



Memorandum

To: ACL Board

Date: November 3, 2014

From: Megan Shamp

Memo #: 2014-78

Topic: November committee changes

Recommendation: To appoint Bob Stanger to the Maintenance and Rules and Regulations Committees, Marge Clark to the Rules and Regulations Committee, and George Drogosz to the Ad Hoc Amenity Tag Committee; and to accept the resignation of Kevin Kavanaugh from the Maintenance Committee, Pat Reese from the Rules and Regulations Committee, and Bob Stanger from the Legislative Action and Legal Committees.

Memorandum



To: ACL Board

Date: November 3, 2014

From: Megan Shamp

Memo #: 2014-80

Topic: removal of signer for ACLPOA accounts

Recommendation: To remove former Operations Director Tim Ridder from all accounts.

Issue: All accounts need to be updated to reflect the resignation of former Operations Director Tim Ridder. These accounts include those held at Citizens State Bank, Apple River State Bank, the safety deposit box and CD at Apple River State Bank, American Funds, US Bank accounts and CD, and the US Bank credit card account. Mr. Ridder's separation agreement was approved at the October 18, 2014 Board of Directors meeting.



Memorandum

To: ACL Board

Date: November 12, 2014

From: Rick Paulson

Memo #: 2014-60 (revised)

Topic: Restricted Lots recommended for approval by staff

Recommendation: To approve the Request to Restrict Lot for 04-097, 04-155, 05-112, 06-094, 07-016, 07-088, 07-168, 09-008, 09-128, 11-129, 11-312, 12-347, 13-023, 13-038, 13-078, 13-100, 12-180, 11-161, 11-292, and 11-311. The recorded Restrictive Covenant must be returned to Phil Jensen, ACLPOA Legal Counsel, and the Association Office on or before March 1, 2015 to qualify for the reduction in the annual assessment (dues) for 2015.

Issue: Staff is in receipt of ²⁷18 applications for restricted lots. All lots were inspected and deemed to be unimproved by the building department staff with the exception of two. The following is a list of lots that have no structures or any history of a structure on the lot:

4-97 Springfield
4-155 North Apple Canyon
5-112 North Apple Canyon
6-94 Appomattox
7-16 Broken Lance
7-88 Apache
7-168 Coyote
9-008 White Birch
9-128 Hawthorne
11-129 Hogan
11-312 Wedge
12-347 South Apple Canyon
13-23 Mustang
13-38 Mustang
13-78 West Apple Canyon
13-100 West Apple Canyon
12-180 South Apple Canyon
11-161 Birdie
11-292 Brassie
11-311 Wedge

Memorandum



To: ACL Board

Date: Sept. 10, 2014

From: Rick Paulson

Memo #: 2014-61 (revised)

Topic: Restricted Lots requiring Board consideration

Recommendation: To _____ the Request to Restrict Lot for 9-130 and 12-131. The recorded Restrictive Covenant must be returned to Phil Jensen, ACLPOA Legal Counsel, and the Association Office on or before March 1, 2015 to qualify for the reduction in the annual assessment (dues) for 2015.

Issue: Staff is in receipt of 18 applications for restricted lots. All lots were inspected and deemed to be unimproved by the building department staff with the exception of two. The following two lots require Board consideration and approval:

9-130 Hawthorne has a welded wire fence around newly planted trees. The owner lives at 9A129.

12-131 Johnson has a permanently installed swing between two posts, a steel fence around a garden and a steel arbor which may be straddling the property line. If the steel arbor becomes the only item keeping this lot from being restricted, I suggest that the Board require a survey to determine the exact location before approving the restricted lot.

Memorandum



To: ACL Board

Date: November 5, 2014

From: Cindy Carton

Memo #: 2014-82

Topic: 2015 Date for Annual fireworks

Issue: The Communications Department plans to produce a 2015 glossy calendar (paid for by advertiser revenues) which will include the dates of most ACL events, as well as regularly scheduled Board and Committee meetings. The bottom of each page will include the language "Meetings and events subject to change. Watch *The Apple Core* for updated announcements, or log onto www.applecanyonlake.org." A coupon for one free calendar per OARF will be included with ACLPOA's annual statements, mailed in January.

Analysis: It is essential that the Board takes note of, and acts on, the following:

- annual fireworks display on **FRIDAY, JULY 3, 2015** which moves away from the traditional "Saturday before the 4th" schedule we have followed over the years
- dates of regularly scheduled Board meetings which are, at times, the same weekend as a holiday
- meetings/events where the Board's presence is requested.

The Board's input is desired so that I may submit the final material to the printer by November 18, 2014.

Recommendation: That the Board approve Friday, July 3, 2015 for the annual fireworks show and approve the attached 2015 Calendar of events for publishing before November 18, 2014.

2015 ACLPOA Proposed Calendar

Dates are subject to change

January

January 1, NEW YEARS DAY, Association Office closed
January 6, 9 am, Maintenance Comm
January 7, Statements mailed
January 7, 6:30 pm, Bass Club
January 8, Apple Core Delivery
January 8, 9 am, Recreation Comm
January 10, 8:30 am, Appeals, if needed
January 10, 8 am, AECC
January 14, 9 am, Sewing Club
January 15, Deadline: Letters to Editor
January 17, 9 am, Board Meeting
January 17, 1-3 pm, Sledding party on Hole 9
January 20, 5:30 pm, potluck
January 22, Apple Core deadline
January 22, 1 pm, Euchre
January 24, 9 am, Trails Comm
January 31, Payment Plan signup deadline

February

February 3, 9 am, Maintenance Comm
February 4, 6:30 pm, Bass Club
February 7, 8 am, AECC
February 7, 9 am, Conservation Comm
February 7, 1 pm, Midwinter Gathering of Campers
February 11, 9 am, Sewing Club
February 12, Apple Core Delivery
February 12, 9 am, Recreation Comm
February 14, 8:30 am, Appeals, if needed
February 15, Deadline: Letters to Editor
February 17, 5:30 pm, potluck
February 21, 9 am, Board Meeting
February 22, Apple Core deadline
February 25, Payment Plan late signup deadline
February 26, 1 pm, Euchre
February 28, 9 am, Trails Comm

March

March 1, Assessments & Fees due (includes seasonal slips/sites)
March 1, 1st payment plan installment withdrawn
March 2, \$125 Delinquent Dues Fee assessed
March 3, 9 am, Maintenance Comm
March 4, 6:30 pm, Bass Club
March 6, 6 pm, Hunter Safety Class
March 7, 7:30 am, Hunter Safety Class

March 7, 8 am, AECC
March 7, 9 am, Conservation Comm
March 10, 1:30 pm, Golf Comm
March 11, 9 am, Sewing Club
March 12, 7 pm, Watershed Meeting
March 12, 9 am, Recreation Comm
March 12, Apple Core Delivery
March 14, 8:30 am, Appeals, if needed
March 14, 10:30 am, Watershed Meeting
March 15, Deadline: Letters to Editor
March 15, Unpaid Seasonal Boat Slips forfeit
March 17, 5:30 pm, potluck
March 21, 8 am, Candidate Orientation w/Board?
March 21, 9 am, Board Meeting
March 22, Apple Core deadline
March 26, 1 pm, Euchre
March 28, 10 am, Slip Swap
March 28, 9 am, Trails Comm
March 28, 9 am, Campground Comm

April

April 1, Campground Opens
April 1, Interest assessed
April 1, 6:30 pm, Bass Club
April 9, 9 am, Recreation Comm
April 3, Association Office closed
April 3, Campground opens, weather permitting
April 4, 9 am, Conservation Comm?
April 5, EASTER
April 7, 9 am, Maintenance Comm
April 8, 9 am, Sewing Club
April 9, Apple Core Delivery
April 9, 9 am, Recreation Comm
April 11, 10 am, Slip Assignment Day & Sublicense Assignments
April 11, 8:30 am, Appeals if needed
April 11, 8 am, AECC
April 14, 1:30 pm, Golf Comm
April 15, Deadline: Letters to Editor
April 18, 9 am, Board Meeting and Meet the Candidates, immediately following
April 18, TBA, Earth Day Spring Clean-Up
April 21, 5:30 pm, Potluck
April 22, Apple Core deadline
April 22, 11 am, Garden Club Spring Lunch
April 23, 1 pm, Euchre
April 25, TBA, Style Show
April 25, 9 am, Campground Comm
April 25, 9 am, Deer Comm
April 25, 9 am, Trails Comm

April 26, 7 am, Buddy Bass Tourn
April 30, Garden Club Spring Clean-Up

May

May 1, Liens filed on unpaid assessments
May 2, 8 am, AECC
May 2, 9 am, Conservation Comm
May 2, TBA, Laura Turek Memorial Golf Outing
May 5, 9 am, Maintenance Comm
May 6, 6:30 pm, Bass Club
May 7, Apple Core Delivery
May 7, RAIN DATE - GC Spring Clean
May 9, 8:30 am, Appeals if needed
May 10, MOTHERS DAY
May 12, 1:30 pm, Golf Comm
May 13, 9 am, Sewing Club
May 14, 9 am, Recreation Comm
May 15, Deadline: Letters to Editor
May 15, Triathlon Registration
May 15, 2nd payment plan installment withdrawn
May 16, 9 am, Galena Triathlon
May 16, 1 pm, Board Meeting
May 19, 5:30 pm, potluck
May 20, 6:30 pm, Bocce
May 22, Apple Core deadline
May 23, 9 am, Trails Comm
May 23, 9 am, Campground Comm
May 24, 8-12, Pancake Breakfast
May 25, MEMORIAL DAY - Association Office CLOSED
May 27, 6:30 pm, Bocce
May 28, 1 pm, Euchre
May 30, 9 am, Deer Comm
May 30, 5 pm, Relay for Life Dinner
May 31, 6:30 am, Buddy Bass Tourn

June

June 2, 9 am, Maintenance Comm
June 3, 6:30 pm, Bass Club
June 3, 6:30 pm, Bocce
June 6, 8-2, ACL Garage Sales
June 6, 8 am, AECC
June 6, 9 am, Conservation Comm
June 9, 1:30 pm, Golf Comm
June 10, 6:30 pm, Bocce
June 10, 9 am, Sewing Club
June 11, Apple Core Delivery
June 11, 9 am, Recreation Comm
June 12, Mailed ballots for BOD election due to office

June 13, 8:30 am, Appeals if needed

June 13, 1 pm, Annual Meeting (ballots cast by 1 pm)

June 15, Deadline: Letters to Editor

June 16, 5:30 pm, potluck

June 17, 6:30 pm, Bocce

June 20, 9 am, Board Meeting

June 21, FATHERS DAY

June 22, Apple Core deadline

June 23, TBA, Ladies Invitational

June 24, 6:30 pm, Bocce

June 25, 1 pm, Euchre

June 27, 10-1, Farm Fun Days

June 27, 9 am, Deer Comm

June 27, 9 am, Trails Comm

June 27, 9 am, Campground Comm

June 28, 6 am, Buddy Bass Tourn

July

July 1, 6:30 pm, Bass Club

July 1, 6:30 pm, Bocce

July 2, 9 am, Recreation Comm (tentative)

FRIDAY, JULY 3, dusk, Fireworks (if this date does not work, we will go back to the Saturday before the 4th which would be June 27)

Saturday, JULY 4

July 4, 9 am, Conservation Comm (tentative)

July 5, 8:30 am, Kids Fishing Tournament

July 6, Association Office closed

July 7, 9 am, Maintenance Comm

July 8-10, 1 pm, Kids Camp

July 8, 9 am, Sewing Club

July 8, 6:30 pm, Bocce

July 9, Apple Core Delivery

July 9, 7 pm, Watershed Meeting

July 11, 8:30 am, Appeals Comm, if needed

July 11, 8 am, AECC

July 11, 10:30 am, Watershed Meeting

July 11, 7:30 pm, Open Air Concert at Nixon Beach

July 14, 1:30 pm, Golf Comm

July 15, 6:30 pm, Bocce

July 15, Deadline: Letters to Editor

July 15, Final payment plan installment withdrawn

July 18, 9 am, Board Meeting

July 18, Big Cup Tourn (rain date 7/19)

July 21, 5:30 pm, potluck

July 22, Apple Core deadline

July 22, 6:30 pm, Bocce

July 23, 1 pm, Euchre

July 25, 9 am, Deer Comm

July 25, 9 am, Trails Comm
July 25, 9 am, Campground Comm
July 26, 6 am, Buddy Bass Tourn
July 29, 6:30 pm, Bocce
July 31, Deer Management Program application deadline

August

August 1, TBA, Fun (color) Run on the trails
August 1, 8 am, AECC
August 1, 9 am, Conservation Comm
August 4, 9 am, Maintenance Comm
August 5, 6:30 pm, Bocce
August 5, 6:30 pm, Bass Club
August 6, Apple Core Delivery
August 8, 8:30 am, Appeals, if needed
August 11, 1:30 pm, Golf Comm
August 12, 9 am, Sewing Club
August 12, 6:30 pm, Bocce
August 13, 9 am, Recreation Comm
August 15, Deadline: Letters to Editor
August 15, 9 am, Board Meeting
August 18, 5:30 pm, potluck
August 19, 6:30 pm, Bocce
August 22, Apple Core deadline
August 22, 9 am, Trails Comm
August 22, 9 am, Campground Comm
August 27, 1 pm, Euchre
August 27, TBA, Bocce Tourn/Dinner
August 29, 9 am, Deer Comm
August 30, 6:30 am, Buddy Bass Tourn

September

September 1, 9 am, Maintenance Comm
September 2, 6:30 pm, Bass Club
September 5, 9 am, Conservation Comm
September 6, 10-4, Ice Cream Social
September 7, LABOR DAY, Office closed
September 9, 9 am, Sewing Club
September 8, 1:30 pm, Golf Comm
September 10, Apple Core delivery
September 10, 9 am, Recreation Comm
September 10, 7 pm, Watershed Meeting
September 12, 8:30 am, Appeals, if needed
September 12, 8 am, AECC
September 12, Property Owner Tournament (rain date 9/19)
September 12, 10:30 am, Watershed Meeting
September 15, Deadline: Letters to Editor
September 15, 5:30 pm, potluck

September 19, 9 am, Board Meeting

September 20, 7 am, Buddy Bass Tour
September 22, Apple Core deadline
September 23, 11 am, Garden Club Fall Lunch
September 24, 1 pm, Euchre
September 26, 9 am, Deer Comm
September 26, 9 am, Trails Comm
September 26, 9 am, Campground Comm

October

October 3, Oktoberfest
October 3, 8 am, AECC
October 3, 9 am, Conservation Comm
October 3 & 4, 7:30 am, Buddy Classic Tour
October 6, 9 am, Maintenance Comm
October 7, 6:30 pm, Bass Club
October 8, Apple Core delivery
October 8, 9 am, Recreation Comm
October 8, 9 am, Garden Club Cleanup
October 10, 8:30 am, Appeals, if needed
October 10, Relay for Life Dinner
October 13, 1:30 pm, Golf Comm
October 14, 9 am, Sewing Club
October 15, Deadline: Letters to Editor

October 17, 9 am, Board Meeting

October 20, 5:30 pm, potluck
October 22, Apple Core deadline
October 22, 1 pm, Euchre
October 24, 9 am, Trails Comm
October 24, 9 am, Campground Comm
October 25, Campground closes
October 31, 9 am, Deer Comm

November

November 3, Elections
November 3, 9 am, Maintenance Comm
November 4, 6:30 pm, Bass Club
November 7, 8 am, AECC
November 7, 9 am, Conservation Comm
November 11, VETERANS' DAY, Association Office closed
November 11, 9 am, Sewing Club
November 12, Apple Core delivery
November 12, 9 am, Recreation Comm
November 14, 8:30 am, Appeals if needed
November 15, Deadline: Letters to Editor
November 17, 5:30 pm, potluck

November 21, 9 am, Board Meeting

November 22, Apple Core deadline

November 26, Thanksgiving, Association Office closed

November 27, Association Office closed

November 28, 9 am, Deer Comm (tentative)

November 28, 9 am, Trails Comm (tentative)

December

December 1, Deadline for Senior Exemptions & Restrictive Covenants (Restricted Lots)

December 1, 9 am, Maintenance Comm

December 2, 6:30 pm, Bass Club

December 5, 8 am, AECC

December 5, 9 am, Conservation Comm

December 8, 10 am, Musicale (rain date 12/9)

December 9, 9 am, Sewing Club

December 10, 9 am, Recreation Comm

December 10, 7 pm, Watershed Meeting

December 12, 8:30 am, Appeals, if needed

December 12, 10:30 am, Watershed Meeting

December 15, Deadline: Letters to Editor

December 15, Early Apple Core deadline

December 19, NO BOARD MEETING? Tentative? 5th? 12th?

December 24 – Association Office closed

December 25 – Association Office closed

December 31 – Association Office closed

Memorandum



To: ACL Board

Date: November 3, 2014

From: Megan Shamp

Memo #: 2014-79

Topic: boat slip/boat registration

Recommendation: That the only requirement for long term assignment of both transferable and non-transferable boat slips be that the payment for the boat slip and boat be made by March 1 of each year. Revised Rules and Regulations and Operational Programs and Procedures reflecting this change are included in the packet and attached to the motion card. Individuals who are not using their slip will be encouraged to enter the slip in the ACLPOA Sub-license Boat Slip Program through education about that process. The Rules and Regulations Committee approved the change to the Rules & Regulations by an electronic & phone vote which will be ratified at their November 8, 2014 meeting. Copies of their email votes are included in the Board packet.

Issue: The current Boat Slip License and Governing Documents require that a boat be registered to a slip by March 1 of each year by submitting their signed License Agreement, providing current insurance and registration information, and paying the fee. There is no requirement that the boat ever be stickered and put in the water. Last year when it came time to fine those individuals who had not provided the registration information, and for property owners with non-transferable boat slips to potentially forfeit them if the information was not provided or fine paid, the previous Board did not support staff in enforcing the rules in place.

Staff does not see any benefit to the requirement that a boat be registered to a boat slip. We understand that some individuals have been waiting for a particular slip that they see sitting empty, however, if that slip is transferable, there is no penalty other than a fine for not turning in the registration information or license. That slip will remain with the property so long as it is paid on time. For the past few years we have had more slips available in the sub-license program than people interested in them. Many people have purchased a kayak or other non-motorized watercraft to register to the slip, with no intention of ever using it. The current rules place a hardship on staff who spend hundreds of hours contacting people about the registration requirements.

Operational Programs and Procedures

TERMS OF LONG-TERM SLIP ASSIGNMENT

TERMS OF LONG TERM SLIP ASSIGNMENT

Annual Dues and all assessments must be paid in full, and on time, every year *on all properties owned*. Only one Boat Slip will be assigned per lot. The fee for ALL boat registrations will be the motorized fee on the then current schedule regardless of the type of boat you are registering. **Property Owners not registering a boat to their current slip are encouraged to enter the slip in the Sub-Licensed Boat Slip Program.**

Property owners who already have an assigned Boat Slip MUST pay the Boat Slip Fee AND Boat Fee by March 1 of each year. Failure to do so will result in forfeiting your rights to your current assigned Boat Slip per ACL **Annual** Boat Slip License Agreement. The forfeited Boat Slip is then offered to the first property owner on the waiting list.

A Boat Slip License Agreement must be completed and signed by property owners prior to or at the time of payment. This agreement **must be re-submitted on an annual basis remains in effect as long as the property owner owns the lot of the Boat Slip is assigned to**. The license is subject to change.

~~Property owners newly assigned to an ACLPOA Boat Slip will have until March 1 of the following year to register a boat for the licensed slip. All watercraft registered to an Association Slip shall pay the motorized fee on the current fee schedule. Boat registration must be completed providing proof of insurance and a valid State Watercraft Registration card prior to launching their boat. Thereafter, the Boat Slip and Boat fees are both due on March 1 of every year.~~

~~For existing boat slip licenses, both the boat slip fee and boat fee are due March 1. In order to administer the new boat slip sub-license program in a timely manner, we have changed the due date for payment. It is critical that you keep your addresses up to date with the ACL office. A statement will be sent in January. Written notices will also be placed in the December, January and February *Apple Core* and posted on the ACL website.~~

Adopted: January 1, 2003

Amended: May 1, 2008

Amended: November 4, 2008

Amended: November 15, 2008

Amended: July 16, 2011

Amended: July 16, 2011

Amended:

Rules and Regulations

F. Boat Slips

1. All boat slips must be approved in accordance with the Architectural and Environmental Control Committee Piers and Boat Slips Guidelines. Assignment of boat slips shall be the responsibility of the General Manager.
2. No boat lifts or boat slips are permitted on greenways.
3. Association boat slip assignments are limited to one boat slip space per lot on an annual basis as per license agreement.
4. All ACLPOA boat slips are assigned to lots and not to the property owner. However, the Property Owner has the right to change the assigned slip to another lot of the same Property Owner. This change must take place prior to the sale of lot.
5. After December 31 of the current year the ACL boat slip licensee of record may offer his/her boat slip for sub-license. All sub-license transactions will be executed through the ACL Boat Slip Sub-license Program. The ACL Boat Slip Sub-license Program will be managed by the ACL business office. Boat slip sub-licensing not transacted through the ACL Boat Slip Sub-license Program will be considered unauthorized. The ACL boat slip licensor of record will receive a $\frac{3}{4}$ boat slip rental fee rebate after his/her boat slip has been sub-licensed. The sub-licensor will also pay to the ACLPOA the annual fee in full, based on the current fee schedule. Should a boat slip trade occur on a sub-licensed slip during the calendar year, then the sublicense must travel to the new slip. All boat slip sub-licenses expire on December 31 of each calendar year. Sub-licenses may be terminated at any time by mutual agreement between the licensor of record and the sub-licensee. The ACL business office is to be notified when sub-licenses are terminated prior to December 31 of the current calendar year. No fee refunds will be paid by ACLPOA for sub-licenses terminated early.
6. No private permanent floating device such as a raft is permitted.
7. Inflatable rafts will be allowed in a no wake zone only and must be removed by sunset or when not in use.
- ~~8. As of March 16, 2013, any property owner licensing an Association boat slip for the first time must register a boat for each boat slip space by March 1 of the following year. Failure to do so will result in the termination of the boat slip license.~~
9. Boat slip leases granted prior to November 17, 2002, shall be grandfathered as transferable boat slips. If exchanging boat slips for a preferred location, this transferability may be traded to the new boat slip.
10. All new boat slip additions, as well as those released back to the Association, after November 17, 2002, shall be Non-Transferable (N.T.). Such licenses will be subject to annual license renewal and only transferable to ACL property that is owned by the same licensee.
11. To maintain the Association boat slip assignment from year to year:

a. Payment of Annual Dues, OARF(s), Trash, and the Seasonal Boat Slip/Boat Fee must be made on or before March 1 on all properties owned.

b. A ~~completed and~~ signed Boat Slip License agreement must be returned with payment on or before March 1.

Memorandum



To: ACL Board

Date: November 6, 2014

From: Megan Shamp

Memo #: 2014-84

Topic: Revised Annual Boat Slip License

Recommendation: To approve the revised Annual Boat Slip License as included in the Board packet and attached to the motion card.

Issue: The current Boat Slip License has been revised to remove insurance and watercraft registration requirements.

APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION

2015 ANNUAL BOAT SLIP LICENSE

Licensors: Apple Canyon Lake Property Owners Association (“ACL”)

Licensee: Name: _____

Address: _____

This agreement effective as of **January 1, 2015** through **December 31, 2015**, between Apple Canyon Lake Property Owners Association (hereinafter referred to as “ACL”) and _____ (hereinafter referred to as “Boat Owner” or “Licensee”). This Boat Slip License supersedes all prior agreements between ACL and Licensee.

ACL grants to Boat Owner, and Boat Owner accepts from ACL, a boat mooring license for the Slip space known as Association Slip # _____ subject to the following terms and conditions.

1. **DEFINITIONS:**

- A. **Transferable Slip (T).** Slip leases granted by ACL to lot owners prior to November 17, 2002 are transferable Slips. (*Rules and Regulations*, January 2012 edition, pg. 10) Lot owners having Transferable Slips may exchange slips to a different location without impacting the transferability of their Slip. Transferable Slips are subject to all Rules and Regulations of ACL. Transferable Slips can be transferred to a new property owner at the time of the sale of their lot. If a Transferable Slip is transferred to a new buyer, both seller and buyer must sign the Assignment of Transferable Dock form prior to the close of the sale. Failure to complete and sign the Assignment of Transferable Dock form results in the Transferable Slip automatically returning to the ACL Slip pool and becoming a Non-Transferable Slip.
- B. **Non-Transferable Slip (NT).** All Slips assigned by ACL after November 17, 2002 are non-transferable. Non-Transferable Slips are subject to all Rules and Regulations of ACL. Non-Transferable Slips may only be transferred to another ACL property owned by the same boat slip licensee. Non-Transferable Boat Slips are reassigned by the ACL office upon the sale of a lot except as set forth herein.

2. **ANNUAL LICENSE FEES:**

Boat Owners shall pay ACL for the use of the slip space the sum of \$200 for the boating season which shall commence on **January 1, 2015** and end on **December 31, 2015**. This License Fee of \$200 shall be payable on or before the first day of March of each year.

3. **LOSS OF PRIVILEGES AND PENALTIES FOR NON-PAYMENT/~~NON-COMPLIANCE:~~**

Failure to pay annual Slip license fee ~~and submit annual Boat Slip License Agreement~~ by March 1 each and every year risks loss of your Boat Slip License. All transferable and non-transferable Slip license fees ~~and completed Licenses~~ are due each and every year on **March 1**. Slip License holders who pay their license fee and submit their annual Boat Slip License Agreement by between **March 2 and March 15** shall be assessed a \$100 late fee. Slip License holders who have not paid ~~and/or submitted their completed License~~ by **March 1** shall be mailed a certified letter containing a warning that their Slip shall be forfeited if the annual fee plus late fees ~~and/or License~~ are not received by March 15. **ALL SLIP LICENSE HOLDERS NOT PAYING THEIR ANNUAL FEE AND ANY APPLICABLE**

LATE FEES ~~AND/OR NOT RETURNING THEIR COMPLETED ANNUAL BOAT SLIP LICENSE~~ ON, OR BEFORE, MARCH 15 SHALL FORFEIT THEIR SLIP(S) TO ACL AND THE SLIP SHALL BE ASSIGNED TO ANOTHER ACL LOT OWNER AS A NON-TRANSFERABLE SLIP. See #7 below for requirements to complete the License.

4. **LIMITATION OF ACL LIABILITY:**

Licensee acknowledges that he or she has inspected the Boat Slip and is satisfied that the mooring space is adequate for safe mooring of his or her boat. This agreement is not a bailment of the Boat Owner's boat but a license to occupy a slip and ACL's liability is limited to supervision and maintenance of the piers. ACL assumes no responsibility for tending moor lines.

5. **DAMAGE TO ACL PROPERTY:**

If any damage to ACL property or any other boat is caused by the act or neglect of the Boat Owner, his or her agents or employees, or anyone operating the boat described herein, the ACL office may, at its option, repair such damage whether caused to the premises of the Slip or to Licensees or occupants thereof and Boat Owner shall thereupon reimburse the ACL office for the total cost of such damage both for the premises at ACL and to the property of the Licensees or occupants thereof.

6. **TRANSFER, ASSIGNMENT AND SUBLETTING:**

Slip License rights hereunder may not be transferred or assigned except as provided for herein and in accordance with ACL **Operational Programs and Procedures. Rules and Regulations.**

7. **RULES AND REGULATIONS:**

Lot Owner acknowledges that he/she has received and read the ACL Rules and Regulations. These Rules and Regulations may be changed or amended from time-to-time. Lot Owner agrees to abide by said Rules and Regulations and understands that violations of said Rules could lead to forfeiture of the Slip.

Lot Owner agrees that any dues and fees owing ACL (including but not limited to annual dues, OARF(s), trash fees, outstanding fines or special assessments) must be paid as a condition to ACL accepting Lot Owner's Boat Slip License.

Lot Owner must provide the ACL office with proof of current State Watercraft Registration and proof of boat insurance with a minimum of \$500,000 in liability coverage per occurrence **prior to receiving a current year decal. ~~ALL SLIP LICENSE HOLDERS NOT SUPPLYING PROOF OF BOAT INSURANCE AND PROOF OF CURRENT STATE WATERCRAFT REGISTRATION, AS DEFINED IN THE ACL RULES & REGULATIONS, ON, OR BEFORE, MARCH 1 SHALL NOT BE IN COMPLIANCE WITH THE ANNUAL BOAT SLIP LICENSE AND THE LICENSE SHALL NOT BE DEEMED COMPLETE. THE BOAT SLIP LICENSE SHALL BE SUBJECT TO FORFEITURE AS OUTLINED ABOVE IN NUMBER 3. LOSS OF PRIVILEGES AND PENALTIES FOR NON-PAYMENT/NON-COMPLIANCE.~~**

8. **TERMINATION OF NON-TRANSFERABLE SLIPS:**

On the sale of an ACL lot with accompanying Non-Transferable Slip rights, this agreement shall automatically and immediately terminate. The Slip License shall forthwith be reassigned to another ACL lot owner at ACL's sole discretion and in accordance with applicable rules and regulations. (In accordance with ACLPOA's Operational Programs and Procedures, Long-Term Boat Slip Transfers, a Non-Transferable Slip can be transferred to another lot owned by the same owner.) **in accordance with ACL Rules and Regulations.)**

9. **TERMINATION OF TRANSFERABLE SLIPS:**

Transferable Slip licenses shall terminate only for failure of a transferable Slip licensee to pay their annual fee within the timeline set forth herein, or for failure of a seller and buyer to sign the Assignment of Transferable Dock form prior to the sale of the lot with the corresponding Transferable Slip or from a violation of ACL Rules and Regulations related to the use of Slips.

10. **REMOVAL OF BOAT ON TERMINATION:**

On termination of this agreement, Boat Owner shall immediately remove the boat from the mooring slip and shall remove all other of his/her personal property. Should ACL deem it necessary to move the boat and personal property, it will be at Boat Owner's expense. If Boat Owner fails to remove the boat within three (3) days after termination of this agreement, Boat Owner agrees that ACL may (but is not required) cause the boat to be removed, together with any personal property located on or about the boat to a mooring or dry Slip location of ACL's choice, and Boat Owner shall pay or reimburse to ACL all costs incurred or charged by ACL and any third party by reason of such removal. Boat Owner agrees that ACL, its officers, directors, agents and employees shall have no liability to Boat Owner or to any other person for any loss or damage resulting from any such removal of boat or failure to remove such boat, whether occurring by negligence or otherwise, and Boat Owner waives any rights against all such persons and entities by reason of such removal.

LICENSOR:

LICENSEE(S)/BOAT OWNER(S):

**APPLE CANYON LAKE PROPERTY
OWNERS ASSOCIATION**

**By: _____
Rick Paulson, Interim Operations Director**

By: _____

By: _____



Memorandum

To: ACL Board

Date: November 5, 2014

From: Megan Shamp

Memo #: 2014-81

Topic: ACL Payment Plan

Recommendation: That the Board approve the ACLPOA Payment Plan terms and fees as included in the Board packet and attached to the motion card.

Issue: Last year we had many property owners, some with seven to ten lots, sign up for the payment plan for convenience, not because they had a hardship and could not afford to pay the fees March 1. The payment plan was created to assist those property owners with a financial hardship, not for convenience.

The payment plan processing fee of \$35 and payment plan late signup fee of \$25 have previously been assessed on a per owner, not per lot basis. The payment plan must be split out per lot, noted in Class per lot, and set up in US Bank per lot. There is no reduction in staff time if multiple lots are owned by the same person.

Staff believes that by changing the way the payment plan fees are assessed, abuse of the payment plan will be eliminated and only those property owners with a real hardship will use it. Additionally, by assessing the processing fee per lot, the cost of staff time will be more accurately represented.

ACLPOA Payment Plan

The Apple Canyon Lake Property Owners Association is offering a payment plan for those property owners needing assistance paying their annual assessment (dues) and fees. There is a \$35 Payment Plan Processing Fee per lot entered on the Payment Plan. All payments will be automatic ACH withdrawals initiated by ACL, other payment types are not offered as part of the Payment Plan. The terms for the ACLPOA Payment Plan are as follows:

- **Withdrawn on March 1**

\$284	1/3 of the Annual Assessment [Dues]
\$34	1/3 of the Owner Amenity Registration Fee(s), (if two owners \$68, if three owners \$102)
\$35	Payment Plan Processing Fee
\$75	Trash Fee (if applicable)
\$205	Seasonal Boat Slip/Boat Registration (if applicable)
\$750	Seasonal Campsite/Camper Registration (if applicable)

*All other recreational vehicles such as ATVs, golf carts, boats, and non-motorized boats, and snowmobiles, as well as Seasonal Golf Storage (Inside & Outside), Heat Light Program, Camper Storage, etc., must be paid with the payment plan or removed from the account until used. These fees will be included in the May payment.

If you have a Seasonal Boat Slip, you must still return the signed Boat Slip License Agreement ~~along with the required insurance and State Watercraft Registration/Water Usage Stamp~~ no later than March 1.

- **Withdrawn on May 15**

\$283	1/3 of the Annual Dues
\$33	1/3 of the Owner Amenity Registration Fee(s), (if two owners \$66, if three owners \$99)

- **Withdrawn on July 15**

\$283	1/3 of the Annual Dues
\$33	1/3 of the Owner Amenity Registration Fee(s), (if two owners \$66, if three owners \$99)

To sign up for the ACLPOA Payment Plan, property owners must do the following:

PRIOR TO JANUARY 31, 2015, SEND A VOIDED CHECK AND THE PAYMENT PLAN ACH FORM TO THE ACLPOA OFFICE. Any forms incorrectly filled out or forms returned without a voided check will not be included in the payment plan for 2015. Payment plans set up after January 31, 2015 will also be subject to a Late Signup Fee of \$25 per lot. Please submit one Payment Plan ACH Form for each lot.

DO NOT SEND A CHECK FOR PAYMENT IF USING THE PAYMENT PLAN. Make sure all of the owners on the lot are aware the lot is on the payment plan. Duplicate payments will be applied to the balance due unless everything is paid in full. Overpayments will be refunded via check.

MAKE SURE THERE IS ENOUGH MONEY TO COVER EACH WITHDRAWAL All insufficient funds for ACH will be charged a \$35 fee. If there are two NSF, the lot will be removed from the Payment Plan, and payment in full with cashier's check, money order, cash, or valid credit card (4% convenience fee applies) will be required within 10 days, or a lien will be filed. The Delinquent Dues Fee and Interest will be assessed immediately.

Please call the Association Office at (815) 492-2238 if you have any questions about the payment plan.

Memorandum



To: ACL Board

Date: November 3, 2014

From: Megan Shamp

Memo #: 2014-83

Topic: Resolution – budgeted contracts not to exceed \$5,000

Recommendation: That the Board approve a resolution authorizing the General Manager to enter into contracts for labor, services, materials, equipment, supplies, or other improvements, provided the contract is a budgeted item and the obligation does not exceed \$5,000.

Issue & Analysis: In the interest of efficiently running the Association, it is not practical for all contracts to be presented to the Board of Directors for approval and for the Board President to be the sole signer of all contracts. The current Purchasing Policy approved by the Board at the May 17, 2014 meeting grants the General Manager the authority to approve all payments for budgeted items not exceeding \$5,000. Staff is requesting that authorization be delegated to the General Manager to enter into contracts for labor, services, materials, equipment, supplies, or other improvements provided that the contract is a budgeted item and the obligation does not exceed \$5,000. All other contracts will be brought before the Board for approval. This issue has been reviewed by the Association's attorney Phil Jensen and it is his opinion (complete memo included in the Board packet) that the Board has the authority to delegate this responsibility to the General Manager.