

THE VINEYARD HOMEOWNERS ASSOCIATION

“ADOPTION, AMENDMENT, REPEAL, OR OTHER CHANGES TO POLICIES, PROCEDURES, RULES AND REGULATIONS”

Policy and Procedure

Effective Date: June 1, 2006

POLICY: The Association’s Board of Directors (herein referred to as Board of Directors) may, from time to time, adopt, amend or repeal certain policies as may be necessary to facilitate the efficient operation of the Association, including the clarification of ambiguous provisions in other documents, or as may be required by law.

The Board of Directors authorized the formation of the “Policies and Procedures” Committee in order to come into compliance with the laws regarding homeowners associations. Senate Bill 05-100, effective January 1, 2006, states that homeowners associations must adopt policies and procedures in order to promote responsible governance (re: Senate Bill 05-100, paragraph 38-33.3-209.5).

The stated purpose of the Committee is to adopt and/or amend policies, procedures, rules and regulations for the Association and present these policies to the Board of Directors for their review and approval. The Committee reports to the Board of Directors. The Committee will consist of at least 3, but no more than 7 individuals and will include at least 2 members of the Board of Directors. All Committee meetings are open to any and all homeowners who wish to attend. Notice of Committee meetings will be posted a minimum of 5 days prior to the meeting.

The Board of Directors hereby adopts the following procedures to be adhered to in the adoption, amendment, repeal, or other changes to policies, procedures, rules and regulations.

PROCEDURE:

- 1) Drafting Procedure: The Board of Directors shall consider the following in drafting policies, procedures, rules and regulations:
 - a. Whether the governing documents or Colorado law grants the Board of Director’s the authority to do so.
 - b. The need for such policy based upon the scope and importance of the issue and whether the governing documents adequately address the issue, and
 - c. The immediate and long-term impact and implication of the policy.

- 2) Committee Review: Once the Board of Directors have proposed adoption or amendment of the Association’s policies and procedures, they will instruct the Policy and Procedure Committee to prepare a written draft of the proposed adoption or change to the policies and procedures for presentation to the Board of Directors at the next Board of Director’s meeting, or at some other time determined by the Board of Directors. The committee is empowered to determine what it believes to be the best means of producing the draft. They


may wish to survey or interview Association's Members, or some group thereof, or seek legal counsel. If the committee determines to use some method that costs money, they must formally seek approval for the expenditure from the Board of Directors.

- 3) Board Review: At the next meeting of the Board of Directors, or at some other time as the Board has determined, the Committee's written proposal will be presented. The Board of Directors will then open the matter for review and discussion. After review and discussion, the Board of Directors will vote on whether or not the change should be approved.
- 4) Approval of Policies and Procedures: Approval of adoption, amendment, repeal, or other changes to these policies and procedures will be made by a simple majority vote (51%) of the Board of Directors at a regular meeting of the Board of Directors.
- 5) Publication: If the proposed change is approved, as outlined in Step 4 above, the Secretary of the Association will cause the change to be made to these policies and procedures with the effective date and Board Certification typed thereon. A "Summary of Content" letter will be sent to all homeowners with instructions on how to obtain copies of the complete policies.
- 6) Policy Book: The Association's Secretary shall keep copies of any and all adopted policies in a book designated as a Policy Book. The Board of Directors may further categorize policies, procedures, rules and regulations, but shall not be required to do so.
- 7) Defenses: Failure of the Board of Directors to comply with any provision in this Policy shall not be an excuse for non-payment by any homeowner of assessment fees or other charges, late charges, return check charges, attorney fees and/or costs as described and imposed by this or other policies.
- 8) Supplement to Law: The provisions of this policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Association.
- 9) Deviations: The Board of Directors may deviate from the procedures set forth in this policy if in its sole discretion such deviation is reasonable under the circumstances.
- 10) Amendment: The Board of Directors may amend any and all policies and procedures from time to time as they see fit.

BOARD CERTIFICATION:

The undersigned, being the President and the Secretary of the Vineyard Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing "Adoption, Amendment Repeal, or other Changes to Policies, Procedures, Rules and Regulations" Policy, effective date of June 1, 2006, was approved and adopted by the Board of Directors of the Association, at a duly called meeting of the Board of Directors of the Association on May 11, 2006, and in witness thereof, the undersigned have subscribed his/her names.

VINEYARD HOMEOWNERS ASSOCIATION
a Colorado nonprofit Corporation,



Nelda Barker, President



Diane George, Secretary