

Fox Creek Farm HOA Meeting, August 13, 2009

Meeting was called to order at 7:04 pm by Jay Stype. Susan Zwiebel, Erinn Severson and our property manager from Flagstaff Management, Francie Orvis, were present. The board called a special meeting to handle some pending issues that needed everyone's input. No new business was discussed, just finalizing old business.

There were several Design Review Requests that had not been approved or denied, so the board reviewed them. Board approved most, but denied a few others and asked for more information on the rest of them. 1026 Red Oak had submitted a paint color request, along with some fence maintenance. It was unclear what they intended, so Jay Stype agreed to stop by their home after the meeting for confirmation. Other board members gave him the authority to approve the project if he didn't see a problem.

Kory Cash had suggested additional paint guidelines to simplify the process of approving paint colors. This has been an on-going process, so with a few amendments, the paint guidelines were finally approved for printing.

The newsletter, which has also been an on-going process, was approved with a few additions and corrections. Susan will take both to the city for printing on Friday.

The residents at 1418 Deerfield Court painted their home without DRR Approval. They admitted they broke the covenants, filed a DRR, which was not approved. They were asked to paint the trim white or off-white but were unwilling to do that. The board compromised and would have allowed them to paint the trim the same color as the house and agreed to waive all legal fees to date; however, the homeowner did not comply with the agreement stating they had done nothing wrong. Since they continue to be in violation of the covenants, the board has decided to turn the case over to the attorneys. The board has instructed the attorneys to seek a new Design Review Request with new trim and accent colors since the current trim and accent colors are unacceptable. The body of the house can remain the color it is, but the other must be changed. Again, the board recommends white.

The residents at 1340 Monarch Street also painted their home, but theirs was actually denied by the Architectural Review Committee, and they painted anyway. The board will not tolerate blatant disregard for the rules so this situation has also been passed to the attorneys. The board did instruct Francie to fine them \$25 for non-compliance of the covenants. While the board (and the Architectural Review Committee) did not approve the colors on the home, the board is willing to allow the body color to remain unchanged; however, the area above the garage including the vent, must be painted to match the body of the home. The board requires the homeowner to resubmit a DRR with a new accent color. The trim color is fine, but the posts by the front door need to be painted as trim, not an accent.

The board will have no further communication with the above-mentioned homeowners without going through the attorneys. Both homeowners will be responsible for all legal fees in connection with correcting the problems.

The board also moved to add two new members to the Architectural Review Committee. The committee will be required to meet and take minutes at each meeting. The board also wants the committee to list specific reasons for a denial. For instance, paint colors denied because the body color is too dark, or please resubmit with a different accent color. If there is not a majority decision on a DRR, it must be forwarded to the board for final approval.

Having no other business to discuss, the meeting was adjourned at 7:40 pm.