



Memorandum

To: ACL Board

Date: December 7, 2022

From: Megan Shamp

Memo #: 2022-138

Topic: December committee/commission changes

Recommendation: To appoint Crystal Erdenberger as Secretary of the Nominating Committee; to appoint Carmel Cottrell as Chair & Secretary and Mary Hannon as Vice Chair of the Memorial Pavilion Ad Hoc Commission; and to appoint Mary Witt to the Memorial Pavilion Ad Hoc Commission.

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: December 1, 2022

From: Megan Shamp

Memo #: 2022-127 (2)

Topic: Assignment of Transferable Dock Form

Analysis: The ACL governing documents require that the Assignment of Transferable Dock form be completed prior to the closing of a sale in order for a transferable slip license to be transferred with the sale of a property.

Operational Procedures –

TRANSFER WITH SALE OF LOT

Only Transferable Boat Slips may be transferred to the new property owner(s) with the final sale of lot. If an ACL transferable boat slip is included in the sale of the lot, both the previous owner and the new lot owner must complete and sign an *ASSIGNMENT OF TRANSFERABLE DOCK FORM PRIOR TO THE CLOSING OF THE SALE*.

NOTE: BOAT SLIPS ARE ASSIGNED TO LOTS, NOT INDIVIDUAL PROPERTY OWNERS.

Boat Slip License –

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 2020 edition, pg. 14) 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 Governing Documents of ACL including Rules and Regulations and Operational Programs and Procedures, violation of which may lead to revocation of this License and forfeiture of any rights granted hereunder. Transferable Slips can be transferred to a new property owner at the time of the sale of a 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 at the time of a lot sale results in revocation of this License, the Transferable Slip automatically returns to the ACL Slip Pool and it becomes a Non-Transferable Slip.

The current Assignment of Transferable Dock form does not have a date on it. Staff recommends the seller/buyer signatures be notarized so we can ensure that the form was, in fact, completed prior to the closing of the sale.

The proposed form was reviewed by Association legal counsel Doug Sury. Doug recommended stronger notary language which has been incorporated into the form provided in the November Board packet.

The vast majority of lot transfers involving a boat slip license are handled by an attorney and title company. If an affidavit is requested for a lot with a transferable slip, the Assignment of Transferable Dock form is automatically sent with it, and we do advise the attorney or title company in writing that it must be completed and returned to our office for the boat slip license to be transferred with the sale of the lot. Any attorney's office or title company will have at least one notary on staff. We are not requesting these individuals to come to the ACL Office to have their signatures notarized. These documents are already being signed at closing; the only difference is that the signatures would be notarized at the time of signing to confirm the date the document was completed. I cannot recall a single instance where a seller or buyer came to the Association Office to complete this form. It is exceedingly rare that a Property Owner would sell a property with a transferable boat slip license without the assistance of an attorney.

If a sale falls through, the document would be discarded. Transferable Boat Slip Licenses may only be transferred with the sale of the property.

All boat slip licensees are advised of the Assignment of Transferable Dock Form requirement in the Boat Slip License they sign annually. This section is excerpted on page one of this memo.

Recommendation: To approve the revised Assignment of Transferable Dock Form as included in the December 17 Board packet.

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

APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION
ASSIGNMENT OF TRANSFERABLE DOCK

Licensee, the current holder of Boat Dock License for Apple Canyon Lake Property Owners Association Dock Slip # _____ hereby assigns all right, title and interest in said Boat Dock License to _____.

Transfer of the Bock Dock License shall be deemed contemporaneous with the recording of the deed conveying current Licensee's lot to assignee.

Licensor: APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION

Apple Canyon Lake Property Owners Association consents to the assignment of the Boat Dock License for Boat Slip # _____ from Licensee(s) _____ to Assignee(s) _____.

LICENSEE(S):

ASSIGNEE(S):

State of Illinois
County of _____.

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered said instrument as his/her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this ____ day of _____, 202__.

Notary Public

(seal)



Memorandum

To: ACL Board

Date: December 7, 2022

From: Rules & Regulations Commission

Memo #: 2022-124 (3)

Topic: Rules & Regulations: Paddleboard Sticker and ID Number Placement

Analysis: Paddleboards will be required to be registered with ACL beginning in 2023. This rule change was approved by the Board at the August 20 meeting as part of Housekeeping. This language is shown in red below.

A. Registration

1. All boats, motorized and ~~non-motorized non-powered~~, operated on ACL must be registered annually with the ACL Association Office. ~~Non-powered watercraft required to be registered include kayaks, canoes, rowboats, paddleboats, sailboats, and stand up paddleboards (SUPs).~~ A copy of the current State Watercraft Registration (if applicable) and current insurance is to be submitted and kept on file.

The Illinois Department of Natural Resources classes stand up paddleboards (SUPs) as watercraft. Those individuals using SUPs at ACL must follow the Illinois Boat Registration and Safety Act. Our Rules & Regulations needed to be updated to include SUPs in the list of non-powered watercraft so that we can ensure they are properly registered with the Association, and so Security can enforce the requirement that users possess or wear a personal flotation device (depending on their age), carry a whistle, etc.

Following the Housekeeping approval at the August meeting, staff recognized the current placement scheme for the ACL ID numbers and the current year sticker used on other watercraft is not compatible with paddleboards. For all other watercraft, the ID numbers and the ACL sticker are placed on the rear sides of the watercraft.

The Rules & Regulations Commission and staff prepared alternate language for the ID number and ACL sticker placement for paddleboards.

The motivation behind paddleboards being registered with the Association is SAFETY. The Safety & Security Department regularly sees children and adults on paddleboards who do not have and/or are not wearing PFDs. Yes, they are required to wear them by the Illinois Boat Registration and Safety Act, but if ACL has no language in our documents about paddleboards, are owners or their guests going to know this?

If there is a paddleboard accident and an individual is incapacitated, without the paddleboard being registered and identified with an ID number, there is no way for Safety & Security to identify the individual to contact their family or the property the individual is associated with.

We've recently received a complaint from an owner that the vacation rental adjacent to their property allows guests to bring out stand-up paddleboards. Guests are not allowed to bring any watercraft out to use on Apple Canyon Lake, but if they are not registered with the Association, it is impossible for Safety & Security to determine if they belong to a Property Owner or not.

Stand-up paddleboards are not toys. They are classified as watercraft by the State of Illinois and should not be treated any differently than a kayak, canoe, paddleboat, rowboat, or sailboat.

If this rule is not approved, what is affected is where the ID numbers and current year ACL sticker is placed. Paddleboards will still be required to be registered beginning January 1, 2023 as per the Rules & Regulations approved in August.

Recommendation: To approve the Rules & Regulation section IV Boating as included in the December 17 Board packet.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

VI. Boating

Preamble: Apple Canyon Lake has adopted the Illinois Boat Regulations and Safety Act. All provisions of said Act are applicable to all boats operated on Apple Canyon Lake. Non-compliance with these regulations or those of Apple Canyon Lake could result in a fine.

A. Registration

1. All boats, motorized and non-powered, operated on ACL must be registered annually with the ACL Association Office. Non-powered watercraft required to be registered include kayaks, canoes, rowboats, paddleboats, sailboats, and stand up paddleboards (SUPs). Any kayak, canoe, rowboat, paddleboat, or sailboat will be deemed a motorized vessel if it is powered by any type of machinery, including an electric trolling motor. A copy of the current State Watercraft Registration (if applicable) and current insurance is to be submitted and kept on file.
2. Prior to launching a motorized watercraft, a current state watercraft registration sticker and a current year ACL sticker must be placed on the boat. The ACL sticker shall be placed on the starboard side (driver's side, right) next to the 3-inch contrasting ID numbers. If the sticker must be re-issued due to improper placement, the owner must pay a replacement fee, at the same rate as the current registration fee on the fee schedule. All registration paperwork must be up to date at the time of re-issue for a sticker to be given.
3. Prior to launching a non-powered watercraft, a current year ACL sticker must be placed on the boat. On kayaks, canoes, rowboats, paddleboats, or sailboats, the ACL sticker shall be placed on the starboard side (driver's side, right) next to the 3-inch contrasting ID numbers. The ACL sticker shall be placed on the rear deck of a stand up paddleboard (SUP). If the sticker must be re-issued due to improper placement, the owner must pay a replacement fee, at the same rate as the current registration fee on the fee schedule. All registration paperwork must be up to date at the time of re-issue for a sticker to be given.
4. Motorized ~~boat~~ watercraft owners must affix 3-inch contrasting ID numbers as issued by the Association on both the right and left sides of the watercraft near the rear of the boat and on the right side of the boat trailer tongue so that the ID numbers may be seen from the Security building when the boat is launched at the Marina. The ID number must correspond to the lot to which the watercraft is registered.
5. Non-powered watercraft owners must affix 3-inch contrasting ID numbers as issued by the Association on both the right and left sides of a kayak, canoe, rowboat, paddleboat, or sailboat near the rear of the watercraft. Stand up paddleboard (SUP) owners must affix one set of 3-inch contrasting ID numbers as issued by the Association to the rear deck of the SUP. The ID number must correspond to the lot to which the non-powered watercraft is registered.
6. No guest watercraft are allowed on ACL property. Persons not listed on the recorded deed may not register any boat or recreational vehicle. Ownership of registration and insurance must be in the name of the Property Owner. Eligible ACL employees may register a boat per existing Rules and Regulations (Preamble; A. General 3.).
7. Governing Documents require that all assessments (membership dues, trash, special assessments, interest, lien fees) be paid on all properties owned by all owners, designated members or occupants associated with all their properties prior to registration and launching. Without limiting this requirement, but by way of example, if Lot 1 has two owners, persons A and B, and Lot 2 is owned by one owner, person A, then even if the dues on lot 1 have been paid by person A and/or B, neither person A nor person B can receive a boat tag or sticker until the

dues for Lot 2 are paid by owner A, regardless of the fact that person B has no ownership interest in Lot 2. Association Boat Slip/Boat fee must also be paid on or before March 1.

Amended: October 20, 2018

August 20, 2022

October 15, 2022

New Business



Memorandum

To: ACL Board

Date: December 9, 2022

From: Joe Wiener, ACL Building Inspector

Memo #: 2022-139

Topic: AECC Appeal - Majeski

Analysis: Regarding 12A280 Lincoln Ct -

On June 4, 2022, the general contractor submitted construction documents on behalf of the Property Owner for a new dwelling on a vacant lake view site. Plans showed an exterior door on the west side of the building without steps to the grade. The grade was indicated to be within 2' of the door threshold. Jo Daviess County and the AECC approved the building permit application. Off-site construction of the open-wall modular panelized home was then begun.

It was later discovered during the excavation for the new septic system that the property was 17' less in length than shown on the seller's survey. This required the septic system to be located further up the site to keep it at least 100' from the lake shoreline. The septic tank and filter were installed on the east side of the proposed dwelling in accordance with code and easement requirements. The building was to be moved to the west. The Building Inspector and two AECC members verified that the foundation was constructed so the west concrete face was 11'-6" from the property line. The final grade was established with the grade sloping in line with the adjacent property. Revised drawings were submitted in accordance with ACL Code 103.4. The amended plans require AECC approval. The 4' wide deck and stairs were now shown on the plans. The deck and stairs encroached 2'-6" into the 10' side yard easement. The general contractor submitted plans for approval on October 1, 2022. The motion was tabled for reconsideration as a Variation at the November meeting. Revised plans and elevations were submitted the AECC on November 5, 2022.

Three interested Property Owners attended the November AECC meeting and asked the AECC to deny the application.

The motion failed with two yea, four nay, one abstention. One Committee member was absent.

A Variation application has not been submitted to the AECC. According to ACL Code 110.4.E, driveways, boardwalks, gangways, decks, patios and retaining walls may encroach into the setbacks with written AECC approval. A Variation is not required. Proof of hardship or practical difficulties is not required. Notification of adjacent property owners is also not required by the ACL Code.

The Property Owner has applied for a Variation with the County Zoning Board of Appeals. On November 11, 2022, Jo Daviess County Planning & Development granted 12A280 Lincoln Ct a Certificate of Occupancy with the condition that the door in the laundry room to the exterior must remain secured until steps or a deck is installed.

Recommendation:

Memorandum



To: Board of Directors

Date: December 9, 2022

From: Joe Wiener, Building Inspector

Memo: 2022-144

Topic: Request to Restrict Lot – Maulding

Issue: The office has received a Request to Restrict Lot from Thomas & Denise Maulding, owners of lot 05-047. The lot was inspected by the Building Department and found to be unimproved.

There are currently 107 approved Restricted Lots which result in an annual revenue loss of \$53,286 based on the proposed 2023 Annual Assessment (Dues) of \$1,245.

Recommendation:

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: December 1, 2022

From: Nolan Mullen

Memo: 2022-136

Topic: General Manager's Performance Goals 2023

Issue & Analysis: It is the responsibility of the Executive Committee to provide the General Manager with instructions, directions, goals and objectives regarding their duties within the scope of duties and authority delegated to the General Manager by the Board. The Executive Committee is also charged to annually evaluate the General Manager's performance with input from all Board members and recommend for the Board's approval the annual evaluation and a compensation package for the following year consistent with any employment agreement between the Association and the General Manager.

The Executive Committee met with Jen Callaghan, GM, in December 2022 to set her short- and long-term goals for 2023. The Executive Committee will review the Goals with the General Manager periodically throughout the year. An evaluation will be conducted on Ms. Callaghan's overall performance in her role as General Manager and will serve as the basis for which the 2024 salary compensation is determined.

Recommendation: To approve the 2023 Job Performance Goals for Jen Callaghan recommended by the Executive Committee for the General Manager.



Memorandum

To: Board of Directors

Date: December 1, 2022

From: Recreation Commission

Memo: 2022-137

Topic: Recreation Commission Designated Fund request - Nice Rink

Issue & Analysis: To purchase a 44' x 88' outdoor ice rink package from Nice Rink not to exceed the cost of \$6,200.00, to be purchased with Recreation Commission Designated Funds, to place in the Marina parking lot for ACL members to use through the winter months. The preliminary 9/30/2022 balance in their Designated Fund is \$29,918. The Board previously approved the purchase of a portable event stage kit, at a cost not to exceed \$13,500, leaving approximately \$16,418 in the Recreation Commission's Designated Fund.

Recommendation: To approve the purchase of the 44' x 88' Nice Rink ice rink, to be paid from the Recreation Commission Designated Fund, at a cost not to exceed \$6,200.

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

RECREATION Committee/Commission

Date Nov 17, 2022

I move:

to purchase a 44 x 88 ft. ice rink package from
Nice Rink at a cost of \$ 6200.00.

Action Taken

MOTION MADE BY: <u>LeAnne Killeen</u>	VOTE RECORDED:
MOTION SECONDED BY: <u>John Diehl</u>	YEA: <u>4</u>
CHAIR: <u>Emil Misichko</u> <u>Emil Misichko</u>	NAY: <u>0</u>
	ABSTAIN: <u>0</u>

Date Received _____ Given to _____ Date Completed _____





YOUR CART

54' X 95' NICERINK #3 LINER (RINK SIZE: 44' X 88') FOR YOUR GOLD PACKAGE

SKU: NR3054095

Unit Price:
\$1,359.45

Qty: 1



\$1,359.45



GOLD PACKAGE (RINK SIZE: 44' X 88')

SKU: BNDL-PKG-GOLD

Unit Price:
\$4,512.75

Qty: 1



\$4,512.75



GOLD PACKAGE DISCOUNT - SAVE 7.5%

Discount Code	Submit
---------------	--------

Order Summary

Item(s) Subtotal:

\$5,872.20

Discount:

- \$440.42



NEED HELP?

Shipping: Select Address Type
Residential

loading...

Tax: \$339.49

Order Total: \$6,146.06

CONTINUE SHOPPING

EMPTY CART

CHECKOUT

**GET IT
INSTALLED**

Would you like to have your rink installed by
one of our professionals?

Find an Installer in your area

NEED HELP?

BUILD YOUR BACKYARD ICE RINK

PACKAGE INFO

PACKAGE PRICE	\$5,517.81
PACKAGE TYPE	GOLD PACKAGE
RINK SIZE	44' X 88'
LINER TYPE	NR#3 (NICERINK® II)
LINER SIZE	54' x 95'

ITEMS IN PACKAGE

PRODUCT	SKU	QTY	TOTAL WEIGHT	PRICE PER UNIT	PRICE
NR#3 (NiceRink® II) 54' x 95'	NR3054095	1	287.00 lbs	\$1359.45	\$1359.45
NiceRink SPIKELESS Brackets for Ponds/Lakes/Courts & Hard Surfaces	NBS808AC	62	125.55 lbs	\$13.50	\$837.00
NiceRink Backyard Rink Plastic Boards	PS605AC	62	527.00 lbs	\$40.00	\$2480.00
52" NiceIce Resurfacer	NI052RS	1	11.00 lbs	\$280.00	\$280.00
8' KickPlates Premium L Top 15"x 8'x1" *WILL NOT SHIP UPS*	KPL158AC	31	170.50 lbs	\$20.00	\$620.00
SuperGrip Yellow 8ft BumperCaps™ *WILL NOT SHIP UPS*	BC008AC	31	52.70 lbs	\$12.00	\$372.00
NiceRink Tall Boys 48" Tall Plastic Boards	PSTB1021AC	0	0.00 lbs	\$120.00	\$0.00
NiceRink Tall Boys 48" to 18" Right Transition Plastic Boards	PSTBRTAC	0	0.00 lbs	\$145.00	\$0.00
NiceRink Tall Boys 48" to 18" Left Transition Plastic Boards	PSTBLTAC	0	0.00 lbs	\$145.00	\$0.00
NiceRink Installation DVD	NRIDVD-FREE	1	0.05 lbs	\$0.00	\$0.00
NiceRink 12" Patch Pad	PT12PADAC	1	1.00 lbs	\$0.00	\$0.00
NiceRink Hockey Puck	NP121AC	5	2.50 lbs	\$2.00	\$10.00
3.7oz. Underwater NiceRink Repair Adhesive	UW037AC	1	1.00 lbs	\$6.75	\$6.75

EST. H2O @ 4" DEEP:	9680.00 GAL
ITEMS WEIGHT:	1178.30 LBS
SHIPPING WEIGHT:	1228.30 LBS
NORMAL PRICE:	\$5,965.20
PACKAGE PRICE:	\$5,517.81



Memorandum

To: ACL Board

Date: November 17, 2022

From: Tim Brokl

Memo #: 2022-135

Topic: 2023 Inaugural ACL Winter Festival

Issue & Analysis: Property Owner Bill Bourell has brought to Recreation the idea of creating an Annual Winter Festival to be held in the Marina parking lot, inside the Marina, and on the ice behind the Marina, with the first inaugural event to be held on February 4, 2023, from 12:00 to 5:00pm. The event would include free hot cocoa and hot dogs for owners and their guests, along with a variety of winter activities, including but not limited to ice fishing lessons and tournament, snowman building contest, ice skating, and other assorted winter/snow activities. The event would start in 2023 with donations from local businesses, with St Jude's Children's Research Hospital as the beneficiary of the proceeds.

Recommendation: To approve the 1st Inaugural Apple Canyon Lake Winter Festival to be held in the Marina parking lot, in the Marina, and on the ice around the Marina, on February 4, 2023, with 100% of the proceeds to benefit St. Jude Children's Research Hospital. Also, to budget in 2023 for the 2024 event, based on 1st year expenses.



Memorandum

To: Board of Directors

Date: December 8, 2022

From: Jen Callaghan

Memo: 2022-143

Topic: Remm Outdoor fishing supply trailer in Marina parking lot

Issue & Analysis: Legal counsel has developed a Concessionaire Agreement that the Association uses to allow vendors to sell their products on ACL property. The agreement details the products that can be sold by the concessionaire, signage, hours of operation, financial arrangements, location, insurance (as detailed by the Association insurance agent), and terms of the agreement among other items. Remm Outdoors will provide a fishing supply trailer to conduct business in the Marina parking lot from December 18, 2022 to March 31, 2023, selling fishing poles, lures, bait, etc. The sale of alcoholic beverages is prohibited. The concessionaire shall pay \$25 per weekend open for business.

Recommendation: To approve Remm Outdoors to operate and sell fishing supplies in the Marina parking lot from December 18, 2022 to March 31, 2023.



Memorandum

To: ACL Board

Date: December 7, 2022

From: Rules & Regulations Commission & ACL Staff

Memo #: 2022-140

Topic: Rules & Regulations and Operational Procedures - Indoor & Outdoor Storage –
1st Reading

Analysis: Staff has prepared new language for both Indoor & Outdoor Storage in the Rules & Regulations and in Operational Procedures regarding waiting lists. The Rules & Regulations Commission reviewed the Rules & Regulations language at their November 4 meeting and approved the new section without any suggested changes. The proposed waiting list process is modeled after the process currently in place for boat slips, campsites, and kayak lockers.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

Apple Canyon Lake Property Owners Association Committee/Commission Motion Card

Rules + Regs Committee/Commission

Date 11-4-22

I move:

Rules + Regs recommends to the ACL Board to approve the Indoor + Outdoor Storage (New Section) as presented on the attached document

Action Taken PASSED

MOTION MADE BY: JOSH WINTER (ZOOM)
MOTION SECONDED BY: BOB COOK (ZOOM)
CHAIR: [Signature]

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

Date Received 11/4/22 Given to Date Completed

Indoor & Outdoor Storage **(NEW SECTION)**

The Association currently offers Outdoor Storage for golf carts at the Golf Course and Indoor Storage for golf carts, ATVs, or UTVs next to the Multi-Sport Complex. Property Owners can license a storage space from the Association. The license fee is as determined by the current Operating Fee Schedule. The respective Outdoor Storage or Indoor Storage License must be completed upon assignment.

The golf cart stored in Outdoor Storage or the golf, ATV, or UTV stored in Indoor Storage must be registered with the Association and display the current year sticker no later than March 1 of each year. Property Owners shall not store any other items in the storage space.

Apple Canyon Lake Property Owners' Association shall not be liable for any damage or missing equipment, or personal property.

To maintain the Outdoor Storage space assignment from year to year:

- a. Payment of Annual Dues, OARF(s), Trash, and the Outdoor Storage/Golf Cart Registration Fee must be made on or before March 1 on all properties owned by all owners. (As outlined in II.)
- b. A completed and signed Outdoor Storage License must be returned with payment on or before March 1.
- c. Failure to complete all requirements of the Outdoor Storage License by the date specified therein will result in forfeiture of the Outdoor Storage space to ACL, any previously granted license will be revoked, and the Outdoor Storage Space will be assigned to another ACL lot owner.

To maintain the Indoor Storage space assignment from year to year:

- a. Payment of Annual Dues, OARF(s), Trash, and the Indoor Storage/Golf Cart or ATV/UTV Registration Fee must be made on or before March 1 on all properties owned by all owners. (As outlined in II.)
- b. A completed and signed Indoor Storage License must be returned with payment on or before March 1.
- c. Failure to complete all requirements of the Indoor Storage License by the date specified therein will result in forfeiture of the Indoor Storage space to ACL, any previously granted license will be revoked, and the Indoor Storage Space will be assigned to another ACL lot owner.

OUTDOOR STORAGE WAITING LIST

OUTDOOR STORAGE WAITING LISTS The Association Office maintains and manages two Outdoor Storage wait lists. They include: 1. Outdoor Storage to Trade Waiting List: Available Outdoor Storage spaces are assigned to Property Owners on this list prior to any assignments to wait list #2. 2. Outdoor Storage Waiting List. Both waiting lists are perpetual and are in order of first come/first serve basis.

PROCEDURE TO GET ON A WAITING LIST Outdoor Storage to Trade Waiting List Applications and Outdoor Storage Waiting List Applications are available at the office or online.

PROCEDURE FOR ASSIGNMENT OF OUTDOOR STORAGE Outdoor Storage to Trade Waiting List: For those Property Owners who have an assigned Outdoor Storage space but prefer a new location. Upon selection of a new assignment at the Outdoor Storage Swap & Assignment Day: 1. Property Owner immediately forfeits all rights to their previous Outdoor Storage space. 2. The forfeited Outdoor Storage space immediately goes back into the Outdoor Storage pool for new assignment. 3. Property Owner's name is immediately removed from the Outdoor Storage to Trade wait list. Outdoor Storage Waiting List: For Property Owners who are waiting for their first Outdoor Storage space assignment. All Outdoor Storage spaces will be assigned at the annual Outdoor Storage Swap & Assignment Day.

PROCEDURES FOR OUTDOOR STORAGE TO TRADE WAITING LIST ASSIGNMENTS The Outdoor Storage to Trade Waiting List will close at the end of business on the Friday preceding the annual Outdoor Storage Swap & Assignment Day. At the Outdoor Storage Swap & Assignment Day, the first Outdoor Storage license holder on the list will be offered first choice of the available Outdoor Storage spaces; the second Outdoor Storage license holder on the list will have a choice of the remaining Outdoor Storage spaces; etc.; proceeding down the list. After the first round of assignments has been completed, the same process will be repeated with the newly available Outdoor Storage spaces until all desired trades have taken place. A copy of the current Outdoor Storage to Trade List and available Outdoor Storage spaces will be posted in the ACL lobby and on the ACL website one week prior to the Outdoor Storage Swap & Assignment Day. Property Owners are reminded that additional Outdoor Storage spaces will open up through the course of the event. All Outdoor Storage changes made at the Outdoor Storage Swap & Assignment Day are final and cannot be rescinded. In order to be eligible to swap an Outdoor Storage space:

- The Outdoor Storage License must be completed to reserve the current Outdoor Storage space for the season.
- The Property Owner must be on the Outdoor Storage to Trade Waiting List.

If a Property Owner is unable to attend but would like to participate at the Outdoor Storage Swap & Assignment Day, they can submit a Representative Request Form. The form enables the Property Owner to pre-register an individual to select an Outdoor Storage space on their behalf. These forms will be available in the ACL Office and on the ACL website. This form must

be returned by the end of business on the Friday preceding the event. The proxy must also present a copy of the Representative Request Form at the Outdoor Storage Swap & Assignment Day in order to participate. Upon accepting a trade, the Property Owner is removed from the Outdoor Storage to Trade Waiting List. A license holder may re-add their name to the Outdoor Storage to Trade List for future Outdoor Storage space opportunities by completing a new form and submitting it to the ACL Office. If a trade is not accepted, the Property Owner maintains their position on the Outdoor Storage to Trade Waiting List.

PROCEDURES FOR OUTDOOR STORAGE WAITING LIST ASSIGNMENTS The Outdoor Storage Waiting List will close at the end of business on the Friday preceding the annual Outdoor Storage Swap & Assignment Day. At the Outdoor Storage Swap & Assignment Day, the first Property Owner on the list will be offered first choice of the available Outdoor Storage spaces; the second Property Owner on the list will have a choice of the remaining Outdoor Storage spaces; etc.; proceeding down the list. A copy of the current Outdoor Storage Waiting List and available Outdoor Storage spaces will be posted in the ACL lobby and on the ACL website one week prior to the Outdoor Storage Swap & Assignment Day. All Outdoor Storage assignments made at the Outdoor Storage Swap & Assignment Day are final and cannot be recinded. In order to be eligible to receive an Outdoor Storage assignment:

- All accounts must be current (Dues, Trash, OARF(s), special assessments, interest, lien fees and any other outstanding amounts owed to the ACLPOA must be paid on all properties owned by all owners, designated members or occupants associated with all their properties). If all accounts are not current by the close of business on the Friday preceding the annual Outdoor Storage Swap & Assignment Day, the lot will be removed from the Outdoor Storage Waiting List.
- The Property Owner must be on the Outdoor Storage Waiting List.

If a Property Owner is unable to attend but would still like the opportunity to receive an Outdoor Storage assignment, they may submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the Property Owner to pre-register an individual to select an Outdoor Storage on their behalf. The form must be returned by the end of business on the Friday preceding the Outdoor Storage Swap & Assignment Day. The proxy must also present a copy of the Representative Request Form at the Outdoor Storage Swap & Assignment Day in order to participate. To complete assignment, Property Owner(s) must:

- a. Complete and return the ACL Outdoor Storage License form prior to or at the time of payment.
 - b. Make Outdoor Storage/Golf Cart fee payment in full. A golf cart must be registered to a newly assigned Outdoor Storage space by March 1 of the following year.
- a. Proof of insurance and a completed Motorized Recreational Vehicle Waiver as defined in the Rules & Regs, are needed to complete registration.

Upon accepting an Outdoor Storage assignment, the Property Owner is removed from the Outdoor Storage Waiting List. A license holder may add their name to the Outdoor Storage to Trade List for future Outdoor Storage space opportunities by completing an Outdoor Storage to Trade Waiting List Application and submitting it to the ACL Office. If an assignment is not accepted, the Property Owner maintains their position on the Outdoor Storage Waiting List.

LONG-TERM OUTDOOR STORAGE TRANSFERS TRADING OUTDOOR STORAGES BETWEEN PROPERTY OWNERS If two Property Owners have assigned ACL Outdoor Storage spaces and wish to trade between each other, they may do so by filling out a form at the Association Office.

TRANSFER FROM LOT TO LOT, SAME OWNER A Property Owner may transfer their assigned Outdoor Storage from one lot they currently own to another lot they currently own, at any time. An Outdoor Storage Transfer Form from the Association Office must be completed and filed with the Association Office prior to the trade.

TRANSFER WITH SALE OF LOT All Outdoor Storages are transferable only to another ACL property concurrently owned by the same Property Owner. Outdoor Storage spaces may not be transferred to another property owner or with the sale of a lot. Upon the sale of the lot, the Outdoor Storage License Agreement will automatically and immediately terminate.

NOTE: OUTDOOR STORAGES ARE ASSIGNED TO LOTS, NOT INDIVIDUAL PROPERTY OWNERS.

TERMS OF LONG-TERM OUTDOOR STORAGE ASSIGNMENT

TERMS OF LONG-TERM OUTDOOR STORAGE ASSIGNMENT Annual Dues and all assessments must be paid in full, and on time, every year on all properties owned. Property Owners who already have an assigned Outdoor Storage **MUST** pay the Outdoor Storage fee **AND** golf cart registration fee by March 1 of each year. Failure to do so will result in forfeiting your rights to your current assigned Outdoor Storage space per the ACL Outdoor Storage License. An Outdoor Storage License must be completed and signed by Property Owners prior to or at the time of payment. This agreement remains in effect as long as the Property Owner owns the lot of the Outdoor Storage is assigned to. The license is subject to change. Property Owners newly assigned an ACLPOA Outdoor Storage will have until March 1 of the following year to register a golf cart to the licensed Outdoor Storage space. The Outdoor Storage fee and golf cart registration fees are both due on March 1 of every year.

INDOOR STORAGE WAITING LIST

INDOOR STORAGE WAITING LISTS The Association Office maintains and manages two Indoor Storage wait lists. They include: 1. Indoor Storage to Trade Waiting List: Available Indoor Storage spaces are assigned to Property Owners on this list prior to any assignments to wait list #2. 2. Indoor Storage Waiting List. Both waiting lists are perpetual and are in order of first come/first serve basis.

PROCEDURE TO GET ON A WAITING LIST Indoor Storage to Trade Waiting List Applications and Indoor Storage Waiting List Applications are available at the office or online.

PROCEDURE FOR ASSIGNMENT OF INDOOR STORAGES Indoor Storage to Trade Waiting List: For those Property Owners who have an assigned Indoor Storage space but prefer a new location. Upon selection of a new assignment at the Indoor Storage Swap & Assignment Day: 1. Property Owner immediately forfeits all rights to their previous Indoor Storage space. 2. The forfeited Indoor Storage space immediately goes back into the Indoor Storage pool for new assignment. 3. Property Owner's name is immediately removed from the Indoor Storage to Trade wait list. Indoor Storage Waiting List: For Property Owners who are waiting for their first Indoor Storage space assignment. All Indoor Storage spaces will be assigned at the annual Indoor Storage Swap & Assignment Day.

PROCEDURES FOR INDOOR STORAGE TO TRADE WAITING LIST ASSIGNMENTS The Indoor Storage to Trade Waiting List will close at the end of business on the Friday preceding the annual Indoor Storage Swap & Assignment Day. At the Indoor Storage Swap & Assignment Day, the first Indoor Storage license holder on the list will be offered first choice of the available Indoor Storage spaces; the second Indoor Storage license holder on the list will have a choice of the remaining Indoor Storage spaces; etc.; proceeding down the list. After the first round of assignments has been completed, the same process will be repeated with the newly available Indoor Storage spaces until all desired trades have taken place. A copy of the current Indoor Storage to Trade List and available Indoor Storage spaces will be posted in the ACL lobby and on the ACL website one week prior to the Indoor Storage Swap & Assignment Day. Property Owners are reminded that additional Indoor Storage spaces will open up through the course of the event. All Indoor Storage changes made at the Indoor Storage Swap & Assignment Day are final and cannot be rescinded. In order to be eligible to swap an Indoor Storage space:

- The Indoor Storage License must be completed to reserve the current Indoor Storage space for the season.
- The Property Owner must be on the Indoor Storage to Trade Waiting List.

If a Property Owner is unable to attend but would like to participate at the Indoor Storage Swap & Assignment Day, they can submit a Representative Request Form. The form enables the Property Owner to pre-register an individual to select an Indoor Storage space on their behalf. These forms will be available in the ACL Office and on the ACL website. This form must be returned by the end of business on the Friday preceding the event. The proxy must also present a copy of the Representative Request Form at the Indoor Storage Swap & Assignment Day in order to participate. Upon accepting a trade, the Property Owner is removed from the Indoor Storage to Trade Waiting List. A license holder may re-add their name to the Indoor Storage to Trade List for future Indoor Storage space opportunities by completing a new form and submitting it to the ACL Office. If a trade is not accepted, the Property Owner maintains their position on the Indoor Storage to Trade Waiting List.

PROCEDURES FOR INDOOR STORAGE WAITING LIST ASSIGNMENTS The Indoor Storage Waiting List will close at the end of business on the Friday preceding the annual Indoor Storage Swap & Assignment Day. At the Indoor Storage Swap & Assignment Day, the first Property Owner on the list will be offered first choice of the available Indoor Storage spaces; the second Property Owner on the list will have a choice of the remaining Indoor Storage spaces; etc.; proceeding down the list. A copy of the current Indoor Storage Waiting List and available Indoor Storage spaces will be posted in the ACL lobby and on the ACL website one week prior to the Indoor Storage Swap & Assignment Day. All Indoor Storage assignments made at the Indoor Storage Swap & Assignment Day are final and cannot be recinded. In order to be eligible to receive an Indoor Storage assignment:

- All accounts must be current (Dues, Trash, OARF(s), special assessments, interest, lien fees and any other outstanding amounts owed to the ACLPOA must be paid on all properties owned by all owners, designated members or occupants associated with all their properties). If all accounts are not current by the close of business on the Friday preceding the annual Indoor Storage Swap & Assignment Day, the lot will be removed from the Indoor Storage Waiting List.
- The Property Owner must be on the Indoor Storage Waiting List.

If a Property Owner is unable to attend but would still like the opportunity to receive an Indoor Storage assignment, they may submit a Representative Request Form. These forms will be available in the ACL Office and on the ACL website. The form enables the Property Owner to pre-register an individual to select an Indoor Storage on their behalf. The form must be returned by the end of business on the Friday preceding the Indoor Storage Swap & Assignment Day. The proxy must also present a copy of the Representative Request Form at the Indoor Storage Swap & Assignment Day in order to participate. To complete assignment, Property Owner(s) must:

- a. Complete and return the ACL Indoor Storage License form prior to or at the time of payment.
- b. Make Indoor Storage/Golf Cart, ATV, or UTV fee payment in full. A golf cart, ATV, or UTV must be registered to a newly assigned Indoor Storage space by March 1 of the following year.
- a. Proof of insurance and a completed Motorized Recreational Vehicle Waiver as defined in the Rules & Regs, are needed to complete registration.

Upon accepting an Indoor Storage assignment, the Property Owner is removed from the Indoor Storage Waiting List. A license holder may add their name to the Indoor Storage to Trade List for future Indoor Storage space opportunities by completing an Indoor Storage to Trade Waiting List Application and submitting it to the ACL Office. If an assignment is not accepted, the Property Owner maintains their position on the Indoor Storage Waiting List.

LONG-TERM INDOOR STORAGE TRANSFERS TRADING INDOOR STORAGES BETWEEN PROPERTY OWNERS If two Property Owners have assigned ACL Indoor Storage spaces and wish to trade between each other, they may do so by filling out a form at the Association Office.

TRANSFER FROM LOT TO LOT, SAME OWNER A Property Owner may transfer their assigned Indoor Storage from one lot they currently own to another lot they currently own, at any time.

An Indoor Storage Transfer Form from the Association Office must be completed and filed with the Association Office prior to the trade.

TRANSFER WITH SALE OF LOT All Indoor Storages are transferable only to another ACL property concurrently owned by the same Property Owner. Indoor Storage spaces may not be transferred to another property owner or with the sale of a lot. Upon the sale of the lot, the Indoor Storage License Agreement will automatically and immediately terminate.

NOTE: INDOOR STORAGES ARE ASSIGNED TO LOTS, NOT INDIVIDUAL PROPERTY OWNERS.

TERMS OF LONG-TERM INDOOR STORAGE ASSIGNMENT

TERMS OF LONG-TERM INDOOR STORAGE ASSIGNMENT Annual Dues and all assessments must be paid in full, and on time, every year on all properties owned. Property Owners who already have an assigned Indoor Storage **MUST** pay the Indoor Storage fee **AND** golf cart, or ATV/UTV registration fee by March 1 of each year. Failure to do so will result in forfeiting your rights to your current assigned Indoor Storage space per the ACL Indoor Storage License. An Indoor Storage License must be completed and signed by Property Owners prior to or at the time of payment. This agreement remains in effect as long as the Property Owner owns the lot of the Indoor Storage is assigned to. The license is subject to change. Property Owners newly assigned an ACLPOA Indoor Storage will have until March 1 of the following year to register a golf cart or ATV/UTV to the licensed Indoor Storage space. The Indoor Storage fee and golf cart or ATV/UTV registration fees are both due on March 1 of every year.



Memorandum

To: ACL Board

Date: December 7, 2022

From: Megan Shamp

Memo #: 2022-141

Topic: Operational Procedures – Terms of Long-Term Slip Assignment – 1st Reading

Analysis: Staff has made note of outdated language in the Operational Programs & Procedures – Terms of Long-Term Slip Assignment section. The current Northstar software system and past Abacus software system both tracked the boat fee separately from the boat slip. Owners with a non-powered boat registered to the slip have not been charged the motorized boat fee. The Northstar software system does not identify which boat is attached to a slip, this is all tracked manually. Staff is recommending this sentence be removed from the document.

Recommendation: No motion required at this meeting. For presentation & discussion only.

Plan on a Page: High Performing Operations and Management – Long Range Goals and Measures – Review and update, if necessary, all Governing Documents on an annual basis

the Association's Boat Slip Trade Form. Failure to follow procedure will result in termination of Boat Slip Assignment. If exchanging a Boat Slip with another property owner (P.O.), the transferability of the slip stays with the original owner. (Ex. P.O. #1 has a Transferrable (T) slip, whereas P.O. #2 has a Non-Transferrable (NT) slip, the T status remains with P.O. #1 and NT remains with P.O. #2 after the trade is completed.)

TRANSFER FROM LOT TO LOT, SAME OWNER

A property owner may transfer their assigned Boat Slip from one lot they currently own to another lot they currently own, at any time. A Boat Slip Transfer Form from the Association Office must be completed and filed with the Association Office prior to the trade. If the status of the two slips is, one as NT, the other as T, the property owner may choose to exchange the transferability status with the slips. If the property owner does not make a decision prior to the trade, the status of each slip remains the same.

TRANSFER WITH SALE OF LOT

Only Transferable Boat Slips may be transferred to the new property owner(s) with the final sale of lot. If an ACL transferable boat slip is included in the sale of the lot, both the previous owner and the new lot owner must complete and sign an *ASSIGNMENT OF TRANSFERABLE DOCK FORM* PRIOR TO THE CLOSING OF THE SALE.

NOTE: BOAT SLIPS ARE ASSIGNED TO LOTS, NOT INDIVIDUAL PROPERTY OWNERS.

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 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 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 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

SUB-LICENSED BOAT SLIP PROGRAM

ACLPOA SUB-LICENSE BOAT SLIP PROGRAM

Sub-Licensors: Property Owner offering their assigned boat slip to the ACLPOA Sub-License Boat Slip Program