

## FPEOA ARC Meeting Minutes – Thursday, September 14, 2023

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Present: Jerry Simon, Chris Blumke, Gary Lawrence, Eric Reinhart, Tom Rudd

Absent Excused: Eric Loeb

Board Liaison: Mike Jones

Meeting opened by Jerry Simon.

Approval of Minutes from August, 2023. ARC Secretary will forward each month's approved minutes to Geoff Rainville for posting to the website.

### Old Business / ARC Contacts:

**Farrar** fence request. No further information.

**Hull** – ARC Chair received proposal for patio and address monument. He advised the proposed plans would not meet standards and if wanted to pursue, they could request a variance with the board. No further communication. Proposed design called for a 6-8' wall, but the Standards do not permit solid concrete walls.

Address monument would be the same, poured wall concrete. **ARC is recommending to the Board that they not approve that variance.**

**Burger** – Chimney Cap, 112 Badger Trail South. Chimney inspection does not have spark arrester. Chimney inspector suggested spark arrester. **ARC Chair approved.** Preliminary approval given, final approval held until color and shroud type is identified.

**Martinek** – Tree Removal. **ARC gave approval to remove 5 or 6 trees.** Due to monetary issues, he only removed only two trees last fall, homeowner will remove the remaining trees this fall.

### NEW BUSINESS

Jim Brock Privacy Fence, what ARC approved is not what was built, and does not meet Standards. Mr. Brock has gotten a new proposal, put in previously approved cedar posts with double sided siding. Gary Lawrence suggested Brock stain to match his house. 7' maximum height must be conformed with. New, double-sided fence was approved. **Mr. Brock will be advised of approval by ARC Chair.**

Ken House reported that the Wildfire Council has indicated they do not want combustible fence posts placed adjacent to the houses.

**Ball Conformance Review** – House reviewed and Middleton Accounting was advised to issue \$4,000 of the refund.

**Hokes/Weeks Siding** – Board made suggestions and Hoke went with wood on the front, entryway and one-half of the garage. ARC committee members felt it was still too much metal. The homeowners did

what the Board suggested. Four were opposed and two in favor at this meeting. Too much steel siding, which is more than an accent. **ARC Chair will email Board with the recommendation to not approve.**

**Kulpecz** on Hummingbird – request to install ground-mounted solar array at rear of their home. Per Standards solar panels have to be mounted on roof. ARC cannot approve. They submitted variance request. Ken House indicated there would be substantial removal of large trees. ARC Chair had already communicated with installation company that the ARC would need to approve removal of any trees before approval can be given. Mike Jones referenced questions and concerns by the Board -- to make sure we have the right to require them to put it on the roof. ARC chair had suggested to the board that legal counsel be consulted to determine legality before ARC makes a recommendation to approve variance or not.

Board feels that it is ARC position to make a recommendation on the ground installation. Eric R again mentioned the number of trees needed to be removed. Since the board did not request input from the lawyer, the committee feels we have no choice but to enforce standards and recommend the variance for ground mounted solar array be denied. **Unanimous vote to recommend that the Board NOT approve the ground mounted variance.**

**Hollingshead** – start of delay until March 2024. **Delay is approved.**

**Community Based Solar Array project** – which residents could buy into. Biggest difference is that if it is a community entity, somebody has to be paid to maintain the solar farm. No further discussion.

**Fees for Variance Request** – Discussion included avoiding a profit for the HOA. ARC Chair took a vote – Committee was in favor. **ARC Suggested \$1,000 variance request fee.** Will be pursued the next time the Standards are updated.

**Website Update** – Link for Standards; contact information. **ARC Chair asked for ideas on what could be included there.**

**Martha Wright Resignation** – Liaison assignments have been updated.

**Austin** - 520 Badger rail South – continuation of rock gravel to the fence line. **ARC approved.**

**Keller** - **Asroturf will be included in the next Standards update.** Paint sample was reviewed. **ARC approved the paint sample.**

**Non Completed / Delayed projects** -- Extension Fees should be minimum \$1000. If home not completed in one year, the homeowner goes to Ouray County, they approve extension and ARC then approves the extension.

Considerable discussion was made about dealing with these projects. ARC is doing adequate job in talking with homeowners and builders. Suggestion: Give them 18 months and \$1,000 penalty if they do not complete by end of 18 months plus a monthly penalty fee for each month project is uncompleted. To be discussed and determined further.

Mike Jones suggested only other leverage that if builder doesn't meet some requirements, he cannot build here again. **Will be included in next update for the Standards.** Gary Lawrence suggested if projects incomplete after 18 months, the builder does not get approval for additional builds until that home is done.

**Project Liaison Report** – Eric Reinhart reported that not much is new.

Ressler going well. Varone, Mayes, and Senn are all moving along without apparent supply or sub-contractor delays.

Trotter has been excavated. Footers and stemwalls are installed. Now awaiting delivery of the home units.

**Fire Extinguishers** -- Ken House discussed fire extinguishers not being at the Silver Pick projects. Verbal warning given by Liaison, now will issue written warning, and if not installed within a week, will be a \$100 fine; if not in two weeks, \$500 for second offense. Requires two 10-lb extinguishers. Ken House and ARC Chair will follow-up with Silver Pick.

**NEXT MEETING** – October 17, Tuesday. 1:00 PM.