

## OCHL - 12 HOMEOWNERS ASSOCIATION

### ARCHITECTURAL CONTROL COMMITTEE (ACC) MINUTES

ACC Members: Dani Folsom, Chair, Joe Rystrom, Secretary, MaryLynn Birney, Phillip Falk, Al Prescott (Windward Bluff), Mike Sibley.

Wednesday, April 5, 2023

ACC Members in Attendance: MaryLynn Birney, Dani Folsom, Al Prescott, Joe Rystrom,

Others in Attendance: Ahmed ASH Hussain

Meeting called to order at 6:01 PM by Chair Folsom

#### **OLD BUSINESS:**

##### 1. Request for Quote/Proposal for landscape contract

Folsom is finishing up requirements for RFQ/P. Added will be trimming area near bio-pond, and remove area on Bayview strip, which is golf course owned. Or, have golf course reimburse HOA for maintaining this strip. Add additional language for consequences for non-performance, and attending ACC meetings quarterly to update committee on state of HOA landscaping and any issues that need to be addressed. Draft RFQ/P should be ready in November, and for dissemination in early December. All interested vendors will be required to attend tour of areas included in contract.

UPDATE: RFQ/P pushed out due to ongoing the arborvitae and other issues. Current contract pushed out to April 2023.

UPDATE 02/08/2023 Rystrom will be taking lead on this, for a spring new agreement start date. Prescott (Windward) suggested to include in RFQ/P NW Landscape and Eastside Landscape.

UPDATE 03/01/2023 Hussain to proceed with draft RFQ/P.

UPDATE 04/05/2023 Close to final draft, items to add: penalties for nonperformance and more overall specifics.

STATUS: OPEN

##### 2. Tree Maintenance

Total Tree is back in operation and will be contacted by Rystrom to schedule a walking tour and assessment for potential problematic issues on nature trail by Windward Bluff, behind 6211 and 6207

Bayview, southwest of 6108 Bayview, Bayview Park, bottom of St. Andrews near monument, other identified areas, and cut up already fallen tree by golf cart bridge.

Folsom, McMillan, Prescott and Rystrom did a walking tour of needed tree/limb maintenance due to previous wind damage on 11/10/2022. Bid received to service approximately 20 trees, and was approved. All work had been completed satisfactorily.

UPDATE 02/06/2023 Total Tree went to three homes on St. Andrews and Bayview, and trimmed back or cut leaning trees or otherwise potentially damaging property.

UPDATE 03/01/2023 Rystrom to contact Total Tree for additional work needed.

UPDATE 04/05/2023 Total Tree cut/trimmed leaning trees behind property on St. Andrews and strip below golf course path on Bayview.

STATUS: CLOSED

### 3. Solar Panel Issue

The ACC briefly discussed updates; ACC had hoped to meet McNulty and his representative in November or December to finalize the issue. However, McNulty's representative requested an extension for meeting with ACC to postpone until January, due to representative having jury duty and McNulty scheduled for a surgical procedure. ACC granted the extension request. HOA attorney has sent a letter in reference, and has not yet heard back as of Dec 8. Meeting shall be scheduled for near the end of January 2023.

UPDATE 01/30/2023 The ACC met with the McNulty's and their representative Mr. Tousley on Mon, Jan 30, at 7:30 PM, at Rose Hill Center, to provide an opportunity to dialogue on the solar panel noncompliance issue. HOA legal counsel was also present. The meeting lasted for approximately 75 minutes, and both sides had an opportunity to present their case. At the end, Mr. McNulty agreed to submit a proposal to relocate the panels to the back of the home, and/or ground mounted panels by the end of the week.

UPDATE 02/06/2023 Email excerpt received from Mr. McNulty: I heard from Blossom Solar today. They are working on a secondary plan to modify the originally installed configuration of our solar arrays. The rooftop and ground options will need to be measured to see what will fit. I don't know when that might be happening, but they are working on it.

UPDATE 02/15/2023 McNulty updated Rystrom that the Solar Blossom rep is just now getting back to him, due to death in the family. McNulty also said the relocation of panels may necessitate replacing the roof. More information to follow.

UPDATE 03/01/2023 McNulty updated the ACC at meeting that he is still working on getting a bid and plan from Solar Blossom. Per McNulty, another solar panel contractor informed him it would cost \$20,000 to relocate panels and repair roof, and he is getting a bid and plan from this contractor as well. The Committee reiterated its position that it is in the best interest of both parties to resolve this matter without going through the costly arbitration process. McNulty said he would need more time to get plans and bids, as he and wife are leaving town for family reasons for three weeks starting Mar 3. McNulty said his neighbor, however, would continue getting plans and bids in his absence. Chair Folsom agreed to extend the date to April 1, for McNulty to submit plans to ACC to relocate or move panels, in accordance with HOA Solar Panel Policy. McNulty accepted.

UPDATE 03/01/2023 McNulty sent email to Folsom on March 1, after the meeting, with a single image as a proposal: front facing panels facing the street, to be moved to other front facing positions facing the street. This proposal is not in accordance with HOA Solar Panel Policy.

STATUS: OPEN

**NEW BUSINESS:**

4. Discussed and voted to approve proposal to have HOA stonework and monuments cleaned at Club House Lane and Harbour Pt, St. Andrews and Harbour Pt, St. Andrews and 116<sup>th</sup>.

5. Applications for Approval of Improvements received:

New HVAC system on St. Andrews Dr. - *approved*

Meeting adjourned at 6:47 PM by Chair Folsom.

Prepared by Joe Rystrom.