

# CHURTON GROVE



Churton Grove Homeowners Association, Inc.

## Book of Resolutions

Revision 1.2

October 15, 2013

## Document control

### Revision History

*This is a history of the documents highlighting significant changes per revision number and date.*

Revision	Date	Comments	Person/ Group
1.0	3-8-08	First Release	Board
1.1	3-28-08	Vendor, Sponsor and Home Occupation Added	Board
1.2	10-15-13	Committee Chair and Member Requirements, Open Forum	Board

# TABLE OF CONTENTS

## Table of Contents

Document control.....	2
Revision History .....	2
TABLE OF CONTENTS.....	3
BOR Introduction .....	4
BOR Purpose.....	5
BOR Control.....	6
Organization .....	6
Authority .....	6
BOR Enforcement.....	7
Enforcement Authority and Responsibilities .....	7
Homeowner Forum Meeting Guidelines.....	8
Sample Agenda.....	9
Yearly Budget Process and Time line .....	10
Sample Budget Request (should not exceed 2 pages per group .....	11
Committees General Policy.....	12
Qualifications.....	12
Responsibilities .....	12
Membership Processes.....	12
General Policy for Filing Complaints with the HOA .....	16
Committee Complaints .....	16
Property Manager Complaints.....	16
Churton Grove Sponsorship Policy .....	17
Partial Sponsorship .....	17
Full Sponsorship.....	17
Sponsorship Interest Form .....	18
Churton Grove Vendor Policy .....	19
Churton Grove Vendor Proposal Form.....	21
Process for Approving Request for Home Occupation at Churton Grove .....	22
HOA Consent to Home Occupation Application and Agreement of Compliance .....	23
Information Collection and Use Practices Regarding HOA Information .....	25
Information Collection and Use Practices.....	25
Document Terms .....	26

## **BOR Introduction**

"Book of Resolutions" / "Book of regulations" or BOR shall mean and refer to the document containing rules and regulation and policies adopted by the Board of Directors.

Consistent with the responsibilities under the covenants and Bylaws set forth by the Churton Grove HOA documents the Board of Directors must maintain and set forth rules regulations and policies.

Sincerely,

Board of Directors

## BOR Purpose

### Purpose

The purpose of the Churton Grove BOR document is to help define rules and regulations and policies adopted by the Board of Directors. This document will:

- Define Standard Process
- Help community understand and know adopted policies

The BOR Document basic policy:

- Board will review on a regular basis
- Once the HOA has been turned over from the Declarant changes or additions to the BOR will require a 3/4 vote by the board

## **BOR Control**

### **Organization**

The BOR is the full responsibility of the Churton Grove Board of Directors. Updates to the BOR will occur as needed and are considered on-going.

### **Authority**

The authority of the BOR will define the rules regulations and policies for the Churton Grove HOA. These policies will be enforced by Board of Directors, committee chairs and any Management Company acting on behalf the Churton Grove HOA.

## **BOR Enforcement**

### **Enforcement Authority and Responsibilities**

#### **1. Board of Directors**

- a. The Churton Grove Homeowners Association Board of Directors is responsible for the overall direction and approval of all enforcement actions.
- b. The Board of Directors are available for appeal of enforcement or policy considerations
- c. The Board MAY seek out (i.e. establish committees or use existing committees) input to provide recommendations and policy changes.

#### **2. Management Company**

- a. The property management company under contract to the Churton Grove Homeowners Association shall be responsible for conducting HOA business in a manner that reflects the BOR.
- b. The management company shall keep the Board or Directors informed of enforcement action results/remedies taken and of potential problem areas where enforcement may become necessary.

## Homeowner Forum Meeting Guidelines

In an effort to formalize the meeting process for our homeowner forums we are moving forward with the following guidelines beginning in September 2007.

As this is not a formal board meeting, but a community forum where the committee chairs and leadership of the neighborhood provide an opportunity for residents to be involved and aware of what is going on in our community. The board and committee chairs welcome and encourage residents to attend.

Committee reports/summary are due to the management company by the Wednesday prior to our meeting which are held several times a year at the Churton Grove Clubhouse. Submission of these reports, along with review of the Manager's Report will take place prior to the community forum. The board should have time to review and formulate questions if needed.

Homeowners will need to sign in at the start of the meeting. If time allows questions may be asked during a Q&A session at the end of the homeowner forum.

Homeowners who do ask questions will be asked to identify themselves and their address.

Any items we are not able to discuss due to time constraints or lack of data will be placed into a "Parking Lot" for discussion at the end of general business or responded to at a later date/time.

## Sample Agenda

### Agenda

The agenda should use the following format:

### Board Updates

### Financial Update

**Committee Reports** (on a rotating basis, different committees will report out at different forums)

**Homeowner Forum** limit of 2-5 minutes per person

### Adjourn

This may help to put a time limit on things. As we discussed earlier we are going to use the basement and folding chairs so there is more of a formal feel to the meeting-and also allow us an easy way to accommodate additional people easily

Thanks for all you do for the community.

## Yearly Budget Process and Time line

All committees should start their review on requests and recommendations no later than **August**. This should include a meeting with the committee members to talk about priorities and needs. Committees need to develop an official plan for submission to the Board. The required format is listed below as "Sample Budget request". This should NOT exceed 2 pages and include each committee's short and long term items and the approximation of cost.

Each group must have their proposals / request submitted by **September 30<sup>th</sup>** of each year. This will allow the Board to review all requests and start to draft a budget.

The draft budget shall be mailed out by **October 10<sup>th</sup>** of each year. The budget will be mailed out in the draft form to insure all homeowners have sufficient time to review. Homeowner comments must be submitted to the management company or to the board of directors before **October 20<sup>th</sup>** by phone, e-mail or mail for the budget open meeting and approval before **November 30<sup>th</sup>**.

**Sample Budget Request (should not exceed 2 pages per group)**

Committee Name: Club House Budget Year Request 2009

**Short term**

Item Number	Approximate Date Needed	Description / Purpose of Item	Estimated Cost
1.	2/12/2009	Replacement of Cart. The current cart is broke	\$200.00
2.	6/12/2009	Mats Needed for down stairs Kid Activities	\$250.00

**Total Short Term Budget request:** \$450.00

**Notes / Concerns for Short Term Budget:** This year's budget is an increase of 10% from last year due to increase usage of the clubhouse

**Long Term**

Item Number	Approximate Year	Description / Purpose of Item	Estimated Cost
1.	2009	Replace all lights with Compact fluorescent. This will save us about \$200 per year	\$300
1.	2010	Carpet Replacement up Stairs	\$5000.00
2.	2012	New Couch	\$2000.00

**Total Long Term Budget request:** \$7300.00

**Notes / Concerns for Long Term:** We might have to be more aggressive due to increase usage of the clubhouse

## Committees General Policy

### Qualifications

#### HOA Members

1. Any HOA member in good standing is invited to participate in any HOA committee.
2. The committee chair will be appointed for a minimum of one (1) year and must be approved by the Board.
3. For the ACC Chair; it is expected but not required that the prospective chair has served on the committee previously and has a good understanding of the process and experience in the group.
4. Committee Chairs must be willing to give out their contact information

#### Non-HOA Members

1. The Board may decide that a committee chair or member be from outside of the HOA and may hire a person or have the property management company participate or chair a committee member
2. Non-HOA chairs or members should have applicable experience for the committee assigned and follow the rules of the committee

### Responsibilities

#### Chair

1. Chairs should seek out neighborhood involvement
2. Must be available to answer neighborhood questions about their committee
3. Chairs must provide reports to the Board on a regular basis (once a month)
4. Verify the standing with the management company the eligibility of HOA members if needed
5. Hold meetings as needed and communicate results to all members of the committee
6. Notify the Management Company and Board of Directors on any issues within the committee or with member(s) of the committee.
7. Provide recommendations to the Board of Directors
8. Insure all events I activities are approved by Board of Directors
9. Submit budget sizing and requests

#### Member

1. All committee members must show respect for fellow committee members and HOA members
2. Participate in meetings, discussions, and the activities of the committee

### Membership Processes

#### Joining

1. The Board may choose to allow committee chairs to review and handle committee membership solicitation and assignment by the management company. The Board reserves the right to review all requests.
2. Currently, the ACC Committee is limited to a minimum of three (3) members and a

maximum of five (5). Since this group must communicate regularly and provide quick responses to homeowners, each member will be reviewed by the board before sent to the ACC Chair for consideration.

3. Contact the current chair of the committee to request involvement. If the chair is unknown or you have not been able to make contact, you can contact the management company or any board member.
4. HOA member is verified if they are in good standing with the HOA before being considered for membership on the committee. Disclosure of a specific resident's standing with the HOA will be private. The HOA member will be notified by the Management Company on any issues related to their status that are areas for potential concern.
5. The respective Committee Chair will notify the new member of meeting times and expectations of the committee.

## Hiring

1. For chairs or members that are hired from outside the community, the Board will vet the candidates and review the potential selection(s) with the committee for their input.
2. The Board will make all final decisions on who is hired or if someone is needed.

## Appointment / Reappointments

1. Chair appointments will occur within two weeks of the annual meeting--all candidates will be reviewed. If there are no interested parties for a chair position, the current chair may be extended for an additional year as long as the existing chair is interested in another term. Should multiple individuals be interested in the chair position, the Board can choose to do one of the following:
  - a. select the chair;
  - b. conduct an election within the committee or;
  - c. open the election to the entire community.
2. If a chair opening occurs prior to a term expiration, they may elect to appoint someone to complete the term or hire someone to fill the position.

## Rescinding

1. At any time when a HOA member decides to or is planning to resign they should notify the Committee Chair as soon as possible so the chair can update appropriate documentation and plan for future meetings of the Committee. The chair of that committee should inform the management company of the committee's updated membership.
2. Notification of committee chair resignation should be tendered directly to the Board of Directors. A suitable replacement will be appointed in a timely manner, and consideration will be given to future selection of a committee chair for each specific committee. If a chair decides to resign before their 1 year appointment or reappointment is over, it will be a consideration factor for future appoints as a chair for any committee.
3. In the case of the ACC, an "interim" chair will be appointed from either:

- a. Within the current committee membership
- b. Hire someone from outside the HOA membership
- c. Or have the property management company fill the role

## Removal

1. There are many reasons why a committee member maybe removed from a committee such as but not limited to:
  - a. Not being in good standing with the HOA
  - b. Violence
  - c. Verbal abuse against other home owners
  - d. Using profanity
  - e. Aggressive behavior
  - f. Poor attendance (<70% attendance)
  - g. Conflict of interest
  - h. Disruptive actions
2. Constructive discussion is expected --ALL committee members do not have to necessarily agree on all topics.
3. Constructive objection will not be considered a valid reason for removal, unless a member becomes disruptive to the point that the group cannot conduct business or move forward on a topic.
4. Claims, complaints or request to remove a committee member must be submitted in writing to the management company. (See "General Policy for Filing Complaints with the HOA" section)

## Violation

1. Any committee member showing violence and/or verbal abuse against other homeowners, profanity or aggressive behavior will be removed from the committee
2. A committee member that is not in good standing will be removed immediately.
3. For other violations:
  - a. First offense - Committee member is notified.
  - b. Second offense (of any combination of rules) - Member is put on probation on the committee for 6 months.
  - c. Third offense (of any combination of rules) - The member is removed from the committee and is notified.



## General Policy for Filing Complaints with the HOA

It is important for HOA members to have a formal process and request action from the board or management company with issues and concerns.

### ***All formal complaints must:***

Be submitted in writing  
Clearly state the issue(s)  
Any supporting details  
Action being requested  
Time/Date of incident (if applicable)

Your name  
Address  
Contact information  
Must be signed

## Committee Complaints

For committee complaints, you need to include the committee that you are concerned about. If your request is the removal of a committee member or chair, you must provide detailed information to substantiate the complaint/reason (e.g., other members who could verify the complaint). The board may elect to conduct a formal hearing to determine the outcome of the complaint.

## Property Manager Complaints

Management complaints should be sent to any of the Board or Directors.

## Churton Grove Sponsorship Policy

**Sponsor** is hereafter defined as an individual or organization that provides specific items or monetary donations to be used for an event open to all members of the Churton Grove HOA. In order to be considered for Sponsorship and event MUST be open to all members of the community. All items provided or monetary donations are subject to approval by the Board of Directors prior to sponsorship approval.

Before any sponsorship is approved, potential opportunities must be communicated to residents/members through the most efficient means of communication (i.e.: newsletter, mail etc.) that the community wishes to solicit proposals for a particular type of sponsorship. Sponsors must be re-approved on an annual basis. Approvals are valid for one (1) calendar year from initial date of approval by the Board of Directors. The Board reserves the right to revoke approval for non professional activities or open solicitation by any vendor. Sponsorship of more than one (1) event in a six (6) month time period is strongly discouraged.

Priority for sponsorship of events will be given to residents of the community first. Solicitation for sponsorship outside of the community will be considered on a case by case basis. Potential sponsors are invited to provide a proposal with regard to their particular interest for sponsorship. The sponsor must communicate their intentions with the Clubhouse and/or Social Committee.

These proposals shall be submitted to the management company and then reviewed by the appropriate committee (Social and/or Clubhouse). Sponsor(s) shall be selected for events on an as needed basis. Recommendations are then made to the Board of Directors for final selection and approval.

The management company will maintain the sponsorship list and provide it to the Board, Social and/or Clubhouse Committee upon request.

There shall be 2 (two) levels of sponsorship for community events.

**Partial Sponsorship:** Partial sponsorship shall be defined as donation of prizes or items to be used for a portion of a party or event open to the entire neighborhood. Acknowledgement of the sponsor shall be limited to:

*Display of an appropriately sized sign thanking the sponsor for donated item will be allowed. Signage may be displayed only for the duration of the event.*

**Full Sponsorship:** Full sponsorship shall be defined as complete funding for a party or event open to the entire neighborhood. Acknowledgment of sponsor shall be limited to:

*Display of an appropriately sized sign thanking the sponsor for their donated items, and/or business cards or brochure about the sponsor's services/business will be allowed. Signage may be displayed only for the duration of the event. No open solicitation of products or services may be conducted at the event.*

### **Recognition:**

Sponsors shall receive timely acknowledgement of their contribution in the community newsletter.

## Sponsorship Interest Form

Name of Company / Person to sponsor Event: \_\_\_\_\_

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

City: \_\_\_\_\_

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

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

E-mail: \_\_\_\_\_

Item/Amount that will be donated: \_\_\_\_\_

Date proposed: \_\_\_\_\_

Experience/Skills:

Event Desired to Sponsor:

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_

## Churton Grove Vendor Policy

**Vendor** is hereafter defined as an individual or organization that provides specific services or lessons to members of the Churton Grove HOA, or members of The Club at Churton Grove. This policy covers all services or lessons coordinated by the HOA. Such lessons are usually coordinated through the social committee or clubhouse committee and are subject to approval by the Board of Directors prior to commencement. Private lessons may still be arranged by homeowners. Private instructors are considered guests, all guest rules apply.

Before any lesson or service is offered to residents/members an announcement shall be made to the entire community through the most efficient means of communication (i.e.: newsletter, mail etc.) that the community wishes to solicit proposals for a particular service/lesson from a vendor. Vendors must be re-approved on an annual basis. Approvals are valid for one (1) calendar year from initial date of approval by the Board of Directors. The Board reserves the right to revoke approval for non professional activities by any vendor.

Vendors who reside in the community as well as those vendors outside of the community are invited to provide a proposal with regard to their particular service or lesson. When possible we shall solicit at least three (3) proposals for review. The vendor must communicate their intentions with the Clubhouse, Social Committee and/or buildings and grounds. If the event involves children the HOA reserves the right to do a background check or request referrals for the vendor providing the lesson or service to the community. Vendor(s) should include their background information such as the extent of their skills and experience.

These proposals shall be submitted to the Management Company and then reviewed by the appropriate committee (Social, Clubhouse and/or Buildings and Grounds). Vendor shall be selected on the basis of skills, experience, cost (if any) to Churton Gove members and any background information (background checks, referrals, etc.). Recommendations shall then be made to the Board of Directors for final selection and approval.

***Lessons/classes must only be open to residents of Churton Grove and/or members of The Club at Churton Grove.***

Amenities that have limited access, such as the basketball and tennis courts shall be limited to one hour play time when others are waiting to use the facility. This is as a courtesy to other HOA members. All other Churton Grove common amenities will remain open to residents at all times when these events are scheduled.

Any vendor/instructor is considered a guest of Churton Grove, and must be accompanied by a resident/member at all times when lessons/services are taking place. This also applies to residents who secure the services of a private instructor/teacher for any lesson or service. All guest rules apply.

At the discretion of the Board of Directors, the HOA may collect a facility usage charge. This will be based upon facility usage, demand, and frequency of usage by the vendor offering lessons/services.

If a facility usage charge is collected it will be used towards maintenance/upkeep of the common amenity areas. The fees would be used to help defray costs associated with upkeep of common areas that may occur with increased usage.

Examples of such maintenance/upkeep could possibly be: purchase new windscreens for the tennis courts, re-surfacing of the basketball or tennis courts, or the purchase of a new miracle sweeper for the tennis courts.

## Churton Grove Vendor Proposal Form

Name of Company / Person: \_\_\_\_\_

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

City: \_\_\_\_\_

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

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

E-mail: \_\_\_\_\_

Service that will be provided: \_\_\_\_\_

Cost to Members (per person): \_\_\_\_\_

Date proposed: \_\_\_\_\_

Experience/Skills:

Submitted By: \_\_\_\_\_ Date: \_\_\_\_\_

## Process for Approving Request for Home Occupation (Business) at Churton Grove

1. Applicant notifies HOA of desire to request for approval of Home Occupation.
2. HOA Board schedules date and time of consideration of request and notified applicant.
3. HOA notifies applicant and all property owners of lots immediately adjacent (including across the street) of date and time of Board meeting to consider request.
4. Applicant submits completed draft of Orange County Application for Home Occupation to HOA at least 7 days prior to meeting, including floor plan/site plan/landscaping sketch as required by Orange County Ordinance Section 6.16.6 (“the Ordinance”).
5. At HOA Board meeting, Board discusses with applicant his/her plans for home occupation and about the information provided in Application and supplemental documentation (site plan/floor plan/landscaping plan, etc) as required by the Ordinance. HOA also considers any concerns of adjacent homeowners, if any
6. HOA Board can take any one of three actions:
  - a) Approve request and draft application as proposed and authorize applicant to submit application, as approved by HOA, to Orange County
  - b) Deny the request
  - c) Approve request conditionally upon applicant making certain changes to his/her draft application and floor plan/site plan/landscaping plan prior to submitting the application to Orange County
    - i. In this instance, Board chairman must review and approve the revised application prior to submittal to Orange County to confirm that the revised application is consistent with the changes required by the HOA Board.
7. If Board approves request (“6.a” above), or conditionally approves request and application is amended by Applicant and then confirmed by the Board chairman (“6.c.i” above), the HOA approval will be set forth in an agreement with the applicant in contract form substantially similar to the “HOA Consent to Home Occupation Application and Agreement of Compliance”
8. Applicant is thereafter authorized to submit an application for a Home Occupation permit, consistent with the HOA’s consent, to Orange County.
9. Upon receipt of the Home Occupation permit from Orange County, applicant shall provide a copy of the approved Home Occupation permit to the HOA for its files and future reference.

## HOA Consent to Home Occupation Application and Agreement of Compliance

This HOA Approval of Home Occupation Application Draft and Agreement of Compliance (“Agreement”) is entered into on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Churton Grove Homeowners Association (“HOA”) and \_\_\_\_\_ (“Applicant”), collectively the “Parties.”

WHEREAS, the Applicant seeks to operate a home occupation on property within the Churton Grove community in Orange County, North Carolina, has requested approval of such home occupation by the HOA, and has completed a draft Application for Home Occupation pursuant to Section 6.16.6 of the Orange County ordinances (hereinafter “Application”);

WHEREAS, the HOA has the legal authority to grant or deny permission for the operation of a home occupation on property within the Churton Grove community;

WHEREAS, the HOA has reviewed the completed draft Application and has reached agreement with Applicant as to the terms, provisions, limitations, and conditions of the Application to be submitted to Orange County and of the operation of the home occupation on the Applicant’s property;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. HOA consents to the Applicant submitting the Application attached hereto as Appendix 1, without modification, to Orange County for its review, and, upon issuance of the necessary Home Occupation per-mit by Orange County, approves the operation of a home occupation to be operated at all times in a manner consistent and in compliance with the information contained and set forth in this draft Application and such additional provisions, limitations, and conditions, if any, as set forth in Appendix 2 attached hereto.

2. If the Application is approved by Orange County and a Home Occupation permit is issued consistent therewith, Applicant agrees to operate the Home Occupation at all times in a manner consistent and in compliance with the information set forth in the draft Application attached hereto as Appendix 1 and with the additional provisions, limitations, and conditions, if any, as set forth in Appendix 2 attached hereto.

3. Applicant will provide a copy of the Home Occupation permit to the HOA prior to the commencement of operations.

4. Acknowledging that the value of the compliance of the operation of the home occupation with the information stated in the Application is uncertain and cannot be quantified monetarily, Applicant agrees that injunctive relief and specific performance are appropriate remedies to enforce the terms of this agreement if necessary.

5. The approval by the HOA of the home occupation cannot be transferred or assigned, does not run with the land, and expires at such time as the Applicant sells the property or ceases operation of the home occupation for more than 180 days.

### CHURTON GROVE HOMEOWNERS ASSOCIATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ (printed name) Title \_\_\_\_\_

### APPLICANT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ (printed name)

***Appendix 2***

Additional provisions, limitations, and conditions upon operation of home occupation

## **Information Collection and Use Practices Regarding HOA Information**

### **Information Collection and Use Practices**

The Churton Grove HOA will NOT distribute its residents' contact/HOA information to any 3rd party, except where required by law.

The Churton Grove HOA will always use residents' contact information selectively in order to inform its members of relevant HOA information.

## Document Terms

**Good Standing** - Is defined as homeowners whose dues are current and have not had any issues in the past 6 months with the HOA. Issues are defined as (but not limited to): unresolved ACC issues, pool suspension, violence and/or verbal abuse against other home owners, profanity or aggressive behavior.

**- END of DOCUMENT -**