

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
1:00 P.M. - ACL CLUBHOUSE
MAY 19, 2012**

AGENDA NARRATIVE - REVISED

**CATEGORY: UNFINISHED BUSINESS-CAMPGROUND
AGENDA ITEM: 10.1
SUBJECT: CAMPGROUND RENOVATIONS**

After much discussion on the best approach in solving the erosion issues at the campground, Fehr Graham was contacted regarding a cost to evaluate the campground and submit an engineered plan for the sites.

RECOMMENDED MOTION: TBD

**CATEGORY: UNFINISHED BUSINESS-AECC
AGENDA ITEM: 10.2
SUBJECT: REVISED LOT COMBINATION FORM**

All lot combinations requested by property owners and approved by the Board of Directors are done with the complete understanding that they may not be revoked or rescinded. The Jo Daviess County Assessor's Office has expressed their concerns regarding our policy to allow any lots combinations to be rescinded. Attached is the revised form.

RECOMMENDED MOTION: APPROVE THE REVISED LOT COMBINATION FORM AS APPROVED BY LEGAL COUNSEL.

**CATEGORY: NEW BUSINESS-COMMITTEES
AGENDA ITEM: 11.1
SUBJECT: COMMITTEE CHANGES VIA MOTION OF CONSENT**

- A. To accept the resignation of:

- B. To appoint:
 - 1. Erin Winter as Chair of the Conservation Committee
 - 2. Rich Krasula as Vice Chair of the Conservation Committee
 - 3. Kathy Richards to the Recreation Committee
 - 4. Jan Harris to the Recreation Committee
 - 5. Marilyn Detwiler to the Tellers Committee

RECOMMENDED MOTION: APPROVE THE COMMITTEE CHANGES AS LISTED ABOVE.

CATEGORY: NEW BUSINESS-CAPITAL PROJECT
AGENDA ITEM: 11.2
SUBJECT: GENERAL CONTRACTOR FOR POOL PROJECT

On April 25, 2012 at 2:00 PM, the scheduled time, the contractors' bids for construction of the new pool were opened. One contractor was eliminated due to an incomplete bid. The three remaining bids were tabulated for base bid and each of the five alternates. In addition, the primary trades for each bid were tabulated and compared for reasonableness. These tabulations were copied for distribution to members of the Pool Committee at their 3:30 PM meeting. The committee reviewed the tabulations and discussed the qualifications and experience of the low bidder. There followed considerable discussion of each of the alternates and the desirability of contracting for all of the alternates.

In addition, the committee discussed additional costs of the project. These costs include the consultant's fee, the construction contingency, financing costs, and an amount for potential governmental requirements. The aggregate of these costs and the contract total is approximately \$2,250,000.

It was understood that there is the potential for savings in the area of contingencies and financing costs. Financing costs will vary depending on the association's ability to prepay loans. The construction contingency will be used only if needed. It is believed that the additional costs are reasonable and conservatively stated.

After considering all of the above, it was moved and seconded to recommend to the Board that they award a contract to the low bidder for the construction of the new pool including all five alternates. The motion was approved unanimously.

RECOMMENDED MOTION: TO APPROVE THE RECOMMENDATION OF THE POOL COMMITTEE TO ACCEPT CONLON CONSTRUCTION'S BID, WHICH INCLUDES THE FIVE ALTERNATES, AND RETAIN THEM AS THE GENERAL CONTRACTOR FOR THE POOL/BATHHOUSE PROJECT.

CATEGORY: NEW BUSINESS-R&R BUDGET
AGENDA ITEM: 11.3
SUBJECT: APPROVE RE-ALLOCATION OF FUNDS

Due to the unexpected costs to move the Pump House, we are deferring the project #8221 and requesting to use the funds (\$11,000) towards the projects #8058-Concrete Work at Marina, #8218-Clubhouse Annex Doors, and #8220 Office Window. The original budget for the Projects was \$21,750; the actual cost is \$36,800. Three bids were received for each project. Based on the completed projects and a worst-case scenario, I calculated we would use 100% budgeted of the remaining projects and still have \$20,073 left available. In addition, we have a grant from SWCD of \$27,000 due any day that bring the amount to \$\$47,073.

RECOMMENDED MOTION: APPROVE THE RE-ALLOCATION OF R&R FUNDS AS STATED ABOVE.

CATEGORY: NEW BUSINESS-
AGENDA ITEM: 11.4
SUBJECT: RESTRICTED LOTS

Property Owners may apply to have their lot Restricted based on the following:
AMENDED AND RESTATED COVENANTS, Article VI, Section 12.

Restricted Lots. The Owner of any Lot upon which no Structure has been erected may enter into an agreement with the Association wherein the Owner agrees that said Lot shall remain forever vacant open space upon which no Structure of any kind shall be erected, except one requested by the Association and agreed upon by the Owner and the Board. All agreements creating a Restricted Lot shall be in substance and form acceptable to the Board and suitable for recording, and when agreed to by the Association shall be recorded with the Recorder of Deeds of Jo Daviess County, Illinois. Restricted Lots subject to such an agreement shall beginning in the year following the recording of such agreement be liable for only sixty per cent (60%) of any future annual assessments. Restricted Lots shall continue to remain liable for any Special Assessments approved pursuant to Section 4 hereof. The Owner of a Restricted Lot shall have all of the rights and privileges of any other Owner, except as modified by such agreement, and shall continue to remain responsible for the maintenance of such Restricted Lot as is the owner of any other vacant Lot.

Brian Hartlep, ACL Building Inspector, verified there were no structures on the lots. The lots were also crosschecked with the County to make sure there was no septic system on the lot.

At this time, the following property owners are requesting the Board approve their request to have their lot Restricted. Once Board approved, the property owner will be given the legal document prepared by ACLPOA Legal Counsel to take to the JDC Recorder's Office to have their deed changed and recorded.

1. LOT 05-129 - APPROVE
2. LOT 08-011 - APPROVE
3. LOT 03-078 - APPROVE
4. LOT 13-096 - APPROVE
5. LOT 03-038 - APPROVE
6. LOT 13-019 -Requires discussion-small garden fence

RECOMMENDED MOTION: APPROVE THE LOTS AS LISTED ABOVE TO BE RESTRICTED. RECORDED DEED MUST BE RETURNED TO PHIL JENSEN, ACLPOA LEGAL COUNSEL, AND ACLPOA OFFICE PRIOR TO DECEMBER 31, 2012 TO QUALIFY FOR REDUCTION IN DUES FOR 2013.

CATEGORY: NEW BUSINESS-CONSERVATION COMMITTEE
AGENDA ITEM: 11.5
SUBJECT: RESOLUTION TO SUPPORT EQIP PROGRAM

The Environmental Quality Incentives Program or EQIP is offering applicants an opportunity for reimbursement up to certain set amounts based on the extent of the Forestry Plan. ACLPOA is applying for a Forestry Program to help us professionally and wisely manage our forested acres. The Conservation Committee is in full support of this program.

RECOMMENDED MOTION: APPROVE AND SUPPORT THE EQIP PROGRAM.

CATEGORY: NEW BUSINESS-AECC
AGENDA ITEM: 11.6
SUBJECT: VARIANCE FOR FENCE SURROUNDING PORT-A-POTTIES ON GOLF COURSE

ACLPOA Management is requesting a variance to the Fence Code, which currently states:

Fences: Fences are permitted within property lines provided the following restrictions are observed:

- A. Fences may be constructed of natural finished wood or vinyl fencing, earth tone colors required.
- B. The maximum height of fences shall be fifty inches (50").
- C. Fences shall have at least fifty percent (50%) of their vertical faces open, i.e., not solid.
- D. Woven wire or chain link type fences are allowed only within Building setback lines and not along the front setback.

Attached are the drawings and specifications for the fence to be used on the two port-a-potties.

RECOMMENDED MOTION: APPROVE THE VARIANCE FOR THE FENCE FOR THE TWO PORT-A-POTTIES ON THE GOLF COURSE.

CATEGORY: NEW BUSINESS-NOMINATING COMMITTEE
AGENDA ITEM: 11.7
SUBJECT: NOMINATING COMMITTEE APPROVAL

ACL Bylaws require:

“The Nominating Committee shall consist of seven Members appointed by the President with the approval of the majority of the Board at the Board meeting preceding the regular annual meeting. Said Nominating Committee shall serve for the year following the next annual meeting. The President shall make an earnest attempt to appoint to the Nominating Committee Members who are representative of all of the subdivisions of the Association, with at least one of them being a current Board member.”

Currently we have two property owners who have committed to serving on the Nominating Committee who will be approved today. We hope to have additional volunteers by the annual meeting on June 2.

1. Rich Miranda
2. Mike Cammack

RECOMMENDED MOTION: APPROVE THE MEMBERS OF THE NOMINATING COMMITTEE LISTED ABOVE.

CATEGORY: NEW BUSINESS-GOLF COMMITTEE
AGENDA ITEM: 11.8
SUBJECT: NEW HOLE AND YARDAGE MARKERS

The Golf Committee is asking the Board of Directors to approve the Golf Committee purchase of new hole & yardage markers to replace current ones. The cost is not to exceed \$2100, which will be paid for by Designated Funds. Current balance in the account is \$1820.74

RECOMMENDED MOTION: APPROVE THE DESIGNATED FUND PURCHASE BY THE GOLF COMMITTEE FOR NEW YARDAGE AND HOLD MARKERS AT A COST NOT TO EXCEED \$2100.