

Special Board Meeting
Review of ARC request for Lomax Household for Solar Panel Installation
November 20, 2019
6pm-6:45pm

All board members are in attendance and VP Maureen Furr participated by phone. Danette Lomax, Treasurer, presented photos and more items in her request, for the board's review.

Questions from Board about Request:

1. When does the official 30 day clock for this ARC request begin?
2. When did Cedar Management receive this second submission and log in the request?
3. Why was it disapproved the first time?
4. What does current NC state law/NC state statutes indicate about homeowner use of solar panels?

Answers/Responses:

1. The ARC request was officially resubmitted on Nov. 12th.
2. Nov. 12th is when Cedar Management officially logged the request and a decision should be reached within 30 days of the request. The deadline for an official response from the board should occur no later than December. 12th.
3. The request was disapproved the first time because current HOA CCRs indicate that solar panels are not allowed in Providence Arbours.
4. Current NC state law prohibits HOAs from denying homeowners the right to install solar panels, BUT does give HOAs rights to have a voice in their placement should that placement be visible from a public area (i.e the street/sidewalk aka placement on the front of the house).

Resolutions/Actions:

- Board determines that it is a mistake to rush this particular kind of decision especially when, technically, it requires a 2/3rds vote from the 139 homeowners to change this in the current CCRs (which are outdated and in conflict with current NC statutes).
- Board chooses to defer a vote at this time because no clear agreement can be reached. More information is needed.
- Board Member At-Large, Carey, consulted legal counsel during the meeting. The legal counsel indicated they will put the board in touch with an HOA attorney who can advise the board on current HOA law with regard to solar panel installation for homeowners.
- Board agreed that a nominal fee for such legal consultation (one hour or less) should be spent to help make this decision so that Providence Arbours HOA board can be sure to be in compliance with current NC statutes.