

OCHL - 12 HOMEOWNERS ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE (ACC) MINUTES

ACC Members: Dani Folsom, Chair, Joe Rystrom, Secretary, MaryLynn Birney, Phillip Falk, Ahmed ASH Hussain, Michael McMillan, Al Prescott (Windward Bluff Liaison)

Wednesday, June 7, 2023

ACC Members in Attendance: MaryLynn Birney, Ahmed ASH Hussain, Michael McMillan, Joe Rystrom.

Others in Attendance: Leroy McNulty

Meeting called to order at 6:10 PM by Co chair Rystrom

Approval of Minutes: Minutes for May 3, 2023 are APPROVED.

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.

UPDATE 04/10/2023 Leo from Monarch agreed to extend current agreement to the end of May.

UPDATE 04/26/2023 Birney, McMillan and Rystrom did a walking a tour of the HOA property with four landscape companies, including incumbent contractor; showed what was to be included in the proposal, fielded questions.

UPDATE 05/03/2023 Folsom led discussion of the four landscape proposals received. Pros and Cons of each. ACC agreed to lessen some work details, and clarify other components. Also, agreed to counter the two lowest commercial bids.

UPDATE 06/07/2023 Rystrom informed the contract had been agreed to with our existing contractor, Monarch, with a June 1, 2023, start date, ending on October 31, 2025. The new contract represents a thirty percent increase from our current contract but was still the lowest bid. The committee agreed that dues should be routinely increased every year to stay current with inflation at a minimum, and to better position the HOA to potentially hire a more intensive contractor at a potentially higher price in 2025. Joe Rystrom will be the single point of contact for Monarch.

STATUS: CLOSED

2. 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.

UPDATE 06/07/2023 McNulty was present to update that he has enlisted three solar contractors to assess removing the offending, street facing panels from his roof. Blossom, the installing contractor has ceased communication per McNulty. A second contractor quoted \$30,000 to remove the panels which included roof repairs but is not interested in the work at this time. A third contractor (1st Choice Electric) came back with the exact same solar design as is currently installed and ignored the HOA solar policy. McNulty informed that he has sent a letter to Kevin Britt that we need to go to arbitration.

STATUS: OPEN

3. Tree Maintenance

Two new trees issues reported in lower trail from St. Andrews and lower park open space. Hussain and Rystrom will investigate and engage Total Tree.

UPDATE 06/07/2023 – Rystrom, Hussain and Birney walked the area on May 10, 2023, with Total Tree, the fallen trees were addressed that day by A Total Tree along with various surround area pathway obstructions.

CLOSED

New Business

4. Applications for Approval of Improvements received:

New deck – 59th – approved

Extend front steps – Bayview – approved

Various upgrades – add hot tub, BBQ area, replace doors – 117th – approved

Remove two aging cherry trees replace with magnolia – Bayview – approved

Add rear yard metal fence/golf course – 59th – approved with concurrence from golf course

5. Complaints

Oven remaining on sidewalk no trash collection – Birney sent email to homeowner on 6/9/2023

Noise and lighting complaint – Birney sent email to homeowner on 6/9/2023

St Andrews upper grass park area – Rystrom working with Monarch on restoration plan

Broken sprinkler head North St Andrews entrance monument – sprinkler head replaced

6. ACC application and complaint shareable tracking document

Birney has developed a shareable document to keep track of all incoming applications and complaints.

The committee members agreed to rotate the “lead” on each complaint. This individual will be responsible for communicating with the homeowner, researching the issue, providing feedback and recommendations to the committee for an ultimate vote by the committee.

STATUS: CLOSED

7. Paint policy

Birney is working on revising the existing paint policy to delete references to our antiquated notebook and to add links to the Sherwin Williams HOA Archive site. Our approved paint palettes have been uploaded and are now searchable with this Sherwin Williams tool.

STATUS: OPEN

8. HOA Picnic in the Park

Birney has sent out an email to all homeowners requesting their input on interest, dates, volunteerism, headcount. She will resend a second e-mail to the non-responders with a due date the week of 6/12/2023.

STATUS: OPEN

9. Bayview Park Playground improvements

It was agreed that the park equipment is out of date, splintering and otherwise beyond its useful life. Committee members agreed that the playground is an asset and provides increased home values for our members. Birney and Rystrom both have leads on commercial playground equipment suppliers and will work with them to develop a preliminary budget and design. It was suggested that the park potentially include a covered picnic table area and that the playground be inclusive for children of all abilities. Birney to research financial details. Target completion by Spring 2024.

STATUS: OPEN

Meeting adjourned at 7:23 PM by Chair Rystrom.

Prepared by MaryLynn Birney