



Memo

To: Board of Directors
From: Tucker Omohundro, Vice Chair
Date: January 26, 2022
Re: Motion - Approve Revisions to Architectural Control Committee Charter

Motion

I move to approve revisions to the Architectural Control Committee Charter as noted on the attached, red-lined version dated 01-19-22.

Background

The Architectural Control Committee recently reviewed its charter. In comparison with other like HSVPOA Committee Charters, items were noted as recommended for change in the current Charter to align it with the others.

The Committee recommends approval of the following changes:

IV. Organization and Appointment.

Amend Section A as follows: The ACC shall consist of a minimum of five but up to seven eight members of the Property Owners' Association who shall be appointed by the Board of Directors. This total includes the Board and POA Staff members assigned to the committee. A member of the Board of Directors shall be elected by the Board to serve as a committee member. The General Manager will appoint the appropriate staff member to serve as a committee member. The POA Board of Directors shall approve all members for appointment.

Strike Section F: ~~The POA shall provide a staff director, who shall not be a member of the Committee but shall serve as the ACC Staff Liaison.~~

CHARTER
ARCHITECTURAL CONTROL COMMITTEE (“ACC”)
HOT SPRINGS VILLAGE PROPERTY OWNERS ASSOCIATION (“POA”)

I. AUTHORITY

As recorded in Hot Springs Village Covenants and Restrictions in Article XI of the Declaration dated April 20, 1970, Amended 04-05-2011, Amended 05-21-2014.

II. JURISDICTION

All properties as defined in Article I of Hot Springs Village Covenants and Restrictions dated April 20, 1970, Amended 04-05-2011, Amended 05-21-2014 and Article I, Section I (c) of the Declaration dated April 20, 1970, Amended 04-05-2011, Amended 05-21-2014.

III. PURPOSE

- A. To protect the general character, appearance, aesthetics and use of Hot Springs Village.
- B. To protect and enhance the property values and environment of Hot Springs Village.
- C. To evaluate all residential and commercial construction, alterations and additions in regard to nature, kind, shape, height, materials, location and harmony of external design with the surroundings and topography.
- D. To interpret and administer the Declaration and Protective Covenants of Hot Springs Village as they relate to matters within the purview of the ACC.

IV. ORGANIZATION AND APPOINTMENT

- A. The ACC shall consist of a minimum of five but up to eight members of the Property Owners’ Association who shall be appointed by the Board of Directors. This total includes the Board and POA Staff members assigned to the committee. A member of the Board of Directors shall be elected by the Board to serve as a committee member. The General Manager will appoint the appropriate staff member to serve as a committee member.
- B. Committee members shall be appointed prior to the regular April Board meeting for staggered 3-year terms. Appointments made to the ACC to fill a vacancy shall serve the balance of the term vacated.
- C. The ACC Chairperson shall be a voting member to resolve tie votes and may vote when such vote will make a difference or determine the result. The ACC Chairperson shall be selected annually by vote of the ACC members for a term of office not to exceed one year and shall not succeed him/herself unless requested by the committee and authorized by the Board of Directors.
- D. A vice-chairperson shall be elected by the committee. The vice-chairperson shall perform the duties of the chairperson in his/her absence.
- E. A secretary shall be elected by the committee to record minutes of all meetings.

V. ENFORCEMENT

- A. The ACC shall have no enforcement powers.
- B. The ACC shall advise the Compliance Division of any infractions it encounters or is aware of.

VI. DUTIES AND RESPONSIBILITIES

- A. To establish criteria for the approval of all residential and commercial construction, alterations, and additions and other items as delineated in the Declaration and Protective Covenants.
- B. To establish criteria for any modifications to landscaping, construction, tree trimming or cutting or any other activity on common property as defined in Article II above.
- C. To establish criteria for any and all signs exclusive of street identification, major facilities direction, and traffic control signs.
- D. To review applications and plans for all of the above and to render a decision relative to approval or denial of said application.
- E. To establish through the Permitting & Inspection Division a means of reporting and keeping permanent records relative to the above.
- F. To coordinate with the Permitting & Inspection Division and the Compliance Division the review and issuance or denial of permits for infractions of the established criteria in VI. A, B and C above.

VII. LIMITATIONS

- A. The ACC shall not have the authority to hire, fire or discipline any POA personnel.
- B. The ACC shall not make commitments of POA funds.
- C. No ACC member should be associated with any business activities that are directly related to their committee purview.
- D. ACC members are prohibited from accepting any form of gratuity, any form of remuneration from suppliers, contractors, realtors, property owners, or any other person doing business, attempting to do business, or in conflict or competition with the POA.

VIII. DISCLAIMER

No warranty or representation is made or should be implied by any individual owner that the actions of the ACC in the approval of permits is intended as a tacit approval of the quality, safety, desirability, or suitability of such design or construction.

IX. MEETINGS

Meetings shall be held at least twice a month and minutes taken and recorded.

X. REPORTS

- A. Minutes of meetings shall be submitted to the office of the Corporate Secretary for distribution and filing with the POA Board of Directors by Thursday of the week prior to the monthly meeting of the POA Board of Directors.
- B. Committee members are not authorized to submit minutes or unofficial reports to anyone other than the Corporate Secretary, who serves as the official record keeper of the corporation.

Adopted 4-23-80, Amended 6-27-84, B.O.D. 6-4-86, B.O.D. 6-25-86, B.O.D. 9-20-89 A.C.C. 10-18-89 B.O.D., Amended 4-18-91, Adopted 4-24-91, 5-24-91, 9-8-92, 9-15-92, B.O.D. 9-23-92, 10-22-97, corrected 11-7-97, B.O.D. 4-28-99, 2-18-15, 4-20-16, 1-17-18, 1-16-19, 3-20-19

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