

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
April 16, 2022**

APPROVED

2.0 Call to Order – President Barb Hendren called the meeting of the Apple Canyon Lake Property Owners Association to order at 9:00 am on Saturday, April 16, 2022.

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

4.0 Approve/Adopt Minutes from the March 19, 2022, Executive Session and Regular Meeting and the April 2, 2022 Executive Session – Tom Ohms motioned “to approve the minutes from the March 19, 2022, Executive Session and the March 16, 2022, Regular Meeting and the April 2, 2022 Executive Session.” Seconded by John Anderson. Motion carried unanimously. One correction in the March 19th Executive Session. Motion carried with Mike Harris and Nolan Mullen abstaining.

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

6.0 Committee/Commission Reports

Strategic/Long Range Planning – Gordon Williams reported that they finished up the 2023 Plan on a Page, next meeting is April 29.

Deer Management – Gordon Williams reported they did not have a meeting, but there is a workshop at end of meeting today regarding the remodeling of the archery range.

Trails - Tom Ohms reported they met on March 26. Worked on a handout - when you register you get the handout explaining all the Rules and Regulations.

Legal – Steve Borst reported they met twice since the last Board meeting. Finished the review of the 6000 policies; now reviewing the 7000 section with an intent to get to the Board by maybe May. Growing membership in Legal Commission – thank you. Next meeting is May 5 but may meet before then.

Recreation – John Anderson reported the summer kick off is Saturday, May 28.

AECC – Barb Hendren reported they met on April 2. We had several permits to review. Also looked at the Energy Policy, cleaning up some language, this is on today’s agenda.

Board Policy – Barb Hendren reported they met on April 5 and 14. Reviewed some comments on the 6000 section. Still making our way through operations section.

Nominating – Barb Hendren reported the Meet the Candidates event was last Saturday. Huge success, good turnout.

Rules & Regulations – Barb Hendren reported there are items on agenda for today.

Conservation – Paula Wiener reported they met on April 2. Next weekend is our annual Earth Day spring cleanup. We need people to volunteer to help clean up. Steve Nelson has five years of stream collection data – 800 Excel cells and is analyzing that data. We now have a picture of what has happened in the last five years. Our phosphorous has gone up along with nitrogen. Might be a trend throughout the state, we don’t know yet. Also, starting to get some greenway stewardship applications.

Multi-Sport Complex Ad Hoc – Shaun Nordlie reported they are looking at tennis courts this week, surveyor here Monday, April 25. Once survey gets back should go out for RFP. Could be scheduled for construction right after Labor Day.

Flood Mitigation – Shaun Nordlie reported they met yesterday (via Zoom) with engineer with CMT. Questions from commission on options for where to proceed with labyrinth – survey that starts on Monday of the spillway. Once we get that we will have more detail on the rock. Hoping they can have a quote to the Board for final design and permitting at May meeting.

Barb Hendren – General Manager Search Commission has been formed. First meeting is on April 19.

7.0 General Manager’s Report – Shaun Nordlie reported that this Friday, April 22 the Marina will be open, just weekends for first month. Weather dependent – fish house may be open this week. Hired a golf intern that starts Monday, from Southwest Tech in Fenimore, WI. Internship covers April 18 to September 25. His emphasis is golf maintenance but wants to learn golf operations. Hope is that going forward we can get an intern from that school every year. Food and beverage at Pro Shop – M, T, W, short staffed, but hopeful in a couple weeks we can get started offering food. Back to normal week of April 25.

8.0 President’s Report – will be in *The Apple Core*. Barb Hendren read a letter regarding Shaun leaving. Unwavering dedication by Shaun, he is a forward thinking, solving problems and learning from them. We are on track with three major capital projects due to Shaun. Shaun led us through the COVID-19 pandemic. Instituting weekly Zoom meetings, managing staff, keeping all services going. Great communicator, always had an open door policy. We all owe Shaun Nordlie a debt of gratitude.

9.0 Property Owner Comments

10.0 Consent Agenda

10.1 April Committee/Commission Changes – Bob Ballenger motioned “to appoint Barb Hendren as Recording Secretary of the AECC, Gary Hannon, Suzanne LoSasso, Scott LoSasso, and Phil McDermott to the Multi-Sport Complex Ad Hoc Commission, Mark Kosco to the Rules & Regulations and Legal Commissions, Susan Zobjeck to the Strategic/Long Range Planning Commission, and Micki Becker to the Recreation Commission; and to accept the resignation of Kim Rees from the Lake Monitoring Commission.” Seconded by Gordon Williams, motion carried unanimously.

11.0 Unfinished Business

11.1 Designated Fund Transfer – Bob Ballenger motioned “to close the Architectural Designated Fund by approving the transfer of \$9,400 from the Architectural Designated Fund to the Memorial Pavilion Designated Fund.” Seconded by Nolan Mullen. Discussion: Shaun Nordlie – brought last month and tabled. Joe Wiener has had an opportunity this look over. Basically, a housekeeping issue. Motion carried unanimously.

12.0 New Business

12.1 Request to Restrict Lot – Breckheimer/Kuchem – Gordon Williams moved “to approve the request to restrict the lot 10-101.” Seconded by Mike Harris. Discussion: Bob Ballenger - detrimental to rest of property owners, giving up money we should not give up. Currently 107 approved Restricted Lots which result in an annual revenue loss of \$47,080 based on an \$1,100 assessment. Roll call: Gordon Williams – nay, Nolan Mullen – nay, Tom Ohms – nay, Steve Borst – nay, Bob Ballenger – nay, John Anderson – nay, Henry Doden – aye. Motion fails.

12.2 Concessionaire Agreement – Celtic Kitchen – Mike Harris motioned “to approve the proposed Concessionaire Agreement with Celtic Kitchen Food Truck.” Seconded by John Anderson. Discussion: exciting to see. Same contract as others, standard agreement. Set this up to be able to add more events so as not to come to the Board every time, between Tim and the vendor. Motion carried unanimously.

12.3 Zebra Mussels Ad Hoc Commission – Gordon Williams motioned “to create the Zebra Mussel Ad Hoc Commission with the charge as stated above, and to approve its membership.” Seconded by John Anderson. Discussion: Tom Ohms glad to see Steve Nelson on this commission. Good people on this commission. Motion carried unanimously.

12.4 Bocce Ball Court Project – Nolan Mullen motioned “to approve the Bocce Group request to plant trees around the bocce courts between the campground and Maintenance shop.” Seconded by Henry

Doden. Discussion: John Diehl explained the diagram. Providing shade is the main reason and replacement of trees that have died. Motion carried unanimously.

Mike Harris motioned “to suspend Robert’s Rule of Order, seconded by Henry Doden. Motion carried unanimously.

12.5 Dam Emergency Action Plan – 1st Reading – Discussion: Not a lot of changes, mainly updating names. Have had this document since 2006 and has not come to the Board before. Annual thing the Security Department would do. After the 2017 flood, enhanced the document, improved quite a bit. Julie does give this to local towns, townships, Jo Daviess County Sheriff’s Department and police and fire departments in the area. Very thorough document. Steve Borst – doing this as a good neighbor, keeping up on all of these names? Shaun Nordlie – as we go up the steps, there is a point where we have to let them know what is going on – where Code Red kicks in. Julie has a database set up for these people. Henry Doden – just have position listed instead of names (page 21). Shaun Nordlie – good to have a name listed.

12.6 Emergency Management Plan – 1st Reading – Discussion: Has been in place, first time in front of Board. Developed in 2011, last three years have updated and included other emergency management scenarios. Very thorough. Steve Borst - Page 8 – tornado touchdown – maybe should have included volunteer corps? If they show up to help, are they authorized personnel? Shaun Nordlie – actual tornado touchdown, don’t want volunteers in the area at least in the beginning. Will have Julie check with Scales Mound Fire Department. Table of Contents – needs to be looked at. Two questions for the commission.

12.7 Energy Policy – 1st Reading – Discussion: Shaun Nordlie – legal counsel changes due to energy code, state statute; changes that AECC made, mostly to take out variance and ground arrays; Legal Commission changed some of the preamble and discussed the Board ability to hire third party engineer. Decided by Legal and AECC to take language out. If Board wanted a third party to look at this would be on the Association to pay for it, not owner. Steve Borst – sits as Board Liaison on Legal – this document is required by law to be attached to the Declaration, but not part of the Declaration.

12.8 Rules & Regulations: Motorized Recreational Vehicles Through Ice – 1st Reading – Discussion: Shaun Nordlie – IDNR would be involved if goes under water and could be fines. Thought is, we must get it out of the lake, owner could just leave it in there. Snowmobiles approved last month; this is adding UTVs also. Understood if ice is thin, might not be able to get out there immediately and difficult to find someone to get the machine out. We don’t have anything currently with boats, was discussed as well. More than likely an accident if boat sinks.

12.9 Rules & Regulations: Housekeeping – 1st Reading – Discussion: Page 11 – Burning and Cutting Trees - fine of 1,000. Believe it is 1,000 **per tree**. Steve Borst – recommended changes are great – wording boat vs. watercraft. Encouraging a rule violation – dogs on a leash. President’s beach is not a recognized beach. Something the commission can discuss. Steve Borst - Appeal Process (page 32), words should be the same – dismissed instead of dropped or void. Use the same word.

12.10 Capital Projects Update – Shaun Nordlie reported Flood Mitigation met yesterday with engineer from CMT talking about two options – 1) narrower spillway shoot and lower the floor 2) more of a straightaway with a wider shoot, lower floor (quite a bit). Commission at the time (not a recommendation yet) is looking at option 2 that they may recommend to Board. Asked for a quote on that, survey is this week. Also, an update on estimates for cost of both alternatives. Ad Hoc will meet one more time before next Board meeting with recommendation to Board in May. Permitting and final design will take six to eight months. Expect something from final design probably after first of year. Contract dredging – met this week with engineer that can be used as consultant – on site working with us through actual dredging. Make sure what was contracted was happening. From Springfield but been involved with Lake Carroll project along with others. Still proceeding with that to get ready for RFP for fall. Winchester – should have final design end of this month, first part of May. Then a matter of when we submit for 319 Grant. Could submit this year, next year our area (region) is the priority. Best interest to submit this year and see what chances are. COVID money out there so they may get more money to fund more. 319 Grant is due

in July. Did talk with Ashlee and Steve about budget for that. Henry Doden - flood mitigation – one of the proposals we are looking at, lowering water fall by four feet. We want to keep the waterfall looking the same if possible. George Drogosz – question – are we dropping lake water down four feet? Bob Ballenger – two options Not sure at this point. Will bid both ways. Zebra mussels – Joe Rush is working on monitoring system.

Motion to reinstate Roberts’ Rule of Order from Gordon Williams, seconded by Mike Harris.

Barb Hendren – presented a gift to Shaun on behalf of the Board.

Motion to adjourn was made by Mike Harris at 10:36 am.

Recording Secretary, Rhonda Perry

President, Barb Hendren

Corporate Secretary, Tom Ohms

Date