

Memorandum



To: ACL Board

Date: January 6, 2022

From: Megan Shamp

Memo #: 2022-1

Topic: January committee/commission changes

Recommendation: To appoint Carmel Cottrell to the Budget and Strategic/Long Range Planning Commissions.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – To operate at full efficiency and effectiveness for the benefit of the Association.



Memorandum

To: ACL Board

Date: January 6, 2022

From: Rules & Regulations Commission

Memo #: 2022-2

Topic: Rules & Regulations: Snowmobiles

Analysis: Staff first brought revisions to section XIII Snowmobiles to the Rules & Regulations Commission at their February 7, 2020 meeting. Minor changes were recommended at that meeting, but the major issue of a snowmobile or ATV potentially falling through the ice into the lake needed further research. Shaun Nordlie and Julie Janssen worked on this throughout 2020 (delayed due to COVID) and presented their findings to Rules & Regs at their February and March 2021 meetings. The Rules & Regulations Commission motioned to recommend the revised section to the Board of Directors for approval at their March 5, 2021 meeting.

This section was presented to the Board for first reading at the March 20 meeting. Several suggested changes were put forth at that meeting. It was also suggested that Association legal counsel review the language. The language was reviewed and re-written by Keay & Costello. This revised language was presented to Rules & Regulations at their April 9 meeting and they did not have any issue with Keay & Costello's changes, but continued to debate the fine for a vehicle going through the ice at their April and May meetings.

At their June 4 meeting, Rules & Regulations motioned to present section XIII Snowmobiles as amended to the Board of Directors for approval. Because this section has changed fairly significantly since last reviewed by the Board, it is presented again as first reading. There was more discussion about this section and it was once again sent back to Rules & Regulations for further consideration.

The Rules & Regulations Commission reviewed Snowmobiles again and has submitted a new recommendation addressing concerns raised by the Board of Directors. This section was reviewed at the December 18 Board meeting and no additional changes were identified.

Recommendation: To approve the Rules & Regulations section Snowmobiles as included in the January Board packet.

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs Committee/Commission

Date 12-3-21

I move:

Rules + Regs recommends to the
ACL Board to approve the Sect. XIII
Snowmobiles document attached
as presented

Action Taken approved

SD
FP

MOTION MADE BY: Allye Lloyd
MOTION SECONDED BY: Fred P.affer
CHAIR: Wickie Seshon

VOTE RECORDED:
YEA: 4
NAY: -
ABSTAIN: -

Date Received 12/3/21 Given to Board Date Completed _____

XIII SNOWMOBILES

Preamble: ~~The ACLPOA assumes no liability for individuals operating snowmobiles on the lake when frozen. Extreme Caution should be used!~~

Operators of snowmobiles are to be familiar with the Illinois Snowmobile Registration and Safety Act. Snowmobiles shall be operated on ACL properties in accordance with this Act, ~~including the age of the operator.~~ Violations of the Illinois Snowmobile Registration and Safety Act are prohibited and subject to a fine.

The Golf Course is off limits to any recreational vehicle except golf carts. The Pro Shop may be accessed using the ACL trails. Snowmobile parking is limited to the designated area. ~~xxx. The Pro Shop is accessible to the public via Lake Road #3. Non-property owner snowmobiles are only allowed at the Pro Shop and must be operated in accordance with the Illinois Snowmobile Registration and Safety Act.~~

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Commented [MS1]: Can the public technically ride around the roads? I feel like they can.

A. Registration

1. All snowmobiles that are to be used on the ACL trails and properties must be registered annually with the Association and display a current year ACL sticker on the center front of the vehicle (windshield or front of hood panel so that sticker may be clearly seen from another approaching vehicle) and have ID Numbers as issued by the ACL Association Office. The ID numbers will be displayed on both the front and rear of the snowmobile. The ID numbers may be placed directly on the front center hood or on a front license plate and will also be displayed on a rear license plate. The registered owner will be responsible for the safe operation of the snowmobile and be responsible for the activities of their guests.

2. In addition, all snowmobiles must be registered with the Illinois Department of Conservation, Snowmobile License Section and display the number assigned to that snowmobile or covered by a valid registration or license of another state.

Commented [MS2]: We do not require any evidence of this, but it is required by the Illinois Snowmobile Registration and Safety Act.

B. Insurance

1. All snowmobile owners must provide ACLPOA with proof of insurance. The minimum required amount of liability insurance coverage shall be \$500,000 bodily injury and property damage combined. Acceptable proof of liability insurance documents must meet the following requirements: the policyholder/named insured is the property owner of record; the insured snowmobile(s) must be described, and the policy term expiration date and liability coverage amounts must be listed. Continuous until canceled policies will not be accepted. Listing the Association as an Additional Insured or Additional Interest is no longer required, but by doing so, the insurance company should automatically send renewal documents.

2. ~~The Association and organized snowmobile clubs must execute an agreement to conduct themselves in a responsible manner at all times and abide by the laws set forth by the State of Illinois Snowmobile Registration and Safety Act, Article V. Control, Section 5-1. In addition, the clubs must file proof of insurance with the Association showing minimum limits of liability for bodily injury and property damage of \$500,000. Amended October 19, 2013 Amended December 15, 2018~~

Commented [MS3]: I don't think we need language for clubs.

C. Operation

1. All snowmobiles must be in a safe operating condition.

2. All snowmobiles shall be operated only on designated trails and not on roads and parking lots. When operating along roadways, owners must follow the Illinois Snowmobile Registration and Safety

Commented [MS4]: State statute does allow operation along the road, crossing the road, and in the road in some circumstances. The currently rule conflicts with #5 and #6 below.

Act. When individuals are operating snowmobiles on the frozen lake, ACLPOA assumes no liability for the safety of any individual and/or any snowmobile.

3. Racing of snowmobiles is not permitted.
4. All snowmobiles shall be operated at a safe speed and in a prudent manner.
5. Riding must be in a single file formation on the right shoulder of the road.
6. All snowmobiles must stop at all streets, drives, and roads and yield right of way to pedestrians or vehicles.

7. Individuals operating snowmobiles on the lake when frozen should use extreme caution and are solely responsible for insuring that the ice depth is sufficient to support the weight of the snowmobile and rider(s). If a snowmobile or UTV/ATV were to break the ice and fall beneath the ice into the water fall beneath the ice, the owner of the machine will be fined as well as required to remove the machine as swiftly as possible. Within ten (10) days of falling beneath the ice, an owner must have the snowmobile or ATV/UTV removed from the lake or report to the General Manager reasonable mutually agreed upon the owner the timeframe for removal and contact information of the company doing the removal. If the Association determines that an owner is not working diligently to remove the machine from the water within the timeframe permitted by the Association, the Association will remove the machine at the owner's expense owner will not be subject to fines from the Association. However, owners and operators of such machines may also still be subject to and the owner will incur all fines and charges accorded to them by IDNR, EPA-ACL and any other entity with jurisdiction over the lakes involved. Additionally, if the Association determines that an owner is not working diligently to remove the machine from the water or is beyond the timeframe permitted by the Association, the owner will be subject to fines from the Association until the machine is removed from the water.

87. Pedestrians and cross-country skiers have the right of way on trails.
98. Snowmobiles are permitted on trails between the hours of 6:00 a.m. and 10:00 p.m.
9. Violations of the Illinois Snowmobile Registration and Safety Act are prohibited.

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Commented [M55]: Do we need a time they are allowed on the lake and other properties?

109. 1. Operation of a snowmobile on Association property including the Trail System shall be limited to individuals:

- a. Possessing a valid driver's license or permit of state of origin.
- b. Attainment of 16 years of age (or age as mandated by the Association insurance carrier).

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V. GENERAL VIOLATION FINES

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SNOWMOBILES

- Snowmobile or UTV/ATV breaks the ice and fall beneath the ice \$500

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Memorandum



To: Board of Directors

Date: January 6, 2022

From: Megan Shamp

Memo: 2022-6

Topic: Dissolve CAMP Financing & Marketing Ad Hoc Commission

Issue: The Clubhouse Area Master Plan (CAMP) Financing & Marketing Ad Hoc Commission was created by the Board of Directors at their November 18, 2017 meeting and charged to: Discuss, review, determine and negotiate monies needed for the various steps of CAMP development; to include design and engineering fees, schematic design fees, architectural fees, and furniture and equipment costs. Also, to explore and recommend alternate avenues for financing the CAMP project to include, but not limited to, assessment increases, special assessments, capital funding campaign, and charitable foundation donors. In conjunction with alternate financing options, the committee will research the best practices and best methods in marketing the idea to property owners to ensure total transparency.

At the August 21, 2021 meeting, the Board motioned to discontinue all planning and funding for CAMP. There is no longer a need for the CAMP Financing & Marketing Ad Hoc Commission, and it can be dissolved.

Recommendation: To dissolve the CAMP Financing & Marketing Ad Hoc Commission.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Assure the knowledge and understanding of roles, responsibilities, and governing documents by Board of Directors.

Memorandum



To: Board of Directors

Date: January 6, 2022

From: Megan Shamp

Memo: 2022-5

Topic: Dissolve CAMP Architecture & Design Ad Hoc Commission

Issue: The Clubhouse Area Master Plan (CAMP) Architecture & Design Ad Hoc Commission was created by the Board of Directors at their January 20, 2018 meeting and charged: To work with the Farnsworth Group to design schematics, draft preliminary and final site/engineering plans and create construction documents for the area from the old firehouse to the point of the peninsula with the funds that have been recommended by the CAMP Financing and Marketing Ad Hoc Committee.

At the August 21, 2021 meeting, the Board motioned to discontinue all planning and funding for CAMP. There is no longer a need for the CAMP Architecture & Design Ad Hoc Commission and it can be dissolved.

Recommendation: To dissolve the CAMP Architecture & Design Ad Hoc Commission.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Assure the knowledge and understanding of roles, responsibilities, and governing documents by Board of Directors.

Memorandum



To: ACL Board

Date: January 6, 2022

From: Megan Shamp

Memo #: 2022-3

Topic: Board Liaisons to Committees/Commissions

Issue & Analysis: The Amended & Restated Bylaws state: "The Board may appoint a Board member as a full member to any commission, who shall be liaison to the Board." Following the resignation of Mike Harris from the Recreation and Rules & Regulations Commissions and the AECC, a new Board Liaison must be appointed to each.

Recommendation: To appoint the following Board Liaisons to commissions:

AECC - Bob Ballenger, Barb Hendren Tom Ohms, Gordon Williams,
Recreation –
Rule & Regulations -

*Plan on a Page: High Performing Operations and Management –
Long Range Goals and Measures – Assure the knowledge and
understanding of roles, responsibilities, and governing documents
by Board of Directors*

Capital Projects Update

Workshop