MEETING MINUTES FOR PIPOA ACC MEETING OF AUGUST 22, 2018.

1. Call to order

Bill Pope and Tom Cable were a few minutes late to the meeting having inspected some properties. Therefore, this formality was dispensed with.

1. Roll Call

ACC members attending were Bill Pope, Ray Morais, Robert Pruski, and Tom Cable.

ACC Administrator, Heather Cooley, was in attendance.

Board members present were Marvin Jones and Nick Colosi.

1. Minutes from last meeting

None - Workshop

1. Temporary assignment of meeting secretarial duties.

A tape recorder was in use. However, not having access to it, these minutes are by memory using the agenda as a guide.

1. Additions to Agenda from ACC members

None offered.

1. Comments from Guests

Attending were Duane Eibert (Decks and Docks)

Jeff Hurbace – contractor - (deck and dock variance request)

A pool contractor (correction to be made at next meeting) (variance request)

A potential new ACC member (correction at next meeting)

Alan Rickertson – Compliance Committee Chair

Duane Eibert made comments and requested clarification on the $350.00 clean up deposit, which he had never been requested to pay until recently. Discussion was that the rule had been misinterpreted in the past (poorly written), but was now required. Duane commented that his company was always thorough in regard to maintaining a clean building site.

Jeff Hurbace provided an elevation and top view for a plan to provide access to the rear deck of a patio lot on Carlos V. These exterior access stairs to 1rst floor rear decks are common to Patio Lots, but are in the 5-foot side property line easement. A variance will be granted if a new rule to accommodate this project cannot be written and approved prior to the actual application submission.

The ACC was faced with the choice of only allowing 1rst floor deck access through the house or formalizing the widespread, but “illegal” practice of an exterior access by stairway and a deck landing section that occupies the easement. The ACC chose the latter course. The rule will required the spaces between the treads to be open to allow drainage.

Pool Contractor – The requested variance involved encroaching on the easements eight inches on two sides. It was denied because the request did not meet the “peculiar hardship” standard. There was nothing unique about the lot making it different from all similar lots.

Alan Rickertson – The Compliance Committee chair wanted to know the relation between the ACC rules and the Compliance Committee rules. Marvin Jones commented that the Compliance Committee was charged with “Exterior Maintenance” while the ACC dealt with “Structures”. Tom Cable mentioned that the Subdivision Covenants reserve parking to the ACC.

Robert Pruski introduced a POA member guest who had provided an application to be an ACC member. Robert endorsed him.

1. Administrative Duties of the Committee

Heather commented that if any of the rule changes involved administrative duties that she should be included in the conversation. (Not exact language) The ACC unanimously agreed.

1. La Blanquilla Report of Resolution

MJ Construction did not appear at the meeting as scheduled to resolve their concerns about front elevation similarities. They have two adjoining lots ready to build.

1. **Plan for Remainder of Meeting**
2. Determine dates and times for future meetings especially the first meeting in September

Meeting date shall be September 5th at 5:30 at the POA office. Tom Cable will not attend.

1. New member(s) with time availability

Minor discussion held with Marvin Jones. Nothing definitive. We have few applicants.

1. New Chair

Tom Cable will act as temporary chair until permanent chair is appointed after ACC is to full complement.

1. Dates Tom Cable will be absent - Temporary replacement suggestion for 1,000 feet inspections and similar – Tom Cable

Tom Cable suggested that one of the employee compliance representatives perform the 1000 feet radius inspections in his absence. Marvin Jones agreed to this the next day.

1. Roof and Primary Wall Color issue

Discussion was that the applications were incomplete without the roof and primary wall colors and therefore, the ACC members should not really be reviewing them at all. However, once accepted the 30 day clock is ticking. Therefore, applications without colors were disapproved. A new rule to solve this problem is in the works.

In the interim, the applicant will enter their best guess and report any change back to the ACC ASAP for a second site inspection.

The issue of the popularity of black roofs was discussed in regard to the 1000 feet radius rule. Basically the rule needs to stand so “black is first come, first serve.” The problem is, while there are many shades of say, “gray” that would satisfy the diversity rule, black is black.

1. Approve applications in process only if absolutely necessary - Can be done before and after meeting.

Discussion was, since applications must be completed in 5 days for practical reasons, applications should have been reviewed already or the “system” should be able to handle the load without intruding on the meeting time. The desirability of always having majority decisions of three was discussed and is still under consideration.

1. Brief Report of Rule Revision Workshop

Noted that Ray Morais made significant contributions to the revision.

1. Rudder Court Fence Action

Marvin Jones, who was still present, wants the ACC to send a letter to redo the fence along the lines of my email regarding wood modifications or a vinyl total replacement.

1. Lighthouse and Forestay Discussion and Action

Consensus was that Tom Cable should write a letter suggesting the solution he outlined. In the past, the failure to be involved resulted in an undesirable outcome on another property. It was determined it was better that we try to help the owners come up with a solution the ACC can approve instead of disapprove.

1. Mingo Cay –

Two poles and a cross beam to support a boatlift bearing need to be removed as they are past the Mooring Area line. Other Mingo Cay owners are requesting variance relief that is not available due to the covenants. Therefore, it is important not to allow someone to violate the covenant. Action was referred to Marvin Jones

1. Report on problem of building at full bulkhead height parallel to the bulkhead – Tom Cable

Problem stated to Marvin Jones, who will pursue the matter.

1. Tesoro/Cobo de Bara discussion

Two overly large houses have been built by using intrinsic front stairs in front of the building line. Without the stairs there would be no access to the houses in question from the front yard. Robert Pruski discussed the problem with the builder on Tesoro, Apparently builder did not follow his recommendation to not allow the stairs past the front building line. Ray and Robert were to have inspected site this morning. Robert did not think the Tesoro house had a permit. Both houses are incongruous to the existing neighborhoods. Tesoro is particularly unattractive.

1. What is the process to stop construction? – Tom Cable – Jackfish/Cobo de Bara

The slab was being poured on a house for Jackfish the meeting morning that did not have a permit. Tesoro is a problem, but still under construction. I asked for the process to stop construction. Marvin Jones said he would run this by John Bell.

1. Possible ACC action to approve the following rule revisions for recommendation to the POA Board of Directors.

All of the below (A, B, C, D) were passed by motions, seconds, and votes of Tom Cable, Bill Pope, and Ray Morais. Robert Pruski had to leave. There were two modifications that will be amended by email. I will have the final versions available to the board about 10 days prior to the next board meeting. A commentary will be included.

1. **SECTION I. Architectural Control Committee**

1. **SECTION III. Application Review and Variance Request Procedures -B. VARIANCE REQUESTS – C. VARIANCE APPEALS – D. BOARD APPROVAL PROCESS FOR ACC RULE CHANGES**
2. **VIII. Notifications of Changes to ACC Rulings**
3. **IX. Updating and Availability of this Guide**
4. Possible ACC action to approve the following single rule revisions for recommendation to the POA Board of Directors. (The A-D rule changes for board recommendation are included as stop and desist actions. This is necessary as once structure are built they are nearly impossible to remove. Therefore, they were prioritized above other needed changes.) (Rule E is needed for many pressing reasons including safety)

Same action as for 23. The simple Canal Street Address rule was not written and will be approved by email vote.

1. **Rule for Patio Lot Canal End Fencing**
2. **Repeal of Garden Lot Super Decks**
3. **Partially Improved Lots- “Empty Lots” “Re-platted Lots” – V. ACC Construction Standards**
4. **“The Wall Problem” - V. ACC Construction Standards – 8. Fencing Standards - Item 6.**
5. **Street Address Rule for Waterfront Decks**
6. Discussion of ACC Document II. Application and Fees – A. Application – B. Fees

Postponed to the next meeting due to lack of time.

1. Adjourn Meeting

Meeting adjourned at approximately 9:30PM. 4 hours!