

# **Fenwick Homeowners Association Board of Directors Monthly Meeting Minutes**

**Date:** June 21, 2021

**Location:** Fenwick Clubhouse

**Directors Present:** Robert Feinberg, Tom Fiordelisi, Lisa Sutliff, Duane Jones, Scott Monetti, Phillip Nokes, Russell Quesenberry

**Directors Absent:** Bilaal Minhas

**Guests:** Jordan Baker; Adam Wilhelm; M.T. Berry; Jeff, Kelly and Lauren Harris, Lee Christensen; Curtis and Kristi Sherfield

President Feinberg called the meeting to order at 7:01 p.m.

## **Open Forum:**

- Jordan Baker and Adam Wilhelm, who live on Halbrooke Circle, said the spring tree cleanup that was mulched along the south side of the creek is preventing the landscaping crew from mowing or weed-eating.
- Wilhelm is concerned about standing water in the green space on Halbrooke Circle that drains into the creek.
- Jeff Harris voiced support for the pool monitor program. He said monitors should not feel threatened by angry residents.
- Curtis and Kristi Sherfield asked for clarification on the rule for underage kids at the pool.

**Prior Meeting Minutes:** Fiordelisi made a motion, seconded by Nokes, to approve minutes of the Board Meeting on May 17, 2021. Motion passed.

## **OLD BUSINESS:**

**Garage Sale:** No issues were reported.

## **NEW BUSINESS:**

**Resignation of Board Member** – Tamar Hinton sent notification to the Board on June 10 that she needs to devote her time to other obligations and submitted her resignation from the HOA Board. Bilaal Minhas is moving out of state and resigned from the Board as of the end of this meeting.

**Unlicensed Motorbikes on Public Streets and Common Area** – A few teenage boys on motorbikes have been speeding through all areas of the neighborhood, running stop signs, driving through common areas and on sidewalks. Several people have spoken to the boys trying to curb the behavior and make them leave since they don't live here. The police have been notified multiple times and Sonoma Lake HOA, where the fastest rider lives, was notified last week. If it continues, more video evidence of the law-breaking behavior is required to receive additional police assistance.

**Clubhouse Cleaning** – The HOA management contract includes clubhouse management and cleaning coordination. Sutliff said that since rentals are becoming more frequent again, the carpet should be professionally cleaned and TPC should resume coordination of clubhouse cleaning on a bi-weekly basis. The Board agreed.

**Special Meeting on July 12** – The Board is scheduled to meet with a vendor to discuss its management services on July 12.

## **REPORTS:**

### **Treasurer's Report – Duane Jones**

- As of May 31, 2021, Fenwick HOA has \$479,405.21 on deposit with \$310,051.82 being the Reserves Account.
- Budget Committee will meet in July or August to prepare the 2022 calendar year budget.

### **Maintenance Committee Report – Bilaal Minhas, Chair**

- Landscaping: The committee is reviewing: (a) the mulched area on the south side of the creek behind Gated homes for additional cleanup, and (b) bids to improve the drainage issue in the Halbrooke Circle common area.
- Playground: Monetti reviewed playground equipment options to replace a broken item. Nokes will see if the broken piece can be repaired first.
- Sprinklers: Feinberg said there is still one or more broken heads by the Garden Village gate on 164<sup>th</sup> Street. Minhas recently coordinated replacement of twelve sprinkler heads and fixed an underground pipe for \$600 total.
- Pool area: Monetti and Nokes replaced the broken plexiglass around the pool fencing with two-foot-tall chicken wire to prevent ducks and other small animals from entering. Minhas replaced three flood lights. Quesenberry repaired the outdoor water fountain, cleaned out the clubhouse AC unit and changed the air filter. Nokes replaced a bathroom door handle. Clay Trotter grinded the pool gate to prevent it from sticking. Sutliff is meeting with potential vendors to repair two corner brick sections on the pool deck.
- Sutliff contacted Edmond Heat & Air to replace the clubhouse AC unit fan motor, which stopped working this week.

### **Community Preservation Committee – The Property Center is responsible for rules enforcement and violation letters in the ungated and east Gated HOA areas.**

- 29 Violation letters were mailed since the last meeting: 8 trash cans, 8 yard/landscaping, 6 parking, 3 signs, 1 maintenance, 1 unsightly, 1 decorations, 1 animals/pets.
- It has been reported that a food truck is cleaned out on a Fenwick street on a regular basis. The committee will contact the resident.
- Holiday lights: Nokes made a motion, seconded by Quesenberry, to accept modified language to the holiday lights rule.
  1. *Trim lights installed under the eave is considered a “holiday” light and must adhere to the Holiday light schedule.*
  2. *Holiday lights used during the “Christmas/Holiday season must be turned off by Jan. 2. They must be removed from the home by Feb. 14 (unless they are permanently installed under the eaves and hardly seen during the day or night when not lit).*
  3. *Holiday lights may also be lit on up to eight other holidays in the calendar year for up to 1 week before and 3 days after the holiday at which time they need to be turned off. They must be removed at that time (unless they are permanently installed under the eaves and hardly seen during the day or night when not on).*

Motion passed. The Board suggested asking homeowners with lights on 8 other holidays to provide a list of those holidays to the Architectural Committee in advance.

### **Architectural Committee – Robert Feinberg, Committee member**

- 4 Architectural Review Board requests were approved since the last meeting: 3 exterior painting and 1 landscaping.
- Guidelines on solar panel installation were unanimously approved by the Board via email on May 29-June 2. *The approved guidelines are attached to these meeting minutes.*

**Pool – Lisa Sutliff, Chair**

- The pool is overseen by two pool managers and six pool monitors. A robotic pool cleaner (and caddy) was purchased at a cost of \$911 after approval by the Board during the last meeting.
- Pool management recommends that monitors begin requesting official identification from any visitor claiming to be at least 16 years of age. The HOA’s insurance company requires all individuals under the age of 16 be accompanied by an adult. The Board agreed.
- Fenwick Frogs swim team will host a competition meet with the surrounding neighborhoods at Fenwick’s pool on Sat. June 26 and their practice season ends July 12.

**Community Involvement/Welcome Committee – No report**

**Social Committee – Lisa Sutliff, Committee member**

- A new social chairperson is needed since the previous chair recently moved out of state.
- A summer social event will be scheduled, and the committee is planning a back-to-school pool party on Aug. 21.

**Nominating Committee – Tom Fiordelisi, Chair – No report**

**Communication Report – Lisa Sutliff, Chair**

- A newsletter was emailed on May 22 with pool opening details. Another will be sent soon.
- Will update the bulletin board with board member updates.

The meeting adjourned at 8:55 p.m.

The next regularly scheduled board meeting will be Monday, June 21, 2021, at 7 p.m.

**Certification**

The undersigned hereby certifies that the foregoing minutes were adopted by the Board of Directors of the Fenwick Homeowners Association at a meeting duly called and held in accordance with the bylaws of the Fenwick Homeowners Association on July 19, 2021, at which a quorum was present.

*Lisa Sutliff*

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Lisa Sutliff, Secretary

**ARCHITECTURAL  
RULES, REGULATIONS & GUIDELINES**

**SOLAR ENERGY DEVICES**

**I. Introduction**

5.1 General Requirement for Prior Approval. No structure shall be placed, erected, or installed on any portion of the PROPERTY, no alterations of or additions to the existing landscaping, and no improvements (including staking, clearing, excavation, grading, and other site work, and exterior alteration of existing improvements) shall take place within the PROPERTY except in compliance with this Section and the Design Guidelines promulgated pursuant to Section 5.3. In addition to the construction of dwellings and other Buildings, it is specifically intended that placement or posting of other structures (e.g. fences, signs, antennae and satellite dishes, clotheslines, playground equipment, basketball hoops, pools, propane and other fuel tanks or devices (other than portable gas grills), lighting, temporary structures, solar devices, and artificial vegetation) on the exterior of any Lot or other portion of the PROPERTY shall be regulated by this Declaration and the Design Guidelines and require the approval of the appropriate Reviewer under Section 5.3. Modifications to the interior of specified, porches, patios, and similar portions of a Lot visible from outside the structures On the Lot shall be subject to this Section. No approval shall be required to repaint the exterior of a structure in accordance with the ordinarily approved color scheme. This Section shall not apply to Declarants activities nor to improvements to the Common Area by or on behalf of the Association. This Section shall not apply to activities of the City of Oklahoma City, Oklahoma performed on property owned by the City and used for public purposes so long as the City complies with the separate deed restrictions applicable to such property, if any. This Section may not be amended without Declarants written consent so long as Declarant owns any portion of the PROPERTY or any land subject to annexation to this Declaration.

These declarations are to protect every Homeowner's property value by ensuring a well-kept and desirous place in which to live, which includes aesthetics involving after-construction equipment added to a Lot or a house.

The laudable goal of saving energy and incorporating equipment and systems into and on to homes or lots which do so has resulted in increased interest in the installation and use of solar energy devices and equipment. The Association does not want to do anything to prevent use of such devices, but feels it is important to ensure that such equipment is reasonably controlled as to appearance and location of installation, so as to protect neighbors and the community as a whole from

unsightly equipment and/or installation. Accordingly, the purpose of these Rules about solar energy devices and equipment is to reasonably control use and location to protect home values and aesthetics in the community, without preventing their use.

## II. POLICY

These rules, regulations and guidelines apply to all solar energy devices including without limitation solar panels and their associated components (**collectively referred to in this Rule as “devices” or “systems” or “equipment”**) which due to installation and use location are or may become “visible from neighboring property” above the fence line or other privacy barriers that may exist between neighboring yards and homes.

### 1. APPROVAL OF INSTALLATIONS

- a. Detailed plans for installation and placement of any solar panel / energy device must be submitted to the Architectural Committee for review and receive written approval from the Association prior to such installation.
- b. An illustrated brochure of the proposed system, which depicts the materials to be used, and drawings showing the location and number of collectors, the attachment to the roof structure, and the location of exterior system components, shall be submitted with the Architectural Request.
- c. An Oklahoma County Permit may be required for the installation of such device and ancillary equipment. The Association strongly suggests to Owner that he/she use an installer which is a licensed solar equipment contractor with the appropriate contractor’s license. Owner is entirely and solely responsible for knowing what permits may be required and obtaining any such permits before installation begins.
- d. Homeowners are urged to check with their home builder or insurance company prior to installation of devices for how such installation may impact their roof warranty or other aspects of their structure. Neither the Architectural Committee nor the HOA Board of Directors is liable to the property owners from roof damage or for effects to roof warranties. The Association and its Board has no expertise or special knowledge regarding such systems and therefore the Association’s approval for installation of any such device(s) or system is not a representation that the system chosen by an Owner is safe to use or is compatible with Owner’s roof or other structures on the Lot or the Lot involved, and Owner assumes and bears all risks regarding installation and use of such a system.

## **2. TYPES**

- a. Only commercially or professionally made devices are allowed. "Home-made" devices will not be permitted due to the safety and aesthetics aspects of such devices.
- b. Ground-mounted solar panels are permitted and are preferred.
- c. Roof-mounted or wall mounted solar panels are permitted so long as their installed location will not be seen from the street fronting the house. The Association realizes that for any houses located on corner lots where the back of the house or roof is visible from a side street, that installation of such devices on the back side roof may still be visible from the street abutting the side of Owner's lot, and installation on the back roof side of the house under these circumstances will not be considered a violation of these Rules).

## **3. LOCATION / PLACEMENT**

### **Ground-Mounted Solar Panels**

- a. The equipment must be installed in the rear yard with no portion of the unit exceeding six feet in height from the ground below it.
- b. Ground-mounted solar collectors shall be within the setback lines in accordance with City of OKC / HOA CC&R's and concealed from neighbor's view to the extent reasonably possible.
- c. No ground mounted devices or their components should be affixed to a block wall or wood fence.

### **Roof-Mounted Solar Panels**

- a. Flush-mounted panels (i.e. – the plane of the array is parallel to the roof) on a roof facing a street will be allowed as directed in b. below. If panels are installed on a side or rear roof, the array may be tilted or raised if a variance is granted.
- b. If an alternative placement location is necessary in order for the energy device to reasonably work as intended (so that any loss of efficiency or capability is no more than 10%), the Architectural Committee will consider the ability of the device to properly work regarding its location. If the location which would be required under these Rules would result in the device losing 10% or more of its efficiency or energy generating capability, then the Committee may approve the Owner's preferred location if that location is truly necessary under the factors set out in this subsection. Solar panels should be installed as far as possible to the rear of the house or garage.

- c. Solar panels should be an integrated part of the roof design and mounted directly to the roof deck or if mounted on or over the existing roof tile, should be flush with the slope of the roof. Solar units must not break the roof ridgeline.
- d. Solar panels should be positioned as low as possible on the roof extending wider rather than higher on the roof plane. The solar panels, piping or any exposed part of the installation may not be higher than the roof peak.
- e. Visibility of devices and their components must be minimized from public view, and may be required to be screened from neighboring property in a manner approved by the Architectural Committee.

#### **4. CONSTRUCTION / FINISH**

- a. All roof mounted equipment, (excluding the face of the solar panels), must match the color of the roof material. This includes wind turbines, solar skylights and other equipment. Exposed surfaces such as any frame or supports for panels but excluding the exposed collector panel face itself must be painted to match, or the color of the materials used must match, the surface on which it is mounted.
- b. All exterior plumbing lines shall be painted to match, or the color of the materials used must match, the color of adjacent roof material and walls. Aluminum trim, if used and visible, should be anodized or otherwise color treated to blend into the surroundings as much as possible.

#### **5. MAINTENANCE**

Homeowners will ensure that all surfaces of such devices or equipment, whether painted or colored materials, are properly and timely maintained to prevent peeling and cracking of paint or loss of coloration or other deterioration to the point where the equipment becomes unsightly and/or incompatible with the aesthetic standards of the community.

#### **III. Infractions**

Once a violation has been reported and confirmed, the violating homeowner shall be notified in writing, and, if not corrected in a timely manner, fines may be imposed and assessed according to Fenwick Rules and Regulations.

At the Board's discretion, legal action may be taken against the violating homeowner at any point once a violation has been confirmed. Additional fines will continue to be imposed and accrue while the legal action is in process if the homeowner remains in violation of this Rule or any other provisions of the Association's governing documents.

The opportunity to appeal the Board's decision is available under the Association's Rules and Regulations on "Appeal Process".

Any devices already installed prior to the adopted date of this policy are grandfathered-in; provided, however, that if the devices so grandfathered in are later replaced by another or newer device, the new device will be fully subject to compliance with this Rule.

#### **IV. Rule Enforceability**

If any portion of this rule is determined to be legally unenforceable, it shall not negate the enforceability of the remaining portions of the rule.

**Dated and adopted by the Fenwick HOA Board of directors this 2nd of June, 2021.**