

**Apple Canyon Lake Property Owners Association
Board of Directors Meeting Minutes
August 17, 2024**

APPROVED

- 1.0 Call to Order:** Meeting called to order by Vice-President Bill Becker at 8:00 AM. Other Directors present: Bob Ballenger, Carmel Cottrell, Brian Holt, Laura Pratt, Mark Kosco, Debra McNamee, and Mike Ward. Nolan Mullen was absent.
- 2.0 Executive Session** – Motion to proceed to executive session made at 8:00 AM by Laura Pratt, seconded by Carmel Cottrell. Motion carried.
- 3.0 Return to Open Session** – motion to return to open session made by Bob Ballenger at 9:00 AM. Seconded by Laura Pratt, motion carried unanimously.
- 4.0 Pledge of Allegiance** – after the Pledge of Allegiance, a quorum was present with the following Directors in attendance: Bill Becker, Bob Ballenger, Carmel Cottrell, Brian Holt, Laura Pratt, Mark Kosco, Debra McNamee, and Mike Ward. General Manager John Sabo was also present. Nolan Mullen was absent.
- 5.0 Treasurer’s Report** – will be in *The Apple Core*. Carmel Cottrell reported we are working on July, should have by Monday for our Budget Commission meeting. Anyone is welcome to attend the Budget meeting on Monday.
- 6.0 Committee/Commission Reports**
- Zebra Mussels** – Bill Becker reported we did a treatment week before last, with another treatment scheduled (TBD).
- Conservation** – Pam Opyd We continue to monitor nutrients in the lake. Presidents Bay has increased nitrogen and phosphorus. Signs at North Bay are all up. Others should be done at end of month.
- Strategic Long Range Planning** – Carmel Cottrell reported they met last week, to review the Strategic Long Range Plan. Will bring the recommendations to the board.
- Memorial Pavilion** – Carmel Cottrell reported they are waiting for the engraving of the pavers. There has been a long delay with the engraving. Thank you to the ad hoc committee!
- Legal** – Carmel Cottrell reported that this year the commission has been focused on reviewing the Covenants and Bylaws. Legal has developed a 16-week communication plan.
- Nominating** - Mike Yorke reported the first meeting will be this coming week. Terms expiring are Laura Pratt, Mark Kosco, and Bill Becker.
- Board Policy - Rules & Regs** – Brian Holt reported they met several times.
- 7.0 General Manager’s Report** – Jon Sabo reported updates: Spillway – contract has been signed by Helm. The project is scheduled to start just after Labor Day – there will not be a drawdown and will not impact boating. In 2026 (Phase 3) we may need to do a draw down at that point. July Pool numbers: 7,704 unique swimming visitors, 50 swimming lessons, 3 pool parties, 8 private pool parties. Safety & Security had 1,185 touches with membership. 73 of those assists were medical based, 447 boat safety checks, 22 boat tows, 6 UTV/ATV tows, 3 spillway trespasses, 69 lake stops that involved citations. Hope to have the Communications Manager position filled soon.
- 8.0 President’s Report** – will be in *The Apple Core*.
- 9.0 Any Additions to the Agenda** - Deb McNamee motioned “to add Greenway Applications to the agenda.” Item 12.7. Seconded by Carmel Cottrell. Brian Holt motioned “to move 12.3 ahead of 12.1.” Seconded by Bob Ballenger. Mark Kosco motioned “to add Retail Services Commission to the agenda.” 12.8 item. Seconded by Brian Holt.
- 10.0 Consent Agenda**
- 10.1 Approve/Adopt Minutes from the June 15, 2024 and July 20, 2024 Board Meetings and Committee/Commission Changes** – Carmel Cottrell motioned “to approve/adopt minutes from the

June 15, 2024 and July 20, 2024 Board Meetings and Committee/Commission changes: to approve Mark Fill to join the Golf Commission; to allow Mike Ward to join the Strategic Long Range Planning Commission; to allow Tim Brokl to resign from the Employee Handbook Ad Hoc Commission & Nominating Committee.” Seconded by Deb McNamee, motion carried unanimously.

11.0 Unfinished Business

11.1 Family Bereavement Leave – 2nd Reading – Laura Pratt motioned “to approve Employee Handbook 6.8 Family Bereavement Leave.” Seconded by Carmel Cottrell. Motion carried unanimously.

11.2 Attendance – 2nd Reading – Laura Pratt motioned “to approve Employee Handbook 2.5 Attendance.” Seconded by Carmel Cottrell. Discussion: Brian Holt—questions about trying to get in touch with supervisor. Jon explained there is a group text set up. Closure due to dangerous weather, changing it to hours actually worked. Laura Pratt—Previously, if the office was closed, they were paid for the full day. Maintenance, security, no one else gets that benefit, if one feels it is dangerous to drive their vehicle to work, just like any other workplace, use personal time being equitable to all employees. Motion carried unanimously.

11.3 Ice Fishing Shelters – 1st Reading – Discussion: leaving ice fishing shelters on the lake overnight. Following IDNR guidelines. 10:00 pm cut off is there to keep consistent. Deb McNamee - why so restrictive? If there is a problem, we can deal with it. Shelter is the issue, not the idea of ice fishing. Laura Pratt—According to this, can leave overnight if you get permission from security manager. What if she is gone for the day? Can someone else authorize this? If a person is leaving a shelter on the lake for two consecutive nights, get permission. Permit? Who is going to know? Display permit on the shelter itself. Mark Kosco - Easiest is a simple notification to Safety and Security office. Why does the notification have to be done by 10:00? What if I want to fish until midnight, not overnight? Jon Sabo – if you call in, it will automatically go into the system. Really comes down to administering this. Laura Pratt—Is there an important reason why limited to two nights? Mark Kosco—10:00 pm – trails close at that time. But you can fish after 10:00. Deb McNamee—any issues with this? Have people left their shelter? Pam Opyd 5-137 –If people left a shelter up for a long period of time, it would make people mad – see why there is a limit. Mike Ward – trying to avoid people leaving their shelters up for a long period of time. Something to be said for looking and noticing a shelter does not have a permit showing after a period of time. Language needs to be very clear – just don’t want a shelter just sitting on the ice. Mark Kosco - consensus was two nights was long enough. Brian Holt—Will bring it back to Rules & Regulations.

12.0 New Business

12.1 Dam Advisory Ad Hoc Commission – Mark Kosco motioned “to approve the creation of the Dam Advisory Ad Hoc Commission with the appointed members as follows: Chair, Jeff Rice, members, Barry Kren, Steve Nelson, Mike Yorke, Mike Cammack, General Manager Jon Sabo, Natural Resources Tyler Hesselbacher, Maintenance Manager Ed Ziarko, Safety & Security Manager Julie Janssen, and Secretary Kirsten Schubert. This is a special commission that has been created for a particular task and additional members are not warranted.” Seconded by Bob Ballenger. John Sabo requested two additional names to be added to the list – John Diehl, Thompson Township Supervisor and Dean Williams, Thompson Township Road Commissioner. Mark Kosco motioned “to remove the first motion.” Seconded by Laura Pratt. Laura Pratt motioned “to amend the motion to include John Diehl, Thompson Township Supervisor and Dean Williams, Thompson Township Road Commissioner.” Seconded by Deb McNamee, motion carried unanimously.

12.2 Dissolution of the Flood Mitigation, Ad Hoc Commission – Bob Ballenger motioned “to dissolve the Flood Mitigation Ad Hoc Commission.” Seconded by Carmel Cottrell, motion carried unanimously. Thank you to this commission for all their hard work.

12.3 Dissolution of the Multi-Sport Complex Ad Hoc Commission – Mark Kosco motioned “to dissolve the Multi-Sport Complex Ad Hoc Commission.” Seconded by Bob Ballenger, motion carried unanimously. Thank you to this commission for all of their work.

12.4 Board Policy – Governance Section – 1st Reading – Discussion: Brian Holt – working on getting the Narrative packet posted. Mike Ward—5.1 section – minor edit – commissions and their purpose. Consider adding general manager along with Board. Over the years, commissions and committees have almost taken on a life of their own. Language here is vital. It is important for commission members to know what authority they have.

12.5 Board Policy – Conflict of Interest – 1st Reading – Discussion: Brian Holt – This was given to us directly by our attorney.

12.6 Bylaws & Covenants – Discussion Only - Bill Becker - since the Bylaws and Covenants voting stopped three years ago, we have not made a lot of progress to getting our Bylaws and Covenants in front of our membership for approval. We would like to be able to hold an election this spring in concurrence with our normal Board member election to approve these policies. Would like to get in front of membership in February to have time to review and read and communicate the voting process. Brian Holt – is this the same as the 2020 document? Bill Becker – a few changes that we will need to go through again this fall to have ready for February. Laura Pratt – Legal Commission will be sending out a survey. Looking to see where there were discrepancies or issues. Carmel Cottrell – will have town hall meetings to get the information to our members, electronic communication and surveys, etc. Bill Becker – building code portion of this document, AECC is meeting to go through that portion and will make their recommendations.

12.7 Greenways – Deb McNamee motioned “to put a hold on any work where there is an application that has to do with a greenway.” Seconded by Mike Ward. Deb McNamee – upon review there were some discrepancies. To be clear on rules, will take time to clarify that we are requiring what the rules are saying. Laura Pratt – we did approve an application earlier this year. Deb McNamee – We are looking at the fifty foot buffer zone. Things not correct, but need to do more research. Cutting down trees is the main issue. Pam Opyd (from Conservation) asked who is in charge of this? Who makes the decisions? Deb McNamee – we are asking to stop all applications. Looking at language. Lot of confusion on where the rules are. Bill Becker – bounced around between AECC and Conservation. Should pull a representative from AECC and Conservation and come back with recommendations. Mike Ward – look at penalties as well. Penalties need to be more significant. Jon Sabo – two applications that I signed off on. – Deb brought issues to his attention. Looking backwards, there isn’t a clear white line. It is effectively a conversion to a lakefront lot. Bill Becker – we approved a policy six months ago. Part of this review needs to be to communicate the policy to all stakeholders and look at enforcing it. Come back with a motion.

12.8 Retail Services - Last board meeting Mike Ward recommended a Food and Beverage commission. After further discussion and input, not really about food & beverage. Commissions that have to do with ACL amenities: campground, golf, recreation, trails, Memorial Pavilion Ad Hoc, sports complex, all were to support/assess/look at best practices to make recommendations to GM and Board. No commission for Marina, Pro Shop, Cove and lake & boat services (K&S Marine). All lies now with our General Manager. Plan on proposing a detailed outline of what and how this commission would support Jon. Jon Sabo – met with Mike, we have not done well on retail management. Planning strategically for cost of goods sold, etc. Would look forward to this group being a resource for not only me, but for managers. Deb McNamee – like the proposal but concerns about the Cove. Can we be involved with anything they do? Mike Ward - needs to be looked at separately, similar to K&S. But they still serve ACL. Role of this commission is simply to provide feedback to Jon in working with them. Gathering information, be the eyes and ears, and provide information to Jon. Purely advisory. Bob Ballenger – decision a long time ago – will not run the marina, not run the Cove. Those people should make their own decisions on how they want to run their business. Keep our noses out of those businesses. Mike Ward – want them to meet the needs of the property owners. Carmel Cottrell – another level of governance we do not need. We are not business runners for those types of establishments. Nothing to do with those two businesses. Wrong direction – if we want this retail commission to look at Marina and Pro Shop – by all means. They are our entities. Cove and K&S do their own things. Brian Holt – we do have to renew the leases. May be helpful to have a

commission to advise on that. Bill Becker – We don't have a detailed proposal from Mike on what this commission is – will be seeing that next month. Review and debate then. Mike Ward – three options – 1) to exclude K&S and Cove; 2) limit the commissions role for those two amenities – help in selection process; 3) ongoing support for those amenities on an ongoing basis. Will lay it out that way.

13.0 Property Owner Comments

Mary Hannon 8-239 – We have been complaining about microphones and speakers for years. Spend some money and get something done. Pro Shop – The receipts need to be fixed. Drawdown comment, continually make that communication out there. Big Cup – Golf Commission – large success. Thank you to all that helped out with that. Pro-Shop parking lot – looks nice, why can't we finish it? New rocks, big gullies. We don't want people parking on the grass – should have a sign.

Kathy Rogers 11A252 – parking lots – parking lot here, gravel, never got seeded. Half done. Railings – waiting two years. Landscaping on right side – no trimming, weeds, Garden Club doesn't do this – maintenance should be doing this. Garden Club can only do so much.

Mike Yorke – Fishery – some world class northern pike being taken out of this lake. Thank you to the board for the support of this fishery. Outstanding fish coming out of the lake.

Steve Davis 11-193 – parking at the Pro Shop is terrible. Multi-sports complex, people are parking on the grass. Spillway/dam – still two months later and nothing done with trees and bushes. Keeping the shine on the apple – golf course after the windstorm, two or three trees still down on the Fourth Hole.

Pam Opyd 5-037 – fishery – we worked for the last 10 years to make it a great fishery. Emphasis the fact that this work needs to continue to keep this lake where it is at now.

LeAnn Kileen 12-062– recycling – is it all over ACL? Pro Shop? Marina? Would like to see more recycling cans out. Commission minutes posted online? Whose responsibility is this? Jon – would be the Communications department.

Gary Hannon 8-239 – agree with all comments about maintenance department – feels like we are short staffed. Budget tight next year – we all know that. But we cannot let other things slide to save, be very careful with that concept. Zebra mussel – part of conservation commission. Would like to be notified when treatments are happening. Advise the conservation commission. Tyler has put quite a bit of money in his budget request for projects. There are some projects that we need to consider seriously. Making progress on Covenants and Bylaws – great. Concept is wonderful, trust that electronic voting will be in place. No longer deal with K&S and do not frequent the Cove. Support the retail service ad hoc commission.

Henry Doden 13A129 – according to our building code, chain link fences have to be colored or coated – sports complex is galvanized. CICC – membership is supposed to get the budget for the year and also an honest to goodness estimate for the next year.

Jeff Rice 1-52 – stating that Jon is busy is an understatement. Retail issue – experience on trails and golf has been nothing but good. Guidance would be good. Steve's question – trees on golf course. Ed does not want to get heavy equipment there – ruin the grass. This fall we will have a game plan – trees will stay there until ground freezes.

14.0 Adjourn – Motion “to adjourn by Carmel Cottrell, seconded by Deb McNamee, motion carried unanimously at 10:59 AM.

Recording Secretary, Rhonda Perry

President, Nolan Mullen

Corporate Secretary, Laura Pratt

Date