2018-2019 Compliance Committee

Meeting Minutes

November 14th, 2018 Meeting

The 2018-2019 Compliance Committee held their monthly meeting at the Schlitterbahn at 6:00 pm on November 14th, 2018. Committee members in attendance were, John D., Scott S., Bill H., Yvonne O., and Alan R. Also, in attendance were three POA board members and several concerned members.

Several community members offered their comments and concerns. To some-up the comments I would use the words fair, flexible and research. Many members believe there is a need for POA Compliance Associates to spend more time researching the reason(s) as to why a property owner who is in violation, has not responded to a notice of the violation. These members are concerned some violations may be because of property owners who, for whatever reason, are not able to resolve the violation. The committee is in strong support of POA employees spending more time on this type of research. As a community we need to make sure that all of our neighbors are looked after. With that said, if any property owner is unable to correct a violation, it is their responsibility to contact the POA so that the POA and/or other concerned members can figure out how to help. Not responding to a notice is not a solution.

A big thank you to all members who took the time to attend. One of the primary mandates of this committee is to listen to the wishes of the community, concerning compliance issues.

The committee walked through the steps of a new “PIPOA Complaint Process”. To have success in any endeavor there needs to a well defined “process”. I believe this is a very important component to a successful compliance program and as such, the committee has put many hours into this phase of our work. Committee agreed to most of the steps in this new process.

Two items of the discussion for which the committee has not come to agreement on are:

 #1. Do we recommend that the member making a complaint concerning a potential violation be allowed to remain anonymous?

#2. Do we recommend that POA Compliance Associates only be concerned with member complaints and no longer drive around looking for violations?

This is the short version: Any member fills out a “standardized complaint form”, POA opens a file and researches to determine if complaint is indeed a violation of either city or POA, if so report to city and/or a letter is sent, if not resolved after 14 days a second letter is sent along with a fine schedule, if not resolved after 30 days, fines may start. The member making the complaint is to be kept informed as to the status of the complaint.

In response to member comments, at the committee’s next meeting, we will probably add a step between the first notice letter and the second notice letter, stating that POA Compliance Associates take all reasonable steps to determine why a property owner has not responded to the first violation letter. The POA should do everything possible to convey the fact that Compliance Associates are a part of island life to be proud of, not to be feared.

The committee plans to recommend that the Executive Director and a new three-member Compliance Committee be given broad latitude as to how compliance violations, fines and the appeal processes are applied. In other words, not a “one size fits all” set of rules.

*It is my personal opinion. Property owners who after numerous attempts by the POA to get them to bring their property into compliance, flatly “refuse” to live up to their obligations, be levied a fine. Probably less than 20 out of 5,408 property owners would be on that list today. While it is not a secret that I think big fines are sometimes necessary, I don’t believe there would be over 4 or 5 property owners that should get to the point of having any fines levied on them in a given a year. Communication and education are the answers to compliance problems not $50.00 fines to 3,000+ property owners.*

The committee agreed to use Article #46, in the current Board Policy Manual as the vehicle to use to present out final recommendations to the Board. Our plan is to leave in the relevant sections and to take out or rewrite some other sections. For anyone interested, you can find the entire current Board Policy Manual at the PIPOA website.

Plan for finalizing committee recommendations is this. The committee will have their semi-final recommendations ready on the 14th day of March 2019. On that day we will release our recommendations to the membership in as many ways as we can for a 30-day period, for member comments. After the 30 days, we will review and consider the comments, possibly make a few minor changes, then offer the committee’s final-final recommendations to the Board at the April Board meeting.

At last evenings meeting, our committee was made aware of another problem that will need to be addressed concerning POA compliance. It has been discovered that the POA is not in very good standing with the powers- that-be in the city compliance dept. It seems that in the past, BM (before Marvin) certain individuals in positions of leadership in the POA were caught using and attempting to use the city code enforcement dept. to punish or cause trouble for individuals and/or businesses that the unnamed POA leader(s) considered (for the lack of a better term) an enemy. The city code enforcement dept. is hesitant to come to the island for this reason. So, for all members who have been calling violations to the city without great results, this is one big reason why. Another mess from the past that will need to be cleaned up by the new POA leadership.

Alan Rickertsen

Chairperson