

BELL CANYON ASSOCIATION **MINUTES**

Architectural Committee Meeting – Tuesday, June 12, 2018

Members Present: Peter Carniglia, Daniel Burgess, Scott Sand

Others Present: Chiedu Chijindu (AC Consultant), Leon and Marina Reingold, Warren Weiss

The meeting was called to order at 7:05 PM

May 22, 2018 AC Minutes: Peter made a motion to approve the minutes. Daniel seconded the motion. Approved. The May 8th AC minutes is for final review and approval.

7:00 – 7:10 - OPEN FORUM (no member's time to exceed 3 minutes. This may be waived at Chair's discretion)

There was no issue discussed during open forum.

APPOINTMENTS

7:10 PM Reingold, Lot 735, 9 Wagon Lane.: Leon and Marina Reingold were present to again discuss the same grading plan change order. Leon informed the AC that since they are in litigation, Peter should not be present in the meeting. Peter advised the Reingold he will consult with counsel to find out if he should recuse himself in the meeting. Leon asked Peter to leave the room until he gets advice from counsel. Peter suggested that the meeting with the Reingold be deferred until he gets an answer from counsel. The Reingold declined the postponement.

The Reingold's stated:

- Numerous change orders were submitted to the AC since Aug. 2017. The AC has denied these change orders. The Board upheld the decision of the AC and recommended that the owners work with to the AC to resolve the problem.
- The AC was allowed to survey their property. However, until today, June 12th, they have not received a copy of the survey.
- The AC stopped them from grading in the middle of the project. Now the AC wants him to submit a new plan. The AC is costing him a lot of money.
- The AC's authority ends at the aesthetic aspects of a project.
- Everybody received approval of change orders except them.
- They were allowed to continue with their erosion control but not with grading. The community will not see the graded portion of the south slope. He lowered his elevation which is in a temporary compaction state.
- All three change orders were rejected because it was inharmonious.
- They have nothing to else to present since they have submitted many plans.

The following were the response of the AC:

- a. For the record, Peter made it clear that the purpose of the survey is to establish the current site conditions of the property. The survey shows the Reingold exceeded the plan approved by the AC.

BELL CANYON ASSOCIATION **MINUTES**

Architectural Committee Meeting – Tuesday, June 12, 2018

- b. The AC received a copy of the survey, but is not ready to release it yet to the Reingold for the following reasons:
 - i. AC is currently in the process of understanding and analyzing the survey;
 - ii. The survey showed grading exceeded the boundaries of the approved grading plan.
 - iii. The survey established work that has been done without a change order first being approved by the AC.
 - iv. The change order was rejected.
 - v. Due to the lawsuit, the AC cannot say when the survey can be released to the Reingold.
- c. The AC found that the original approved plan showed a topo map on the background as an overlay. This was from the survey in August 2017, which the AC provided to the Reingold. It was also used on the change orders they submitted.
- d. The AC found a discrepancy in the background survey between one change order and another.
- e. The Reingold can submit a sketch, rather than an engineered plan to show to the AC. They violated the CC&Rs and have to submit a compromise plan based on what is being asked from them in the letter.
- f. The final goal of the AC is for the Reingold to present a compromise plan and move forward with their project.

The AC asked the Reingold what is their plan. Leon advised the AC that they want the AC to go to their property, take a look, and tell them what is inharmonious on their property. Drive with him from any point in the community, look at his property and point out what is inharmonious. The AC advised the Reingold that there are photographs taken showing their property. The AC ended the discussion by asking the Reingold if they have anything more to offer. The Reingold asked the AC when they can come to their property. The AC did not respond.

OTHER BUSINESS

Top priorities for AC On-Site Inspection on the June 19th - Notification to Owners:

The AC reviewed the list of current AC construction projects. Owners of the properties the AC considered as top priorities for the AC on-site inspection will be notified.

AC Construction Projects Spreadsheets: The AC reviewed and discussed the current list of AC construction projects.

EXECUTIVE SESSION

Construction Issues

The meeting was adjourned at 8:15 PM

Next Architectural Committee Meeting:

June 26, 2018