

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
June 17, 2023**

APPROVED

1.0 Call to Order: Called to order by Nolan Mullen at 8:00 AM. Members present: Nolan Mullen, John Anderson, Steve Borst, Bob Ballenger, Bill Becker, Henry Doden, Mike Harris, Mark Kosco, and Laura Pratt.

2.0 Executive Session: Motion to go into Executive session made by Mark Kosco, seconded by John Anderson.

3.0 3.0 Regular Meeting: At 9:03 AM. Bob Ballenger motioned to return to regular session; second by Mike Harris, motion carried unanimously.

4.0 Pledge of Allegiance – after the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Nolan Mullen, John Anderson, Steve Borst, Bob Ballenger, Bill Becker, Henry Doden, Mike Harris, Mark Kosco, and Laura Pratt. General Manager Jen Callaghan was also present.

5.0 Approved/Adopt Minutes from the May 20, 2023 Meeting - Stephen Borst motioned to approve/adopt minutes from the May 20, 2023 Executive Session and Regular Meeting.” Seconded by Bill Becker.

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

7.0 Committee/Commission Reports

Sport Complex AdHoc – Gary Hannon reported that this is concerning that Multi-Sports Complex is not on the agenda. We continue to kick this can down the road. We have brought down this project to approximately \$50,000 less. Asked board for additional funding for this project. Desire to do demolition this fall and come back in spring 2024. Additional funds not to exceed \$60,000. Scott LoSasso – have gone back and looked at a few options. Resurface existing facility – asked Helm – won’t do this, won’t last and will degrade immediately. We did solicit bids to multiple vendors but hard to find people to do work. For this type of job, only game in town, and a good reputation. Instead of taking existing surface all the way down to base, and relaying the subsurface - they could reduce the cost by leveling to the existing base. Two inches instead of 3.5”. Not the way they would engineer, but would be a good quality project. Good compromise. Other issue – bid has expired. Some extensions, but if not approved, we will have to rebid this. Bids will come in higher if we have to rebid. We’ve done a thorough job to get the best outcome. Please put this on the agenda.

Campground – Ron Carpenter reported the breakfast served approximately 500 people in about three hours. Roads – supposed to be redone about three years ago, but has not gotten done.

Flood Mitigation – Ron Carpenter reported they are discussing drawing the lake down and what that will mean for the boats, docks and shore stations. Work in progress. Will request a workshop with the board soon. Contract with CMT goes to the bidding process after permitting, then Board approval for next expenditure. Army Corp of Engineers approved plans for the spillway project, but IDNR has not yet.

Conservation – Paula Wiener reported two guests from Natural Resource Conservation Services attended their last meeting, Federal agency under the Department of Agriculture. Tyler is examining non-chemical ways to control algae in the lake and mechanisms to try to keep garbage in the corner out of Nixon Beach. Ordered fish stocking for fall. Completed first review on the greenway stewardship program.

Zebra Mussel – Bill Becker reported they met last Thursday. Applications from McCloud. July 12 will be first treatment; and 14 days later another treatment; 14 days later another treatment. More information will be in the Apple Seed, Apple Core, and Facebook.

Budget/Audit – Steve Borst reported they met a couple weeks ago. Final copies of the annual audit are available – clean opinion for the audit. Next meeting is July 28 to start the budget process.

Golf – Mary Hannon –The Big Cup on July 22. Only fundraiser is—improvements on the golf course.

Deer Management - Gordon Williams – archery range information. Questioning an agenda item today, 13.2, if that should be on the agenda. Was not presented to Rules & Regulations yet.

Legal – Sean Cottrell reported they met last month. Focusing on voting requirements for both documents. Discussion later today on the agenda from Legal – more requests for rewrites. Two new members – on next month’s agenda.

Memorial Pavilion – Carmel Cottrell reported they are discussing bids and will present to board in July.

8.0 General Manager’s Report – full report will be in *The Apple Cove*.

8.1 Capital Projects Update – Dredging is half way through and still ongoing. Cove and Pro Shop – mishap this week with losing the chef. Team pulled together and we are making it work. Thank you to the volunteers that stepped up. Financially doing pretty good too. All saw the notice – new Pro Shop supervisor – not paid as a pro, paid as a supervisor. Just happens to be a pro. Patience is appreciated.

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

10.0 Property Owner Comments: – Various owners were present and made comments.

11.0 Any Additions to the Agenda

Mark Kosco motioned “to add 14.5 Golf Commission - use of designated funds.” Second from John Anderson, motion carried unanimously.

Mark Kosco motioned “to add 14.6 Deer Commission – use of designated funds.” Second from John Anderson, motion carried unanimously.

12.0 Consent Agenda – Committee Appointments - Bob Ballenger motioned “to appoint Barry Kren to the AECC commission; Pamela Opyd to the Conservation Commission; Bill Bourell to the Conservation Commission.” Second from Bill Becker, motion carries unanimously.

13.0 Unfinished Business

13.1 Rules & Regulations: Indoor & Outdoor Storage – Bill Becker motioned “to approve updated text to replace current rule regarding transfer of indoor storage units.” Second from Henry Doden.

Discussion: Steve Borst questioned the transfer sale of lot. Should be if attached to your property – storage unit does not transfer. #2 – lot owner and property owner, but sentence before assigned to lots, not individual property owners. Contradictory. Terminated at time you sell the lot? Lot owner and property owner. Send back for clarification. Motion failed. Will send back to Rules and Regs.

13.2 Deer Management Rule Revision – 2nd Reading – Mark Kosco motioned “to table 13.2 and 13.3 agenda items.” Second by Mike Harris. Motion approved unanimously

13.3 Revised AECC Code – 2nd Reading -Tabled to go back to committee. Steve Borst – didn’t we vote on this already? Last month. Laura Pratt –edits are not here. Nolan Mullen – was not listed as a first reading last month.

14.0 New Business

14.1 Destratifier/Mixing Machine Test – Mike Harris motioned “to approve Limnetics providing the machine, power cord, anchor lines, delivery, installation supervision/participation and product support at no cost to ACL. ACL will be responsible for the installation of the machine just outside of the designated swimming area between north rock wall and end of the first dock. Limnetics has cage/fencing that will go around the machine both above and below the water to keep swimmers from getting close. If Limnetics and ACL feel that the test is a success, then Limnetics would offer the machine at a discounted price. If satisfied, ACLPOA will have the option to purchase all equipment at the following prices: if purchased by September 30, 2023 - \$2,500.00; if purchase by September 30, 2024 – \$3,500.00; if purchased after September 30, 2024 - \$4,000.00. Second from John Anderson. Discussion: Paula Wiener –Equipment has to be in the water by middle of July to see if it would really work and would run until mid-October. If we can’t approve at this meeting, we have to say we will not have this

opportunity for this year. Nolan Mullen – They are giving us until September to try this. We pay the electric. They will install with our maintenance department. Steve Borst – if we put this in with all of that electric, then we say we don't want to buy it, then we have to pull all of that electric. Nolan Mullen – pulling out of water is minimal. Getting it to the part so out of everybody's way will be important. Liability insurance? Steve Borst – seems like we are rushing into this. Paula Wiener – we have an opportunity – but if you don't like it vote it down. Gary Hannon – will this be successful – to be determined. But it is safe and this is a very reputable company. Steve Borst – Conservation did screen this? Paula Wiener - came from Conservation – they made the motion. Tyler [Natural Resources Manager] has been researching non-chemical ways of controlling algae. Motion carried with six ayes, one nay by Bob Ballenger, and Mike Harris abstaining.

14.2 Lot Combination Agreement - Mike Harris motioned “to approve the lot combination for 9A129 & 9A130.” Second by John Anderson. Motion carried with Laura Pratt abstaining.

14.5 Golf Designated Funds – Bob Ballenger motioned to approve “the Golf Commission request for &779.98 from their designated funds to pay for directional signs for golf course and additional yardage markers.” Second by John Anderson, motion carried unanimously.

14.6 Golf Designated Funds – Mike Harris motioned to approve “the Golf Commission request for monies not to exceed \$6,000 from designated funds to purchase 3 practice nets and to prepare the area where they will be installed at the end of the Pro Shop parking area.” Second by Bob Ballenger. Motion carried unanimously.

Bob Ballenger motioned “to suspend Roberts Rule of Order.” Second by Mike Harris, motion carried unanimously.

Bob Ballenger motioned “to reinstate Roberts Rule of Order.” Second by Mike Harris, motion carried unanimously.

14.7 Deer Commission Designated Funds – Mark Kosco motioned “to approve \$200.00 from the Deer Commission's designated funds to pay for Whisker Biscuits. Second by Bill Becker, motion carried unanimously.

Bob Ballenger motioned “to suspend Roberts Rule of Order.” Second by Mike Harris, motion carried unanimously.

14.3 Security Department (Legal Commission) – Discussion: Sean Cottrell presented a power point presentation along with the ACL Legal commission. Asking for the reinstatement of the Duties of the ACL Safety Commission. *Legal had previously made the recommendation to reinstate the Safety Commission. Not clear information presented as to why. Prepared today's presentation to clarify.* Know this is on agenda as security department. Not about security department – about communicating expectations to community. Safety Committee – matters regarding health and safety and welfare of ACLPOA membership. Asking the board to temporarily reactivate this commission to focus on safety and security, and to make recommendations to Legal to bring those to the board. This can then be spelled out in governing documents. Next steps: discussion item today – if amenable, Legal can take this back and make it a formal recommendation to the board. To support the rewrite of the Declaration and Bylaws. Period. Questions? Bob Ballenger – not of the opinion ACL has authority to be a police authority. Sean Cottrell – that is where there is a disconnect – group could be charged to clarify that. Can't go forward with rewriting the Declaration or Bylaws without that clarification. Looking to the Board to give direction to this group. Nolan Mullen - reactivate for the purpose of governing documents? Okay with that. Laura Pratt – So this will be a Safety Commission Ad Hoc just to align the governing document with, not to change anything in the Safety and Security Department? Sean—Yes. The responsibility of safety and security department are called out in the bylaws. Reactivate the group - solely focused on support for Legal for re-writing the bylaws and governing documents. Legal has determined that this should not be done by Legal. Previously voted down as seen as a group that will micromanage Safety and Security.

Gather information and make recommendations to the board of directors on matters regarding the health safety and welfare of ACL membership (charge). We have three members to staff the commission. If approved in July, we will ask for more volunteers. John Anderson – will go to lawyers? Sean Cottrell – for document approval, generally supposed to be reviewed by Legal committee [commission]. Yes, supposed to go to both council and Legal Committee [Commission]. Ad Hoc commission and once done with final recommendation, would recommend disbanding. Focused on re-writing of declaration and bylaws.

14.4 2024 Plan on a Page – Discussion: Steve Borst reported they met to discuss how to better align our long-range plan with the goals of our general manager. Came up with a revised planning process. In the past we would bring the Plan on a Page to the board in June or July for the next year. Then in December, board would write the goals for the general manager. So, there was a disconnect, might not be the same. Giving you the plan as a draft today. Review this and then could bring to budget and adjust accordingly. Not asking to approve the Plan on a Page, won't do that until we discuss goals for general manager.

At 11:14 AM, Mike Harris motioned to adjourn, seconded by Mark Kosco. Motion carried unanimously.

Recording Secretary, Rhonda Perry

President, Nolan Mullen

Corporate Secretary, Laura Pratt

Date