



# **HOMEOWNER'S HANDBOOK**

## **Fairway Farms & Meadow Glen at Fairway Farms**

This document contains information for homeowners and is provided to assist all residents within the Fairway Farms Community to comply with the requirements of the Association's governing documents.

April 2, 2021

## Welcome to Fairway Farms!

**W**e are a community of neighbors working together in a private, voluntary association to achieve a high quality of life and increase property values. We are a neighborhood that is considered by residents and non-residents alike to be a desirable place in which to live and enjoy the benefits of family, friends and community.

**O**ur mission is to preserve and enhance the property of our community by maintaining the community property areas, and upholding our Covenants, Conditions, Restrictions (CCRs) and policies. The Board will serve homeowners through open communications and by taking a fair, ethical and objective approach in representing the interests of all homeowners. Fairway Farms will be maintained as a safe, friendly and enjoyable place to live for each homeowner and their respective families.

Fairway Farms HOA Board

Whether you are a resident of Fairway Farms or Meadow Glen at Fairway Farms, we are all part of the Fairway Farms Community. Jointly we have an opportunity and responsibility to maintain high standards in our community.

This document has been designed to be a current point of reference to address and clarify the Fairway Farms Architectural Review Committee guidelines and standards as set forth in the homeowner's (CCR) Declaration of Covenants and Restrictions for the Fairway Farms communities. The information and ARC guidelines contained within this document are the current standards and supersede all past practices and/or ARC applications approved in the past.

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## **SECTION I - Architectural Review Committee Guidelines & Standards**

### **Introduction**

All Fairway Farms homeowners and residents benefit from the planning and design that has been an important part of the development of our community. This document is designed to address exterior alterations or structural changes desired by homeowners to their property, as set forth in the Declaration of Covenants, Conditions, and Restriction (CCRs) and it is part of the deed to every property. If you have questions or need clarifications, review this homeowner’s handbook or communicate any questions to the Fairway Farms Community ARC Chairperson or Board Member.

### **Purpose**

The purpose of this document is to identify standards, guidelines, and rules governing all modifications and improvements to all residences in the Fairway Farms and Meadow Glen at Fairway Farms communities. These guidelines and standards address improvements for which homeowners are required to submit ARC applications to the Architectural Review Committee (ARC). They are not intended to be all-inclusive or exclusive, but rather serve as a guide to identifying improvements permissible in the community. These guidelines are also intended to assist homeowners in preparing the ARC Request Form and completing the ARC submission process.

## ARC Application Process

### Timing

Homeowners should allow for a maximum of 30 days after submitting a complete ARC request form. Some applications may require additional time for review and some require less time, depending on the complexity. (Refer to ARC Request Form instructions and ARC application located within this homeowner handbook.) Homeowners should keep in mind that the process described below is for ARC review only. Homeowners are responsible for obtaining the proper city/county building permits and maintaining compliance with all current building codes, permit requirements and regulations.

The ARC request will be reviewed by the ARC committee and, if approved, will respond to the homeowner, by telephone and email, within ten (10) business days. The ARC request will either be approved, denied, given a conditional approval, or request additional information from the homeowner. Upon homeowner ARC approval an ARC Committee member will be assigned to confirm compliance. The ARC Committee reserves the right to inspect an approved installation at any stage to verify that the installation is being installed or has been installed in accordance with the approved ARC Request Form.

### Non-Compliance Fines and Penalties

It becomes the responsibility of every homeowner and/or builder to ensure their actions remain in compliance with both our governing documents and sections within the Homeowner's Handbook. The following fine structure has been established for non-compliance.

#### Type I Fines:

Examples include, but not limited to: minor nuisance issues, unsightly or unkept property conditions, improper landscaping and/or upkeep, parking / storage violations, and lack of lawn maintenance.

In all situations below, the 10-day shall be period further defined as calendar days and the first day of the 10-day period begins the day after the date of the notice. All notices will be sent to homeowners by certified mail.

- **1<sup>st</sup> Notice of Violation:** Written courtesy / fine notice indicating ten (10) days to comply.
- **2<sup>nd</sup> Notice:** *(if correction action not complied within the ten days after their first notice)* - **1<sup>st</sup> Fine Stage of \$25.00**
- **3<sup>rd</sup> Notice:** *(if correction action not complied within the ten days after their second notice)* – **2<sup>nd</sup> Fine Stage of \$50.00**
- **4<sup>th</sup> and subsequent Notices:** **Fine stage of \$100.00** will be assessed and fines continue to accrue at \$100.00 for each ten-day period until the issue was satisfied. Property liens may be filed, and legal charges may also be assessed.

#### Type II Fines:

Examples include, but not limited to: Building additions/modifications, Removal of trees or Change of property drainage flow, landscaping modifications, pool installations, or other construction with no prior ARC approval or leasing homes without written authorization.

- **1<sup>st</sup> Notice of Violation:** Written fine notice requiring immediate stoppage of all construction, tree removal or the stoppage of all soil/dirt movement within 24 hours of notice. If applicable, the immediate suspension of key card access to the community pool.
- **2<sup>nd</sup> Notice:** *(if correction action not complied within the ten days after their first notice)* - **1<sup>st</sup> Fine Stage of \$100.00**
- **3<sup>rd</sup> Notice:** *(if not complied within the ten days after their second notice)* – **2<sup>nd</sup> Fine Stage of \$100.00 per day** and for each continued violation/infraction day beyond, plus all legal fees. (immediate lien for collection)

## **ARC Request Form Instructions**

These instructions will assist you in completing the enclosed application. However, you are urged to read and understand the ARC guidelines to ensure that the review process goes as smoothly as possible. In order to expedite your request. It is very important that we have all the required information regarding your project. Incomplete applications will result in a delay. Should you have any questions about this request packet or your project, please contact the Fairway Farms Community ARC Chairperson or any other HOA Board member.

Initial submission – Homeowner submits the ARC Request form thru the Fairway Farms HOA website. Identify your external project and review the CC&Rs and homeowner’s handbook to determine compliance.

Complete the ARC paperwork:

1. ARC Application Request form completed in its entirety.
2. A copy of your site “plot plan” with the proposed location of your improvement drawn on it.
3. Photos, drawings, and any other documentation to clearly depict your project.

Enter your ARC Request on [www.portal.ghertner.com](http://www.portal.ghertner.com) and submit it electronically or place your completed ARC Request form in the Drop Box at the community pool.

Please be as detailed as possible when describing your improvement. If you are doing the work yourself, please reflect that on the application in the space provided for the contractor name. Should you elect to have a contractor perform the work, please include that with your application. Construction materials must be consistent with the property’s existing materials. When describing materials utilized, indicate color, size and any other pertinent information. Detailed drawings are a requirement for all projects, specifically, a copy of plot plan which you received at time of closing or obtain one from:

Register of Deeds  
Room 201  
355 North Belvedere Drive, Gallatin, TN 37066  
615-452-3892

Remember, photographs, pages from catalogs, etc. will enhance the understanding of your project and may expedite the decision-making process.

Your completed ARC Request will be forwarded to the Community ARC Chairperson for committee review. The ARC Committee, consisting of community residents, will evaluate, discuss, and respond to the homeowner on its status. The homeowner will be communicated one of the four status options 1) approved 2) Conditional approval- with explanation 3) Additional information needed or 4) ARC denied.

## **Frequently Asked Questions**

The following are some frequently asked questions regarding general HOA procedures and Architectural Review Committee (ARC) approval process with timelines which may help you.

- 1. I just moved into Fairway Farms / Meadow Glen at Fairway Farms which is currently managed by Ghertner & Co. and would like to create my account and find out how I make my HOA payment.**

A: After your closing, the title company sends the paperwork and funds collected to our accounting dept. Once we receive it, it takes about 3 weeks to get your account set up and mailings out to you. The first mailing will be a black folder with a welcome letter. Then about a week later a second mailing will be your actual welcome packet and will contain your account info and advise when your first HOA payment is due, and provide your payment options. Also, it will contain your security key and instructions to login as a homeowner. If your HOA fees are payable on a monthly basis, you will receive coupons in your packet. If your HOA fees are due on a quarterly, semi-annual, or annual basis, you will receive an e-mail statement for payment.

**2. How can I get a copy of the Fairway Farms governing documents (bylaws, CC&Rs, etc.) ?**

A: These governing documents, plus a copy of the current Homeowner's Guidebook can be downloaded from [www.portal.ghertner.com](http://www.portal.ghertner.com)

**3. How can I get a pool key or replacement pool key?**

A: Go to our current Property Management Company ([www.ghertner.com](http://www.ghertner.com)) and under Homeowners, click on Pool Key Request and follow the instructions there. If you have questions please email [CSR@ghertner.com](mailto:CSR@ghertner.com) or call 615-277-0359.

**4. What are my options for paying my HOA fees and when are they late?**

A: Go to [www.portal.ghertner.com](http://www.portal.ghertner.com) and click on Pay Association Fees—there you will find options available for making your payment. You can also use your personal Bank Bill Pay to make your payments. All HOA payments are due on the 1st of the month. Normally there is a grace period of at least 10 to 15 calendar days, but your payment has to be processed and posted to your account prior to that grace period expiring. If you mail your payment, it will normally take at least 7 business days to process and post to your account. If you make an e-check or credit card payment using the options on our website, then it will take up to 2 business days to post. Also, if you use your Bank Bill-Pay, keep in mind that most banks cut a check and send it on your behalf— so you will want to schedule that payment to ensure it has at least 7 business days to get processed and posted to your account prior to the grace period expiring. Again, all payments are due on the 1st of the month.

**5. I mailed my HOA Dues payment but I received a delinquent statement indicating that it wasn't received. What should I do?**

A: The first thing to do is to call your bank to see if the check cleared your account. ***If it did clear your bank***, then you will need to provide the front and back of check to us so that we can get it posted to your account. If your payment was paid electronically, then we will need that transaction info to research it. In either case, you can email that payment info to [accountingrequests@ghertner.com](mailto:accountingrequests@ghertner.com) and our accounting dept will research it and get back to you. ***If it did not clear your bank***, then you need to make a decision on whether to stop payment on the check, give it more time, or issue another payment.

**6. What if I miss paying my quarterly HOA dues?**

A: If you are set up to pay your HOA dues on a quarterly basis, there are set dates to pay your dues to avoid a monetary penalty. HOA Dues must be on or before January 1<sup>st</sup>, April 1<sup>st</sup>, July 1<sup>st</sup>, October 1<sup>st</sup>. If the due date of the 1<sup>st</sup> falls on a weekend or holiday, the dues must be received prior to that date to avoid a monetary penalty for being delinquent in paying the required dues in a timely manner.



**7. How can I change my mailing/billing address on my HOA account?**

A: Email your address change to [HSR@ghertner.com](mailto:HSR@ghertner.com) or call 615-277-0359 for assistance.

**8. I received a violation letter from my HOA and I need more clarification—how do I get that?**

A: Within ten (10) calendar days of the violation notice, please email your questions or concerns about your violation letter concerning your property to [HSR@ghertner.com](mailto:HSR@ghertner.com) and they will pass it on to your Fairway Farms Community Property Manager for a response back to you.

Failure to comply with a violation letter in a timely manner may result in monetary fines and penalties. Refer to page six (6) in this Homeowner’s Guidebook for the Fine Policy – Fairway Farms.

**9. Where can I find the ARC Request Form (Exterior Improvement Request Application)?**

A: Please go online to the Ghertner and Company website connecting to Fairway Farms HOA. [www.portal.ghertner.com](http://www.portal.ghertner.com)

**10. How do I know my ARC request has been received?**

A: An email from the Property Management Company is the confirmation that your request has been received.

**11. How long before I know that my request has been approved or denied?**

A: Most CCR’s allow up to thirty (30) days for review. However, the Architectural Review Committee (ARC) may review the homeowner’s exterior property modification sooner than that. As soon as it has been reviewed and a decision determined, the homeowner will be notified.

**12. What if I DO NOT submit an ARC Request for my exterior property project.**

A: Not submitting an ARC may be in violation of the CCRs. If this is the case, the homeowner will receive a written violation letter from the Property Management Company, asking them to come into compliance immediately. Failure to comply with a violation letter in a timely manner may result in monetary fines and penalties. Refer to page six (6) in this Homeowner’s Guidebook for the Fine Policy – Fairway Farms.

**13. What additional information should be included with one’s ARC Request Application?**

A: Some examples could include: Paint color samples, pictures if applicable, property plot map or aerial view. For certain types of applications (fence, pool, patio, sidewalk, driveway extension, covered porch, gazebo, etc.) a plat map showing the location of your improvement in relation to the boundaries of your property.

**14. What is the difference between a “plot” or “plat” map?**

A: A **Plat** is a map of a land area, usually on the scale of a neighborhood or county township, and a **plot** is a piece of land used for a single purpose (such as a home or park). Essentially, a plat map records the collection of plots that make up a neighborhood.

**15. How do I know where my property lines are located?**

Homeowners are encouraged to have their property surveyed. If this is a new construction home, you may have been provided a survey at closing and there may be property pins on the corner markers of the property.

**16. Will a building permit be required for improvements?**

A: Possibly, you will need to check with your local city/county codes department.

**17. How do I get a copy of my property Plot Plan?**

A: Each municipality is different. Please contact Gallatin City or Sumner county government.

Visit or call: Sumner County Register of Deeds 355 North Belvedere Drive, Suite 201  
Gallatin, TN 37066 phone: 615-452-3892

Ask to have a “plot” map of your address in Fairway Farms. They will access the plot map of our development and zoom in on your property before printing a copy for you. Although this plot print may not include the dwelling (your house) it will provide you with all measurements that are required for project approval; just draw in your project in relation to property lines or dwelling.

You may also contact your builder or check your closing documents to see if a site plot plan was included.

**18. Where can I find the ARC Request Form?**

A: Please go online to the Ghertner and Company website.

- “ [www.portal.ghertner.com](http://www.portal.ghertner.com)
- Enter your user name / password
- Select ARC Request form
- Complete your ARC request

**19. Where do I send my completed ARC Request paperwork.**

A: Enter your ARC Request on [www.portal.ghertner.com](http://www.portal.ghertner.com) and submit it electronically or download it and complete the required ARC documentation, then place it in an envelope and put it in the drop box located at the gate to the community swimming pool.

**20. Where can I obtain a Gallatin City Fence Permit Application?**

A: The fence permit, if needed, can be obtained either at the Gallatin City Government building  
132 W Main, Gallatin, Room #201

or go online and download the fence permit application at:

<https://gallatintn.gov/DocumentCenter/View/4237/Fence-Permit-Application-PDF>



FAIRWAY FARMS / MEADOW GLEN at FAIRWAY FARMS

# ARC Request for Change

**All 3 items listed below are required  
before a Request for Change will be considered.**

1. A completed ARC Request for Change Form
2. A Site Plot Plan or aerial photo showing your property lines and the location of your requested improvement drawn on it. (Go to Register of Deeds, 355 Belvedere Drive, Rm 201, Gallatin)
3. Photo, drawings, or documentation that clearly depicts your project.

Check Improvement Type:  Fence  Patio or Deck  Other \_\_\_\_\_

Property Owner(s): \_\_\_\_\_

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Property Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Notes:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Application: \_\_\_\_\_

Expected Beginning Date: \_\_\_\_\_

Expected Project Completion Date: \_\_\_\_\_

Approval or Denial Date: : \_\_\_\_\_

Notification Date: \_\_\_\_\_

ARC Committee Response: \_\_\_\_\_

(Initials of ARC Committee Members)

**I. Description of Proposed Improvement**

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**II. Materials to be Used (Color, Brand, Product Name)**

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**III. Contractor or Company Doing Work**

Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

- 1. Builder Licensed and Experienced Verified?  Yes  No
- 2. Building Permits Known / Obtained?  Yes  No
- 3. Location on Property verified by Plot Plan or Survey?  Yes  No

**IV. Underground Utility Notification Center**

Per Tennessee Law, if applicable for this project, have you or your contractor notified the Underground Utility Notification Center (811) to protect you and your property against utility damage or liability?

Yes  No  Not Applicable

Homeowner Signature or  Contractor Signature \_\_\_\_\_

Forward your ARC Request for Change form to the Architectural Review Committee through Ghertner’s website. Or. . . in a sealed envelope, place your completed ARC Request for Change form and all required documents in the Drop Box located at the entrance to the Fairway Farms Community Swimming Pool.

**Homeowner Submittal Conditions / Acknowledgements**

(please review all 14 items below and indicate (✓) that you have both read and have acknowledged compliance.)

- 1. It is the homeowner’s responsibility to ensure that the project is in compliance with all city and county codes and permit requirements.
- 2. No work on this project shall begin until written approval has been received.
- 3. Any variation from the original approved application must be resubmitted for approval.
- 4. HOA approval does not supersede any Federal, State, City or local regulation. Receipt of a building permit from local government does not equal approval from HOA.
- 5. HOA approval of the project does not constitute approval of technical, structural or engineering specifications nor does HOA assume any responsibility for such.
- 6. HOA approval is contingent upon construction/alteration/addition being completed in a skilled manner and consistent with the community’s standards.
- 7. Upon ARC Request approval, the project must be completed within 6 months (180 days). A request for an extension must be submitted to the ARC Committee Chairperson through [www.portal.ghertner.com](http://www.portal.ghertner.com) if the timeline cannot be met.
- 8. Any and all building permits (if applicable) must be obtained before work commences. Please verify what is required by your local codes’ office.
- 9. Work will be permitted during city ordinance work hours.
- 10. Any damage to common area property or neighbor’s property during construction of this project will be the sole responsibility of the owner and his/her contractor. The owner will be solely responsible for removing any fences, building, or other structures built upon community property.
- 11. The use of neighbor or common-area property for access to your property is not permitted unless prior permission is requested and granted in writing by the respective owner.
- 12. Building materials or equipment may not be stored on or obstruct streets, alleyways, walkways, common areas or neighboring property.
- 13. The owner(s) shall hold harmless, indemnify and defend the HOA and its officers, directors and agents from any expenses, claims, damages, losses, or other liabilities, including without limitation; attorneys’ fees and costs of litigation incurred by the HOA, arising out of (i) any part of the alterations/improvements which violates any governmental law, code, ordinance, or regulation; (ii) the adequacy of the plans or specifications submitted by the owner(s) in connection with this application; and (iii) the construction of the alterations/improvements.
- 14. Fences and other improvements installed in a public utility easement are the owner’s responsibility (and expense) to remove, repair and reinstall, should a utility company or municipality require access.

Homeowner’s Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**REMEMBER: The following items are REQUIRED to be included for this ARC Request:**

- This Request form completed in its entirety.
- A copy of your site plot plan (or an aerial photo that shows your “property lines”) with the proposed location of your improvement drawn on it.
- Photos, drawings and any other documentation to clearly depict your project.

## **Architectural Review Committee Criteria**

The ARC (Architectural Review Committee) evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating a particular design proposal. The following criteria represent the general standards that will be used in reviewing and evaluating such application for structural or design change to a homeowner's property.

### **1. Validity of Concept**

The basic idea must be sound and appropriate to its surroundings.

### **2. Design Compatibility**

The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

### **3. Location and Impact on Neighbors**

The proposed alterations should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns include, but are not limited to access, view, sunlight, ventilation, property drainage and storm sewer drain access.

### **4. Good Neighbor Policy**

When the proposed alteration has a possible "negative" impact on an adjacent property, the Architectural Review Committee may solicit comments from adjoining property owners regarding certain applications. Responses would not determine consent or denial but allow the ARC to consider comments along with the proposed alteration.

### **5. Exterior Colors**

Before changing the color of any exterior portion of their home, including fences, doors, windows, shutters, and roof, new color samples and a photograph of the home must be included with the ARC request form. Shutters and doors will complement the exterior color scheme.

## Architectural Review Focus

### 1. Materials

Continuity is established by the use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.

### 2. Workmanship

Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

### 3. Timing

Projects are to be completed within the time frame specified on the ARC application. Weather delays are approved. Other delays require ARC approval. If no date is specified, the project is to be completed within forty-five (45) days of ARC approval.

### 4. Expiration of Approval

In the event commencement of construction of a proposed improvement does not occur within one hundred and twenty (120) days of the ARC approval, the approval of the ARC is rescinded, terminating the project approval.

### 5. Appeals

In the event that the Architectural Review Committee (ARC) disapproves any plans and specifications submitted on the ARC Request form, the ARC shall so notify the applicant in writing, within ten (10) business days stating the grounds upon which such disapproval is based.

- Any applicant may request, in writing, a formal meeting with the Architectural Review Committee to review the plans and specifications disapproved.
- This meeting will take place no later than thirty (30) days after written request for such meeting is received by the Architectural Review Committee (unless applicant waves this time requirement in writing).
- The Architectural Review Committee shall make a final written decision no later than thirty (30) days after such meeting.
- In the event the Architectural Review Committee fails to provide such written decision within said thirty (30) days, the plans and specifications shall be deemed approved.
- Upon continued disapproval of their ARC request, the applicant may appeal the committee decision to the Board of Directors of the Association within thirty (30) days of the written decision and disapproval.
- Review by the Board of Directors shall take place no later than thirty (30) days after the appeal request is received. The decision reached by the Board of Directors shall be final and binding upon the applicant.

### 6. C.C.& R. Compliance

ARC submittal must be compatible with C.C.& R and HOA guidelines.

## Section II - Standards – General Expectations

### Additions

As defined as permanent expansion of living space involving new exterior walls, roof and floor. An area utilizing the same HVAC source as the rest of the home. A four-season room. Additions must be of materials, colors and styles that match the existing home. Detailed plan and elevation drawings are required for all additions. The addition must not disrupt the property's current drainage flow. Paint samples, photos, or brochures of all new building materials must be submitted with the ARC request form.

- Start and end dates must be specified on the ARC request form. All work should be completed within 45 days of the estimated completion date, weather permitting, unless a longer period is requested and approved by the Architectural Review Committee.
- The Board of Directors reserves the right to revoke ARC approval of any incomplete improvements. Any homeowner improvements which were not given ARC approval may be subject to removal at the owner's expense.
- Brick, stone or siding must complement the home's original materials and be sufficiently reworked to tie into the home in order to blend the new addition with the existing structure.
- Roofing must be of a color, type, and slope which complement the existing roof line. Flat roofs are not allowed. If replacement or repair is required, the roof must be restored to the original design specification.
- Replacement or maintenance of the home exterior does not require ARC approval provided it is restored to the original design specification and compatible color scheme.
- No garage may be altered in such a manner as to decrease the number of automobiles that could have reasonably been parked in the garage as originally constructed.

### Air Conditioners

- Air conditioners or heat pumps may be screened with perennials or low structures architecturally designed with the existing home. Colors and materials must be included with the ARC application. Care should be taken to ensure structures or plantings do not interfere with air flow or maintenance access.
- Window air conditioner units are not allowed.

### Antennas and Satellite Dishes

One satellite dish is automatically approved, as long as it is installed on the rear of the home, or installed on a pole in the backyard, not to exceed six feet in height and not visible from the street. Any other location would require submitting an ARC application.

### Awnings

- Awnings are not permitted on the front or side portions of the house.
- Awnings may be allowed on the rear portion of the home with ARC approval.
- The Architectural Review Committee reserves the right to restrict awnings based on color, location, materials and upkeep.
- A picture/design of the awnings and sample of the material must be submitted with the ARC Request Form for approval.



## **Bill of Materials**

A bill of materials is defined as a list of materials and components used to complete an improvement. This could include things such as type of roofing, type and size of lumber, etc. The information should readily be available from a contractor if one is used.

## **Boats, Trailers and Motor Vehicles**

Except as specifically allowed and approved in advance by the Association, no commercial vehicles, boats, boat trailers, box trailers, buses, house trailers, motor homes, trucks, camping trailers, vans, motorcycles, go-carts, motorbikes, or other similar vehicles (non-permitted vehicles), whether of a recreational nature or otherwise, with the exception only of four-wheel passenger automobiles and pickup trucks, shall be placed or parked upon any lot.

### Exceptions:

- Homeowners having cars, vans, or pickups that have business lettering on the vehicle must seek written ARC approval to keep vehicle at the residence.
- Vehicle must be of a length that it fits in the homeowner's driveway without encroaching the sidewalk area (no-street parking).
- The ARC request may require the submittal of a photo of the vehicle before approval.
- The Owner shall only be permitted to have a boat, camping trailer, or motor home outside for up to, but no longer than, seventy-two (72) hours preparing it for storage (i.e. cleaning, load/unloading supplies). Temporary approval may be obtained by calling the Community Property Manager at Ghertner and Company.
- Personal golf-carts may be stored within the homeowner's garage, or properly stored in a homeowner's backyard (not visible from the street) in a way not creating an eye-sore to other residents. Golf-carts that are registered and licensed for street use may be parked in the homeowner's driveway.
- Commercial, temporary guest vehicles or vehicles owned or leased by members of the owner's family may be parked at curbside on the street for no longer than eight (8) hours in a twenty-four (24) hour period. In no event shall any vehicles be allowed to block traffic flow at any time.
- Guests of an Owner, visiting for an extended period of time, must park their car on the driveway.
- The HOA Board shall have the right to authorize the towing of any vehicles, which are in violation of these provisions and to collect the cost thereof from the homeowner, as an individual Assessment.

## **Building Modifications**

Any addition that attaches to the house (e.g. sunroom) or becomes part of the house where permanent exterior walls are added or removed or otherwise modified (new window, door, backyard, etc.) is defined as a building modification.

## **Clearing and Removal of Trees**

No lot may be cleared for any reason without the prior written approval of the Architectural Review Committee (ARC).

### **Clothes Lines**

Clothes lines are not permitted in the community.

### **Common Area – Landscaping**

The Association will have the right and obligation to plant, replace, maintain, and cultivate shrubs, trees, grass, plantings and other landscaping upon the common areas.

- Homeowners are NOT to plant in or modify HOA common areas.

### **Dog Runs**

A dog run is a long, narrow fenced area providing limited range of movement for the dog. Dog Runs are not permitted in the community.

### **Drainage Swales**

Each lot owner shall refrain from altering or interfering with the functioning of all swale areas on or abutting their lot.

### **Driveways**

All driveways and parking areas shall have hard impervious, dustless surfaces, such as concrete, brick or uncrushed stone. However, in no event will asphalt or gravel be permitted.

- Driveways may connect to Streets at only two (2) points and must be approved in advance for each lot and such driveway shall provide continuity of any drainage swale or curb and shall blend into the street pavement.
- No curbside parking areas may be created by extending any portion of street pavement.
- The design and location of all driveways or expansions shall be submitted and approved by the ARC.
- All modifications to driveways shall comply with city and county codes as related to expanding past the sidewalk area to the street.

### **Exterior Colors**

Before changing the color of any exterior portion of their fences, door, windows, or shutters, new paint samples and a photograph of the home must be included with the ARC request form. Shutters and doors must complement the exterior color scheme.

### **External Fireplaces & Fire Pits**

External fireplaces and fire pits on the homeowner's property shall be constructed and placed in such a manner not to cause a fire hazard to both your home and the property of others.

- Fire pits shall be constructed with a fire ring, enclosure or be of a commercial design in nature. Where practical the fire pit shall have a fire screen to eliminate spark and ash from traveling outside the homeowner's property.
- Fire pits shall not be utilized to burn trash or garbage.
- Fire Pits shall not be constructed under or close to trees, shrubs or flammable material.
- Firewood stored on a resident's property must be stacked in such a way not to create a hazard or be an annoyance to the surrounding residents.

## Exterior Lighting

Any additional lighting must be submitted for ARC approval. Applications for exterior lighting changes (whether individual or part of a deck, patio, exterior home or other landscaping application) must include wattage, height of fixture above ground, and a complete description of the light fixture (materials design and number of bulbs on a single fixture) and the proposed location.

- Exterior lighting shall be designed so as not to be an annoyance to the surrounding residents.
- Low voltage, ground landscaping lights do not require ARC approval provided they are conservative in design and are directed towards the house, tree or ground and are not directed towards the neighbor's property.

## Fences

Listed below are the Architectural Guidelines for fences. An ARC Request form must be submitted for all fences prior to installation. The Homeowner assumes the responsibility for all maintenance inside/outside the fenced area, including landscaping, mowing, trimming, pressure washing or weather protecting a wooden fence.

- The residential homeowner fence options within Fairway Farms are currently, four or five-foot, black aluminum or six-foot wooden stockade.
- Within the Meadow Glen section of the community the residential homeowner fence options are currently, four or five-foot, black aluminum or six-foot wooden stockade. "White" vinyl stockade style fencing is allowed in either five or six-foot heights.
- The composition, location, height of any fence, wall or hedge to be constructed on any Lot shall be approved in advance by the ARC.
- Fencing design must accompany the final working drawings, submitted to the ARC, and must include locations of storm drains and manholes on the property, if any.
- Although it is suggested that stockade style fence have at least a one (1) foot setback from the property line to ensure lawn and fence upkeep, it remains a homeowner option. There is no setback for a black aluminum fence and may be set on the property line.
- All fences shall be maintained in good repair and a safe and attractive condition, including but not limited to replacement of missing, decayed, or broken structural and decorative elements.
- All wooden "stockade style" fences must be properly maintained with wood toned stain or clear sealer.
- All fences, regardless of type or material shall have the finished side facing outward towards adjacent properties and /or common open areas.
- The fence placement must be from the back corner of the home or no more than one-third the length of home forward on the side of the home unless a specific variance is given in writing by the ARC Committee.
- Chain link fencing may not be used except for the outer perimeter around the development, community pool area, or as determined by the HOA Board.
- Fences installed in or along public easements (utility or drainage), are subject to removal in the event maintenance or construction work is required within or along the public easement / setback. The homeowner is responsible for replacing any required fencing removed by the City or Public Utility provider.

- No fence shall be installed in any way to disturb or impede the function of a public drainage easement or block or divert a natural drainage flow on to or off of any other land.
- It is recommended that the homeowner have the property lines surveyed and staked before the fence is built.
- No fence or other homeowner items shall be installed on HOA community property land. The homeowner is responsible to rectify the situation.
- All fences must meet all code requirements or required fence permits for the City of Gallatin and the County of Sumner.

## Flags

Listed below are the architectural guidelines for flags displayed in Fairway Farms and Meadow Glen at Fairway Farms. The right to fly the American flag is federally protected and allows homeowners, at any time, to fly the American flag. Listed are the following federal and state codes as it relates to the U.S. flag and flag etiquette when displaying their flag.

**The U.S. Flag Code and Flag Etiquette** currently includes the following:

### DO's

- Display the U.S. flag from sunrise to sunset on buildings and stationary flagstaffs.
- When a patriotic effect is desired, the flag may be displayed 24-hours a day if properly illuminated during the hours of darkness.
- When placed on a single staff or lanyard, place the U.S. Flag above all other flags.
- On special days, the flag may be flown at half-staff. On Memorial Day it is flown at half-staff until noon and then raised.
- When flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. By "half-staff" is meant lowering the flag to one-half the distance between the top and bottom of the staff.

### DON'Ts

- Don't let the flag touch the ground.
- Don't carry the flag flat or carry things in it.
- Don't use the flag as clothing.
- Don't store the flag where it can get dirty.
- Don't use it as a cover.
- Don't fasten it or tie it back. Always allow it to fall free.
- Don't draw on, or otherwise mark the flag.

An American Flag may be flown on a temporary flagstaff that does not exceed six feet (6') in length and is attached at an incline to the front wall or pillar of the house and will NOT require Architectural Review Committee (ARC) approval.

- Small American flags (plastic or wood stick) can be displayed on the homeowner's property for federal holidays or special celebrations.

- All flagpoles permanently installed on the homeowner’s property will require an ARC approval and include flagpole specifications (material, height, lighting, etc.) and placement of the pole in respect to adjacent a neighbor’s property and not a distraction from the street.
- The permanently installed flagpole must comply with setbacks and easements rights.
- Flagpoles must not be over 25-30 feet in height and shall not be placed as to disrupt “aesthetic harmony” of the surrounding properties.
- Flags flown on permanent flagpoles shall not exceed 3’ x 5’ in size.

The current flags allowed to be flown in Fairway Farms and Meadow Glen at Fairway Farms are:

- The American Flag
- The Tennessee State Flag
- Military Flags – Army, Navy, Air Force, Marine Corp, or Coast Guard flags
- POW / MIA flags
- School or Sports Team Recognition flags
- The Gadsden flag or Blue-line Law Enforcement flag

### **Flowerpots and Planters**

In areas visible from the street flowerpots should be of a neutral color or a compatible color in the home’s color scheme.

- Must be made of metal, concrete, wood, clay, or composite.
- Should be placed within the landscaped area, porch or deck.

### **Free Standing Structures**

Storage sheds are not permitted on the homeowner’s property. Other structures such as arbors, trellises, gazebos, and play equipment require an ARC request.

### **Front, Side & Rear Yards**

All yards are to be maintained so as not to degrade the appearance of the neighborhood. This includes but not limited to:

- Over seeding or sodding to repair any bare areas.
- Ruts or pot holes in sodded areas caused from vehicle traffic must be repaired.
- Treatment of insects or diseases of trees, shrubs, and grass to prevent infestation of surrounding areas.
- Maintaining planted landscaping this includes weeding and mulching, trimming and pruning, and replacing dead or diseased shrubs and trees. Lawns must be mowed and maintained on a regular basis.

It is the responsibility of the homeowner to maintain their property (front, back and side yards) in a high quality and harmonious standard as viewed from the street.

*“The intent of the CCRs (article 9.1) is to create a general plan and uniform scheme of development of the property and create within the property a residential community of high quality and harmonious improvements.”*

The Architectural Review Board is specifically empowered, under CC&R, Section 9, Article 9.1.9, to enforce the provisions of this declaration by any legal or equitable remedy.

### **Front Yard Tree Rings or Landscape Edging**

ARC approval is not required for front yard tree rings or landscape edging around mulched beds provided:

- They are earth tone colors (gray, muted red, brown or black).
- They are constructed of commercially available landscaping block, stacked stone, field stone, or pre-cast concrete edging materials that are curved to form a radius.
- The top surface of the ring/edging is no more than six (6) inches higher than the adjoining, undisturbed ground.
- They are installed so that the top surface of all installation materials is flush (same height) with the adjacent “element” (block, edging materials, etc.)
- The top surface of the ring or edging, as a whole, shall be as close to level as is practical considering the natural slope of the adjacent ground.
- Other materials and dimensions require ARC approval.

### **Garage Doors**

Garage doors must be maintained free of dirt, dents, broken windows, mildew and the like. Garage doors that cannot be closed must be repaired within 14 days or as soon as possible.

### **Garage Sales**

Community Garage sales will be authorized as annual community events through the HOA and will be coordinated through the HOA Board. Homeowners may display individual garage sale or estate sale signs on their property the day of the event and place one at the entrance of the community.

### **Garbage and Trash Containers**

- No Lot shall be used or maintained as a dumping ground for rubbish, trash or other waste.
- All trash, garbage and other waste shall be kept in sanitary containers.
- Except as required during trash collection all trash containers shall be kept in an area that is not unsightly to neighbors; whether in one’s garage, behind a fence, or within an enclosure.
- Such enclosures, constructed on the homeowner’s lot, shall be architecturally compatible.

### **Garbage Enclosures**

Defined as a screen or barrier that conceals the garbage/trash container(s) and/or recycle bin(s) from the street, sidewalk, adjacent homes or rear neighbors.

### **Gardens and Raised Beds**

Both gardens and raised garden/flower beds must be approved through the submittal of an ARC request.

- All garden planting areas should not be visible from the street.

If placement of the garden or raised bed becomes unsightly and results in complaints from neighbors, the ARC may require the homeowner to remedy the problems.

### Garden Flags & Mailbox Covers

Ground mounted garden flags are preapproved. The flag shall not be placed as to disrupting “aesthetic harmony” of the surrounding properties. Examples, but not limited to are as shown:



Mailbox covers – covers, whether of patriotic or celebration of seasons, are preapproved. Examples, but not limited to are shown.



### Hedges

Hedges utilized for enclosers or privacy must be of the type of shrub that will provide year around screening. All hedges must be trimmed and pruned to maintain optimum screening. ARC approval is required.

### Home Business

Residents within our community may conduct a home business at their residence, as long as such business is contained within their home. This does not absolve the homeowners from obtaining any necessary county or city approvals necessary for a home-based business.

- The business must not disrupt other neighbors.
- The business cannot be conducted outside the home.
- No business signage will be displayed on their property.
- An unattended customer / client vehicle cannot obstruct street traffic.

### Irrigation Systems

All in-ground irrigation systems (underground pipes or tubing) not specified and initially installed by the builder, require ARC approval. The City of Gallatin permit will be required before work is ARC approved.

### Landscape Plantings

ARC Request forms must describe types and sizes (height, width, thickness or diameter) of mature trees and shrubs. Trees and shrubs must not be placed in areas that block sidewalks, restrict drainage, or impede line of sight for vehicular traffic. Trees and shrubs that grow to a height that poses a threat to neighboring properties or have a root structure that interferes with utilities or could prove to be invasive to neighboring properties should be avoided. If placement of trees or shrubs result in complaints from neighbors, the Architectural Review Committee (ARC) may require the homeowner to remedy the problems.

An ARC Request form IS REQUIRED FOR:

- Hedges more than three feet in height or eight feet in length, or other features which in effect become structures, fences, or screens.
- Railroad ties, garden timbers, or retaining wall. Include a site plan with the location of ties or timber drawn in, and information on landscaping plans and any grading changes.
- Landscaping around mailbox post, if the landscaping areas around mailboxes exceed more than 24 inches in diameter.

### **Landscape Rocks**

Size, type of stone, positioning, and appropriateness will be criteria for approval of landscaping rocks.

### **Lot Filling**

No Lot may be cleared, graded, cut or filled for any reason until the ARC has reviewed and approved the preliminary application for the homeowner's property. Site plan, along with the tree survey and other documents required by the ARC, must clearly delineate the extent of clearing, grading, cutting and filling.

### **Mailboxes**

Only the original black mailbox, with black ornamental base is permitted. If replacement or repair is required, the mailbox and lettering must be restored to the original design specification. The Central Mailbox locations in Meadow Glen of Fairway Farms will be maintained by the Association.

- New homeowners will request their mailbox keys through their HOA Management Company. Homeowners are responsible for their mailbox keys and will coordinate replacement keys (at their expense) from the HOA Management Company.
- Each mailbox station within Meadow Glen of Fairway Farms will contain locked package drop boxes. When a resident is receiving a package, the postal carrier will place the package in one of the locked boxes and then place the corresponding key in the resident's regular mail slot. After the resident secures their package, they will leave the key within their mailbox.

### **Miscellaneous / Temporary Storage**

- Temporary placement of pods used during moving or construction are only permissible with prior notification to the Property Management Company.
- Firewood must be stored in the backyard only in a location that is not visible from the street.
- Bicycles and other children's toys must be kept in the garage or out of public view when not in use.
- Long term storage of items (such as, but not limited to, lawn mowers, landscaping materials, and lumber) is limited to storage in the garage or temporary areas not visible from the street.
- Indoor furniture may not be permanently used in any outdoor areas.

### **On-Street Parking**

In accordance with the CCR's (Article X) vehicles are not allowed to be parked in the street overnight or on a regular basis. No vehicles of any kind may be parked on the sidewalks or blocking the sidewalks. On-street parking is not permitted except for:



- Visitors (as indicated on page 17, under Boats, Trailer, Motor Vehicles)
- When maintenance on driveways is underway
- When contractors require property access to perform repair work.

### **Outbuildings**

Although sometimes defined as enclosures that are not attached to the home, such as sheds or enclosed storage units; such outbuildings are NOT permitted in Fairway Farms communities.

### **Patios and Decks**

- All patios, decks and screened porches require Architectural Review Committee (ARC) approval before construction/modification begins.
- Walkways, decks, landing, stairways, or deck covers (enclosed porch) will be evaluated on a case-by-case basis.
- Approval may be denied based on materials, location, and the size of the patio or deck in relationship to the lot and house.
- Paint or stain color samples must be included with the application.
- No flat roof lines will be approved.
- Replacement of existing deck (no add-on extensions) will not require ARC submission.

### **Permanent or Semi-Permanent Play Equipment**

All permanent or semi-permanent equipment requires ARC approval.

- Must not exceed more than 25% of backyard.
- Equipment must be durable.
- Color, material, and location must be specified on ARC request form.
- Additional equipment must match or complement the existing equipment.
- Equipment will be permitted only in rear yard locations not visible from front of the house.
- Consideration must be given to lot size, equipment design, size, and amount of visual screening.
- The equipment must be placed as to avoid being a nuisance to the neighbors.
- Free standing (portable) basketball hoops shall not be placed or used on public street or cul-de-sacs, or on any common area of the community.
- Permanent basketball hoops may be used only between the hours of 8am and 10pm.
- No basketball hoop/rim/backboard may be attached to the front or side of any dwelling.

### **Pets & Animals**

No animals, livestock, or poultry of any kind shall be raised, bred, kept or permitted in any residence's property, except for dogs, household cats or other usual and common household pets.

- No more than three (3) household pets are permitted.
- Pets are not allowed in the pool or any community playground area.
- Pets must be kept on a leash at all times when off the property and restrained by a reasonable and capable person. Leashes must be short enough to prevent the pet from roaming more than a few feet onto other properties.

- Pet Owners are responsible for the immediate retrieval of their pet’s feces and the proper and sanitary disposal of same.
- Vicious or dangerously aggressive dogs of any type are not permitted.

### **Residential Graphics and Signs**

The size and design of all signs, numbering for the Lot, mailboxes and other materials shall be approved by the Architectural Review Committee (ARC.) and shall display continuity and conformity throughout Fairway Farms and Meadow Glen at Fairway Farms.

- Except in connection with development or sales of property throughout Fairway Farms, no signs, billboards, advertisements or notices of any kind shall be displayed for public view on any lot, or property; with the exception of:
  - For Sale or For Rent signs on the homeowner’s property
- Signs that are related to HOA Community or Social events will be allowed with prior ARC notification for a specific time/event.
- If such permission is granted for signage, the ARC reserves the right to restrict size, color, content and location of such sign(s). No sign shall be nailed or attached to any tree. The ARC shall have the right to adopt reasonable rules regarding signs to be used during construction of residences and other buildings, such as Owners Identification, name of contractor or architect, etc.
- Homeowners may display one (1) (local, state or national) political campaign sign beginning 60 days prior to the election. The sign should be removed the day after the election.

### **Screen Porch & Sunrooms**

Are defined as permanently attached enclosures that may involve an expansion of the roof of the home; a three-season room that does not use the same HVAC source as the home.

### **Setbacks**

Setbacks are defined as the distance by which a building or project is set back from the property line. When submitting an ARC, all setbacks will be shown on the recorded Plats. However, Declarant or the Architectural Review Committee (ARC) may impose additional requirements as each individual case may necessitate during the ARC approval process.

### **Statues & Yard Art**

A statue is a solid cast or chiseled representation of a living thing or caricature of a living thing. All statues visible from the street(s) must be integrated with approved landscape themes. No statues can be positioned as a focal point in the front of the home. All statues should be neutral or earth tone in color. All statues must be made of ceramic, concrete, metal, or wood. The Architectural Review Committee can review and disallow these installations, if warranted.

### **Swimming Pools, Ponds, Hot Tubs or Spas**

Any swimming pool or Jacuzzi to be constructed on any lot shall be constructed in the ground and subject to the requirements of the Architectural Review Committee (ARC), which shall not be limited to the following:

- Only in-ground permanent pools are permitted. Pools will not be of a temporary nature nor be constructed above ground, with the exception of an “Infinity” style pool.
- An “Infinity” type pool edge is allowed on one side of the pool, not to exceed two feet vertically. The other three sides must be at grade with the hardscape and landscaping around the pool.
- If the land composition is such that a pool cannot be totally in-ground, due to the ground foundation rock, or the grade, a special variance may be granted by the Architectural Review Committee (ARC) for limited above-ground exposure.
- Swimming pools, pool decks, fencing, screen enclosures, patio and terrace slabs may not extend into the minimum yard setback areas.
- No wooden deck on exposed pools
- Landscape, pool, recreation, and security lightings shall be designed so as not to be an annoyance to the surrounding residents.
- Construction of pools will require both ARC approval and City permit.
- Small decorative ponds, hot tubs, or spas must be approved through the submittal of an ARC to the Architectural Review Committee.
- Any construction must not disrupt the current drainage flow on the property.

### **Trellises, Arbors and Privacy Screening**

The use of trellises and/or arbors as part of a fence, deck, or patio will be reviewed on a case-by-case basis and should be incorporated into the overall design of the project. Arbors and trellises are not permitted in front of the house. ARC approval is required for permanent installations. Privacy Screens which are specifically installed to provide privacy are to be used only in the backyard unless approved in conjunction with and as an integral part of another improvement, including garbage container enclosures. A stand-alone privacy screen should not exceed 72 inches above the patio or sixteen feet in length. Material, color, and design must be specified in the ARC request.

Privacy screens formed by plantings are limited to the back or side yards. Such screens may be installed to provide privacy to patios and decks. All privacy screens require ARC approval.

### **Vehicles**

Vehicles may not be assembled, disassembled or serviced on the property or any street within the community. This does not include:

- Cleaning, washing or polishing of homeowner’s personal vehicle(s).
- Changing of oil, lubricants, anti-freeze and any filters used in the vehicle.

No wrecked vehicle or vehicles in a non-functional condition or vehicles without proper registration shall be parked on any lot or upon any common area at any time.

### **Walks & Walkways**

Walks that are installed after the initial construction of the property should comply with local codes and be of a material that is consistent with neighboring properties. Such materials may be concrete, pavers, or stepping-stone pavers. Regular gravel is not acceptable. All walkways installed must have ARC approval.

## Yard Ornaments

A yard ornament is a structure that does not meet the definition of statue and is made of wire, metal, wood, ceramic, glass, or combinations of same.

All ornaments visible from the street(s) must be integrated with approved landscape themes. No ornaments can be positioned as a focal point. All ornaments should be neutral or earth tone in color. The Architectural Review Committee can review and disallow these installations if warranted.

## Section III - Community Swimming Pool & Rules

Your HOA dues include access to the pool, but you will need to request your pool “key card” through your Property Management Company.

### Swimming Pool Access and Guest Policy

The pool is open for Fairway Farms & Meadow Glen at Fairway Farms residents and their guests only. This is a private pool, and no one should be allowed to enter the pool without a keycard. **Please do not open the gate for anyone except your invited guests.** You are prohibited from giving your key cards to friends or future homeowners. Please do not lend your key card to anyone that is not a member of your immediate family. At all times, a member of the household must be present with their guests at the pool. Guests are limited to four (4) guests per household. If you are planning to host an event with more than four (4) guests, you must contact the Property Management Company beforehand. No individual under the age of 15 is allowed in the pool area without an adult present (an adult is anyone 18 years of age or older). To exit the pool there is an identified exit button on the wall by the women’s restroom that will allow the gate to open when exiting.

### Pool Area Designations

The children’s play area (smaller wading pool) is designed for children 5 and under. The main swimming pool is designed for all ages.

### Dates and Hours of Operation

The Fairway Farms Pool season is May 1<sup>st</sup> through September 30<sup>th</sup> (weather permitting). It will stay open as long as the temperature is high enough. The pool area will close when thunder or lightning is present.

### Hours of Operation for the Pool

The pool will be open with key card access between the hours of 7:00am – 10:00pm

### Pool Key Card System

The swimming pool area is secured by a key card remote system to supply the security to the property. This access key card protects the integrity of the private homeowner’s association and the non-transferrable. Residents are responsible for family members utilizing the key cards. To obtain key cards,

please contact the Property Management Company. There is no charge for the first two keycards. There is a \$15 fee to replace a lost or damaged keycard. On the back of every key card there is a set of numbers; please take the time to write those numbers down in case you need a replacement.

Your key-code numbers are included on the welcome letter you received from the Property Manager when you purchased your home. If you have lost that number, please contact the Homeowner Service Center for assistance at 615-277-0358, or email [csr@ghertner.com](mailto:csr@ghertner.com)

RECORD YOUR POOL KEY CARD NUMBERS HERE # \_\_\_\_\_ # \_\_\_\_\_

If you are delinquent in your HOA dues or you have an outstanding fine, you will be notified, by the property management company, that your keycard will be deactivated. The homeowner will be responsible for coordinating the reactivation of their pool key cards.

The pool gate must remain closed and locked at all times. If you notice the gate system is not working properly, report it to the Property Management Company immediately.

### Camera Security Systems

There are digital cameras located throughout the pool area, some activated by light sensors in the evenings. The recordings are made 24/7 and may be used to review activities in public areas to document violations and/or vandalism. Residents and their guests at the pool should not presume these cameras provide any degree of personal security.

### Safety & Emergencies:

Homeowners are responsible for their own safety and the safety of their children and their guests. There is **NO Lifeguard** on duty so swim at your own risk. Swimming alone is not recommended. Parents must be in the pool and within arm's length of any non-swimming child at all times. Please dry off before entering the bathroom areas. Being too wet could result in a slip or fall.

Under Tennessee Health Code, glassware or plastic which can shatter is not allowed in or around the pool area at any time. If you bring a beverage into the pool area it must be in a plastic or paper container. There is an **emergency phone** (not for personal telephone use) **located on the wall** just outside the men's restroom area. If people are observed in the pool area or parking lot after hours, please contact the Gallatin Police. (Gallatin non-emergency line is 615-452-1313) All emergencies should be reported to 911 immediately. Dial 911 to connect to the Emergency Services Operator and you will be instructed on how to proceed.

All other concerns about the pool, activities or vandalism should be reported to the Fairway Farms HOA Property Manager at Ghertner and Company 615-227-0358.

## Fairway Farms Pool Rules

The Fairway Farms Pool was designed for the residents and their guests. The homeowners own the pool and since there is no pool attendant or lifeguard it will help if homeowners are vigilant and ensure that the pool rules are maintained.

Please help us to keep our pool area in great shape by following these pool rules and regulations:

### POOL RULES

- Be respectful of all pool equipment and accessories, including chairs and tables.
- When utilizing umbrellas, please put them down after use.
- Adults must accompany and supervise any individual under the age of 15 at all times.
- Swimmers must wear appropriate swim attire.
- Persons who are not bathroom independent must wear “swim diapers”, no exceptions.
- Wear appropriate pool attire, no cut-off pants.
- Diving or jumping into the pool is NOT ALLOWED.
- Horse playing (running, shoving, dunking) is NOT ALLOWED.
- Improper behavior, intoxication, and profanity are not tolerated, and you will be asked to leave.
- NO SMOKING or Vaping in the gated pool area. Smoking is only allowed in the parking lot.
- Food and drinks (or chewing gum) are not allowed within 5 feet of the pool.
- Absolutely NO GLASS CONTAINERS (the Health Department has the right to close our pool if glass is found in or around the pool areas.)
- Skateboards, roller skates, roller blades, scooters, bicycles, etc., are not allowed in the fenced pool area.
- Please park all bikes outside the fenced area.
- Pets are not allowed within the pool gated area.
- Any float devices, towels, cups, or individual belongings left will be discarded.
- Oversized flotation devices that may pose a hazard to swimmers are not allowed at the pool.
- Be respectful and courteous to everyone at the pool. No loud Audio devices (i.e. phones, radios, CD player, etc.) or offensive language.
- Be mindful of the pool chair seating. Seating is limited.
- If you leave your chair for longer than 30 minutes, your items may be removed for another resident to enjoy that seat/table.
- Saving chairs for persons absent from the pool area is prohibited

Fairway Farms is not responsible for any stolen or misplaced items while you are at the pool.

### Inappropriate Behavior

Any horse playing, profanity, disruptive conduct, and inappropriate behavior is strictly prohibited on the Fairway Farms Pool grounds. Anyone violating that policy will be asked to leave. This is a family-oriented environment, please be mindful of others.

## Health, Hygiene & Pool Sanitation

To ensure proper pool sanitation, please notify the HOA Property Management Company Ghertner & Company at 615-277-0358 immediately if your child has any bowel or vomiting accidents in the pool. **We are required to close the pool for up to 8 hours in these instances to regulate chemicals.**

How can you help prevent accidents and illnesses?

- If you have or have had diarrhea in the past two weeks, do not use the pool.
- If you have a contagious illness, infectious condition, open sore, or abrasion with bandage, do not use the pool.
- Shower before entering the pool.
- Use the diaper changing area in the restrooms. Do not change a child's diaper poolside.
- Toddlers should wear close fitting swimsuits.
- Persons who are not bathroom independent must wear swim diapers.
- Do not drink the pool water.
- Do not use the pool to rinse before, during, or after a diaper change.
- Make frequent visits to the restrooms to minimize accidents.

If you have any questions or concerns regarding the Fairway Farms Pool Rules, please contact either a HOA board member or the community Property Manager at Ghertner and Company.

## Section IV - Fairway Farms/ Meadow Glen – Current Property Management Company

### Ghertner & Company

50 Vantage Way , Suite 100  
Nashville, Tennessee 37228  
615-277-0358 [www.ghertner.com](http://www.ghertner.com)



As a resident of this community, currently managed by Ghertner & Company, certain homeowner services are offered for your convenience.

### [Homeowners Association Website](#)

The Homeowners Association Website is provided by our Property Management Company Ghertner & Company.

It is important for all Homeowners to register on the Homeowners Association website.

### **Registering / Creating your Fairway Farms/Meadow Glen at Fairway Farms account**

Your account will give you access to the following:

- Create your personal profile, including email address to receive Fairway Farms Activity Emails.
- You will have access to Homeowner updates from your Management Company
- You are able to pay your HOA dues online.
- Ability to view your HOA account in real time.
- Plus . . . numerous other features.

If you have any questions., please contact the Homeowner Service Center at Ghertner & Company at 615-277-0358, or email [hsr@ghertner.com](mailto:hsr@ghertner.com)

### **Follow these steps to register**

1. Go to the website [www.ghertner.com](http://www.ghertner.com)  
You will find three column choices – Property Management – Property & Closings Info – Homeowners
2. Under the column “Homeowners”, click on Homeowner Login.
3. Once on the linked page, the “returning users” will see the lines to complete.
4. If you are a “new user”, click on “Register your Account”- then complete the information and new password - you have now created your new homeowner account.
5. You may now select what information you want from your Management Company.

## **Section V - Definitions & Committees**

### **What is an HOA?**

It is a non-profit corporation registered with the state and managed by a duly elected Board of Directors. Its purpose is to maintain all common areas and to govern the community in accordance with the provisions of the legal documents: CC&Rs, Bylaws, and Articles of Incorporation. The governing legal documents for the association may be downloaded or viewed online from the Homeowners Association Website. The Corporation is financially supported by all members of the Homeowners’ Association. Membership is both automatic and mandatory.

### **What are the CC&R’s?**

The Declaration of Covenants, Conditions and Restrictions (CC&R’s) are the governing legal documents that set up the guidelines for the operation of the planned community as a non-profit corporation. A copy of the CC&R’s can be downloaded from your Homeowner’s Association Website. A copy was also given to you at the time of Closing on your home.

### **What is the Board of Directors?**

The Homeowner’s Association is a corporation and therefore a governing body that is required to oversee its business. The Board of Directors are elected by the homeowners, or as otherwise specified in the bylaws. The limitation and restrictions of the powers of the Board of Directors is outlined in the Association governing documents found within the Community Information section on the Homeowner’s Association website.

### **What are the Bylaws?**

- The Bylaws are the guidelines for the operation of the non-profit corporation.
- The Bylaws define the duties:
  - The various offices (duties) of the Board of Directors
  - The terms of the Directors
  - The membership’s voting rights
  - The required meetings and notices of meetings
  - The principle office of the Association as a business



The Bylaws for the association may be viewed online [www.portal.ghertner.com](http://www.portal.ghertner.com) within the Homeowners Association tab under HOA Documents.

### **Fairway Farms HOA Board positions & committees**

The Fairway Farms HOA Board committees are made up of two types of committees.

**Standing committees** (also called operating committees) are those committees that a board uses on a continual basis. At the present time we have four (4) standing committees that are indicated by section IX in our CC&Rs. The two (2) additional committees are ARC committee and Social Activities Committee which are also included, along with one AD-HOC committee focused on Amenity Development.

1. Architectural Review Committee
2. Grounds/Pool Committee
3. Newsletter & Communications Committee
4. Finance Committee
5. Legal and By-Laws Committee
6. Social Activities Committee (*newly Board formed*)
7. Amenity Development AD-HOC Committee (specific/temporary)

Additional Standing or AD-HOC committees may be developed by the Board in the future to meet specific needs. Every committee will contain at least two or more board members. All resident committee members must be submitted to the Secretary and be on file to be covered under our Blanket HOA insurance.

### **DUTIES OF THE BOARD OF DIRECTORS**

- **President**
  - Act as presiding officer at all meetings – Board & HOA members;
  - Call special meetings of Members and Board;
  - Sign documents with the Secretary or Treasurer if the Board of Directors so requires, all checks, contracts, promissory notes, leases, subleases, and other instruments on behalf of the Association, except those which the Board of Directors specifies may be signed by other persons;
  - Perform all acts and duties usually required of a chief executive to ensure that all orders and resolutions of the Board of Directors are carried out;
  - Conduct all official meetings and group decision-making in accordance of Roberts Rules of Order;
  - Act as the ex-officio member of all committees and render an annual report at the annual meeting.
  
- **Vice President**
  - In the absence or disability of the President, will exercise the powers and perform the duties of the President.
  - Assist the President generally, and exercise other powers and perform other duties as will be prescribed by the directors.
  - Provide guidance to the President and directors on the publication and interpretation of the rules and regulations, By-Laws, the Declaration and, in general, with all matters of a legal nature pertaining to the Association
  - Coordinate with the Property Management Company, President, Chairperson of the Legal & By-Laws Committee, and the HOA Legal Counsel on legal matters as it pertains to the HOA and/or its members.
  
- **Secretary**
  - Attend all regular and special meetings of the Members and the Board of Directors and keep all records and minutes of proceedings thereof or cause the same to be done;
  - Publish meeting minutes to Board Members as requested.

- Secure all standing Committee and AD HOC Committee meeting minutes at year-end and maintain a historical record of HOA activities through the official minutes.
- As requested by the President, sign documents that pertain to the activities of the HOA.
- Attend to all correspondence on behalf of the Board of Directors prepare and serve notice of meetings and keep membership books;
- Have custody of the minutes book of the meetings of the Board of Directors and the meetings of the Members and act as agent for the transfer of the corporate books.

- **Treasurer**

- Works with the Board of Directors to determine the level of responsibility the Property Management Company assists in the accounting duties of the association, but ultimately has the responsibility for ensuring the association’s financial records are properly maintained.
- Coordinate with the Property Management Company in receiving monies, disbursements of funds as may be ordered by the Board of Directors, taking proper vouchers for disbursements and be the custodian of all contracts, leases and other important documents of the Association.
- Maintains the integrity of the Association’s finances by seeking the help of financial experts when required.
- Attends all regular and special meetings of the Members and the Board of Directors and coordinates the preparation and distribution the financial reports, including year-end reports.
- Ensures that the homeowners association periodically conducts a reserve study and that it’s adequately funded in the annual budget.
- Supervise the keeping of accounts of all financial transactions of the Association in books belonging to the Association and deliver the books to his/her successor.
- Prepare and distribute to all the members of the Board of Directors prior to each annual meeting and whenever else required a summary of the financial transactions and condition of the Association from the preceding year.
- Make a full and accurate report on matters and business pertaining to his/her office to the Members at the annual meeting and make all reports required by law.
- Act as the Chairperson of the Finance Committee which is made up of HOA Committee Chairpersons.

- **(1) Architectural Review Committee**

The Architectural Review Committee (ARC) is responsible for preserving a harmonious design for the community and protecting values while upholding the CC&R guidelines and requirements. This committee will be comprised of two board members and residents (homeowners) within the community. Minutes shall be maintained at all meetings. This committee will review all resident ARC requests submitted. They will determine status outcome of “approved”, “conditional approval”, “requires additional information” or “denied”. The ARC chairperson will be the authorized ARC authority for approval.

Responsibilities include:

- Provides guidance and direction to the Architectural Review Committee which consists of at least one more board member and residents from the community.
- Provides final approval of all ARC requests as outlined in the CC&Rs and the Homeowner’s Handbook to maintain and preserve a harmonious design for the community and protect homeowner values.
- The committee will have the power of enforcement for covenants, conditions and restrictions as it relates to homeowner improvements, modifications or additions to the exterior of their property.
- The Chairperson has the authorization of making variances from compliance with any of the provisions when circumstances such as topography, natural obstructions, and regulations when unique circumstance dictate.

- Provide Treasurer and Board with end of the year committee budget projections during the fourth quarter for the upcoming year.

- **(2) Grounds / Community Pool Committee**

When it comes to our common areas and amenities, it is critical that the proper upkeep is maintained, whether it is mowing, landscape focus of bushes, flowers, trees, or just maintaining physical structures and HOA equipment contained on HOA properties. Although currently our Property Management Company coordinates many of the functions of our landscaping, the Grounds / Pool Chairperson will now oversee both the Grounds and Community Pool areas. This committee will be comprised of two board members and residents interested in keeping both our community's outdoor space attractive and well maintained but also keeping our community pool maintained and safe. The main responsibilities of our Grounds/ Pool committee will be to act as a liaison between the community, service provider(s), including coordination with our Property Management Company. Minutes shall be maintained at all meetings.

The Chairperson's Responsibilities include:

- Gives direction to the Grounds Committee which coordinates the matters associated with the maintenance of the Common Areas and Community Pool Property.
- Advises the Board of Directors on matters related to the Association grounds connected to contract bidding, unexpected grounds expense, or committee issues that affect the Association performance.
- Will coordinate the Committee in securing vendor bidding as relates to common and pool grounds of the HOA.
- Will oversee the work of the Grounds/Pool Committee to ensure that no major alterations, outside the vendor's scope of duties, will occur on common grounds without the Approval of the Board of Directors.
- Submits request for proposals (Landscape Bids) to experienced commercial landscapers and or contractors.
- Review landscaper and pool maintenance bids when received.
- Express the community's desires and needs to the landscapers.
- Make recommendations to landscaper on plant /flower selections.
- Monitor the performance of grounds and pool contractors and provide direction to ensure the contractual obligations are met.
- Be the point person/committee for all landscaping concerns
- Prepare articles for the community newsletter in accordance with the instructions of the Board of Directors.
- Coordinate payments to landscaping or pool maintenance companies through our Property Management Company.
- Give the board updates and feedback on the quality of contractor services.
- Determine rules, regulations and policies for the pool and recommend them to the Board.
- Enact and maintain a security system to limit pool access to authorized property owners.
- Verify compliance to pool rules, security key card entry or system misuse.
- Develop an annual calendar and, when pertinent, organize, promote, and jointly coordinate and conduct pool events / functions with other HOA committees.
- Ensure that pool furniture, signage and surrounding areas are maintained.
- Provide reports to the Board as requested when problems occur, or contractual obligations are not being met by grounds and pool vendors.
- Respond to inquires from property owners relating to pool activities and/or disturbances.
- Ensure that pool and security lighting is maintained and repaired as required.
- Provide Treasurer and Board with end of the year budget projections during the fourth quarter, for the upcoming year.

- Develops resident committee members to grow through participation and decision making for future Association volunteer positions.

- **(3) Newsletter & Communications Committee**

This committee is identified in our CC&Rs as a Newsletter committee, but the focus is newsletter and all communications to our residents through electronic communications or mailings. The Newsletter & Communications Committee is responsible for gathering community news, but also coordinating various communications published for residents. This committee will consist of two HOA Board members and residents. Minutes shall be maintained at all meetings. It is suggested that this committee coordinate various publications or mailings through the Property Manager from our Property Management Company.

Responsibilities include:

- Set standards for newsletter production and coordinate distribution needs through the Property Management Company.
- Through committee input, develop an annual communications plan.
- Make recommendations on topics for newsletter stories and flyers.
- Gather resident feedback from suggestion boxes or surveys.
- Prepare articles for the community newsletter in accordance with the instructions of the Board of Directors.
- Develop a process to identify and welcome new residents into the community.
- Be responsible for, assigning an administrator for maintaining communications through the formal HOA Facebook page.
- As directed by the HOA Board, communicate social events, meeting notices, newcomer welcomes, volunteer recognition and other pertinent community-focused news.
- Provide Treasurer and Board with end of the year budget projections during the fourth quarter for the upcoming year.
- Develops resident committee members to grow through participation and decision making for future Association volunteer positions.

- **(4) The Finance Committee**

This committee is formed as a Board Committee composed solely of Committee Chairpersons, Vice President and the chairperson is the Treasurer. The purpose of this committee is to not only assist in the development of the annual budget but to act as a resource to help correct fiscal problems and or discuss fiscal issues. With the Property Management Company handling the majority of the financial dealings of the organization, the responsibilities may include:

- Be familiar with, approve, and review periodically the organization's annual budget.
- Review and approve the various monetary requests submitted by committees for upcoming yearly budgets.
- Make sure funds are being expended according to invoicing and accounts payable practices.
- Review the audit report submitted by the auditor and recommend changes in organizational or management practices.
- Act as a resource to help correct fiscal problems and/or discuss fiscal issues.
- Catch any illegal, unethical, or incompetent financial dealings engaged with vendors or other Board committees.
- Flag potential problems / practices involving the financial practices of the Management Company.
- Assist the Treasurer in the preparation of the "next year" budget and ensure proper funding to planning accounts.

- **(5) The Legal and Bylaws Chairperson**

This committee is a standing committee to ensure that the Board’s written language and decisions are in compliance with Homeowner (HOA) Association’s CC&Rs and bylaws. This committee will consist of two HOA Board members and residents. Minutes shall be maintained at all meetings. This committee ensures consistency of bylaw compliance with all written HOA guidelines through the clear understanding of HOA’s governing documents. This committee will work with other Board members to ensure their actions and decisions are aligned with our CC&Rs. If changes or amendments to the CC&Rs are required outside the existing bylaws, this committee, with guidance from outside legal assistance, will advise the Board of required steps for CC&R modifications.

Responsibilities include:

- Review all Board driven guidelines or publications which have the purpose of CC&Rs and bylaw clarification.
- Work closely with the Association’s attorney to ensure pertinent information is gathered to support legal review.
- Work with the Board of Directors to create/modify bylaws to bring in front of the Homeowners for vote.
- Assist the Board to ensure compliance is in accordance with the voting regulations that have been established.
- Review resident complaints, concerns and recommendations to ensure there is consistency in the CC&Rs.
- Be a resource for Roberts Rule of Order as it relates to conducting Association meetings.
- Ensure that all rules are in compliance with current regulations within the Declaration of Covenants and Restrictions.
- Monitor and make suggestions, when requested, to HOA amendments for compliance with current applicable governmental statues, rules or regulations.
- Provide Treasurer and Board with end of the year committee budget projections during the fourth quarter for the upcoming year.
- Develops resident committee members to grow through participation and decision making for future Association volunteer positions.

- **(6) Social Activities Committee**

Although there previously was no official Social Activities Committee within our community in our CC&Rs, the Board of Directors has recommended that this newly formed standing committee be developed to meet the needs of our residents. The Fairway Farms / Meadow Glen at Fairway Farms “Social Activities Committee” purpose is to energize neighbors to meet and greet each other in a spirit of community. This committee will plan, coordinate and host various neighborhood social events, and functions throughout the year. Events may include, but are not limited to, neighborhood activities, Community Pool gatherings, children events, holiday functions, community garage sales, community food drives, and many more to be included. They will work with the communications committee to coordinate “new neighbor” welcome functions. The Social Committee will be comprised of both residents and two Board members.

Responsibilities include:

- The Social Committee and act in the capacity as a committee chairperson reflecting the interests of the community.
- The chairperson will provide direction and open connections through the Property Management Company and/or Board of Directors for both financial support and physical items for committee events.
- The chairperson will attend the Social Committee’s meetings, which are held at least quarterly, to ensure committee performance and that HOA interests are maintained for the benefit of the entire community.
- Meet / communicate regularly to evaluate and organize community events. Minutes shall be maintained at all meetings.
- Coordinate with HOA Board when the community pool area is required for social events.

- Gather volunteers and community involvement to make events successful throughout Fairway Farms and Meadow Glen at Fairway Farms.
  - Prepare articles for the community newsletter in accordance with the instructions of the Board of Directors.
  - Work with our HOA Management Company, when necessary, to coordinate events.
  - In coordination with the Communications Committee, assist in the announcement of upcoming community events and resident gatherings.
  - Provide Treasurer and Board with end of the year committee budget projections during the fourth quarter for the upcoming year.
  - Develops resident committee members to grow through participation and decision making for future Association volunteer positions.
- **(7) Amenity Development AD-HOC Committee** (specific/temporary)  
 This AD-HOC committee has been temporarily created by the HOA Board of Directors to review the homeowner suggestions that were collected by an Amenities Suggestion Survey sent out by the HOA Board of Directors during 2019. This temporary committee will consist of two HOA Board members and homeowners from the community. Once the committee objective is accomplished and the Board of Directors has given monetary approval and the project time-line set, this AD-HOC committee will be dissolved.  
 The purpose of this committee is to review the various suggestions submitted by homeowners to enhance our community. This committee will:
    - a. Review Amenities Survey data and identify the top selected items.
    - b. Determine the amenities that align with our community values.
    - c. Determine the community's common areas and where selected amenities may fit.
    - d. Research amenity item expenses and determine planning for immediate or long-term budgeting.
    - e. Coordinate with HOA Treasurer for budgeting annual and long-term planning.
    - f. Determine if local /county zoning or restrictions would allow proposed amenity.
    - g. Develop an amenity proposal with amenity costs, identified vendors/contractors and suggested time-lines for implementation to present to the Board of Directors.
    - h. Once the Board of Directors approval is reached the installation/monitoring responsibility is shifted to the Grounds and Pool Committee.



**Current Fairway Farms & Meadow Glen at Fairway Farms HOA Board of Directors**

It is important that homeowners have a clear path of communications to their Board of Directors. Whether it is for suggestions, clarifications or even concerns. Currently your board consists of the following nine directors.

- **Rob Horton** Developer rhorton@tenntrading.com  
HOA President
- **Glenn Hezmalhalch** 404 Fannis Circle 916-996-9947 hezrez@gmail.com  
ARC Committee  
Legal & Bylaws Committee
- **Bill Bakey** 526 Goodman Drive 410-490-6585 web.bakey@yahoo.com  
Vice President  
Chairperson- Legal & Bylaws Committee  
Chairperson- Amenities AD-HOC Committee
- **Bridget Henneman** 272 Wendling Drive 615-579-6966 bridgetmhenneman@gmail.com  
Chairperson- Social Activities Committee  
Newsletter & Communications Committee
- **Carol Kraemer** 814 Warrington Court 615-330-2785 sweetum915@att.net  
Chairperson- ARC Committee  
Grounds & Community Pool Committee
- **Ted Horn** 355 Goodman Drive 615-979-1592 quackhorn@gmail.com  
Treasurer  
Chairman – Finance Committee  
ARC Committee
- **Teresa Bravo** 545 Goodman Drive 985-774-1591 Brave13\_99@yahoo.com  
Secretary  
Chairman – Newsletter & Communications Committee  
Social Activities Committee
- **Chris Smith** 808 Wapole Drive 615-878-1095 casmith2615@gmail.com  
Chairman – Grounds & Community Pool Committee
- **Jeff Helmtoller** 357 Goodman Drive 615-772-5096 jeff.helmtoller@yahoo.com  
Grounds & Community Pool Committee