

Powder Ridge Home Owners Association

Revised House Rules dated May 2020

1. The purpose of this document:

a. The purpose of this document is to serve as the “road map” or standard operating procedures (SOP) for the Executive Board (Board) of the Powder Ridge Home Owners Association (PR-HOA). A new Board member should more easily understand how the Board functions after reading this paper.

b. This document replaces Exhibit E, to the Declaration For Powder Ridge, recorded on 4 April 2003, Bylaws of the Powder Ridge Planned Community Homeowners Association, and the document titled “Late Fee and Enforcement Policy for the PR-HOA”, adopted by the Board on 18 January 2007. The late fee document is attached as attachment 2, and the bylaws can be found in the declaration documents and posted on line under the PR-HOA page on the PMSI web site.

2. Reference of applicable prior documentation for Powder Ridge Homeowners Association

a. The Declaration For Powder Ridge, recorded on 20 March 2003, including amendments

(1) Article I, Section 1.4, Bylaws (page 2) and Section 1.15, Board (page 4).

(2) Article XI, (a) page 19, The Board shall appoint an Architectural Control Committee consisting of at least three people.

(3) **Article XIV, page 22, “bylaws may be amended by 2/3 of the Board following notice and comment of lot owners at an annual meeting”.**

(4) Article XXI, page 29-31, the Executive Board

b. Exhibit E, to the Declaration For Powder Ridge, recorded on 4 April 2003, Bylaws of the Powder Ridge Planned Community Homeowners Association

c. Late Fee Policy and Enforcement Language for PR-HOA, The Process For Reporting Violations, adopted by the Board on 18 January 2007

3. The Executive Board: The Board for PR-HOA consists of at least five (5) homeowners.

a. The Declaration for PR-HOA (dated Oct 2003) talks about a Board of Directors and about an Executive Board. There is only one Board for the PR-HOA, and it is called the Executive Board. The Architectural Control Committee mentioned in the Declaration also does not exist as a committee. The responsibilities of the Architectural Control Committee are handled by the members of the Board.

b. The Board is elected at the annual home owners meeting. When the annual meeting has a quorum there shall be an election for all Board members. If the meeting does not have a quorum all current members of the Board may remain on the board if they so choose. Open Board seats may be filled by any homeowner present at the meeting. If more than one homeowner volunteers the position shall be determined by a vote of the members present.

c. If all Board positions are not filled at the annual meeting or if an elected Board member resigns his/her position during the year the remaining Board members will fill the open seat by asking for

volunteers from all homeowners. When a homeowner volunteers to fill an open Board seat, the current Board members shall:

- (1) Immediately discuss and confirm or reject via email the new Board member if he/she is the only volunteer.
- (2) If the next regular Board meeting is within a week, the Board may choose to place the addition of a new Board member on the agenda of the next meeting.

d. There is no “term Limit” for Board members.

e. If a Board member chooses to resign prior to completing his/her “term” the Board member shall resign in writing via email to the management company with a copy to the other Board members.

f. Each Board member has the same equal vote. There is no executive power attached to any position. When there is disagreement between Board members, a majority rules shall apply.

g. The Board consists of the following five (5) positions (minimum)s shown with their duties and responsibilities.

The positions on the Executive Board for PR-HOA are:

(1) **President**: Responsible for scheduling and conducting monthly Board meetings, including coordinating with the Property Management Company and fellow Board members for meeting date/time, location and the agenda. Assists in the approval process for resale certificates and design reviews via email. Responsible for leading the adjudication of monthly compliance inspections.

(2) **Vice President**: Responsible to fill in as President if the President resigns from the Board, or if the President is unable to attend a regular meeting. Assists the President, as needed for monthly and annual meetings. Shall assist in the approval process for resale certificates, design reviews and the adjudication of monthly compliance inspections via email.

(3) **Treasurer**: Responsible for managing all financial matters relevant to the HOA’s finances. Coordinates with the Property Management representative on all financial matters. Responsible for leading the review of financial documents during monthly Board meetings as well as at the Annual member meeting. May assist in the approval process for resale certificates, design reviews and the adjudication of monthly compliance inspections via email.

(4) **Secretary and Resale Certificate Officer**: Responsible to record meeting minutes if the Property Management representative is not able to attend the monthly meeting. Will coordinate with the Property Management representative after meetings to review the minutes of the meeting. Responsible as the primary reviewing Board member for all resale certificates submitted by homeowners through the Property Management company. Shall assist in the approval process for design reviews and the adjudication of monthly compliance inspections via email.

(5) **Public Affairs and Design Review Officer**: Responsible for all public affairs related issues for the Board including facebook and any media inquiries for the HOA. Responsible as the primary reviewing Board member for all design reviews submitted by homeowners through the Property Management company. Responsible as the secondary reviewing Board member for all resale

certificates submitted by home owners through the Property Management company. Shall assist in the adjudication of monthly compliance inspections via email.

4. Method of determining who fills which position on the Board.

- a. Board members are elected at the annual home owners meeting per the Declaration.
- b. Each Board member has one equal vote when the Board requires a vote, regardless which position each Board member holds.
- c. At the first regularly held Board meeting after the annual meeting, Board members will determine amongst themselves who will fill each position.
- d. The position of “President” will be changed every two year unless the current President has not held that position for a full two year and he/she wishes to remain as President.

5. Monthly Board Meetings for the PR-HOA.

a. The HOA’s Board will meet monthly to review the association’s finances and to discuss whatever issues need to be addressed by the Board. A minimum of three Board members is required for a quorum at all monthly Board meetings. The Board President will coordinate with fellow Board members and with the management company for meeting dates and the agenda. The agenda shall be sent by email to all Board members for review not later than 30 hours prior to the planned meeting time and date.

b. Monthly Board meetings shall have a standard agenda consisting of:

- (1) A call to order and establishing a quorum
- (2) Review of previous Board meeting minutes
- (3) Financial review
- (4) Unfinished Business
- (5) New Business
- (6) Adjournment

c. The budget and monthly finances shall be monitored throughout the year at monthly Board meetings. The budget for the next year will receive its initial review at the November Board meeting. The Board shall give preliminary approval to the next years budget at the December meeting, so that the management company can mail out the draft budget with the first quarter dues bill.

d. The Board shall give final approval of the budget at the January meeting in compliance with the Article XVI, Section 16.4 of the Declaration, Budget Adoption and Ratification:

- (1). The Board shall within thirty (30) days after adoption of the budget, provide a summary of the budget to each lot owner.
- (2). The Board shall set a date for a meeting of the lot Owners to consider ratification of the budget not less than fourteen (14) nor more than thirty (30) days after mailing of the summary.

e. All Board meetings shall be open to the public, in compliance with the Article XXII, of the Declaration, and notice of meetings will be given not less than twenty-four hours prior to a meeting.

Board meeting dates shall be post on PMSI website. Any homeowner may request and will be provided with copies of any Board Meeting minutes.

f. The Board may, in accordance with th declaration, meet in session under certain conditions. sessions will not be recorded by minutes, and the discussions of these sessions will not be made available at any home owner's request.

6. **Annual Meetings for the PR-HOA:** The Board will plan and schedule an annual membership meeting. This annual meeting will normally be held in the second half of February.

a. Prior to the annual meeting the Board shall finalize the budget for the next year per para 6 above.

b. A copy of the proposed budget shall be sent to all homeowners in the HOA per the time requirements set by the declaration per paragraph 6, c, (1) above.

c. The Board shall set the date for the annual meeting at the December Board meeting, and confirm it at the January Board meeting.

d. The Board shall direct the property management company to mail a copy of the annual budget to all homeowners with the meeting agenda as well as the date, time and location of the meeting.

e. The Board President shall run the annual meeting with all other Board members assisting.

f. The Declaration requires 20% attendance of homeowners in order to obtain a quorum. That is 51 homeowners for Powder Ridge HOA. Proxy attendance is permitted. Proxies may be sent to the management company or signed to another homeowner. The management company shall record attendance at the annual meeting and inform the Board if a quorum has been reached.

g. If a quorum is present at the annual meeting, the meeting shall be “official”.

(1) The budget shall be approved unless, per the Declaration, 50% (127) of homeowners are present and vote to reject the budget.

(2) At the end of the meeting, the last item on the agenda will be “voting for Board members”. Any homeowner may volunteer to serve on the Board. Each homeowner gets one vote. Any proxy that has been signed to another homeowner may be voted by that homeowner.

(3) After homeowners vote the management company shall count the votes and inform the homeowners who the new Board Members are.

h. If a quorum is not present at the annual meeting, the meeting is “unofficial”

(1) The President shall still conduct the meeting following the agenda.

(2) The budget shall be discussed, and the Treasurer shall answer any homeowner questions on the budget with assistance when necessary from the Property Management Company.

(3) The last item on the agenda shall be election of Board members. Any current Board member who wishes to remain on the board shall remain, unopposed. If there are any open seats on the Board, the current Board shall ask for volunteers form those homeowners attending the meeting. If necessary a vote will take place to fill any open Board seats.

7. How the Board Conducts Day-To-Day HOA Business Between Monthly Meetings:

a. The primary means of communication and for conducting Board business by the Board is email. The Board shall use all means of communication available in order to conduct Board business. Board members will have each other's cell phone numbers. Cell phone group texting shall be used only for non-routine matters that are time sensitive and can not wait until the next Board meeting date.

b. Board decisions shall be made by a majority vote. Routinely matters shall be decided through email replies. For all Board actions listed in this section a majority decision needs to be made within 72 hours from the time that the item is emailed by the property management company. When possible any Board action shall be acted on in 24 hours.

c. Approval of Design Reviews Submitted by Homeowners:

(1) Homeowners shall submit design reviews through the property management company per the declaration and section 10.2. The property management company will review the design review for compliance and then email it as an attachment to all Board members.

(2) Board members have 72 hours to review, comment, and approve/disapprove each design review. The Design Review Officer has the primary responsibility of ensuring all design reviews are properly acted on, but all Board members can and should review the email and vote to approve or not. It takes the agreement of three Board member replies via email for Board approval for a design review.

(3) Each design review email should include the original email from the homeowner that states what work is to be done. The email should also include the design review form, and an attached "As Built" of the property. The goal of this process is to ensure any proposed work is in compliance with our section 10.2.

d. Approval of Resale Certificates Submitted by Homeowners:

(1) Homeowners shall submit requests for a resale certificate through the property management company per the declaration and section 10.2. The property management company will review the resale certificate, and then pull the file on that property to review it for unpaid fees and landscape design reviews on file. The property management company shall then email it as an attachment to all Board members, and include a note with any issues found in the review.

(2) Board members have 72 hours to review, comment, and approve/disapprove each resale certificate. The Resale Certificate Officer has the primary responsibility of ensuring all design reviews are properly acted on, but all Board members can and should review the email and vote to approve or not. It takes the agreement of three Board member replies via email for Board approval for a design review.

(3) Resale certificates are a required document for a homeowner in the selling of their home. These documents are time sensitive, by law, and must be acted on by the Board promptly.

e. Adjudication of Monthly Compliance Inspections:

(1) The property management company hired by PR-HOA shall conduct monthly compliance inspections of the neighborhood. The inspector will look for violations of the amended January 2020 version of section 10.2, occupancy restrictions, of the PR-HOA declaration.

(2) Inspection results shall be emailed to all Board members for review and adjudication. The Board shall review the inspection results to determine if compliance letters and/or fine letters will be sent. It is not always required for letters to be sent to homeowners for every infraction noted in the inspection.

(3) Results of a compliance inspection are time sensitive. Upon receipt of the email with inspection results, Board members have 24 hours to comment on the action that they propose the Board should take. At the end of the 24 hours, the Board President will direct the property management company as to what action the Board wants taken.

(4) If required, the inspection and results shall be placed on the agenda for the next regular Board meeting for any required discussion.

(5) When compliance letters are required, management will send a “heads up” email to the homeowner if email is on file. A “hard copy” letter shall also be sent to the homeowner. The compliance letter gives the homeowner ten (10) days to comply or a fine of \$100 may be imposed. The homeowner will have the opportunity to address the Board regarding the compliance violation. Routine concerns shall be sent through the management company. If necessary the issue may be placed on the agenda for the next Board meeting, with the homeowner in attendance or not.

8. PR-HOA late fee policy and “Enforcement Language, Process For Reporting Violations”, adopted by the Board on 18 January 2007

a. Enforcement procedures have been updated above in paragraph 7, e, (5).

b. Inspection and reporting procedures are addressed in the amended 10.2.

c. The Board will not address anonymous reports of compliance violations. Any homeowner may report violations, but they must report through management, and they must include their name and contact information.

d. Homeowner dues are paid quarterly. A late fee, to be determined by the Board, will be assessed when the dues are 90 days in arrears. Dues that are unpaid past 90 days are subject to being a collection process which may include legal correspondence. The homeowner shall incur any legal fees that result from the collection process.

The Powder Ridge Homeowners Association Executive Board
May 2020

Attachments and referenced documents:

Attachment 1, The History of the PR-HOA Executive Board

Attachment 2, PR-HOA late fee policy and “Enforcement Language, Process For Reporting Violations”, adopted by the Board on 18 January 2007

Referenced Attachment 3, Exhibit E, to the Declaration For Powder Ridge, recorded on 4 April 2003, Bylaws of the Powder Ridge Planned Community Homeowners Association

Attachment 1, Powder Ridge House Rules, History of the PR-HOA Executive Board

This attachment is a recap of the Past Leadership for The Powder Ridge Home Owners Association:

1. From 2003 Until 2007, Eklutna Inc. the developer, and the declarant, controlled the Board of PR-HOA. Eklutna Inc. filled four of five Board seats during this time. Starting in 2005 homeowners in Powder Ridge were permitted to elect one representative to the Board. That one representative worked with Eklutna to advocate home owner concerns to the Board.
2. Home owner meetings were held occasionally from 2003 until 2007, but they were not official HOA meetings. The “Homeowner Representative” on the Board chaired the meetings. The meetings were held to pass information to homeowners and to receive issues that would be addressed at Board meetings.
3. Powder Ridge Home Owners Association received control of the Board from the declarant, Eklutna Inc., on 8 August 2007, which marked five years after the first unit was sold in Powder Ridge (phase-2) on 8 Aug 2002. Starting in August 2007 through 2010 home owners from Powder Ridge made up four(4) of the five(5) Board members with Eklutna having the fifth “at large member”.
4. Starting in 2010, after the 75% sale of homes in PR-HOA home owners from Powder Ridge filled all five(5) positions on what is called the Executive Board.
5. There is no “Board of Directors” for PR-HOA. The leadership body for PR-HOA is the Executive Board, which is made up of 5 homeowners. Each Board member has one equal vote. The Architectural Control Committee mentioned in the Declaration also does not exist as a committee. The responsibilities of the Architectural Control Committee are handled by the members of the Board.

Attachment 2, PR-HOA late fee policy and “Enforcement Language, Process For Reporting Violations”, adopted by the Board on 18 January 2007

**THE POWDER RIDGE HOMEOWNERS ASSOCIATION
LATE FEE POLICY**

Adopted by the Board of Directors of the Powder Ridge Association
on January 18, 2007

The Powder Ridge Association dues are charged on the first day of the calendar quarter and **are due when charged**. Payments must be received by the last calendar day of the month in which they are charged.

Dues not received by the last calendar day of the month are delinquent and are subject to a late fee. The late fee schedule is as follows:

Quarterly dues unpaid after the due date will be assessed an initial late fee of \$25.00 per month.

Accounts which are 90 days or more delinquent will be referred to an attorney for collections.

DRAFT ENFORCEMENT LANGUAGE

Adopted by the Board of Directors of the Powder Ridge Association on
January 18, 2007

1. PROCESS FOR REPORTING VIOLATIONS:

The association manager shall perform periodic drive through the association noting any violations of the CC&Rs and/or House Rules. In addition, any owner may report a perceived violation to the association manager or to a board member.

2. VIOLATIONS:

In the event that an owner is out of compliance with the CC&Rs and/or House Rules of the association, the following actions will be taken at the discretion of the Board of Directors.

1. The owner will be notified of a violation with a request that the issue be resolved.
2. If the violation is uncorrected after five (5) days, a Notice of Violation will be sent via certified mail to the violating owner.
3. If the issue is not resolved within ten (10) days from the date of the Notice of Violation being received, the owner will be asked to attend a hearing.
4. If the owner fails to attend the hearing in front of the Board, or if a solution is not reached, a Notice of Assessment may then be sent via certified mail to the violating owner assessing that owner a \$100.00 fine.

A fine of \$100.00 per violation per day of the CC&Rs and/or House Rules of the association may be levied against the owner at the discretion of the Board. The fines will continue to accumulate on a daily basis until the fine has been corrected and the correction verified by the board of directors. Failure to pay this fine or correct the violation within ten (10) days will result in the matter being corrected by the association and charged back to the homeowner. Any additional costs to management or legal fees will be the responsibility of the owner.