

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

**APPROVED**

**2.0 Call to Order** – President Nolan Mullen called the meeting of the Apple Canyon Lake Property Owners Association to order at 9:09 am on Saturday, July 16, 2022.

**3.0 Pledge of Allegiance** – After the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Nolan Mullen, Bob Ballenger, Mike Harris, John Anderson, Henry Doden, Steve Borst, Bill Becker, Mark Kosco, and Laura Pratt. Interim General Manager Ashlee Miller was also in attendance.

**4.0 Approve/Adopt Minutes from the June 18 Executive Session and Regular Meeting** - Mike Harris motioned to approve the minutes for the June 18, 2022 Executive Session and Regular Meeting.”  
Seconded by Mark Kosco, motion carried unanimously.

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

**6.0 Committee/Commission Reports**

**Budget** - Steve Borst reported they met on June 24. Highlights – capital projects identified, just the lake projects would come to about 3 million dollars. Budget Commission has come up with a logical way to fund R&R. Spent a lot of time on our Reserve Study. Topic that came up was the memorial pavilion. Something we need to address and decide how to move forward. Will need the Board for some direction on this. This commission walks through every line item. Next meeting is July 22.

**Legal** – Steve Borst reported they met on June 30, reviewing Board Policies for the 8000’s series. Next meeting is August 4.

**AECC** – Joe Wiener, Building Inspector, reported that they met on July 7 and elected officers. AECC approved permit applications for several permits along with a change to a building code (123.3). Denied a permit for a Property Owner to personally dredge a portion of the lake. Septic – pumping and inspection reports are due August 1<sup>st</sup>. Month of June we received five phone calls for new dwelling requests – questions. Previous month we received 7. Zoning Board of Appeals for the county will have a public hearing on July 27 to rezone property at East Grant and West Apple Canyon (by the power station and fire department) to permit the construction of a convenience store. Can call 815.591.3810 for more information. Investigating the clearing of greenway space – cut down bushes and trees and installed stairs down to the lake through the greenway. Looking into that. Fine could be significant. Bob Ballenger – bait shop/gas station/convenience store – would be in competition with the Marina. Joe Wiener - rezoned from farm to commercial. Land has already been bought. If opposed, can write a letter to the Zoning Board of Appeals and also show up at the meeting. If voted yes, they will pass that on to the County Board. We went through the same process to get our special use permits for work on the campground. Septic tanks that need to be inspected this year – about 75% done. Need to be done or scheduled to be pumped/inspected by August 1<sup>st</sup>.

**Nominating** - Mike Yorke reported they had their 1<sup>st</sup> meeting. Time to think about elections and Board elections. Elected new officers and started talking about potential candidates for Board.

**GM Search** – Mike Yorke reported they had started with approximately 50 resumes from our own job postings. Narrowed down to three that we interviewed – two are being recommended for the Board to interview. Hope to do that very soon.

**Conservation** – Paula Wiener reported they met July 9. QR code for the fish survey is not working. In the process of figuring out how to fix that. Please use paper slips until fixed. Buffer zone demonstration project (down below the swimming pool), trying to figure out what happened there. We were allotted

\$10,000 to develop these demonstration plots for the watershed plan, reduce runoff and develop a buffer zone. Plans were drawn up, trying to straighten this out. Worked on revision on milestones for watershed goal 1 – water quality. Will have a workshop on that. Prairie work – Hawthorne Prairie redevelopment is on track. Path made through the Marina Prairie. Finally, applause for Mike Yorke – wetland garden designer – done a great job (along with Tyler). Hope to be completely done by middle of August. Beautification project and efficient way to filter and stop sediment from going into the lake.

**Zebra Mussel** – Bill Becker reported they met and will continue to do spot treatments and monitor. Looking at more education for property owners and what they can do to help.

**7.0 General Manager’s Report** – Ashlee Miller reported Tyler is concentrating on specific areas for zebra mussels. Same chemical will work for algae as well. Consistently treating and monitoring with the devices in the water (15). Complaints about North Bay being very weedy. We have taken care of that as best we can. Weed harvester up there for a solid week and did treatment for algae. Consultants coming in to develop the status of our greenways and greenspace. Dredge is in the water, laying pipes next. Recent rain event – water level stayed around 800. Water levels were not a concern with the last two rain events. Received a grant – different things we can do – one is 20 acres of brush clearing would be covered; next 3-4 years - up to \$50,000. Good news.

**8.0 President’s Report** – President’s report will be in *The Apple Core*.

## **9.0 Property Owner Comments**

### **10.0 Consent Agenda**

**10.1 Committee/Commission Changes** - Mike Harris motioned “to appoint Jeff Rice to the Trails and Golf Commissions; Ryan Blentlinger to the Multi-Sport Complex Ad Hoc Commission; Jody Ware to the Employee Handbook Ad Hoc Commission; and to accept the resignation of Tom Ohms from the AECC, Gordon Williams from the AECC, Barb Hendren from the AECC, Editorial Review Board, and Safety & Emergency Planning Ad Hoc Commission; Jon Sonntag from the Deer Management Commission; and Vickie Sershon as Chair of the Rules & Regulations Commission.” Seconded by Mark Kosco, motion carried unanimously.

### **11.0 Unfinished Business**

**11.1 Marine Service Center Contract** – John Anderson motioned “to approve the proposed contract with K&S Marine Inc. 11A267 Nicklaus Court, Apple River, IL 61001.” Seconded by Bill Becker. Motion carried with seven ayes, with one nay from Laura Pratt.

**11.2 Deer Management Zone Selection Procedures** – Bob Ballenger motioned “to approve the Deer Management Commission Zone Selection Procedure as included in the July Board packet.” Seconded by Mike Harris, motion carried with seven ayes, with Henry Doden abstaining.

**11.3 Flood Mitigation Spillway Option** – Bob Ballenger motioned “to approve moving forward with Alternative 2 for a labyrinth spillway concept as described in the June 2020 Planning Report from CMT.” Seconded by Mark Kosco. Discussion: Henry Doden noted that the plan sounds good, but a lot of questions. Added expenses will happen, specifically the removal of rock. Need more examination. Mike Harris recognized Steve Nelson – Steve noted the rock can be utilized; won’t all be removed. Engineering data is in the proposal. All have really done their homework here. Steve Borst – consultants came out on site, and they observed and discussed the erosion on the west side. Not just randomly placing a spillway, we are improving it. Henry Doden – shows our dam is made of compacted clay – our dam is not made of compacted clay. Ashlee Miller – will do soil borings. Henry Doden – don’t have to - talk to people in the area when this was put in. Keep talking about how good their research is and it is not. Shaun Nordlie – Ted has the plans for the dam – they are the professionals with this. They took soil samples of the dam – they know what they are doing. Disagree that they haven’t done their research. This is a good report, and they know what to do. Rock removal – pushing it over the waterfall is the most efficient way to remove it.

Then remove from the bottom of the waterfall. Think we've done our research with this. Steve Borst asked Shaun about the amount of dollars for project management that is listed as \$249,000. Did a nice break out of what that goes to. What is the extra \$100,000 for? Shaun Nordlie - they would come during construction to have CMT onsite during construction to be our eyes. Steve Borst – once we go forward with this, CMT noted in the report that this is moving forward – Flood Mitigation Ad Hoc and its charge, will they address concerns? Alternative ideas? Water depth, etc. Shaun Nordlie – at ad hoc meeting we discussed that would be in the bid process, to bid without lowering the lake. See the difference, what it would take without or with lowering the lake. Would prefer not lowering the lake and disrupt lake season. Best time to do that would be when we send out the bid. Would recommend to the Board they keep the ad hoc commission through completion. Motion carried with seven ayes with Henry Doden voting nay.

**11.4 Design and Permitting of A2 Option for Spillway** – Mark Kosco motioned “to approve the Labyrinth Spillway and Dam Crest Design Engineering Proposal from CMT for an amount not to exceed \$249,000 with the money coming out of the Capital Project fund.” Seconded by Mike Harris. Motion carried with seven ayes, with Henry Doden voting nay.

## **12.0 New Business**

**12.1 Designated Signers for ACLPOA Accounts** - Steve Borst motioned “to designate Ashlee Miller, Interim General Manager & Financial Manager; and Carrie Miller, Accounts Payable/Human Resources; and Board of Directors members Nolan Mullen, President; Mike Harris, Vice President; Steve Borst, Treasurer; Laura Pratt, Corporate Secretary; John Anderson, Bob Ballenger, Bill Becker, Henry Doden, and Mark Kosco; as designated signers for ACLPOA accounts and CDs at Apple River State Bank.” Seconded by John Anderson, motion carried unanimously.

**12.2 Board Liaisons to Committees/Commissions** - John Anderson motioned “to appoint the following Board Liaisons to commissions.” Board Policy Ad Hoc – Mike Harris; Budget – Steve Borst; Campground – Nolan Mullen; Conservation – Henry Doden; Deer Management – Mark Kosco; Editorial Review – Nolan Mullen; Employee Handbook Ad Hoc – Mike Harris; Flood Mitigation Ad Hoc – Bob Ballenger; General Manager Search Ad Hoc – Steve Borst; Golf – Mark Kosco; Legal – Mark Kosco; Multi-Sport Complex Ad Hoc – Mike Harris; Nominating – Bill Becker; Recreation – John Anderson; Rules & Regulations – Mark Kosco; Safety & Emergency Planning – Laura Pratt; Strategic/Long Range Planning – Steve Borst; Tellers – Laura Pratt; Trails – Bill Becker; Zebra Mussel Ad Hoc – Laura Pratt.” Seconded by Mark Kosco, motion carried unanimously.

**12.3 Organizational Chart** – Mike Harris motioned “to approve the changes to the ACL Organizational Chart.” Seconded by Mark Kosco. Joe Wiener noted he used to report to the GM, that is a change. Motion carried unanimously.

**12.4 Search Firm Engagement** – Bob Ballenger motioned “to approve up to \$45,000 to engage Management Matters in the search for a General Manager, if needed, and for travel expenses for any in-person BOD interviews, to be paid out of the Operating Fund.” Seconded by Bill Becker, motion carried unanimously.

Mike Harris motioned “to suspend Roberts Rule of Order, seconded by Mark Kosco, motion carried unanimously.

**12.5 Rules & Regulations: Kayak Lockers – 1<sup>st</sup> Reading** – Discussion: Mark Kosco – pretty simple. Referred to as a licensing agreement. Is that the right wording? Ashlee Miller will verify. Along with having Maintenance checking out two of the locations.

**12.6 Rules & Regulations: Housekeeping – 1<sup>st</sup> Reading** - Discussion: Steve Borst - under boating, Section VI, changing boating to watercraft, but leave boating in a lot of spots. Should the heading be Boating or Watercraft? The new information is highlighted in yellow (not red), but now is the time to note those discrepancies. Formatting needs some work as well. Under 15 Multi-Sport Complex, like what they did with archery and putting in the rules right there. Would list what the rules are. Couldn't find anywhere where it says archery must report to Security. Called the phone number listed and it was disconnected.

Steve will give his notes to Ashlee. Page 9 – attorney comment. Owner of two lots, 2<sup>nd</sup> lot is split with another owner, first owner pays his fees and owner b didn't pay his share – according to this, neither owner gets amenities. Does not sound fair. Ashlee Miller – how we get people to pay their dues. We are property based, not owner based. We don't care who pays what. Two more items – pet violations – drastic increase in the fine. Rules 6, 7 & 8 – reads out of the Illinois Animal Control Act. If county picks up your dog, they will impound the dog and contact you. Dogs are always running free at President's. Suggest if we change this, need a sign saying to keep your dog on a leash. Can't have a dog on a leash if the dog is swimming. Everyone does watch their dog there; can we change that? But will advocate for those people who are afraid of dogs – they will not go to the area because of the dogs. Have to be careful with exceptions. Allow for it there, where else. Dog jumps into the lake, not on a leash – is that the same thing? Can put the rule in place, but how will we enforce this. This is a picnic area, not a dog beach. Page 25 – question about prohibited vehicles. Problem is bicycles can have a motor. Difference between fully electrical bicycles and assisted bicycles. Mechanically powered? Page 26 – D2 – could say just any owner, remove or to another designated party. Gives someone permission to get stickers, calls the office, that is fine. Picking up stickers for the Property Owner. Could add 'designated by the owner.' Will clean that up.

**12.7 Board Policy 6000's – 1<sup>st</sup> Reading** – Discussion: Notes from Steve Borst included 6520, not sure what this is about. Ashlee will check and work with Steve.

**12.8 Board Policy: Non-Commercial Purpose for Document Inspection – 1<sup>st</sup> Reading** – Discussion: Ashlee Miller – has to do with the Exhibit A – talks about \$1,000 and changed to \$1,000 for every violation. Already existed, just cleaning this up. Is \$1,000 enough? Could generate \$1,000 worth of business from this list. Purpose of the policy is to deter people from selling the private information. Take to Board Policy for further discussion.

**12.9 Maintenance Commission Discussion** – Discussion: Should never have been dropped to begin with. Still in our Bylaws. Maintenance Commission is the place for Property Owners to bring up things that need to be done. But we don't have a Security Commission, a Pool Commission. At some point these are operational things. We now have an on-site Maintenance Manager. That was the rationale to remove this commission. Had the Bylaws passed, this was written out. Why do we single out maintenance? Henry Doden - putting in work orders, waste of paper for some reason. If can go to commission, commission can follow up with GM. Guys out mowing, maybe operating the dredge is more important. Ashlee Miller – will need at least three members and a liaison to be a commission. We dissolved this in 2018. We do have work orders in Northstar now. Bill Becker – within x number of days, whoever is in charge of the work order, lets someone know the status of that particular work order. Solid reasons for not doing a work order, people need to know. Bob Ballenger - currently – when I do a work order and send it in, not sure where it goes. If nothing done, no one knows. Ashlee Miller – disappointed, this isn't what she sees at all. Any time a Property Owner reaches out about a work order, it is followed through. Northstar is almost ready to go – can see your work order, where it is, reasons for the delay, etc. Waiting on Northstar to implement. That will help the communication. Can have a workshop on this process, YouTube video and explanation on process on social media. Mark Kosco - long range plan for maintenance would be helpful. Steve Borst – ad hoc might be more appropriate. How did we ignore the Bylaws? Still exists, but no members. If somebody wants to do this, then go ahead. Seek members and if we can't get members, end of discussion. Should not be used to tell Maintenance how to do their job. In our Bylaws, we should have a Maintenance Commission. We do have weekly meetings with all of the managers and almost daily individual meetings. Conservation working with Maintenance has been very successful, listing priorities with them. Also need to understand the workload Maintenance has.

**12.10 Firehouse Roof Discussion** – In the R&R – 2022 we are to replace one section of the firehouse roof (garage area). Leaking significantly. Actually quoted to do all three roofs, garage, fitness center and tower. What's the plan? What do we want to do with that building? The quote for the one roof was about \$40,000 and for all three was about \$65,000. Save us money in the long run to do all three. Good job for Maintenance Commission. Joe Wiener – we can do a flat roof and repair the wall which would be less expensive. Quote was to add trusses to the roof and reside the exterior. Steel roof was \$31,227, but to do

all three \$49,815. Second quote was \$69,000 for all three back in May. Tearing this down and put up a regular shed? Everything in there is getting wrecked. If we wait for a Maintenance Commission, it'll be another year. We already have an approved item. We have the money in R&R. Get a bid on a flat roof and move forward. Find out what a warranty would be for a flat roof.

**12.11 Marina Parking Discussion** – Marina is open to the public – controversy about not enough parking for Property Owners. UTVs having their own section? Employee vehicles taking up spots? Security taking up spots? Eight spots taken up right there with employees and Security. UTV for security there, golf cart, etc. Could all park by the shed.

**12.12 Farmland Discussion** – expenses coming with spillway, dredging, etc., if we sold the farmland, what could we get for this. \$9,000/acre actually worth, fair price. Could do online auction, would cost about 3% commission. Would be subject to capital gains (profit). Henry Doden - best thing – trade for land at North Bay. Bob Ballenger - not worried about making a profit, want the liquidity back. What has that farmland brought us in since we've owned it? Approximately \$40,000 per year. Are we willing to throw that away? Joe Wiener - we have \$800,000 in one account and \$1.8 million in another account. No pressing need to take a money-making asset away from us. Won't make any money on interest with this. Excellent asset to hold onto. Mike Harris - gives us borrowing power. Joe Wiener - no pressing need, no reason to sell now. Don't let a small vocal minority push us into something like this. Not in the best interest of entire community. Nolan Mullen - just a discussion today, doing our due diligence. Looking at all angles and looking out for everybody in this Association. Jill Gibson - could be put up for a Property Owner vote. Edie Petelle stated we are required to have our money in a federally insured account. This is not. Steve Borst – would suggest meeting in Budget – good conversation today, but would want to wait to see, haven't added up all of the numbers for 2023. Then we may have a need. Be smart for when we use that property. Next month will be bringing the budget here – see what the numbers tell us.

**12.13 Capital Projects Update** – already talked about flood mitigation, Winchester – working on a grant for flood mitigation, dredging – still on the table. Working on getting dirt out - trading dirt, no expense. Multi-Sport Complex (not capital). Meeting and moving forward with reviewing the design and recommendation to Board. Should see something on that next month on the complex.

Mike Harris motioned “to reinstate Roberts Rule of Order.” Seconded by Mark Kosco, motion carried unanimously. Motion to adjourn from Mike Harris at 11:58 am.

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Recording Secretary, Rhonda Perry

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President, Nolan Mullen

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Corporate Secretary, Laura Pratt

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Date