIES**

- Morning Workout ..... Mon. & Wed., 9:00 am
- Nimble Thimbles Sewing Club.....2nd Wed. monthly, 9:00 am
- Ladies Games..... Mon. & Fri. (Fridays tentative), 1:00 pm
- Book Club..... 1st Wed. monthly, 1:00 pm
- Potluck..... 3rd Tues. monthly, 5:30 pm

**SPECIAL EVENTS - SUBJECT TO CHANGE**

- OCT. 7 ..... Town Hall Meeting ..... 6 pm
- OCT. 21 ..... Town Hall Meeting ..... 6 pm
- OCT 23-24.. Halloween Spirit Tour ..... 7-10pm
- OCT. 24 ..... Haunted Trail ..... 6:30-9:30 pm
- OCT. 28 ..... Town Hall Meeting ..... 6 pm
- DEC. 5..... Cocoa & Cookies w/Santa ..... 5-6:30 pm
- DEC. 5..... Tree Lighting Ceremony ..... 6:30 pm
- DEC. 8 ..... Jingle Bell Brunch ..... 10 am
- DEC. 9 ..... Jingle Bell Brunch Snow Date ..... TBA

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# APPLE CANYON LAKE PROPERTY OWNERS' FOUNDATION

The Apple Canyon Lake Property Owners' Foundation is a not-for-profit organization with the mission to provide for the preservation, conservation and beautification of the properties owned by the Apple Canyon Lake Property Owners' Association.

The Foundation will raise and expend funds to be used for environmental improvements, lake restoration, educational programs, and conservation projects that are intended to preserve and enhance the natural beauty, safety, and function of the properties for current and future generations.

Its Board of Trustees initiates and supports the mission of the Foundation. The generous gifts of donors will be invested and distributed in compliance with the Foundation's governing bylaws.

## HOW YOU CAN CONTRIBUTE

Whether you are a member of Apple Canyon Lake or just visit to enjoy the natural beauty, a donation to the Apple Canyon Lake Property Owners' Foundation is a rewarding way to make an impact on Apple Canyon Lake.

Help us preserve Apple Canyon Lake's natural resources. With your support, and others like you, generations to come will be able to enjoy the natural environment.

## GENERAL CONTRIBUTIONS

No gift is too small and all gifts will make a positive impact on the Foundation. Cash, stocks, bonds, and real estate are ways to contribute. Any gift will provide benefits to the Association's future.

## PLANNED GIVING

Planned gifts can be made through a will or trust as part of your estate planning. By naming the Apple Canyon Lake Property Owners' Foundation as beneficiary, you express your values to family and friends, and extend your legacy to future generations.

## TRIBUTE GIFT

A Tribute Gift is a special way to celebrate a birthday, accomplishment, or provide a unique thank-you to honor a family member, friend, or associate.

## MEMORIAL GIFT

A memorial gift to the Foundation offers a thoughtful way to honor or memorialize a loved one.

All contributions, immediate or planned, make a difference now and in the future.

The ACL Foundation is a 501(c)(3) organization; contributions are tax deductible. Contributions

to the Foundation can be made in many ways depending on your financial situation and after appropriate discussion with your tax consultant, accountant, or attorney.

**To provide for the preservation, conservation, and beautification of the properties owned by the Apple Canyon Lake Property Owners' Association.**

*Your generous gift will go towards:*

- Environmental improvements
- Lake restoration
- Educational programs
- Conservation projects intended to preserve and enhance the natural beauty, safety, and function of the properties for current and future generations.

If you have questions regarding the Foundation, please contact the General Manager by phone at 815-492-2292, or email: shaun.nordlie@applecanyonlake.org.

## APPLE CANYON LAKE PROPERTY OWNERS' FOUNDATION DONATION FORM

All contributions made to the Apple Canyon Lake Property Owners' Foundation are tax-deductible.

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As you want it to appear in the list of donors.

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This gift is made in \_\_\_ Honor of: \_\_\_ Memory of: \_\_\_\_\_

If your donation is given to honor or memorialize someone, please provide further information.

Name of Individual(s): \_\_\_\_\_

Name and address for notification card (if desired): \_\_\_\_\_

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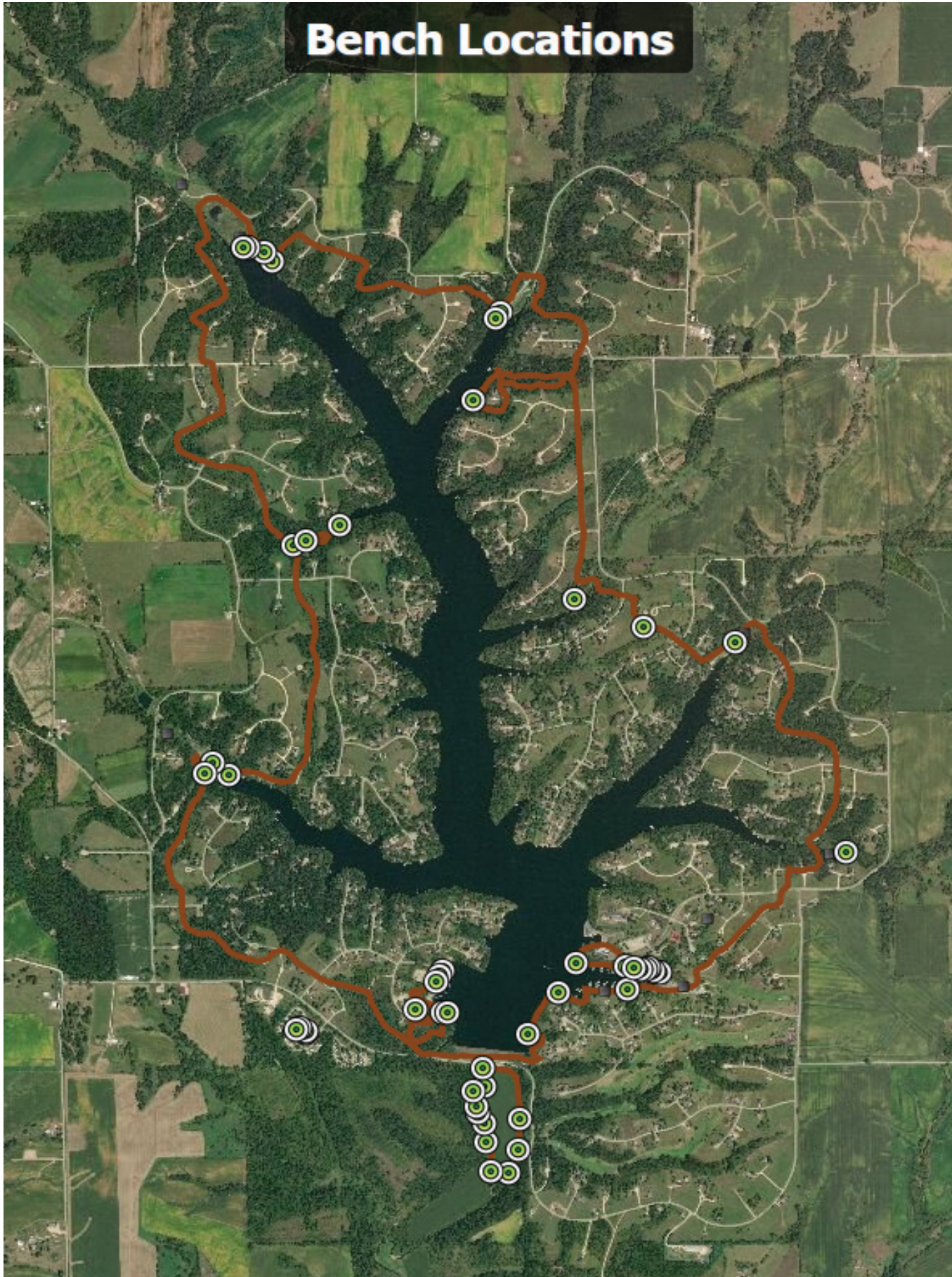
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# The Bench Program is the New Fundraising Program at Apple Canyon Lake

The Apple Canyon Lake Property Owners' Foundation has a new fundraising project to share. With the popularity of our phenomenal trail system around the lake, we are offering a bench program to celebrate our members, families, loved ones, and legacy of fun days at Apple Canyon Lake.

Our members enjoy the opportunity to stop along the trail and sit on a bench. Many of our walkers and runners use the existing benches for stretching to ease the activity. Over forty (40) locations have been identified for members to select from as the perfect location of a bench.

The purpose of the Foundation is to raise and expend funds to be used for environmental improvements, lake restoration, educational programs, and conservation projects that are intended to preserve and enhance the natural beauty, safety, and function of the properties for current and future generations.

Our present project is raising funds for construction of a 24'x36' Outdoor Classroom and Picnic Shelter at the Harold Bathum Nature Trail near the parking area, pending approval by Daviess County Planning and Development Board and the ACL Board of Directors.

Please consider purchasing a bench and having it placed in a very special location. Your support will help us to grow as a Foundation and provide enrichment in the natural settings.

See below for more information on the Bench Program.

## A GIFT THAT MAKES A DIFFERENCE

The ACLPO Foundation Bench Program provides an opportunity to honor, celebrate, pay tribute or memorialize.

Funds raised through the Apple Canyon Lake Bench Program go directly to the Apple Canyon Lake Property Owners Foundation to enhance and beautify Apple Canyon Lake properties for owners and their guests to enjoy. It's a meaningful way to make a lasting impression on the community by supporting the Foundation.

### ADOPT A BENCH, \$1,500

- A new bench with a traditional plaque will be purchased and installed in your choice of available locations throughout the Apple Canyon Lake properties. This total includes the bench, installation, commemorative plaque, and 10 years of maintenance.
- Benches are installed at approved sites in the order requests are received.

- Installation depends on the time of year received and the number of preceding orders.
- Choose the specific location for your bench donation from the map

of locations, however the bench's exact location will be determined by ACLPOA staff based on the needs of the Association.

- The Association will order and install the bench at the location of your choice.
- Once the bench is installed, the contact person will receive a letter notifying them that the bench has been placed, and a map showing the location of the bench. If the donor wishes, a card of acknowledgement will be sent to the recipient's family advising that their loved one has been honored or commemorated in this special way.
- A donation period will last 10 years. Within this time, ACLPOF will replace the bench, in the event of damage, at no cost to the donor.
- After 10 years, the bench will be available for renewal for the cost of a new donation, with the first right of refusal given to the original donor. If the original donor opts not to renew, the donated bench and plaque may be removed or rededicated at any time.
- Guidelines for donation, memorial, and sponsorship contributions are available from the ACL Office upon request.

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2021 OPERATING BUDGET APPROVED FOR PUBLICATION 8-15-20

Table with 10 columns: 2021 Budget, 2020 Budget, 2021 to 2019 +/-, 2019 Prelim, 2020 to 2018 +/-, 2018 Audited, 2017 Audited, 2016 Audited, 2015 Audited. Rows include various budget categories like Asset Preservation Funds, Membership Assessment, Program Fees, Payroll, and Total Revenue/Expenses.

# 2021 OPERATING BUDGET APPROVED FOR PUBLICATION 8-15-20

2021 OPERATING BUDGET		ANNUAL FEE		DAILY RATE	
Annual Assessment (Due March 1)	\$ 1,100.00	Golf	Mon-Fri	9	12
Annual Trash Fee* (Due March 1)	\$ 120	Property Owner		12	17
*required for all ACL homes, fee includes two passes (paper or decal)					
<b>Seasonal Amenity Licenses (Due March 1)</b>		Non Property Owner		Holes (9)	
Marina Boat Slip (\$200) & Boat Registration (\$5)	\$ 205			12	16
Nixon Boat Slip (\$200) & Boat Registration (\$5)	\$ 205			17	23
Zone Boat Slip (\$200) & Boat Registration (\$5)	\$ 205	Cart Rental		Holes (9)	
Seasonal Campsite (\$670)/Trash (\$75)/Camper (\$5)	\$ 750			7	9
Camper Winter Storage (Onsite)	\$ 135			13	17
Golf Cart/ATV/UTV Storage Inside	\$ 125	Call ACL Pro Shop for tee times (815) 492-2477			
Golf Cart Storage Outside	\$ 25	<b>Campground</b>		Mon - Thurs	
Kayak Locker Rental	\$ 25			Wknd/Hol	
<b>Registration Fees</b>		RV Site (power and water)		\$ 14	\$ 16
Owner Amenity Registration Fee (per owner)	\$ 100	Property Owner		\$ 28	\$ 33
Golf Cart Registration	\$ 5	Guest		\$ 9	\$ 12
Motorized 1st Boat	\$ 5			\$ 19	\$ 28
Motorized 2nd Boat	\$ 5	Extended Camping Fees Primitive/Full Hook Up per week			
Non-Motorized Boat	\$ 5	PO		60	\$ 85
Snowmobile	\$ 5	Guest		125	\$ 170
ATV/UTV	\$ 30	Washer/Dryer		\$ 1.25	(per load)
<b>Annual Golf Season Passes</b>		Call ACL Office for reservations (815) 492-2238			
Property Owner (Individual)	\$ 200	<b>Marina Boat Slip Rentals</b>			
Junior (Age 10-16)	\$ 25	Daily		\$ 25	
Non Property Owner (Individual)	\$ 350	Weekly		\$ 105	
Corporate	\$ 2,000	Monthly		\$ 200	
<b>Classes</b>		Call ACL Office for reservations (815) 492-2238			
Swimming Lessons (per person, two sessions)	\$ 35	<b>Boat Rentals</b>		Mon-Thurs	
Swimming Lessons (per person, one session)	\$ 18			Mon-Thurs	
Private Swimming Lesson (per person, per lesson)	\$ 25	Pontoon	1/2 Day	Property Owner	\$ 175
<b>Miscellaneous</b>		Each		Guest	\$ 250
Auto Decals (5 free per OARF paid)	\$ 5	Pontoon	Per Day	Wknd/Hol	
Amenity Tag (10 free per OARF paid)	\$ -			Property Owner & Guest	
One Additional One (1) Day Amenity Tag	\$ 3	Pontoon	1/2 Day	\$ 230	
One Additional Three (3) Day Amenity Tag	\$ 5	Pontoon	Per Day	\$ 325	
One Additional Annual Amenity Tag	\$ 15	Call ACL Office for reservations (815) 492-2238			
Additional Trash Pass (limit 1 additional per trash fee)	\$ 10	<b>Clubhouse Rental</b>		Number	
Replacement Trash Pass	\$ 30	Business Meetings	Mon - Thurs	1-100	\$ 100
Directory	\$ 5			101-250	\$ 200
Electronic Item Disposal	\$ 30	Parties/Open Houses	Sun-Thurs	1-75	\$ 100
Large Item Disposal	\$ 15			76-150	\$ 200
Mattress Disposal	\$ 30			151-250	\$ 400
Map	\$ 5			27395	\$ 125
Delinquent Dues Fee (Assessed March, April, May)	\$ 125			76-150	\$ 275
Payment Plan Processing Fee	\$ 35			151-250	\$ 450
Payment Plan Late Sign Up Fee	\$ 25	Weddings/Receptions	Fri-Sat	1-250	\$ 450
Lot Mowing	\$ 80				\$ 25
Pool Party	\$ 125				\$ 25
	\$ 150	ACL Club Fee: Non-ACL events, etc.			
<b>Programs</b>		ACL Employee (restrictions apply)			
Heat Light Program Call SSD Office (815) 492-2436		Deposit of equal amount required. For guests, add \$100 to above rate.			
Sub-License Boat Slip Program Call ACL Office (815) 492-2238		For reservations call (815) 492-2769			

2021 R&R BUDGET REQUESTS	
Lake	Streambank Stabilization \$ 225,000
	Dry Dams
	Erosion Control
	Installation of Poles on Docks
	Rip Rap
	Lumber for Dock Repair
Cove	
Golf Course	Cart Path - phase 2 \$ 100,000
	New Ladies Tee box hole #2
	Greens Mower
Pro Shop	Indoor furnishings \$ 23,000
	Walk-in Cooler
Pool	Filter Sand \$ 15,000
Security	Security Cameras Phase 3 \$ 20,000
Maintenance	Zero Turn \$ 71,000
	Rotary Cutter

ALL MANDATORY FEES MUST BE PAID ON ALL LOTS OWNED PRIOR TO ANY REGISTRATIONS OR DISTRIBUTION OF PASSES, AMENITY TAGS, OR STICKERS, UNLESS PROPERTY OWNER IS ON THE ACLPOA PAYMENT PLAN.

### 2021 CONSTRUCTION FEE SCHEDULE

New Dwelling: Permit Fee/Inspection (Good for one (1) year)	\$1,000
Environmental Impact Fee (Non-Refundable): New dwelling only	\$1,000
Environmental/Debris Bond (Refundable)	\$500
Additions to Existing Dwelling: Permit fee	\$0.20/square foot
All Accessory Structures	\$0.20/square foot
General Permits: Per item	\$10
Driveways	
Shoreline Construction	
Demolitions	
Landscaping: Any earthwork or lot grading whether performed as a single project or as a series projects on an existing developed lot	
Roofing	
Boat Docks	
Small Misc Permits/Projects	
GIS: Full Site	\$325

Building code regulations may be obtained from the Building & Environmental Code Book or on the website www.applecanyonlake.org

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# BOARD OF DIRECTORS' UNAPPROVED MONTHLY MEETING MINUTES

Following are UNAPPROVED MINUTES of the September 19, 2020 regular Board of Directors' Meeting. Minutes are in unapproved draft format for informational purposes only, pending approval at the October 17, 2020 Board of Directors' Meeting.

- 2.0 Call to Order – President Barb Hendren called the meeting of the Apple Canyon Lake Property Owners Association to order at 9:02 on Saturday, September 19, 2020.
- 3.0 Pledge of Allegiance – After the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Barb Hendren, Bob Ballenger, Jody Ware, Henry Doden, Steve Borst, Steve Tribbey, Mike Harris, Gordon Williams and Tom Ohms. General Manager Shaun Nordlie was also in attendance.
- 4.0 Approve/Adopt Minutes from the August 15, 2020 Meeting – Steve Tribbey motioned “to approve the minutes from the August 15, 2020 meeting.” Seconded by Mike Harris. Motion carried with Tom Ohms abstaining.
- 5.0 Treasurer’s Report – Treasurer’s Report will be in The Apple Core.
- 6.0 Committee/Commission Reports
  - AECC – Steve Tribbey reported they met on September 5. 82 building permits issued year to date. ACL Energy Policy is posted on the Governing Documents page.
  - Conservation – Paula Wiener reported they spent most of the last meeting on the motion memo that will come up later on the agenda. Greenway Stewardship – problem child exceeding what they were told to do – mowed a path to the trail – we have talked with them and they will let it grow back to the way it was. Henry Doden volunteered to keep an eye on the situation.
  - Golf – Jody Ware reported they have two items on the agenda for two purchases. One of the purchases may include a matching grant/fund, working on that now. Next meeting is in April.
  - Deer Management – Gordon reported they met August 22. Reviewed the Youth Archery event where we had a total of 56 people attend, went very well. Qualifications held on August 8 and August 22 where potential hunters had to qualify. Also had discussion about how the broadheads were tearing up the targets, we are looking at using different options. Will discuss further. Orientation held on August 22. Every hunter has to attend an orientation. All rules are reviewed with hunters at that time. Deer counts are set up for February 6 and 20, 2021. Next meeting is September 26.
  - Lake Monitoring – Steve Tribbey reported that they went out on the lake on August 31. The surface temperature was 77F. Dissolved oxygen was above 8.14ppm to a depth of 11 feet.
  - Recreation – Steve Tribbey reported they met on August 17. Discussed the number of cancelled events for the year. Recreation Commission charge was also discussed. Next meeting will be September 21.
  - Trails – Tom Ohms reported that they met on August 29. Open round table discussion talking about trail concerns. Looked at the new White Buffalo

- access. Dust control – we have been applying a sample product to help with the dust in certain areas. Next meeting is September 26. They will have a short meeting and then go out on trails and work.
- Strategic Long-Range Planning – Jody Ware reported they reviewed the status with the 2020 Plan on a Page, action plan. Also discussed preparing for the 2021 Plan on a Page action plan. Two areas – we wanted to discuss on how we will manage community garden and digitizing files. Exploring switching to NorthStar for our management system. Learning what NorthStar can do. Office team has been meeting with them; current software company Abacus has been acquired by NorthStar. Next meeting is November 6.
- Legal – Jody Ware reported items 12.7 and 12.8 on the agenda for discussion. Will discuss the timeline and different ways we are going to communicate with membership. Town Hall meeting on September 23 at 6:00 p.m. reviewing the proposed Amended Declaration Articles 1-5.
- Foundation – Jody Ware reported they had a successful and safe Poker Run. We had a profit of \$4,730.00 compared to 2019 with \$3,168.00. UTV raffle was a success; made \$18,910 total; after deducting the cost of UTV, we ended up with approximately \$7,835.00 profit. Plan on doing this event again next year, this was a major fundraiser for our Foundation.
- Rules & Regulations – Mike Harris reported several 2nd readings on the agenda today. Meeting last Friday, talked again about noise/nuisance. Finalized the amenity tags section and talked about rules for the lake itself. Next meeting is October 2 at 10:00 a.m.
- Nominating – no meeting but will meet on September 24.
- Campground – no meeting but will meet in October with update on pavilion.
- 7.0 General Manager’s Report - Fiber – met with Sand Prairie. All sections with the exception of two will have fiber at the end of this year. Independence will need three more sign ups. Hawthorne/Evergreen area just got enough sign ups – they will go on the 2021 schedule. Schedule is not set up yet. Everyone else should have fiber before end of year. Congratulation Paula Wiener and Kim Rees – Distinguished Service Award winners for this year. Very worthy recipients.
- 8.0 President’s Report – Barb Hendren – Nominating Committee – getting started thinking about 2021 Board elections. May look a little different depending on COVID.
- 9.0 Property Owner Comments
- 10.0 Consent Agenda – Jody Ware motioned “to approve the Consent Agenda items 10.1 Committee/Commission changes (to appoint Rosanne Brandenburg to the Tellers Commission, Rick Paulson to the

## AUGUST 2020 PRELIMINARY TREASURER'S REPORT

	OPERATING BUDGET						
	MONTH			YEAR TO DATE			ANNUAL
	ACTUAL	BUDGET	OVER/ (UNDER)	ACTUAL	BUDGET	OVER/ (UNDER)	BUDGET
REVENUES *	\$ 311,399	\$ 301,469	\$ 9,930	\$ 2,290,539	\$ 2,382,918	\$ (92,379)	\$ 3,275,701
DIRECT/INDIRECT EXPENSES	274,613	317,353	(42,740)	2,051,245	2,316,313	(265,068)	3,273,177
OPERATING INCOME (LOSS)	\$ 36,786	\$ (15,884)	\$ 52,670	\$ 239,294	\$ 66,605	\$ 172,689	\$ 2,524

\* Month and YTD Revenues (actual and budgeted amounts) exclude budgeted transfers to Capital projects (\$608k) and RR funds (\$559k)

STATEMENT OF FINANCIAL POSITION				
ASSETS	Operations	Cap Projects	R&R	COMBINED
RESERVE ACCOUNTS	\$ 403,898	\$ 711,603	\$ 1,110,503	\$ 2,226,003
OTHER CASH	\$ 630,421	42		\$ 630,463
RECEIVABLES	\$ 127,720			\$ 127,720
OTHER PREPAIDS ETC.	\$ 58,128			\$ 58,128
<b>TOTAL CURRENT</b>	<b>\$ 1,220,167</b>	<b>\$ 711,644</b>	<b>\$ 1,110,503</b>	<b>\$ 3,042,314</b>
INVESTMENTS	\$ 270,716		\$ 180,253	\$ 450,970
Due from Capital Project Fund				\$ -
PROPERTY and EQUIP (NET)	\$ 6,975,641	\$ 320,735		\$ 7,296,376
<b>TOTAL ASSETS</b>	<b>\$ 8,466,524</b>	<b>\$ 1,032,380</b>	<b>\$ 1,290,756</b>	<b>\$ 10,789,660</b>
LIABILITIES AND FUND BALANCE				
CURRENT	\$ 473,021			\$ 473,021
Due to R&R Fund				\$ -
DEFERRED INC & ESCROW	\$ 1,073,823			\$ 1,073,823
FUND BALANCE	\$ 6,919,680	\$ 1,032,380	\$ 1,290,756	\$ 9,242,815
<b>TOTAL LIAB &amp; FUND BAL</b>	<b>\$ 8,466,524</b>	<b>\$ 1,032,380</b>	<b>\$ 1,290,756</b>	<b>\$ 10,789,660</b>

REPLACEMENT & RENOVATION FUND (R&R)						
	MONTH		YEAR-TO-DATE		FISCAL YEAR	REMAINING
	ACTUAL	BUDGET	ACTUAL	BUDGET	BUDGET *	BUDGET
BEGINNING FUND BALANCE	\$ 1,305,175	\$ 1,052,116				
Income Earned - Interest	\$ 1,051	\$ 7,566				
Annual Assessment Transfer		\$ 559,000				
Add'l Transfer from Operating	\$ -	\$ -				
Transfer to Capital	\$ -	\$ -				
<b>TOTAL AVAILABLE</b>	<b>1,306,226</b>	<b>1,618,682</b>				
R&R EXPENSED	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LAND & LAKE	\$ 15,470	\$ 159,775	\$ 400,000	\$ 240,225	\$ 400,000	\$ 240,225
BUILDING		\$ 5,584	\$ 15,000	\$ 9,416	\$ 15,000	\$ 9,416
MACHINERY & EQUIP		\$ 100,474	\$ 103,000	\$ 2,526	\$ 103,000	\$ 2,526
VEHICLE	\$ -	\$ 29,999	\$ 30,000	\$ 1	\$ 30,000	\$ 1
F&F		\$ 7,093	\$ 11,000	\$ 3,907	\$ 11,000	\$ 3,907
2019 Carryover		\$ 25,000	\$ 35,000	\$ 10,000	\$ 35,000	\$ 10,000
<b>TOTAL R&amp;R EXPENDITURES</b>	<b>\$ 15,470</b>	<b>\$ 327,926</b>	<b>\$ 594,000</b>	<b>\$ 266,074</b>	<b>\$ 594,000</b>	<b>\$ 266,074</b>
<b>ENDING FUND BALANCE</b>	<b>\$ 1,290,756</b>	<b>\$ 1,290,756</b>				

\* Fiscal year budget, includes 2019 budgeted carryover of \$35k for two projects:

- 1) \$10k for Buffer Zone demonstration
- 2) \$25k for Cove Roof (\$14,700 paid in March and \$10,300 paid in April).

PROPERTY AND EQUIPMENT	COST	DEPRECIATION	NET
LAND & LAKE	\$ 8,035,959	\$ 3,791,964	\$ 4,243,995
BUILDINGS	\$ 3,822,924	\$ 1,860,392	\$ 1,962,532
EQUIPMENT	\$ 2,018,410	\$ 1,672,031	\$ 346,380
FURN & OFFICE FIXTURES	\$ 776,305	\$ 763,084	\$ 13,221
VEHICLES	\$ 470,466	\$ 387,739	\$ 82,727
PROJECT DOWNPAYMENTS	\$ 326,786	\$ -	\$ 326,786
<b>TOTALS</b>	<b>\$ 15,450,851</b>	<b>\$ 8,475,210</b>	<b>\$ 6,975,641</b>

CAPITAL PROJECTS			
	MONTH		YEAR-TO-DATE
	ACTUAL	BUDGET	ACTUAL
BEGINNING BALANCE	\$ 1,031,474	\$ 422,314	
Annual Assessment Transfer		\$ 608,000	
Operating Fund Transfer	\$ -	\$ -	
RR Fund Transfer	\$ -	\$ -	
Interest	\$ 906	\$ 2,066	
Add'l yearly transfer	\$ -	\$ -	
<b>TOTAL AVAILABLE</b>	<b>\$ 1,032,380</b>	<b>\$ 1,032,380</b>	
ARCHITECT	\$ -	\$ -	
ENGINEERING	\$ -	\$ -	
CONTRACTOR PAYMENTS	\$ -	\$ -	
EQUIPMENT	\$ -	\$ -	
LAND IMPROVEMENT	\$ -	\$ -	
BUILDING	\$ -	\$ -	
INTEREST	\$ -	\$ -	
LOAN REPAYMENT	\$ -	\$ -	
OTHER (Financing, Postage etc)	\$ -	\$ -	
<b>TOTAL CAP PROJ EXP</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>ENDING BALANCE (DEFICIT)</b>	<b>\$ 1,032,380</b>	<b>\$ 1,032,380</b>	

THESE ARE CURRENTLY ALL CAMP RELATED EXPENSES

Posted: 9/16/20  
Created: 9/16/20  
Submitted by: Ashlee Miller, ACLPOA Financial Manager

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# BOARD OF DIRECTORS' UNAPPROVED MONTHLY MEETING MINUTES

Architectural & Environmental Control Committee, and John Killeen as Chair, Pat Mannix as Vice Chair, and Mary Hannon as Secretary of the Golf Commission; and to accept the resignation of Fred Turek from the Golf Commission) and 10.2 Appeals Board decisions (to accept the recommendation of the Appeal Board to uphold citation #0102 issued to Magee)." Seconded by Gordon Williams, motion carried.

11.0 Unfinished Business

11.1 Rules & Regulations: Ice Fishing – Gordon Williams motioned "to approve the amendments to the Rules & Regulations Section Ice Fishing as included in the Board packet." Seconded by Steve Tribbey, motion carried.

11.2 Rules & Regulations: Tennis Court/Sports Complex – Mike Harris motioned "to approve the amendments to the Rules & Regulations section Sport Complex as included in the Board packet. Seconded by Jody Ware. Discussion – should it be Sports Complex? Mike Harris and Jody Ware agree to amend the motion to change item 1 to Sports Complex, motion carried on the amendment. Original motion with amendment, motion carried.

11.3 Rules & Regulations: New Home Construction – Jody Ware motioned "to remove the New Home Construction & Construction Checklist section from the Rules & Regulations." Seconded by Mike Harris, motion carried.

11.4 ACL Building & Environmental Code Housekeeping – Steve Tribbey motioned "to approve the housekeeping changes to the ACL Building & Environmental Code as included in the Board packet." Seconded by Tom Ohms, motion carried.

Bob Ballenger left the meeting at 9:40 a.m.

12.0 New Business

12.1 Golf Commission Designated Funds Purchase – Yardage Markers – Mike Harris motioned "to approve the Golf Commission's purchase of yardage markers, at a cost not to exceed \$300.00 to be paid from the Golf Commission's Designated Fund." Seconded by Jody Ware. Discussion – Tom Ohms – could maybe have one more red marker at 100-yard marker at #2. Shaun Nordlie informed the group that extras will be bought. Motion carried with one abstaining.

12.2 Golf Commission Designated Funds Purchase – Trees – Jody Ware motioned "to approve the Golf Commission's purchase of trees for the golf course at a cost not to exceed \$1,500.00 to be paid from the Golf Commission's Designated Fund." Seconded by Gordon Williams. Discussion – how many trees and what kind? Shaun Nordlie noted that three maples were purchased in the spring and we paid just under \$1,000. We hope to get 6-8 trees. Jody Ware also mentioned there is a potential for a matching grant. Motion carried.

12.3 Recreation Commission Charge – Tom Ohms motioned "to approve the revised Recreation Commission Charge." Seconded by Steve Tribbey. Discussion – reason for the change? Mike Harris noted that he would like to see old charge listed with the new charge. Jody Ware also noted that they did change the format of the recreation group. We do need to review just to see if the new format is working. Shaun Nordlie – might not be a great year for that due to the cancellations we have had. Jody Ware - may want to check with the commission to see how it is going. Mike Harris – we have been changing a lot of charges for these commissions. Tom Ohms – we did change Trails Commission charge, eliminating one line regarding reports to Shaun, eliminated specific date. Shaun Nordlie – we do ask that each committee/commission look at their charge.

12.4 Watershed Plan Amendments – Mike Harris motioned "to approve the ACL Watershed Based Management Plan as included in the Board packet. Seconded by Henry Doden. Discussion – Steve Tribbey – question about the implementation framework goal checklist – State of IL stopped funding water samples, how do we want to approach testing the water? Paula Wiener noted that Aren is doing those tests within the five individual areas. Jody Ware – asked about the implementation framework – 5-10 years short term? Paula Wiener – we haven't looked at that yet. BLMP indicates a downward trend in water quality? What is a BLMP? Steve Tribbey – determines the clarity of the water, color of the water, etc. We have a color chart we match that up to. Steve Tribbey – so when the water monitor group goes out twice/month, what are we doing with this data? Good trend analysis to see what is going on. Are we putting this in a spreadsheet? Shaun Nordlie – off season project for Aren to get together. Jody Ware – good for benchmarking for the Watershed Plan. Paula Wiener – was talking to the new person that runs the IL RiverWatch Program – one of our streams is poor one year, good the next. How do we look at all of this? One of the things in trying to evaluate what is going on, know if a specific thing occurs, (farmer –

dumping cow manure). Otherwise very dependent on weather conditions from one year to another, etc. You can look at this but you may not be able to say – this year we had a downward trend without a why it will be hard to get our hands around fixing this. Jody Ware – the water monitoring information would be good to see how it trends. Informative and the lake is our number 1 resource out here. Gordon Williams – you will have peaks and valleys, make notes on what is causing the valleys. Tom Ohms – RiverWatch Program, the little critters will tell you more than the numbers. Mother Nature will tell us what is going on. Steve Borst – so many variables in the collection, human collection technique, etc., makes it difficult to compare one year to the next. Three-year or five-year trend makes more sense as opposed from one year to the next. Agrees that the data is valuable. As soon as some time permits, Aren will be working on this. Steve Tribbey – can also use this for working with the farmers. Jody Ware – moving into this new phase – who is "we" that is managing – will you have a process for managing that? For Strategic Plan – we have a process. Paula Wiener – does refer to who is responsible. In many cases it is not Conservation that is responsible. Plan is to take the four goals, 8 left on the Commission, two people per goal, they get to pick the goal they want to work on. There is a responsibility there. Motion carried.

12.5 ACL Payment Plan – Mike Harris motioned "to approve the different installment options for the 2021 ACL Payment Plan as included in the Board packet." Seconded by Tom Ohms. Discussion - golf pass in the list? Shaun Nordlie – if you are going to get a golf pass, yes, gets rolled over automatically. Jody Ware – golf cart rental? Golf storage? So, the list is not comprehensive. Mike Harris – realize we are trying to make it more flexible for people to pay. March 1 then we give them a fee of \$35.00 to process. People having hard times, we are hitting them with an extra \$35.00. Gordon Williams – this is available to all members, not just problem payers. And a lot of budget plans do have an extra cost to them due to administrative work. Understand that fee – wants to make sure it is for all members. Motion carried.

12.6 Board Policy – Delinquent Dues Fee – 1st Reading - Jody Ware motioned "to suspend Roberts Rule of Order." Seconded by Steve Tribbey at 10:19 a.m. Discussion – the hope is more owners will pay dues in March instead of waiting. Update Board Policy to make this change. Delinquent Dues Fees March 2, April 1, May 1 fee to be established by BOD. Shaun Nordlie discussed at budget this year. Reason – after March 2, no incentive for a late payer to actually pay until we filed a lien. Need something else, if you don't pay by April would be another \$125. Lake Associations – have a very large lien fee. They felt this helped more people to pay rather than wait for the lien. Started with liens then went to the late fees. Steve Tribbey – like the graduated process. May enable people to be able to plan for it better. Shaun Nordlie – goes along with extra payment plan option.

12.7 Amended & Restated Declaration of Covenants & Restrictions – 1st Reading

12.8 Amended & Restated Bylaws – 1st Reading

Discussion - Jody Ware – reviewed plan of action – the process we are taking right now is to gather feedback from board members and membership. This information gathered from the Board and Membership will go back to the Legal Commission for discussion. Really need all BOD to read these documents word for word. Legal Commission looked at every word; this was also reviewed by Association's attorney. Starting this journey – we need all Board members on board knowing what is going on. Legal Commission's charge is to review and make recommendation to BOD based on current and future needs of Association. Help us, be part of this. The Association community has governing documents just like cities has ordinances. Our current governing documents are outdated and not in alignment with CICAA, Not-For-Profit Act, and AECC Building and Architectural Code. Take the work that this Legal Commission has worked so hard on and ask questions, get answers and the Legal Commission will get necessary legal advice and make changes. Board approved an amended declaration on September 21, 2017. What you are seeing here now are the new changes in the three years. Timeline – our plan of action – you received a simple version of the documents comparing the present Declaration with the Proposed Declaration and the same with the Bylaws explaining the reasons for the change. If you see something wrong, just ask us. We have a first, second and third reading, September, October and November. Please don't forget you received this document in August. Write down any thoughts, any feedback, etc. We have forms available to you for writing down your concerns, suggestions, etc. We will also be posting responses to the questions asked. By Tuesday, articles will be in The Apple Core, articles will be prepared to go on the ACL website. We have chart of definitions of Member, Natural Person, Owner/Legal Entity, Voting Member and Occupant. This was one of the big changes. Remember, Legal Commission reports to the Board. When will membership get this information? The way it will go – Board meeting today, Monday Legal Commission meeting, then Wednesday Town Hall meeting, then another Town Hall meeting. Then October Board meeting, then Legal Commission meeting and then another Town Hall meeting. November, same thing, Legal Commission meeting after the Board meeting, then Town Hall meeting. Whole idea is to get information back from membership, continue to review suggestions. This isn't a yes or no document for voting. What do you want for the community in the Governing Documents? Town Hall meetings will be recorded. Recordings will be divided up into one-hour segments. There will be video discussion in weekly Apple Seed eblast. During the Zoom meeting, you will have the ability to write questions using Chat. Questions will be recorded/ documented so we can follow up. We have an explanation on what the instruments are – difference between Declaration and Bylaws, etc. We have an explanation of exhibit A, B & C. Also new in this Declaration is the attachment of the Energy Policy Act that was approved in March of 2020. Part of state law states it has to be attached to the Declaration but does not have to be voted on by membership, just BOD. We will have a FAQ on the web. We plan on contacting as many property owners as we possibly can with the explanation of the voting process. All materials must be to the Association Office for mailing by December 1. We want to send out the ballots with the assessment statement packet. Postage is budgeted for 2021 budget to mail documents to the Membership. Mike Harris – what is the hurry? Spent six years doing this and have

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## BOARD OF DIRECTORS' UNAPPROVED MONTHLY MEETING MINUTES

to make a decision in 6 months. Jody Ware – how long do you want to take to pass this? We took three years to approve the last governing documents. The Legal Commission is willing to listen to another process for presenting and passing the governing documents so please share when we should start the process. Mike Harris – thinking is we are doing this now; we should be having the three townhall meetings first and then go through our three-meeting rule. Jody Ware – we can't know how many Board members will go to town hall meetings. Charge of the Legal Commission is to report to the Board. Commissions do not have the right to send information to the membership without this Board approving the information. This is the exact same process we have used in the past. Board has to understand what you want us to send out to the membership. We have gone through the whole process. In 2017 we handled only the changes that were allowable without a membership vote. If you feel this is too rushed, what is your alternative process? When is it right? One year from now? Or do you want us to do our charge? It took three years. Whole process took five years. We started in 2015. Mike Harris – it would be easier to have the three Town Hall meetings and go through this and then come back to the Board. Jody Ware – can't send anything out to the membership without approval from Board. We have been keeping the Board up to date every month – informing them they were almost done. May take us a long time to get 2/3 affirmative vote by the Voting Members. If you think we have forgotten something, please let us know.

Association counsel – work began with Keay and Costello on March 31, 2017, received the guidance letter for changes. They gave us a lot of suggestions on change. In that process, Rules & Regs, AECC have also worked closely with our attorney in cleaning up documents. The process here – Board (should know what the commission is suggesting) then to Legal for redirection if we are off base, then to Town Hall. All happening within days of each other. Commission does not have authority to take recommendations to anyone except the Board. November – BOD will propose documents to membership for a vote. Board gives us approval to put proposed documents out to membership. Our timeliness is important – put out the governing documents with the assessments to save costs. Don't want to miss that opportunity. Let's move forward and communicate well now. Voting – has to be approval by the affirmative vote of 2/3 of Voting Members eligible to vote. We have to put out notice of such a meeting to the voting members 30 days in advance. How many lots do we have? 2,743 lots. One Voting Member per property – do the math. How many yes votes do we have to have? Over 1,800. How many people participate in Board election voting – approximately 800. So that is why this is important, and we need the Board members to really understand the documents. Need the members to understand the documents and need feedback from members in an appropriate manner.

Included in the documents – Exhibit A; Exhibit B; Exhibit C (new); and the amendment - the Energy Policy Amendment.

Important change – Voting Member. A lot of the changes – just said members in the old declaration, it now says Voting Members. Shaun Nordlie – we cannot limit the amount of people on a deed. Because of that we had to make these changes to what an owner was, then a member, then who can be the Voting Member. Also affects who can be a Board member.

Jody Ware – in the changes you will see where this has changed from the past and legal entity is in the document a whole lot more. Once said member, now says specifically who the Voting Member is for the Lot or Legal Entity.

Article #2 – Section #3 Reserved Property – change here was the Association may by a vote of 2/3 of Board of Directors, acquire additional reserve property when deemed in best interest of the Association. Difference between exhibit A, B & C. Exhibits are and will be attached.

Steve Borst – feel a little rushed with this. Changing these is a really good idea, we will all have to work together. Jody Ware – if this doesn't pass on February 6, then you never adjourn that meeting. Go out and continue to collect votes. Then meet again in March. Shaun Nordlie - you continue the meeting until you reach the quorum. Once we receive the quorum on the Bylaws, yes or no, then that one is done. Same thing with the Declaration. Continue the meeting every 30 days until you get to the 2/3.

Article #3 – looks a lot like what was approved in March. Building height, materials to be used, etc. Gordon Williams – Article 3 Section 1 – water facility added. Can we define that better? Jody Ware – it is in the definitions. Section #8 – home occupation discussion. Not a lot of clarity in the old version. We did a lot of work on domestic pets. BOD approved what home occupations could be allowed. We have been working with AECC since 2017. Just approved their updates in March 18, 2020 at a Board of Directors' meeting.

Leasing lots? Will get more information about that.

Article #4 – Membership Voting Rights - All owners of the lot are considered members of the Association. Legal entities may designate in writing who has ownership interest in legal entity. Clarify natural person and legal entities. We cannot restrict the number of natural persons on a deed. Steve Tribbey – penalty for not notifying ACL who is responsible Voting Member? Jody Ware – practice is that we get a copy of deed. Every lot gets one Voting Member. The first natural person on the deed is automatically designated the Voting Member, unless the lot is owned by a legal entity.

So what was presented to you today – the Declaration Articles I-V is what the Town Hall meeting will focus on at the Wednesday night meeting. If something is not right, it shouldn't be shared, and I need to hear that from the Board of Directors.

Article #5 – Common Property Rights. Section 4 is new language. Added by Association attorney clarifying the right of the owners.

If you understand that much, the next time we go through this, the other 1/2 of this will flow. Then the third meeting will be all Bylaws. Today I will collect all of your comments and suggestions and share Monday night at 6:00 Legal Commission meeting via Zoom. The Legal Commission will take all comments and put a response to them.

There was concern from Marge Clark, guest, about Declaration Article 8 Section 10 on Quorum change. Jody shared that we presently can take votes electronically if we vote feel we need a vote prior to a meeting.

There is a very specific process of all nine Board of Director Members voting affirmative to have an electronic vote and all Board Members casting an affirmative vote, and this process is to be used very sparingly. With Zoom and teleconferencing, if a quorum is limited (i.e. 5) a Board member could motion to table the vote or not make the motion, so motion is not carried. Emergency vote would be different. Governing documents should be written with the option to table. Membership varies all of the time. Shaun Nordlie – could have a group of Board members just leave or not show so Board cannot conduct a meeting. Marge Clark - concern is the property owners. Board is informed, what about the property owners? This is very complex. Jody Ware shared that the Voting Members will be informed through Board meetings, Town Hall meetings, Website, Recorded Videos of Town Hall meetings on website, and ability to Zoom into all meetings. Jody Ware made a final request to please send her an email with questions or turn in your Questions form. The Legal Commission needs feedback from the Board and Members to make these changes in the documents.

12.9 Open Discussion about COVID-19 – no updates at this time. Jo Daviess hasn't changed their stats on the county. Still elevated, but nothing new.

Tom Ohms motioned “to reinstate Roberts Rule of Order, seconded by Steve Tribbey.

Motion to adjourn by Mike Harris at 11:52.

Recording Secretary, Rhonda Perry  
President, Barb Hendren  
Corporate Secretary, Steve Tribbey

## BOARD ACTIONS

### JULY

10.1 Committee/Commission changes – APPROVED

11.1 Rules & Regulations – Deer Management – APPROVED

11.2 Rules & Regulations – Smoking/ Cannabis – 11.3 Rules & Regulations – Golf Course - APPROVED

12.1 Board Liaisons to committees/ commissions – APPROVED

12.2 Designated signers for ACLPOA accounts – APPROVED

12.3 2021 Plan on a Page – APPROVED

12.4 Recreation Commission Designated Funds purchase – APPROVED

12.5 Lot Combination - Haniacek – REMOVED FROM AGENDA

12.6 Placement of kayak rack & rental fee - APPROVED

12.7 Open discussion about COVID-19 - NO MOTION REQUIRED

Other:13.1 CAMP update – NO MOTION REQUIRED

### AUGUST

10.1 Committee/Commission changes – APPROVED

10.2 Appeals Board decisions - APPROVED

12.1 Property Owner citation appeal – CITATION UPHeld

12.2 Property Owner AECC appeal – AECC DECISION UPHeld

12.3 Lot Combination request – Haniacek – APPROVED

12.4 Publication of the 2021 Annual Assessment – APPROVED

12.5 Publication of the 2021 Operating Budget – APPROVED

12.6 Publication of the 2021 R & R Budget – APPROVED

12.7 Publication of the 2021 Operating and Building Fee Schedules – APPROVED

12.8 Rules & Regulations – Ice Fishing – 1st READING, NO MOTION REQUIRED

12.9 Rules & Regulations – Tennis Court/Sport Complex – 1st READING, NO MOTION REQUIRED

12.10 Rules & Regulations – New Home Construction – 1st READING, NO MOTION REQUIRED

12.11 ACL Building & Environmental Code housekeeping - 1st READING, NO MOTION REQUIRED

12.12 Amended & Restated Declaration of Covenants & Restrictions – REMOVED FROM AGENDA

12.13 Amended & Restated Bylaws – REMOVED FROM AGENDA

12.14 Open discussion about COVID-19 - NO MOTION REQUIRED

13.1 CAMP update – NO MOTION REQUIRED

### SEPTEMBER

10.1 Committee/Commission changes – APPROVED

10.2 Appeals Board decisions – APPROVED

11.1 Rules & Regulations – Ice Fishing – APPROVED

11.2 Rules & Regulations – Tennis Court/Sports Complex – APPROVED

11.3 Rules & Regulations – New Home Construction – APPROVED

11.4 ACL Building & Environmental Code housekeeping – APPROVED

12.1 Golf Commission Designated Funds purchase – yardage markers – APPROVED

12.2 Golf Commission Designated Funds purchase/cost share – trees - APPROVED

12.3 Recreation Commission Charge – APPROVED

12.4 Watershed Plan amendments – APPROVED

12.5 ACL Payment Plan – APPROVED

12.6 Board Policy – Delinquent Dues Fee – 1st READING, NO MOTION REQUIRED

12.7 Amended & Restated Declaration of Covenants & Restrictions – 1st READING, NO MOTION REQUIRED

12.8 Amended & Restated Bylaws – 1st READING, NO MOTION REQUIRED

12.9 Open discussion about COVID-19 – NO MOTION REQUIRED

Other:13.1 CAMP update – NO MOTION REQUIRED

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## MONTHLY COMMISSION REPORTS

### ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE MINUTES

SEPTEMBER 5, 2020

#### UNAPPROVED

- 1.0 Call to Order – Chair Cindy Zophy called the meeting to order at 8:00am with committee members in attendance in person: Jim Frank, Mike Harris, Tom Ohms, Steve Tribbey, Bill Ware, Gordy Williams, Building Inspector Joe Wiener, Via Zoom: Bob Ballenger, Barb Hendren, Missy & Louie Rosalez, General Manager Shaun Nordlie; guest: Henry Doden arrived at 8:08am and left at 8:45am.
- 2.0 Approve Minutes of the August 1, 2020 meeting – Bill Ware moved to approve the minutes of the August 1, 2020 meeting as written, seconded by Gordy Williams. Passed unanimously.
- 3.0 Property Owner Comments
- 4.0 Building Inspector's Report - Joe Wiener reported we have had 82 building permits issued year to date. He also reviewed the kinds of permits for work he has issued himself that have not been brought before AECC for review. These are for small jobs that are not major construction. For example, painting, asphalt driveways, window or door replacement. Anything that involves work along the lake shoreline, any major building construction, limestone steps, or tree removal within the 50' setback of the lake for example, Joe brings before the committee. AECC felt comfortable he is working within his limits of authority.
- 5.0 New Business
- 5.1 9A189 Cottonwood – pool and attached patio, screen attached patio - Steve Tribbey moved as per the submitted plans and narrative, to permit the construction of an attached patio with a pool and hot tub, without septic system encroachment, without setback encroachment. The pool and hot tub work shall comply with the ACL Building Code and with the Jo Daviess County IRC code Chapter 42 Appendix G. The septic system leach field will be relocated, constructed under a to-be-purchased vacant lot located on Cottonwood Court as per Code Section 104.2.H. A portion the existing lower level patio will be screened in as per the attached plans and narrative. Permits from Jo Daviess County Planning and Development and the Jo Daviess County Health Department are required before the ACL permit will be considered issued. A silt fence shall be installed and maintained throughout the project as indicated on the site plan and all lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4 prior to the start of construction. Temporary gated safety fencing is required from the start of construction around the pool/patio until a certificate of occupancy is issued by Jo Daviess County Illinois Planning and Development. Tom Ohms seconded. Discussion on the utility easement along the road to run the necessary septic line to the additional lot. Motion passed unanimously.
- 5.2 10A73 Cardinal Ct – limestone retaining wall, clear shoreline vegetation - Gordy Williams moved as per the submitted plans, to permit the construction of a shoreline limestone retaining wall approximately 90' long and 3.5' high with steps into the lake. Also, to remove brush and only trees marked by the Natural Resources Manager in front of the dock and shaping the hillside in accordance with Code Section 126. A silt fence shall be installed and maintained throughout the project and all lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with Code Section 102.4. No variance is granted. Mike Harris seconded. Motion passed unanimously.
- 5.3 8A208 Independence – limestone retaining wall, patio, steps - Bill Ware moved as per the submitted plans, within the lakefront setback, to permit the construction of a 50' long and 4.5' tall limestone retaining wall between the existing firepit and lakeshore patio wall, leveling the ground between the firepit and new wall for a planting bed. Removal of the railroad ties replacing them with limestone steps approximately 70' long and 4 to 5' wide. Also, set flagstone paving on the existing approximately 30' long by 10' wide gravel seating area at the lake shore. Deck and paved patio area within the lakefront setback shall in combination not exceed 600 sf. A silt fence shall be installed and maintained throughout the project and all lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. No variance is granted. Discussion on the lack of specific dimensions of location for the proposed improvements on the lot represented on a plat of survey or at least a sketch of the lot. ACL Building Inspector will verify locations of setback prior to start work. Tom Ohms seconded. Motion passed unanimously.
- 5.4 3A16 Gen. Grant Dr – rebuild and expand deck, screen in-porch - Gordy Williams moved as per the submitted plans, to permit the reconstruction of an existing deck with the addition 72 sf of new deck to the rear of the existing dwelling. The new deck railing will meet Code. The project will include screening in a 12' by 18' area under the deck. The work shall comply with the ACL Building Code and with the Jo Daviess County codes. Permits from Jo Daviess County Planning and Development are required before the ACL permit will be considered issued. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.3 prior to the start of construction. A refundable Environmental Debris Bond is required. No variance is granted. Mike Harris seconded. Discussed that the additional 72SF is not cantilevered but is supported by new posts. Motion passed unanimously.
- 5.5 7A230 Mesa Ct – replace decking, convert part of deck to 3-season - Bill Ware moved as per the submitted plans to permit the replacement of the existing attached deck's flooring and railings with Fiberon Composite decking and Westbury posts and railings and the conversion of part of this existing deck into a three-season room. The new deck railing will meet Code. The work shall comply with the ACL Building Code and with the Jo Daviess County codes. Permits from Jo Daviess County Planning and Development are required before the ACL permit will be considered issued. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.3 prior to the start of construction. A refundable Environmental Debris Bond is required. No variance is granted. Jim Frank seconded. Discussion on viability of the existing frame. Motion passed unanimously.
- 5.6 1A7 Painted Post Ln – cement for and screen in new attached patio under existing deck - Steve Tribbey moved as per the submitted plans, to pour a 488sf 4" thick concrete pad with wire mesh under the existing porch and screen in the area under the existing porch. The cement pad will be poured up to the existing piers with expansion jointing around them. The wolmanized treated framing for screen is attached to existing posts. Wolmanized plywood knee wall will be covered with vinyl siding. Material and color to match dwelling. No variance is granted. Tom Ohms seconded. Motion passed unanimously.
- 5.7 2A48 Pioneer – replace decking and railing - Gordy Williams moved as per the submitted plans, to permit the replacement of the existing attached deck's flooring and railings with Fiberon Composite decking and Westbury posts and railings. The new deck railing will meet Code. The work shall comply with the ACL Building Code and with the Jo Daviess County codes. Permits from Jo Daviess County Planning and Development are required before the ACL permit will be considered issued. A refundable Environmental Debris Bond is required. No variance is granted. Bill Ware seconded. Motion passed unanimously.
- 5.8 9A124 Hawthorne – bury LP tank, change exterior door, configure driveway - Mike Harris moved as per the submitted plans, to bury the LP tank in accordance with Section 114. Refinish and enlarge existing driveway in accordance with 110.7, adding gravel. Grade and seed area between driveway and east lot line. Replace glass sliding door with overhead door painted to match dwelling. Interior of room to be fire protected with Albi Paint. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. No variance is granted. Work must be completed by 12/31/2020. Steve Tribbey seconded. Discussion on time frame to complete work, motion amended to reflect deadline. We also discussed fireproofing with Albi Paint. Motion passed unanimously.
- 5.9 8A250 Colony – shoreline work - Jim Frank moved within the lakefront setback, as per the submitted plans, to permit the construction of a 40' long 6" high limestone retaining wall 76' from the shoreline to slow water runoff. Also, to permit the construction of a limestone retaining wall approximately 115' long and 15" high along the water's edge. The areas behind the 2 retaining walls are to be graded and seeded. Set 30' of limestone edging rock along the water's edge to the southwest of the 115' retaining wall. Silt fences shall be installed and maintained throughout the project and all lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. No variance is granted. Bill Ware seconded. Discussion on the "40' long 6" high limestone retaining wall" is actually a "berm" or "swale" covered in seeded dirt to slow the flow of water. Motion passed with 7 "ayes" and 1 abstention by Ballenger.
- 5.10 2A18 Hidden Springs – new detached garage - Tom Ohms moved to revise approved permit 20-072 to permit the demolition of an existing 288 sf detached garage and the construction of an 816 sf 2-story 19'-10" tall, detached garage without plumbing as per the submitted plans. Materials and colors shall match the dwelling. The existing driveway may be enlarged to accommodate the additional parking stall. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. A silt fence shall be installed and maintained throughout the project as indicated on the site plan. A refundable \$500 Environmental Debris Bond is required. No variance is granted. Jo Daviess County Planning and Development permit must be obtained before the ACL permit will be considered issued. Mike Harris seconded. Discussion on possibly adding dormers at a later date to match the house dormers. The truss manufacturer's specifications indicate that the trusses cannot be cut (to install a functional dormer) but it was pointed out that dormers can be built as a façade. This garage is being built "with electricity and no plumbing". Motion passed with 6 "ayes" and 1 "nay" by Ohms. Bill Ware left the meeting at 9:14am.
- 5.11 7A171 Coyote – new detached garage - Gordy Williams moved to permit the construction of a 576 sf 1-story 17' tall, detached garage without plumbing as per the submitted plans. Materials and colors shall match the dwelling. The existing driveway may be enlarged to accommodate the additional parking stall. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. A silt fence shall be installed and maintained throughout the project as indicated on the site plan. Setbacks and dimensions are within regulations. A refundable \$500 Environmental Debris Bond is required. Jo Daviess County Planning and

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# MONTHLY COMMISSION REPORTS

Development and Thompson Township Road District permits must be obtained before the ACL permit will be considered issued. No variance is granted. Jim Frank seconded. Motion passed with 6 “ayes” and 1 abstention by Ohms.

- 5.12 8A258 Washington Ln - new detached garage - Mike Harris moved to permit the construction of a 896 sf 1-story 17' tall, detached garage without utilities as per the submitted plans. Materials and colors shall match the dwelling. A new driveway may be constructed to accommodate the detached garage. All lot corner posts and structure setbacks must be located and flagged by a licensed surveyor in accordance with ACL B&E Code 102.4. A silt fence shall be installed and maintained throughout the project as indicated on the site plan. Setbacks and dimensions are within regulations. A refundable \$500 Environmental Debris Bond is required. Jo Daviess County Planning and Development and Thompson Township Road District permits must be obtained before the ACL permit will be considered issued. No variance is granted. Tom Ohms seconded. Motion passed unanimously.
- 5.13 Other New Business – Applications to this committee from two people. We discussed the required majority of Board Members on the AECC. Shaun will send Cindy the applications.
- 6.0 Unfinished Business
- 6.1 ACL Energy Policy – online posting status - It is posted on the Governing Documents page and the Maintenance/Building page.
- 6.2 Other Unfinished Business – none.
- 7.0 Next Meeting Date – October 3, 2020
- 8.0 Adjournment at 9:35am by Cindy Zophy  
Respectfully submitted, Steven Tribbey

## APPEALS BOARD MEETING MINUTES

SEPTEMBER 12, 2020

UNAPPROVED

- 1.0 Call to Order - Chairperson Edie Petelle opened the meeting at 8:50 am. Members present: Ron Beckel, Roger VanDerLeest, Janet Helgason, Edie Petelle. Security: Cindy Hoeksema (via Zoom). General Manager: Shaun Nordlie.
- 2.0 Approve Minutes – The minutes of the previous meeting were voted on by a motion to accept by Roger and seconded by Ron. Motion passed.
- 3.0 Unfinished Business – No discussion.
- 4.0 New Business – Discussion about Property Owners that receive citations will have a sixty-day window to choose their appeal date.
- 5.0 Hearings
- 5.1 Hearing for Lueken – Chairperson Petelle explained the procedure of the hearing. Security Cindy Hoeksema described both June 27, 2020 citations to property owner Mr. Chad Lueken. Property Owner Mr. Lueken spoke via Zoom and presented his appeals to the citations. Then the meeting was open to questions from the Appeals Board members and Safety & Security officer. The Appeals Board went into executive session. The Appeals Board's decision was to uphold both citations. It was explained that he had the right to appeal the upheld citations to the Board of Directors. Mr. Lueken decided to pay both citations.
- 6.0 Next Meeting Date – To be determined.
- 7.0 Adjournment – Motion to adjourn by Roger, seconded by Ron. Meeting ended at 9:24.

Respectfully submitted, Janet Helgason, Secretary

# LAKESIDE REALTY

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member of    
Jo Daviess county MLS East



Apache Lot 215  
Transferable Dock  
\$18,500



1A84 Mustang Lane  
3 Bedroom 2 Bath  
\$119,900



4A42 Colt Dr.  
2 Bedroom 2 Bath  
\$139,900



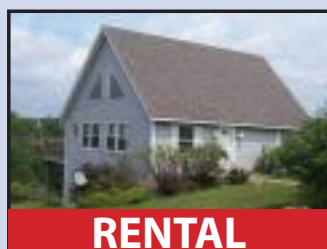
14A86 Anchor Ct.  
3 Bedroom 2 Bath  
\$199,000



1a11 Silverhorn  
3 Bedroom 4 Bath  
Lakefront  
\$425,000

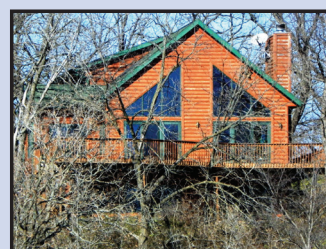


7A253 Tomahawk  
3 Bedroom 2.5 Bath  
Lakefront  
\$524,900



14A86 Anchor Ct.  
3 Bedroom 2 Bath  
Lakeview Home  
Located Above Marina

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3A91 General Sherman  
4 Bedroom 3 Bath  
Lakeview /  
Transferable Dock  
\$489,000



Fairway Lot 109  
Transferable  
Marina Dock  
\$19,500



9a160 Hawthorne Dr.  
3 Bedroom 2 Bath  
Lakeview  
\$249,000



9A211 Hawthorne  
4 bedroom 3 bath  
\$205,000



8A142 Liberty Bell Ct.  
3 Bedroom 2.5 Bath  
Transferable Dock  
\$199,000



3A160 General Jackson Ct  
2 Bedroom 1.5 Bath  
\$159,900



11a204 Spoon Ct.  
2 Bedroom 3 Bath  
\$171,000

<b>**1** BLACKHAWK</b>	<b>**6** BLUE GRAY</b>	<b>**8** INDEPENDENCE</b>	<b>**11** FAIRWAY</b>	85	\$1,200			
	13	\$2,000	225	\$1,750	84	\$12,000	96	\$850
<b>**2** HIDDEN SPRINGS</b>	32	\$1,500			177	\$7,000	259	\$14,900
	33	\$1,500	<b>**9** HAWTHORNE</b>	181	\$1,000			
<b>**3** GENERAL GRANT</b>	32 & 33	\$2,500	14 & 15	\$4,500	186	\$1,200	<b>**13** PIONEER</b>	
65		\$12,000	59	\$5,500	199	\$1,200	37	\$7,400
	<b>**7** APACHE</b>		235	\$800	225	\$4,000	59	\$6,500
<b>**4** WINCHESTER</b>	13	\$12,000	249	\$4,500	310	\$4,000	80	\$1,000
111	16	\$2,000					<b>**14** CANYON CLUB</b>	
	73	\$12,000	<b>**10** EAGLE</b>	<b>**12** PRESIDENT</b>	35	\$1,100	26	\$7,000
<b>**5** BIG SPIRIT</b>	122	\$1,500	119	\$1,200	36	\$1,100		
108	215^^	\$18,500			35 & 36	\$2,000		
	255	\$2,000						

**LOTS FOR SALE**

^^ Transferable Boat Slip Available  
\*\* Owner holds a Real Estate License  
## Dues Reduction Non-Buildable Lot

# MONTHLY COMMISSION REPORTS

## CONSERVATION COMMISSION MEETING SEPTEMBER 5, 2020 UNAPPROVED

The following Commission members were present in person: Chair Paula Wiener, Co-Chair Michael Yorke, Henry Doden and Tom Ohms (late arrival). Via Zoom/telephone: Phyllis Cady, Mike Cammack, Steve Nelson and Natural Resource Manager Aren Helgerson. Member absent: Gary Hannon. Guest: General Manager Shaun Nordlie.

- 1.0 Call to Order – Chair Paula Wiener called the Conservation Commission meeting to order on September 5, 2020 at 9:01am.
- 2.0 Approve Minutes of August 1, 2020 – Minutes approved as presented.
- 3.0 Reports
- 3.1 Lake Monitoring – None given.
- 3.2 Natural Resources Manager
- 3.2.1 Tributary Water Sampling – Aren Helgerson reported he will continue taking samples through November and will create a spreadsheet at the conclusion of this project.
- 3.2.2 Winchester Bay Wetlands Delineation Survey – Aren reported they are talking with Applied Ecological Services who will help put together a design for the area. They would like to see the watershed goals to improve our chances of getting the 319 Grant.
- 3.2.3 Other Items – Ms. Wiener referred to a memo with photos Aren Helgerson sent to property owners at 14A63 Pilot Point regarding their Greenway Stewardship application. The property owners exceeded the scope of the approved application. They were asked to allow the area to grow back to its natural state. The original Conservation volunteer following this project has left and Henry Doden volunteered to follow up.
- 3.3 Other Reports – None.
- 4.0 Unfinished Business
- 4.1 Greenway Invasives – Aren Helgerson reported in the Fall he will begin using the forestry mower.
- 4.2 Streambank Stabilization – Ms. Wiener asked if there are other streams besides North Bay and Winchester being considered. Aren reported that Hickory Cove has a 250-foot section that can be reached by ACL's equipment to be rip rapped.
- 4.3 RiverWatch Program – No report.
- 4.4 Buffer Zone Demonstration Project Update – Aren Helgerson reported he has begun to get pricing on the materials needed for the project.
- 4.5 Review Watershed Plan revised Milestone Sheets for Presentation to the ACL Board – Paula reviewed the memo addressed to the Board and the four goals and milestones. The Conservation Commission agreed with a motion from Henry Doden and seconded by Phyllis Cady, "The Conservation Commission recommends to the ACL Board to approve the attached document regarding changes to the 1-5 year goal milestones in the Apple Canyon Lake Watershed Based Management Plan." Motion passed. The year 2021 is the year to grade ourselves on the achievement of these milestones in the 1-5 years goal plan. Paula asked the Commission to think about when in 2021 should the grading take place.
- 4.6 Communicating with Our Watershed Partners and the Community – Paula asked Shaun if there is a list of the farmers in the area. She will draft a letter to update and inform the farmers of the new milestones. An article will be placed in the Galena Gazette to bring this information to more people. There will possibly be a gathering in January or February at ACL with the farmers to explain the changes in the Apple Canyon Lake Watershed Based Management Plan.
- 4.7 Conservation Conversations Monthly Apple Core Articles – Paula reported there is no article for September's issue. October's Apple Core will feature an article on observations of bird feeders. The Watershed article will be in November, and December is a wrap up of what the Conservation Commission has accomplished in 2020.
- 4.8 Infected Ash Trees within the Community – This program will continue in the Fall.
- 4.9 Lake Action Plan
- 4.9.1 Dredging – Mr. Nordlie reported the dredge is not working. The problem is fixable, and the manufacturer will pick up the pump the week of 9/14. If it's not a major or internal issue, it will hopefully be back in a month. Fehr-Graham will be contacted to work on a plan to enlarge Independence Bay and make the silt ponds larger.
- 4.9.2 Flood Control – Shaun sent CMT's plan regarding the dam to Paul

- Mauer at the DNR. Although he did not officially approve it, he didn't see any issues and thought it would be good for us. Henry Doden reported that he, Darryle Burmeister and Aren Helgerson went on top of the waterfall where they cleared off the algae on the fish gate. The lake level dropped about two inches. The Commission agreed to take out the fish gate and adjust the sign posted there.
- 4.9.3 Weed Control – Shaun reported the weeds are more under control. Our Lake Consultant Joe Rush mapped the brittle naiad (it looks like cauliflower) and said it should be treated; it's very invasive.
  - 4.10 Fishery/Fish Habitat/Creel Tracking Slips
  - 4.10.1 Bigger, Better Blue Gill Program – Nothing is being run on the program except for the posters.
  - 4.10.2 Shocking Report – Shaun Nordlie reported he has not received the report yet.
  - 4.10.3 Creel Tracking Slips – Mike Cammack made the rounds Friday and only picked up three slips for August. Shaun will get the other slips to Mike. Mr. Nordlie reported he will ask Tim to create a creel tracking document on the website that can be completed on a mobile device.
  - 4.11 Recruitment of New Commission Members – Ms. Wiener will put a blurb in the Apple Seed.
  - 4.12 Volunteer Projects with Aren Helgerson – Seed collection this Fall.
  - 5.0 New Business – Mr. Nordlie reported the annual dam inspection was done in July. There are no issues. A few things to do: the weir that measures water at the valve needs the height to be adjusted and we need to watch the woody material on the dam. Aren says Spring is a better time to do a burn. Shaun will check with Joe Rush to come to a meeting in October or November when the Commission will discuss possibly stocking musky in 2021. Walleye, small mouth bass and catfish will be stocked this Fall. Shaun said there is money in the budget to hire an assistant to help Aren. Tom Ohms suggested a fall clean-up and will work with Paula to set a date.
  - 6.0 Next Meeting – Next meeting October 3, 2020 at 9:00am.
  - 7.0 Adjournment - Phyllis Cady made a motion, meeting adjourned at 10:28 am.
- Please notify Paula of items to put on the Agenda at least two weeks before the meeting.
- Respectfully Submitted, Karen Drogosz

## DEER MANAGEMENT COMMISSION MINUTES AUGUST 22, 2020 UNAPPROVED

- 1.0 Call to Order - Jon Sonntag called the meeting to order at 2:10 PM. Members present – Jon Sonntag, Kim Rees, Gordy Ostrander, Al Hendren, Al Lutz, Nick Gouskos, and Dan Mamlic. Members absent – Gordy Williams and Ted Bluhm. Leave of absence - Jack Finley.
  - 2.0 Approve July 25, 2020 Minutes – Gordy Ostrander made a motion to approve the minutes as written, motion approved.
  - 3.0 Reports
  - 4.0 Unfinished Business
  - 4.1 Youth Archery - The Deer Management Commission reviewed the Youth Archery event which was held on August 1st and was very successful. There was a total of 56 people attending. Safety precautions were taken including checking temperatures, cleaning bows between each shooter, wearing masks, and social distancing as much as possible. There was a discussion of equipment needs for next year. A date of August 7, 2021 is scheduled for next year's Youth Archery from 9:00AM - 12:00 Noon.
  - 4.2 Qualifications - The qualifications were held on August 8 and August 22. There was a discussion on qualifications for next year and the dates for 2021 are August 7 from 9:00 AM-12:00 Noon, Sunday August 15 from 9:00-11:00 AM and Saturday August 28 from 9:00 AM-12:00 Noon. A motion was made for these dates by Al Lutz, seconded by Nick Gouskos, motion passed unanimously. There was a discussion on the use of broadheads and how they are tearing up the targets and are more difficult to remove from the targets. This has been discussed with other archers. After discussion a motion was made by Gordy Ostrander, seconded by Dan Mamlic to recommend to the ACL Board to insert the following "practice broadheads will be allowed" into the appropriate sections of the ACL Board Approved Rules and Regulations Section XX Hunting. Motion passed unanimously.
  - 4.3 Orientation - There was a review of the orientation meeting that took place the previous hour. The orientation included giving each participant a copy of the rules and regulations and reviewing them to the participants. There was a discussion on the rule that all deer must be tested for CWD by the IDNR. This rule was passed in October 2016 but is not incorporated into the ACL Board Approved Rules and Regulations. Kim Rees will discuss this with the General Manager Shaun Nordlie
  - 5.0 New Business
  - 5.1 Planning Dates - After discussion the following dates for the deer counting is February 6 and February 20, 2021, weather conditions may alter these dates.
  - 5.2 Zone Selection - There was a discussion on zone selection.
  - 6.0 Other
  - 7.0 Next Meeting – Our next meeting is scheduled for September 26, 2020.
  - 8.0 Adjournment - As there was no other business, Dan Mamlic made a motion to adjourn at 2:50 PM, Al Lutz seconded. Motion approved.
- Respectfully submitted, Kim Rees, Secretary

## GOLF COMMISSION MEETING MINUTES SEPTEMBER 8, 2020 UNAPPROVED

- 1.0 Call to Order – Chairman Tim Reese called the meeting to order at 1:30 pm. Members present: Tim Reese, Pat Reese, Fred Turek, Pat Mannix, John Killeen, Bob Stanger, Marcy Stanger, Jody Ware, Jean Burton, Mary

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## MONTHLY COMMISSION REPORTS

- Hannon, and Bob Buesing. Members absent: Rich Schmidt. Guests: Shaun Nordlie and Jessica Williams.
- 2.0 Approve Minutes – Bob Buesing motioned, Fred Turek seconded, to approve the minutes of the August 1 Golf Commission meeting. Motion carried.
- 3.0 Unfinished Business
- 3.1 Update on Course Maintenance - It was noted that we lost one part-time guy, so someone from Maintenance will be helping out. We're getting a quote on overseeding the fairways as well as deep-tine aeration. We need a little more grass in the rear of hole #6. Pat Mannix, John Killeen, Jean Burton, and Mary Hannon will serve on a committee to help plan out where to plant the new trees.
- 3.2 Other Unfinished Business – It was requested that we look into an intercom system at the Pro Shop. We're also looking into extending the cart path on the right side of hole #5. A few members will check out the hole to determine feasibility of not extending or determine location of a crossover if the path were to be extended.
- 4.0 New Business
- 4.1 2021 Big Cup Date – July 17
- 4.2 2021 Club Championship – August 14
- 4.3 Election of Officers – Chairman: John Killeen, Vice Chairman: Pat Mannix, Secretary: Mary Hannon.
- 4.4 Other New Business - Those signed up for tee box hole maintenance:
- Hole #1 – Phyllis Cady  
Hole #2 –  
Hole #3 –  
Hole #4 –  
Hole #5 – Mary Hannon  
Hole #6 – John Killeen  
Hole #7 – Jean Burton  
Hole #8 – Pat and Tim Reese  
Hole E9 – Darrell Carr
- Need volunteers for cleaning up the course in early October.
- 5.0 Next Meeting Date – April 13, 2021
- 6.0 Adjournment - Pat Mannix motioned to adjourn at 2:10 pm.  
Respectfully submitted, Pat Reese

### LEGAL COMMISSION MINUTES SEPTEMBER 1, 2020 APPROVED

- Call to Order – Sandra Malahy, Chairperson pro tem, called the meeting to order at
- 6:02 p.m. Members present via Zoom: Sandra Malahy, Dave Allgood, Bill Doran, Steve Jennings, and General Manager Shaun Nordlie. Absent: Rich Krasula.
- 2.0 Approve the minutes of the August 18, 2020 meeting – Jody Ware made a motion to approve the minutes of the August 18, 2020 meeting, seconded by Dave Allgood. Minutes were approved by Dave Allgood, Bill Doran, and Jody Ware, Steve Jennings, and Sandra Malahy.
- Unfinished Business
- 3.1 Update and review Plan of Action and Timetable to inform Board and Property Owners of proposed changes to both Documents - The commission discussed:
- The Covenants Made Simple document that Jody created.  
Jody will have the Bylaws completed by noon, September 2, 2020.  
The Reason for Change column will reflect attorney advisement, AECC, and Not-for-Profit Act.  
Bill will create additional summary for the Bylaws and CICA.  
Shaun will oversee that information is placed in The Apple Core.  
Include definitions in the Bylaws Made Simple document.  
Town Hall meetings in person with a PowerPoint. The meeting will be recorded. The recording and PowerPoint document will be posted in the Apple Seed eblast. Membership questions and suggestions will be taken during the Town Hall meetings in person or via Facebook Live.  
September 23, 2020 possible date for the first Town Hall meeting.  
Send a postcard to the Membership with Town Hall meetings dates and times.  
Town Hall meetings will address all Documents.  
Send voting documents with annual assessments.  
Declaration needs two-thirds of the voting members to pass.  
Offer the Members an incentive to vote.  
Dave offered to submit an article for The Apple Core regarding AECC, building code rules, and other important changes to the Covenants.

- Inform the Members through The Apple Core of the ACLPOA legal firm. Jody and Shaun will work through the Covenants to divide the document into four sections to present during four separate Town Hall meetings. The best time to hold Town Hall meetings.  
In-person Town Hall meetings on September 23rd, October 7th, October 21st, and October 29th beginning at 6:00 p.m. at the ACL Clubhouse.  
Refresher Town Hall meetings in January and February.  
Special meeting to be held after March 15th.  
Create a timeline of all dates.  
Jody and Shaun will consult with K&C to develop a timeline and clarify the number of votes needed to pass the Covenants and Bylaws.  
Legal Commission members will proof the Covenants Made Simple document.
- 4.0 New Business - This agenda item was not discussed.  
Other - This agenda item was not discussed.
- 6.0 Future Meetings
- 6.1 Next Scheduled Meeting Date – Wednesday, September 9, 2020 at 6:00 p.m. via Zoom.
- 8.0 Adjourn – Steve Jennings made a motion to adjourn the meeting at 7:48 p.m.  
Respectfully submitted, Sandra Malahy

### LEGAL COMMISSION MINUTES SEPTEMBER 9, 2020 UNAPPROVED

- Call to Order – Sandra Malahy, Chairperson pro tem, called the meeting to order at
- 6:07 p.m. Members present via Zoom: Sandra Malahy, Bill Doran, Steve Jennings, Jody Ware, and General Manager Shaun Nordlie. Absent: Rich Krasula and Dave Allgood.
- 2.0 Approve the minutes of the September 1, 2020 meeting – Sandra Malahy stated that Jody Ware was omitted from the Call to Order section of the September 1, 2020 meeting and should be added. Bill Doran recommended deleting the bullet that stated the Declaration needs two-thirds of the voting members to pass because later in the minutes it was decided to have Jody and Shaun clarify this topic with K&C. Jody Ware made a motion to approve the minutes of the September 1, 2020 meeting with edits, seconded by Steve Jennings. Minutes were approved by Bill Doran, Jody Ware, and Sandra Malahy.
- Unfinished Business
- 3.1 Update and Review Plan of Action and Timetable to inform Board and Property Owners of proposed changes to both Documents - The commission discussed:
- The October 29, 2020 Town Hall meeting will be changed to October 28, 2020.  
Shaun submitted responses from Keith Jones of K&C regarding questions that arose from the July, 2020 Legal Commission meeting.  
Article VII, Section 1(e) of the Declaration. This section addresses the owner's right to appeal an AECC decision to the Board. The Commission will leave the language as it is currently stated.  
Remove language in Article I, Section 2(b) because this language already exists in the Preamble.  
Language in Article VIII, Section 10 to reflect a quorum shall consist of a majority of the members of the Board, incumbent at such time.  
Re-insert the word "annual" in Article XI, Section 3 of the Bylaws.  
Quorum needed to pass the Declaration and Bylaws.  
The purpose of Town Hall meetings is a platform for members to voice an opinion on any changes to the Declaration and Bylaws so that the Legal

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# MONTHLY COMMISSION REPORTS

Commission may take all comments under consideration.  
 The Commission will ask K&C to suggest several models for language regarding a membership quorum for a vote.  
 Time limits and structure for the Town Hall meetings.  
 First Town Hall meeting is September 23, 2020 at the ACL Clubhouse. Shaun will send out information next week how to access the Town Hall meeting via digital means. Exit slips will be given to all attendees. Participants attending via digital platforms will have the ability to submit questions and comments.

- 4.0 New Business - This agenda item was not discussed.
  - Other - This agenda item was not discussed.
  - 6.0 Future Meetings
  - 6.1 Next Scheduled Meeting Date – Monday, September 21, 2020 at 6:00 p.m. via Zoom.
  - 7.0 Adjourn – Steve Jennings made a motion to adjourn the meeting at 7:35 p.m.
- Respectfully submitted, Sandra Malahy

**NOMINATING COMMITTEE MINUTES  
 AUGUST 18, 2020  
 UNAPPROVED**

- 1.0 Call to Order – The meeting was called to order by former Chair Therese Nelson at 1:00 p.m.  
 Members present: JoAnn Blackmore, Dave Bohnenkamp, Bill Bourrell, Barb Hendren, John Killeen, Tom Sheehan, and Mike Yorke. Also present were former Chair Therese Nelson and General Manager Shaun Nordlie.
  - 2.0 Election of Officers
  - 2.1 Chair – Mike Yorke
  - 2.2 Vice Chair – Bill Bourrell
  - 2.3 Secretary – Dave Bohnenkamp
  - 3.0 Approve minutes from April 7, 2020 meeting – Minutes were approved.
  - 4.0 Discuss plans for recruitment of new candidates for 2021 election – Plans were discussed.
  - 5.0 Other – Not discussed.
  - 6.0 Next Meeting Date – September 17, 2020 at 9am. [Changed to September 24, 2020 at 9am per Mike Yorke on 9/16/20.]
  - 7.0 Adjournment – Meeting was adjourned at 1:30pm.
- Respectfully submitted, Dave Bohnenkamp, Secretary

**RULES & REGULATIONS COMMISSION MINUTES  
 SEPTEMBER 11, 2020  
 UNAPPROVED**

The following Commission members were present: Chair Vickie Sershon, Fern Tribbey, Mike Harris, Fred Pfeiffer, Bob Stanger and George Drogosz (Zoom). Member absent: Bob Fitzjerrells. Guests: General Manager Shaun Nordlie, Security/Aquatics Manager Julie Janssen and Steve Tribbey.

- 1.0 Call to Order – Chair Vickie Sershon called the Rules & Regulations Commission meeting to order on August 7, 2020 at 10:00am.
- 2.0 Approve Minutes of August 7, 2020 – The August 7, 2020 minutes were approved as presented with a motion from Fern Tribbey and seconded by Fred Pfeiffer. Motion passed
- 3.0 Unfinished Business
- 3.1 Ice Fishing – ACL Board will have a second reading.
- 3.2 Tennis Court/Sport Complex – ACL Board will have a second reading.
- 3.3 New Home Construction (to be removed from Rules & Regulations to Building Code under AECC) – ACL Board will have a second reading.
- 3.4 Noise Nuisance – Julie Janssen noted a few changes and after discussion, Bob Stanger motioned and George Drogosz seconded,

- “Rules and Regs Commission recommends to the ACL Board to approve the attached document referring to Noxious or Offensive Activity as presented.” Motion passed.
  - 3.5 Amenity Tags – Shaun Nordlie reported this item will not go before the ACL Board for first reading until October or November 2020.
  - 3.6 Unregistered vs Illegal Vehicles – Julie Janssen reviewed the section on Motorized Vehicles – Recreational with the Commission regarding a fine amount for any prohibited vehicle that is on the trails or golf course. After a discussion, Bob Stanger motioned and George Drogosz seconded, “Rules & Regs Commission recommends to the ACL Board to approve the attached document referring to Motorized Vehicles - Recreational with the following fine change in the red verbiage on prohibited vehicles on trails or golf course from \$500 to read \$250 for first offense and \$500 for second offense.” Motion passed.
  - 3.7 Other Unfinished Business – None.
  - 4.0 New Business
  - 4.1 Lake – Mr. Nordlie reviewed Section VII. Lake with the commission. Some language change and additions were made. This will be brought before the ACL Board for first reading. Rules & Regs will discuss further at the October meeting.
  - 4.2 Fishing – Shaun reviewed Section VIII. Fishing with the commission. A discussion followed with questions that Mr. Nordlie will research for next month’s meeting.
  - 4.3 Other New Business – Shaun passed updated copies of the latest copy of the Governing Documents Revision Changes for Rules and Regulations and Procedures. He announced there will be no first readings in September.  
 Meeting Date – Next meeting will be on Friday, October 2, 2020 at 10:00am.
  - 6.0 Adjournment – Bob Stanger motioned; meeting was adjourned by general consent at 11:02am.
- Respectfully Submitted, Karen Drogosz

**STRATEGIC/LONG RANGE PLANNING COMMISSION MINUTES  
 SEPTEMBER 11, 2020  
 UNAPPROVED**

- 1.0 Call to Order: The meeting was called to order at 3:08 p.m. Present were: Chairperson Jody Ware; Gordon Williams; Todd Kintop; Steve Borst; and Don Ford. Shaun Nordlie, General Manager, was also present.
- 2.0 Approval of June 5, 2020 Minutes: Don Ford motioned to approve the minutes of June 5, 2020. Todd Kintop made a motion to second the approval of the minutes. Motion carried.
- 3.0 Unfinished Business
- 3.1 Review of Planning Process  
 February – Write 2021 POAP  
 March – Complete POAP and Budget  
 May – Completion of Budget Planning  
 September – Review and Monitor the POAP – Jody Ware refreshed the group on the process of the Planning Process. The purpose of today’s meeting was to review and monitor the 2020 Plan on a Page. Jody Ware also shared that the 2021 Plan on a Page was approved by the Board of Directors at the July 18, 2020 meeting.
- 3.2 Future Meeting Dates to Monitor Plan – A future meeting date of November 6, 2020 at 4:00 p.m. was set up to continue to monitor the 2020 Plan on a Page.
- 4.0 New Business
- 4.1 Update on 2020 POAP and Dashboard (Shaun Nordlie) - Shaun Nordlie reviewed the 2020 Plan on A Page. Some updates to the One Year Action Plans include;  
 Abacus software, the ACL management program, was acquired by Northstar. The Association staff have been participating in meetings with Northstar.  
 IALC will be conducting their 2020 Survey of Salaries.  
 The Communications Department is working on updating the ACL website with information about CAMP (Clubhouse Area Master Plan).  
 The Legal Commission has completed their proposal of the Amended Declaration and Bylaws. They will be sharing the documents at three Board of Directors’ meetings and four Town Hall meetings.  
 The CAMP A&D Commission has been meeting. They are presently working on seeking bids from union and non-union contractors.  
 Watershed project is coming along at North Bay. Two dry dams have been put in at White Buffalo and Remington.  
 Conservation Commission is making recommendations for their Watershed 5-Year Plan of Action and Goals to the Board of Directors.  
 Lake Management work with consultant Joe Rush was completed during the past week mapping areas of invasive plants in the lake.  
 Trails management involved replacement of many culverts for drainage and adding beet juice on areas to keep the dust under control.  
 Flood control option with the dam project continues. The Board of Directors had a workshop in August. Shaun is presently working with DNR for additional answers.  
 Lower 80 design – looking at adding some amenities in the back areas of the walking path.  
 The Cove restaurant added shading fabric that is working very well on the back deck. Shaun Nordlie continues to meet with the lessee.  
 ACL Branding project is off track right now. Shaun hopes it gets back on track in November.  
 Land Acquisition – The Board of Directors had notification from an area farmer about purchasing land. The Board of Directors were not interested at this time.  
 Support and promote ACL Charitable Foundation is going well. The Poker Run Fundraiser is scheduled for September 12, 2020.



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# MONTHLY COMMISSION REPORTS

## 4.2 2021 POAP – Plan of Action

4.2.1 Study options for creating a digital file for all property owners – The 2021 POAP has this goal as one of its One Year Action Plan. Shaun Nordlie shared how the Northstar Management software has capabilities of owners doing all of their registration and assessment payments online. There are many additional digital features that will serve ACLPOA well.

4.2.2 Study options for additional campsites and Association docks – Shaun Nordlie is working with Ed Ziarko on identifying an area on the lake for additional boat docks. Also, the campground conversion project should be starting this fall.

4.2.3 Study the development of an ACL Community Garden program – Jody Ware asked if we could have a sub-commission work on the study of a community garden program starting with finding out if there is an interest. Todd Kintop agreed to chair this sub-commission and work with the Communications Department and identifying members who would be helpful in conducting the study.

5.0 Any Other Discussion – There was no additional discussion.

6.0 Next Meeting Date and Time – November 6, 2020; 4:00 p.m.

7.0 Adjournment – Todd Kintop made a motion to adjourn at 3:48 p.m.

Respectfully submitted, Jody Ware

### TRAILS COMMISSION MEETING MINUTES

AUGUST 29, 2020

UNAPPROVED

1.0 Call to Order: Meeting was called to order at 8:03am by Chairman Tom Ohms. Members present: Tom Ohms, Ron Manderschied, George Drogosz, Henry Doden, Allen Hendren, Deb and Bob Laethem, Todd Kintop, Rick Paulson, and Penny Diehl. Absent members: Gary Hannon and Shaun Nordlie. Guests: Julie Janssen and Ed Ziarko.

2.0 Approve July 27, 2020 meeting minutes: Motion to approve made by George Drogosz and seconded by Henry Doden.

3.0 Unfinished Business

3.1 Trail Quiz: No movement at present time, will address at later date.

3.2 White Buffalo Access: Is in place, needs some extra gravel, and perhaps a "subdivision access only" sign.

3.3 Dust Control: Trial product has been placed at several places on trail, to be assessed by property owners that are affected. May need a secondary

application for efficacy. The product is an all natural product made from molasses that costs around \$1.00/gallon.

3.4 Other Unfinished Business: Maintenance Department was complimented for their hard work on keeping trails in good condition.

4.0 New Business

4.1 Round Table Discussion: Topics

5 Year Plan: a consideration for a "mudding" area in the Bathum Trail area to be presented with advantages vs. disadvantages, liability, and attracting younger property owners if this amenity is available.

Discussion of using chip/seal method to improve trail and assist with the dust issue made, looking to the future we may need to add it to the 5 Year Plan.

September Workday: Decision made to be accomplished after the September 26, 2020 meeting.

Trail Concerns: There are some blind spots noted and members of the commission will address. North Bay Bridge has nothing happening at this time.

4.2 Other New Business

5.0 ACL Department Reports

5.1 General Manager - Shaun Nordlie not present.

5.2 Maintenance – Ed Ziarko will send out an e-mail with items that have recently been accomplished by the Maintenance Department.

5.3 Security – Julie Janssen - at President's Bay and Pilot Point there needs to be signage that the 10 MPH zone has ended, at North Bay there needs to be signage that automobiles are not allowed in the Nature Bay area, that we may need more gravel at the dry pond and sign that it is alright to access this area, Apache and Blue Gray trail access areas need new snowmobile signs placed. An appeal was made for designated parking for the boat docks at Marina, so cars are parking at the Cove and citations have been given, requesting this be addressed at the CAMP project and put on maps. Two accidents have occurred since last meeting, both rollovers at President's Bay and Kennedy Crossing. There has been a lot of abusive language towards the Security staff and lots of underage drivers seen.

6.0 Next Meeting – September 26, 2020 at 8:00am in the ACL Clubhouse or Zoom, with Commission workday to follow meeting.

7.0 Adjournment – Meeting adjourned at 8:45am.

Respectfully submitted, Penny Diehl,  
Trails Commission Secretary



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# COMMISSION ROSTERS

### as of 9/19/20

#### Appeals

(2nd Saturday of each month, if needed)  
 Petelle, Edie .....Chair  
 Helgason, Janet .....Secretary  
 Beckel, Ron .....Member  
 Miranda, Rich .....Member  
 VanDerLeest, Roger .....Member

#### Architectural & Environmental Control

(1st Saturday of each month, 8am)  
 Zophy, Cindy .....Chair  
 Frank, Jim .....Vice Chair  
 Tribbey, Steve .....Secretary/Board Liaison  
 Ballenger, Robert .....Board Liaison  
 Harris, Mike .....Board Liaison  
 Hendren, Barb .....Board Liaison  
 Ohms, Tom .....Board Liaison  
 Ware, William .....Member  
 Williams, Gordon .....Board Liaison  
 Wiener, Joe .....Staff

#### Board of Directors

(3rd Saturday of each month, 9am)  
 Hendren, Barb .....President  
 Ware, Jody .....Vice President  
 Borst, Steve .....Treasurer  
 Tribbey, Steve .....Corporate Secretary  
 Ballenger, Robert .....Member  
 Doden, Henry .....Member  
 Harris, Mike .....Member  
 Ohms, Tom .....Member  
 Williams, Gordon .....Member

#### Board Policy Ad Hoc

(meeting dates TBD)  
 Harris, Mike .....Board Liaison  
 Ware, Jody .....Board Liaison  
 Nordlie, Shaun .....Staff  
 Shamp, Megan .....Staff

#### Budget/Audit

(meeting dates TBD)  
 Borst, Steve .....Board Treasurer/Chair  
 Brennan, Thomas .....Member  
 Carpenter, Ron .....Member  
 Clark, Marge .....Member  
 Finn, John .....Member  
 Livengood, Brett .....Member  
 Malone, Steve .....Member  
 Nelson, Steve .....Member  
 Tribbey, Fern .....Member  
 Miller, Ashlee .....Staff  
 Miller, Carrie .....Staff Secretary

#### Campground

(2nd Saturday of each month)  
 Carpenter, Ron .....Chair  
 Szczypta, Chris .....Vice Chair/Secretary  
 Barker, Nancy .....Member

Bluhm, Mary .....Member  
 Borst, Steve .....Board Liaison  
 Maculitis, Jerry .....Member  
 Reifsteck, Joseph .....Member  
 Ruffolo, Ric .....Member

#### Clubhouse Area Master Plan

##### Architecture & Design

(meeting dates TBD)  
 Wiener, Joe .....Chair  
 Tribbey, Steve .....Board Liaison/Vice Chair  
 Hendren, Barb .....Secretary  
 Frank, Jim .....Member  
 Hansen, James .....Member  
 Miller, Ashlee .....Member  
 Nelson, Therese .....Member  
 Paulson, Rick .....Member  
 Stanger, Bob .....Member

##### Clubhouse Area Master Plan Financing & Marketing

(meeting dates TBD)  
 Nelson, Steve .....Chair  
 Hendren, Barb .....Board Liaison/Secretary  
 Brennan, Thomas .....Member  
 Hannon, Gary .....Member  
 Harris, Mike .....Member  
 Reed, George .....Member  
 Tribbey, Steve .....Member  
 Miller, Ashlee .....Staff

#### Conservation

(1st Saturday of each month, 9am)  
 Wiener, Paula .....Chair  
 Yorke, Michael .....Co-Chair  
 Cady, Phyllis .....Member  
 Cammack, Mike .....Member  
 Doden, Henry .....Board Liaison  
 Hannon, Gary .....Member  
 Nelson, Steve .....Member  
 Ohms, Tom .....Member  
 Drogosz, Karen .....Recorder  
 Helgerson, Aren .....Staff

#### Deer Management

(last Saturday of each month)  
 Sonntag, Jon .....Chair  
 Ostrander, Gordon .....Vice Chair  
 Rees, Kim .....Secretary  
 Bluhm, Ted .....Member  
 Finley, Jack .....Member  
 Gouskos, Nick .....Member  
 Hendren, Allen .....Member  
 Lutz, Al .....Member  
 Mamlic, Dan .....Member  
 Williams, Gordon .....Board Liaison

#### Editorial Review

Brokl, Tim..Apple Core Managing Editor/Secretary  
 Finn, John .....Member

Hendren, Barb .....Board Liaison/Chair  
 Nordlie, Shaun .....General Manager/Vice Chair  
 Vandigo, Doug .....Member  
 Ware, Jody .....Member

#### Employee Handbook Ad Hoc

(meeting dates TBD)  
 Hannon, Gary .....Chair  
 Clark, Marge .....Member  
 Harris, Mike .....Member  
 Ware, Jody .....Board Liaison  
 Miller, Carrie .....Staff

#### Golf

(1st Tuesday of each month, 1:30pm, April-October)  
 Killeen, John .....Chair  
 Mannix, Pat .....Vice Chair  
 Hannon, Mary .....Secretary  
 Buesing, Bob .....Member  
 Burton, Jean .....Member  
 Finley, Jack .....Member  
 Reese, Pat .....Member  
 Reese, Tim .....Member  
 Schmidt, Richard .....Member  
 Stanger, Bob .....Member  
 Stanger, Marcy .....Member  
 Ware, Jody .....Board Liaison

#### Lake Monitoring

(meeting dates TBD)  
 Hannon, Gary .....Member  
 Kren, Barry .....Member  
 Rees, Kim .....Member  
 Tribbey, Fern .....Member  
 Tribbey, Steve .....Board Liaison  
 Ware, Bill .....Member  
 Helgerson, Aren .....Staff

#### Legal

(meeting dates TBD)  
 Krasula, Rich .....Chair  
 Malahy, Sandra .....Secretary  
 Allgood, David .....Member  
 Doran, William .....Member  
 Jennings, Steve .....Member  
 Ware, Jody .....Board Liaison

#### Nominating

(meeting dates TBD)  
 Blackmore, JoAnn .....Member  
 Bohnenkamp, Dave .....Member  
 Bourell, Bill .....Vice Chair  
 Hendren, Barb .....Board Liaison  
 Killeen, John .....Member  
 Sheehan, Tom .....Member  
 Yorke, Mike .....Member

#### Recreation

(3rd Monday of each month, 9am)

Hannon, Mary .....Co-Chair  
 Tribbey, Fern .....Co-Chair  
 Causero, Lee .....Member  
 Diehl, John .....Member  
 Gee, Sheila .....Member  
 Tribbey, Steve .....Board Liaison  
 Brokl, Tim .....Staff  
 Heim, Kirsten .....Staff & Secretary

#### Rules&Regulations

(1st Friday of each month, 10am)  
 Sershon, Vickie .....Chair  
 Tribbey, Fern .....Vice Chair  
 Drogosz, George .....Member  
 Fitzjerrells, Bob .....Member  
 Harris, Mike .....Board Liaison  
 Pfeiffer, Fred .....Member  
 Stanger, Robert .....Member  
 Drogosz, Karen .....Recorder

#### Safety and Emergency Planning

(meeting dates TBD)  
 Cammack, Mike .....Chair  
 Beckel, Ron .....Vice Chair  
 Ware, Jody .....Secretary  
 Hannon, Gary .....Member  
 Hendren, Barb .....Board Liaison  
 Janssen, Julie .....Staff  
 Ziarko, Ed .....Staff

#### Strategic/Long Range Planning

(meeting dates TBD, usually weekdays)  
 Ware, Jody .....Chair/Board Liaison/Secretary  
 Ford, Don .....Vice Chair  
 Borst, Steve .....Member  
 Kintop, Todd .....Member  
 Williams, Gordon .....Member

#### Tellers

(meets for Annual Meeting)  
 Reese, Patricia .....Chair  
 Causero, Lee .....Member  
 Detwiler, Marilyn .....Member  
 Hendren, Rugene .....Member  
 Makar, Kathy .....Member  
 Strasser, Julianne .....Member

#### Trails

(last Saturday of each month, 9am)  
 Ohms, Tom .....Chair/Board Liaison  
 Doden, Henry .....Vice Chair  
 Diehl, Penny .....Secretary  
 Drogosz, George .....Member  
 Hannon, Gary .....Member  
 Hendren, Allen .....Member  
 Kintop, Todd .....Member  
 Laethem, Deb .....Member  
 Laethem, Robert .....Member  
 Manderschied, Ron .....Member  
 Paulson, Rick .....Member



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# HELP US REACH OUR GOALS

## Consider a seat on the Board of Directors of the Apple Canyon Lake Property Owners Association



Have some questions?  
Attend our  
**Informational Gathering**  
to learn more!  
**Saturday, November 7 at 1 pm**  
at the ACL Pro Shop

### Are you UP for the challenge?

Can you answer “Yes!”  
to any of these questions?

- Are you a team player?
- Are you an “ideas” person?
- Do you have vision?
- Are you dedicated?
- Can you spare some time?
- Do you love ACLPOA?
- Are you a good listener?
- Are you interested in the long-term health of the ACLPOA?



If you answered “yes” to any of these questions, then won’t you consider running for a seat on the Apple Canyon Lake Property Owners Association’s Board of Directors? Your Association needs you! Please read on!

ACLPOA is wonderfully diverse and equal representation goes a long way in protecting that diversity. Won’t you consider becoming the ultimate ACL volunteer?

#### Why should you consider running for a seat on the ACL Board?

You will have an opportunity to help make the decisions that will preserve all that Apple Canyon Lake has come to be, and set the policies that will keep it moving in the right direction within the limits of financial soundness.

**REAPING THE BENEFITS.** The future well-being of ACLPOA and how it is perceived by outsiders compared with other recreational communities will be reflected in the value of its properties and its reputation as an investment. We follow the adopted 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.*

Surely many who have served on the Board over the past 50 years have been motivated by a genuine desire to do their share in helping govern a beautiful, well-run community. They contribute to decisions that affect both property values and the quality of life at ACLPOA.

**HOW NOMINEES ARE SELECTED.** The Nominating Commission, made up of property owners representing all subdivisions, is responsible for soliciting candidates. The Bylaws specify that the Commission shall make at least two more nominations than the number of openings to be filled.

The Board is composed of nine members. Each year three terms expire and three directors are elected to the Board for a term of three years. This system, specified in the Bylaws, encourages participation of new members while providing substantial continuity in the conduct of Association affairs.


On June 12, 2021, three Board candidates will be elected for regular three-year terms. While no specific qualifications are required, applicants should meet the following criteria and consider whether their circumstances will allow them to attend the monthly meetings (on the third Saturday of every month) and to devote the time necessary to prepare for the decisions that have to be made.

**CRITERIA.** Applicants must be a member of the ACLPOA, be bondable, never have been convicted of a felony and agree to a background check, and be at least 21 years of age. In addition, only one owner of a lot may serve on the Board at the same time. The most important element is a willingness to work with others to promote and protect the interests of the Association as a whole.

If you feel you could serve the Association in this capacity, fill out the brief form shown and mail it to the ACLPOA Office by **January 18, 2021.**

Your brief bio and answers to written questions will be published online, in *The Apple Core* and mailed with the ballot material. Also, a “Meet the Candidates” forum is scheduled for **April 17, 2021 following the BOD meeting.** The minutes from the forum will be published as well. The election will be held June 12, 2021 at the ACLPOA Annual Meeting. The Ballots will be mailed to the membership at least 30 days earlier.

Questions may be directed to the ACLPOA Administrative Office at 815-492-2238 or email them to [officemanager@applecanyonlake.org](mailto:officemanager@applecanyonlake.org).



**Application for Candidacy**  
**ACL BOARD OF DIRECTORS ANNUAL ELECTION**

I, \_\_\_\_\_, hereby submit my name to be considered  
(Please print)  
as a candidate for the ACLPOA Board of Directors.

This application must be received at the ACL office no later than the Monday following the January Board meeting.

Mailing address:  
\_\_\_\_\_  
Street  
\_\_\_\_\_  
City State Zip  
\_\_\_\_\_  
ACL address (if different) email address  
\_\_\_\_\_  
Home phone Work phone Cell  
Are you bondable?  Yes  No

Upon receipt of this application a questionnaire will be sent to you.

Thank You,  
ACL Nominating Committee

Return Form to:  
ACLPOA  
Attn: Admin Assistant/Nominating Committee  
14A157 Canyon Club Drive,  
Apple River, IL 61001  
FAX: 815-492-2160  
Attn: Nominating Committee  
Email: [adminassistant@applecanyonlake.org](mailto:adminassistant@applecanyonlake.org)

For Office Use Only: \_\_\_\_\_  
Date Received Received By

# Notice to All Property Members - Please Read!

## We Need Your Vote

**BY THE LEGAL COMMISSION**

Are you the designated Voting Member of your Lot? We need your vote in order for the proposed Amended and Restated Declaration of Covenants and Restrictions for the Apple Canyon Lake Property Owners' Association to be recorded for the purpose of replacing, in its entirety, the Apple Canyon Lake Property Owners' Association Amended Declaration to conform to the Common Interest Community Association Act, referred to as the "2017 Declaration".

The proposed changes in Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association needs the **affirmative vote of two-thirds (2/3) of the Voting Members eligible to vote in person or by Written Ballot at a meeting of the Association duly called for the purpose of changing the 2017 Declaration, provided that notice of such meeting shall be sent to all Voting Members at least thirty (30) days in advance, and upon its recording in the Office of the Recorder of Deeds, Jo Daviess County, Illinois.**

There are two-thousand seven hundred forty-three (2,743) Lots in Apple Canyon Lake Property Owners' Association. So, two-thirds (2/3) affirmative votes mean that we need **1,830 affirmative votes in order to change the 2017 Declaration.** Please help us achieve our goal. Ballots will be sent to each eligible Voting Member in January.

The Legal Commission needs each Voting Member to become proactive in the process. To learn about the proposed Amended and Restated Declaration of Covenants and Restrictions, participate in the scheduled Town Hall meetings, read the Apple Core, or visit the ACL Webpage.

Included in this version of the Apple Core are the proposed changes to the Amended and Restated bylaws and the Amended and Restated Declaration of Covenants and Restrictions as of September 23, 2020. Updated versions are available on the Apple Canyon Lake website at [www.applecanyonlake.org/townhall](http://www.applecanyonlake.org/townhall) or they can be picked up from the Administrative Office by calling 815-492-2238 and arranging a pickup time. These documents will be updated as necessary on the webpage as the Legal Commission makes adjustments during the Town Hall and Board of Directors review. We will also have updated versions of the Declaration in the November Apple Core and the Bylaws in December.

## How Do We Know if the Proposed Covenants and Bylaws Are Legal?

### Meet Our Attorney

**BY THE LEGAL COMMISSION**

Apple Canyon Lake Property Owners' Association Attorneys are from Keay and Costello, Wheaton, Illinois. They were hired by the ACL Board of Directors in Spring, 2017.

The attorneys of Keay and Costello have extensive experience representing community associations and cooperatives and understand the needs of Property Owners in homeowner's associations. The scope of their representation extends to virtually every aspect of association operation, at every stage of development. Community Associations Law is the creation and enforcement of the rules that manage a community association and help to maintain its appearance and value.

The attorneys of Keay and Costello have been instrumental in the development of community association law in the State of Illinois and share their expertise on the enforcement of use restrictions and statutory framework which govern homeowners' associations in the State of Illinois.

During the process of reviewing the 2011/2017 Declarations and Bylaws, we were coached by Keith Jones from Keay and Costello. Mr. Jones has extensive experience in preparing and amending association governing documents, such as declarations, bylaws and rules and regulations as well as the enforcement of same. This attorney, Keith Jones, also reviewed many of our other governing documents, Rules and Regulations and Architectural and Environmental Building Code. By having Mr. Jones review all the documents, the Legal Commission was able to align the documents for mirrored language besides editing and advising us on proposed language throughout the three years of the five-year journey! al

## Why Now? Why Are We Being Asked to Understand the Proposed Declaration and Bylaws?

**BY THE LEGAL COMMISSION**

The Legal Commission is one of Apple Canyon Lakes standing Commissions. The charge of the Legal Commission is to "Review the ACLPOA Covenants and Restrictions, Bylaws, Board Policies, and Rules and Regulations and make recommendations to the Board of Directors and membership for changes based on current and perceived future needs of the Association. These recommendations include long range planning and use of private properties as addressed in the governing documents. The Legal Commission shall make reports when appropriate to the membership with the objective of informing and educating the ACLPOA regarding their recommendations. The Commission will prepare a summary of activities and projects the Committee has been involved in over the past year for presentation at the annual meeting."

The Legal Commission has been reviewing, editing, revising, and adding new language to the ACLPOA Covenants and Restrictions and Bylaws for the past five years. Every word, sentence, definition, article and section were reviewed and discussed. It was a long and tedious process. The Commission members working on this task over the past five years included: Rich Krasula, Jody Ware, Steve Jennings, Bill Doran, Sandra Malahy, and David Allgood. Former Commission members include: Marge Clark, Kathy Richards, and Larry Loette.

At this time, the Legal Commission is starting the next chapter of sharing the Proposed Covenants/Declaration and Bylaws with the Board of Directors and Members of Apple Canyon Lake. It is important for the Membership to understand the proposed documents in order to prepare for a vote from the Voting Member of each lot.

The proposed Covenants and Bylaws will be discussed at the September, October and November Board of Directors' meetings. Town Hall Meetings will be held on September 23, October 7, October 21, and October 28. All meetings will be in-person at the Clubhouse, have Zoom access, stream to Facebook Live and be recorded to post on the ACL website. The Legal Commission is requesting your questions, concerns and/or suggestions. There are several ways you can share your questions, concerns, and/or suggestions. They include: a paper document that can be emailed to you, the use of Chat during the Town Hall meetings or a question tab on the ACL website ([applecanyonlake.org/townhall](http://applecanyonlake.org/townhall)).

In November, the Legal Commission is hoping the Board of Directors will carry a motion to send the proposed documents to every Voting Member in the Association during the month of January. A ballot will be included for the Voting Member to vote on approval for the proposed documents.

Why do we need updated governing documents? We need these documents to align with other community instruments used in our Association such as the Architectural and Environment Building Code, Rules and Regulations, and Board Policies. The governing documents protect the Members for decisions made in the Association. Please be part of the process for updating our Covenants/Declaration and ACL Bylaws.

## What Will the Future Bring?

**BY DAVE ALLGOOD, LEGAL COMMISSION MEMBER**

This seems to be the question most asked today. As I see it, the future is what we want it to be and what we set out to achieve for ourselves and for the people we surround ourselves with. Keeping that in mind we should be planning and not dwelling in the past, remember you can't change the past, but you can change the future. Or can we? Is it possible to change things from the past? The answer may surprise you. The Legal Commission has been working on changes to update the governing documents, and some of the work product does go back to visit changes made in the past.

While we could spend days talking about all the recommended changes, I would like to take a moment to just touch on a few from one of those documents, the Declaration.

As you may know, the Declaration is the document that talks about Membership, land use, and building. Land use and building, now that is the part I love to dig into. And rest assured when those articles hit the table, I was excited!

As you look through the proposed changes, you'll see that something different happened, they didn't get more restrictive, in fact the changes were more positive. The Architecture and Environmental Control Committee worked hard to bring things around to support the changing times. Some of the changes that I am happy to see are:

- Changing the minimum square footage on new homes from 1,400 sq. ft. to 1,000 sq. ft.
- Removing the 900 sq. ft. maximum on garages and added logical living space options.
- They took the Association out of the picture on required plumbing inspections and let the owner shop around instead of paying a fee set by AECC.
- They are recommending changes that align with the county codes on things like 35-foot roof height, rather than the current height of 30 feet.
- They also helped with adding more definitions and clarity, so it becomes easier to understand what is required and what is not.

These are just a few of the changes proposed, please take a moment to read through the information that is available and please ask question if you have any.

# Notice to All Property Members - Please Read!

## Vincent, Roth, Toepfer & Leinen, P.C.

**Attorneys and Counselors at Law**

125 E. Main St, Warren, IL 61087  
815-745-2624

11406 Hwy. 20 West, Galena, IL 61036  
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Owners: Rick & Mary Hammer



**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

<p><u>September 23, 2020</u></p> <p><b>APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION</b></p> <p><b>AMENDED AND RESTATED BYLAWS</b></p> <p><u>2019 Version</u></p> <p><b>PREAMBLE</b></p> <p>This instrument is recorded for the purpose of replacing, in its entirety, the Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws (hereinafter referred to as the "2017 Bylaws"), recorded on November 21, 2017 as Document No. 396754 in the Office of the Recorder of Deeds, Jo Daviess County, Illinois.</p> <p>This Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws is adopted pursuant to the provisions of Article XVII, Sections 1 and 2 of the 2017 Bylaws. This Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws, the text of which is set forth below, shall become effective following its approval by the affirmative vote of two-thirds (2/3) of the votes cast by the Voting Members voting at a regular or special meeting of the Voting Members, provided that notice of such meeting shall be sent to all Voting Members at least fourteen (14), and not more than forty (40), days in advance of such meeting, and upon its recording in the Office of the Recorder of Deeds, Jo Daviess County, Illinois.</p> <p>This Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws, as adopted, shall be included among Apple Canyon Lake Property Owners' Association Governing Documents, as amended from time to time, sometimes described as "Community Instruments", which shall be understood to mean all of the following. In the event of any inconsistency in the provisions of any of the Governing Documents, the lower numbered document shall control:</p> <ol style="list-style-type: none"> <li><u>1. Illinois Common Interest Community Association Act ("CICAA") (765 ILCS 160/1-1 et. seq.)</u></li> <li><u>Illinois General Not-For-Profit Corporation Act (805 ILCS 105/101.01 et. seq.)</u></li> <li><u>Articles of Incorporation</u></li> <li><u>Declaration</u></li> <li><u>Bylaws</u></li> <li><u>ACL Building and Environmental Code</u></li> <li><u>Board Approved Policies</u></li> <li><u>Rules and Regulations</u> <b>EFFECTIVE NOVEMBER 6, 2011</b></li> <li><u>Board Approved Committee/Commission Operations and Procedures</u></li> </ol>	<p><u>September 23, 2020</u></p> <p><b>RECITALS</b></p> <p>WHEREAS, the Apple Canyon Lake Property Owners' Association (hereinafter referred to as the "Association"), through its Board of Directors, administers the property legally described in Exhibit "A", which is attached hereto and made a part hereof (hereinafter referred to as "The Properties", as further defined in the Declaration);</p> <p>WHEREAS, the 2017 Bylaws were recorded on November 21, 2017 as Document No. 396754 in the Office of the Recorder of Deeds, Jo Daviess County, Illinois;</p> <p>WHEREAS, the Board and the Owners of the Association desire to amend and restate the 2017 Bylaws, replacing it, in its entirety, with this Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws;</p> <p>WHEREAS, this Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws is adopted pursuant to Article XVII, Sections 1 and 2 of the 2017 Bylaws, having been approved by the affirmative vote of two-thirds (2/3) of the votes cast by the Voting Members voting at a regular or special meeting of the Voting Members, following notice of such meeting sent to all Voting Members at least fourteen (14), and not more than forty (40) days in advance thereof; and</p> <p>WHEREAS, this Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws shall become effective upon recordation in the Offices of the Recorder of Deeds of Jo Daviess County, Illinois.</p> <p>NOW THEREFORE, the 2017 Bylaws are hereby amended and restated as follows:</p> <p style="text-align: center;"><b>ARTICLE I</b> <b>DEFINITIONS</b> <u>Section 1.</u></p> <p>All capitalized terms used, but not otherwise defined in these <u>Apple Canyon Lake Property Owners' Association Amended and Restated Bylaws</u> (hereinafter referred to as the "Bylaws") which are defined in the Amended and Restated <u>Declaration of Covenants and Restrictions, effective November 6, 2014 for Apple Canyon Lake Property Owners' Association</u>, as amended from time to time, (hereinafter referred to as the Restated <u>Declaration/Covenants</u>) shall have the same meaning when used in these Bylaws.</p> <p><u>Section 2.</u></p> <ol style="list-style-type: none"> <li>CICAA shall mean the Common Interest Community Association Act, <u>Public Act 096-1400, (765 ILCS 160), effective July 29, 2010/1 et. seq.</u> as hereafter amended or supplemented under applicable Illinois law.</li> <li><u>Governing Documents, sometimes described as Community Instruments, shall be understood to mean all of the following. In the event of any inconsistency in the provisions of any of the Governing Documents, the lower numbered document shall control:</u></li> </ol>	<p><u>September 23, 2020</u></p> <ol style="list-style-type: none"> <li>CICAA</li> <li><u>Illinois General Not-For-Profit Corporation Act (805 ILCS 105/101.01 et. seq.)</u></li> <li><u>Restated Articles of Incorporation effective November 6, 2014.</u></li> <li><u>Restated Covenants effective November 6, 2014, as amended.</u></li> <li><u>Restated Bylaws, effective November 6, 2011 Covenants, as amended.</u></li> <li><u>These Bylaws, Rules and Regulations, revised September 20, 2009, as adopted and amended from time to time.</u></li> <li><u>ACL Building &amp; Environmental Code</u></li> <li><u>Board Approved Policies, as adopted and amended from time to time.</u></li> <li><u>Rules and Regulations, as adopted and amended from time to time.</u></li> <li><u>Board Approved Committee/Commission Operations and Procedures, as adopted and amended from time to time.</u></li> </ol> <p><u>be.</u> <u>Restated "Articles of Incorporation"</u> shall mean the Restated Articles of Incorporation approved by the <u>members Voting Members</u> of the Association, <u>to be effective on November 6, 2014, as amended.</u></p> <p><u>cd.</u> <u>"The Apple Core"</u> shall mean the newspaper published periodically (typically monthly) by the Association and sent postage prepaid via the United States Postal Service to all Owners and <u>Voting Members</u> at their last known address, and available on the Association website as of the date of publication and mailing, which contains notices of all regular and special meetings of the Association's <u>Voting Members</u> and its Board of Directors, and information, news and commentary with respect to the Common Properties and Facilities, and the activities, finances and projects of the Association. Publication of notices of meetings, Association documents, including but not limited to the annual budget, annual and special dues and assessments, fees, minutes of the meetings of the Board and the Committees and <u>Commissions</u> of the Association shall constitute notice as required by law and Association's Governing Documents, which shall be deemed to have been sent to all Owners and <u>Voting Members</u> on the day it is mailed. The Board shall adopt policies regarding the publication of any and all materials to be printed in <u>The Apple Core</u>, which shall be administered by the Editorial Review <u>Commissiontee</u>. (See Article <u>XXXI</u>, Section <u>182</u>.)</p> <p><u>de.</u> <u>"Voting Member Ticket"</u> shall mean a petition signed by fifty (50) Voting Members which identifies the name(s) of the <u>Member/Owner</u> whose name is to be added to the Ballot by the Nominating Committee along with all other candidates to be elected to the Board by the Voting Members at the next election, as provided in Article <u>VHVI</u>, Section 5 of these Bylaws.</p> <p><u>ef.</u> <u>"Ballot Envelope"</u> shall mean an envelope clearly designated on the outside as a Ballot Envelope, which shall be used by Voting Members to insert the Written Ballot(s) the Voting Member(s) is casting in any election. The Ballot Envelope</p>
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**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

September 23, 2020

shall contain no information that would identify the Voting Member using it or the nature of the vote being cast by said Voting Member.

fg. "Return Envelope" shall mean an envelope prepared by the Association and sent to each Voting Member for the purpose of being used for the return of Ballot Envelopes to the Association in connection with all votes being conducted by the Association. All Return Envelopes shall be addressed to the offices of the Association, and shall have clearly designated on the outside the identity of the Voting Member to whom it was sent, and the identification of each Lot or Dwelling for which the Voting Member has the right to cast Written Ballots.

gh. "Nominating Committee Guidelines" shall mean the written procedures adopted by the Nominating Committee and approved by the Board that shall be followed by the Nominating Committee in the recruitment and interviewing of candidates for the Board, and for providing the Voting Members with all relevant information concerning those candidates who seek to be elected to the Board at the next annual meeting. (See Article XIII, Section 310.)

hi. "Tellers Committee Commission Guidelines" shall mean the written procedure procedures adopted by the Tellers Committee Commission and approved by the Board prior to the annual meeting that shall be followed by the Tellers Committee Commission when it counts all Written Ballots cast on all matters during that year. (See Article XIII, Section 417(a).)

**ARTICLE II  
MEMBERSHIP**

Section 1. Membership is defined. Membership in the Association shall be as provided in Article IV, Section 1 of the Restated Declaration Covenants, which provides:

~~Section 1. Membership in the Association shall be the privilege of each Natural Person, and his or her spouse, who is the legal or equitable Owner of any Lot or Dwelling; except that no Lot or Dwelling shall have as Owners more than three (3) Natural Persons, including their spouses. Any Legal Entity which owns any Lot or Dwelling may designate one (1) Natural Person, including his or her spouse, as a Member of the Association. Each such designation by a Legal Entity shall be in writing and shall provide the name, address and telephone number of the Member, including any spouse, which person shall be the Voting Member as defined in Section 2. After the initial designation, changes in the identity of the Voting Member can be made only with the approval of the Board, or upon a showing that the change in the identity of the Voting Member has resulted from a bona fide change in the ownership interest of the Legal Entity making the request. The Board's decision in all such matters shall be binding and final. Any Natural Person or Legal Entity that holds a legal or equitable interest in any Lot or Dwelling as security for the performance of an obligation shall not be a Member. Every Member, including any spouse of a Member, shall provide the Association with his or her current mailing address and telephone number.~~

Section 2. The membership rights of any Natural Person who is the legal or equitable Owner of any Lot, or is the designated Member of any Lot owned by a Legal Entity, or of any Occupant ~~is~~ subject to the payment of any and all annual and special assessments on all

September 23, 2020

Lots and Dwellings owned by said ~~Member~~Owner. Whether or not he or she is personally obligated to pay such dues or assessments, any Member's rights to use the Common Properties and Facilities may be suspended by action of the Board during the period when the dues or assessments remain unpaid. Upon payment of the unpaid dues and assessments, his or her rights and privileges shall be automatically restored.

Section 3. ~~Any person, who is the spouse of a Member, if appointed by the Board, shall be eligible to serve as full member of any committee, subcommittee or any other body of the Association. Where the record owner of any lot or living unit is an entity (living trust, land trust, partnership, corporation, etc.) the record owner may designate one Natural Person as the Member of the Association. The spouse of the Member so designated shall also be eligible to serve as a full member of any committee, subcommittee or other body of the Association.~~

~~Section 4. Pursuant to Article V, Section 3 of the Restated Declaration Covenants, the Board may from time to time adopt, amend and publish and publish Rules and Regulations governing the use of the Common Properties and Facilities, the Properties, the Lots and Dwellings and the personal conduct of persons using all of the Common Properties and Facilities same. The Board in its discretion may levy fines, penalties or other charges and/or suspend the Member's Owner's right to use such Common Properties and Facilities for violation of such Rules and Regulations.~~

The Board may adopt such rules, regulations, guidelines and procedures from time to time, and provide for the creation of an appeals board to which ~~Members~~Owners who are issued citations for the violation of any rule or regulation may appeal. (See, Article VIII, Section, 1(e)-(pk).)

~~XXX~~

**ARTICLE III  
VOTING RIGHTS**

The voting rights of members ~~Members~~ are as set forth in Article IV, Section 2, of the Restated Declaration Covenants, which provides:

~~Section 2. Voting Rights. One Voting Member. The Owners of each Lot or Dwelling shall designate one Natural Person as the Voting Member for said Lot or Dwelling. Only the Voting Member, as defined in Article I, Section 1(x), shall be entitled to vote at any regular or special meeting of the Association, and only the Voting Member shall be sent notice of any regular or special meeting of the Association. In the event there are multiple Owners of a Lot or Dwelling who are Natural Persons, including their spouses, and they fail to designate one Natural Person as the Voting Member, the first person named in the deed conveying title to the Lot or Dwelling shall be deemed to be the Voting Member. In the event a Lot or Dwelling is owned by a Legal Entity, it shall designate one Natural Person to be the Voting Member. The failure of a Legal Entity to~~

September 23, 2020

~~designate a Voting Member shall be a bar to the right to vote on any matter, and the vote of such Lot or Dwelling shall not be counted for the determination of a quorum. Owners, other than a Legal Entity, may change the designation of the Voting Member at any time by delivering to the Association a written designation, signed by all of the Owners of the Lot or Dwelling, which contains the Voting Member's name, address and telephone number. Any such change in the designation of the Voting Member shall be effective when received by the Association.~~

~~Every Lot or Dwelling shall be entitled to one vote, provided that all assessments, charges, fees and fines which are due the Association are paid in full at the time of the vote. If the Association owns any Lot or Dwelling, it shall not have the right to cast any vote, and the vote of any such Lot or Dwelling shall not be counted for the purpose of determining a quorum. The total number of votes shall not exceed the total number of Lots or Dwellings in the Properties. The vote of a Lot or Dwelling shall not be divisible. If there is a dispute between or among the multiple Owners of a Lot or Dwelling as to who shall be the Voting Member, the vote for any such Lot or Dwelling shall not be counted for any purpose, including determining a quorum. For purposes of determining the votes allowed under this section, when Dwellings in Multifamily Structures are counted, the Lot or Lots upon which such Dwellings are situated shall not be counted.~~

**ARTICLE IV**

**PROPERTY RIGHTS AND RIGHTS OF ENJOYMENT OF COMMON PROPERTIES**

Section 1. Each Member shall be entitled to the use and enjoyment of the Common Properties and Facilities as provided by Article V of the Restated Covenants.

Section 1. Any Member may delegate his or her rights of enjoyment in the Common Properties and Facilities to any Occupant as defined in Article I, Section 1(y) of the Restated Covenants in accordance with such Rules and Regulations as may be adopted by the Board from time to time. The rights and privileges of all such Occupants are subject to suspension under Article II, Sections 2 and 4 of the Bylaws to the same extent as those of the delegating Member.

Section 2. Without limiting the generality of Section 2, Members may be permitted to introduce guests to use the Common Properties and Facilities only in accordance with the Rules and Regulations adopted by the Board from time to time. The rights and privileges of such guest are subject to suspension under Article II, Sections 2 and 4 of these Bylaws to the same extent as those of the Member introducing such guests.

**ARTICLE V  
ASSOCIATION PURPOSES AND POWERS**

Section 1. The Association has been organized for the purposes as set forth in Article 5 of the Restated Articles which provides: Articles of Incorporation and for the purposes as outlined within the Restated Declaration Covenants.

To promote the health, safety and welfare of the property owners, residents and guests within all lots and properties (collectively, "The Properties") in Branigar's Apple Canyon Lake Subdivision in Jo Daviess County, Illinois, in accordance with plat thereof recorded with the Recorder of Deeds of Jo Daviess County, and such additions thereto as may hereafter be brought within the jurisdiction, functions, duties and membership of the

COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020

September 23, 2020

Association by annexation as provided in the Restated Covenants, effective November 6, 2011, recorded with the Recorder of Deeds of Jo Daviess County, Illinois (as the same may be hereafter amended and supplemented, the Restated Covenants), for the purpose to own, acquire, build, operate and maintain a man-made reservoir, recreational waterway, recreation parks, playgrounds, swimming pools, golf courses, commons, streets, footways, including buildings, structures and personal properties incident thereto (the Common Properties and Facilities); pay any taxes assessed with respect thereto; provide any services normally provided by municipalities such as fire and police protection, enforce any and all covenants and restrictions applicable to The Properties and the Common Properties and Facilities and, insofar as permitted by law, do any other thing that, in the opinion of the Board of Directors, will promote the common benefit and enjoyment of the owners, residents and guests of The Properties and the Common Properties and Facilities.

Section 2. Additions to the Properties may be made only in accordance with the applicable provisions of the Restated Declaration Covenants. The Association shall have power to dispose of the Common Properties and Facilities, and the Reserved Properties only as authorized by the applicable provisions of the Restated Declaration Covenants.

Section 3. Subject to the applicable provisions of the Restated Declaration Covenants, and to the extent provided by law, the Association may participate in mergers and consolidations. Any such merger shall be adopted only upon a resolution adopted by the Board of Directors and approved by at least two-thirds of the votes cast by the Voting Members at a special meeting of the Association duly called for such purpose, written notice of which shall be given at least sixty (60) ten (10) and not more than thirty (30) days in advance to all Voting Members. At any such meeting a quorum shall consist of twenty percent (20%) of the votes of all Voting Members eligible to vote at such meeting.

Section 4. Subject to the following sentence, the Association may incur indebtedness for borrowed money or mortgage, pledge or grant security interests in the Common Properties and Facilities as determined from time to time by the Board of Directors. The Association shall not incur indebtedness in an amount that would result in the total principal amount of all indebtedness of the Association then outstanding, after giving effect to such incurrence, to exceed the total annual assessments, fees and other revenue of the Association from all sources for the most recently completed fiscal year of the Association, without the prior approval of a majority of the votes cast by the Voting Members at a Special Meeting of the Association duly called for such purpose, written notice of which shall be given at least ten (10) and not more than thirty (30) days in advance of said meeting. At any such meeting a quorum shall consist of twenty percent (20%) of the votes of all Voting Members.

Section 5. The Association may be dissolved only upon a resolution adopted by the Board of Directors and approved by at least two-thirds (2/3) of the votes cast by the Voting Members at a special meeting of the Association duly called for such purpose, written notice of which shall be sent at least sixty (60) days in advance of said meeting. At any such meeting a quorum shall consist of twenty percent (20%) of the votes of all Voting Members. Upon dissolution of the Association, the Common Properties and Facilities and the Reserved Properties shall be dedicated to an appropriate public entity to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. In the event that such dedication is refused acceptance, the Common Properties and Facilities and the Reserved

September 23, 2020

Properties shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. No such disposition shall be effective to divest or diminish any right or title of any Member Owner vested in such Member Owner under the Restated Declaration Covenants unless made in accordance with the applicable provisions of the Restated Declaration Covenants.

ARTICLE V  
BOARD OF DIRECTORS

Section 1. The affairs of the Association shall be managed by a Board of Directors (hereinafter referred to as the Board) each of whom must be an Owner and/or a Voting Member of the Association while serving on the Board. If there are multiple Owners of a single unit lot, only one of the multiple Owners shall be eligible to serve as a member of the Board at any one time, unless the unit owner owns another unit lot independently.

Section 2. The Board shall consist of nine (9) members, three (3) of whom are elected by the Voting Members of the Association at each annual meeting and shall hold office for a term of three (3) years or until their successors are elected or appointed, and shall not be compensated for their service, but may be reimbursed for reasonable expenses actually incurred. No member of the Board may be engaged as an employee of the Association. Upon the adoption of the Bylaws all Board members who are then serving terms shall continue to serve until the annual meeting in June of the year when the term he or she is then serving expires.

Vacancies on the Board shall be filled by a two-thirds (2/3) vote of the remaining members of the Board until the next annual meeting of Voting Members or until Voting Members holding twenty percent (20%) of the total votes of the Voting Members Association request a special meeting to fill the vacancy, in either case for the balance of the term. If a special meeting is called to fill the vacancy, the special meeting shall be held no later than thirty (30) days following the filing of the petition for the Special Meeting. Notice shall be given pursuant to Article XIV, Section 3. If the Board is unable to fill the vacancy or if there are no longer at least six (6) Board members, the remaining Board members shall call a special election within ninety (90) days of the vacancy occurring to fill the vacancies.

Any duly appointed member of the Board is to hold office until his or her term expires or until his or her successor is elected by the Voting Members, or until the death, resignation or removal of the Board member.

ARTICLE VII

Section 3. New Board members shall as soon as practicable after being elected or appointed, complete a form providing the General Manager with his or her regular mailing address, telephone and fax number(s) and email address(es), if applicable. Any changes shall be communicated to the General Manager promptly.

September 23, 2020

ARTICLE VI  
VOTING PROCEDURES  
ELECTION OF DIRECTORS

Section 1. Election to the Board and votes on all matters and issues requiring a vote of the Voting Members shall be by Written Ballot as described in Article XXIV and as provided herein. On any vote requiring approval of the Voting Members or on any election, the Voting Member may cast, in respect to each issue being voted upon, or for each Board vacancy, as many votes as he or she is entitled to exercise under the provisions of Article III of these Bylaws. The Members Owners receiving the largest number of votes shall be elected to the Board. In case of a tie, the outcome shall be determined by a coin toss conducted by the General Manager at the annual meeting.

Section 2. Nominations for election to the Board shall be made by a Nominating Committee described in Article XXII, Section 3.10 of the Bylaws. Nominations may also be made by petition on a Voting Members Ticket as provided in Section 5 below.

Section 3. The Association shall maintain a current list of all Voting Members, which shall identify every Lot or Dwelling for which a Member individual is designated as the Voting Member. The Association shall send by first class mail in one envelope to each Voting Member the number of Written Ballots said Voting Member is entitled to cast, along with the Notice of the annual or special meeting and a description of the candidates who were nominated for election to the Board, or a description of the issue to be voted upon. Written Ballots shall be mailed to the Voting Members at least thirty (30) days but not more than forty-five (45) days in advance of the date on which the Written Ballot is to be cast.

Each Voting Member shall receive as many Written Ballots as he or she has votes. Notwithstanding that a Voting Member may be entitled to several votes, he or she shall exercise on any one Written Ballot only one vote for each vacancy shown thereon, or each issue described thereon. In the event that multiple positions on the Board are up for election at an election meeting, the Voting Member need not cast a vote for every candidate on the Written Ballot for a candidate to fill every Board position which is up for election, but cumulative may not cast more than one (1) vote on each Written Ballot for any particular candidate. Cumulative voting shall not be permitted. The completed Written Ballots shall be placed in the Ballot Envelope provided and returned in the Return Envelope provided.

Section 4. Upon receipt of each Return Envelope, the General Manager shall verify that the Voting Member whose name appears on the Return Envelope is authorized to cast Written Ballots for each Lot or Dwelling listed on the outside of the Return Envelope. The Return Envelopes shall be placed in a secure place until the date set for the annual or special meeting at which the votes are to be counted. On that day, the Return Envelopes containing the Ballot Envelopes shall be given, unopened, to the Tellers Committee. Written Ballots may also be cast in person on the day of the annual meeting or special meeting up until the deadline for casting a vote, by placing the Written Ballot in the Ballot Envelope into the designated ballot box, after the Voting Member's right to vote has been verified by the Tellers Committee. A Voting Member who had previously submitted a Return Envelope prior to the meeting at which the Written Ballots are to be counted, may, prior to the meeting upon verification of said

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

<p><u>September 23, 2020</u></p> <p>Voting <del>Members</del>Member's eligibility to <del>vote and up until the deadline for casting a</del> vote, request that his or her Return Envelope be returned and that a new Written Ballot(s) and a new Ballot Envelope be supplied to permit such Voting Member to submit <del>an</del> new Ballot Envelope and a new Written Ballot.</p>	<p><u>September 23, 2020</u></p> <p>other corporate documents and to direct the financial affairs of the Association, and obtain adequate and appropriate insurance, and approve the annual budget for the Association.</p>	<p><u>September 23, 2020</u></p> <p><del>part of the Common Properties or Facilities or to the life, health, safety or property of the Owners.</del></p>
<p>Section 5. Voting Members Ticket. Additional nominations of eligible <del>Owners or Voting</del> Members for election to fill one of the vacancies on the Board, which shall be known as a Voting Members Ticket may be made by <del>Voting Members having at least fifty (50) total votes of Voting Members in the Association</del> presenting a signed petition to the chair of the Nominating Committee not less than sixty (60) days preceding the date of the annual meeting. The Voting Members Ticket shall identify the name of the <del>Owner or Voting Member</del> and, if he or she meets the qualifications of Article <del>IV</del>V, Section 1, <del>then</del> his or her name shall be included on the Written Ballot sent to all Voting Members.</p>	<p>e. To prepare and adopt each year an annual budget which shall identify the Association's projected income and expenses for the next year, which shall include an appropriate amount for the repair and replacement of the Association's Common Properties and Reserved Properties, its facilities and equipment, and shall provide an indication of which portions are intended for reserves, capital expenditures, repairs and the payment of real estate taxes. The annual budget shall include a statement of the annual assessment to be paid by the <del>Members</del>Owners for the next year, and the fees to be charged for the next year. <del>Said a copy of the proposed annual budget shall be published in The Apple Core and posted on the Association's website, communicated to each Owner/Voting Member at least thirty (30) days, but not more than sixty (60) days, prior to the meeting of the Board at which the budget is adopted.</del></p>	<p><del>k. To adopt separate assessments payable over more than one fiscal year. With respect to such multi-year assessments not covered by subsections (i) and (j) above, the entire amount of the multi-year assessment shall be deemed considered and authorized in the first fiscal year in which the assessment is approved.</del></p>
<p>Section 6. If no election is held to elect Board members within the time period specified in <del>the</del>these Bylaws, or within a reasonable amount of time thereafter, not to exceed <del>ninety (90) days</del>, then <del>Voting Members having at least twenty-percent (20%) of the total votes of the Voting Members</del>Association may bring an action to compel compliance with the election requirements specified in the Bylaws. If the court finds that an election was not held to elect members of the Board within the required period due to the bad faith acts or omissions of the Board, the Voting Members shall be entitled to recover their reasonable attorney's fees and costs from the Association. If the relevant notice requirements have been met and an election is not held solely due to a lack of a quorum, then this Section 6 does not apply.</p>	<p>f. To provide all <del>members by publication in The Apple Core and on the Association's website</del>Owners/Voting Members with a reasonably detailed summary of the receipts, common expenses and reserves for the preceding budget year.</p> <p>g. To either (i) make available for review to all <del>members</del>Owners/Voting Members an itemized accounting of the common expenses for the preceding year actually incurred or paid, together with an indication of which portions were for reserves, capital expenditures or repairs or payment of real estate taxes with a tabulation of all amounts collected, stating the net excess or deficit of income over expenditures plus reserves; or (ii) provide a consolidated annual independent audit report of the financial status of all fund accounts of the Association.</p>	<p><del>l. To maintain a current roster of all Lots and Dwellings, all of the Owners thereof, the Voting Member designated for each Lot and Dwelling, and the annual and special assessments applicable thereto. Such records shall be kept in the office of the Association and shall be open for examination and copying at convenient hours of weekdays by any Member/Owner or their authorized agent. To prepare an annual directory of the names and addresses of all Members/Owners and make it available to all Members/Owners upon request and the payment of a reasonable fee.</del></p>
<p><b>ARTICLE <del>VII</del>VIII</b></p> <p><b>POWERS AND DUTIES OF THE BOARD OF DIRECTORS</b></p> <p>Section 1. The Board of Directors shall exercise for the Association all powers, duties and authority vested in the Association by law, including but not limited to the provisions of C/CAA, as amended and in effect from time to time, or by the Restated <del>Declaration</del>Covenants, or by the Bylaws, as amended and in effect from time to time, except for such powers, duties and authority reserved by law or by the Restated <del>Declaration</del>Covenants to the <del>Voting</del> Members.</p> <p>The duties of the Board shall include, but not be limited to the following:</p>	<p><del>h. If the Board determines that to balance the annual budget an increase in the annual assessment must be levied, the Board may increase the annual assessment prospectively for the following year or for any future period. If the adopted budget or any separate assessment adopted by the Board results in the sum of all regular and separate assessments payable in the current fiscal year exceeding one hundred fifteen percent (115%) of the sum of all regular and separate assessments payable during the preceding year, upon the written petition of twenty percent (20%) of the votes of the Voting Members delivered to the Board within 14 days of the Board's action, the Board shall call a special meeting of the Voting Members to be held within thirty (30) days of the date said petition is delivered to the Board to consider the said budget. Unless a majority of the total votes cast at said meeting reject the budget or separate assessment, it shall be deemed ratified. If the budget is not ratified, the Board shall submit a new budget to the Voting Members, and the procedures set forth in this section shall be repeated until a budget for the next year has been adopted.</del></p>	<p><del>m. To borrow such amounts as are required to preserve and maintain the Common Properties and Facilities in accordance with the provisions of Article <del>IV</del>V, Section 4 of the Bylaws.</del></p> <p><del>n. To adopt, publish and make available to the Owners and Voting Members rules and regulations governing the use of the Common Properties and Facilities, the Properties, the Lots and Dwellings and the personal conduct of the Owners, Members, their Occupants and their guests while thereon.</del></p>
<p>a. To elect from the Board members at the first meeting following the annual meeting the President, Vice-President, Treasurer and Secretary, and appoint such other persons who are authorized to serve as Assistant Treasurer or Assistant Secretary, and define their duties.</p> <p>b. To meet at least four (4) times annually.</p> <p>c. To provide for the operation, care, upkeep, maintenance, replacement and improvement of the Common Properties and Facilities and the Reserved Properties and Facilities, including the method of approving payment vouchers.</p>	<p><del>i. To adopt separate assessments for additions and alterations to the Common Properties and Facilities or the Reserved Properties which are not included in the adopted annual budget, which shall be separately assessed and are subject to the approval of a majority of the total Voting Members in the Association voting at a special meeting called for that purpose. Any common expense not set forth in the annual budget or any increase in assessments over the amount adopted in the budget shall be separately assessed against the members.</del></p>	<p><del>o. To suspend the enjoyment rights of any Member/Owner for any period not to exceed ninety (90) days for any infraction of its published rules and regulations, after the Owner has been given notice of the infraction and an opportunity to be heard.</del></p>
<p>d. To provide sound financial planning and financial controls, including adopting authorizations identifying those persons who are authorized to sign Association checks and</p>	<p><del>j. To adopt separate assessments for expenditures related to an emergency or for expenditure mandated by law, which assessments may be adopted by the Board without Voting Member approval. Emergency means an immediate danger to the structural integrity of any</del></p>	<p><del>p. To establish fines for noncompliance with the Restated <del>Declaration</del>Covenants, the Bylaws and the Rules and Regulations, after the Member/Owner has been given notice of the infraction and an opportunity to be heard.</del></p> <p><del>q. To maintain and make available for inspection and copying the Restated Covenants, the Restated Articles of Incorporation, the Bylaws, the Rules and Regulations adopted by the Board, and Board Policies; those Association records outlined within Section 1.30(i) of the C/CAA. Such records shall be kept in the office of the Association and shall be open for examination and copying at convenient hours of weekdays by any Member/Owner or their authorized agent, upon payment of a reasonable charge.</del></p> <p><del>r. To call special meetings of the Voting Members whenever it deems necessary, or at any time upon the written request of one hundred voting Members holding twenty-five (12.5) percent (20%) of the total votes of the Voting members Association.</del></p>

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

[September 23, 2020](#)

~~tp.~~ To obtain and maintain fidelity insurance covering persons who control or disburse funds for the Association for the maximum amount that is commercially reasonable available or reasonably required to protect funds that are in the custody and control of the Association.

~~u.~~ ~~To cause to be kept and made available for examination and copying at convenient hours of the weekdays by any Owner, all Governing Documents, records in chronological order of the receipts and expenditures affecting the Common Properties and Facilities; all contracts, leases and other agreements entered into by the Board; minutes of all meetings of the Board for a period of not less than seven (7) years; Written Ballots for a period of not less than one year; such other records of the Board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the General Not For Profit Corporation Act of 1996; and with respect to any Legal Entities that own Lots or Dwellings, the designation of the Natural Person authorized to vote as a Voting Member. Charges for retrieving and copying any such records shall be made pursuant to Article XVI, Section 4.~~

~~vq.~~ To exercise oversight and direction over the General Manager's performance, to evaluate annually the General Manager's performance, and to provide the General Manager with a written evaluation report.

~~wr.~~ To cause an appropriate officer to issue, upon demand by any person, and upon payment of a reasonable service fee as determined by the Board, a certificate setting forth whether any and all assessments applicable to any Lot or Dwelling have been paid. Such certificate shall be conclusive evidence that any assessment therein stated to have been paid, has been paid.

~~xs.~~ In the event of any resale of any Lot or Dwelling, to make available for inspection to the prospective purchaser, upon demand, all such documents as required by law including, but not limited to:

1. A copy of the Restated [Declaration/Governments](#), the Bylaws, and all Rules and Regulations.
2. A statement of any liens or unpaid assessments, dues or other charges due and owing from said property.
3. A statement of any capital expenditures anticipated by the Association within the current or succeeding two (2) fiscal years.
4. A statement of the status and amount of any reserve for replacement fund and any portion of such fund earmarked for any specified project by the Board.
5. A copy of the statement of financial condition of the Association for the last fiscal year for which such a statement is available.
6. A statement of the status of any pending suits or judgments in which the Association is a party.
7. A statement setting forth what insurance coverage is maintained by the Association.

The General Manager shall furnish the required documents within thirty (30) days of receiving a written request for such information. Charges for retrieving and copying any such records shall be made pursuant to [Article XVI, CICA](#) Section 4. 1-30(i)(3).

[September 23, 2020](#)

- ~~yt.~~ To analyze trends and provide long-range plans for the future of the Association.
- ~~zu.~~ To determine and establish Board policies related to basic operation of the Association.
- ~~av.~~ To provide for official publications of the Association, including but not limited to *The Apple Core* and the ACLPOA website.
- ~~bbw.~~ To delegate any of its powers in the course of operation to any [committee/Committee](#), officer, employee or agent as permitted by law.

~~ARTICLE VIII~~  
**BOARD MEETINGS**

~~Section 3. Section 1. Section 4. Regular Meetings.~~ A Regular Meeting of the Board of Directors shall be held not less than four (4) times each year at such times as the Board may fix. The ~~place, date, time and hour~~ location of all regular meetings shall be posted and published in *The Apple Core*, at the ~~clubhouse-administrative offices~~ and on the Association's website – at least forty-eight (48) hours prior to the meeting. If a Regular Meeting needs to be rescheduled, the date, time and location of the rescheduled meeting shall be posted on the Association's website and at the clubhouse at least forty-eight (48) hours prior to the meeting.

~~Section 2. Special Meetings.~~ Special Meetings of the Board may be called by the President, or at least twenty-five percent (25%) of the members of the Board, ~~or upon the written request of fifty (50) or more votes of.~~ Notices of Special Meetings of the Board shall be given to all members of the Board, Owners and Voting Members who shall submit the request to the President at the office of the at least forty-eight (48) hours prior to such meeting setting forth the date, time, location of such meeting and the matter or matters to be acted upon by the Board at such meeting. Notice shall be given by either (i) United States Mail, postage prepaid, sent to recipient's address on file with the Association, or (ii) by hand delivery, or (iii) by any commonly used electronic media, including but not limited to, email or facsimile, pursuant to electronic communication policies adopted from time to time by the Board, provided that the recipient has provided the Association with his or her fax number or email address or other address for receipt of such electronic communication. Alternatively, instead of providing Owners individually with such notice, copies of such notice shall be posted at the administrative offices and on the Association's website at least forty-eight (48) hours prior to such Special Meeting.

~~Section 3. Notice of Special Meetings And All Meetings Concerning Budget Matters.~~ All Special Meetings of the Board, and any regular meeting at which the Board proposes to act upon the annual budget of the Association or consider any annual or special assessments (referred to herein as Budget Matters), shall be held only after notice has been given to all members of the Board, all Voting Members and all Owners at least thirty (30) days but not more than sixty (60) days, prior to such meeting, in accordance with Section 4, setting forth the date, time, and location of such meeting and the matter or matters to be acted upon by the Board at such meeting. However, if a majority of the members of the Board determines that a Special Meeting of the Board must be held on an expedited schedule, notice of such meeting may be given to Notice shall be sent to all Owners and Voting Members by any means practicable within at least forty-eight (48) hours but not more than ten (10) days prior to such meeting. Notice of a Special Meeting of the Board on an expedited schedule may be by posting

[September 23, 2020](#)

~~notice on the Association's website, using any telephonic or electronic communication device, and by posting notice at the Clubhouse and other conspicuous places on the Common Properties, and by United States Mail, postage prepaid, if time permits.~~

~~Section 4. Methods for Notice.~~ Notice of any Special Meeting of the Board or of any regular meeting of the Board at which Budget Matters will be acted upon shall be sent to the members of the Board (i) by United States Mail, postage prepaid, sent to recipient's address on file with the Association, or (ii) by hand delivery, or (iii) by any commonly used electronic media, including but not limited to, email or facsimile, pursuant to electronic communication policies adopted from time to time by the Board, provided that the recipient has provided the Association with his or her fax number or email address or other address for receipt of such electronic communication. Notice Alternatively, instead of such meeting shall be provided to all providing Owners and Voting Members and all other Owners by publication individually with such notice, copies of such notices shall be published in *The Apple Core* and posted on the Association's website and by posting notice at the clubhouse administrative offices, or as otherwise authorized under applicable law, or as permitted in Section 3 for a special meeting called on an expedited schedule.

~~New Board members shall as soon as practicable after being elected or appointed, complete a form providing the General Manager with his or her regular mailing address, telephone and fax number(s) and email address(es), if applicable. Any changes shall be communicated to the General Manager promptly.~~

~~Section 45. Attendance Constitutes Waiver of Notice.~~ The presence of any Board member or Voting Member at any meeting shall constitute a waiver of the form and time of notice, unless said person states that he or she is present solely to object to the notice, and does not thereafter vote in respect of any action taken at such meeting.

~~Section 56. Place and Purpose of Special Meetings.~~ The place, hour and purpose of each special meeting and any regular meeting dealing with Budget Matters Special Meeting shall be set forth in the notice and publication of such Meeting as provided in Section 4.2 of this Article. No business may be transacted at any special meeting, or in respect of any Budget Matters at any regular meeting, except that mentioned in the Notice of such meeting. No action of the Board of Directors may conflict with any official action taken by the Voting Members at a regular annual Annual or Special Meeting of the Voting Members.

~~Section 67. Owner's and Voting Member's Comments.~~ A portion of every meeting of the Board must be reserved for comments by the Owners and Voting Members, provided, however, the duration and meeting order for Owners and Voting Members' comments is within the sole discretion of the Board.

~~Section 78. Meetings Open to Owners and Voting Members.~~ All regular and special meetings of the Board shall be open to all Owners and Voting Members. All Association business is to be conducted at open meetings, except when the Board determines in its discretion to meet in executive session, either associated with a noticed meeting or separately from a noticed meeting, for the following purposes:

- a. to discuss litigation when an action against or on behalf of the Association is being contemplated or has been filed and is pending in a



**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

<p><u>September 23, 2020</u></p> <p><del>court or administrative tribunal or when the Board finds that such an action is probable or imminent.</del></p> <p>b. to discuss third-party contracts or information regarding _____ appointment, employment, engagement or dismissal of an employee, _____ independent contractor, agent, or other provider of goods and services;</p> <p>c. to interview a potential employee, independent contractor, agent or other _____ provider of goods and services;</p> <p>d. to discuss violations of the Association's rules and regulations;</p> <p>e. to discuss <del>or consider a Member's</del> <u>an Owner's</u> failure to pay any annual or special assessment, or common expenses due the Association; <u>or</u></p> <p>f. to consult with the Association's legal counsel.</p> <p><del>All executive session meetings shall be held in the Association clubhouse or in the Board Room, unless they are unavailable. Any vote on these matters shall be taken at a meeting or portion thereof open to the Owners and Voting Members.</del></p> <p><b>Section 89. Participation by Telephone.</b> Members of the Board may participate in any meeting by the use of any means of communication, including audio conference or conference telephone call, by which all Board members participating in the meeting may simultaneously hear each other, and participation in a meeting in such manner shall constitute presence in person at the meeting.</p> <p><b>Section 94Q. Quorum.</b> A quorum shall consist of a majority of the members of the Board, incumbent at such time. <del>In no case shall fewer than five (5) votes carry any question voted upon by the Board. In no case shall fewer than five (5) votes carry any question voted upon by the Board.</del></p> <p><b>Section 104. Unanimous Board Written Consent.</b> Any action required by law <u>the Restated Declaration Covenants or these</u> Bylaws to be, or which may be, taken at a meeting of the Board may be taken without a meeting if a <u>unanimous</u> consent in writing, setting forth the action so taken, shall be signed by all Board members entitled to vote with respect to the subject matter.</p> <p style="text-align: center;"><b>ARTICLE IX REMOVAL OF DIRECTORS</b></p> <p>Section 1. One or more members of the Board of Directors may be removed by the affirmative vote of two-thirds <u>(2/3)</u> of the total Voting Members in the Association at a duly called special meeting of the Voting Members pursuant to this Article <u>XIX</u>.</p>	<p><u>September 23, 2020</u></p> <p>Section 2. The call for removal may be made by any four (4) or more members of the Board, or upon written request of <del>one hundred twenty-five (125) or more of the votes of Voting Members.</del> Voting Members having at least one hundred twenty-five (125) of the total votes in the Association. Such call for removal shall specifically name the Board member(s) whose removal is sought. If such a call for removal takes place, then a special meeting of the Voting Members shall be called, within sixty (60) days of the call for removal having been received, for the purpose of voting on the removal of the Board member(s) named in the call for removal. The meeting notice for such special meeting shall state that a purpose of the special meeting is to vote upon the removal of the Board member(s) named in the meeting notice. Only the Board member(s) named in meeting notice may be removed at such meeting. At such meeting, prior to the vote for removal taking place, the individuals seeking removal of the Board member(s) shall be given an opportunity to present their reason(s) for seeking such removal and the Board member(s) whose removal is sought shall be given an opportunity to present their defense(s). <u>The vote shall be taken pursuant to Article VI.</u></p> <p><del>Section 3. The call for removal shall identify the causes that support removal. The causes for removal shall include, but not be limited to, failure to attend fifty percent (50%) of the regular meetings of the Board in the twelve (12) month period following the annual meeting, or violation of the Restated Covenants, the Bylaws, or the Association's Rules and Regulations, or failure to pay any amounts that are due the Association, or dereliction of duty, or conduct which tends to injure the good name of the Association, disturb its well-being or hamper its work.</del></p> <p><del>Section 4. The offending charges and specifications of these charges shall be included in the call for removal by those who call for the removal and shall be submitted to the President in writing at a regular or special meeting at which time the Board member shall be provided a copy of the call for removal. The offending Board member shall be given no more than thirty (30) days to submit his or her defense, which shall be in writing and submitted to the President at the office of the Association.</del></p> <p><del>Section 5. The call for removal and the Board member's defense of these charges shall be presented at any regular or special meeting of the Voting Members. This meeting shall be called within sixty (60) days after the Board member has submitted his or her defense.</del></p> <p><del>Section 6. A quorum for a meeting to remove shall be one hundred twenty-five (125) votes of the Voting Members, present in person or by Written Ballot. The vote shall be taken pursuant to Article VII.</del></p> <p style="text-align: center;"><b>ARTICLE XI GENERAL MANAGER</b></p> <p><del>The Board of Directors shall appoint a salaried General Manager and establish the duties, authority, the compensation and other terms of employment of the manager.</del></p> <p style="text-align: center;"><b>ARTICLE XIII OFFICERS</b></p> <p>Section 1. The officers shall be President, Vice President, Secretary, and Treasurer, each of whom shall be elected from among the members of the Board (the Executive Officers), and</p>	<p><u>September 23, 2020</u></p> <p>such other officers as the Board may elect from time to time from among the Board. To the extent permitted by CICA and other applicable law, the Board may delegate any of the duties of any one officer to or among any one or more other officers, or to the General Manager, as the Board may from time to time determine, provided that the duties of the Executive Officers as members of the Executive Committee may not be delegated.</p> <p>Section 2. The Executive Officers of the Association shall be elected <u>annually</u> by a majority vote of the members of the Board at the first meeting of the Board following the Annual Meeting of <u>Members/Owners</u>. All officers shall hold office until their successors are elected or until they resign or are removed.</p> <p>Section 3. All officers shall hold office at the pleasure of the Board and may be removed from office at any time, with or without cause, by a majority of the Board.</p> <p>Section 4. The President shall:</p> <p>a. Call to order and preside at all meetings of the Board, the Executive Committee, and of the <u>Voting</u> Members and announce the results of all votes taken at all such meetings.</p> <p><del>b. Serve for one year.</del></p> <p><del>e. Approve the election of the chair of each Standing Committee/Commission who was elected by the committee/Commission members.</del></p> <p><del>f. b. Appoint the chair and members of any special committee authorized by the Board. Members expressing an interest to serve on such special committee may make application with such application subject to approval by the Board.</del></p> <p><del>e. c. See that all lawful orders and resolutions of the Board are carried out.</del></p> <p><del>f. d. Be a member, ex officio without vote, of all Standing Committees/Commissions and special committees/Commissions of the Board or the Association.</del></p> <p><del>g. e. Sign all notes, leases, contracts, mortgages, deeds, and other written instruments approved by the Board.</del></p> <p><del>h. f. Have the authority to co-sign all checks along with any one of the other signatories authorized by the Board.</del></p> <p>Section 5. The Vice President shall perform all the duties of the President in his or her absence.</p> <p>Section 6. The Secretary shall:</p> <p>a. Be the Secretary of the Board and Secretary of the Association.</p> <p>b. Cause the minutes of all meetings of the Board and of the <u>Voting</u> Members to be kept and, in general, perform all the duties incident to the office of secretary.</p>
<p>16</p>	<p>17</p>	<p>18</p>

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

September 23, 2020

c. Have the authority to co-sign all checks along with any one of the other signatories authorized by the Board, except payroll, and notes of the Association.

d. In the absence of the President and Vice President, call the meeting to order and preside until the election of a chairman *pro tem*, making this action the first item on the agenda.

Section 7. The Treasurer shall:

a. Keep the financial records and books of account.

b. Have the authority to co-sign all checks along with any one of the other signatories authorized by the Board, except payroll, and notes of the Association.

c. See that full and accurate financial records are kept and audited annually by a Certified Public Accountant at the completion of each fiscal year.

d. Report the financial status of the Association to the Board of Directors as requested and to the ~~members~~Owners and Voting Members at the annual meeting.

e. Present to the ~~membership~~Owners and Voting Members at the regular annual meeting a copy of the budget for the current year and the financial statements for the preceding year.

f. Be the chair of the Budget/Audit ~~Committee~~Commission

**ARTICLE ~~XXXI~~  
COMMITTEES/COMMISSIONS**

Section 1. The Board, by resolution adopted by a majority of the Board, may designate one (1) or more committees. Except for the Nominating Committee, each such committee shall consist of at least two (2) or more Board directors and may also consist of Owners, Voting Members or the spouses of same; provided, however that the majority of the members of each such committee shall be Board directors. Such committees, to the extent consistent with law and as provided in said resolution or as otherwise provided in this Article, shall have and exercise the authority of the Board in the management of the Association; but the designation of such committees and the delegation thereof of authority shall not operate to relieve the Board, or any individual member of the Board, of any responsibility imposed upon it or him or her by law. The members of each committee shall be appointed by the Board and serve solely at the direction of the Board. Any member thereof may be removed by the Board whenever in its judgment the best interests of the Association shall be served by such removal.

Section 2. The Board, by resolution adopted by a majority of the Board, may designate one (1) or more commissions, which commissions may not act on behalf of the Association or bind the Association to any action, but may make recommendations to the Board. The members of the commission need not be Board directors but must be Owners, Voting Members or the spouses of same and shall be appointed by the Board. Any member thereof may be removed

September 23, 2020

by the Board whenever in its judgment the best interests of the Association shall be served by such removal.

Section 3. Each member of a committee or commission shall continue as such until the next annual meeting of the Board and until his or her successor is appointed and shall have qualified, unless the committee or commission shall be sooner terminated, or unless such member shall cease to qualify as a member thereof.

Section 4. One (1) member of each committee and commission shall be chosen as chairperson annually by the committee/commission members.

Section 5. Vacancies in the membership of any committee or commission may be filled by appointment made in the same manner as provided in the case of the original appointments.

Section 6. Unless otherwise provided in this Article or in the resolution of the Board designating a committee or commission, a majority of the whole committee or commission shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee or commission.

Section 7. Each committee or commission may adopt rules for its own governance not inconsistent with the Restated Declaration, these Bylaws or with the rules and regulations adopted by the Board.

Section 8. The Standing Committees/Commissions of the Association shall be:

- Executive Committee
- Nominating Committee
- Architectural and Environmental Control Committee
- Recreation Committee/Commission
- Maintenance Committee
- Architectural and Environmental Control Committee
- Budget/Audit Committee/Commission
- Conservation Committee/Commission
- Legal Committee/Commission
- Rules and Regulations Committee/Commission
- Tellers Committee/Commission
- Editorial Review Committee/Commission
- Strategic/Long Range Planning Commission
- Appeals Board Commission

Unless otherwise provided herein, the members of each committee/commission shall be appointed by the Board, and, ~~except in the case of the Executive Committee~~, may be removed by the Board at any time, and shall consist of a chair, a vice-chair and a secretary, who shall be elected by the members of the committee/commission and two or more additional members. The Board may appoint a Board member as a full member to any committee/commission, who shall be liaison to the Board.

September 23, 2020

Section 29. The Executive Committee shall:

- a. Consist of the four Executive Officers elected by the Board.
- b. Have supervision over the General Manager's performance.
- c. Provide the General Manager with instructions, directions, goals and objectives regarding his or her duties within the scope of duties and authority delegated to the General Manager by the Board.
- d. Annually evaluate the General Manager's performance with input from all Board members, and recommend for the Board's approval the annual evaluation and a compensation package for the following year consistent with any employment agreement between the Association and the General Manager.
- e. Provide the General Manager with a written evaluation report along with a compensation package each year.
- f. Maintain a personnel file on the General Manager documenting any contract changes, job description changes, and all annual or interim performance evaluations.

Section 310. The Nominating Committee shall consist of seven (7) Owners or Voting Members appointed by the ~~President with the approval of the majority of the~~ Board at the Board meeting preceding the regular annual meeting. Said Nominating Committee shall serve for the year following the next annual meeting. The ~~President~~Board shall make an earnest attempt to appoint to the Nominating Committee Owners or Voting Members who are representative of all of the subdivisions of the Association, with at least one of them being a current Board member.

This Nominating Committee shall serve from the close of such annual meeting until the close of the next annual meeting. The appointment of the members of the following year's Nominating Committee shall be announced by the outgoing President at each annual meeting. Within thirty (30) days after the annual meeting, the immediate past chair of the Nominating Committee shall call a meeting at which the Nominating Committee shall elect its chair, vice-chair and secretary and conduct such other business as may be appropriate to prepare for the nominations to be made that year, including but not limited to, the adoption of Nominating Committee Guidelines, which shall be submitted to the Board for approval.

The Nominating Committee shall recruit candidates who meet the eligibility requirements in Article ~~XIV~~, Section 1, (referred to herein as Eligible Members) and shall make as many nominations for election to the Board as it has received applications from Eligible Members and for all Eligible Members submitted on Voting Members Tickets, ~~but not less than two (2) more than the number of vacancies that are to be filled at the next annual meeting.~~ The Nominating Committee shall interview all of the candidates, and inform all of the Voting Members regarding each candidate's positions on matters regarding the Association's affairs, and cause the candidates' answers to questions related to these matters to be published in *The Apple Core*, to be posted on the Association's website, and to be included with the Written Ballots and other voting materials sent to all Voting Members.

The names of all candidates shall be placed on a Written Ballot ~~as provided in Article VII~~, which

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

<p><u>September 23, 2020</u></p> <p>shall be prepared in advance of the time fixed in Article <del>VIII</del><sup>VI</sup>. Section 3 for the mailing of such Written Ballots to the Voting Members. The listing of names on the Written Ballot shall be determined by a lottery conducted by the Nominating Committee.</p> <p><del>Section 411. The Recreation Committee/Commission shall advise the Board on all matters pertaining to the recreational program and activities of the Association and shall perform such other functions as the Board, in its discretion, determines.</del></p> <p><del>Section 112Section 5. The Maintenance Committee shall advise the Board on all matters pertaining to the maintenance, repair or improvement of the Common Properties and Facilities of the Association, and shall perform such other functions as the Board, in its discretion, determines. At least one member of the Board shall serve as a member of this committee.</del></p> <p><del>Section 6. The AECG shall be comprised of not less than three (3) representatives who shall be appointed by the Board, and who shall be subject to removal by the Board at any time. The Board shall appoint at least one (1) architect, licensed engineer or building contractor to the AECG, if one is available. In the event the Board is unable to appoint an architect, licensed engineer or building contractor to the AECG, the Association may retain one or more of the same from time to time to consult and advise the AECG in the performance of its duties. The majority of the members of the AECG shall also be Members of the Board. Any vacancies existing from time to time shall be filled by appointments made by the Board. The AECG, subject to the Board's approval, may engage such inspectors or agents to assist it in the performance of its duties and responsibilities. No member of the AECG shall participate in the review of any application in which the member has any interest either as an owner or as the provider of any services for which the member is compensated.</del></p> <p><del>The Architectural and Environmental Control Committee (AECG) shall be comprised of not less than three (3) representatives. The Board shall appoint at least one (1) architect, licensed engineer or building contractor to the AECG, if one is available, and at least two (2) Board Members to the committee. In the event the Board is unable to appoint an architect, licensed engineer or building contractor to the AECG, the Association may retain one or more of the same from time to time to consult and advise the AECG in the performance of its duties. The majority of the members of the AECG shall be Board Members of the Association. Any vacancies existing from time to time shall be filled by appointments made by the Board. The AECG, subject to the Board's approval, may engage such inspectors or agents to assist it in the performance of its duties and responsibilities. No member of the AECG shall participate in the review of any application in which the member has any interest either as an owner or as the provider of any services for which the member is compensated.</del></p> <p>The AECG shall have the duties and functions described in Article VII of the Restated Declaration/Covenants, and shall perform such other functions as the Board, in its discretion, determines. It shall watch for any proposals, programs or activities which may adversely affect the residential value of The Properties or the Common Properties and Facilities and shall advise the Board regarding action the Association should take on such matters.</p>	<p><u>September 23, 2020</u></p> <p><u>Section 12. The Recreation Commission shall advise the Board on all matters pertaining to the recreational program and activities of the Association and shall perform such other functions as the Board, in its discretion, determines.</u></p> <p><u>Section 713. The Budget/Audit Committee/Commission shall be chaired by the Board Treasurer and consist of a member of the Board plus two or more additional members. It shall be the duty of this commission/tee to prepare an annual budget for the fiscal year beginning the first day of January for approval by the Board as provided in Article VIII. The Treasurer shall submit a report on the budget and on the financial condition of the Association to the membership at the Annual Meeting of Members. It shall be the responsibility of this committee to cause an annual audit of the Association books by a certified public accountant, and to make such audit available to the d/VII.</u></p> <p><u>Section 814. The Conservation Committee/Commission shall include a member of the Board and shall advise the Board on matters relating to the protection, preservation and improvement of all land and water areas and all flora and fauna within the Apple Canyon Lake watershed.</u></p> <p><u>Section 915. The Legal Committee/Commission shall advise the Board on any legal matters referred to this commission/tee and shall perform such other functions as the Board, in its discretion, determines. At least one member of the Board shall serve as a member of this committee/commission.</u></p> <p><u>Section 4016. The Rules and Regulations Committee/Commission shall include a member of the Board and shall be responsible for monitoring, modifying and formulating rules and regulations to recommend for approval by the Board.</u></p> <p><u>Section 4417. The Tellers Committee/Commission shall consist of not less than five (5) members approved by the Board. The Tellers Committee/Commission shall:</u></p> <ol style="list-style-type: none"> <li>Not less than two (2) months prior to the commencement of the annual meeting adopt written Tellers Committee/Commission Guidelines, which will describe the procedures it will follow to count all valid Written Ballots at all votes taken during the following year, which will be submitted to the Board for approval.</li> <li>Obtain the General Manager's verification that the signature of the Voting Member whose name appears on the Return Envelope is the authorized Voting Member for each of Lot or Dwelling Unit identified on the Return Envelope.</li> <li>Count all of the Written Ballots cast by all eligible Voting Members, and report the results to the President.</li> <li>Allow a candidate, or his or her representative, to be present at the counting of the ballots.</li> <li>Deliver to the General Manager for safekeeping for a period of one (1) year all Return Envelopes and Written Ballots.</li> </ol> <p>All actions shall be taken in such a manner that the vote of any Voting Member shall not be disclosed to anyone, including the members of the Tellers Committee/Commission.</p>	<p><u>Section 1218. The Editorial Review Committee/Commission shall consist of a member of the Board, who shall be the chair, the General Manager, who shall be the vice-chair, the Managing Editor of The Apple Core, who shall be the secretary and such other Owners or Voting Members as the Board may appoint from time to time. This Committee/Commission shall prepare policies for the acceptance of material to be printed in The Apple Core, including, but not limited to, letters to the editor and policies for advertising material printed, which policies shall be submitted to the Board for approval annually.</u></p> <p><u>Section 13Section 19. The Strategic/Long Range Planning Commission shall formulate, monitor and make recommendations to the Board for additions and deletions to the Strategic/Long Range Plan.</u></p> <p><u>Section 20. The Appeals Board Commission shall listen to appeals filed pursuant to the appeals process provisions set forth in the Rules and Regulations and make recommendations to the Board on each citation at issue following the appeal hearing. In listening to each appeal, the Appeals Board Commission shall listen to each appeal with an open mind and treat each party fairly and with the utmost respect in an effort to provide consistency in the application and enforcement of the Rules and Regulations.</u></p> <p><u>Section 21. With the exception of the Nominating Committee and the Architectural and Environmental Control Committee, each committee/commission shall have power to appoint a subcommittee/subcommission from among its membership or the membership/Owners or Voting Members of the Association and may delegate to any such subcommittee/subcommission any of its powers, duties and functions subject to the approval of the Board.</u></p> <p><u>Section 4422. It shall be the duty of each committee/commission to have contact with Owners and Voting Members of the Association on any matters involving functions, duties, and activities within its field of responsibility, and to submit a report to the membership/Voting Membership at the Annual Meeting.</u></p>
<p>22</p>	<p>23</p>	<p>24</p>
<p>22</p>	<p>23</p>	<p>24</p>

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

[September 23, 2020](#)

special meeting shall be called within thirty (30) days of the date of delivery of the petition pursuant to Section 3.

**Section 3. Notice of Meeting.** Notice of any Special meeting of the Voting Members called pursuant to Section 2 or Section 2a of this Article, or any other provision of the Bylaws shall be given not less than fourteen (14) ten (10) days prior to thirty (30) days prior to the meeting, unless otherwise provided in the Bylaws. Notice to Voting Members shall be sent (i) by United States Mail, postage prepaid, sent to recipient's address on file with the Association, or (ii) by hand delivery, or (iii) by any commonly used electronic media, including but not limited to, email or facsimile, pursuant to electronic communication policies adopted from time to time by the Board, provided that the recipient has provided the Association with his or her fax number or email address or other address for receipt of such electronic communication, and the Voting Member has given his/her written authorization to conduct business via this method. Notice to all other Members/Owners shall be provided by publication in The Apple Core and on the Association's website and by posting notice at the clubhouse, or as otherwise authorized under applicable law. Notice shall set forth the nature of the business to be transacted provided, however, that if the business of any meeting shall involve any matter to which another provision of these Bylaws, the Articles of Incorporation, or the Restated Declaration/Covenants shall otherwise govern notice to the Voting Members, then notice of such meeting shall be given or sent as therein provided.

**Section 4. Attendance Constitutes Waiver of Notice.** The presence of any Voting Member at any meeting shall constitute a waiver of the form and time of notice, unless said person states that he or she is present solely to object to the notice and does not vote or submit a Written Ballot in respect of any action taken at such meeting.

**Section 5. Voting Members Must Register.** Each Voting Member shall register his or her mailing address and, to the extent such Voting Member desires to receive notice by electronic means, such Voting Member's telephone and fax number and email address with the Association and notify it when there is a change in any of such address or information. Notices of meetings shall be sent to the Voting Member at the mailing address or email address or fax number on file at the time of the mailing.

**Section 6. Quorum.** The presence, in person or by Written Ballot, at the meeting of one hundred the Voting Members having at least twenty-five (25) percent (20%) of the total votes of the Voting Members in person or by Written Ballot shall constitute a quorum for any action by the Voting Members, provided, however, if the business of any meeting shall involve any matter with respect to which another provision of the Bylaws, the Articles of Incorporation, or the Restated Declaration/Covenants shall otherwise govern a quorum, then the quorum of such meeting shall be as therein provided.

**ARTICLE XXV  
WRITTEN BALLOTS**

**Section 1. Written Ballot Defined.** All matters requiring a vote of the Voting Members, as defined in Article I, Section 1(x) of the Restated Covenants, shall be by Written Ballot which is defined in Article I, Section 1(ee) of the Restated Covenants as follows:

[September 23, 2020](#)

ee. Written Ballot shall mean a written document which clearly indicates the vote of a Voting Member being cast on any issue on which a vote of the Voting Members of the Association is taken. A Written Ballot may be cast by a Voting Member either in person at the meeting called for such vote or by mail or by any other means of delivery, provided that such Written Ballot must be delivered to the offices of the Association prior to the commencement of the meeting called for such vote.

**Section 2. Casting a Written Ballot Constitutes Attendance at Meeting.** At all regular and special meetings the Voting Member who casts a Written Ballot(s) shall be deemed to be present at the meeting and shall be counted as present for purposes of determining a quorum and for all other purposes permitted under these Bylaws.

**ARTICLE XXVI  
BOOKS AND RECORDS**

**Section 1.** The Board shall keep and maintain the following records, or true and complete copies of these records, at the Association's principal office:

- a. the Association's Governing Documents and plat of survey, and all amendments thereto;
- b. the minutes of all meetings of the Association and the Board of Directors for the immediately preceding seven (7) years;
- c. all current policies of insurance of the Association;
- d. all contracts, leases, and other agreements to which the Association is a party or under which the Association or the unit owners have obligations or liabilities;
- e. a current listing of the names and addresses of all Voting Members entitled to vote, and of all other Members;

f. Written Ballots for all matters voted on by the members of the Association during the immediately preceding twelve (12) months, including but not limited to, the election of members of the Board; and

g. the books and records of account for the Association's current and ten (10) immediately preceding fiscal years, including but not limited to, itemized and detailed records of all receipts and expenditures, and such other records of the Board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the General Not For Profit Corporation Act of 1986.

**Section 2.** Any Member shall have the right to inspect, examine, and make copies of the records described in subdivisions (a), (b), and (c) of Section 1 of this Article XVI, in person or by agent, at any reasonable time or times, at the Association's principal office. In order to exercise this right, a member must submit a written request to the Board or its authorized agent, stating with particularity the records sought to be examined.

**Section 3.** Except as otherwise provided in Section 5 of this Article, any Member of the Association shall have the right to inspect, examine, and make copies of the records described

[September 23, 2020](#)

in subdivisions (d), (e), (f), and (g) of Section 1 of this Article XVI, in person or by agent, at any reasonable time or times at the Association's principal office. In order to exercise this right, a member must submit a written request to the Board or its authorized agent, stating with particularity the records sought to be examined.

**Section 4.** The actual cost to the Association of retrieving and making requested records available for inspection and examination under this Article XVI shall be charged by the Association to the requesting Member. If a Member requests copies of records requested under this Article XVI, the actual costs to the Association of reproducing the records shall also be charged by the Association to the requesting Member.

**Section 5.** Notwithstanding the provisions of Section 3 of this Article XVI, unless otherwise directed by court order, an Association need not make the following records available for inspection, examination, or copying by its members:

- (a) documents relating to appointment, employment, discipline, or dismissal of Association employees;
- (b) documents relating to actions pending against or on behalf of the Association or its Board in a court or administrative tribunal;
- (c) documents relating to actions threatened against, or likely to be asserted on behalf of, the Association or its Board in a court or administrative tribunal;
- (d) documents relating to common expenses or other charges owed by a Member other than the requesting Member; and
- (e) documents provided to an Association in connection with the lease, sale, or other transfer of a unit by a Member other than the requesting member.

**ARTICLE XXVIII  
AMENDMENTS**

**Section 1.** These Bylaws may be amended at any regular or Special Meeting of the Voting Members by at least two-thirds (2/3) vote of the votes cast by the Voting Members voting at such meeting, provided, however, that these provisions of the Bylaws which are governed by the Restated Covenants applicable to the Properties may not be amended except as provided in such to conflict with any provisions of the Restated Declaration/Covenants or law.

Following the adoption of a modification or amendment, an instrument duly executed by the president/President, or such other officer authorized by the Board setting forth said modification or amendment shall be duly recorded, and the amendment or modification shall be effective as of the date of said recording.

**Section 2.** Notice of the proposed amendment(s) shall be mailed to all Voting members/Members not less than fourteen (14) ten (10) days nor more than forty (40) thirty (30) days in advance of the meeting at which such amendment(s) is to be voted upon.

**COMPARISON TO BYLAWS AS OF SEPTEMBER 23, 2020**

September 23, 2020

**ARTICLE XXXIV  
PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall constitute the parliamentary authority for the conduct of all meetings of the Board of Directors and meetings of members to which they are applicable and in which they are not inconsistent with the Bylaws, the Articles of Incorporation or the Restated Declaration/Governants.

**ARTICLE XXXV  
INDEMNIFICATION OF DIRECTORS OR OFFICERS**

Section 1. *Actions by Third Parties.* The Association shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Association) by reason of the fact that he or she is or was a member of the Board, or an officer, or member of a committee or commission of the Association against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the Association, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding, by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the Association or, with respect to any criminal action or proceeding, that the person had reasonable cause to believe that his or her conduct was unlawful.

Section 2. *Action by the Association.* The Association shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Association to procure a judgment in its favor by reason of the fact that such person is or was a member of the Board, ~~or an officer, or a member of a committee~~ or commission of the Association against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the Association, provided that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the Association, unless, and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability, but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

Section 3. *Indemnification in Event of Successful Defense.* To the extent that a director, officer, committee ~~or commission~~ member, employee or agent of the Association has been successful, on the merits or otherwise, in the defense of any action, suit or proceeding referred to in Sections 1 or 2 of this Article, or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection therewith.

September 23, 2020

Section 4. *Procedures for Indemnification.* Any indemnification under Sections 1 and 2 of this Article (unless ordered by a court) shall be made by the Association only as authorized in the specific case, upon a determination that indemnification of the director, officer, committee ~~or commission~~ member, employee or agent is proper in the circumstances because he or she or ~~they~~ has met the applicable standard of conduct set forth in said Sections. Such determination shall be made (a) by the Board by a majority vote of a quorum consisting of directors who were not parties to such action, suit or proceeding, or (b) if such a quorum is not obtainable, or even if obtainable, if a quorum of disinterested directors so directs, by independent legal counsel in a written opinion, or (c) by act of the Voting Members.

Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Association in advance of the final disposition of such action, suit or proceeding, as authorized by the Board in the specific case, upon receipt of a written undertaking by or on behalf of the director, officer, committee member, employee or agent to repay such amount unless it shall ultimately be determined that he or she or it is entitled to be indemnified by the Association as authorized in this Article ~~XXXVH~~.

Section 5. *Insurance.* The Association is authorized to purchase and maintain insurance on behalf of any person who is or was a member of the Board or an officer or committee ~~or commission~~ member of the Association against any liability asserted against such person and incurred by such person in such capacity, or arising out of his or her status as such, whether or not the Association has the power to indemnify such person against such liability under the provisions of this Article or the Illinois Not-For-Profit Corporation Act.

**ARTICLE XX  
EFFECTIVE DATE**

~~These Bylaws shall become effective November 6, 2014, having been adopted by two-thirds (2/3) of the Members voting at a duly called Special Meeting of the Members on September 24, 2014 and recorded with the Jo Daviess County Recorder of Deeds.~~

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**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

**AMENDED AND RESTATED DECLARATION TO CONFORM TO THE COMMON INTEREST COMMUNITY OF COVENANTS AND RESTRICTIONS FOR APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION ACT**

2019 Version

**PREAMBLE**

This document (hereafter referred to as the "Amended Declaration") instrument is recorded for the purpose of amending and restating the Amended and Restated Covenants & Restrictions, recorded on November 6, 2008, with an effective date of November 6, 2011, (hereafter referred to as "the Amended Declaration"), in its entirety, the Apple Canyon Lake Property Owners' Association Amended Declaration to Conform to as the Restated Declaration");

**This Amended Declaration is adopted pursuant to Section 1-60(a) of the Common Interest –Community Association Act (CICAA) (765 ILCS 160/1-60) which states: "(a) If a provision hereinafter referred to as the "2017 Declaration", recorded on September 21, 2017 as Document No. 395980 in the Office of the community instruments does not conform to this Act or to another applicable law because of an error, omission, or inconsistency in the community instruments of the association, the association may correct the error, omission, or inconsistency to conform the community instruments to this Act or to another applicable law by an amendment adopted by vote of two-thirds of the board of directors, without a membership vote."** Recorder of Deeds, Jo Daviess County, Illinois.

This Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association is adopted pursuant to the provisions of Article IX, Section 1 of the 2017 Declaration. This Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association, the text of which is set forth below, shall become effective following its approval by the affirmative vote of two-thirds (2/3) of the Voting Members eligible to vote in person or by Written Ballot at a meeting of the Association duly

September 22, 2020

called for the purpose of changing the 2017 Declaration, provided that notice of such meeting shall be sent to all Voting Members at least thirty (30) days in advance, and upon its recording in the Office of the Recorder of Deeds, Jo Daviess County, Illinois.

This Amended ~~Declaration~~ and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association, as adopted, shall be included among Apple Canyon Lake Property Owners' Association Governing Documents, as amended from time to time, sometimes described as "Community Instruments," which shall be understood to mean all of the following. In the event of any inconsistency in the provisions of any of the Governing Documents, the lower numbered document shall control:

1. CICAA

1. Illinois Common Interest Community Association Act ("CICAA") (765 ILCS 160/1-1 et. seq.)

2. Illinois General Not-For-Profit Corporation Act (805 ILCS 105/101.01 et. seq.)

3. Articles of Incorporation

4. Declaration Covenants & Restrictions

5. Bylaws

6. Rules6. ACL Building and Regulations—Environmental Code

7. Board Approved Policies

8. Rules and Regulations

9. Board Approved Committee/Commission Operations and Procedures

**RECITALS**

**WHEREAS, the Amended Declaration truly and accurately reflects the intent of the Restated**

September 22, 2020

~~Declaration, together with the changes contained in the Amended Declaration as revised by the Board of Directors pursuant to Section 160(a) of the Common Interest Community Association Act, and~~

**WHEREAS, the Amended WHEREAS, the Apple Canyon Lake Property Owners' Association (hereinafter referred to as the "Association"), through its Board of Directors, administers the property legally described in Exhibit "A", which is attached hereto and made a part hereof (hereinafter referred to as "The Properties", as further defined in Article I, Section 1(aa)).**

WHEREAS, the 2017 Declaration was recorded on September 21, 2017 as Document No. 395980 in the Office of the Recorder of Deeds, Jo Daviess County, Illinois;

~~Declaration supersedes all previous covenants and restrictions governing the Lots and Dwellings covered by this Amended Declaration; and~~

**WHEREAS, the Board desires to record a certified copy and the Owners of a resolution adopted by the Board certifying that this amendment of the Association desire to amend and restate the 2017 Declaration, replacing it, in its entirety, with this Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association;**

WHEREAS, this Amended and Restated Declaration has of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association is adopted pursuant to Article IX, Section 1 of the 2017 Declaration, having been approved by the Board of affirmative vote of two-thirds (2/3) of the Voting Members eligible to vote in person or by Written Ballot at a meeting of the Association duly called for the purpose of changing the 2017 Declaration, following notice of such meeting sent to all Voting Members at least thirty (30) days in advance thereof, and Directors in order to memorialize the Board's action.

WHEREAS, this Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association shall become effective upon recording in the Offices of the Recorder of Deeds of Jo Daviess County, Illinois.

**NOW, THEREFORE in furtherance of the foregoing recitals, the attached Amended 2017 Declaration is being recorded for the above stated purposes.** hereby amended and restated as follows:

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

<p>September 22, 2020</p> <p style="text-align: center;"><b>ARTICLE I DEFINITIONS</b></p> <p><b>Section 1.</b> The following words when used in this <del>Amended</del> Declaration or any Supplementary Declaration (unless the context shall prohibit) shall have the following meanings:</p> <p><del>“Amended Declaration”</del>  <del>“ACL Building Code”</del> shall mean <del>the Amended Declaration of Covenants and</del> <u>“ACL Building Code”</u> shall mean <u>the Apple Canyon Lake Property Owners’ Association Building &amp; Environmental Code, as set forth herein, amended from time to time.</u></p> <p><del>“Association”</del> shall mean and refer to the Apple Canyon Lake Property Owners’ Association, a <del>non-profit</del> <u>not-for-profit</u> corporation organized and existing under the laws of Illinois, its successors and assigns.</p> <p><del>“Board” or “Board of Directors”</del> shall mean those persons elected to manage the affairs of the Association in accordance with CICA, <del>the Amended</del> <u>this</u> Declaration, the Articles of Incorporation and the Bylaws of the Association.</p> <p><del>“Building Height”</del> shall mean the vertical distance measured from the top of the foundation to the highest <del>point of the roof at the front elevation</del> <u>ridge roof line as viewed from the street.</u></p> <p><del>“Building Line”</del> shall mean a line on a lot that is delineated in the recorded plat of subdivision which denotes the required depth of a front, side, or rear yard.</p> <p><del>“Bylaws”</del> shall mean the <del>bylaws duly adopted by the Apple Canyon Lake Property Owners’ Association Amended and Restated Bylaws recorded on November 21, 2017 as document number 396754 in the Office of the Recorder of Deeds, Jo Daviess County, Illinois, and as amended from time to time, and in effect at the time when any action or conduct of a Memberan Owner or the Board is taken.</del></p> <p><del>“CICA”</del> shall mean the Common Interest Community Association Act (765 ILCS 160y/1 et. seq.) as hereafter amended or supplemented under applicable Illinois law.</p> <p><del>“Common Properties”</del> shall mean and refer to: those areas of land shown on any recorded subdivision plat of <del>the</del> <u>The</u> Properties as “Tract” followed by an alphabetical designation (By way of Example, “Tract A, Tract B, Tract C, Tract D and Tract E in Winchester Unit of Branigar’s Apple Canyon Lake Subdivision according to the plat thereof recorded June 10, 1969, as Document Number 117932 in the Office of the County Recorder.), or by the</p>	<p>September 22, 2020</p> <p>designation “Open Space” or “Greenway” or other similar term intended to designate a parcel of real estate as devoted to the common use and enjoyment of the owners of <del>the</del> <u>lots and Dwellings</u> within <u>The</u> Properties; the lands within and beneath Apple Canyon Lake to the lot lines abutting thereon; and the lake dam conveyed to the Association.</p> <p><del>“Declaration”</del> shall mean and refer to this <u>Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners’ Association, as amended from time to time.</u></p> <p><del>“Driveway”</del> shall mean the surface area by which vehicles regularly enter and exit any Lot, whether paved or not. (See Article III, Section 6.)</p> <p><del>“Dwelling”</del> shall mean any building located on any Lot or an individual living unit in a Multifamily Structure intended for the shelter and housing of a single family.</p> <p><del>“Dwelling Accessory Building”</del> shall mean a subordinate building or a portion of a Dwelling, the use of which is incidental to the Dwelling and customary in connection with that use.</p> <p><del>“Emergency”</del> shall mean a danger to or a compromise of the structural integrity of the <del>common areas</del> <u>Common Properties</u> or any of the common facilities of the Association. “Emergency” also includes a danger to life, health or safety.</p> <p><del>“Garage”</del> shall mean a Structure, either attached to a Dwelling or constructed as a separate Structure, designed and constructed for the primary purpose of storing motor vehicles, boats, or other items of personal property under the provisions belonging to the Owner or Occupant of the Dwelling. <del>No Living Area shall be constituted or maintained in any Garage unless the prior written approval of the Architectural and Environmental Control Committee (AEECC) has been obtained. (See Article III, Section 1.)</del></p> <p><del>“Ground Floor Area”</del> shall mean the <del>living area</del> <u>living Space</u> in that story of the Dwelling which is the first story entirely above the established building grade at the building front.</p> <p><del>“Legal Entity”</del> shall mean any being that has a legally recognized individual identity, other than a Natural Person, including, without limitation, a partnership, corporation, trust, limited liability company, or any other such being recognized at law.</p> <p><del>“Living Area Space”</del> shall mean <del>that portion of the enclosed space within a Dwelling which is enclosed and customarily used</del> <u>utilized for dwelling living, sleeping, eating, cooking, bathing, washing and sanitation purposes that shall. Living Space does not include open porches, open terraces, breezeways, garages, three-season rooms, attics, decks, patios, crawl</u></p>	<p>September 22, 2020</p> <p>spaces, <del>attached garages (unless approved in writing by the AEECC), porches or Dwelling Accessory Buildings—breezeways, etc.</del></p> <p><del>“Lot”</del> also known as Unit, shall mean any numbered parcel of land, <del>whether or not any separately identified condominium unit, in any subdivision as shown on any Declaration of The Properties recorded under the provisions of Article II hereof, but not including any of the Common Properties or the Reserved Properties.</del></p> <p><del>“Lot Area”</del> shall mean the area of a horizontal plane bounded by the vertical planes through front, side, and rear <del>lot lines</del> <u>lot lines.</u></p> <p><del>“Lot Line”</del> shall mean any <u>legal</u> boundary of a <del>lot</del> <u>lot</u> as shown on a plat of survey prepared by a licensed surveyor.</p> <p><del>“Member”</del> shall mean and refer to all those Natural Persons who are defined as <u>Members</u> <u>Owners of Lots in the Association or, if the Lots are owned by Legal Entities, the Natural Persons designated by the Legal Entities to function as the Members for the purpose of these Governing Documents as provided in Article IV, Section 1.</u></p> <p><del>“Multifamily Structure”</del> shall mean and refer to any building containing two (2) or more Dwellings under one roof.</p> <p><del>“Natural Person”</del> shall mean any human being <del>over the age of eighteen (18) or older who has the legal capacity to be the grantee of a deed conveying legal or equitable hold title to a Lot or Dwelling in the Association.</del></p> <p><del>“Occupant”</del> shall mean any person authorized by the Owner to occupy a Dwelling for any period of time, whether with the Owner or alone, or whether as a guest of the Owner or as a tenant. Occupants shall be bound by all of the obligations of <del>the Amended</del> <u>this</u> Declaration, the Bylaws, and all Rules and Regulations adopted by the Association. <del>Upon reasonable request, Occupants shall be required to identify themselves to employees or agents of the Association, and to identify the Dwelling they are occupying and the identity of the Owner.</del></p> <p><del>“Owner”</del> shall mean the <del>person</del> <u>Natural Persons</u> or <del>persons</del> <u>legal Entities</u> whose estates or interests, individually or collectively, aggregate fee simple absolute ownership of <del>any lot or Dwelling situated in The Properties who has all of the power, control and incidents of ownership as would an owner of fee simple title; provided, however, that no lot or Dwelling shall be owned by more than three Natural Persons, except that a married couple shall be deemed to be one Natural Person; and no lot or Dwelling may be owned by more than one legal Entity—a Lot. Notwithstanding any applicable theory of mortgage, Owner shall not mean or refer to the mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure. (See Article IV.) <u>An Owner may also</u></del></p>
<p>4</p>	<p>5</p>	<p>6</p>

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

~~be referred to as a Member, except in situations in which a matter of legal title to the Lot are involved or at issue. (See Article IV, Section 1.)~~

~~z.~~ z. "Parkway" shall mean the unimproved strip of land between a ~~lot line~~ Lot Line and the improved portion of the street right-of-way.

~~aa.~~ aa. "The Properties" shall mean and refer to such existing properties which were subject to the Original Declaration of Covenants and Restrictions dated April 22, 1969, and recorded as Document No. 117532, Miscellaneous Book 4, Pages 427 – 442 in the Office of the Recorder of Deeds of Jo Daviess County, Illinois and the additional property described in the Supplementary Declarations listed on Exhibit A attached hereto; and any additions thereto as are added under the provisions of Article II hereof.

~~bb.~~ bb. "Recreational Vehicle" shall mean and refer to a motor vehicle or Trailer equipped with living space and amenities typically found in a residential living unit including, but not limited to, a motor home.

~~cc.~~ cc. "Reserved Properties" shall mean any real property owned or acquired by the Association which is used in furtherance of the Association's purposes and objectives, but which is not subject to the restrictions imposed by ~~the Amended~~ this Declaration, and which shall be put to those uses deemed to be in the Association's best interests. (See Article II, Section 3.)

~~dd.~~ dd. "Single Family" shall mean one or more persons each related to the other by blood, marriage or adoption, or a group of not more than three persons not all so related, together with their domestic servants, maintaining a common household in a Dwelling.

~~ee.~~ ee. "Structure" shall mean anything erected or constructed, the use of which requires more or less permanent location on or in the ground, or attached to something having a permanent location on or in the ground.

~~ff.~~ ff. "Supplementary Declaration" shall mean any change, revision or amendment to ~~the Amended~~ this Declaration approved by a vote of the Voting Members as provided in Article II.

~~gg.~~ gg. "Trailer" shall mean and refer to a transport vehicle designed to be towed by a motorized vehicle.

~~hh.~~ hh. "Voting Member" shall mean the Natural Person designated ~~by~~ from among the ~~Owner~~ or Owners of any Lot ~~or Dwelling, including Lots owned by a Legal Entity, by the Owners of that Lot~~ as the one person to whom the Association shall send its notices and invoices, and the one person who has the power to vote on all matters requiring a vote under ~~the Amended~~

September 22, 2020

~~Declaration or any Supplementary~~ this Declaration, unless ~~the context shall prohibit; otherwise provided herein.~~ (See Article IV, Section 2.)

~~hh.~~ hh. "Water Facility" shall mean any pier, dock, boat ramp, or related facility. A boat house shall not be a "Water Facility" and shall be deemed to be a Dwelling Accessory Building.

~~ii.~~ ii. "Written Ballot" shall mean a written document which clearly indicates the vote of a Voting Member being cast on any issue on which a vote of the Voting Members of the Association is taken. ~~As further provided in the Bylaws,~~ a Written Ballot may be cast by a Voting Member either in person at the meeting called for such vote or by mail or by any other means of delivery, provided that such Written Ballot must be delivered to the offices of the Association prior to the commencement of the meeting called for such vote.

**ARTICLE II  
PROPERTY SUBJECT TO THIS DECLARATION,  
ADDITIONS THERETO, AND MERGERS**

**Section 1. Existing Properties.** The real property which is and shall be held, transferred, sold, conveyed and occupied subject to this ~~Amended~~ Declaration is located in Jo Daviess County, Illinois, and is more particularly described in Exhibit A attached hereto.

**Section 2. Other Additions.** Upon approval in writing of the Association pursuant to a vote of its Voting Members, the ~~Owner~~ owner of any property who desires to add it to the scheme of this ~~Amended~~ Declaration and to subject it to the jurisdiction of the Association, may file of record a Supplementary Declaration ~~of Covenants and Restrictions~~; provided that any such addition shall have the affirmative vote of a majority of the votes of the Voting Members voting in person or by Written Ballot at a meeting duly called for this purpose, written notice of which shall be sent to all Voting Members not less than ten (10) days and not more than thirty (30) days in advance and shall set forth the purpose of the meeting.

**Section 3. Reserved Properties.** The Association owns various parcels of land which were conveyed to it by the Developer or which were subsequently acquired by the Association, a complete description of which is set forth in Exhibit B attached hereto, which are not subject to the Amended Declaration, and which are defined as Reserved Properties. The Association may, by a vote of at least two-thirds (2/3) of the directors on the Board, acquire additional Reserved Properties when deemed to be in the best interests of the Association, and upon any such acquisition Exhibit B attached hereto will be amended to include such additional Reserved Properties. Any or all of the Reserved Properties may be added to the scheme of ~~the Amended~~ this Declaration upon approval in writing of the Association pursuant to a vote of the Voting Members and by the recording of a Supplementary Declaration ~~of Covenants and Restrictions~~;

September 22, 2020

provided that any such addition shall have the affirmative vote of a majority of the votes of the Voting Members voting ~~in person~~ or by Written Ballot at a meeting duly called for this purpose, written notice of which shall be sent to all Voting Members not less than ten (10) days and not more than thirty (30) days in advance and shall set forth the purpose of the meeting.

~~The five-acre parcel of land on which the marine service center is located and the eighty-acre parcel of land south of the dam, the legal descriptions of which are identified in Items 1 and 2 on Exhibit B attached hereto, were purportedly made subject to the original Declaration by virtue of the recording of Supplementary Declarations covering these parcels. The attempt to add those parcels to the Properties was likely ineffective because the vote of the members of the Association required to add additional property was neither sought nor obtained. Those aforementioned parcels are owned by the Association as Reserved Properties, and they are not subject to the Declaration or to this Amended Declaration.~~

**Section 4. Mergers.** In the event of a merger or consolidation of the Association with another association as provided in its Articles of Incorporation, its properties, rights and obligations may, by operation of law, be transferred to another surviving or consolidated association or, alternatively, the properties, rights and obligations of the Association as a surviving corporation pursuant to a merger. The surviving or consolidated association may administer the covenants and restrictions established by this ~~Amended~~ Declaration within ~~the~~ The Properties together with the covenants and restrictions established upon any other properties as one scheme. No such merger or consolidation, however, shall ~~effect~~ affect any revocation, change or addition to the covenants established by this ~~Amended~~ Declaration within ~~the~~ The Properties except as hereinafter provided.

**ARTICLE III  
GENERAL RESTRICTIONS**

**Section 1. Land Use and Building Type.** ~~Any Lot which is designated on the Declaration or any Supplementary Declaration listed on Exhibit A with a numeral (without prefix) is intended as a Lot and shall be used for single family residence purposes only. No Structure, except as specifically authorized elsewhere in this Amended Declaration, shall be erected, re-erected or maintained on any Lot, except one Dwelling designed for occupancy by a Single Family, a private Garage containing no more than nine hundred (900) square feet for the sole use of the Owners or Occupants of the Dwellings, Dwelling Accessory Buildings as permitted and Water Facilities for the sole use of the Owners or Occupants of the Dwelling. If approved in writing by the Architectural and Environmental Control Committee (AEECC), a Garage may have a Living Area in connection therewith for the sole use of the Owner or Occupant, but any such Living Area~~

(a) Any Lot which is designated in any of the documents identified on Exhibit A attached hereto shall be governed by this Article III.



**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

<p>September 22, 2020</p> <p>(b) All additions, alterations and improvements to Lots are subject to the ACL Building Code and prior approval in writing by the Architectural and Environmental Control Committee (AECC).</p> <p>(c) No Structure, except as specifically authorized elsewhere in this Declaration, shall be erected, re-erected or maintained on any Lot, except one (1) Dwelling designed for occupancy by a single family, which may include an attached Garage as well as one (1) detached Garage, Dwelling Accessory Buildings (as permitted), and Water Facilities, all for the sole use of the Owners and Occupants of the Dwelling.</p> <p>(d) Not more than thirty percent (30%) of the area of a Lot may be occupied by buildings and Structures, including but not limited to Dwellings, Dwelling Accessory Buildings, Garages and impervious surfaces.</p> <p>(e) No Living Space shall be constructed or maintained in any Garage unless the prior written approval of the AECC has been obtained. If approved in writing by the AECC, a Garage may have a Living Space in connection therewith for the sole use of the Owner or Occupant, but any such Living Space shall not be rented separately from the rental of the Dwelling.</p> <p>(f) No Structure, Garage, Water Facility or other Dwelling Accessory Building shall be erected prior to construction of a Dwelling— <u>except for shoreline stabilization or watershed projects as prior approved by the AECC.</u></p> <p>(g) No Dwelling, Dwelling Accessory Building or Structure may be erected except in such manner and location as hereinafter provided or as approved in writing by the <del>Association</del> AECC.</p> <p><del>(h) No items, including but not limited to, equipment, boats, Trailers, campers, Recreational Vehicles, building materials, firewood or any other similar items may be temporarily or permanently stored on a vacant Lot.</del></p> <p><b>Section 2. Quality of All Structures.</b> It is the intention and purpose of this <del>Amended</del> Declaration to insure that all Dwellings, Dwelling Accessory Buildings and Garages shall be of a quality of design, workmanship and materials which are compatible and harmonious with the natural setting of the area and the other structures within the immediate area and throughout <del>the</del> <u>Properties. Therefore, prior written approval shall be obtained from the AECC with respect to all matters stated in this Amended Declaration as requiring such approval. All Dwellings and Dwelling Accessory Buildings and Garages shall be constructed in accordance with applicable governmental building codes and with such more restrictive standards or building codes as may be required by the AECC or the Board. The Properties.</u></p> <p><b>Section 3. Building Height.</b> No Dwelling shall be erected, altered or placed upon any Lot which has a Building Height of more than thirty <del>(30) feet. No detached Dwelling Accessory Buildings, Garages or other Structures shall exceed seventeen (17) feet in height, unless a greater height is approved in writing by the AECC, five (5) feet.</del></p>	<p>September 22, 2020</p> <p><b>Section 4. Materials to Be Used and Size of Dwellings.</b> The ground floor area of any Dwelling shall be not less than one thousand (1,000) square feet, <del>and all Dwellings shall contain a minimum of fourteen hundred (1,400) square feet in total Living Area, unless otherwise approved by the AECC. Building exteriors must be made of concrete, masonry, vinyl, brick, frame, log construction, or such other building materials as may be approved by the AECC. All exteriors must be painted, stained or finished. All exteriors must be in colors that are compatible and harmonious with the natural setting and other buildings within the immediate area, as determined by the AECC. The exterior portion of any Structure must be completed within one year from date of commencement of said construction.</del></p> <p><b>Section 5. Location on the Lot.</b> <del>On and after the effective date of the Repealed Declaration, effective November 6, 2011, every Every Dwelling, Dwelling Accessory Building or Garage, or other Structure, including any constructed or re-constructed after November 6, 2011 shall be set back, measuring from the roof overhang, shall be a minimum of ten (10) feet from the rear and side property lines and twenty-seven (27) feet from the front lot line. For easter lots this twenty-seven (27) foot set back shall be applicable to all sides of the lot with the property line. If there is no roof overhang, measuring is from the exterior face of the street right-of-way. Roof overhangs of Dwellings, Dwelling Accessory Buildings or Garages and decks attached thereto must be at least ten (10) feet inside any side or rear lot line foundation to the lot lines.</del> All Dwellings, Dwelling Accessory Buildings, Garages, attached decks and sanitary systems constructed on any Lot must be not less than one hundred (100) feet from <del>the any</del> existing lake edge as established at pool level of eight hundred (800) feet, <u>above mean sea level, regardless of the survey pin locations of the Lot or greenway space.</u></p> <p><b>Section 6. Driveways.</b> Plans and specifications for <del>the any Driveways</del> Driveways and culverts shall be as approved in writing by the AECC. Before any Driveway is constructed or reconstructed, a plan describing such work shall be submitted to the AECC for its prior written approval.</p> <p><b>Section 7. Water Facilities.</b> No Water Facility may be built or maintained on any Lot without the prior written approval of the AECC. In its discretion the <del>Board</del> AECC may approve, prohibit or limit the construction or maintenance or location of any Water Facility and the use thereof. <u>Each Owner shall be responsible for keeping any Water Facility located on his or her Lot in good condition and repair. Any Water Facility that is not maintained in good condition and repair shall be removed from The Properties by the Owner, at the Owner's sole expense, following written notice from the Association.</u></p> <p><b>Section 8. Home Occupations, Nuisances and Animals.</b> The Board shall have the power to adopt reasonable rules and regulations governing home based occupations, nuisances and the possession of animals. <del>No home, that the Board deems necessary to preserve and promote the health, safety, welfare, and natural setting of the area for the Association and its members. No home-based occupation or profession shall be conducted in any Dwelling, Dwelling Accessory</del></p>	<p>September 22, 2020</p> <p>Building or Garage except those expressly permitted by the Board. No noxious or offensive activity shall be carried on, in or upon any Lot or Dwelling, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. <del>No animals, other than inoffensive common domestic household pets, shall be domesticated on any Lot or in any Dwelling. No animals, livestock, fowl or poultry of any kind shall be raised, bred, or kept in any Dwelling or elsewhere on the Property, provided, however, that dogs, cats or other common domestic household pets may be kept in Dwellings subject to rules and regulations adopted by the Board. Any pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from The Properties upon seven (7) days' written notice from the Board to the Owner of the Dwelling containing such pet and the decision of the Board shall be final.</del></p> <p><b>Section 9. Temporary Structures.</b> No vehicle, trailer, basement of an incomplete building, tent, shack, <del>garage</del> accessory building, Garage, except as permitted in Section 1 of this Article, <del>and</del> <del>or</del> temporary building or structure of any kind shall be used at any time for a <del>residence</del> dwelling, either temporary or permanent <u>on an otherwise vacant lot.</u> Temporary buildings or structures used during any construction, including repair, remodeling or renovation on any Lot, shall be on the same Lot where the construction is being performed, unless the prior written approval of another location is granted by the AECC. All temporary structures shall be removed upon completion of construction.</p> <p><b>Section 10. Easements.</b> The recorded plats of subdivision of The Properties have:</p> <p>a. Reserved an easement to the Association, as the Developer's successor and assignee, within the area as shown on the plats and marked "Utility Easement," to install, lay, construct, renew, operate and maintain utility pipes and conduits and underground equipment for the purpose of serving <del>the</del> The Properties with telephone, electric, water and other utility services; and also reserved the right to cut down and remove any trees or bushes that interfere or threaten to interfere with any such use or right. No Structure or trees shall be placed upon said easement except that said easement may be used for gardens, shrubs, landscaping or other purposes which do not at any time interfere with the uses and rights of the easement;</p> <p>b. Created an easement for surface drainage in and along the streets and such other locations as are shown on the plats marked "Drainage Easement."</p> <p><b>Section 11. Wells and Plumbing.</b> All plumbing fixtures, dishwashers, toilets or sewage disposal systems shall be connected to a septic tank system constructed by the Owner and approved by the AECC and by any state, county or municipal authority having jurisdiction. Septic tank systems and locations must be of registered professional engineer design. Said engineer's design plans must be submitted to the AECC for approval and issuance of permit prior to commencing construction. All systems are to be of the closed type; no domestic wastewater is to be discharged into the lake or any adjacent property. Any such sewage disposal system as installed</p>
<p>10</p>	<p>11</p>	<p>12</p>

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

shall be subject to inspection while being constructed and to final approval by the approving authority before backfilling. All wells, plumbing fixtures, and sewage disposal systems shall be subject to inspection from time to time, by ~~the Association~~ a company licensed to conduct such inspections, for the purpose of determining whether these such items are in compliance with applicable statutes, ordinances, codes, or rules and regulations. ~~A fee to cover the reasonable costs of such inspections shall be established from time to time by the Board.~~

**Section 12. Nonconforming Uses.** All existing structures built ~~before the adoption of the Restated Declaration, effective November 6, 2011, prior to January 1, 2000~~ are exempt from the requirements stated in this Article III: all existing structures built according to a written permit issued by the AECC on or after January 1, 2000 are exempt from the requirements stated in this Article III; provided, however, that if any exempt Dwelling, Dwelling Accessory Building, Garage or other Structure is seventy-five percent (75%) or more destroyed and is being reconstructed, restored or replaced it shall, when completed, be in conformance with the requirements of this Article and the then current applicable building codes. Any new Structure built upon a Lot after the effective date of this ~~Amended~~ Declaration is subject to the restrictions contained in this Article and the then current applicable building codes.

**Section 13. Deviations by Agreement with the Association; Other Permitted Uses.**

a. The Association, its successors or assigns, shall have the right to enter into agreements with the ~~grantee~~ owner of any ~~lot~~ lot or ~~lots~~ lots without the consent of ~~grantees~~ owners of other ~~lots~~ lots or adjoining or adjacent property to deviate from any of the covenants set forth in this Article III for reasons of practical difficulties or particular hardships evidenced by any such ~~grantee~~ owner. Any such deviation, which shall be manifested by agreement in writing, shall not ~~establish a precedent and shall not~~ constitute a waiver of any such covenant as to other ~~lots~~ lots in ~~the~~ the Properties.

b. Notwithstanding anything herein which is to the contrary, the Association reserves to itself the right to construct and maintain on ~~lots~~ lots selected by it in ~~the~~ the Properties a Structure or Structures for use by it, and its successors and assigns, as an office or offices or other facilities to be used in connection with the operations and programs conducted by the Association for the benefit of the Owners, or as a location for a water well or wells, water storage facility or sewage treatment facility or facilities, provided no such facility shall be maintained in such manner as to interfere unreasonably with the enjoyment of any ~~lot~~ lot by the Owners thereof.

**Section 14. Leasing Property, CICA Section 1-35 (a).** ~~The~~ All Owners leasing their lots or Dwellings shall deliver a copy of the signed ~~lease~~ lease ~~to the Association no later than the date of occupancy or ten (10) days after the lease is signed, whichever comes first.~~ All leases shall be in writing. In the event that an Owner fails to comply with any leasing provisions set

September 22, 2020

forth in the Apple Canyon Lake Property Owners' Association Governing Documents (also referred to as the Community Instruments) ~~that relate to the use of an individual lot or of otherwise is in violation of this Section, the Association may seek to evict a tenant from the Dwelling or the Common Properties Lot under Article IX of the Code of Civil Procedure, as well as pursue any and all other legal and/or equitable remedies available to the Association as to the Owner.~~ Furthermore, all provisions of the Association's Community Instruments shall be applicable to any person leasing a ~~lot or~~ Dwelling or Lot and shall be deemed to be incorporated in any lease executed or renewed. ~~Unless~~ The Board may proceed directly against a tenant, at law or in equity under the provisions of Article IX of the Code of Civil Procedure, for any other breach by tenant of any of the provisions of the Association's Community Instruments. The Owner leasing his or her Dwelling or Lot shall not be relieved thereby from any of the Owner's obligations under the Association's Community Instruments or otherwise provided by law. The Board may also from time to time adopt rules and regulations pertaining to the Community Instruments, the Owner leasing the Lot or Dwelling of Dwellings and Lots, including policies and procedures to further the goals and objectives of this Section.

**Section 15. Use of The Properties by Non-Owners.** Upon reasonable request, Occupants shall ~~deliver a copy of the signed lease to be required to identify themselves to employees or agents of the Association, and to identify the Dwelling they are occupying and the identity of the Owner of such Dwelling.~~

**Section 16. Combination of Lots.** Two (2) or more numbered Lots may be combined by the Owner(s) of the Lots, provided that any Lot combination must be done by written agreement, which written agreement must be prior approved by the AFCC and Board and then recorded with the Recorder of Deeds of Jo Daviess County. Provided further that any numbered Lots that are combined shall still be treated as separate Lots for purposes of assessments charged by the Association with each combined Lot continuing to be assessed a separate assessment as if **the lease is oral, a memorandum of the lease, not later than the date of occupancy or ten (10) days after the lease is signed, whichever occurs first; no combination had taken place.**

**ARTICLE IV**

**MEMBERSHIP AND, VOTING RIGHTS IN THE ASSOCIATION**

**Section 1. Membership.** ~~Membership in the Association shall be the privilege of each Natural Person, and his or her spouse, who is the legal or equitable Owner of any Lot or Dwellings; except that no Lot or Dwelling shall have as Owners more than three (3) For Lots owned by Natural Persons, including their spouses. Anyall Owners of the Lot are considered Members of the Association. For a Lot owned by Legal Entity which owns any Lot or DwellingsEntities, such Legal Entities may designate in writing one (1) Natural Person, including his or her spouse, as a who has an ownership interest in the Legal Entity and who shall function~~

September 22, 2020

as the Member for such Lot for the purpose of the Association. ~~Each such designation by a Legal Entity shall be in writing these Governing Documents. Every Owner and Member shall provide the name, Association with his or her current mailing address, email address and telephone number of the Member, including any spouse, which person shall be the Voting Member as defined in Section 2.~~

After the initial designation of who the Member(s) for a particular Lot will be, changes in the identity of the Voting Member(s) for such Lots can be made only ~~with the approval of~~ upon a bona fide change in the ownership of the Board, or Lot documented by a recorded legal document identifying such ownership change, or (2) upon a showing that the change in the identity of the Voting Member(s) has resulted from a bona fide change in the ownership interest of the Legal Entity making the request, or (3) with the approval of the Board. The Board's decision in all such matters shall be binding and final. Any Natural Person or Legal Entity that holds a legal or equitable interest in any Lot ~~or Dwelling as security for the performance of an obligation shall not be a Member. Every Member, including any spouse of a Member, shall provide the Association with his or her current mailing address and telephone number.~~

**Section 2. Voting Rights – One Voting Member.** The Owners of each Lot ~~or Dwelling~~ shall designate one Natural Person ~~from among themselves, as the Voting Member for said Lot or Dwelling.~~ Only the Voting Member, as defined in Article I, Section 1 ~~(ee, gg) of this Declaration, shall be entitled to vote at any regular or special meeting of the Association, and only the Voting Member shall be sent notice of any regular or special meeting of the Association.~~

In the event there are multiple Owners of a Lot ~~or Dwelling~~ who are Natural Persons, including their spouses, and they fail to designate one Natural Person as the Voting Member, the first person named in the deed conveying title to the Lot ~~or Dwelling~~ shall be deemed to be the Voting Member. Notwithstanding anything to the contrary in this ~~Amended~~ Declaration, where there is more than one ~~owner~~ owner of a Lot and the designated Voting Member is not present at a meeting of the membership and has not otherwise voted, the ~~owner~~ owner in attendance shall be entitled to cast the member vote associated with that ~~lot~~ lot even if that ~~owner~~ owner is not the designated Voting Member. The vote must be cast on the day of the meeting prior to the closing of the polls. In the event a Lot ~~or Dwelling~~ is owned by a Legal Entity, ~~it shall designate one the~~ Natural Person that the Legal Entity designates to be the Member for the purposes of these Governing Documents shall also be the Voting Member. The failure of a Legal Entity to designate a Voting Member for its Lot shall be a bar to ~~the~~ such Lot's right to vote on any matter, ~~and the vote of such Lot or Dwelling shall not be counted for the determination of until a quorum Voting Member is designated for such Lot.~~ Owners, ~~other than a Legal Entity,~~ may change the designation of the Voting Member for their Lots at any time by delivering to the

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

<p><u>September 22, 2020</u></p> <p>Association a written designation, signed by all <del>of</del>the Owners of the Lot <del>or Dwelling</del>, which contains the Voting Member’s name, address and telephone number. Any such change in the designation of the Voting Member shall be effective when received by the Association.</p> <p>Every Lot <del>or Dwelling</del> shall be entitled to one (1) vote, provided that all assessments, charges, fees and fines which are due <del>to</del> the Association are paid in full at the time of the vote. If the Association owns any Lot <del>or Dwelling</del>, it shall not have the right to cast any vote, <del>and the vote of <del>any</del> for such Lot or Dwelling shall not be counted for the purpose of determining a quorum.</del> The total number of votes shall not exceed the total number of Lots <del>or Dwellings</del> in The Properties. The vote of a Lot <del>or Dwelling</del> shall not be divisible. If there is a dispute between or among the multiple Owners of a Lot <del>or Dwelling</del> as to who shall be the Voting Member, the vote for any such Lot <del>or Dwelling</del> shall not be counted for any purpose, <del>including determining a quorum. For purposes of determining the votes allowed under this section, when Dwellings in a particular family Structures are counted, the Lot or Lots upon which such Dwellings are situated shall not be counted.</del></p>	<p><u>September 22, 2020</u></p> <p><del>b.</del> The right of the Association in accordance with <del>the Amended</del>this Declaration, the Articles of</p> <p><del>c.</del> <del>Common</del> Incorporation and Bylaws to borrow money for the purpose of improving the Properties or the Reserved Properties and in aid thereof to mortgage any or all of the <del>property owned by the Association. In the event of a default upon any such mortgage the lender’s rights hereunder shall be limited to a right, after taking possession of such</del> property, to charge admission and other fees as a condition to continued enjoyment by the <del>Members and, if necessary, to open the enjoyment of such properties to a wider public</del> Members and, if necessary, to open the enjoyment of such properties to a wider public <del>until the mortgage debt is satisfied whereupon the possession of such properties shall be</del> returned to the Association and all rights of the Members hereunder shall be fully <del>restored.</del></p> <p><del>d.</del> The right of the Association to take such steps as are reasonably necessary to protect the above described properties against foreclosures.</p> <p><del>e.</del> The right of the Association to suspend the enjoyment rights of any <del>Owner or Member for any period during which any assessment, charge or fine remains unpaid, or to suspend the enjoyment rights of any Owner or Member for any period not to exceed ninety (90) days, or to levy and assess such fines and penalties for any violation of the Amended</del>this Declaration, the Bylaws, <u>The ACL Building and Environmental Code</u> or the Rules and Regulations, all as determined by the Board.</p> <p><del>f.</del> The right of the Association to charge reasonable admission and other charges or fees for the use, maintenance or preservation of the Common Properties or the Reserved Properties.</p> <p><del>g.</del> The right of the Association to dedicate or transfer all or any part of the Common Properties or the Reserved Properties to any public agency, authority, or utility for the preservation of the public health, welfare and safety and subject to such conditions as may be agreed to by the Association in accordance with its Articles of Incorporation and Bylaws.</p> <p><del>h.</del> The right of the Association, its successors and assigns, to construct on, over and under the Common Properties or the Reserved Properties and to maintain water, electric, gas, telephone, sanitary disposal system and other utility facilities to serve <del>the</del>The Properties, the Common Properties or the Reserved Properties or any portions thereof and to grant easements to others in such regard.</p> <p><b>Section 4. Rights of Owners’ Spouses.</b> <u>An individual who is married to an Owner (i.e. the Owner’s spouse) shall have the same right and easement of enjoyment in and to the Common Properties, subject to the same restrictions as stated herein, as the Owner he or she is married to</u></p>	<p><u>September 22, 2020</u></p> <p><u>has; provided, however, that such spouse shall be required to provide the Association with his or her current name, address and telephone number prior to exercising such rights.</u></p> <p><b>ARTICLE VI</b> <b>COVENANT TO PAY ASSESSMENTS</b></p> <p><b>Section 1. Creation of the Lien and Personal Obligation of Assessments.</b> Each Owner of any Lot <del>or Dwelling</del> by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed or other conveyance, shall be deemed to covenant and agree to pay to the Association: (1) annual assessments or charges; (2) special assessments for capital improvements; such assessments to be fixed, established and collected from time to time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the Lot <del>or Dwelling</del> against which each such assessment is made. Each such assessment, together with such interest thereon and cost of collection thereof as hereinafter provided, shall also be the personal obligation of each <del>person</del>Natural Person or Legal Entity who was an Owner of such Lot <del>or Dwelling</del> at the time when the assessment fell due.</p> <p><b>Section 2. Purpose of Assessments.</b> The assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety and welfare of the residents in <del>the</del>The Properties and, in particular, for the improvement and maintenance of all properties, services, and facilities devoted to this purpose and related to the use and enjoyment of the Common Properties, the Reserved Properties or the Dwellings situated upon <del>the</del>The Properties, including, but not limited to, the payment of taxes and insurance thereon and repair, replacement, and additions thereto, and for the cost of labor, equipment, materials, management and supervision thereof.</p> <p><b>Section 3. Basis and Amount of Annual Assessments.</b> The Association shall have the power to levy an annual assessment against all of the Lots and Dwellings within <del>the</del>The Properties, except for <del>only</del> those Lots and properties owned by the Association. The annual assessment shall be fixed in accordance with CICA as amended from time to time.</p> <p><b>Section 4. Change in Basis and Maximum of Annual Assessments and Special Assessments.</b> Each year the Board shall prepare an annual budget which shall identify the Association’s projected income and expenses for the next year, which shall include an appropriate amount for the reserves, capital expenditures, payment of real estate taxes, and for the repair and replacement of the Association’s facilities and equipment. A copy of the proposed annual budget shall be communicated to each <del>Lot or Dwelling owner</del>Owner at least thirty (30) days, but not more than sixty (60) days, prior to the adoption by the Board. The annual budget, approved by the Board, shall be acted upon at the November Board Meeting, or at such other meeting as the Board may determine. If an adopted budget or any separate assessment adopted by the Board would result in the sum of all regular and separate assessments payable in the</p>
<p><b>Section 1. Members’ Easements of Enjoyment.</b> Subject to the provisions of Section 3, every Member shall have a right and easement of enjoyment in and to the Common Properties which are accessible by public way or from Apple Canyon Lake, and such easement shall be appurtenant to and shall pass with the title to every Lot <del>or Dwelling</del>.</p> <p><b>Section 2. Title to Common Properties and Reserved Properties.</b> The Association has acquired legal title to all of the Common Properties and all of the Reserved Properties; and is the owner of all of the Common Properties and Reserved Properties, free and clear of all liens and encumbrances as of the date of the recording of this <del>Amended</del>Declaration.</p> <p><b>Section 3. Extent of Members’ Easements.</b> The rights and easements of enjoyment created hereby shall be subject to the following:</p> <p><del>a.</del> The right of the Association to prescribe rules and regulations for the use of Common Properties, including but not limited to the number, size, type and speed of boats operated on any waters on <del>the</del>The Properties; the taking of fish from waters on <del>the</del>The Properties; and such other regulations as the Association deems necessary to the health, safety and welfare of the Association and its Members.</p> <p><del>b.</del> The Association may assign specific piers, docks, or other water facilities situated on or adjacent to the Common Properties for the use of specific Lot Owners.</p>	<p><b>Section 4. Rights of Owners’ Spouses.</b> <u>An individual who is married to an Owner (i.e. the Owner’s spouse) shall have the same right and easement of enjoyment in and to the Common Properties, subject to the same restrictions as stated herein, as the Owner he or she is married to</u></p>	<p><b>Section 4. Change in Basis and Maximum of Annual Assessments and Special Assessments.</b> Each year the Board shall prepare an annual budget which shall identify the Association’s projected income and expenses for the next year, which shall include an appropriate amount for the reserves, capital expenditures, payment of real estate taxes, and for the repair and replacement of the Association’s facilities and equipment. A copy of the proposed annual budget shall be communicated to each <del>Lot or Dwelling owner</del>Owner at least thirty (30) days, but not more than sixty (60) days, prior to the adoption by the Board. The annual budget, approved by the Board, shall be acted upon at the November Board Meeting, or at such other meeting as the Board may determine. If an adopted budget or any separate assessment adopted by the Board would result in the sum of all regular and separate assessments payable in the</p>

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

current fiscal year exceeding one hundred fifteen percent (115%) of the sum of all regular and separate assessments payable during the preceding fiscal year, the ~~common interest community association~~ Association, upon written petition by ~~members~~ Voting Members with twenty (20) percent (20%) of the votes of the ~~association~~ Association delivered to the Board within fourteen (14) days of the Board action, shall call a meeting of the ~~members~~ Voting Members within thirty (30) days of the date of delivery of the petition to consider the budget or separate assessment; unless a majority of the total votes of the ~~members~~ Voting Members are cast at the meeting to reject the budget or separate assessment, it shall be deemed ratified.

**Section 5. Special Assessments not Included in the Annual Budget.** Assessments for additions and alterations to the common areas or to ~~association~~ Association-owned property not included in the adopted annual budget, shall be separately assessed and are subject to approval of a majority of the total Voting Members voting in person or by Written Ballot at a meeting duly called for this purpose, written notice of which shall be sent to all Voting Members ~~at least not less than ten (10) and not more than~~ thirty (30) days in advance and shall set forth the purpose of the meeting.

**Section 6. Special Assessments for Emergencies or Mandated by Law.** In accordance with the provisions of C/CAA subsection 1-45 (e), special assessments for expenditures relating to emergencies or mandated by law may be adopted by the Board without being subject to member approval or the provisions of C/CAA subsection 1-45(c) or (f). As used herein, "emergency" means a danger to or a compromise of the structural integrity of the common areas or any of the common facilities of the ~~common interest community~~ Association. "Emergency" also includes a danger to the life, health or safety of the membership.

~~Section 7. Quorum for Any Action Authorized Under Sections 4 and 5. C/CAA Section 1-40 (b) (1). The quorum required for any action requiring a vote under Section 4 and 5 hereof shall be twenty percent (20%) of the Voting Members eligible to vote at such meeting.~~

**Section 78. Due Date of Assessments.** The annual assessments provided for herein shall become due and payable on the first day of March of said year, or on such other date or dates as may be established by the Board. The due date of any special assessment under Section 5 or 6 hereof shall be fixed in the resolution authorizing such assessment. Written notice of the assessment shall be sent to the Voting Member designated for each Lot ~~or Dwelling~~ subject ~~thereto. If the assessment is not paid within ninety (90) days of the date on which it is due, written notice shall be sent to every Owner of that Lot or Dwelling at the last address on file at the Association office, subject thereto.~~

**Section 89. Proof of Payment.** The Association, upon demand and payment of a reasonable service fee ~~of not more than \$25.00~~ as determined by the Board, shall at any time furnish to any Owner liable for said assessment a certificate in writing signed by an authorized agent of the

September 22, 2020

Association, setting forth whether said assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

**Section 94. Effect of Non-Payment of Assessment: The Personal Obligation of the Owner; the Lien; Remedies of Association.** ~~If the assessments are not paid on the date when due (being the dates specified in Section 8 hereof), then such assessment shall become delinquent and shall, together with such interest thereon and cost of collection thereof as hereinafter provided, thereupon become a continuing lien on the property which shall bind such property in the hands of the then Owner, his heirs, devisees, personal representatives and assigns. The personal obligation of the then Owner to pay such assessment, however, shall remain his personal obligation for the statutory period. If the assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at a rate as determined by the Board from time to time. The Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property. There shall be added to the amount of such assessment the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided and a reasonable attorney's fee to be fixed by the court together with the costs of the action. Any assessments (or installments thereof), other charges or expenses, including, but not limited to, annual assessments, special assessments and duly imposed fines, which an Owner is required to make or is liable for hereunder which are not paid when due shall be deemed delinquent and the Board shall have the right to assess a late fee for the delinquent payment. Additionally, if an assessment, charge or expense is not paid within thirty (30) days after the due date, the Board shall have those rights and remedies to enforce such collection as shall be provided or permitted by law and equity including, but not limited to, bringing suit for and on behalf of the Association to enforce collection of the amount due, the costs of said suit, and other fees and expenses together with interest, including, but not limited to, reasonable attorneys' fees and managing agent fees associated with collection of unpaid assessments, along with any and all interest, costs and other sums set forth above which the Association is entitled to receive. Without limiting the foregoing, if any Owners shall fail to pay any assessments, charges or expenses required to be paid, the Board shall have such rights and remedies:~~

(a) ~~The right to enforce the collection of such defaulting Owner's assessments, charges or payments, together with interest thereon, and all fees, expenses and costs including attorneys' fees, managing agent fees, and court costs, incurred in the collection thereof;~~

(b) ~~The right to foreclose the lien created in favor of the Association for unpaid assessments and other charges, together with interest, costs, attorneys' fees, managing agent fees and other expenses associated with the cost of collecting same provided for in Section 1 of this Article. The Board, acting on behalf of the other Owners, shall have the power to bid in the interest so foreclosed at foreclosure sale, and to acquire and hold, lease, mortgage and convey any interest so acquired. To the fullest extent permitted by law, any court shall be authorized to restrain the defaulting Owner from reacquiring his or her interest at such foreclosure sale; and~~

September 22, 2020

(c) ~~The right to take possession of such defaulting Owner's interest in their Dwelling and Lot, to maintain for the benefit of all the Owners an action for possession in the matter prescribed in the Illinois Eviction Act (735 ILCS 5/9-101 et. seq.), as amended, and to execute leases of such defaulting Owner's interest in their Dwelling and Lot and apply rents derived therefrom against such unpaid assessments, charges or expenses.~~

**Section 104. Subordination of the Lien to Mortgages.** The lien for the assessments provided for herein shall be subordinated to the lien of any mortgage or mortgages now or hereafter placed upon ~~the~~ The Properties subject to assessment; provided, however, that such subordination shall apply only to the assessments which have become due and payable prior to a sale or transfer of such property pursuant to a decree of foreclosure, or any other proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such property from liability for any assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

**Section 112. Exempt Property.** The following property subject to this Declaration shall be exempted from the assessments, charge and lien created herein: (a) all properties to the extent of any easement or other interest therein dedicated and accepted by local public authority and devoted to the public use; (b) all Common Properties; ~~and~~ (c) Reserved Properties; ~~(d) all properties exempted from taxation by the laws of the State of Illinois, upon the terms and to the extent of such legal exemption.~~ Notwithstanding any provisions herein, no land or improvements devoted to dwelling use shall be exempt from said assessments, charges or liens.

**Section 125. Restricted Lots.** ~~The Owner of Restricted Lots are those Lots without any Lot upon which no Structure has been erected may enter into on the Lot and for which an agreement with has been entered between the Owner of the Lot and the Association wherein the Owner agrees that said Lot shall remain forever vacant open space upon which no Structure of any kind shall be erected, except one requested by the Association and agreed upon by the Owner and the Board. All agreements creating a such Restricted Lot shall be in substance and form acceptable to the Board and suitable for recording, and when agreed to by the Association shall agreements were required to be recorded with the Recorder of Deeds of Jo Daviess County, Illinois. Restricted Lots subject to such an agreement shall, beginning in the year following the recording of such agreement, be liable for only sixty (60) percent (60%) of any future annual assessments. Restricted Lots shall continue to remain liable for any Special Assessments approved pursuant to Section 5 or 6 hereof of this Article. The Owner of a Restricted Lot shall have all of the rights and privileges of any other Owner, except as modified by such agreement, and shall continue to remain responsible for the maintenance of such Restricted Lot as is the Owner of any other vacant Lot. The list of approved Restricted Lots is attached hereto on Exhibit "C". Lots which have previously been approved by the Board as Restricted Lots may remain as Restricted Lots unless the Owner of the Lot and the Board agree to rescind the Restricted Lot agreement, in which case the Lot shall be treated in the same manner as all other~~

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

<p>September 22, 2020</p> <p><u>non-Restricted Lots for assessment purposes. No additional Lots may be granted Restricted Lot status following the recording of this Declaration.</u></p> <p><b>Section 134. Senior Exemption.</b> If a <del>DwellingLot</del> qualifies for the Senior Citizen Assessment Freeze (“Senior Exemption”) as provided in the Jo Daviess County, Illinois Ordinances in effect from time to time, such <del>DwellingLot</del> shall be exempt from any increase in future annual assessments which become effective the year after the granting of such Senior <del>Citizen Assessment Freeze Exemption</del>. The Owner of a <del>DwellingLot</del> which qualifies for this Senior Exemption shall, <u>on an annual basis</u> before January 1st <del>each year</del>, provide the Association with satisfactory evidence that the <del>DwellingLot</del> has qualified for the Senior <del>Assessment Freeze Exemption</del> program for the following year. Such <del>DwellingLot</del> shall continue to remain liable for any Special Assessments approved pursuant to Section 5 or 6 hereof. All such Senior Exemptions shall end on the year immediately following the first to occur of the conveyance or transfer of the <del>DwellingLot</del> to a third party or the death of the last surviving Owner entitled to such Senior <del>Citizen Assessment Freeze Exemption</del>.</p> <p style="text-align: center;"><b>ARTICLE VII ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE</b></p> <p><b>Section 1. Powers of the Committee.</b></p> <p>a. <b>Generally.</b> No Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, fence, wall or other structure of any type or kind may be commenced, erected nor shall any exterior addition to or change or alteration be commenced or made on any Lot or on any of the Common Properties or Reserved Properties subject to this <del>Amended</del> Declaration without the prior written approval of the <del>Architectural and Environmental Control Committee (AECC)</del>; <u>provided that, additions, alterations or changes to the Common Properties and Reserved Properties may be made by the Board</u>. Such approval shall be <del>obtained only after written application has been made to the AECC by the Owner of the</del> <del>Lot</del> requesting authorization from the AECC. Such written application shall be in the <del>_____</del> manner and form prescribed from time to time by the AECC and shall be accompanied by <del>_____</del> (two) (2) complete sets of plans and specifications for any such proposed construction or <del>_____</del> improvement. Such plans shall include plot plans showing the location of all <del>_____</del> improvements existing upon said Lot and the location of the improvement proposed to be <del>_____</del> constructed or placed upon said Lot, each property and clearly designated; said plans shall <del>_____</del> also show the building lines shown on the recorded plat of subdivision. Such plans shall <del>_____</del> set forth the color and composition of all exterior</p>		<p>September 22, 2020</p> <p>materials proposed to be used, together <del>_____</del> with any other material or information which the AECC may require from time to time. <del>_____</del> All plans, drawings and other documentation required to be submitted to the AECC shall be as the AECC may require. There shall also be submitted, where applicable, the permits <del>_____</del> or <del>reports</del> <del>approvals</del> required under Article III of the <del>Amended</del> Declaration. (Sec. Art. III, Sec. 11, <del>_____</del> Walls and Plumbing.) <del>All such plot plans shall be prepared by either a registered land surveyor or engineer or architect; except that plans for Driveways, Water Facilities, walls _____ or fences need not be prepared by such professionals. No grading of the lot shall be _____ permitted without the prior written approval of the AECC.</del> The AECC shall have the <del>_____</del> power, subject to the Board’s approval, to adopt building codes, guidelines and standards <del>_____</del> governing the quality, design, workmanship and materials and colors to be used for all <del>proposed</del> construction or improvements.</p> <p>b. <b>Power of Disapproval.</b> The AECC may refuse to grant permission to construct, place or make the requested improvements when:</p> <ol style="list-style-type: none"> <li>i. The plans, specifications, drawings or other material submitted are themselves inadequate or incomplete, or show the proposed improvement to be in violation of any of the restrictions contained in <del>the Amended</del> <u>this</u> Declaration, or the provisions of any applicable governmental building code, or the codes, guidelines or standards approved by the AECC or the Board.</li> <li>ii. The design or the siting of a proposed improvement is not in harmony with the general surroundings of the subject <del>lot</del> or with adjacent buildings or structures.</li> <li>iii. The proposed improvement, or any part thereof, would in the opinion of the AECC be contrary to the interests, welfare or rights of all or part of the Owners.</li> </ol> <p>c. <b>Power to Grant Variances, Adopt Rules.</b></p> <ol style="list-style-type: none"> <li>i. <del>_____</del> The AECC may allow reasonable variances or adjustments of this <del>Amended</del> <u>_____</u> Declaration where the literal application thereof would result in unnecessary <del>_____</del> hardship, provided however, that any such variance or adjustment that is granted is <del>_____</del> in conformity with the general intent and purposes of this <del>Amended</del> Declaration; <del>_____</del> and that the granting of the variance or adjustment will not be materially <del>_____</del> detrimental or injurious to other lots in the development. The granting of a <del>_____</del> variance in any specific case shall not be construed as a precedent or authorization <del>_____</del> to compel the granting of a variance in any other case, however similar the <del>_____</del> circumstances may be.</li> </ol>
<p>September 22, 2020</p>	<p>September 22, 2020</p>	<p>September 22, 2020</p> <ol style="list-style-type: none"> <li>ii. The AECC may adopt rules, including rules to be <del>_____</del> applied in requests for variances, building requirement forms, general building procedure requirements including, but not limited to, adoption or acceptance of national or local building codes, either in whole or in part, for use during the construction <u>of</u> improvements upon the Lots, the Common Properties or the Reserved Properties, provided that all such rules and general requirements be approved by the majority of the Board of Directors prior to implementation and use.</li> </ol> <p>d. <b>Power to Charge Fees.</b> The AECC shall recommend to the Board of Directors a schedule of fees to be charged to consider the application of any Owner, and a schedule of fees for the inspection services necessary for all improvements, whether performed by the Association or by any outside source. Such fee schedules shall be approved by the Board from time to time, and shall be uniformly charged to all Owners. All funds collected shall be paid to the Association.</p> <p>e. <b>Review of AECC Action by Board.</b> The Owner of any Lot or Dwelling whose application to the AECC has been denied may, within sixty (60) days of such denial, appeal such denial to the Board. Such appeal shall be in writing and shall state all reasons why the AECC’s decision was either erroneous as a matter of fact or arbitrary and capricious. At the next regular meeting of the Board, the Board shall consider the Owner’s appeal and review the AECC’s action. The Board shall either affirm the action of the AECC; refer the matter back to the AECC for further consideration; or determine that the action of the AECC was erroneous as a matter of fact or arbitrary and capricious, in which case the Board may direct that the application be granted. The action of the Board shall be final and binding.</p> <p><b>Section 2. Duties of the AECC.</b> The AECC shall approve or disapprove proposed improvements within sixty (60) days after all required information has been submitted to it. If the AECC fails to approve or disapprove the proposed improvements within sixty (60) days, it shall provide the Owner with a written explanation of the reasons it has failed to act. In acting upon such applications, the AECC members may discuss and act on any such applications either at a regularly scheduled meeting or at a special meeting. Members of the AECC may attend such meetings in person or by telephone. One copy of the submitted material shall be retained by the AECC for its permanent file. All notifications to applicants shall be in writing and, in the event that such notification is one of disapproval, it shall specify the reason or reasons for such disapproval.</p> <p><b>Section 3. Composition of the AECC.</b> The AECC shall be comprised of not less than three (3) representatives who shall be appointed by the Board, and who shall be subject to removal by the Board at any time. The Board shall appoint at least one (1) architect, licensed engineer or building contractor to the AECC, if one is available. <u>In the event the Board is unable to appoint an architect, licensed engineer or building contractor to the AECC, the Association may retain</u></p>
<p>22</p>	<p>23</p>	<p>24</p>

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

one or more of the same from time to time to consult and advise the AECC in the performance of its duties. The majority of the members of the AECC shall also be Members of the ~~Association~~ Board. Any vacancies existing from time to time shall be filled by appointments made by the Board. The AECC, subject to the Board's approval, may engage such inspectors or agents to assist it in the performance of its duties and responsibilities. No member of the AECC shall participate in the review of any application in which the member has any interest either as an owner or as the provider of any services for which the member is compensated.

**Section 4. Liability of the AECC and the Association.** ~~Neither the AECC nor any agent thereof, nor the Association, shall be responsible in any way for the defects in any plans, specifications or other materials submitted to it, nor for any of the work done according thereto.~~ No approval of plans and specifications submitted by an Owner pursuant to this Article by the AECC or Board shall be construed as representing or implying that such plans and specifications shall, if followed, result in properly designed improvements. Such approvals shall in no event be construed as representing or guaranteeing that any Dwelling, Multifamily Structure, Dwelling Accessory Building, Structure, Driveway, Water Facility, fence, wall or other structure of any type or other improvement built in accordance therewith shall be built in a good and workmanlike manner. Neither the Association, the Board nor the AECC shall be responsible or liable for any defects in any plans or specifications submitted, revised or approved pursuant to the terms of this Article, any loss or damages to any Natural Person or Legal Entity arising out of the approval or disapproval of any plans or specifications, any loss or damage arising from the non-compliance of such plans or specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications.

**Section 5. Duty of Inspection.** The AECC shall have the power and the right to inspect the work being performed to assure compliance with the applicable provisions of ~~the Amended~~ this Declaration and all applicable codes and regulations, and the approved drawings. Approval of plans or work by the AECC shall not be deemed to be a determination that the applicable codes and regulations have been satisfied.

**Section 6. Satellite Dishes and Antennas.** No radio or television antennas or satellite dishes shall be affixed or placed upon or on any portion of the Common Properties or Reserved Properties without the prior written approval of the AECC or Board. The placement, installation and use of antennas and satellite dishes on or upon the Dwellings and Lots by Owners shall be subject to all applicable provisions of the rules and regulations adopted by the Board. Notwithstanding anything contained herein to the contrary, the installation of any satellite dish or antenna shall be at the Owner's sole risk and sole cost and expense. This provision, however, is not intended to interfere with the Owners' rights to adequate reception under the 1996 Telecommunications Act or other present, or future, federal or Illinois statutes.

**Section 7. Remedies for Un-Approved Additions and Alterations.** If an addition, alteration or improvement that requires AECC approval hereunder is made to a Dwelling or Lot by an Owner

September 22, 2020

without the prior written approval of the AECC or Board, then the Association may, at the discretion of the Board and in addition to all other rights of enforcement provided to the Association as set forth in this Declaration, the Bylaws, Rules and Regulations or as provided at law or in equity, take any of the following actions:

- (a) Require the Owner to remove the addition, alteration or improvement and restore the Dwelling and Lot to the condition that existed prior to the making of the addition, alteration or improvement, all at the Owner's expense; or
- (b) If the Owner refuses or fails to properly perform the work required under subsection (a) hereof, the Board may cause such work to be done and may charge the Owner for the cost thereof as determined by the Board; or
- (c) Ratify the action taken by the Owner, and the Board may, but shall not be required to, condition such ratification upon the same conditions that it may impose upon the giving of its prior approval under this Article.

**ARTICLE VIII  
WATER SERVICE**

**Section 1.** Every Owner of a Lot in ~~the~~ The Properties which is subject to this Article shall be presumed conclusively to have covenanted by accepting a deed of conveyance to a Lot, regardless of the means of acquisition of title, to pay charges for water service available to the Lot by a common water system at a monthly rate as fixed by the utility furnishing water service, and approved by the Illinois Commerce Commission from and after the availability of water service for connection to the Lot. At such time as the Owner shall elect to have water service connected, he or she shall pay a connection charge to the utility in an amount approved by the Illinois Commerce Commission. Thereafter, he or she shall pay for consumption of water at reasonable rates subject to a minimum monthly charge established by the servicing utility and authorized by the Illinois Commerce Commission. Said availability, consumption and usage rates may be billed quarterly, semiannually, or annually at the option of the serving public utility. Unpaid charges shall become a lien upon the ~~lot~~ Lot or ~~lots~~ Lots served as of the date the same become due. Owner shall not drill or permit the drilling of a water well upon his or her property, unless the utility furnishing water service is unable to provide adequate water service to that Lot. All water wells must be first approved by the AECC.

**ARTICLE IX  
GENERAL PROVISIONS**

September 22, 2020

**Section 1. Term and Amendment.** The covenants and restrictions of this ~~Amended~~ Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, or the Owner of any land subject to this ~~Amended~~ Declaration, their respective legal representatives, heirs, successors and assigns. Said covenants shall be automatically extended for successive periods of one (1) year, unless this ~~Amended~~ Declaration is amended by the affirmative vote of two-thirds ~~(2/3)~~ of the Voting Members eligible to vote in person or by Written Ballot at a meeting of the Association duly called for the purpose of changing ~~the Amended~~ this Declaration, written notice of which shall be sent to all Voting ~~members at least~~ Members not less than ten (10) and not more than thirty (30) days in advance. ~~At any prior to such meeting a quorum shall consist of twenty percent (20%) of all eligible Voting Members.~~ All such amendments shall be effective upon filing with the Recorder of Deeds of Jo Daviess County, Illinois, a certified copy of a resolution adopted by the Board certifying that the amendment of this ~~Amended~~ Declaration has been approved by the required vote.

**Section 2. Notices.** Any notice required to be sent to any Voting Member or Owner under the provisions of this ~~Amended~~ Declaration shall be deemed to have been properly delivered when sent by a Prescribed Delivery Method to the last known address (or electronic address) of such Voting Member or Owner on the records of the Association at the time of delivery.

"Prescribed Delivery Method" means (i) mailing or delivering; (ii) posting in The Apple Core or another Association publication that is routinely mailed to all Members; or (iii) any other delivery method (including Acceptable Technological Means) that has been approved in writing by the Owner or Voting Member and is authorized by the Community Instruments.

"Acceptable Technological Means" include without limitation, electronic transmission over the Internet or other network, whether by direct connection, intranet, telecopier, electronic mail, and any generally available technology that, by rule of the Association, is deemed to provide reasonable security, reliability, identification, and verifiability.

**Section 3. ~~Enforcement~~ – Enforcement of this Amended Declaration shall be by any proceeding at law or in equity against any person or persons violating or attempting to violate any covenant or restriction, either to restrain violation or to recover damages, and against the land to enforce any lien created by these covenants; and failure by the Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.**

~~Section 4. Severability.~~ Invalidation of any one of these covenants or restrictions by judgment, court order, or law shall not affect any other provisions which shall remain in full force and effect.

**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

<p><u>September 22, 2020</u></p> <p><b>Section 4. No Waiver.</b> No covenants, restrictions, conditions, obligations, or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason or any failure to enforce the same, irrespective of the number of violations or breaches which may occur.</p> <p><b>Section 5. Gender Neutrality.</b> Unless the provisions of this Declaration require otherwise, words imparting the masculine gender shall include the feminine, words imparting the feminine gender shall include the masculine, words imparting the singular number shall include the plural, and words imparting the plural shall include the singular.</p> <p><b>Section 6. Rule Against Perpetuities.</b> The covenants, restrictions, conditions, reservations, easements, charges, liens and other provisions as delineated in this Declaration shall run with and bind the land so as to insure the Owners full enjoyment and benefit of their Dwellings and Lots. If, and to the extent that, any of the covenants, restrictions, conditions, reservations, easements, charges, liens or other provisions contained in this Declaration would otherwise be unlawful or void for violation of:</p> <p>(a) <u>        </u> The rule against perpetuities;</p> <p>(b) <u>        </u> The rule restricting restraints on alienation; or</p> <p>(c) <u>        </u> Any other applicable statute or common law rule analogous thereto or otherwise imposing limitations upon the time for which such covenants may be valid, then the provision concerned shall continue and endure only after the expiration of a period of twenty-one (21) years after the death of the last to survive of the class of persons consisting of all of the lawful descendants of Tom Hanks, professional actor and star of such films as Sleepless in Seattle, Apollo 13 and Saving Private Ryan, living at the date this Declaration is recorded.</p> <p><b>Section 7. Liberal Construction.</b> The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the operation of a first-class development.</p> <p><b>Section 8. Headings/Captions.</b> The Article and Section headings are intended for convenience only and shall not be construed with any substantive effect in this Declaration. In the event of any conflict between statements made in recitals to this Declaration and the provisions contained in the body of this Declaration, the provisions in the body of this Declaration shall govern.</p> <p><b>Section 9. Waiver and Release of Claims.</b> To the extent allowed by any policy of insurance owned by him or her, each Owner hereby waives and releases any and all claims which he or she may have against any other Owner, the Association, its officers, members of the Board, the managing agent of the Association, if any, and their respective employees and agents for damage to the Common Properties, the Dwellings and Lots, or to any personal property located therein caused by fire or other casualty, to the extent that such damage is covered by fire or other form of casualty insurance.</p> <p><b>Section 10. Security.</b> The Association may, but is not obligated to, provide measures of security on The Properties from time to time; however, the Association is not a provider of security and shall have no duty or obligation to provide any security on The Properties. The</p>	<p><u>September 22, 2020</u></p> <p>obligation to provide security lies solely with each Owner individually. The Association shall not be held liable for any loss or damage by reason of failure to provide adequate security or ineffectiveness of security measures undertaken.</p> <p style="text-align: center;"><b>ARTICLE X REMEDIES</b></p> <p><b>Section 1. Enforcement.</b></p> <p>02/18/16 Revised 05/01/16 Board Approved 05/21/16 Revised 05/21/17 in addition to or in conjunction with all other rights herein granted to the Association, the Association or any Owner, their successors or assigns, shall have the right to enforce the provisions of this Declaration. Bylaws and Rules and Regulations of the Association by any proceeding at law or in equity against any Natural Person(s) or Legal Entity or Entities violating or attempting to violate any such provisions, and further the Association shall have the right to levy a fine, following notice and an opportunity to be heard, against such Natural Person(s) or Legal Entity or Entities. All rights and remedies may be exercised at any time and from time to time, cumulatively, or otherwise, and failure of the Association or any Owner to enforce any such provisions shall in no way be deemed a waiver of the right to do so thereafter. All costs and expenses incurred by the Association in connection with any such proceedings or with exercising the Board's self-help rights as set forth in Section 2 of this Article, including, but not limited to reasonable attorneys' fees, court costs and managing agent fees, shall be assessed against any Owner violating any such provisions and shall be a charge and constitute a lien on his or her Lot and be enforceable in the same manner as unpaid assessments as provided in this Declaration and recoverable by the Association as part of any such proceedings.</p> <p><b>Section 2. Board Self Help.</b> In the event of a violation or breach by an Owner of the provisions, covenants or restrictions of this Declaration, the By-Laws, or rules or regulations of the Board, where such violation or breach may be cured or abated by affirmative action, then the Board, upon not less than ten (10) days' prior written notice to the Owner, shall have the right to enter upon that part of the Property, including, but not limited to, any Dwelling exterior and Lot, where the violation or breach exists to remove or rectify the violation or breach at the expense of the Owner in violation or breach, and the Board, or its agents, shall not thereby be deemed guilty in any manner of trespass; provided, that, if the violation or breach exists within a Dwelling, judicial proceedings must be instituted before any items of construction can be altered or demolished.</p> <p><b>Section 3. Managing Agent Fees.</b> Any and all managing agent fees and costs associated with the collection of delinquent assessments and/or curing an Owner's or Occupant's breach or violation of the Declaration, Bylaws and/or Rules and Regulations shall be assessed back to the defaulting Owner's account and become an additional obligation and charge of such delinquent</p>	<p><u>September 22, 2020</u></p> <p>Owner. To assist the Association in collecting delinquent assessments and/or curing violations of the Declaration, By-Laws and/or Rules and Regulations from the Owners, the managing agent, if any, may perform the following duties: prepare and issue delinquency notices, prepare and issue statutory and other demand letters, order an ownership (tract) search to verify current ownership of the delinquent Lot, prepare and record a lien against the delinquent Lot for unpaid assessments or other charges and any such other services performed in an effort to assist the Association in the collection of delinquent assessments or other charges or curing breaches or violations of the Declaration, Bylaws and Rules and Regulations. The managing agent is entitled to receive a reasonable fee for such services performed, as more fully outlined in the management agreement entered into between the managing agent and the Association.</p> <p><b>Section 4. Fees Associated with Mortgage Foreclosure.</b> All expenses and fees, including, but not limited to, managing agent fees, attorneys' fees and court costs, incurred by the Association as a result of the Association being included as a defendant in a mortgage foreclosure action shall be assessed back to the Owner sued in such foreclosure action and become an additional obligation and charge of such delinquent Owner.</p> <p style="text-align: center;"><b>ARTICLE XI MAINTENANCE, REPAIRS AND REPLACEMENTS</b></p> <p><b>Section 1. Maintenance by Owners.</b> Each Owner shall be responsible for the maintenance, repair, and replacement of his or her Dwelling and Lot at such Owner's sole cost and shall keep his or her Dwelling and Lot in good condition and repair.</p> <p><b>Section 2. Owner Failure to Maintain.</b> If, in the judgment of the AECC, an Owner fails to maintain his or her Dwelling and Lot in good condition and repair or the appearance of such Owner's Dwelling and Lot is not of the quality of that of other Dwellings and Lots in The Properties or in compliance with rules and regulations adopted by the Board from time to time, then the Association may, in its discretion, take the following action:</p> <p>(i) <u>        </u> The AECC may advise the Owner of the work that must be done and allow the Owner at least twenty (20) days (or less in the case of an emergency) to cause the work to be done; and</p> <p>(ii) <u>        </u> If the work is not done to the satisfaction of the AECC, in its sole judgment, then the AECC may levy a fine and, in addition, the Board may seek injunctive relief, and/or enter upon such Owner's Dwelling and Lot to cause such work to be done and the cost thereof shall be a charge payable by the Owner to the Association upon demand in the same manner as unpaid assessments.</p> <p><b>Section 3. Willful and Negligent Damage.</b> If, due to the act or omission of an Owner, his or her family, tenants, servants, pets, guests or invitees or other authorized Occupant of the Owner's Dwelling or Lot, damage is caused to the Common Properties or Reserved Properties and</p>
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**COMPARISON TO THE DECLARATION AS OF SEPTEMBER 23, 2020**

September 22, 2020

maintenance, repairs, or replacements shall be required thereby, which would otherwise be an Association expense, then such Owner shall pay for such damage and such maintenance, repairs, and replacements, as determined by the Board, and the cost of such maintenance, repairs, or such Owner's Lot is subject and the Association shall have a lien upon said Lot enforceable in the manner and to the extent herein set forth in this Declaration and the failure of such Owner to pay such costs shall carry with it the same consequences as the failure to pay any assessments levied hereunder when due, as herein provided.

**END OF TEXT OF DECLARATION**

This instrument was prepared by, and upon recording return to:

KEY & COSTELLO, P.C.  
128 South County Farm Road  
Wheaton, Illinois 60187  
630-690-6446

September 22, 2020

STATE OF ILLINOIS )  
 )SS  
COUNTY OF \_\_\_\_\_ )

The undersigned is Secretary of the Board of Directors of Apple Canyon Lake Property Owners' Association and by my signature below do hereby certify that the attached is a true, correct, and accurate copy of the Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association and the following is a true, correct and accurate copy of a resolution of the Board of Directors of Apple Canyon Lake Property Owners' Association regarding the approval of such document by the Voting Members of the Apple Canyon Lake Property Owners' Association.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Being the Secretary of Apple Canyon Lake Property Owners' Association

I, \_\_\_\_\_, a Notary Public, hereby certify that on the above date, the above member of the Board of Directors of Apple Canyon Lake Property Owners' Association, which Board member is personally known to me, appeared before me and acknowledged that, as such Board member, he/she signed this instrument as his/her free and voluntary act of said Board for the uses and purposes therein set forth.

BY: \_\_\_\_\_

September 22, 2020

**Resolution of the Board of Directors of Apple Canyon Lake Property Owners' Association**

WHEREAS, a meeting of the Board of Directors ("Board") of Apple Canyon Lake Property Owners' Association (the "Association") was duly called and held pursuant to the Illinois General Not-For-Profit Corporation Act of 1986, the Illinois Common Interest Community Association Act ("Act"), and the Association's Declaration and Bylaws, and proper notice having been provided to the members as required by the Act, a quorum of the Board being present at the meeting as identified below, and the meeting being properly convened and proceeding with Association business including resolutions and amendments and specifically the resolution set forth herein:

WHEREAS, the Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association ("Amended Declaration") was proposed to the Voting Members of the Association at a meeting of the Voting Members:

WHEREAS, notice of such meeting of the Voting Members was provided to Voting Members at least thirty (30) days in advance thereof; and

WHEREAS, at least two-thirds (2/3) of the Voting Members eligible to vote approved the proposed Amended Declaration.

NOW THEREFORE, in furtherance of the above stated determinations, objectives and goals, the Board, by resolution and on behalf of the Association, does hereby adopt the following Resolution as follows:

1. The Amended and Restated Declaration of Covenants and Restrictions for Apple Canyon Lake Property Owners' Association, having been approved by at least two-thirds (2/3) of the Voting Members in the Association eligible to vote and upon recordation in the Office of the Recorder of Deeds of Jo Daviess County, Illinois, shall replace, in its entirety, the Apple Canyon Lake Property Owners' Association Amended Declaration to Conform to the Common Interest Community Association Act which was recorded on September 21, 2017 as Document No. 395980 in the Office of the Recorder of Deeds, Jo Daviess County, Illinois.

**End of Text of Resolution**



**COMPARISON TO THE DECLARATION**

September 22, 2020

Thereupon, on motion duly made and seconded, the above determinations, objectives, goals, and resolutions were adopted and acknowledged this \_\_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_\_, Illinois, by the following roll call vote:

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstaining \_\_\_\_\_ Votes \_\_\_\_\_ Directors Voting \_\_\_\_\_

In support of the above-identified vote, and as confirmation thereof, the Directors of the Association identified above, having voted as identified above, sign this resolution as follows:

34

September 22, 2020

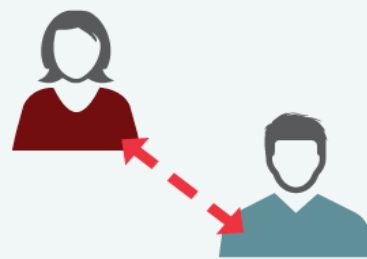
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35

**Social Distancing Practices are in affect at all ACL locations and offices.**  
**Please continue to practice Social Distancing!**



**NO HANDSHAKES OR HUGS**



**KEEP YOUR DISTANCE (about 6 feet)**



**WORK REMOTELY**



**AVOID CROWDS**



**STAY AT HOME**



**WASH YOUR HANDS**



## OFFICE LINE

**MEGAN SHAMP, OFFICE MANAGER**  
megan.shamp@applecanyonlake.org

### 2021 Payment Plan forms available soon

We can start accepting submissions for the 2021 Payment Plan after the budget has been adopted by the Board of Directors at their October 17 meeting. There will be two different options for the Payment Plan next year - the same three-installment plan as previous years (March 1, May 15, and July 15) and a new five-installment plan (March 1, May 15, June 15, July 15, and August 15). The form and complete details will be published in the November *Apple Core*, and will be available on the ACL website and from the Association Office beginning Monday, October 19. There is a \$35 Payment Plan Processing Fee for each lot entered on the Payment Plan before January 31. This fee is paid in the March 1 installment, no payment is required at signup.

### ACH signups accepted through January 25

New one-installment ACH signups for 2021 can be accepted any time prior to January 25. ACH payments are withdrawn from your checking or savings account

**Members must have trash pass to dispose of garbage or recyclable materials. There is a disposal fee for large or electronic items.**

MATERIAL	ITEMS	PREP	CANNOT RECYCLE
ALUMINUM	cans only	rinse clean, flattening optional	foil
TIN CANS STEEL CANS	food cans only	rinse clean, flattening optional	cardboard sided juice cans, aerosol cans paint cans
PLASTIC	milk, soda and detergent bottles; other bottles #1-#7	rinse clean, flatten gallon jugs	plastic cups, film, hard plastics (toys, pails, etc.); medicine bottles, syringes
NEWSPAPERS & MAGAZINES		place in plastic or paper bags	
CORRUGATED CARDBOARD		flatten boxes	

on February 1 of each year. The full statement balance is paid in one installment with this option. The ACH authorization continues until the agreement is terminated in writing by either ACL or the Property Owner. There is no charge for the one-installment ACH option. Please contact the Office for a form if you would like to sign up.

### Plan ahead for 2021

It is easy to forget about updating insurance & registration once your ACL stickers are on your boat, UTV, etc. for the year. If your insurance or registration has renewed, please take the time to submit this paperwork to the office now. This is especially important if you have an Association-licensed Boat Slip or Campsite. **Make sure your current boat registration is on file before the boat is shrink wrapped or stored away for winter!** Documents can be emailed to [customerservice@applecanyonlake.org](mailto:customerservice@applecanyonlake.org) or faxed to (815) 492-2160.

### IMPORTANT - You must renew Illinois State Watercraft Registrations online!

The IDNR offices are working behind the scenes but on a very limited schedule with a very limited staff. They have indicated that anyone whose registration expired June 30, 2020 needs to renew online and not send in a paper renewal. The renewal box has been removed from the paper application. If your State Watercraft Registration expired June 30, 2020, renew online at <https://www.il.wildlifelicenses.com/vehicle.php?action=vehiclelkup>. There is a printable confirmation page that serves as your temporary registration card. The ACL Association Office and the IDNR accepts copies of this confirmation page as proof that the registration has been renewed until the actual card is received in the mail. When renewing over the phone, the IDNR provides a confirmation number that the IDNR can check if they stop you. ACL has no way to look up the confirmation number and cannot accept it as proof of registration renewal. If you do not have a printer, you can print the transaction confirmation page as a PDF (this will allow you to save the file on your computer – that file can then be emailed to ACL). **If you do not have internet access or a printer, or do not feel confident doing this yourself, please call us and we can assist you over the phone and then email and/or mail you a copy of the transaction confirmation.** You will need to pay IDNR for the renewal.

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## ACL SOLID WASTE/RECYCLING PROCEDURES

- TRASH** — Bag all household garbage, deposit in the trash compactor.
- LARGE ITEMS-PERMIT REQUIRED** — Appliances with or without Freon, furniture, mattresses, etc. may be deposited into the dumpster. No hazardous materials allowed, no septic tanks or septic components allowed. Permits available at the Association Office.
- ELECTRONICS-PERMIT REQUIRED** — Electronics are not to be deposited into the dumpster. These items will be placed in the shed. Permits available at the Association Office.
- NO BUILDING MATERIALS** — Materials from a construction or renovation project should be disposed of by requesting your contractor to supply a dumpster on site. Contact our Building Inspector for information.
- NO TIRES OR BATTERIES**
- NO YARD WASTE** — Branches, leaves, etc. Burning of these items is permitted on your lot. However, the Property Owner must call the SSD (Safety and Security Department), (815) 492-2436, 24 hours in advance.

### SOLID WASTE/RECYCLING CENTER HOURS

#### OCTOBER 1 – MARCH 31

Mon ..... 8 am to 10 am    Friday ..... Closed  
 Tuesday ..... Closed    Sat ..... 10 am to 2 pm  
 Wednesday ..... Closed    Sun ..... 2 pm to 4 pm\*  
 Thurs ..... 4 pm to 6 pm

\*open at 10:00 a.m., October only.

#### APRIL 1 – SEPTEMBER 30

Mon ..... 7:30 am to 9:30 am    Fri ..... 7:30 am to 9:30 am  
 Tues ..... 5 p.m. to 7 pm    Sat ..... 10 am to 2 pm  
 Wed ..... 7:30 am to 9:30 am    Sun ..... 10 am to 7 pm  
 Thurs ..... 5 p.m. to 7 pm

#### SPECIAL HOLIDAY HOURS

Memorial Day • July 4th • Labor Day: 10 am to 7 pm  
 CLOSED: Thanksgiving • Christmas • New Year's Day

**PLEASE DON'T HESITATE TO ASK THE ATTENDANT FOR ASSISTANCE!**

**Glass Recycling is now available in Galena at Tammy's Piggly Wiggly. Look for the purple dumpster in the parking lot.**



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- Increase or restore range of motion and strength
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- Promote safe swallowing



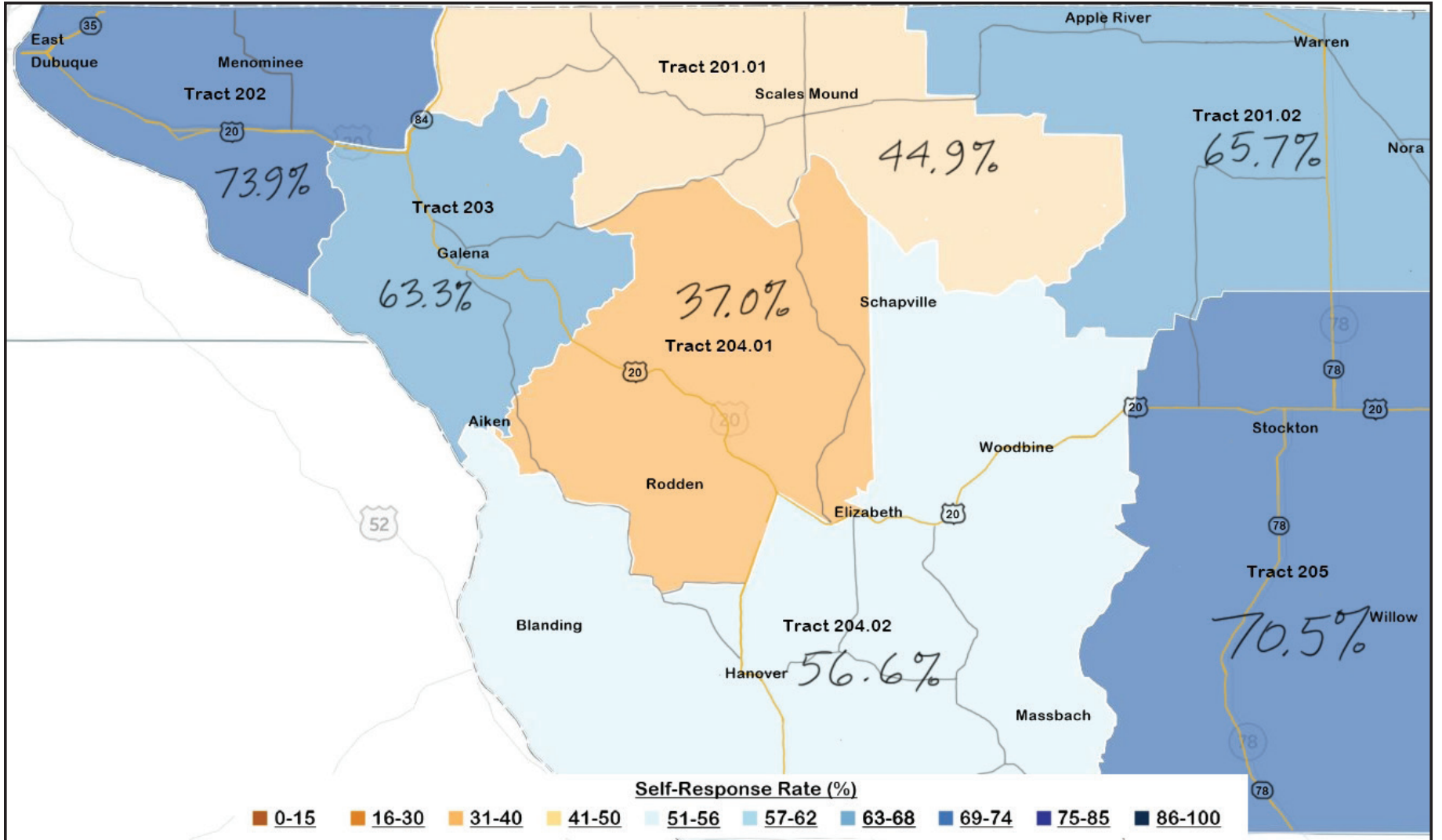
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## Do You Need a Fishing License at Apple Canyon Lake?

Yes, you do need a fishing license at Apple Canyon Lake!

There is some confusion about fishing license regulations at Apple Canyon Lake since our lake is private for our property owners' use only. Per the Illinois Department of Natural Resources, exemption from fishing licenses does not apply to club and organizational lakes or lake developments (ILCS 515). Everyone must have a fishing license to fish in Illinois, unless they meet one of the following requirements: being under 16 years of age, an Illinois resident who is disabled or blind, or an Illinois resident on leave from active duty in the Armed Forces. Please keep in mind that if you take your children or grandchildren fishing, you must have a fishing license if you help cast, set hooks, reel in fish, etc. Fishing licenses can be purchased online or at an IDNR terminal such as our own Marina. An annual Resident Fishing License is only \$15. There are several options for non-residents, including daily and weekend licenses. Resident seniors aged 65 and older receive a reduced rate on fishing licenses. Licenses expire on March 31st of each year, new licenses can be purchased starting around the third week of January. For more information, please visit <http://www.ifishillinois.org/FAQS/>

Census responses are needed for Vacant, Seasonal, 2<sup>nd</sup> Homes, etc. that are not your usual residence

Every structure where a person could live was sent an invitation to respond to the US Census in order to obtain a count of every person in the U.S. We need you to respond for each residence that you own even if it is not your primary residence and it is vacant because it is:

- For rent
- Rented, not occupied
- For sale only
- Sold, not occupied
- For seasonal, recreational, or occasional use
- For migrant workers
- Other

Please respond to the census for that unoccupied structure.

### WHY respond for vacant structures?

A Census Taker will be sent to each structure where there was no response to ensure everyone was counted, wasting time and money. Not responding for vacant structures also lowers the Self-Response Rates for those areas. Jo Daviess County has less than a 60% response rate.

### HOW to respond for a vacant structure

Go to <https://2020census.gov> and click on the green "RESPOND" button.

--- If you do not have a Census ID number to start the response process, on the Log In page, click on the "If you do not have a Census ID, click here", which is located below the boxes where you would enter the Census ID. Enter your address, verify and continue.

At the Household Questions, click "Start".

Including yourself, how many people were living or staying at (responding address, ex. 123 Main St, Nowhere, US 61000) on April 1, 2020?

1. In the Number box, enter "0", click Next
2. The next screen shows the Number box in RED and the red message banner says "Please include yourself when reporting the number of people". **WITHOUT changing the Number box (leave it "0"), click Next again.**
3. A pop-up appears that asks "On April 1, 2020, were you living or staying at (responding address, ex. 123 Main St)? If you were NOT living or staying at the address click No. Select the primary reason why no one was living or staying at (responding address) on April 1, 2020. Click Next.
5. This screen says "Thank you for providing information for (responding address). Since you did not live or stay at this address on Census Day, you do not need to provide any additional information for it." "Do you have another Census ID for the place you were living or staying on April 1, 2020?" At this point select Yes or No and you can continue on to complete a census response for where you were staying on April 1, 2020, or, finish and exit.

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## MAINTENANCE MATTERS

**BY ED ZIARKO, MAINTENANCE MANAGER**

It's hard to believe the season is ending. It has been one crazy year with the changes that have been going on due to the coronavirus and I'm happy to say that the Maintenance team has done a great job during the transition. As we prepare for the winter season, the team has accomplished quite a few projects here on the lake with the trail and on the docks, also keeping up with the everyday mowing and maintenance tickets that come in. I'm sharing with you a few ideas to check before the weather changes.

- Change your air filters.
- Clear out rain gutters and down spouts.
- Check fire extinguishers and have a safety kit.
- Clean out dryer lint.
- Clean your fireplace.
- Have your chimney looked at by a professional sweeper.
- Stow the hose and disconnect it from the spigot.
- Seal your outdoor surface areas.
- Clean and protect outdoor furniture.
- Change your smoke detector batteries.



## PRO SHOP PRESS

**BY: TERRI STIEFEL, PRO SHOP MANAGER**

First off, a big "Thank you!" to all our patrons for sticking with us through this crazy, unpredictable summer! At the Pro Shop, we tried to do everything possible to provide a safe environment for our customers and staff. At times, this was very challenging abiding by the restrictions by the state, but we did our best. The new patio furniture came in very handy with the outdoor dining this summer. Now with the addition of our 55-inch TV, fire table and propane heater, most people prefer to dine on the patio, even on the chilly nights.

The Pro Shop will be changing hours starting Thursday, October 1<sup>st</sup>. The hours will be as follows: Sunday – Wednesday 11:00 am – 6:00 pm, Thursday – Saturday 11:00 am – 8:00 pm.

Many people have started asking about Thursday Martini nights. The Pro Shop Staff is coming up with some creative ideas on how to make Martini Nights happen. We're hoping for some nice fall weather so we can enjoy the patio area for many nights to come.

As many of you know, Anita Suttman, our Pro Shop Cook for the past 6 years, retired this month. We all wish her the best and will miss her delicious cooking and pleasant smile.

Speaking of cooking, watch for our soup and sandwich specials to warm you up on these cool fall days. Thanks again for a great summer!

## NEWS FROM THE NINE

**BY JESSICA WILLIAMS, GOLF COURSE MANAGER**

Hello ACL! I have a few Golf Course updates for you all. First, our leagues have ended their season, so we now have open golf seven days a week. Thank you to all our league members for making this season as normal as possible!

Next, we have the Women's Traveling League coming on October 5<sup>th</sup>. They will be teeing off starting at 10:00 am until noon. Please keep this in mind when making your tee-times for that day. Also, the 2021 Big Cup will be held on July 17<sup>th</sup> and the 2021 Club Championship will be on August 14<sup>th</sup>, so mark your calendars! Another update is that we are working on expanding the tee-box on hole #3 so that we can move the women's tees over to be in front of the men's tees.

Lastly, don't forget that we have an adopt-a-tee box program! This program allows Property Owners the chance to sign up to maintain a tee-box for the year. There is no cost, but you are responsible for purchasing flowers and plants. We will provide the mulch and reimburse up to \$25. For next season, we are in need of people to maintain hole #2, #3, and #4. If you are interested in this program, please email me at [jessica.williams@applecanyonlake.org](mailto:jessica.williams@applecanyonlake.org), thank you.

**CONTACT: JULIE HILLIGER,  
Promotions & Media Coordinator  
815-235-9777, ext. 254**

**DATE: SEPT. 24, 2020  
FOR IMMEDIATE RELEASE**

**Need Help**  
with your **Medicare**  
**Plan Comparisons**  
for Open Enrollment?



## Senior Center Accepting Open Enrollment Appointments

**FREEPORT** -- A pandemic is not stopping the Senior Resource Center from offering Medicare Open Enrollment appointments this year. As usual, participants can begin calling the center's office Oct. 1 to schedule their one-hour appointment. The number is (815) 235-9777.

Appointments will be from Oct. 15 to Dec. 7, to coincide with the annual Medicare Open Enrollment period. Any changes that are made will take effect Jan. 1, 2021.

COVID-19 is causing one major change for Medicare Open Enrollment this year: All appointments will be over the phone. Staff and volunteers will call participants at their appointment time. Clients should have their Medicare card and prescriptions in front of them during the phone appointment.

Full instructions will be provided when you make your appointment.

Those wanting appointments are encouraged to call early because the number of appointments may be limited this year and are expected to fill quickly.

Medicare Open Enrollment is the annual period in which Medicare beneficiaries can re-evaluate their coverages whether they are on original Medicare with a prescription drug plan (Part D) or a Medicare Advantage plan, and make changes if they wish. During Medicare Open Enrollment, a beneficiary can switch from one prescription drug plan to another; join a prescription drug plan (could have a penalty); switch Medicare Advantage plans; or switch from a Medicare Advantage plan to original Medicare; or join a Medicare Advantage plan.

The Senior Resource Center offers programs, education and activities for people 50 and beyond, their families and caregivers in Stephenson and Jo Daviess counties. The programs include Adult Protective Services, AARP Tax Aide, Information & Assistance, Money Management, Case Management, Transit and Education & Activities. All programs are continuing to operate in various capacities, even though Senior Resource Center buildings are closed to foot traffic.

For more information about the Senior Resource Center, call (815) 235-9777 or go to the center's website, [www.seniorresourcecenter.net](http://www.seniorresourcecenter.net).

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1.52+ AC N. of DUBUQUE  
Log, 6BR 5.5BA, Indoor Elevator  
Solarium, Greenhouses, Garages  
\$850,000 #20200495



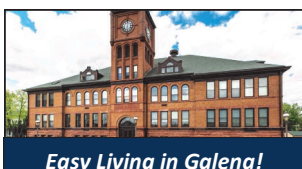
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Board Member, Steve Tribbey, volunteered his time to man one of the Poker Run stations. Photo submitted by Julie Ohms.

# The Foundation Thanks You!

**BY JODY WARE,  
CHAIRPERSON OF THE ACLPOA FOUNDATION POKER RUN/UTV RAFFLE**

The Apple Canyon Lake Property Owners' Foundation would like to extend a **BIG THANKS** to the many volunteers and participants who made the 2020 Poker Run and UTV Raffle such a huge success! Special thanks to Tom Ohms for all of his promotion, sales, and help organizing the UTV Raffle and Poker Run. Also, a heartfelt shout-out to the Owners who managed the five Poker Run stops along the trail. Thank you, Lois and Kim Rees, Joe and Paula Weiner, Don and Maureen Ford, Steve and Fern Tribbey, and John and Penny Diehl/Robin and Rick Paulson. The Foundation wouldn't be able to raise the dollars without your help.

The ACLPOA Foundation's purpose is to fund environmental programs and improvements that will benefit the community around Apple Canyon Lake in Jo Daviess, County, Illinois. The ACLPOA Foundation will fund programs that preserve and protect the natural resources in the Apple Canyon Lake community including educational programs that are open to the general public.

Thank you for helping a great cause that we can all enjoy at Apple Canyon Lake!



Participants eagerly pick out their meat raffle paddles.



Kim and Lois Rees posed for a picture during the Foundation Poker Run. Photo Submitted by Julie Ohms.



ACLPOA Foundation members from left to right: Deb VanderLeest, Jody Ware, Don Ford, Crystal Erdenberger, Gordy Williams, Steve Malone, and Tom Ohms posed for a photo after the UTV Raffle at the Foundation Poker Run.

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Volunteer, Rick Paulson, punches a participants Poker Run Card. Photo submitted by Julie Ohms.



## CONSERVATION CONVERSATIONS

### Birdfeeder Observations

**BY PAULA WIENER, CONSERVATION COMMISSION CHAIR**

Like many of you, I have bird feeders. Four to be exact, although their configuration changes with the season. I'm writing this at the end of August and right now I have a hummingbird feeder, an oriole feeder, a tray seed feeder and a suet feeder. My instructor in my Master Naturalist program says we're not supposed to put suet out during the summer, but I enjoy seeing the woodpeckers and nuthatches who visit.

My feeders hang on shepherds' hooks mounted to my deck railing. From the chair I usually sit in I have a perfect view. Many times, I find the bird action more captivating than the magazine or book I'm reading. This month's column grows out of those observations.

It seems that chickadees are the scouts for the bird army. When we have taken the feeders in for a while, they are the first to arrive when the feeders go back out. They also seem to be fearless, especially for their diminutive size. Blue jays, who are giants in comparison, fly off at the slightest movement from the house. Chickadees will often let me walk out on the deck without leaving their lunch.

While my tray feeder often has multiple birds of different species eating at once, hummingbirds find it virtually impossible to share their feeder even though it has five spots to drink from. Before I started feeding them, I always thought of hummers as delicate little feather balls that drank from my hibiscus flowers and made a loud whirring sound that I often heard before I could see them. They may certainly be delicate, but they are hands down the most aggressive visitor I have. Whoever has custody of the feeder will allow no other bird to feed. Hummingbird squabbles often remind me of World War I dogfights. One will drop out of the sky and menace the one feeding, who quickly decides to vacate. As those two are fighting another bird will fly in and try to take over the feeder. Now there are three or more soaring and diving for dominance. Many times, one hummer will sit in the tree next to the deck with no apparent desire to feed. But heaven help any other bird who wants to. He or she will immediately find itself under siege from the tree sentry.

Orioles seem to be very cautious birds. My feeder is an orange house-shaped arrangement with a clear plastic roof and two jelly cups. An approaching bird will often land on one of the shepherd hooks first and scan the environment for what seems like forever. Then she may hop over to the hook holding the feeder. Again, she scans her environment. Sometimes her visit ends there and she flies away for no obvious reason. If she decides to stay, she may flap over to the tray feeder or jump down on the roof of her feeder and continue to evaluate the situation. Even if she eventually lands next to the jelly cups, she may decide it just isn't safe enough to eat. House finches, which by the way seem to enjoy a little grape jelly in their diet, just dig right in.

This summer my husband discovered a cardinal nest in the shrubs on the corner of our lot. Yesterday I noticed a male sitting in the tray feeder with two brownish grey birds almost as large as himself. He was cracking open the sunflower seeds and feeding them to what I finally realized were his offspring. I still don't understand why fully fledged birds would need to be fed, but he was willing to do it and they eagerly gulped down whatever he offered.

Finally there is our ever optimistic wren. This is his second year with us and his second year of failure. We have a house mounted on one of our deck supports. Both years he has worked diligently to build his part of a nest. We put twigs on the deck for him and he patiently carries each one into the house. Then he sits in the bushes

and calls and calls for a mate. This went on almost all day, every day, but no female answered his call. It made me sad and reminded me of the awkward boy we all knew in junior high who so badly wanted a girlfriend but always seemed to screw it up.

My Master Naturalist instructor taught us to simply observe and describe nature before trying to codify what we were seeing. This is my attempt to do that. I hope some of it rings true with your own experiences of feeding the birds.



## The Conservation Commission Needs YOU!

**PAULA MCFEELY WIENER, MSW, LCSW**

We are looking for two or three people to join the Conservation Commission. No special training is necessary, just an interest in providing the best information possible to the Board and our membership on the lake, the flora and the fauna. If you are interested in joining us or have questions, please email Chair Paula Wiener at [pmwiener@sbcglobal.net](mailto:pmwiener@sbcglobal.net). Commission membership is a great way to deepen your understanding of our little slice of the natural world and make new friends at the same time.

## Join Us for a Fall Clean-up Day

**BY PAULA WIENER, CONSERVATION COMMISSION CHAIR**

We may have missed World Clean-up Day (it was September 19), but the Conservation and Trails Commissions would like to invite you to join in our first annual Fall Clean-up Day. All of you who participated in our Earth Day/Spring Clean-up seemed to enjoy the free-form option of working on a day and at a time that best suited your schedule. We will follow the same plan for our Fall event. Saturday, October 17th is the official workday, but feel free to pick up trash on Friday the 16th or Sunday the 18th. The dump truck will be parked at the entrance to the Maintenance Building all three days. Summer has left us looking a little trashy and we need help with the roads, the trail and, if your boat is still in, the lakeshore. The Commissions would like to keep track of the number of folks who participate, so please email Paula Wiener at [pmwiener@sbcglobal.net](mailto:pmwiener@sbcglobal.net) and let her know if you were a picker-upper (include a photo of yourself or your group and your trash haul if you can). Thanks for helping us put a Fall shine back on the apple.



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## North Bay Creek Restoration

**BY AREN HELGERSON, NATURAL RESOURCE MANAGER**

Around 4200 acres of land funnel its waters into Hells Branch creek bringing with it any loose sediment and nutrients, which ultimately end up in Apple Canyon Lake. Due to this influx, our efforts turn towards dredging and aquatic plant control. North Bay's Hells Branch creek has been under construction for the past 3 years and we have finally completed the last phase of this restoration plan.

The first phase of the original project is located on the north side of N. Apple Canyon Rd. In this area we excavated 22,000 cubic yards of soil lowering a 3.5 acre area by an average of 4 ft. After that was completed our next phase was to take a channel that was straight, and put bends in it so it would meander throughout this created flood zone. In this newly remodeled creek bed there was 1200 tons of rip-rap set in place to armor the banks and create rock riffles in the channel. The designed area allows water to exit the banks of the creek during heavy rain events resulting in slowing of the water to drop sediment before entering the lake.

The next phase, which was created this summer was to widen the creek, taper the banks back and armor these banks to stop the undercutting and loss of soil. This has taken place below the bridge on N. Apple Canyon Rd. and between the UTV crossing on our trail system. The goal of this project is to help reduce the sediment and nutrient load in the lake to hopefully ease the pressure on dredging and aquatic weed control efforts.



## Three New Dry Dams Added in North End of Lake. Why Is This Important???

**BY MICHAEL YORKE, CONSERVATION COMMISSION VICE CHAIR**

The construction of three new dams is another way of protecting our lake from unwanted silt and debris. The constant flow of silt entering our lake causes the lake to become shallower, promotes excessive weed growth and is expensive to remove by dredging. Further, it has a negative effect on water quality. To combat the flow of silt into the lake, three new dry dams have been constructed in the north end of the lake within the past several months. There are already about a dozen dry dams in existence around the lake, but more are needed to continue to improve the water quality and lessen the need for dredging. Dry dams are important to help control the flow of silt and debris into the lake by slowing the speed and volume of rushing water during heavy rain storms.

You may be asking, "What is a dry dam and how does it work?". It's called a dry dam because the pool above the dam is usually dry and only fills with water during periods of heavy rain. Site selection for a dam is often a deep ravine where a high volume of water will naturally flow during heavy downpours. A dam is usually constructed by heavy earthmoving equipment which excavate a retaining pool in the ravine and push the excavated dirt across the ravine to form a dam. During a heavy rain, the pool fills with water and as the captured water slows, it stabilizes and the silt and debris settle to the bottom of the pool. The clean surface water is released out of the pool through drain pipes or across a spillway and continues its flow to the lake. Over the years, the silt and debris which have been captured in the pool are periodically removed.

Leading the construction of these new dry dams was Aren Helgerson, Natural Resources Manager, with heavy support from our excellent Maintenance Department and contracted help. The three dams were constructed in the north end of the lake because of the high amount of silt that enters in North Bay and Winchester Bay, requiring dredging. You may see one of the newly constructed dams if you use the trail around White Buffalo. The largest is located just off the path to boat dock 3-192 close to Remington Drive. The third dam is located at the north end of Manitou Court.

In the months ahead, these new dry dams will be monitored to assess their effectiveness and maximize their important work in reducing the flow of silt into the lake, our most treasured asset.



# APPLE CANYON LAKE GARDEN CLUB

## Creating a Childrens Garden

The Garden Club of Apple Canyon Lake has recently approved creating a Children’s Garden. Work will begin very soon on the garden which is adjacent to the clubhouse and pool. It is also a short walk to the Viewing Tower and above the Secret Garden (gazebo).

This area was chosen because of the high exposure to youngsters, as well as those young at heart. The garden will blend in beautifully with the current amenities and help create a story book dream for outdoor adventure.

Families may exit from the pool or Clubhouse and go right to the Children’s Garden. After meandering their way through the garden, they can move over to the Viewing Tower to peek out above the trees to see the beautiful lake. A quick trip down the slope toward the lake or a drive to the Cove Bar & Grill’s hillside, and they will find themselves in the Secret Garden. There, children will find a quiet place to read a book or be read to, walk through the plants, have a snack, find painted rocks, and wonder what is hiding in the limestone walls.

We are starting small but have big ideas. The Garden Club has \$500 from the 2019 Annual Plant Sale proceeds to get us started. The 2020 event had to be canceled which set us back \$1,500 that we had hoped to have. As a result, we are in conversation with two foundations to increase the funding of this project. Our ACLPOA Foundation is one of them and the other is an ACL family interested in supporting this endeavor.

The Children’s Garden Committee will soon meet to begin designing the garden and we want to hear from you too! Send your ideas to [katnkev1984@gmail.com](mailto:katnkev1984@gmail.com). If you have time or talent in working on projects like this, let us know that too.



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# Thank You, ACL Garden Club!

BY AMY GUZMAN

Thank you to the garden club! My son and daughter entered the kids' raffle earlier in the spring and won a garden kit. These zinnias were planted from seeds by my then 5 (now 6) year old daughter. They've really taken off! My son planted some sunflowers all of which were eaten by the critters, but we have one left that we planted at our Chicago home. Hoping it blooms before winter!



# THANK YOU MIKE YORKE

The Garden Club wishes to thank Mike Yorke for removing invasive weeds on The Cove Bar & Grill's hillside. The grasses we planted years ago are once again free to sway whichever way the wind blows.



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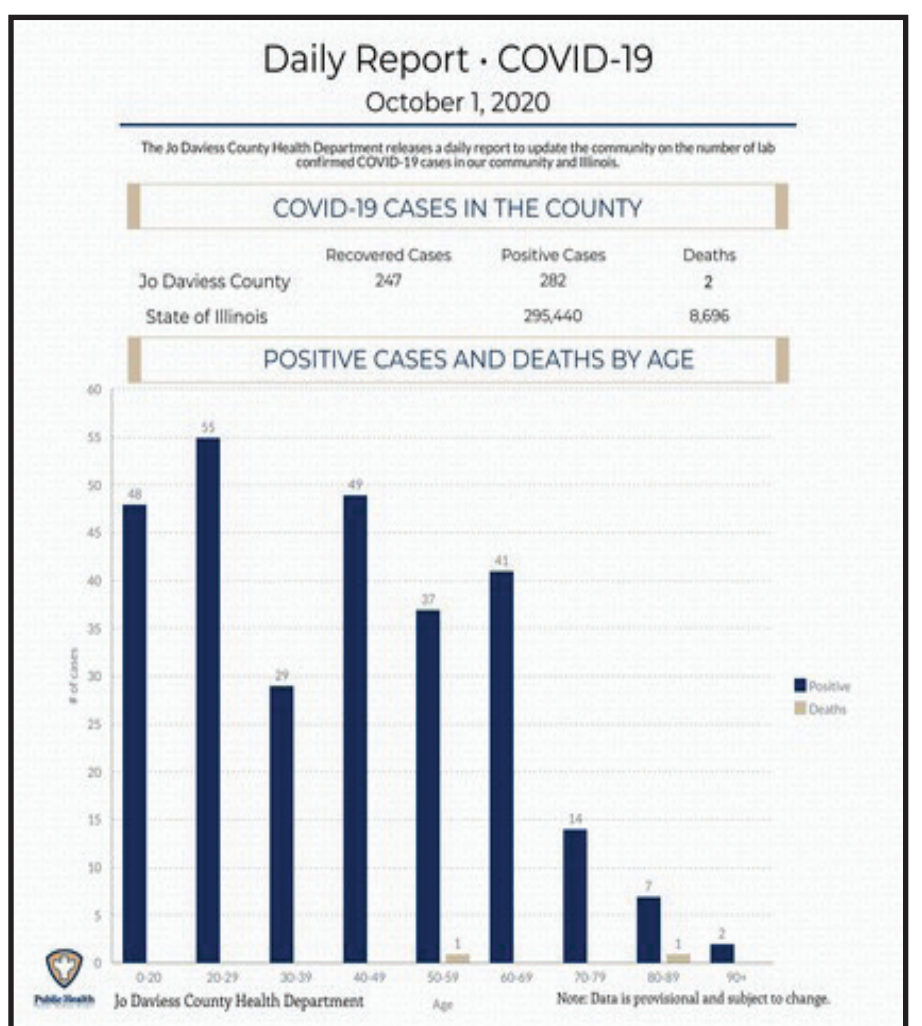
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# Relay for Life Update

BY MARY BEHAN | 815-492-1320

Hello All, I hope everyone is staying healthy and safe this summer.

The COVID-19 virus certainly has changed our way of living this summer and it has also hampered our Relay for Life fundraising efforts. We were very grateful to have partnered with ACLPOA at the Drive-Thru Pancake Breakfast but as you know our Monday Night NFL pool did not happen, we cannot have the November Fall Feast at the Clubhouse and we will probably not have the Super Bowl or NCAA pools either (if we can, we will still have these pools) – that is 3 potential opportunities we will miss out on this year not to mention the fun we have with these 3 events.

But we are offering a new way to participate –

## November Relay for Life Cash Grab!!!

For \$20 (the same price as a square on our pools) you will receive a ticket that will be deposited in our raffle barrel and a winning ticket will be chosen every day in November with the minimum payout being \$25!! We will have 5 or 6 larger prizes throughout the month, for example, we will have bonuses on Veterans and Thanksgiving Day as well as a double draw day (2 winners). And all winning tickets are deposited back into the barrel so you can win more than once! Winners will be notified, and names will be posted on Facebook.

We hope that you will be interested in this new opportunity – if so, let me know and I guarantee that your tickets will be deposited into the barrel. Cash or checks made out to “Relay for Life” or “What’s Trump” can be mailed to me at 5A83 Whispering Wind or I can arrange a pickup time and date. You may also contact one of the following team members: Pat Reese, Deb Laethem, Robin Paulson, Lee Causero, Virginia Ozga, Vickie Sershon, Rosanne Brandenburg, Lois Rees, Sharon Webster or Jan Rich Harris to purchase a ticket.

We all know that cancer is not taking a breather during the COVID-19 – people still need help with the advocacy programs that are funded thru our efforts. Thank you for your consideration.



## JDLF Adds Saturday Delivery of Local Food

Jo Daviess Local Foods (JDLF), the online farmers’ market, has expanded its outreach to meet the needs of more customers.

In addition to their Tuesday evening deliveries, they are now offering Saturday morning deliveries as well. Customers can meet delivery people in a designated pickup location, or they can receive home delivery for an additional fee.

For Apple Canyon Lake, the pickup location is always in the parking lot of the Firehouse Fitness Center. Pickup is at 5:15 pm on Tuesdays, or 10:45 am on Saturdays. For a Tuesday delivery, order on the website between Friday at noon and Monday at noon. For Saturday delivery, order between Wednesday at noon and Thursday at 8:00 pm. Customers are welcome to place multiple orders within the buying window.


JDLF has recently increased their number of producers to help meet the demand for local food. They still have all the high-quality products they are known for: pasture-raised meat, free-range chicken eggs, sheep and goat milk cheeses, heirloom grains, organic vegetables and herbs, local honey, healthy snacks, artisan canned goods, natural skincare products, delicious baked goods, and much more.

All JDLF producers live in or close to Jo Daviess County. This allows customers to reduce their carbon footprint, support the local economy, get fresh food with lots of nutrients, and shop from several local producers in a convenient way. JDLF strives to be environmentally friendly by limiting the use of plastic, reusing cloth bags that are washed every week, and offering credits for the return of glass jars and bottles.

For more information, visit the JDLF website at <https://jd.luluslocalfood.com>. There is a FAQ page with commonly asked questions, and additional questions can be directed to Erin Keyser at [jdlocalfoods@gmail.com](mailto:jdlocalfoods@gmail.com) or 815-990-5374.



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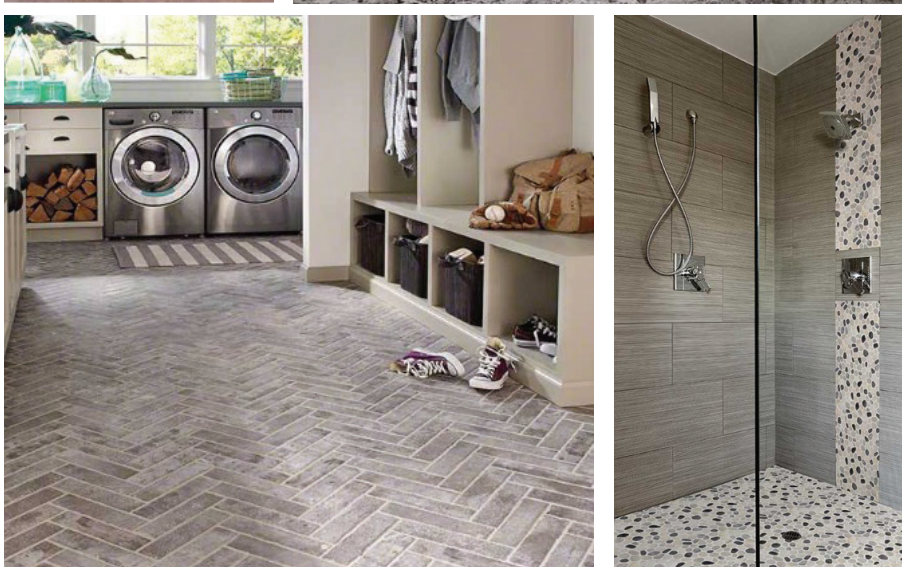
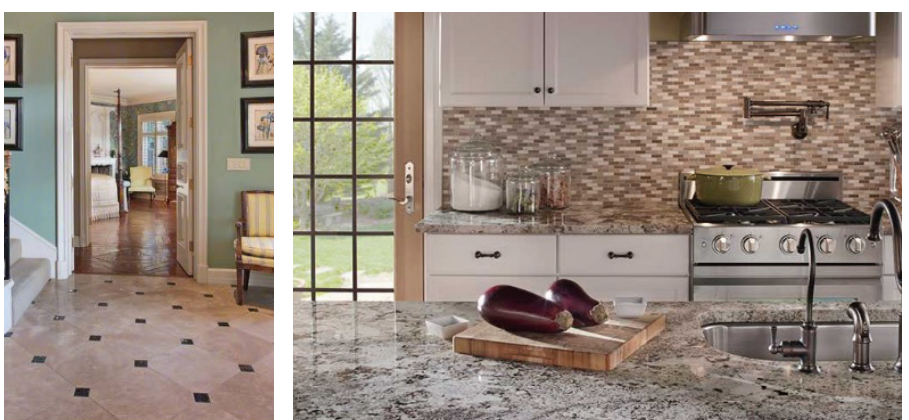

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 December 9th ..... No Meeting – Merry Christmas Everyone!

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### JDIFF FESTIVAL TOUR TO SHOWCASE OFFICIAL SELECTIONS AT MIDWEST THEATRES

DUBUQUE, Iowa – Cinemarketing and the Julien Dubuque International Film Festival are teaming up with a unique offering in the wake of the challenges COVID-19 has placed on movie theatres and film festivals.

The two are partnering to present the JDIFF Festival Tour, which will feature select JDIFF Official Selections in theatres around the Midwest and will kick off at Phoenix Theatres' Kennedy Mall on October 16<sup>th</sup>.

"This has been a challenging year for everyone, it has forced all of us to find creative ways to move forward," said Cory Jacobson, Owner of Phoenix Theatres. "This is the perfect opportunity for us to partner once again with our friends at JDIFF and offer some unique independent film to the Dubuque community that keeps our theatre operating with style."

The JDIFF Festival Tour, which begins on October 16, will feature:

- 2020 short film nominees, including Coffee Shop Names, Extra Innings, Alina, Flora, and The 11th Order.
- *Death To Metal*, a comedy/horror by Dubuquer Tim Connery that was named Best Feature at the Spooky Empire Horror Film Festival in Tampa, Fla.
- *Laddie: The Man Behind the Movies*, 2019 JDIFF Best Documentary winner. This is the untold story of the movie mogul, producer and former 20<sup>th</sup> Century Fox chairman, Alan Ladd Jr., who green-lit Star Wars, Blade Runner, Alien, Police Academy, and more. It was directed by his daughter Amanda Ladd-Jones.
- *Book Week*, 2020 JDIFF Official Selection. This Australian comedy follows a jaded high school English teacher who is forced to re-evaluate his life when his novel is passed over for one of his students.
- *Royalty Free: The Music of Kevin MacLeod*, 2020 JDIFF Official Selection documentary. This documentary is about the composer Kevin MacLeod and his practice of releasing all of his music for free and how he unwittingly became one of the most heard composers in the world, with his work ending up in millions of videos, thousands of films. and manv odd places.
- *Parallax*, a 2020 JDIFF Official Selection. This psychodrama/sci-fi feature follows Naomi Johnston who wakes up in a life that she doesn't recognize.
- *Working Man*, a 2019 JDIFF Official Selection. This feature begins when the last factory in a small Rust Belt town closes its doors. A career employee of the factory, Allery Parkes, forms an unlikely friendship with his charismatic neighbor, Walter Brewer, in order to revive the defunct factory.
- *Silo*, a 2020 JDIFF Nominee. In this 76-minute feature, a grain entrapment accident threatens to tear apart family and friends in a small American farm town.

Films included are exclusive to the JDIFF Festival Tour and did not appear on the JDIFF virtual platform during its online festival, which ran June 25 through July 13.

The festival tour films will be shown at Phoenix Theatres in Dubuque and Michigan, and possibly other select Midwest theatres. Showtimes and ticket prices can be found at [www.phoenixmovies.net](http://www.phoenixmovies.net). Films participating in the JDIFF Festival Tour can also be found on [www.julienfilmfest.com](http://www.julienfilmfest.com).

The theatre will be taking many steps to ensure moviegoers' safety, a new system has been installed that offers customers the opportunity to select their own numbered reserved seat that will automatically social distance you from other guests not in your party. Phoenix Theatres is also a participant in the Cinemasafe program that sets a high standard for cinema operations that is certified by epidemiologists from Columbia University, U.C.L.C. and Michigan's Beaumont Hospital. Further details on Phoenix Theatres' safety protocols are available at: [www.phoenixmovies.net/covid](http://www.phoenixmovies.net/covid)

"We are so appreciative of this partnership with Phoenix Theatres," said Susan Gorrell, executive director of JDIFF. "This is a wonderful opportunity for filmmakers and for the festival. It offers another component to this year's virtual festival that we have never done before."

Media Contacts: Joe Cork, Phoenix Theatres – 248-478-7170



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DATE: OCTOBER 1, 2020

FOR IMMEDIATE RELEASE

# Senior Resource Center Rocking 50 And Beyond Expo Goes Virtual

FREEPORT – One of the most popular events on the Senior Resource Center’s calendar will continue this year, just in a different format. The Rocking 50 and Beyond Expo Home Edition Presented by State Bank will be held Oct. 18-24 on the senior resource center’s website, [www.seniorresourcecenter.net](http://www.seniorresourcecenter.net).

“Now more than ever, we felt it was important to make information available to people so that they can browse our special expo page on the website from the safety of their homes,” said Sonja Shoemaker, Senior Resource Center executive director.

The page will feature basic information about sponsors and vendors, links to their websites, videos from select sponsors as well a presentation from the Alzheimer’s Association on “Introduction to Alzheimer’s Disease.”

“We encourage people to visit the site at their convenience and take advantage of the full spectrum of available topics,” Shoemaker said. “Our sponsors and vendors made this event possible, and we thank them for their support.”

Sponsors and vendors are:

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The Senior Resource Center offers programs, education and activities for older individuals, their families and caregivers in Stephenson and Jo Daviess counties. The programs include Adult Protective Services, AARP Tax Aide, Information & Assistance, Money Management, Case Management, Transit and Education & Activities. All programs are continuing to operate in various capacities, even though Senior Resource Center buildings are closed to foot traffic.

For more information or other questions about the Senior Resource Center, call (815) 235-9777 or go to the center’s website, [www.seniorresourcecenter.net](http://www.seniorresourcecenter.net).

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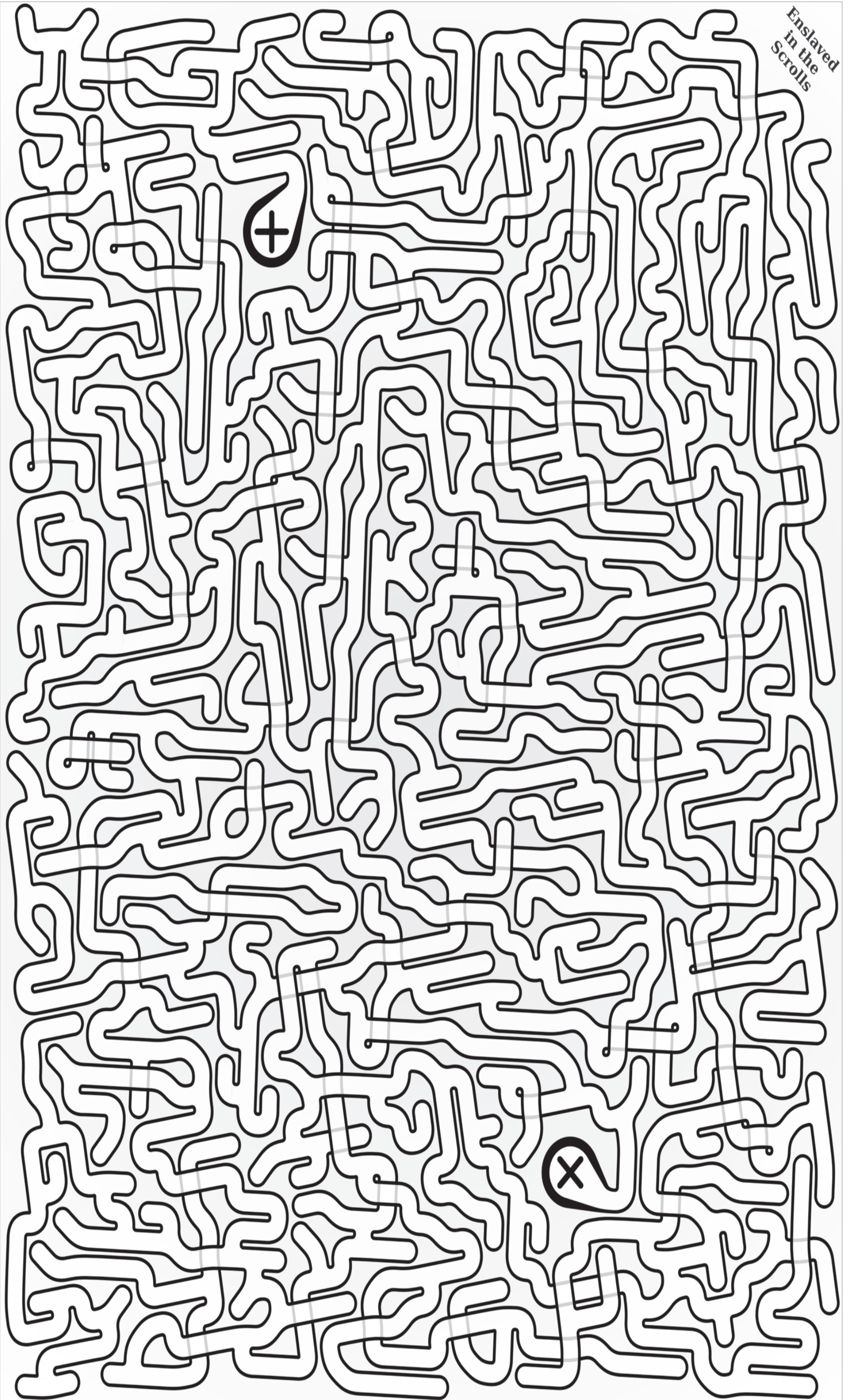
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KIDS' COLORING PAGE

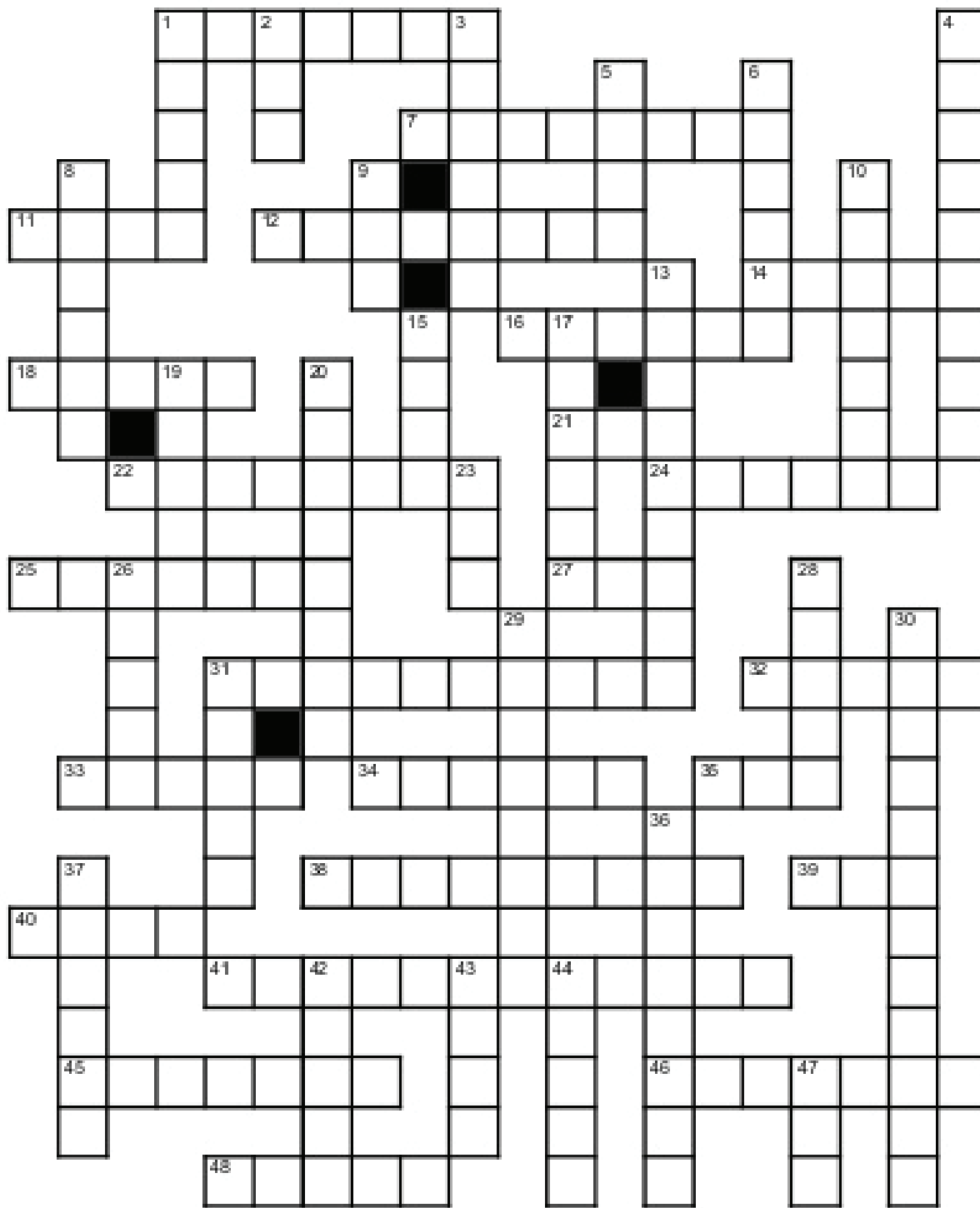


# KIDS' ACTIVITY PAGE



Enslaved  
in the  
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# KID'S ACTIVITY PAGE



## HAUNTED HALLOWEEN CROSSWORD



**Across**

- 1. These are found in the corners and ceilings of a haunted house.
- 7. A witch's pet. (5-3)
- 11. Bloody and gross.
- 12. A monster made from bones.
- 14. A monster from Egypt.
- 16. Another word for scary.
- 18. She wears black clothes and rides a broom.
- 21. It looks like a mouse but much bigger.
- 22. What kids wear on Halloween.
- 24. The creature that makes cobwebs.
- 25. Have a ghost inside.
- 27. The Cyclops has one.

**Down**

- 1. What children get at Halloween.
- 2. Flying animal found in haunted houses.
- 3. The kind of bullet you need to kill a werewolf.
- 4. A place with many tombstones.
- 5. Where you get goose bumps.
- 6. The weather around haunted houses.
- 8. The walking corpse.
- 9. The color of blood.
- 10. Dracula.
- 13. You can hear these in the hallways of a haunted house at night.
- 15. Little animals with long tails.
- 17. This wears a patch and has a sword.
- 19. This wears bright colorful clothing.
- 20. A big black pot that witches use to make potions.
- 23. The kind of light that vampires hate.
- 26. The monster \_\_\_\_\_ the stairs.
- 28. What vampires drink.
- 29. The time when werewolves come out.
- 30. What kids say on Halloween.
- 31. Something that haunts houses.
- 36. A monster that changes from human to wolf.
- 37. Makes me scared; gives me the \_\_\_\_\_.
- 42. A monster from space.
- 43. The opposite of good.
- 44. Frighten.
- 47. A night bird.
- 31. What you get on your skin when you are scared.
- 32. These slam shut or creek open.
- 33. Witches ride this.
- 34. Vampires hate this.
- 35. Another word for strange.
- 38. October 31st.
- 39. What a ghost says.
- 40. A big black bird.
- 41. A monster with stitches on his face.
- 45. What children carve.
- 46. The month of Halloween.
- 48. Sharp teeth.

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## ANDREW TREBIAN OBITUARY



Andrew Duane Trebian, 29, of Galena, IL, formerly of Scales Mound, IL, left the Earth unexpectedly on Sunday, August 30, 2020.

Andrew was born on July 24, 1991 in Dubuque, IA, the son of Bernard and Carolyn (Meyer) Trebian. Andrew was employed at Happy Joe's in Galena for 10 years before making a move to Rite Hite where he was coming up on his two year anniversary.

Andrew had a passion for cars, trucks, and fixing them, even when they weren't broke. He loved to collect knives and guns. He enjoyed helping his cousin with his hot air balloon. He could be found shooting at the range or throwing axes with his friends. He also enjoyed spending

time with his little buddy Kolton. Andrew was always cracking jokes, doing impressions, and making people laugh.

Surviving are his parents, Bernard and Carolyn; grandmother, Alberta Trebian of Galena; siblings, James (Jen) and Patricia Trebian of Galena, and Tiffany Trebian of Hazel Green, a nephew and two nieces, Owen of Hazel Green and Emma and Eva of Galena; many aunts, uncles, cousins, and friends.

Andrew was preceded in death by his paternal grandfather, Duane Trebian, maternal grandparents, Edward and Patricia (Morhardt) Meyer, two uncles, David Hesselbacher and Carl Trebian, and a cousin Skyler Trebian.

Visitation will be on Thursday, September 3, 2020 from 3 – 7 p.m. at the Miller & Steinke Funeral Home in Scales Mound. A graveside service will be Friday, September 4, 2020 at the Scales Mound Twp. Cemetery at 10:30 a.m. with Pastor Libby Rutherford officiating. A small luncheon will be served after the burial at the Scales Mound Town Hall.

The family asks that you wear a mask, use hand sanitizer, and practice social distancing during this event.

Online condolences may be left for the family @ [www.millerfhed.com](http://www.millerfhed.com)

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# FISH TALES

**BY: KIRSTEN HEIM,**  
*Communications & Recreation Administrative Assistant*  
kirsten.heim@applecanyonlake.org

Do you have a knack for fishing? There is nothing more exciting than sharing in the glory of a triumphant catch, please think to include us! If you would like to share your "catch of the day" with us, please e-mail your name, picture, and any additional details to [kirsten.heim@applecanyonlake.org](mailto:kirsten.heim@applecanyonlake.org) for your chance to be featured next. Please note that the images and information received are subject to be used for marketing & promotional purposes. Happy fishing!



Mark Kramer from Aurora shows off his catch this week. A 2 1/2# pike on a doll fly jig while on a trip with Phil Cullen's Ballydoyle Irish Pub staff. Great catch!



After trying all summer to catch a big fish, Reid Holland, 10, of Galena, got his first big catch at ACL! On August 30, he caught a 26-27", 10-12lb catfish. Thanks to Shawn Kestler and his son Jackson, for all of the fishing tips this summer!



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# LETTER TO THE EDITOR & POLICY

## CLARK

Many thanks to the members of the Legal Committee, AECC, and other Commissions who have contributed to and dedicated endless hours over the past five to six years to make the updates and revisions to our Restated Covenants and Restrictions and to our Bylaws. At the August Board meeting, the results of this work were introduced to the Board, subject to the Three-Meeting Rule. Unfortunately, at that time the Board was not prepared to announce any scheduled meetings for property owners to comment on or ask questions about the proposed revisions.

### One major point that stands out in the Covenants revisions follows:

**Article II, Section 3, Reserved Properties, Sentence 2.** "The Association may, by a vote of at least two-thirds (2/3) of the directors on the Board, acquire additional Reserved Properties when deemed to be in the best interests of the Association."

The addition of the bolded language would allow a Board to do land and property acquisitions with no obligation to inform the Budget/Audit Commission or the property owners. **This clause can remove a voice of the property owners. NOT ACCEPTABLE!** Any Association land acquisition should be aligned with an approved Capital Projects Plan and be budgeted accordingly. This language to include a vote of the Board should be deleted from this Reserved Properties section of the Covenants.

All property owners are encouraged to carefully review these documents when they are published. Both documents affect our lives at Apple Canyon Lake.

Marge Clark, 11-42

## CORSO

### I am writing as a Property Owner.

In 2002, the HOA board made the decision to allow more than 550 Apple Canyon Lake boat docks to be permanently attached to lots. That means only 193 boat docks area available for the rest of the more than 2000 property owners.

Currently there are 300 names on the dock waiting list, and those waiting patiently may want to add the names of their grandchildren, given the amount of dock availability compared to the number of people interested in leasing a dock.

As if that information isn't concerning enough, over 250 lots owners at the lake are forced to pay dock maintenance on those 506 docks that we can never use. Nor do we receive the automatic \$20,000 to \$30,000 bump in our home sale price because we do not have a grandfathered dock to sell along with our house.

Currently, I am completing an FOIA request to discover exactly how much of our HOA dues were used in that instant to repair what is, for all intent and purposes, private property. This is an unethical use of HOA funds and I have requested a response from the Apple Canyon Lake HOA board. I have also submitted a second request for a response after hearing nothing for over a month.

I am hoping that while the current board members refuse to contact me after my letters, perhaps after seeing this editorial will encourage them to provide me with a response.

Sincerely, Bill and Donna Corso 14A100 Canyon Club Dr.

## DODEN

### Directory

In August I lost my phone. I had problems with getting it replaced by U S Cellular, so I had temporary tract phone. I lost my phone numbers, so I asked for a directory, which Associations are required by law to have for their members. I paid

my five dollars and was given a directory dated December 2018. The names were printed on both sides of the fifty sheets of paper. The names on the back side had the first few letters of the names missing. I requested a current directory and was told that was it. I asked for a letter stating the facts so I could send it to the State to lodge a complaint. They said I would have a new directory October 1<sup>st</sup>. By the way I have a directory dated May 2018 that is in alphabetic order by first name of the property owner. Here is hoping they can do better.

### North Bay Trail Crossing

For ten years we have been trying to get a crossing there so people hiking or biking or on a golf cart would not have to go through the water. It was approved for this year. The water crossing has been a problem since it was installed. When we have heavy rains it washes out. Maintenance repairs by dumping more gravel on the crossing. In the last ten years at least fifty loads of gravel have been dumped it the stream this cannot continue.

Henry Doden

## WAGNER

It is time for us to forget spending additional money on CAMP, an office complex which is not required/needed. In the future, any chance to raise dues and increase property value would be to add amenities for the enjoyment of the membership.

Please ask the membership, aka dues payers, what they want. The members with whom I spoke do not believe a costly office complex is necessary. When discussed with owners some of the following recommendations were highlighted:

- ~ More walking trails
- ~ Additional fishing piers between dam and Cove
- ~ Dig out 10 – 15 acres to create a fishing/kayaking pond on the 80 acres
- ~ Build a dirt/mud trail around the 160 acres
- ~ Begin research to expand the golf course

We are currently landlords of 212 acres, not within our watershed, of corn which was not the intent of our community when founded. This property should be used for enjoyment or sold before a complex is built. The 32 acres of corn not connected to ACL should be sold.

Again, please stop spending our dues on an office complex.

Additionally, property owner comments at the board meetings should be published in the Apple Core. A letter to the editor should not be required for our voice to be shared.

Please consider,

Thank you, Don Wagner, Lot# 10-144



## ACLPOA Board Approved Policy THE APPLE CORE: ACCEPTANCE OF MATERIAL

The Apple Core is published by the ACLPOA for the benefit of its Members - to keep them informed about developments with respect to the lake, facilities, activities and finances; to report Board decisions; to provide a handy reference about rules, fees and coming events; and to afford a means of communication on questions and issues of importance to property owners.

The Editorial Review Committee shall consist of a member of the Board, who shall be the Chair; the General Manager, who shall be Vice-Chair; the Editor of The Apple Core, who shall be the Secretary; and such other members as the Board may appoint from time to time. This Committee shall prepare policies for the acceptance of material to be printed in The Apple Core, including, but not limited to, letters to the editor and policies for advertising material printed, which policies shall be submitted to the Board for approval annually.

The General Manager is responsible for having the paper produced. The Communications Director is the Editor. Any and all editorial material (copy other than paid advertising) must be submitted to the Editor's office.

The Editorial Review Committee will determine whether or not letters, advertising material or any other material submitted for publication should be rejected. If material is rejected, property owners will be notified and told cause of rejection.

### LETTERS TO THE EDITOR:

Letters from Property Owners are welcome.

Letters to the Editor must be:

- a) Submitted and signed by a Property Owner.
- b) Received by the 15th of the month previous to publication.
- c) Confined to 250 words or less.

The following guidelines for treatment of letters have been adopted for the purpose of encouraging expression of views with the focus on discussion of issues not people. Publication of letters does not necessarily imply agreement or endorsement by the Association or the Board of Directors.

- Whenever possible, letters expressing views on both sides of an issue will be published at the same time.
- Constructive criticism will be accepted. Positive suggestions for improvement are encouraged.
- Letters must be in good taste. Those containing offensive or derogatory language, libelous statements or expressing personal grievances or conflicts will not be published.
- Nothing in these guidelines should be construed to prohibit references to people so long as an issue of importance is the focus of the letter.
- Editorial comments will be limited to factual clarification or update on the matter at issue. No point of view will be expressed.

With respect to Board Elections:

- 1) Candidates will be presented in the March and April issues.
- 2) A special section for questions regarding candidates will be included in the March and April issues of The Apple Core. Questions regarding candidates must be received thirteen (13) days prior to copy deadline in order to provide the candidates with the opportunity to respond in the same edition. Candidate responses must be received two (2) days prior to copy deadlines.

Adopted: May 16, 1998  
Reviewed: November 15, 2008  
Amended: April 21, 2001  
Amended: November 19, 2011

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PS Form 3526

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<b>13. Publication Title</b> APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION/ APPLE CORE (THE)		<b>14. Issue Date for Circulation Data Below</b> 09/02/2020		
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<b>a. Total Numbers of Copies (Net press run)</b>		3100	3100	
<b>b. Paid Circulation (By Mail and Outside the Mail)</b>	(1) Mailed Outside County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	2028	1881	
	(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	649	665	
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	(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail)	0	0	
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	(2) Free or Nominal Rate In-County Copies included on PS Form 3541	0	0	
	(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)	0	0	
	(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)	423	554	
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<b>h. Total (Sum of 15f and 15g)</b>		3112	3100	
<b>i. Percent Paid ((15c / 15f) times 100)</b>		86.35 %	82.13 %	
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Timothy Brokl		Editor	09/21/2020 12:32:10 PM	
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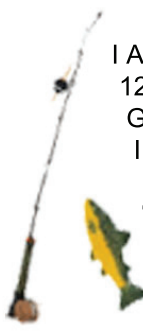
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# COMMUNICATION CONNECTION

## HALLOWEEN ALTERNATIVE

**BY TIM BROKL,**  
**COMMUNICATIONS & RECREATION MANAGER**  
[tim.brokl@applecanyonlake.org](mailto:tim.brokl@applecanyonlake.org)

October is here! That means Halloween is just around the corner. As you are already aware, the CDC and local health departments have issued several statements about the COVID-19 risks associated with normal Halloween activities. With the COVID-19 pandemic still upon us, the Campground Commission and the Haunted Trail planning group made the decisions to cancel Trunk or Treat at the Campground and the Haunted Trail for 2020. Fear not though, as the Haunted Trail planning team has come up with a few alternative activities for our members to enjoy.

On October 1st, the ACL Virtual Pumpkin Carving Contest will open for submissions. To participate, visit our Facebook group at [Facebook.com/groups/applecanyonlake](https://www.facebook.com/groups/applecanyonlake) and post your photo with the hashtag '#CanyonCarvingContest' by midnight on Sunday October 25th. Photos of your carvings can also be sent to [applecore@applecanyonlake.org](mailto:applecore@applecanyonlake.org) with the '#CanyonCarvingContest' in the subject or body of the email if you do not have Facebook. On Monday, October 26th the Communications Department will create an album on our Facebook page at [Facebook.com/applecanyonlake](https://www.facebook.com/applecanyonlake) and post the entries for voting. The 3 pumpkins with the most likes will win their choice between a \$25 ACL gift card (gift cards can be

used at the Pro Shop, Marina, and even at the office towards dues and fees) or their choices of ACL logo merchandise, such as a hoodie, shirt or hat. We can't wait to see all the different pumpkins our members come up with.

On Friday, October 23rd, and Saturday October 24th from 7:00 pm to 10:00 pm each night, we will also be hosting a self-guided Halloween Spirit Tour. The Halloween Spirit Tour is similar to driving around observing Christmas lights. We invite our members to sign-up to decorate their homes and/or yards with Halloween lights and decorations. If you have a campsite you can also participate by registering and decorating your RV or camper. Registration is open through Sunday October 18th. On Monday, October 19th, the Communications Department will create a map (similar to our Garage Sale map) of participating homes around the lake. Each home will be numbered on the map and directions for how to vote for your favorite home will be attached to the map. An event post will be posted to our Facebook page, [Facebook.com/applecanyonlake](https://www.facebook.com/applecanyonlake) where members will comment the number of the home that is their favorite. There will be prizes for the top 3 homes. 3rd place will receive a \$50 ACL Gift Card, 2nd a \$75 ACL Gift Card, and 1st will receive a \$100 ACL Gift Card! So, bust out those decorations and start haunting your house today!

To learn more about the spooktacular events above, or to register your home/campsite online for the Halloween Spirit Tour, please visit: [www.applecanyonlake.org/halloween](http://www.applecanyonlake.org/halloween)

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APPLE RIVER, IL 61001  
OFFICE: 815.492.2238  
FAX: 815.492.2160

### ACL Halloween Spirit Tour Display Registration:

Name: \_\_\_\_\_

ACL Address: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Theme for Display – Brief Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Yes, I have read the rules for the Halloween Spirit Tour.

Signature: \_\_\_\_\_

LET'S HAVE A HAUNTING  GOOD TIME!



14A157 CANYON CLUB DRIVE  
APPLE RIVER, IL 61001  
OFFICE: 815.492.2238  
FAX: 815.492.2160

### The Apple Canyon Lake Halloween Spirit Tour!

THE OCTOBER HAUNTING HOURS ARE SOON UPON US...  
Mark your calendar now to be at ACL the weekend of October 23-24, 2020.

Do you have that childish Halloween Spirit? Does the fall, cool, eerie evenings inspire a special haunting? Well look out CREATURES because ACL is sponsoring a Halloween Spirit Tour!

Yes, we cannot walk the Haunted Trail at the Bathum with groups this year, but we can incorporate our ACL Halloween Spirit into a Tour Display (*much like looking at Christmas/Holiday light displays*).

This will be an opportunity for families to go on a self-guided socially distanced walking or driving tour of area participants homes, campsites or lots that register to be part of the Halloween Spirit Tour decorating contest. Let the imagination of your inner child - plan, create, organize, and build a haunting Halloween display, and yes, absolutely dress up in your favorite costume. If your decorations include lights and special effects, please make sure you have them on starting at 7:00 p.m. for all to enjoy.

Registration will begin on September 26<sup>th</sup> and run through October 15<sup>th</sup>, 2020.

Voting for the contest will take place on the ACL Facebook (facebook.com/applecanyonlake), online October 23<sup>rd</sup> at 7:00 p.m. and end October 24<sup>th</sup> at 10:00 p.m. First Place, Second Place and Third Place winners will be chosen for their creative Halloween display on their property.


Once all ACL residents who register to participate in a Haunting Site, a map will be formulated, displayed online, and printed so you know where to find your favorite Halloween hauntings.

EVENT RULES:

- This contest is open to all members of Apple Canyon Lake. Decorations must represent the Halloween Spirit while remaining PG-13 and tasteful. Any discriminatory or inappropriate decorations will be disqualified. Please remember that children will be a large part of your audience. Judges decisions are final.
- This is a great fall family activity. Let us get out there and be creative, allow all your energies to flow. It is the perfect time to let your children/grandchildren/family help you turn your yard, campsite, or lot into a haunting display. This will be a two-night event!

We thank you for your support and continued diligence as we face this coronavirus challenge together.

Thank you,  
Carmel Cottrell, PhD  
ACLPOA Haunted Trail Planning Committee Team Lead

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Shullsburg WI 53586  
608-965-3600

**PLEASE  
RECYCLE**



# ACL HALLOWEEN Pumpkin Carving Contest

- 1. No cost to enter!** Each participant may submit **one carved pumpkin.**  
*Families: If you have more than one participant, please include each individual participants name with their pumpkin photo.*
- Post your pumpkin photo to the Apple Canyon Lake Property Owners Assoc. Facebook Group—[facebook.com/groups/applecanyonlake](https://www.facebook.com/groups/applecanyonlake) starting **Thursday, October 1<sup>st</sup>.**
- Please include a **full name** for credit. You **must** add **#CanyonCarvingContest** to your post for the photo to be accepted.
- If you do not have Facebook, you may submit your photo to [applecore@applecanyonlake.org](mailto:applecore@applecanyonlake.org) by the **deadline: Sunday, October 25<sup>th</sup> by midnight.**
- ACL will create an album of these photos on our Facebook Page—[facebook.com/applecanyonlake](https://www.facebook.com/applecanyonlake) on **Monday, October 26<sup>th</sup>.**
- Vote for your **top 3** favorite pumpkins by 'Liking' them on this page **by midnight on Thursday, October 29<sup>th</sup>.**
- The **top 3 pumpkins** with the most 'likes' will **win** their choice between:  
A \$25 ACL Gift Card or a piece of ACL merch (ex. Hat, T-shirt, etc.)!



Photos submitted may be used for ACLPOA Marketing purposes.

# ACL Halloween Spirit Tour

October 23<sup>rd</sup>–24<sup>th</sup> | 7:00 pm–10:00 pm!  
Registration will begin Monday, September 28<sup>th</sup>  
through Sunday, October 18<sup>th</sup>

*This will be an opportunity for families to go on a self-guided socially distanced walking or driving tour of area participants homes and campsites.*

Voting will take place on the ACL Facebook page ([facebook.com/applecanyonlake](https://www.facebook.com/applecanyonlake)) online Friday, October 23<sup>rd</sup> from 7:00 pm and end Saturday, October 24<sup>th</sup> at midnight.

*Voting directions will be attached to the event map once registration closes and will be available by 3:00 pm Monday, October 19<sup>th</sup>.*

To register your home, and for a full list of event details, please visit:  
[applecanyonlake.org/Halloween](https://applecanyonlake.org/Halloween)

Prizes will be awarded as follows:  
First Place - \$100 ACL Gift Card, Second Place - \$75 ACL Gift Card,  
and Third Place - \$50 ACL Gift Card!



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## Elizabeth Ambulance Seeks volunteers



Elizabeth Community Ambulance Service is in need of additional volunteers to help provide ambulance service to the Elizabeth and Hanover area.

Our volunteers have an important role in helping family, friends, neighbors and the community when emergencies occur. As a Volunteer you will give back to the community, make a difference, and develop new skills! For additional information please contact Dan at 815-238-1999 or Richard at 815-289-2940.

## Elizabeth Ambulance Seeks volunteers

# RIVER VALLEY HUNTING

Pheasant Hunt Jo Daviess County  
Five Courses, Grass Prairie, Timber & Tower Shoot  
Jason Diedrich, Owner/Hunt Guide

Call Now to Book a Hunt!  
815-281-2917 | [www.rivervalleyhunting.com](http://www.rivervalleyhunting.com)

## Have you considered running for the ACL BOARD OF DIRECTORS?

*Do you have questions or are curious about Board responsibilities?  
To learn more, join Board & Nominating Committee members  
for light refreshments during an*

# INFORMATIONAL GATHERING Saturday, November 7<sup>th</sup> 1:00 pm at the Pro Shop

- Are you a team player?
- Do you have vision?
- Can you spare some time?
- Are you an "ideas" person?
- Are you dedicated?
- Is ACL important to you?
- Are you a good listener?
- Do you care about the long-term health of the ACLPOA?

*If you answered yes to any of these questions,  
then please join us on November 7<sup>th</sup>.*

*If you are interested in running for the Board of Directors;  
and are unable to attend the Informational Gathering,  
a one-on-one phone conference with the General Manager or a Board  
Member may be scheduled by contacting the General Manager at  
(815)492-2238 or [shaun.nordlie@applecanyonlake.org](mailto:shaun.nordlie@applecanyonlake.org)*

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