JOINT BOARD AND ARC MEETING JUNE 16, 2016, Dahlgren Residence;

Board, ARC and Tom Hazard present. Cmd handed out agenda for this continued Board meeting (from 6/15/16) with following items:

1. Understand ARC responsibilities – history and insurance issue
2. How to be consistent – timelines and interpretations
3. Specific lot issues and how to approach
4. General enforcement letter – draft
5. If time, finish last night’s Board agenda

Board and ARC discussed responsibilities for review and enforcement. Enforcement was discussed both as to lot owners following the process for review by ARC and action by the Board, and, in terms of making sure whatever is constructed is completed within the one-year time frame and in accordance with Board approval.

The history of interaction between Board and ARC was reviewed. Board responsibility for final approval was, apparently, originally considered out of concern for whether “D&O” insurance coverage was available to the ARC, as well as concern for authority under the Covenants, By-Laws, and general law.

The ARC wants the Board to maintain enforcement responsibility. ARC members stated their understanding that the ARC reviews project plans and provides recommendations to the Board, consistent with the Covenants and the lists on the form application, i.e. (1) projects requiring no ARC review; and (2) “minor projects” that require ARC review, but do not have a fee associated with the review. (The forms were approved by the Board in 2009 with both lists included.) Anything that would require a formal variance by the Board is sent to the Board without a recommendation. The ARC sees such as outside of their authority.

The Board discussed their desire for ARC recommendation, even when a variance may be under consideration, and the requirements of the paragraph on variance in the Covenants. The Board also expressed the weight given to ARC recommendations as the body with knowledge of prior approvals and current construction standards and materials. The Board and ARC expressed the need for consistency.

No action was taken on current applications; they were used as illustrations to define which entity does what. The Board and ARC reviewed draft of letter to all owners regarding enforcement and information that might be included in follow-up letters to specific lot owners.

The following “assignments” arose out of the discussion: (1) cmd to find out about insurance coverage and draft formal Resolutions reflecting ARC and Board policies, consistent with advice given by lawyer at June 15 meeting, after checking the current Board Reso on ARC; (2) the Board to continue discussion of enforcement, in light of membership direction at 2015 Annual Meeting and ARC’s role definition; and (3) Board to review cmd’s drafts of general letter and letters to specific lot owners. Tom Hazard volunteered to review general letter, along with Board.