

BAYSHORE/KLATT COMMUNITY COUNCIL

Minutes of the Membership Meeting

April 3, 2014

Pres. Hoffman called meeting to order at 7:05 PM. Minutes were distributed, approved and an agenda was circulated. The Treasurer reported 1075.00 in assets. The meeting was held at the Bayshore Club House.

- I. Special guest presentation:
 - A. Captain Al from Station 15 reminded members to change the batteries in their smoke detectors when changing their clocks. He also cautioned members regarding grass fires this time of year.
 - B. Robert Laule: FCC representative: Discussed the re-write of council by laws and the recent capital improvement list and the need to comment on any we felt of importance.
 - C. Bruce Shulte, Southport Master Plan Association.

As previously announced, Bruce was in attendance to discuss the continuing saga of the cell tower at Station 15. He offered the following timeline regarding the tower.

 - January 3, 2013: Consultant came to the Southport Master Association (SMA) to present the idea of a cell tower at Station 15. SMA offered many alternatives but did not agree with placement at Station 15.
 - Feb. 4, 2013: SMA sends letter to AT&T requesting added options be examined. They receive no reply.
 - May 17, 2013: Agency review request issued to agencies by MOA. MOA staff erroneously report that "no objections were received." BKCC never receives material for review nor did AT&T consultant ever approach BKCC or its' officers.
 - July 9, 2013: On MOA consent agenda. False statements in the staff Assembly Memorandum as residents' concerns were not heard or met.
 - Current: Appears AT&T if trying to obtain approval with administrative review only. April 21st is the deadline for comments (a handout from Robin Ward of the MOA erroneously states that the deadline is April 25th)

During the meeting Assembly person Jennifer Johnston admits the public process has failed terribly. Robin Ward, MOS staff representative appears quite defensive about the entire process while trying to answer questions from irate Council members.

Of note, per information from Bruce S., is that the transfer of Covenants, Conditions and Restrictions (CC&R's) to SMA from Carr-Gottstein Properties occurred on 10/30/2005. This transfer places the control of the CCR's with SMA. Therefore the MOA has to comply with the CCR's via the SMA. This lease will be in direct violation

of the CCR's. A representative of the SMA suggested that should the lease be granted, SMA would appropriately commence legal action to enforce the CCR's. Numerous members who are part of the SMA voiced their desire to join such an action should the lease be granted. One member who lives immediately adjacent to the proposed site stated that he would have to sell his home and move due to health concerns should the site be approved and a tower built.

The overall tone of the meeting was quite negative towards the MOA, MOA staff and the applicants' consultant as the entire process has been flawed from the start. Of the over 50 people in attendance, none supported the proposed location. Many were quite upset this had gone this far, and were astounded some in the MOA actually supported the proposal even though the community council, the homeowners' association and affected homeowners oppose the action. When asked by President Hoffman if anyone in attendance supported the proposal, not one had appeared.

Assembly person Johnston pledged to look further into the problem, and stated that she would request Jerry Weaver from the Planning Department attend our next meeting. She was reminded that his attendance will be after the administrative decision is reached.

II. Other business:

Dave Carter went through the revision to our by-laws. Most changes were very administrative in nature. By present the by-laws we have complied with the requirement to notice the public.

No other business was transacted. The meeting ended at 8:45 PM

Wayne M. Pichon, Secretary

