

**APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS MEETING
NOVEMBER 17, 2012
9:00 A.M. - ACL CLUBHOUSE**

AGENDA NARRATIVE - AMENDED

CATEGORY: UNFINISHED BUSINESS
AGENDA ITEM: 10.1
SUBJECT: MEMORIAL PAVILION FUNDRAISING CAMPAIGN

In September, this issue was brought to the Board and the Minutes follow:

11.5 Memorial Pavilion Fundraising Campaign – Vice President Cocagne read the narrative. Rick Paulson moved, Erin Winter seconded, to “Approve the Memorial Pavilion Fundraising Campaign.” Cindy Carton would like to label the campaign “Buy a Board, Buy a Beam, Buy a Truss.” It was explained that a donation of a specific amount places a name on a bronze plaque and donor levels were explained. This will be a chance to make a donation toward a pavilion that will be here for a very long time and items could be donated after the Pavilion is built such as a grill area. The structure will be between the clubhouse and the tower and it has multiple uses. Bob Ballenger suggested a drawing or a plan is need and Cindy stated a conceptual drawing would be made when a certain amount is garnered and then materials could be determined. Marge agreed that a plan and/or drawing with cost projections are needed before presenting to the public. Rich Miranda suggested not waiting too long since this should be in concert with the new pool construction. It would not be nice to have concrete trucks tearing up everything. Erin moved to table the motion but there was no second. There is pavilion money in its own designated fund and a suggestion was to utilize some of it to have a conceptual drawing made. Rick Paulson moved, Erin Winter seconded, to “Amend the original motion by adding ‘with the authority to spend up to \$2,500 from Pavilion-Designated Funds for a conceptual design and campaign not to commence prior to Board approval of conceptual design’.” The motion carried unanimously. The full, amended motion to read: “Approve the Memorial Pavilion Fundraising Campaign with the authority to spend up to \$2,500 from Pavilion-Designated Fund for a conceptual design and campaign not to commence prior to Board approval of conceptual design.” The motion carried unanimously.

Attached is the conceptual design created as requested.

**RECOMMENDED MOTION: APPROVE THE MEMORIAL PAVILION
FUNDRAISING CAMPAIGN.**

CATEGORY: UNFINISHED BUSINESS-COMMITTEES
AGENDA ITEM: 10.2
**SUBJECT: LONG RANGE PLANNING COMMITTEE REQUEST TO RETAIN
PLANNING RESOURCES, INC.**

The Long Range Planning Committee is recommending ACLPOA retain Planning Resources, Inc. to update the existing Long Range Plan. The proposal to update the plan is attached at a cost of \$21,157.50.

**RECOMMENDED MOTION: APPROVE THE MOTION TO RETAIN PLANNING
RESOURCES, INC. AT A COST NOT TO EXCEED \$21,157.50.**

CATEGORY: UNFINISHED BUSINESS-COMMITTEES
AGENDA ITEM: 10.3
SUBJECT: LONG RANGE PLAN COMMITTEE FUNDS

Attached is the proposal from Planning Resources, Inc. to update the ACL Long Range Plan. The Committee would like the Board to approve funds in 2012 for #1 & #2 (\$4841.25), plus additional funds of \$1000 for direct costs not included. Total of \$5841.25. Undistributed funds at the end of 2012 will be carried over to 2013 budget.

RECOMMENDED MOTION: APPROVE THE FUNDS (\$5841.25) FOR THE LONG RANGE PLANNING COMMITTEE TO BEGIN THEIR WORK WITH PLANNING RESOURCES, INC. IN 2012. FUNDS FROM THE 2012 CONTINGENCY FUND.

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

- A. To accept the resignation of:
 - 1. Laura Turek from the Recreation Committee effective 12/31/12
 - 2. Shirley Moore from the Recreation Committee effective 12/31/12
 - 3. Pat Volpert from the Recreation Committee effective 12/31/12

- B. To appoint:
 - 1. Mike Harris to the Rules & Regulations Committee
 - 2. Charles Larsen as Chair of the LRP Committee
 - 3. Duane Suits as Secretary of the LRP Committee
 - 4. Tim Johnson as Vice Chair of the LRP Committee
 - 5. Dane Curtis to the Rules & Regulations Committee
 - 6. Rich Miranda as Chair of the Appeals Board
 - 7. Ron Beckel as Vice Chair of the Appeals Board

RECOMMENDED MOTION: APPROVE THE COMMITTEE CHANGES AS LISTED ABOVE.

CATEGORY: NEW BUSINESS-LEASE
AGENDA ITEM: 11.2
SUBJECT: FARM LEASE

Approve the three year, February 28, 2013-March 1, 2016, farm lease to Rodney and Carol Ann Wurm.

RECOMMENDED MOTION: APPROVE THE FARM LEASE TO RODNEY AND CAROL ANN WURM FOR THREE YEARS.

CATEGORY: NEW BUSINESS-CONTRACTS
AGENDA ITEM: 11.3
SUBJECT: COVE LEASE

Extend the Cove Lease Contract for an additional two years. Current agreement ends on March 16, 2014. New agreement is extended to March 15, 2016.

RECOMMENDED MOTION: APPROVE THE COVE LEASE AGREEMENT FOR AN ADDITIONAL TWO YEARS (MARCH 15, 2016).

CATEGORY: NEW BUSINESS-BUDGET
AGENDA ITEM: 11.4
SUBJECT: POOL FURNITURE

The Pool Committee is recommending the purchase of pool equipment per the Dewberry specifications for the size of the pool. Attached are the motion card with a limit of \$15,000 and the spreadsheet with actual bids. Six bids were obtained, however all were over the limit of \$15,000 with the lifeguard chair. The closest bid to \$15,000 without the Lifeguard Chairs is Contract Furnishings \$16,743.31. The expenditure for the pool furniture will be from the Contingency Fund. The two lifeguard chairs will be purchased from the pool contingency fund and should be less than \$2000 with tax/delivery.

RECOMMENDED MOTION: APPROVE THE PURCHASE OF NEW POOL FURNITURE FROM CONTRACT FURNISHINGS AT A COST NOT TO EXCEED \$17,000 FROM THE OPERATING CONTINGENCY FUND.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.5
SUBJECT: SENIOR EXEMPTIONS

ACL Property Owners may apply for an Annual Senior Exemption on their dues in accordance with the ACLPOA Amended and Restated Covenants, Article VI, Section 13:

Senior Exemption. If a Dwelling qualifies for the Annual Senior Citizen Assessment Freeze as provided in the Jo Daviess County, Illinois Ordinances in effect from time to time, such Dwelling shall be exempt from any increase in future annual assessments which become effective the year after the granting of such Senior Citizen Assessment Freeze. The Owner of a Dwelling which qualifies for this Senior Exemption shall before January 1st provide the Association with satisfactory evidence that the Dwelling has qualified for the County's Senior Assessment Freeze program for the following year. Such dwelling shall continue to remain liable for any ACLPOA Special Assessments approved pursuant to Section 4 hereof. All such ACLPOA Senior Exemptions shall end on the year immediately following the first to occur of the conveyance or transfer of the Dwelling to a third party or the death of the last surviving Owner entitled to such Senior Citizen Assessment Freeze.

At this time, thirty-seven property owners have provided the necessary information to qualify for the Senior Freeze and are requesting the Board approve their request to have their Dues exempted from the increase in 2013. List is attached.

RECOMMENDED MOTION: APPROVE THE ACLPOA ANNUAL APPLICATION FOR SENIOR EXEMPTION - 2013 FOR THE LOTS ON THE ATTACHED LIST.

CATEGORY: NEW BUSINESS-RESOLUTION
AGENDA ITEM: 11.6
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 crossed checked 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.

RECOMMENDED MOTION: ALLOW LOTS 11-157, 05-137, 05-132, 13-054, AND 12-186 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-RESOLUTION
AGENDA ITEM: 11.7
SUBJECT LOT COMBINATION

The AECC Committee reviewed the request to combine lots 13A19 with 13-017 & 13-018 subject to a legal opinion on combination of a restricted lot. The issue was forwarded to Phil Jensen who responded, "There should be no problem with a lot combination of a lot with improvements to be joined with a lot that has a restriction on any improvements. The old legal description will not evaporate with the combination. As I understand it, the legal will still identify the number of the two lots. Therefore, we can continue to identify what portion of the lot combined is prohibited from having any improvements on it."

RECOMMENDED MOTION: APPROVE THE LOT COMBINATION FOR LOT 13A19 WITH 13-017 & 13-018.