



Memorandum

To: ACL Board

Date: September 8, 2022

From: Megan Shamp

Memo #: 2022-99

Topic: September committee/commission changes

Recommendation: To appoint Mike Schramm to the Conservation Commission; Rob Beegle and Rick Schaschway to the Deer Management Commission; and Mike Yorke, Gary Hannon, Mary Hannon, Dianne Carr, Richard Blackmore, Roger VanDerLeest, Tom Ohms, Jean Wiedman, and Mike Harris, Board Liaison, to the Cove Operator Search Ad Hoc Commission; and to accept the resignation of Barb Hendren from the Nominating Committee.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – To operate at full efficiency and effectiveness for the benefit of the Association.



Memorandum

To: ACL Board

Date: August 31, 2022

From: Megan Shamp

Memo #: 2022-100

Topic: Appeals Board decisions

Issue & Analysis: In accordance with the NFP Act, only committees comprised of at least two Board members, with the majority of the committee members being Board members, have the authority to act on behalf of the Association. All other committees are referred to as advisory bodies or commissions. The Appeals Board guidelines state that no member of the Appeals Board can be currently serving on the ACL Board of Directors. As such, the Appeals Board serves in an advisory capacity to the Board of Directors.

Recommendation: To accept the recommendation of the Appeals Board to dismiss citations #0093 and #0094 issued to Cunningham and citation #0152 issued to Witt.

***Plan on a Page: High Performing Operations and Management –
To operate at full efficiency and effectiveness for the benefit of the
Association***

**Apple Canyon Lake Property Owners Association
Appeals Board Meeting Minutes
August 13, 2022**

UNAPPROVED

1.0 Call to Order - Chairperson Edie Petelle opened the meeting at 8:55 am. Members present: Ron Beckel, Roger VanDerLeest, Janet Helgason, Edie Petelle, Tom Sheehan. Security: Julie Janssen.

2.0 Approve Minutes – The minutes of the previous meetings were voted on by a motion to accept by Roger and seconded by Tom. Motion passed.

3.0 Unfinished Business – No discussion.

4.0 New Business – None.

5.0 Hearings

5.1 Hearing for John Cunningham – Chairperson Petelle explained the procedure of the hearing. Citation was issued to John Cunningham. Security Julie Janssen described the July 3, 2022 citation to property owners John and Anita Cunningham. The Cunninghams spoke and presented their appeal to the citation. Then the meeting was open to questions from the Appeals Board members and Safety & Security. The Appeals Board went into executive session. The Appeals Board's decision was to dismiss the citation.

5.2 Hearing for Karl Witt - Chairperson Petelle explained the procedure of the hearing. Citation was issued to Karl Witt. Security Julie Janssen described the July 13, 2022 citation to property owner Karl Witt. Property owner Mary Witt spoke and presented her appeal to the citation. Then the meeting was open to questions from the Appeals Board members and Safety & Security. The Appeals Board went into executive session. The Board's decision was to dismiss the citation.

6.0 Next Meeting Date – To be determined.

7.0 Adjournment – Motion to adjourn by Tom Sheehan, second by Roger VanDerLeest. Meeting adjourned at 9:47.

Respectfully submitted,
Janet Helgason, Secretary



Memorandum

To: Board of Directors

Date: September 1, 2022

From: Joe Wiener

Memo: 2022-90 (2)

Topic: Building Code Amendment: 123.3 Sequential Floating Dock

Issue & Analysis: Sequential floating dock systems are becoming more popular as property owners try to deal with zebra mussel attachments. The Board of Directors granted a variation to the Code 123.3 100" width limit at the June 18, 2022 meeting. The AECC has another building permit application asking for a SFT width of 116". Larger boats need a wider width. A survey of the lake shows that there are already several unpermitted 117" wide SFTs in place. Manufacturer sales catalogs present the 117" width as a standard size. The space between piers in zone docks varies but is generally 22' to 25'.

The Building Code is considered a secondary document. The secondary Governing Documents can be changed at any time and require approval by the ACLPOA Board of Directors. These changes then immediately go into effect. The current language reads:

123.3 SEQUENTIAL FLOATING DOCK

An 8' - 4" x 20' maximum sequential flex technology (SFT) system may be used in place of a conventional boat lift. A 15' x 20' SFT maximum perpendicular to the shoreline may be used in place of a conventional boat lift and a pier.

The AECC recommended the following language: "A 10'-8" x 20' is the maximum size of a sequential flex technology (SFT) system that may be used in place of a conventional boat lift. The SFT shall not prevent reasonable access into a shared slip space. SFT systems shall not exceed 50% of the shared dock slip. Permitted SFTs on private docks may not exceed 15' x 20' if it is placed perpendicular to the shoreline." At their August 20 meeting, the Board stated they would like to see a percentage not exceed 50% of shared docks. This item was sent back to AECC. At the September 3 AECC meeting, the language was amended to read –

"Ten feet wide by twenty feet long is the maximum size of a sequential flex technology (SFT) system that may be used in place of a conventional boat lift. The SFT shall not prevent reasonable access into a shared ACL Zone Dock slip space. SFT systems shall not exceed 48% of the shared slip space. Permitted SFT's at private docks may be as large as fifteen feet by twenty feet if it is placed perpendicular to the shoreline. A \$10.00 ACL building permit is required to install a boat lift system."

Joe Wiener has clarified that the same rule also applies to Marina and Nixon docks. Staff has modified the language from AECC to reflect this.

Recommendation: To approve the Building Code Amendment: 123.3 Sequential Floating Dock, “Ten feet wide by twenty feet long is the maximum size of a sequential flex technology (SFT) system that may be used in place of a conventional boat lift. The SFT shall not prevent reasonable access into a shared ACL Association-Licensed Boat Slip space. SFT systems shall not exceed 48% of the shared slip space. Permitted SFT’s at private docks may be as large as fifteen feet by twenty feet if it is placed perpendicular to the shoreline. A \$10.00 ACL building permit is required to install a boat lift system.”

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

Apple Canyon Lake Property Owners Association Committee Motion Card

Committee: AECC

Date: September 3, 2022

Agenda Item: 5.1

I Move:

Regarding Agenda Item 5.1

To approve the revision of the Apple Canyon Lake Building and Environmental Code 123.3 to read:

Ten feet wide by twenty feet long is the maximum size of a sequential flex technology (SFT) system that may be used in place of a conventional boat lift. The SFT shall not prevent reasonable access into a shared ACL Zone Dock slip space. SFT systems shall not exceed **48%** of the shared slip space. Permitted SFT's at private docks may **be as large as not exceed** fifteen feet by twenty feet if it is placed perpendicular to the shoreline. **A \$10.00 ACL building permit is required to install a boat lift system.**

Action Taken

Bill
Mike

MOTION MADE BY: Bill W
MOTION SECONDED BY: Mike H
CHAIR: [Signature]

VOTE RECORDED:

YEA: 7
NAY: 0
ABSTAIN: 0

Apple Canyon Lake Property Owners Association Committee Motion Card

Committee: AECC

Date: July 9, 2022

Agenda Item: 7.1

I Move:

Regarding Apple Canyon Lake Building and Environmental Code 123.3

To approve the revision of Apple Canyon Lake Building and Environmental Code 123.3 to read:

A 10' - 8" x 20' is the maximum size of a sequential flex technology (SFT) system that may be used in place of a conventional boat lift. The SFT shall not prevent reasonable access into a shared Zone Dock slip space. ~~A 15' x 20' SFT maximum may be used in place of a conventional boat lift and a pier if it is installed perpendicular to the shoreline.~~

SFT systems shall not exceed 50% of the dock slip.

Permitted May not SFT's can exceed 15' x 20' if it is placed perpendicular to the shore line. private docks

Action Taken

VOTE RECORDED:

MOTION MADE BY: Bill W

YEA: 5

MOTION SECONDED BY: Mike H

NAY: -

CHAIR: [Signature]

ABSTAIN: -



Memorandum

To: AECC Committee

Date: 07/09/22

From: Joe Wiener

Memo ACL Building and Environmental Code

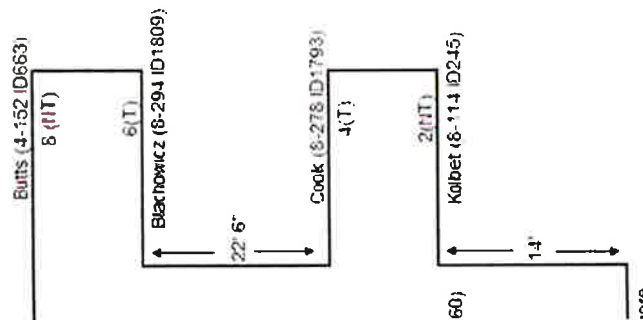
Topic 123.3

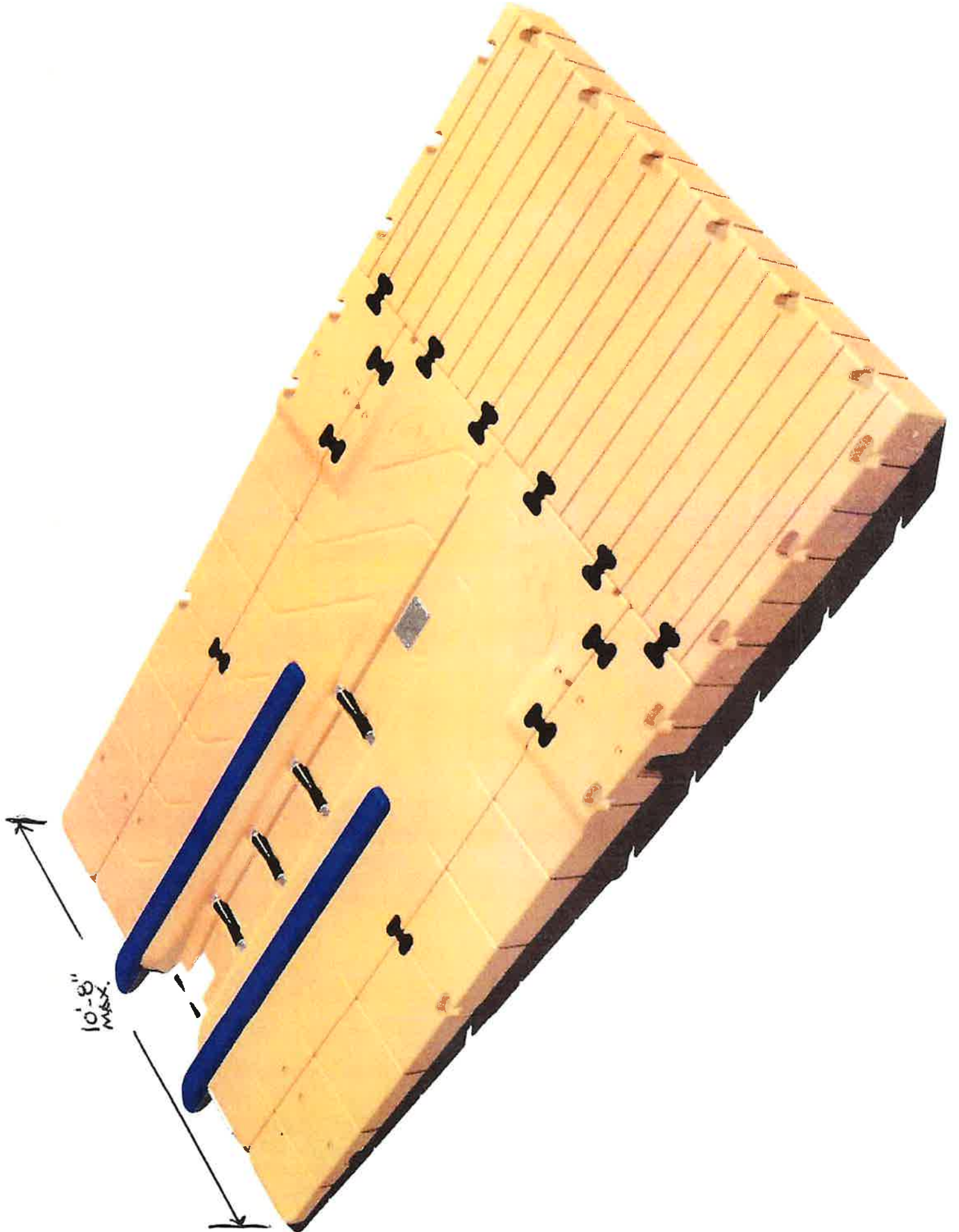
123.3 SEQUENTIAL FLOATING DOCK

An 8' - 4" x 20' maximum sequential flex technology (SFT) system may be used in place of a conventional boat lift. A 15' x 20' SFT maximum perpendicular to the shoreline may be used in place of a conventional boat lift and a pier.

Issue:

Sequential floating dock systems are becoming more popular as property owners try to deal with zebra mussel attachments. The Board of Directors granted a variation to the Code 123.3 100" width limit at the June 18, 2022 meeting. The AECC has another Building Permit Application asking for a SFT width of 116". Larger boats need a wider width. A survey of the lake shows that there are already several unpermitted 117" wide SFTs in place. Manufacturer sales catalogs present the 117" width as a standard size. The space between piers in zone docks varies but is generally 22' to 25'. The Building Code is considered a secondary document. The Secondary Governing Documents can be changed at any time and require approval by the ACLPOA Board of Directors. These changes then immediately go into effect.





APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION
 ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE
 BUILDING PERMIT APPLICATION

PERMIT NO. 22-081 7.1
 ISSUE DATE 7-9-22

OWNER'S NAME ACLPOA PHONE NO () SUBDIVISION ACL BUDG
 ADDRESS _____ LOT NO. 1/2 ENVIR.
 BUILDER'S NAME AECC PHONE NO () PO NO CODE

ADDRESS _____

GENERAL CARPENTRY CONTRACTOR (Name, Address, Phone)
CONCRETE CONTRACTOR (Name, Address, Phone)
ELECTRICAL CONTRACTOR (Name, Address, Phone)
HEATING CONTRACTOR (Name, Address, Phone)
MASONRY CONTRACTOR (Name, Address, Phone)
LANDSCAPING CONTRACTOR (Name, Address, Phone)
PLUMBING CONTRACTOR (Name, Address, Phone)
SEPTIC SYSTEM CONTRACTOR (Name, Address, Phone)
OTHER (Name, Address, Phone)
RESIDENCE _____ ADDITION _____ REMODELING _____ DECK _____ LANDSCAPING _____ OTHER <input checked="" type="checkbox"/> GARAGE _____ DRIVEWAY _____ PIER/DOCK _____ SHED _____ WATER FRONT _____ GENERAL _____

DESCRIPTION Change ACL Building and Environmental code 123.3 to permit the width of the SFT to be 118" wide.

REQUIRED INFORMATION FOR ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE ONLY

PLANS (3 SETS)	SEPTIC DESIGN w/ County Approval	WATER TAP FEE
PERMIT FEES	BOND FEES	TITLE RECORD
COUNTY BUILDING PERMIT	ENTRANCE PERMIT (Township)	OTHER

APPROVED BY JW Date 7/1/22

Notes

Total Permits Paid \$ <u>N/A</u>	Owner/Builder Signature <u>JW</u> (Date) <u>7/1/22</u>
	AECC Signature <u>[Signature]</u>
	AECC Signature <u>[Signature]</u>
	AECC Signature <u>[Signature]</u>

*Make all checks payable to Apple Canyon Lake Property Owners Association * See Back Pg for Breakout

THE ISSUANCE OF A BUILDING PERMIT DOES NOT RELIEVE THE OWNER AND/OR CONTRACTOR AND SUBCONTRACTOR OF RESPONSIBILITY TO COMPLY WITH THE ACL BUILDING CODE AND ALL APPLICABLE STATE AND COUNTY REGULATIONS. NOTE - AN ON SITE DUMPSTER IS REQUIRED FOR ALL NEW HOUSES AND MAJOR ADDITIONS/REMODELING



Memorandum

To: Board of Directors

Date: September 8, 2022

From: Ashlee Miller

Memo: 2022-93 (2)

Topic: Publication of the 2023 Annual Assessment

Issue: The Budget Commission has recommended the 2023 Annual Assessment to the Board for approval.

The Board tabled all budget items at their August 20 meeting. A special Board of Directors meeting was held August 26 to discuss the budget.

The Board must first act on the Budget Commission motions that were tabled at the August meeting. Then, the Board can make a motion on the Annual Assessment that will be published in the Apple Core.

Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 Annual Assessment will be published in the October issue of *The Apple Core*. The Annual Assessment will then be adopted by the Board at the November 19, 2022 meeting.

Budget Commission Recommendation: To authorize staff to publish the recommended 2023 Annual Assessment of \$1,235 in the October issue of *The Apple Core*.

Board of Directors Recommendation: To authorize staff to publish the recommended 2023 Annual Assessment of \$_____ in the October issue of *The Apple Core*.

<p><i>Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.</i></p>

Apple Canyon Lake Property Owners Association
Board Motion Card

CATEGORY: NEW BUSINESS
AGENDA ITEM: 12.7
SUBJECT: PUBLICATION OF THE 2023 ANNUAL ASSESSMENT

8/20/22

The Budget Commission has recommended the 2023 Annual Assessment to the Board for approval. Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 Annual Assessment will be published in the September issue of The Apple Core. The Annual Assessment will then be adopted by the Board at the October 15, 2022 meeting.

MOTION: TO AUTHORIZE STAFF TO PUBLISH THE RECOMMENDED 2023 ANNUAL ASSESSMENT OF \$1,235 IN THE SEPTEMBER ISSUE OF THE APPLE CORE.

*withdrawn
Steve, Mike Harris 2*

TABLED

Action Taken

MOTION MADE BY: <u>SB / [Signature]</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>MA / [Signature]</u>	YEA: _____
PRESIDENT: _____	NAY: _____



Memorandum

To: Board of Directors

Date: September 8, 2022

From: Ashlee Miller

Memo: 2022-94 (2)

Topic: publication of the 2023 Operating Budget

Issue: The Budget Commission has recommended the 2023 Operating Budget to the Board for approval.

The Board tabled all budget items at their August 20 meeting. A special Board of Directors meeting was held August 26 to discuss the budget.

The Board must first act on the Budget Commission motions that were tabled at the August meeting. Then, the Board can make a motion on the 2023 Operating Budget that will be published in the Apple Core.

Per CICA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 Operating Budget will be published in the October issue of *The Apple Core*. The Operating Budget will then be adopted by the Board at the November 19, 2022 meeting.

Budget Commission Recommendation: To authorize staff to publish the recommended 2023 Operating Budget, with a total revenue of \$5,236,571.00 and total operating expenses of \$4,074,455.00, with a transfer to the R&R fund of \$652,000 and a transfer to the Capital fund of \$500,000, in the October issue of *The Apple Core*.

Board of Directors Recommendation: To authorize staff to publish the recommended 2023 Operating Budget, with a total revenue of \$ _____ and total operating expenses of \$ _____, with a transfer to the R&R fund of \$ _____ and a transfer to the Capital fund of \$ _____, in the October issue of *The Apple Core*.

Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.

August 26

Revenue	2021 Actual	2021 Budget	2022 Budget	2023 Budget	
Admin	\$ 2,475,526.25	\$ 2,437,079.00	\$ 2,678,522.00	\$ 3,160,046.00	
Communications	\$ 137,348.99	\$ 158,455.00	\$ 154,955.00	\$ 147,150.00	
Building	\$ 12,898.22	\$ 9,290.00	\$ 14,490.00	\$ 10,850.00	
Maintenance	\$ 2,419.54	\$ 2,000.00	\$ 2,000.00	\$ -	
Solid Waste	\$ 117,885.00	\$ 124,238.00	\$ 116,004.96	\$ 124,080.00	
Safety & Security	\$ 13,071.87	\$ 9,750.00	\$ 9,750.00	\$ 8,850.00	
Pro Shop	\$ 460,276.35	\$ 349,550.00	\$ 353,300.04	\$ 396,700.00	
Marina	\$ 227,747.56	\$ 266,800.00	\$ 241,420.08	\$ 215,600.00	
Pool	\$ 6,662.00	\$ 10,125.00	\$ 8,525.04	\$ 7,925.00	
Total	\$ 3,453,835.78	\$ 3,367,287.00	\$ 3,578,967.12	\$ 4,071,201.00	\$ 5,223,201.00
Expenses					
Admin	\$ 1,147,002.46	\$ 1,043,874.96	\$ 1,116,197.00	\$ 1,337,446.89	
Communications	\$ 209,436.93	\$ 228,153.67	\$ 249,017.00	\$ 283,632.00	
Building	\$ 33,094.42	\$ 31,243.06	\$ 33,890.00	\$ 36,051.79	
Maintenance	\$ 763,096.55	\$ 802,568.29	\$ 849,094.00	\$ 940,037.74	
Solid Waste	\$ 61,980.47	\$ 55,998.41	\$ 56,650.92	\$ 63,746.89	
Safety & Security	\$ 332,314.54	\$ 289,917.98	\$ 344,547.04	\$ 379,135.83	
Pro Shop	\$ 605,688.20	\$ 522,270.34	\$ 565,200.24	\$ 609,390.88	
Marina	\$ 269,719.87	\$ 266,177.52	\$ 262,454.04	\$ 265,525.44	
Pool	\$ 121,888.16	\$ 127,583.25	\$ 150,084.84	\$ 158,188.67	
Total	\$ 3,544,221.60	\$ 3,367,787.48	\$ 3,627,135.08	\$ 4,073,156.13	
Net Operating Income/Loss	\$ (90,385.82)	\$ (500.48)	\$ (48,167.96)	\$ (1,955.13)	

**Apple Canyon Lake Property Owners Association
Board Motion Card**

CATEGORY: NEW BUSINESS

8/20/22

AGENDA ITEM: 12.8

SUBJECT: PUBLICATION OF THE 2023 OPERATING BUDGET

The Budget Commission has recommended the 2023 Operating Budget to the Board for approval. Per CICA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 Operating Budget will be published in the September issue of The Apple Core. The Budget will then be adopted by the Board at the October 15, 2022 meeting.

MOTION: TO AUTHORIZE STAFF TO PUBLISH THE RECOMMENDED 2023 OPERATING BUDGET, WITH A TOTAL REVENUE OF \$5,236,571.00 AND TOTAL OPERATING EXPENSES OF \$4,074,455.00, WITH A TRANSFER TO THE R&R FUND OF \$652,000 AND A TRANSFER TO THE CAPITAL FUND OF \$500,000, IN THE SEPTEMBER ISSUE OF THE APPLE CORE.

TABLED

Action Taken

VOTE RECORDED:

MOTION MADE BY: _____

YEA: _____

MOTION SECONDED BY: _____

NAY: _____

PRESIDENT: _____

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Budget Committee/Commission

Date 08/08/2022

I move:

The Commission recommends to the BOA the 2023 Operating Budget with a total revenue of \$5,236,571 and total operating expenses of \$4,074,455 with a transfer to the RR Fund of \$1,521,000 and a transfer to the Capital Fund of \$500,000.

Action Taken

MOTION MADE BY: <u>SN Steve Gads</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>NG Mark Gads</u>	YEA: <u>9</u>
CHAIR: <u>[Signature]</u>	NAY: <u>0</u>
	ABSTAIN: <u> </u>

Date Received _____ Given to _____ Date Completed _____

Revenue	2021 Actual	2021 Budget	2022 Budget	2023 Budget	
Admin	\$ 2,475,526.25	\$ 2,437,079.00	\$ 2,678,522.00	\$ 3,197,510.00	
Communications	\$ 137,348.99	\$ 158,455.00	\$ 154,955.00	\$ 147,150.00	
Building	\$ 12,898.22	\$ 9,290.00	\$ 14,490.00	\$ 10,850.00	
Maintenance	\$ 2,419.54	\$ 2,000.00	\$ 2,000.00	\$ -	
Solid Waste	\$ 117,885.00	\$ 124,238.00	\$ 116,004.96	\$ 115,290.00	
Safety & Security	\$ 13,071.87	\$ 9,750.00	\$ 9,750.00	\$ 8,850.00	
Pro Shop	\$ 460,276.35	\$ 349,550.00	\$ 353,300.04	\$ 381,396.00	
Marina	\$ 227,747.56	\$ 266,800.00	\$ 241,420.08	\$ 215,600.00	
Pool	\$ 6,662.00	\$ 10,125.00	\$ 8,525.04	\$ 7,925.00	
Total	\$ 3,453,835.78	\$ 3,367,287.00	\$ 3,578,967.12	\$ 4,084,571.00	\$ 5,236,571.00

Expenses					
Admin	\$ 1,147,002.46	\$ 1,043,874.96	\$ 1,116,197.00	\$ 1,339,446.89	
Communications	\$ 209,436.93	\$ 228,153.67	\$ 249,017.00	\$ 283,632.00	
Building	\$ 33,094.42	\$ 31,243.06	\$ 33,890.00	\$ 36,051.79	
Maintenance	\$ 763,096.55	\$ 802,568.29	\$ 849,094.00	\$ 940,037.74	
Solid Waste	\$ 61,980.47	\$ 55,998.41	\$ 56,650.92	\$ 63,746.89	
Safety & Security	\$ 332,314.54	\$ 289,917.98	\$ 344,547.04	\$ 379,135.83	
Pro Shop	\$ 605,688.20	\$ 522,270.34	\$ 565,200.24	\$ 608,689.88	
Marina	\$ 269,719.87	\$ 266,177.52	\$ 262,454.04	\$ 265,525.44	
Pool	\$ 121,888.16	\$ 127,583.25	\$ 150,084.84	\$ 158,188.67	
Total	\$ 3,544,221.60	\$ 3,367,787.48	\$ 3,627,135.08	\$ 4,074,455.14	

Net Operating Income/Loss	\$ (90,385.82)	\$ (500.48)	\$ (48,167.96)	\$ 10,115.86	
----------------------------------	-----------------------	--------------------	-----------------------	---------------------	--



Memorandum

To: Board of Directors

Date: September 8, 2022

From: Ashlee Miller

Memo: 2022-95 (2)

Topic: publication of the 2023 R & R Budget

Issue: The Budget Commission has recommended the 2023 R & R Budget to the Board for approval.

The Board tabled all budget items at their August 20 meeting. A special Board of Directors meeting was held August 26 to discuss the budget.

The Board must first act on the Budget Commission motions that were tabled at the August meeting. Then, the Board can make a motion on the 2023 R & R Budget that will be published in the Apple Core.

Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 R & R Budget will be published in the October issue of *The Apple Core*. The R & R Budget will then be adopted by the Board at the November 19, 2022 meeting.

Budget Commission Recommendation: To authorize staff to publish the recommended 2023 R & R Budget, in the amount of \$580,000 in expenditures, in the October issue of *The Apple Core*.

Board of Directors Recommendation: To authorize staff to publish the recommended 2023 R & R Budget, in the amount of \$ _____ in expenditures, in the October issue of *The Apple Core*.

<p><i>Plan on a Page: High Performing Operations and Management -To operate at full efficiency and effectiveness for the benefit of the Association.</i></p>

August 26

2023 R&R Budget Recommended to BOD

Property, Land and Lake	\$ 235,000
Dry Dam	
Streambank Stabilization	
Dock Repair	
Rip Rap	
Zebra Mussel Treatment	
Cove Kitchen Floor	
Vehicles	\$ 170,000
Security Boat	
UTV -Recreation/ Staff	
Dump Truck (Trade)	
Equipment	\$ 152,000
Skid Loader (Trade)	
JD Tees Mower	
Work Boat	
Furniture & Fixtures	\$ 23,000
Marina Upright Freezer	
Pro Shop Ice Machine	
Cameras	
Fitness Equipment, phase 2	
Total	<u><u>\$ 580,000</u></u>

**Apple Canyon Lake Property Owners Association
Board Motion Card**

CATEGORY: NEW BUSINESS
AGENDA ITEM: 12.9
SUBJECT: PUBLICATION OF THE 2023 R & R BUDGET

8/20/22

The Budget Commission has recommended the 2023 R & R Budget to the Board for approval. Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 R & R Budget will be published in the September issue of The Apple Core. The R & R Budget will then be adopted by the Board at the October 15, 2022 meeting.

MOTION: TO AUTHORIZE STAFF TO PUBLISH THE RECOMMENDED 2023 R & R BUDGET, IN THE AMOUNT OF \$580,000 IN EXPENDITURES, IN THE SEPTEMBER ISSUE OF THE APPLE CORE.

TABLED

Action Taken

VOTE RECORDED:

MOTION MADE BY: _____
MOTION SECONDED BY: _____
PRESIDENT: _____

YEA: _____
NAY: _____

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Budget Committee/Commission

Date 08/08/2022

I move:

The Commission recommends to the BOA the 2023 R&R Budget in Expenditures of \$ 580,000

Action Taken

MOTION MADE BY: <u>SM [Signature]</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>SM [Signature]</u>	YEA: <u>9</u>
CHAIR: <u>[Signature]</u>	NAY: <u>0</u>
	ABSTAIN: <u> </u>

Date Received _____ Given to _____ Date Completed _____

2023 R&R Budget Recommended to BOD

Property, Land and Lake	\$ 235,000
Dry Dam	
Streambank Stabilization	
Dock Repair	
Rip Rap	
Zebra Mussel Treatment	
Cove Kitchen Floor	
Vehicles	\$ 170,000
Security Boat	
UTV -Recreation/ Staff	
Dump Truck (Trade)	
Equipment	\$ 152,000
Skid Loader (Trade)	
JD Tees Mower	
Work Boat	
Furniture & Fixtures	\$ 23,000
Marina Upright Freezer	
Pro Shop Ice Machine	
Cameras	
Fitness Equipment, phase 2	
Total	<u><u>\$ 580,000</u></u>



Memorandum

To: Board of Directors

Date: September 8, 2022

From: Ashlee Miller

Memo: 2022-96 (2)

Topic: Publication of the 2023 Operating and Building Fee Schedules

Issue: The Budget Commission recommends the following changes to the 2023 Operating Fee Schedule –

- Annual Assessment (Dues) raised to \$1,235
- Owner Amenity Registration Fee raised to \$200
- Swimming Lessons (per person, two sessions) raised to \$40
- Swimming Lessons (per person, one session) raised to \$20

The Budget Commission did not recommend any changes to the 2023 Building Fee Schedule but failed to include the Building Fee Schedule in their motion.

The Board tabled all budget items at their August 20 meeting. A special Board of Directors meeting was held August 26 to discuss the budget.

The Board must first act on the Budget Commission motions that were tabled at the August meeting. Then, the Board can make a motion on the 2023 Operating Fee Schedule and the 2023 Building Fee Schedule that will be published in the Apple Core.

Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 R & R Budget will be published in the October issue of *The Apple Core*. The R & R Budget will then be adopted by the Board at the November 19, 2022 meeting.

Budget Commission Recommendation: To authorize staff to publish the recommended 2023 Operating Fee Schedule and the recommended 2023 Building Fee Schedule in the October issue of *The Apple Core*.

Board of Directors Recommendation: To authorize staff to publish the attached 2023 Operating Fee Schedule and the attached 2023 Building Fee Schedule in the October issue of *The Apple Core*.

August 26

ANNUAL FEE		DAILY RATE	
Annual Assessment (Due March 1)	\$ 1,265.00	Golf	Mon-Fri
Annual Trash Fee* (Due March 1)	\$ 130	Property Owner	Wknd/Hol
*required for all ACL homes, fee includes two passes (paper or decal)		Holes (9)	12
		Holes (18)	15
Seasonal Amenity Licenses (Due March 1)		Non Property Owner	
Marina Boat Slip	\$ 300	Holes (9)	15
Nixon Boat Slip	\$ 300	Holes (18)	20
Zone Boat Slip	\$ 300	Cart Rental	
Seasonal Campsite (\$760)/Trash (\$85)/Camper (\$5)	\$ 850	Holes (9)	10
Camper Winter Storage (Onsite)	\$ 150	Holes (18)	15
Golf Cart/ATV/UTV Storage Inside	\$ 125	<i>Call ACL Pro Shop for tee times (815) 492-2477</i>	
Golf Cart Storage Outside	\$ 25		
Kayak Locker Rental	\$ 25		
Registration Fees		Campground	
Owner Amenity Registration Fee (per owner)	\$ 100	RV Site (power and water)	Mon - Thurs
Golf Cart Registration	\$ 15	Property Owner	\$ 14
Motorized 1st Boat	\$ 75	Guest	\$ 28
Motorized 2nd Boat	\$ 75	Tent Site (primitive)	Wknd/Hol
Non-Motorized Boat	\$ 10	Property Owner	\$ 9
Snowmobile	\$ 30	Guest	\$ 19
ATV/UTV	\$ 30	Extended Camping Fees Primitive/Full Hook Up per week	
Annual Golf Season Passes		PO 60	PO \$ 85
Property Owner (Individual)	\$ 250	Guest 125	Guest \$ 170
Junior (Age 10-16)	\$ 25	Washer/Dryer	\$ 1.25 (per load)
Non Property Owner (Individual)	\$ 350	<i>Call ACL Office for reservations (815) 492-2238</i>	
Corporate	\$ 2,000	Marina Boat Slip Rentals	
Classes		Daily	\$25
Swimming Lessons (per person, one session)	\$ 20	Weekly	\$105
Private Swimming Lesson (per person, per lesson)	\$ 25	Monthly	\$200
Miscellaneous		<i>Call ACL Office for reservations (815) 492-2238</i>	
Auto Decals (5 free per OARF paid)	Each \$ 10	Boat Rentals	
Amenity Tag (10 free per OARF paid)		Mon-Thurs	Mon-Thurs
One Additional One (1) Day Amenity Tag	\$ 5	Property Owner	Guest
One Additional Three (3) Day Amenity Tag	\$ 10	1/2 Day	100
One Additional Annual Amenity Tag	\$ 20	Per Day	\$175
Replacement Trash Pass	\$ 30		175
Directory	\$ 5	Wknd/Hol	
Electronic Item Disposal	\$ 30	Property Owner & Guest	
Large Item Disposal	\$ 15	Pontoon 1/2 Day	\$230
Mattress Disposal	\$ 30	Pontoon Per Day	\$325
Map	\$ 5	<i>Call ACL Office for reservations (815) 492-2238</i>	
Delinquent Dues Fee (Assessed March, April, May)	\$ 125	Clubhouse Rental	
Payment Plan Processing Fee	\$ 35	Business Meetings	Number
Payment Plan Late Sign Up Fee	\$ 25	Mon - Thurs	PO Fee
Lot Mowing	\$ 80	1-100	\$ 100
Pool Party	\$ 125	101-250	\$ 200
Monday - Thursday	\$ 125	Parties/Open Houses	
Friday - Sunday	\$ 150	Sun-Thurs	1-75 \$ 100
*Excess of 50 people (add)	\$ 50		76-150 \$ 200
Programs			151-250 \$ 400
Heat Light Program Call SSD Office (815) 492-2436			Fri-Sat 27395 \$ 125
Sub-License Boat Slip Program Call ACL Office (815) 492-2238			76-150 \$ 275
			151-250 \$ 450
		Weddings/Receptions	
		Fri-Sat	1-250 \$ 450
		ACL Club Fee: Non-ACL events, etc.	\$ 25
		ACL Employee (restrictions apply)	\$ 25
		<i>Deposit of equal amount required. For guests, add \$100 to above rate.</i>	
		<i>For reservations call (815) 492-2769</i>	

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.

August 26

ACLPOA Proposed 2023 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

**Apple Canyon Lake Property Owners Association
Board Motion Card**

CATEGORY: NEW BUSINESS
AGENDA ITEM: 12.10
SUBJECT:

8/20/22

PUBLICATION OF THE 2023 OPERATING AND BUILDING FEE SCHEDULES

The Budget Commission recommends the following changes to the 2023 Operating Fee Schedule – Annual Assessment (Dues) raised to \$1,235; Owner Amenity Registration Fee raised to \$200; Swimming Lessons (per person, two sessions) raised to \$40; Swimming Lessons (per person, one session) raised to \$20

The Budget Commission did not recommend any changes to the 2023 Building Fee Schedule but failed to include it in their motion.

Per CICAA, the budget must be advertised for a minimum of 30 days prior to the Board adopting the budget. The 2023 Operating and Building Fee Schedules will be published in the September issue of The Apple Core. The fee schedules will then be adopted by the Board at the October 15, 2023 meeting.

MOTION: TO AUTHORIZE STAFF TO PUBLISH THE RECOMMENDED 2023 OPERATING FEE SCHEDULE AND THE RECOMMENDED 2023 BUILDING FEE SCHEDULE IN THE SEPTEMBER ISSUE OF THE APPLE CORE.

Action Taken

VOTE RECORDED:

MOTION MADE BY: _____

MOTION SECONDED BY: _____

PRESIDENT: _____

TABLED

YEA: _____

NAY: _____

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Budget Committee/Commission

Date 08/08/2022

I move:

Recommend to the BOD: The 2022 Fee Schedule be renewed for 2023 with the following changes:
Annual Assessment \$1235 raised to
Owner Amenity Registration Fee raised to \$200 (OARF),
Swimming Lessons - per person 2 sessions raised to \$40,
Swimming Lessons - per person 1 session raised to \$20

Action Taken

MOTION MADE BY: <u>RC [Signature]</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>BSM [Signature]</u>	YEA: <u>9</u>
CHAIR: <u>[Signature]</u>	NAY: <u>0</u>
	ABSTAIN: <u> </u>

Date Received _____ Given to _____ Date Completed _____

ANNUAL FEE		DAILY RATE	
Annual Assessment (Due March 1)	\$ 1,235.00	Golf	Mon-Fri
Annual Trash Fee* (Due March 1)	\$ 120	Property Owner	Wknd/Hol
*required for all ACL homes, fee includes two passes (paper or decal)		Holes (9)	9
		Holes (18)	12
Seasonal Amenity Licenses (Due March 1)		Non Property Owner	
Marina Boat Slip (\$200) & Boat Registration (\$5)	\$ 205	Holes (9)	12
Nixon Boat Slip (\$200) & Boat Registration (\$5)	\$ 205	Holes (18)	17
Zone Boat Slip (\$200) & Boat Registration (\$5)	\$ 205		
Seasonal Campsite (\$700)/Trash (\$80)/Camper (\$5)	\$ 785	Cart Rental	
Camper Winter Storage (Onsite)	\$ 135	Holes (9)	7
Golf Cart/ATV/UTV Storage Inside	\$ 125	Holes (18)	13
Golf Cart Storage Outside	\$ 25	<i>Call ACL Pro Shop for tee times (815) 492-2477</i>	
Kayak Locker Rental	\$ 25		
Registration Fees		Campground	Mon - Thurs
Owner Amenity Registration Fee (per owner)	\$ 200	RV Site (power and water)	Wknd/Hol
Golf Cart Registration	\$ 5	Property Owner	\$ 14
Motorized 1st Boat	\$ 30	Guest	\$ 28
Motorized 2nd Boat	\$ 5	Tent Site (primitive)	
Non-Motorized Boat	\$ 5	Property Owner	\$ 9
Snowmobile	\$ 5	Guest	\$ 19
ATV/UTV	\$ 30	Extended Camping Fees Primitive/Full Hook Up per week	
Annual Golf Season Passes		PO 60	PO \$ 85
Property Owner (Individual)	\$ 225	Guest 125	Guest \$ 170
Junior (Age 10-16)	\$ 25	Washer/Dryer	\$ 1.25 (per load)
Non Property Owner (Individual)	\$ 350	<i>Call ACL Office for reservations (815) 492-2238</i>	
Corporate	\$ 2,000	Marina Boat Slip Rentals	
Classes		Daily	\$25
Swimming Lessons (per person, two sessions)	\$ 40	Weekly	\$105
Swimming Lessons (per person, one session)	\$ 20	Monthly	\$200
Private Swimming Lesson (per person, per lesson)	\$ 25	<i>Call ACL Office for reservations (815) 492-2238</i>	
Miscellaneous	Each	Boat Rentals	Mon-Thurs
Auto Decals (5 free per OARF paid)	\$ 5	Pontoon 1/2 Day	Property Owner
Amenity Tag (10 free per OARF paid)	\$ -	Pontoon Per Day	Guest
One Additional One (1) Day Amenity Tag	\$ 3		
One Additional Three (3) Day Amenity Tag	\$ 5		
One Additional Annual Amenity Tag	\$ 15		Wknd/Hol
Replacement Trash Pass	\$ 30		Property Owner & Guest
Directory	\$ 5	Pontoon 1/2 Day	\$230
Electronic Item Disposal	\$ 30	Pontoon Per Day	\$325
Large Item Disposal	\$ 15	<i>Call ACL Office for reservations (815) 492-2238</i>	
Mattress Disposal	\$ 30	Clubhouse Rental	
Map	\$ 5	Business Meetings	Number
Delinquent Dues Fee (Assessed March, April, May)	\$ 125	Mon - Thurs	PO Fee
Payment Plan Processing Fee	\$ 35		1-100 \$ 100
Payment Plan Late Sign Up Fee	\$ 25		101-250 \$ 200
Lot Mowing	\$ 80	Parties/Open Houses	
Pool Party	\$ 125	Sun-Thurs	1-75 \$ 100
	\$ 150		76-150 \$ 200
	\$ 50		151-250 \$ 400
	\$ 50		27395 \$ 125
	\$ 50		76-150 \$ 275
	\$ 50		151-250 \$ 450
Programs		Weddings/Receptions	
Heat Light Program Call SSD Office (815) 492-2436		Fri-Sat	1-250 \$ 450
Sub-License Boat Slip Program Call ACL Office (815) 492-2238		ACL Club Fee: Non-ACL events, etc.	\$ 25
		ACL Employee (restrictions apply)	\$ 25
		<i>Deposit of equal amount required. For guests, add \$100 to above rate.</i>	
		<i>For reservations call (815) 492-2769</i>	

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.

ACLPOA 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



Memorandum

To: ACL Board

Date: August 31, 2022

From: Megan Shamp

Memo #: 2022-101

Topic: foreclosure of liens

Issue: The following 37 lots are recommended for foreclosure of lien per Board policy.

1. 02-043	DiToro	19. 08-186	Knaperek
2. 03-006	Fields	20. 08-222	Pennington
3. 03-152	Mowery	21. 08-254	Young
4. 04-087	Ware and Herbst-Ware	22. 09-001	Sneath
5. 04-091	JMJUSA, LLC	23. 09-017	Anderson
6. 05-013	Fraggis	24. 09-088	Pelc
7. 06-032	Cooper	25. 09-091	Otterbeck Gile and Otterbeck
8. 06-033	Cooper	26. 10-090	Ziccardi
9. 06-100	Mackenzie and Mackenzie	27. 10-146	Ferguson General Trust
10. 06-101	Cleary	28. 11-143	JMJUSA, LLC
11. 06-106	Kurt	29. 11-180	Tellone
12. 07-122	Morris	30. 11-229	Wehrenberg
13. 07-168	McClure	31. 12-214	Anderson
14. 07-193	Kustes	32. 12-238	Clancy
15. 07-208	Kuhse	33. 12-339	Keenan
16. 07-266	Grassly	34. 13-058	Turner
17. 08-106	Collalti	35. 13-070	Benes
18. 08-174	Shay	36. 13-092	Saunoras and Ludwig
		37. 14-002	Yonan

The Association does not plan to proceed with foreclosure on one lot due to a pending tax sale on the same property. Owners are still able to redeem their property and have the foreclosure action dismissed upon receipt of full payment to the Association. Several of these properties have been in communication with Costello, Sury & Rooney to make payment arrangements.

Recommendation: To approve foreclosure of liens on the following lots: 02-043, 03-006, 03-152, 04-087, 04-091, 05-013, 06-032, 06-033, 06-100, 06-101, 06-106, 07-122, 07-168, 07-193, 07-208, 07-266, 08-106, 08-174, 08-186, 08-222, 08-254, 09-001, 09-017, 09-088, 09-091, 10-090, 10-146, 11-143, 11-180, 11-229, 12-214, 12-238, 12-339, 13-058, 13-070, 13-092, and 14-002.



Memorandum

To: Board of Directors

Date: August 31, 2022

From: Ashlee Miller

Memo: 2022-102

Topic: Maintenance Commission reinstatement

Issue & Analysis: The Maintenance Committee was dissolved by the Board of Directors at their June 2018 meeting. At that time, it was stated that “the Building and Grounds Manager is currently fulfilling his duties which include maintenance, repair, and improvement to all common properties and facilities of ACL. It is the opinion of the Maintenance Committee that their function is no longer necessary with the Association and that the committee should be dissolved.”

ACL’s legal counsel has reviewed concerns that this commission should not have been dissolved and has provided guidance that this motion was made in error. The Maintenance Commission is a standing commission per the ACLPOA Amended & Restated Bylaws, Article XIII Committees, Section 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.

The existence of the commission and their charge is fixed unless the Bylaws are amended by membership vote.

Recommendation: To recognize reinstatement of the Maintenance Commission, and its charge: “The Maintenance Commission 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 commission.”

Plan on a Page: Vision – High Performing Operations and Management – To operate at full efficiency and effectiveness for the benefit of the Association.



Memorandum

To: ACL Board

Date: September 8, 2022

From: Zebra Mussel Ad Hoc Commission

Memo #: 2022-108

Topic: Zebra Mussel Ad Hoc Commission recommendations

Analysis: The Zebra Mussel Ad Hoc Commission met September 7, 2022 and made the following recommendations to the Board –

Treatment of Entire Shoreline

The Zebra Mussel Ad Hoc Commission recommends treating the lake with EarthTec QZ starting in 2023 with two complete shoreline treatments. Treatments will occur from the shoreline to a minimum of 25 feet into the body of the lake. The first treatment will occur in June or July by an outside professional, with the Natural Resources Manager observing. That first treatment date is to occur after the ACL fisheries' spawning period and during the presence of zebra mussel veligers. The second treatment to be applied in August by the ACL Natural Resources Manager with assistance, if needed, by an outside professional. All established treatment protocols (including, but not limited to, use of monitoring plates and live cages, copper and oxygen levels, lake temps and levels, lake and weather conditions and predictions, mapping, observations of aquatic plants and fish impacts) must be followed with the above treatments. Formal and complete detailed field documentation of all data must be logged and maintained for all applications. Future management is dependent on this.

Spot Treatments

The Zebra Mussel Ad Hoc Commission supports and recommends continuing algae treatments with EarthTec and spot treating of zebra mussels with EarthTec QZ by the Natural Resources Manager. Spot treatment for zebra mussels will include the Jumping Rock, Nixon Beach, Marina, and other locations as deemed necessary by the Natural Resources Manager. Adhere to established protocols. Frequency of subsequent treatments will be determined by results obtained. Formally document all data for review.

Education/Information

Create educational documents for publishing on the ACL website, in the Apple Core and Apple Seed, and create signage wherever appropriate. Property Owners will be informed of treatment plans, including maps showing treatment locations and dates

created by ACL'S Natural Resources Manager. Encourage property owners to report zebra mussel infestations or a lack thereof to the zebramussels@applecanyonlake.org email address.

Recommendation: To approve the 2023 recommendations proposed by the Zebra Mussel Ad Hoc Commission.

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Zebra Mussel Ad Hoc ~~Committee~~/Commission

Date SEPTEMBER 9, 2022

I move:

to recommend to the Board of Directors the "Zebra Mussel Ad Hoc Commission 2022 Recommendations to ACLPOA BOD. The document includes details of: Treatment of Entire Shoreline, Spot Treatments, Education/Information. Complete document is attached.

Action Taken

MOTION MADE BY: GD / <i>[Signature]</i>	VOTE RECORDED:
MOTION SECONDED BY: LP / <i>[Signature]</i>	YEA: 6
CHAIR: AZ / <i>[Signature]</i>	NAY: 0
	ABSTAIN: 0

Date Received 9/8/22 Given to Board Date Completed

Zebra Mussel Ad Hoc Commission 2022 Recommendation to ACLPOA BOD

Treatment of Entire Shoreline

The Zebra Mussel Ad Hoc Commission recommends treating the lake with EarthTec QZ starting in 2023 with two complete shoreline treatments. Treatments will occur from the shoreline to a minimum of 25 feet into the body of the lake. The first treatment will occur in June or July by an outside professional, with the Natural Resource Manager observing. That first treatment date is to occur after the ACL fisheries' spawning period and during the presence of zebra mussel veligers. The second treatment to be applied in August by the ACL Natural Resource Manager with assistance, if needed, by an outside professional. All established treatment protocols (including, but not limited to, use of monitoring plates and live cages, copper and oxygen levels, lake temps and levels, lake and weather conditions and predictions, mapping, observations of aquatic plants and fish impacts) must be followed with the above treatments. Formal and complete detailed field documentation of all data must be logged and maintained for all applications. Future management is dependent on this.

Spot Treatments

The Zebra Mussel Ad Hoc Commission supports and recommends continuing algae treatments with EarthTec and spot treating of zebra mussels with EarthTec QZ by the Natural Resource Manager. Spot treatment for zebra mussels will include the Jumping Rock, Nixon Beach, Marina, and other locations as deemed necessary by the Natural Resource Manager. Adhere to established protocols. Frequency of subsequent treatments will be determined by results obtained. Formally document all data for review.

Education/Information

Create educational documents for publishing on the ACL website, in the Apple Core and Appleseed, and create signage wherever appropriate. Property owners will be informed of treatment plans, including maps showing treatment locations and dates created by ACL'S Natural Resource Manager. Encourage property owners to report zebra mussel infestations or a lack thereof to the zebramussels@applecanyonlake.org email address.



Memorandum

To: ACL Board

Date: September 8, 2022

From: Megan Shamp

Memo #: 2022-109

Topic: Indoor & Outdoor Storage Licenses – 1st Reading

Analysis: The Association has a written agreement with Property Owners for Association-licensed boat slips, campsites, and kayak lockers, but no written agreement is currently in place for Outdoor Storage at the golf course or for Indoor Storage next to the Multi-Sport Complex.

The Association's legal counsel has prepared an Outdoor Storage License and an Indoor Storage License that will be completed annually. These documents are directly modeled after the Boat Slip License and Campsite License.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

2023 ANNUAL INDOOR STORAGE LICENSE

Licensor: Apple Canyon Lake Property Owners Association (“ACL”)

Licensee: Name: _____ Lot #: _____

Address: _____

Daytime Phone: _____ Email: _____

This agreement effective as of January 1, 2023 through December 31, 2023, between Apple Canyon Lake Property Owners Association (hereinafter referred to as “ACL”) and _____ (hereinafter referred to as “ATV/UTV/Golf Cart Owner” or “Licensee”). This Indoor Storage License supersedes all prior agreements between ACL and Licensee. ACL grants to Licensee and Licensee accepts from ACL, a revocable Indoor Storage License for the Indoor Storage space known as Association Indoor Storage # _____ subject to the following terms and conditions.

1. **DEFINITIONS:**

A. **Non-Transferable Site (NT).** All Indoor Storage spaces are subject to all Governing Documents of ACL including Rules and Regulations and Operational Programs and Procedures, violation of which may lead to revocation of this License and forfeiture of any rights granted hereunder. All Indoor Storage spaces are transferable only to another ACL property concurrently owned by the same Property Owner. Indoor Storage Licenses may not be transferred to another property owner or with the sale of a lot. Upon the sale of the lot, the Indoor Storage License agreement will automatically and immediately terminate.

2. **ANNUAL LICENSE FEES:**

ATV/UTV/Golf Cart Owners shall pay ACL for the use of the Indoor Storage space the sum of \$125 for the season which shall commence on January 1, 2023 and end on December 31, 2023. This License Fee of \$125 shall be payable on or before the first day of March of each year. The License fee is non-refundable.

3. **REVOCAION OF INDOOR STORAGE LICENSE, LOSS OF PRIVILEGES AND CONSEQUENCES FOR NON-PAYMENT/NON-COMPLIANCE:**

Indoor Storage Licenses are subject to revocation for violations of Governing Documents of ACL including Rules and Regulations and Operational Programs and Procedures, for failure to pay dues and fees owed to ACL, failure to pay annual Indoor Storage space license fee and failure to submit a fully completed annual Indoor Storage License Agreement by the due date each and every year. All Indoor Storage license fees and completed Licenses are due each and every year on **March 1**. Indoor Storage License holders who pay their license fee and submit their annual Indoor Storage License Agreement between **March 2 and March 15** shall be assessed a \$100 late fee. Indoor Storage License holders who have not paid and/or submitted their completed License by **March 1** shall be mailed a Priority Mail letter containing a warning that use of their Indoor Storage space shall be forfeited and any previously granted license will be revoked if the annual fee plus late fees and/or completed License are not received

by March 15. **ALL INDOOR STORAGE LICENSE HOLDERS NOT PAYING THEIR ANNUAL FEE AND ANY APPLICABLE LATE FEES AND/OR NOT RETURNING THEIR COMPLETED ANNUAL INDOOR STORAGE LICENSE ON, OR BEFORE, MARCH 15 SHALL FORFEIT THEIR INDOOR STORAGE SPACE(S) TO ACL, ANY PREVIOUSLY GRANTED LICENSE WILL BE REVOKED, AND THE INDOOR STORAGE SPACE(S) SHALL BE ASSIGNED TO ANOTHER ACL LOT OWNER.**

4. **LIMITATION OF ACL LIABILITY:**

Licensee acknowledges that he or she has inspected the Indoor Storage space and is satisfied that the Indoor Storage space is adequate for safe parking of his or her ATV/UTV/Golf Cart. This agreement is not a bailment of the ATV/UTV/Golf Cart Owner's ATV/UTV/Golf Cart but a license to occupy an Indoor Storage space and ACL's liability is limited to supervision and maintenance of the Indoor Storage spaces. ACL assumes no additional responsibility.

5. **DAMAGE TO ACL PROPERTY:**

If any damage to ACL property is caused by the act or neglect of the ATV/UTV/Golf Cart Owner, his or her agents, guests or employees, or anyone operating the ATV/UTV/Golf Cart described herein, ACL may, at its option, repair such damage and ATV/UTV/Golf Cart Owner shall thereupon reimburse ACL for the total cost of such damage.

6. **TRANSFER, ASSIGNMENT AND SUBLETTING:**

Indoor Storage License rights hereunder may not be transferred or assigned except as provided for herein.

7. **RULES AND REGULATIONS:**

Lot Owner/Indoor Storage Licensee acknowledges that he/she has received and read the ACL's Governing Documents including ACL Rules and Regulations and Operational Programs and Procedures. These Documents, Rules and Regulations, and Operational Programs and Procedures may be changed or amended from time-to-time. Lot Owner/Indoor Storage Licensee agrees to abide by said Documents, Rules and Regulations, and Operational Programs and Procedures and understands that violations of same could lead to forfeiture of the Indoor Storage space and revocation of any license previously granted.

Lot Owner/Indoor Storage Licensee agrees that any dues and fees owing ACL (including but not limited to annual dues, OARF(s), trash fees, outstanding fines or special assessments) must be paid on all lots owned by all owners, designated members or occupants associated with all their properties as a condition to ACL accepting Lot Owner's Indoor Storage License and the failure to pay such amounts may lead to forfeiture of the Indoor Storage space and revocation of any previously granted license.

Lot Owner must register an ATV/UTV/Golf Cart to the licensed Indoor Storage space each year.

Lot Owner must provide the ACL office with proof of liability insurance with a minimum of \$500,000 in liability coverage per occurrence. Acceptable proof of liability insurance documents must meet the following the requirements: the policyholder/named insured is the property owner of record; the insured vehicle(s) must be described; and the policy term expiration date and liability coverage amounts must be listed. Continuous until cancelled policies will not be accepted. **ALL INDOOR STORAGE LICENSE HOLDERS FAILING TO SUPPLY PROOF OF ATV/UTV/GOLF CART INSURANCE, AS DEFINED IN THE ACL RULES & REGULATIONS, ON, OR BEFORE, MARCH 1 SHALL NOT BE IN COMPLIANCE WITH THE ANNUAL INDOOR STORAGE LICENSE AND THE LICENSE SHALL BE DEEMED INCOMPLETE AND SHALL BE SUBJECT TO REVOCATION.**

8. **TERMINATION:**

On the sale of an ACL lot with accompanying Non-Transferable Indoor Storage space rights, this agreement shall automatically and immediately terminate. The Indoor Storage License shall forthwith be reassigned to another ACL lot owner at ACL's sole discretion and in accordance with applicable rules and regulations. (In accordance with ACLPOA's Operational Programs and Procedures, Long-Term Indoor Storage Transfers, a Non-Transferable Site can be transferred to another lot concurrently owned by the same owner.)

9. **REMOVAL OF ATV/UTV/GOLF CART ON TERMINATION:**

On termination of this agreement, ATV/UTV/Golf Cart Owner shall immediately remove the ATV/UTV/Golf Cart from the Indoor Storage space and shall remove all other of his/her personal property. Should ACL deem it necessary to move the ATV/UTV/Golf Cart and personal property, it will be at ATV/UTV/Golf Cart Owner's expense. If ATV/UTV/Golf Cart Owner fails to remove the ATV/UTV/Golf Cart within three (3) days after termination of this agreement and/or revocation of the license, ATV/UTV/Golf Cart Owner agrees that ACL may cause (but is not required) the ATV/UTV/Golf Cart to be removed, together with any personal property located on or about the ATV/UTV/Golf Cart to a storage location of ACL's choice, and ATV/UTV/Golf Cart Owner shall pay or reimburse to ACL all costs incurred or charged by ACL and any third party by reason of such removal. ATV/UTV/Golf Cart Owner agrees that ACL, its officers, directors, agents and employees shall have no liability to ATV/UTV/Golf Cart Owner or to any other person for any loss or damage resulting from any such removal of ATV/UTV/Golf Cart or failure to remove such ATV/UTV/Golf Cart, whether occurring by negligence or otherwise, and ATV/UTV/Golf Cart Owner waives any rights against all such persons and entities by reason of such removal.

LICENSOR:

**LICENSEE(S)/ATV/UTV/GOLF CART
OWNER(S):**

**APPLE CANYON LAKE PROPERTY
OWNERS ASSOCIATION**

By: _____
General Manager

By: _____

By: _____

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

2023 ANNUAL OUTDOOR STORAGE LICENSE

Licensor: Apple Canyon Lake Property Owners Association (“ACL”)

Licensee: Name: _____ Lot #: _____

Address: _____

Daytime Phone: _____ Email: _____

This agreement effective as of January 1, 2023 through December 31, 2023, between Apple Canyon Lake Property Owners Association (hereinafter referred to as “ACL”) and _____ (hereinafter referred to as “Golf Cart Owner” or “Licensee”). This Outdoor Storage License supersedes all prior agreements between ACL and Licensee. ACL grants to Licensee and Licensee accepts from ACL, a revocable Outdoor Storage License for the Outdoor Storage space known as Association Outdoor Storage # _____ subject to the following terms and conditions.

1. **DEFINITIONS:**

A. **Non-Transferable Site (NT).** All Outdoor Storage spaces are subject to all Governing Documents of ACL including Rules and Regulations and Operational Programs and Procedures, violation of which may lead to revocation of this License and forfeiture of any rights granted hereunder. All Seasonal Outdoor Storage spaces are transferable only to another ACL property concurrently owned by the same Property Owner. Outdoor Storage Licenses may not be transferred to another property owner or with the sale of a lot. Upon the sale of the lot, the Outdoor Storage License agreement will automatically and immediately terminate.

2. **ANNUAL LICENSE FEES:**

Golf Cart Owners shall pay ACL for the use of the Outdoor Storage space the sum of \$125 for the season which shall commence on January 1, 2023 and end on December 31, 2023. This License Fee of \$125 shall be payable on or before the first day of March of each year. The License fee is non-refundable.

3. **REVOCAION OF OUTDOOR STORAGE LICENSE, LOSS OF PRIVILEGES AND CONSEQUENCES FOR NON-PAYMENT/NON-COMPLIANCE:**

Outdoor Storage Licenses are subject to revocation for violations of Governing Documents of ACL including Rules and Regulations and Operational Programs and Procedures, for failure to pay dues and fees owed to ACL, failure to pay annual Outdoor Storage license fee and failure to submit a fully completed annual Outdoor Storage License Agreement by the due date each and every year. All Outdoor Storage license fees and completed Licenses are due each and every year on **March 1**. Outdoor Storage License holders who pay their license fee and submit their annual Outdoor Storage License Agreement between **March 2 and March 15** shall be assessed a \$100 late fee. Outdoor Storage License holders who have not paid and/or submitted their completed License by **March 1** shall be mailed a Priority Mail letter containing a warning that use of their Outdoor Storage space shall be forfeited and any previously granted license will be revoked if the annual fee plus late fees and/or completed License are not received

by March 15. **ALL OUTDOOR STORAGE LICENSE HOLDERS NOT PAYING THEIR ANNUAL FEE AND ANY APPLICABLE LATE FEES AND/OR NOT RETURNING THEIR COMPLETED ANNUAL OUTDOOR STORAGE LICENSE ON, OR BEFORE, MARCH 15 SHALL FORFEIT THEIR OUTDOOR STORAGE SPACE(S) TO ACL, ANY PREVIOUSLY GRANTED LICENSE WILL BE REVOKED, AND THE OUTDOOR STORAGE SPACE(S) SHALL BE ASSIGNED TO ANOTHER ACL LOT OWNER.**

4. **LIMITATION OF ACL LIABILITY:**

Licensee acknowledges that he or she has inspected the Outdoor Storage space and is satisfied that the Outdoor Storage space is adequate for safe parking of his or her Golf Cart. This agreement is not a bailment of the Golf Cart Owner's golf cart but a license to occupy an Outdoor Storage space and ACL's liability is limited to supervision and maintenance of the Outdoor Storage spaces. ACL assumes no additional responsibility.

5. **DAMAGE TO ACL PROPERTY:**

If any damage to ACL property is caused by the act or neglect of the Golf Cart Owner, his or her agents, guests or employees, or anyone operating the Golf Cart described herein, ACL may, at its option, repair such damage and Golf Cart Owner shall thereupon reimburse ACL for the total cost of such damage.

6. **TRANSFER, ASSIGNMENT AND SUBLETTING:**

Outdoor Storage License rights hereunder may not be transferred or assigned except as provided for herein.

7. **RULES AND REGULATIONS:**

Lot Owner/Outdoor Storage Licensee acknowledges that he/she has received and read the ACL's Governing Documents including ACL Rules and Regulations and Operational Programs and Procedures. These Documents, Rules and Regulations, and Operational Programs and Procedures may be changed or amended from time-to-time. Lot Owner/Outdoor Storage Licensee agrees to abide by said Documents, Rules and Regulations, and Operational Programs and Procedures and understands that violations of same could lead to forfeiture of the Outdoor Storage space and revocation of any license previously granted.

Lot Owner/Outdoor Storage Licensee agrees that any dues and fees owing ACL (including but not limited to annual dues, OARF(s), trash fees, outstanding fines or special assessments) must be paid on all lots owned by all owners, designated members or occupants associated with all their properties as a condition to ACL accepting Lot Owner's Outdoor Storage License and the failure to pay such amounts may lead to forfeiture of the Outdoor Storage space and revocation of any previously granted license. Lot Owner must register a Golf Cart to the licensed Outdoor Storage space each year.

Lot Owner must provide the ACL office with proof of liability insurance with a minimum of \$500,000 in liability coverage per occurrence. Acceptable proof of liability insurance documents must meet the following the requirements: the policyholder/named insured is the property owner of record; the insured vehicle(s) must be described; and the policy term expiration date and liability coverage amounts must be listed. Continuous until cancelled policies will not be accepted. **ALL OUTDOOR STORAGE LICENSE HOLDERS FAILING TO SUPPLY PROOF OF GOLF CART INSURANCE, AS DEFINED IN THE ACL RULES & REGULATIONS, ON, OR BEFORE, MARCH 1 SHALL NOT BE IN COMPLIANCE WITH THE ANNUAL OUTDOOR STORAGE LICENSE AND THE LICENSE SHALL BE DEEMED INCOMPLETE AND SHALL BE SUBJECT TO REVOCATION.**

8. **TERMINATION:**

On the sale of an ACL lot with accompanying Non-Transferable Outdoor Storage space rights, this agreement shall automatically and immediately terminate. The Outdoor Storage License shall forthwith be reassigned to another ACL lot owner at ACL's sole discretion and in accordance with applicable rules and regulations. (In accordance with ACLPOA's Operational Programs and Procedures, Long-Term Outdoor Storage Transfers, a Non-Transferable Outdoor Storage space can be transferred to another lot concurrently owned by the same owner.)

9. **REMOVAL OF GOLF CART ON TERMINATION:**

On termination of this agreement, Golf Cart Owner shall immediately remove the Golf Cart from the Outdoor Storage space and shall remove all other of his/her personal property. Should ACL deem it necessary to move the Golf Cart and personal property, it will be at Golf Cart Owner's expense. If Golf Cart Owner fails to remove the Golf Cart within three (3) days after termination of this agreement and/or revocation of the license, Golf Cart Owner agrees that ACL may cause (but is not required) the Golf Cart to be removed, together with any personal property located on or about the Golf Cart to a storage location of ACL's choice, and Golf Cart Owner shall pay or reimburse to ACL all costs incurred or charged by ACL and any third party by reason of such removal. Golf Cart Owner agrees that ACL, its officers, directors, agents and employees shall have no liability to Golf Cart Owner or to any other person for any loss or damage resulting from any such removal of Golf Cart or failure to remove such Golf Cart, whether occurring by negligence or otherwise, and Golf Cart Owner waives any rights against all such persons and entities by reason of such removal.

LICENSOR:

LICENSEE(S)/GOLF CART OWNER(S):

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

By: _____
General Manager

By: _____

By: _____



Memorandum

To: ACL Board

Date: August 31, 2022

From: Megan Shamp

Memo #: 2022-105

Topic: Board Policy: Postmarks – 1st Reading

Analysis: The current Board Policy document states that Interest will be assessed if payment is not “paid or postmarked before April 1” and liens will be filed if annual or special assessments are not “paid or postmarked on or before May 1.” This postmark language has been extended to payment of the Annual Assessment (Dues) and fees on March 1, and receipt of required paperwork for licensed boat slips and campsites. Envelopes postmarked March 1 or earlier have not been considered delinquent, and all late fees have been removed from these accounts upon receipt of a payment postmarked on or before March 1.

Every year, we have many owners who do not mail their payment and/or paperwork until the March 1 due date. Some of these payments are coming from across the country and can take two weeks to arrive. If these owners are licensed an Association Boat Slip or Campsite, we must send a Priority Mail letter on March 2 advising them they are not in compliance and the slip/site is in danger of forfeiture. This is not a good use of staff time or Association resources – it is \$8.95 to mail each letter, and they must be sent to every owner on a lot.

Now that owners can pay their dues & fees online and submit all forms & paperwork electronically, staff is recommending that the postmark language be removed. All payments and paperwork must be received on the actual due date.

The Board Policy document being revised by the Board Policy Ad Hoc Commission does not include any language on postmarks.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

paying via credit card for all registration and assessments.

Adopted March 18, 2000
Amended November 15, 2008

Amended July 20, 2002
Amended January 17, 2009

Amended May 17, 2003

[DUES] ASSESSMENTS

1. In January the Association Office mails out the Annual [Dues] Assessments invoices and elective recreational costs incurred in the previous year.
2. [Dues] Assessments, Trash, Seasonal Boat Slips/Boat Registrations, Seasonal Campsites/Camper Registrations, Indoor/Outdoor Golf Cart Storage, and Owner Amenity Registration Fee(s) (OARF) are all due March 1. [Dues] Assessments received past March 1 will be considered delinquent. Recreational fees other than those listed above may be paid any time prior to registration or removed from invoice if not participating in the current year.
3. OARF(s) are due and must be paid in full by all property owners by March 1, and prior to any registration of boats, ATVs, passes, etc. being distributed to owners of the lot. All required fees must be paid on all lots owned to use of any ACLPOA rentals, including but not limited to, campsites, boat slips, and boats.
4. If [Dues] Assessments are not paid in full by March 1, a delinquent [Dues] Assessment fee will be charged. The Board of Directors will determine fee annually.
5. Interest, at a rate to be determined by the Board of Directors, will be charged from the date of delinquency, however, no interest will be charged if dues are paid or postmarked before April 1.
6. Envelopes from mailed payments received after March 1 shall be retained for a minimum of one year.

Adopted (No Date Listed)
Amended January 20, 2001
Amended November 20, 2004
Amended November 15, 2008

Amended February 21, 2009
Amended July 17, 2010
Amended November 19, 2011
Amended January 28, 2012

Amended October 19, 2013
Amended August 16, 2014

[DUES] ASSESSMENTS: DELINQUENT [DUES] ASSESSMENTS FEE

The delinquency [Dues] Assessments fee amount is to be assessed on March 2 annually and this fee is to be established by the Board of Directors.

Adopted March 21, 1987

Amended November 15, 2008

Amended July 17, 2010

[DUES] ASSESSMENTS: COLLECTION & FORECLOSURE OF DELINQUENT ANNUAL [DUES] ASSESSMENT

1. If annual assessment, or any other special assessments, remain delinquent 30 days after the scheduled due date of March 1, the assessment will bear interest from the date of delinquency, at a rate per annum as determined by the Board from time to time. This interest will be charged on the outstanding amount retroactive to the due date. If your account is NOT current as of March 1, Board Election materials will NOT be sent to the Voting Member.
2. If annual assessment or special assessments are not paid or postmarked on or before May 1, delinquent accounts will have a lien filed at the Jo Daviess County Courthouse as provided for in Article VI, Section 9 of the Covenants and Restrictions. ALL LEGAL COSTS AND COLLECTION COSTS WILL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER.
3. If annual assessment, or special assessments, are 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. After June 1, existing delinquent accounts will be turned over to the Association's attorney for collection.
4. If after September 1, the delinquent account balance still exists and no arrangements have been made with



Memorandum

To: ACL Board

Date: August 31, 2022

From: Rules & Regulations

Memo #: 2022-103

Topic: Rules & Regulations: Pets – 1st Reading

Analysis: The Rules & Regulations Commission has met several times to discuss household pets. At their August 5 meeting, they recommended the following amendments to the Rules & Regulations section IV. Miscellaneous Regulations -

6. **Pets:** All pets must be leashed, restrained, or contained at all times unless (a) ~~when not~~ on the property owner's own property or (b) on the property of another property owner with their permission. Reference 510 ILCS 5 Animal Control Act.
7. **Pets:** Pet owners must ~~is responsible to~~ clean up their pet's animal waste on the all ACL properties ~~of AGL~~ and all common properties.
8. **Pets:** Pets are not permitted within any ACL building, pool, or beach. b.) Notwithstanding (a), the General Manager, or their designee, may permit a pet into the Association Office or Maintenance Building while the pet's owner conducts business. (b) Safety & Security may temporarily secure a found pet in their office or vehicle until the pet is claimed by the pet's owner, or the animal is transferred to the appropriate authority.

The original language is noted in red, but the items have been re-ordered. New language is in blue. They also recommend that the following fines be amended:

Miscellaneous Regulations

- All General pet violations \$100
- Pet violation causing physical harm to a pet or individual \$500

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules & Regs Committee/Commission

Date 8-5-22

I move:

Rules & Regs Commission recommends to the ACL Board to approve IV Miscellaneous Regulations to increase a fine of \$100 per a general pet violation and a \$500 fine per a pet violation causing a physical harm to a pet or individual and the language change on items 6, 7, 8 as presented ~~in~~^{per} the attached document

Action Taken passed

MOTION MADE BY: George
MOTION SECONDED BY: Mark
CHAIR: [Signature]

VOTE RECORDED:
YEA: 5
NAY: 0
ABSTAIN: 1

Date Received _____ Given to _____ Date Completed _____

IV. MISCELLANEOUS REGULATIONS

1. **Firearms:** Firearms shall not be discharged on the properties of ACL and all common properties, except by authorized Law Enforcement Personnel. Firearms shall not be carried on any part of the ACL common properties.
2. **Fireworks:** Fireworks shall not be discharged on the properties of ACL and all common properties unless approval by the Scales Mound Fire Protection District has been granted. Fireworks shall not be discharged from a watercraft.
3. **Littering:** Littering or defacing of property anywhere on the properties of ACL and all common properties is prohibited.
4. **Horses:** Horses are not permitted on the properties of ACL and all common properties.
5. **Common Property:** There shall be no cutting of trees, brush or shrubs on common property without the prior written permission of the General Manager.
6. **Pets:** All pets must be leashed, restrained, or contained at all times unless (a) ~~when not on the property owner's own property~~ or (b) on the property of another property owner with their permission. Reference 510 ILCS 5 Animal Control Act.
7. **Pets:** ~~Pet owners must is responsible to clean up their pet's animal waste on the all ACL properties of ACL and all common properties.~~
8. **Pets:** Pets are not permitted ~~within any ACL building, pool, or beach.~~ b.) Notwithstanding (a), the General Manager, or their designee, may permit a pet into the Association Office or Maintenance Building while the pet's owner conducts business. (b) Safety & Security may temporarily secure a found pet in their office or vehicle until the pet is claimed by the pet's owner, or the animal is transferred to the appropriate authority.
9. **Tents:** Camping tents may be allowed on improved properties by receiving permission solely from the ACL Safety & Security Manager prior to occupancy. This special permission allows occupancy to be limited to 7 days.
10. **Swimming:** Swimming is not allowed at Cove Restaurant area, Marina and Nixon Beach designated boat area.
11. **Renting:** Property Owners wishing to rent their home must register annually with the ACLPOA office and conform with all registration and licensing requirements as required by Jo Daviess County, including the Guest Accommodations Ordinance which pertains to transient rentals.
12. **Vehicle Identification:** A valid property owner vehicle identification device must be permanently affixed to the driver's side lower windshield when parked on any ACL "members only" property, with number facing outward. Vehicle identification devices are available at the ACL Association Office. A valid property owner vehicle identification device is required for access to Nixon Beach and the Campground.
13. **Noxious or Offensive Activity:** No noxious or offensive activity shall be permitted.
14. **Lake:** No material shall be placed in the lake without permission of the Conservation Commission as to the type of material and location.
15. **Disobeying a Control Device (Signs):** Property owners/guests must comply with all signage while on the properties of ACL and all common properties.
16. **Speeding or Reckless Driving:** Property owners/guests are not to speed or drive any vehicle or boat recklessly while on the properties of ACL and all common properties.
17. **Interference with an Enforcement Officer:** Property owners/guests must not interfere with an enforcement officer on the properties of ACL and all common properties.
18. **Failure to Identify Self, Fleeing, Use of Abusive or Threatening Language:** Property owners/guests must identify themselves, must not flee from an enforcement officer or other ACLPOA personnel, or use abusive/threatening language while on the properties of ACL and all common properties.

19. Household Pets: No animals shall be kept or maintained on the properties of ACL and all common properties except the usual household pets and these pets must be leashed when off owner's property.

20. Smoking and Cannabis Use: Smoking and vaping is prohibited inside all ACL facilities and is only allowed in designated areas not less than 15 feet from the entrance of all facilities. "Smoking" is defined as the act of lighting, smoking, or carrying a lighted or smoldering cigar, cigarette, or pipe of any kind. Vaping refers to the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs and e-cigars. Smoking or consumption of cannabis, marijuana or illegal controlled substances is not permitted in any common area throughout the property.

Amended: July 18, 2020 Amended: March 20, 2021

V. GENERAL VIOLATION FINES

General fines where not specifically listed herein shall be \$50 for the first offense. All fines unless otherwise stated will be doubled for 2nd offense and tripled for 3rd and subsequent offenses within 3 years of the date of the same offense.

Amenity Tags and Stickers for Property Owners and Guests

- The sale or unauthorized use of Association Amenity Tags is strictly prohibited
 - For the first violation \$500
 - Each additional violation \$1,000
- Failure to display ID Numbers as issued by the Association and current year ACL sticker on watercraft, camper, golf cart, UTV/ATV, snowmobile \$50
- Violation of vehicle stickers and/or Guest Parking Pass \$250

Miscellaneous Regulations

- ~~All~~ **General** pet violations \$100
- **Pet violation causing physical harm to a pet or individual** \$500
- Illegal discharge of fireworks \$100
- Littering or defacing of property at ACL \$100
- Noxious or offensive activity \$250
- Interference with an enforcement officer \$250
- Failure to identify self, fleeing, use of abusive or threatening language towards an enforcement officer or other ACLPOA personnel. \$250
- Speeding or reckless driving of a vehicle or boat \$250

Boating/Lake

- Non-compliance with Scuba diving rules \$50
- Non-compliance with waterskiing and towing regulations and those of Apple Canyon Lake \$100
- Non-compliance with boating regulations \$100
- Any boat that is on the lake and not properly registered with ACL \$250
- **Changing motor size after registration of a 10HP or less watercraft** \$500
- Operating a boat on the lake after it has been closed for safety reasons \$250
- Entry/Trespassing in the Spillway \$250
- Swimming at the beach when it has been closed for safety reasons \$250

Fishing/Ice Fishing

- Failure to comply with the fishing regulations \$50
- Size and creel limit violations (PER FISH) \$50

Campground



Memorandum

To: ACL Board

Date: August 31, 2022

From: Rules & Regulations

Memo #: 2022-104

Topic: Rules & Regulations: Motorized Kayaks, Canoes, etc. – 1st Reading

Analysis: The Safety & Security Department alerted other staff and the Rules & Regulations Commission that motorized kayaks have been registered as non-powered watercraft. At their August 5 meeting, the Rules & Regulations Commission recommended the following amendments to the Rules & Regulations, Section VI. Boating, A. Registration –

1. All boats, motorized and non-powered, operated on ACL must be registered annually with the ACL Association Office. Non-powered watercraft required to be registered include kayaks, canoes, rowboats, paddleboats, sailboats, and stand-up paddleboards (SUPs). **Any kayak, canoe, rowboat, paddleboat, or sailboat will be deemed a motorized vessel if it is powered by any type of machinery, including an electric trolling motor.** A copy of the current State Watercraft Registration (if applicable) and current insurance is to be submitted and kept on file.

2. Prior to launching a motorized watercraft, **a current state watercraft registration sticker** and a current year ACL sticker must be placed on the boat. The ACL sticker shall be placed on the starboard side (driver's side, right) next to the 3-inch contrasting ID numbers. If the sticker must be re-issued due to improper placement, the owner must pay a replacement fee, at the same rate as the current registration fee on the fee schedule. All registration paperwork must be up to date at the time of re-issue for a sticker to be given.

and to the Rules & Regulations, Section VI. Boating, C. Boat Size/Horsepower –

7. Only one (1) boat over 10 horsepower and one (1) boat 10 horsepower or less shall be registered per lot. Association staff will photograph the boat with 10 horsepower or less showing that is the only motor in place. Should a motor over 10 horsepower be placed on the boat following registration, a fine will be issued, and the motor must be removed. **Should a kayak, canoe, rowboat, paddleboat, or sailboat be found to have a motor after being registered as a non-powered vessel, a fine will be issued and the non-motorized boat registration will be revoked. The non-powered watercraft may be re-**

registered as a boat under 10HP as restricted in this section. All violations will be presented to the Board of Directors. The Board of Directors may at their discretion suspend the membership rights of a property owner for up to ninety (90) days for violation of the Rules and Regulations in addition to the fines.

New language is in blue. The commission felt that this fine would also cover violations of this section –

- Changing motor size after registration of a 10HP or less watercraft \$500

but a separate fine could be created.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules & Regs Committee/Commission

Date 8-5-22

I move:

Rules & Regs Commission recommends to the A.C.L. Board to approve Sect. VI Boating with added verbiage and new language as presented per the attached document.

Action Taken passed

MOTION MADE BY: George H. Dyer	VOTE RECORDED:
MOTION SECONDED BY: Fred Pfeiffer	YEA: 5
CHAIR: [Signature]	NAY: 0
	ABSTAIN: -

Date Received _____ Given to _____ Date Completed _____

Third Offense \$300

(And the matter will be turned over to law enforcement authorities:
The Jo Daviess County State's Attorney and Sheriff)

- Disposing of hazardous materials at the Solid Waste & Recycling Center \$100

Amended: March 17, 2018 Amended: November 17, 2018 Amended: March 20, 2021

VI. BOATING

Preamble: Apple Canyon Lake has adopted the Illinois Boat Regulations and Safety Act. All provisions of said Act are applicable to all boats operated on Apple Canyon Lake. Non-compliance with these regulations or those of Apple Canyon Lake could result in a fine.

A. Registration

1. All boats, motorized and ~~non-motorized non-powered~~, operated on ACL must be registered annually with the ACL Association Office. ~~Non-powered watercraft required to be registered include kayaks, canoes, rowboats, paddleboats, sailboats, and stand-up paddleboards (SUPs). Any kayak, canoe, rowboat, paddleboat, or sailboat will be deemed a motorized vessel if it is powered by any type of machinery, including an electric trolling motor.~~ A copy of the current State Watercraft Registration (if applicable) and current insurance is to be submitted and kept on file.
2. Prior to launching a motorized ~~boat watercraft~~, a current ~~state watercraft registration sticker and a current~~ year ACL sticker must be placed on the boat. The ACL sticker shall be placed on the starboard side (driver's side, right) next to the 3-inch contrasting ID numbers. ~~If the sticker must be re-issued due to improper placement, the owner must pay a replacement fee, at the same rate as the current registration fee on the fee schedule. All registration paperwork must be up to date at the time of re-issue for a sticker to be given.~~
3. Boat owners must affix 3-inch contrasting ID numbers as issued by the Association on both the right and left sides of the watercraft near the rear of the boat and on the right side of the boat trailer tongue so that the ID numbers may be seen from the Security building when the boat is launched at the Marina. The ID number must correspond to the lot to which the watercraft is registered.
4. No guest ~~boats watercraft~~ are allowed on ACL property. Persons not listed on the recorded deed may not register any boat or recreational vehicle. Ownership of registration and insurance must be in the name of the Property Owner. Eligible ACL employees may register a boat per existing Rules and Regulations (Preamble; A. General 3.).
5. Governing Documents require that all assessments (membership dues, trash, special assessments, interest, lien fees) be paid on all properties owned by all owners, designated members or occupants associated with all their properties prior to registration and launching. Without limiting this requirement, but by way of example, if Lot 1 has two owners, persons A and B, and Lot 2 is owned by one owner, person A, then even if the dues on lot 1 have been paid by person A and/or B, neither person A nor person B can receive a boat tag or sticker until the dues for Lot 2 are paid by owner A, regardless of the fact that person B has no ownership interest in Lot 2. Association Boat Slip/Boat fee must also be paid on or before March 1.

Amended: October 20, 2018

B. Insurance

All motorized and ~~non-motorized non-powered~~ watercraft owners must provide ACLPOA with proof of liability insurance. The minimum required amount of insurance coverage shall be \$500,000 for bodily injury and property damage combined. Acceptable proof of liability insurance documents must

meet the following requirements: the policyholder/named insured is the property owner of record; the insured watercraft must be described, and the policy term expiration date and liability coverage amounts must be listed.

Continuous until canceled policies will not be accepted. Listing the Association as an Additional Insured or Additional Interest is not required, but by doing so, the insurance company should automatically send [copies of renewal documentations to the Association](#).

Amended: October 19, 2013 Amended: March 17, 2018

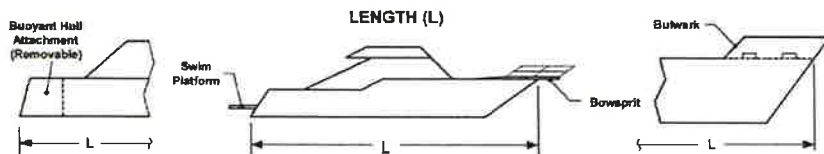
Amended: October 20, 2018

C. Boat Size/Horsepower

1. Effective July 15, 2017, any newly registered motorized boat must be measured by ACL staff prior to registration. Any boat registered prior to July 15, 2017, that was not measured will be exempt. These "grandfathered" boats shall be exempt as long as these boats remain under present ownership.
2. Powered boats, with the exception of pontoon boats, shall be no more than 21 ft. in length from bow to stern in length overall (LOA), as measured by the ACL staff.

Length Overall Defined:

USCG Enclosure (4) to MTN 01-99 CH5, Tonnage Technical Policy, Simplified Measurement 69.203 Definitions, Page 4: OVERALL LENGTH means the horizontal distance between the outboard side of the foremost part of the bow and the outboard side of the aftermost part of the stern, excluding rudders, outboard motor brackets, and other similar fittings and attachments. Also excluded from length are non-buoyant attachments such as bulwarks, bowsprits, overhanging decks, swim platforms and stern wheel supports. Buoyant hull structures both fixed and removable are included in the overall length.



3. Pontoon boats shall not exceed 25 ft. as measured from the forward most point of the pontoon(s) to the aft most point of the outside pontoon(s).
4. Electric powered boats, sailboats or other than power boats shall not exceed 25 ft. in length as measured bow to stern in Length Overall (LOA), as defined above. Motor not included.
5. Boats exceeding the above size limitations will be exempt if registered for use on ACL prior to November 6, 2000. These "grandfathered" boats shall be exempt as long as these boats remain under present ownership **and are continuously registered.**
6. **If a motorized boat is registered to an Association boat slip, it must be measured no later than Memorial Day. Failure to bring the boat to the Association Office to be measured by the end of business on Memorial Day will result in the \$100 Boat Slip Late Fee being assessed and commencement of the boat slip forfeiture process outlined in the Boat Slip License.**
7. Only one (1) boat over 10 horsepower and one (1) boat 10 horsepower or less shall be registered per lot. **Association staff will photograph the boat with 10 horsepower or less showing that is the only motor in place. Should a motor over 10 horsepower be placed on the boat following registration, a fine will be issued, and the motor must be removed. Should a kayak, canoe, rowboat, paddleboat, or sailboat be found to have a motor after being registered as a non-powered vessel, a fine will be issued and the non-motorized boat registration will be revoked. The non-powered watercraft may be re-registered as a boat under 10HP as restricted in this section. All violations will be presented to the Board of Directors. The Board of Directors may at their discretion suspend the membership rights of a property owner for up to ninety (90) days for violation of the Rules and Regulations in addition to the fines.**



Memorandum

To: ACL Board

Date: August 31, 2022

From: Megan Shamp

Memo #: 2022-106

Topic: Operational Programs & Procedures: Boat Slip and Campsite Waiting Lists – 1st Reading

Analysis: Staff would like to amend the Operational Programs & Procedures so that lots are removed from the No Boat Slip Waiting List and/or Seasonal Campsite Waiting List if there are unpaid mandatory fees (Annual Assessment (Dues), Special Assessments, Trash, OARF(s), Delinquent Dues Fees, or Interest) as of 3pm the day before the event.

Property Owners are not allowed to participate in the event unless their lots are all paid in full by 3pm on the Friday before the event. Right now, their name is skipped, but they remain in the same place on the waiting list. Staff feels that if an owner is not in good standing, they should be removed from the waiting list. This may also encourage owners to pay delinquent assessments in a timelier fashion, avoiding a lien filing.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

OPERATIONAL PROGRAMS & PROCEDURES

BOAT SLIP ASSIGNMENTS

PROCEDURE FOR ASSIGNMENT OF BOAT SLIPS

Boat Slip to Trade Waiting List: For those property owners who have an assigned slip but prefer a new location.

Upon selection of a new assignment at the Slip Swap:

1. Property owner immediately forfeits all rights to their previous slip.
2. The forfeited slip immediately goes back into the boat slip pool for new assignment.
3. Property Owner's name is immediately removed from the Slip-to-Trade wait list.

No Boat Slip Waiting List: For property owners who are waiting for their first boat slip assignment. All slips will be assigned at the annual Slip Assignment Day.

Sub-License Slip Waiting List: For property owners licensing a boat slip for the current season only.

PROCEDURES FOR BOAT SLIP TO TRADE WAITING LIST ASSIGNMENTS

A Slip Swap will be held between March 2 and April 15. The Slip Swap is held to allow trading of Seasonal Boat Slip locations by those on the Boat Slip to Trade Waiting List. This is the only day that trades will be available, with the exception of property owners trading between lots they own, or property owners trading amongst themselves. The property owner or their designated representative (see below) must be present to trade slips. The Boat Slip to Trade Waiting List will close at the end of business on the Friday preceding the annual Slip Swap. At the Slip Swap, the first slip license holder on the list will be offered first choice of the available slips; the second slip license holder on the list will have a choice of the remaining slips; etc.; proceeding down the list. After the first round of assignments has been completed, the same process will be repeated with the newly available slips until all desired trades have taken place. Anyone wishing to trade a slip that has opened up in the third round of assignments may request a trade at the end of the event. If more than one person is interested in the same slip, the order of the Waiting List will be followed. A copy of the current Boat Slip to Trade List and available slips will be posted in the ACL lobby and on the ACL website one week prior to the Slip Swap. Property Owners are reminded that additional slips will open up through the course of the event. All slip changes made at the Slip Swap are final and cannot be rescinded.

In order to be eligible to swap a slip:

- All accounts must be current.
- The annual Boat Slip License Agreement must be completed to reserve the current slip for the season.
- The property owner must be on the Boat Slip to Trade Waiting List.

If a property owner is unable to attend, but would like to participate at the Slip Swap, they can submit a Representative Request Form. The form enables the property owner to pre-register an individual to select a slip on their behalf. These forms will be available in the ACL Office and on the ACL website. This form must be returned by the end of business on the Friday preceding the event. The proxy must also present a copy of the Representative Request Form at the Slip Swap in order to participate.

Upon accepting a trade, the property owner is removed from the Boat Slip to Trade Waiting List. A license holder may re-add his/her name to the Boat Slip to Trade List for future slip opportunities by completing a

new form and submitting it to the ACL Office. If a trade is not accepted, the property owner maintains their position on the Boat Slip to Trade Waiting List.

PROCEDURES FOR NO BOAT SLIP WAITING LIST ASSIGNMENTS

A Slip Assignment Day will be held between March 2 and April 15, following the Slip Swap. The Slip Assignment Day is held to assign Seasonal Boat Slips to those on the No Boat Slip Waiting List and sub-license boat slips to those on the Sublicense Waiting List. This is the only day that seasonal assignments will be available. Any sub-license slips remaining after the event will be assigned on a first come, first served basis. The property owner or their designated representative (see below) must be present to receive an assignment at the Slip Assignment Day. The No Boat Slip Waiting List will close at the end of business on the Friday preceding the annual Slip Assignment Day. At the Slip Assignment Day, the first property owner on the list will be offered first choice of the available slips; the second property owner on the list will have a choice of the remaining slips; etc.; proceeding down the list. A copy of the current No Boat Slip Waiting List and available slips will be posted in the ACL lobby and on the ACL website one week prior to the Slip Assignment Day. All slip assignments made at the Slip Assignment Day are final and cannot be rescinded.

In order to be eligible to receive a slip assignment:

- All accounts must be current. **If all accounts are not current by the close of business on the Friday preceding the annual Slip Assignment Day, the lot will be removed from the No Boat Slip Waiting List.**
- The property owner must be on the No Boat Slip Waiting List.

If a property owner is unable to attend, but would still like the opportunity to receive a slip assignment, they may submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the property owner to pre-register an individual to select a slip on their behalf. The form needs to be received in the Association Office by the end of business on the Friday preceding the Slip Assignment Day. The proxy must also present a copy of the Representative Request Form at the Slip Swap in order to participate.

To complete assignment, property owner(s) must:

- a. Complete and return the ACL Boat Slip License Agreement form prior to or at the time of payment.
- b. Make boat slip/boat fee payment in full.

A boat must be registered to a newly assigned slip by March 1 of the following year.

- a. Proof of insurance and watercraft card as defined in the Rules & Regs, are needed to complete registration.

Upon accepting a slip assignment, the property owner is removed from the No Boat Slip Waiting List. A license holder may add his/her name to the Boat Slip to Trade List for future slip opportunities by completing a Boat Slip to Trade Waiting List Application and submitting it to the ACL Office. If an assignment is not accepted, the property owner maintains their position on the No Boat Slip Waiting List.

Amended: May 17, 2014
October 15, 2016

ACLPOA SUB-LICENSE BOAT SLIP PROGRAM ASSIGNMENTS

ACLPOA Sub-License Boat Slip Program assignments are open to all property owners who are not currently assigned a boat slip. Property owners on the No Boat Slip Waiting List who have notified the office of their intent to Sub- License will be the first to receive an assignment. Slips will be assigned in order of the No Boat Slip Waiting List. Property owners not on a waiting list who wish to Sub-License a slip for any current year may do so by notifying the office in writing of this request. Any remaining Sub-License slips will then be offered to these property owners. If a property owner had been assigned a Sub-Licensed slip in past year(s), they may request the same slip if it is available.

Assignment of Sub-License slips will not be completed until all available ACL boat slips assignments are completed. A Slip Assignment Day will be held between March 2 and April 15, following the Slip Swap. The Slip Assignment Day is held to assign Seasonal Boat Slips to those on the No Boat Slip Waiting List and sub-license boat slips to those on the Sublicense Waiting List. This is the only day that seasonal assignments will be available. Any sub-license slips remaining after the event will be assigned on a first come, first served basis. The property owner or their designated representative (see below) must be present to receive an assignment at the Slip Assignment Day. The No Boat Slip Waiting List will close at the end of business on the Friday preceding the annual Slip Assignment Day. After all licensed slips have been assigned at the Slip Assignment Day, property owners who had been a sublicensed slip in past year(s) will be given the opportunity to retain the same slip, if it is available. Next, the first property owner on the list will be offered first choice of the available sub-license slips; the second property owner on the list will have a choice of the remaining sub-license slips; etc.; proceeding down the list. A copy of the current No Boat Slip Waiting List and available sub-license slips will be posted in the ACL lobby and on the ACL website one week prior to the Slip Assignment Day. All ACLPOA Sub-License Boat Slip Program assignments made at the Slip Assignment Day are final and cannot be rescinded. If a property owner is unable to attend, but would still like the opportunity to receive an assignment, they may submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the property owner to pre-register an individual to select a sublicensed slip on their behalf. The form needs to be received in the Association Office by the end of business on the Friday preceding the Slip Assignment Day. The proxy must also present a copy of the Representative Request Form at the Slip Assignment Day in order to participate.

The person sub-licensing the boat slip (licensee) must make payment, complete and sign the Sub-License agreement, and return the agreement to the office to complete the sub-license boat slip assignment. Any slips remaining after the Slip Assignment Day will be available on a first come first served basis.

Amended: October 20, 2012
October 18, 2014
October 15, 2016

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

OPERATIONAL PROGRAMS & PROCEDURES

CAMPSITE WAITING LISTS

The Association Office maintains and manages two Campsite Waiting Lists. They include:

1. Campsite to Trade Waiting List: Available campsites are assigned to property owners on this list prior to any assignments to the Campsite Waiting List.
2. Seasonal Campsite Waiting List

Both waiting lists are perpetual and are in order of first come/first served basis. Application forms are available at the Association Office or online.

Procedures for Campsite to Trade Waiting List Assignments

Seasonal campsites will be assigned after all registrations are paid on March 1. A Campsite Assignment Day will be held between March 2 and the opening of the Campground. The Campsite Assignment Day is held to allow trading of Seasonal Campsite locations by those on the Campsite to Trade Waiting List and to assign Seasonal Campsites to those on the Seasonal Campsite Waiting List. This is the only day that assignments will be available. This is the only day that trades will be available, with the exception of property owners trading between lots they own, or property owners trading amongst themselves. The property owner or their designated representative (see below) must be present to trade sites or receive a campsite assignment. The Campsite to Trade Waiting List will close at the end of business on the Friday preceding the annual Campsite Assignment Day. Assignments on the Campsite to Trade Waiting List will be completed first. The first property owner on the Campsite to Trade Waiting List will be offered first choice of available sites; the second property owner on the list will have a choice of the remaining sites, etc. proceeding down the list. After the first round of assignments has been completed, the same process will be repeated with the newly available campsites until all desired trades have taken place. A copy of the current Campsite to Trade Waiting List and all available sites will be posted in the ACL lobby and on the ACL website one week prior to the Campsite Assignment Day. All campsite trades made at the Campsite Assignment Day are final and cannot be rescinded.

In order to receive a Campsite to Trade Assignment:

- All accounts must be current.
- The camper registered to the current Seasonal Campsite must be up to date.
- The property owner must be on the Campsite to Trade Waiting List.

If a property owner is unable to attend, but would still like the opportunity to trade Seasonal Campsites, they must submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the property owner to pre-register an individual to select a campsite on their behalf. The form must be received in the Association Office by the end of business on the Friday preceding the Campsite Assignment Day. The proxy must also present a copy of the Representative Request Form at the Campsite Assignment Day in order to participate.

Upon accepting a campsite trade, the property owner is removed from the Campsite to Trade Waiting List. A property owner may re-add his/her name to the bottom of the Campsite to Trade Waiting List for future trade opportunities by completing a new waiting list application and submitting it to the ACL Office. If a trade is not accepted, the property owner maintains their position on the Campsite to Trade Waiting List.

Procedures for Seasonal Campsite Waiting List Assignments

Seasonal campsites will be assigned after all registrations are paid on March 1. A Campsite Assignment Day will be held between March 2 and the opening of the Campground. The Campsite Assignment Day is held to allow trading of Seasonal Campsite locations by those on the Campsite to Trade Waiting List and to assign Seasonal Campsites to those on the Seasonal Campsite Waiting List. This is the only day that assignments will be available. This is the only day that trades will be available, with the exception of property owners trading between lots they own, or property owners trading amongst themselves. The property owner or their designated representative (see below) must be present to trade sites or receive a campsite assignment. Both the Campsite to Trade Waiting List and Seasonal Campsite Waiting List will close at the end of business on the Friday preceding the annual Campsite Assignment Day. At the Campsite Assignment Day, the first property owner on the list will be offered first choice of available campsites; the second property owner on the list will have a choice of the remaining campsites, etc. proceeding down the list until all Seasonal Campsites are assigned. A copy of the current Seasonal Campsite Waiting List and all available campsites will be posted in the ACL lobby and on the ACL website one week prior to the Campsite Assignment Day. All campsite assignments made at the Campsite Assignment Day are final and cannot be rescinded.

In order to receive a Seasonal Campsite Assignment:

- All accounts must be current. **If all accounts are not current by the close of business on the Friday preceding the annual Campsite Assignment Day, the lot will be removed from the Seasonal Campsite Waiting List.**
- The property owner must be on the Seasonal Campsite Waiting List.

If a property owner is unable to attend, but would still like the opportunity to receive a Seasonal Campsite assignment, they must submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the property owner to pre-register an individual to select a campsite on their behalf. The form must be received in the Association Office by the end of business on the Friday preceding the Campsite Assignment Day. The proxy must also present a copy of the Representative Request Form at the Campsite Assignment Day in order to participate.

To complete an assignment, property owner(s) must:

a. Make Seasonal Campsite fee payment in full.

A camper must be registered to a newly assigned Seasonal Campsite by March 1 of the following year. Proof of insurance and state registration as defined in the Rules & Regs, are needed to complete registration.

Upon accepting a campsite assignment, the property owner is removed from the Seasonal Campsite Waiting List. A license holder may add his/her name to the Campsite to Trade Waiting List for future campsite opportunities by completing a Campsite to Trade Waiting List Application and submitting it to the ACL Office. If an assignment is not accepted, the property owner maintains their position on the Seasonal Campsite Waiting List.

Amended: October 15, 2016



Memorandum

To: ACL Board

Date: September 7, 2022

From: Megan Shamp

Memo #: 2022-107

Topic: Operational Programs & Procedures: Kayak Locker Waiting Lists – 1st Reading

Analysis: A process is needed for waiting lists for kayak lockers and future assignment of kayak lockers. The process & waiting lists are based upon the current procedures for boat slips and campsites.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

KAYAK LOCKER WAITING LIST

KAYAK LOCKER WAITING LISTS The Association Office maintains and manages two kayak locker wait lists. They include: 1. Kayak Locker to Trade Waiting List: Available kayak lockers are assigned to Property Owners on this list prior to any assignments to wait list #2. 2. No Kayak Locker Waiting List. Both waiting lists are perpetual and are in order of first come/first serve basis.

PROCEDURE TO GET ON A WAITING LIST Kayak Locker to Trade Waiting List Applications and No Kayak Locker Waiting List Applications are available at the office or online.

PROCEDURE FOR ASSIGNMENT OF KAYAK LOCKERS Kayak Locker to Trade Waiting List: For those Property Owners who have an assigned kayak locker but prefer a new location. Upon selection of a new assignment at the Kayak Locker Swap & Assignment Day: 1. Property Owner immediately forfeits all rights to their previous kayak locker. 2. The forfeited kayak locker immediately goes back into the kayak locker pool for new assignment. 3. Property Owner's name is immediately removed from the Kayak Locker to Trade wait list. No Kayak Locker Waiting List: For Property Owners who are waiting for their first kayak locker assignment. All kayak lockers will be assigned at the annual Kayak Locker Swap & Assignment Day.

PROCEDURES FOR KAYAK LOCKER TO TRADE WAITING LIST ASSIGNMENTS The Kayak Locker to Trade Waiting List will close at the end of business on the Friday preceding the annual Kayak Locker Swap & Assignment Day. At the Kayak Locker Swap & Assignment Day, the first kayak locker license holder on the list will be offered first choice of the available kayak lockers; the second kayak locker license holder on the list will have a choice of the remaining kayak lockers; etc.; proceeding down the list. After the first round of assignments has been completed, the same process will be repeated with the newly available kayak lockers until all desired trades have taken place. A copy of the current Kayak Locker to Trade List and available kayak lockers will be posted in the ACL lobby and on the ACL website one week prior to the Kayak Locker Swap & Assignment Day. Property Owners are reminded that additional kayak lockers will open up through the course of the event. All kayak locker changes made at the Kayak Locker Swap & Assignment Day are final and cannot be rescinded. In order to be eligible to swap a kayak locker:

- The Kayak Locker License Agreement-Renewal must be completed to reserve the current kayak locker for the season.
- The Property Owner must be on the Kayak Locker to Trade Waiting List.

If a Property Owner is unable to attend but would like to participate at the Kayak Locker Swap & Assignment Day, they can submit a Representative Request Form. The form enables the Property Owner to pre-register an individual to select a kayak locker on their behalf. These forms will be available in the ACL Office and on the ACL website. This form must be returned by the end of business on the Friday preceding the event. The proxy must also present a copy of the Representative Request Form at the Kayak Locker Swap & Assignment Day in order to

participate. Upon accepting a trade, the Property Owner is removed from the Kayak Locker to Trade Waiting List. A license holder may re-add his/her name to the Kayak Locker to Trade List for future kayak locker opportunities by completing a new form and submitting it to the ACL Office. If a trade is not accepted, the Property Owner maintains their position on the Kayak Locker to Trade Waiting List.

PROCEDURES FOR NO KAYAK LOCKERWAITING LIST ASSIGNMENTS The No Kayak Locker Waiting List will close at the end of business on the Friday preceding the annual Kayak Locker Swap & Assignment Day. At the Kayak Locker Swap & Assignment Day, the first Property Owner on the list will be offered first choice of the available kayak lockers; the second Property Owner on the list will have a choice of the remaining kayak lockers; etc.; proceeding down the list. A copy of the current No Kayak Locker Waiting List and available kayak lockers will be posted in the ACL lobby and on the ACL website one week prior to the Kayak Locker Swap & Assignment Day. All kayak locker assignments made at the Kayak Locker Swap & Assignment Day are final and cannot be recinded. In order to be eligible to receive a kayak locker assignment:

- All accounts must be current. **If all accounts are not current by the close of business on the Friday preceding the annual Kayak Locker Swap & Assignment Day, the lot will be removed from the Kayak Locker Waiting List.**
- The Property Owner must be on the No Kayak Locker Waiting List.

If a Property Owner is unable to attend but would still like the opportunity to receive a kayak locker assignment, they may submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the Property Owner to pre-register an individual to select a kayak locker on their behalf. The form must be returned by the end of business on the Friday preceding the Kayak Locker Swap & Assignment Day. The proxy must also present a copy of the Representative Request Form at the Kayak Locker Swap & Assignment Day in order to participate. To complete assignment, Property Owner(s) must:

- a. Complete and return the ACL Kayak Locker License Agreement form prior to or at the time of payment.
- b. Make kayak locker/kayak fee payment in full. A kayak must be registered to a newly assigned kayak locker by March 1 of the following year.
- a. Proof of insurance and watercraft card (if applicable) as defined in the Rules & Regs, are needed to complete registration.

Upon accepting a kayak locker assignment, the Property Owner is removed from the No Kayak Locker Waiting List. A license holder may add his/her name to the Kayak Locker to Trade List for future kayak locker opportunities by completing a Kayak Locker to Trade Waiting List Application and submitting it to the ACL Office. If an assignment is not accepted, the Property Owner maintains their position on the No Kayak Locker Waiting List.

LONG-TERM KAYAK LOCKER TRANSFERS TRADING KAYAK LOCKERS BETWEEN PROPERTY OWNERS If two Property Owners have assigned ACL kayak lockers and wish to trade between each other, they may do so by filling out a form at the Association Office.

TRANSFER FROM LOT TO LOT, SAME OWNER A Property Owner may transfer their assigned kayak locker from one lot they currently own to another lot they currently own, at any time. A Kayak Locker Transfer Form from the Association Office must be completed and filed with the Association Office prior to the trade.

TRANSFER WITH SALE OF LOT All kayak lockers are transferable only to another ACL property concurrently owned by the same Property Owner. Kayak Lockers may not be transferred to another property owner or with the sale of a lot. Upon the sale of the lot, the Kayak Locker License Agreement will automatically and immediately terminate.

NOTE: KAYAK LOCKERS ARE ASSIGNED TO LOTS, NOT INDIVIDUAL PROPERTY OWNERS.

TERMS OF LONG-TERM KAYAK LOCKER ASSIGNMENT

TERMS OF LONG-TERM KAYAK LOCKER ASSIGNMENT Annual Dues and all assessments must be paid in full, and on time, every year on all properties owned. Property Owners who already have an assigned kayak locker **MUST** pay the kayak locker fee **AND** kayak registration fee by March 1 of each year. Failure to do so will result in forfeiting your rights to your current assigned kayak locker per ACL Kayak Locker License Agreement and Kayak Locker Agreement-Renewal. A Kayak Locker License Agreement (for new assignments) or a Kayak Locker Agreement-Renewal (for renewing assignments) must be completed and signed by Property Owners prior to or at the time of payment. This agreement remains in effect as long as the Property Owner owns the lot of the kayak locker is assigned to. The license is subject to change. Property Owners newly assigned an ACLPOA kayak locker will have until March 1 of the following year to register a kayak for the licensed kayak locker. The kayak locker and kayak fees are both due on March 1 of every year.