

Old Sweetbriar Farm Homeowners Association

Board Determination

BD# 2005-0001

Short Title:	CC&R or By-Laws Reference:	Date Approved:
Pre-review of Notification of CC&R Violations process.	CC&R: Article VI; Section 1. By-Laws: Article VII Section 1(e) and 2(a) <u>Board Determination</u> BD 2003-0002	November 9, 2005

Detailed determination:

Violations are first recorded to note when they were initial observed, if that violation is still present at the next observation then a courtesy letter is sent to the home owner. The courtesy letter is the beginning of the violation notification process (BD 2003-0002).

It is during this time period, between the two observations, the board elects to review the observed violations that are not in the notification process and are not a repeat violation.

PURPOSE:

To give the board of directors an opportunity to review the observed violations and to note which ones they feel are not a violation. (Note: Similar situations not noted dose not make the violation invalid to be suspended. See BD2003-0002 for procedure to identify violations)

RESPONSIBILITIES:

Administrative Assistant (AA):

- Give a copy of the recorded violations, as defined in the scope, to the members of the Board of Directors prior to the courtesy letter step
- Once notified by a board member that one or more violations are suspect, the AA will:
 - suspend the violation notification process on the noted violation and
 - make an agenda item for that board member for the next general meeting.
- If not notified before the next observation and the violation still is present, then the AA will follow BD 2003-0002 guidelines.
- Record the board of directors' decision on suspect violations.
- Take action on the suspect violations based on the board's decision

Board member:

- Review the recorded violation document from the AA
- Notify the AA prior to the next observation on those they feel are not a violation
- Research the violation they consider suspect.
- Brief the board of directors at the next general meeting why this is not a violation (i.e. sighting a specific prior determination—Grass must be 14 inches tall before it is a violation of the CC&R and city code)

2005-0001 Cont.

(Cont RESPONSIBILITIES)

Board of Directors

- Review the information presented,
- listen to any testimonies, and
- make a decision on, if the board of directors shall consider this circumstance a violation now and in the future.

Example 1:

- During a periodic observation by the Administrative Assistant, a pile of bricks are observed the first time on July 13 on property xxx..
- The photo of this is included with the other first time observed violations that is sent to the board members.
- Board member "A" notifies the Administrative Assistant that they feel this is not a violation.
- The administrative assistant suspends the violation notification process for the pile of bricks on property xxx..
- An agenda item is noted for the next general meeting for Board member "A" to brief the rest of the board.
- The administrative assistant continues to record the pile of bricks is still present during the subsequent observations, July 27th.
- During the General meeting August 10th the board of directors review the information and decides that the pile of bricks is a violation of the CC&Rs
- Since the pile of bricks are still present on property xxx as of the last observation, the Administrative Assistant after verifying that the pile of bricks is still there, can send a courtesy letter at that time to the homeowner and does not need to wait until the observation.

Example 2:

- During a periodic observation by the Administrative Assistant, a vehicle parked on railroad ties embedded in the lawn is observed the first time on July 13 on property ABC.
- The photo of this is included with the other first time observed violations that is sent to the board members.
- Board member "A" notifies the Administrative Assistant that they feel this is not a violation.
- The administrative assistant suspends the violation notification process for the parked vehicle on railroad ties on property ABC.
- An agenda item is noted for the next general meeting for Board member "A" to brief the rest of the board.
- The administrative assistant continues to record that the parked vehicle on railroad ties is still present during the subsequent observations, July 27th.
- During the General meeting August 10th, Board Member "A" sites that the ACC had approved railroad ties for parking pads prior-but stopped accepting railroad ties as approved parking pad for current requests. Therefore the railroad tie parking pad is "grandfathered in" and is not a violation of the CC&Rs.
- The board of directors review the information and decides that the parked vehicle on those railroad ties is a not violation of the CC&Rs
- The Administrative Assistant records the decision and will no longer consider railroad tie parking pads, done during the period that when ACC would have approved them, a CC&R violation.

Old Sweetbriar Farm Homeowners Association

Board Determination

BD# 2005-0002

Short Title:	CC&R or By-Laws Reference:	Date Approved:
Resource Committee	<u>By-Laws:</u> Article IX	November 9, 2005

Detailed determination:

The Board recognizes that past board members and other homeowners are valuable resources to the homeowners association. This group of folks' corporate knowledge could assist the board of directors to make informed decisions.

By-laws Article IX states the board of directors may create any committee deemed necessary.

The board of directors establishes the standing committee: Resource Committee.

The Resource Committee will only have advisory capacity and will not have the authority to enact any changes.

PURPOSE:

- To perform research on subjects and provide the results to the board of directors,
- to compile requirements into approved format documentation and,
- to render documentation of past practices, opinions and historical events.

NOMINATION:

- The board of directors may nominate a candidate for the Resource Committee, however only the President of the board of directors may officially appointment the person to the committee.
- Appointment will be recorded.
- Term of service will be at the discretion of the President of the board: the length of the service may be for the span of a project or may be considered ongoing.
- The committee member however may terminate there appointment at any time.

RESPONSIBILITIES:

President of board of directors:

- Provide written guidelines, scope, and requirements for projects to the committee.
- Have all Resource Committee's status reports recorded in the general board meetings minutes.

Resource Committee member:

- To perform tasks as outlined by the president of board,
- compile the information and,
- submit the documentation to the board of directors for their review and their decision to act on or to accept the recommendations made by the Resource Committee.