

# **Countryside Villas Homeowners' Association**

## **Board of Directors Policies & Procedures**

**Adopted April 16, 2007**

Reviewed and reaffirmed July 31, 2017

# **Countryside Villas Homeowners' Association**

## **BOARD OF DIRECTORS**

### **POLICIES & PROCEDURES**

---

The following policies and procedures were formally adopted by a majority vote of the Board at the properly held Board Meeting on April 16, 2007. Reviewed and reaffirmed July 31, 2017.

#### **Basic Information:**

Policies and procedures are a set of agreed-upon practices that amplify the information contained in the Bylaws. These guidelines are also to be used in harmony with Rules, DCCRs to assist the Board and its Committees to fulfill its fiduciary duties.

#### **Duties, Policies and Procedures:**

- I. Architectural Design (ARC/CCR) ..... Page 2
- II. Landscape Maintenance ..... Page 3
- III. Social & Welcome ..... Page 4
- IV. Nominations to Board ..... Page 4
- V. Board Meeting Protocol ..... Page 5
- VI. Financial Management / Emergency Powers ..... Page 6

#### **1. Board Meeting Agendas**

Board Meeting Agendas will be made available to homeowners prior to the meeting date. Homeowners may request a copy via email to the Manager or at Board Meetings.

#### **2. Complaints:**

All complaints for violation of the DCC&Rs, rules, etc. must be in writing and on the approved Complaint Form. Any other type of complaint must be in writing but need not be on the form. Complaint Forms are available from the Manager or President of the Board.

#### **3. Bid Process:**

The Manager will obtain all bids and project reports at the direction of the Board.

#### **4. Administration of Contracts:**

The Manager will be the liaison and administer of all contracts at the direction of the Board.

#### **Related Regulations, Statutes, Policies, and Procedures:**

- 1. BYLAWS, ARTICLE X, Committees: Architectural Control Committee
- 2. Arizona law, A.R.S. Section 33-1817 Architectural Committee
- 3. Rules & Regulation Resolution 11-16-2009: Committee Designations, Definitions & Duties, ARC/CC&R
- 4. DCCRs ARTICLE III, Restrictions, Section 3.06. Architectural Control
- 5. Rules & Regulations 1-C: Changes or alterations to the exterior of your home
- 6. Rules & Regulations 6-B: Changing or alterations landscape
- 7. DCCRs: ARTICLE II. GENERAL RESTRICTIONS, Section 2.15. Improvements and Alterations
- 8. DCCRs Art V, Section 5:04.C Maintenance, Repair, Upkeep. Responsibilities of Association
- 9. DCCRs General Restrictions, Section 2.10. Nuisances
- 10. DCCRs General Restrictions, Section 2.11. Unsightly Articles
- 11. DCCRs Article II General Restrictions, Section 2.01. Insurance Rates
- 12. DCCRs, ARTICLE III OWNERS' PERMITTED USES, RESTRICTIONS, Section 3.03. Common Walls.
- 13. Pima County Noise Title 9.30.070 & 9.30.080 Noise and Exemptions "Landscaping Equipment" 6am-7pm

# I. COUNTRYSIDE VILLAS

## **ARCHITECTURAL/CC&R DUTIES, POLICIES & PROCEDURES**

*[DCCRs Resolution of the Board of Directors, Committee Designations, Definitions and Duties]*

The Board of Directors (the “Board”) is charged with responsibility for overseeing the business of the Association. The **Architectural Committee (ARC/CC&R)** was established to review all improvements or alterations within COUNTRYSIDE VILLAS; maintenance, new construction and modifications to existing properties including landscaping.

### **Basic Information:**

The general purpose of the ARC/CC&R committee is to ensure compliance with architectural and design standards established by the association, primarily concerned with exterior aesthetics, items visible from the street or common area. Includes regulation of *structure placement, structure height, structure design, paint colors, roofing materials, fencing, landscaping, rocks, boulders, gravel, plants, pavers; satellite dish-solar panels*, and other exterior improvements and alterations that may arise.

**ARC/CC&R/DESIGN Guidelines, rules, and standards** establish the association's policies and procedures for changes and improvements to a homeowner’s property with regard to safety, compatibility, and aesthetic considerations. Exteriors must be maintained to substantially conform to the original construction and buildout of the Property by Developer in accordance with the initial construction and approved by the Board.

**Annual Walkaround Inspection:** Shall be performed by the ARC/CC&R each year. Items of inspection must be visible from the street or common area. **Maintenance and upkeep of exterior:** *the condition and paint of garage doors, front doors, roofs, metal gates, fences, block walls, wood facia, trim, stucco, light fixtures, driveways, walkways, utility cabinets, vegetation, debris in yard.* The ARC/CC&R must use a reasonable high pride of ownership. The Board has sole discretion to determine whether or not the exterior of a yard is in violation or doesn’t conform to the standards of the general neighborhood. Any improvements or alterations to exterior must be pre-approved in writing by the Board.

- ARC/CC&R has discretion to determine if something constitutes an impermissible design.
- Contact the Manager for an application form to modify exterior, improvements or alterations.
  
- **Paint Colors:** Must use approved paint colors (paint specs are available from the Manager or the ARC/CC&R and are also on file at Dunn Edwards.
- **Fences, walls:** Both sides of boundary block walls belong to the homeowner and are not maintained by the HOA. Maintenance and upkeep is the responsibility of the homeowner whose property the wall sits upon. Shared walls between 2 houses are maintained by both homeowners; each maintain the portion of the wall on their side of the property.
- **Vegetation (exterior front yards only):** ARC/CC&R shall ensure exterior front yards are suitable to the standards, character, quality and attractiveness of the development, and maintained to substantially conform to the landscaping design originally adopted by the builder. Prohibited: *non-native plants, high water usage plants, trees whose height exceeds 6' at maturity, palm trees, fruit trees, fruit or vegetable plants; invasive plants, large cactus, agave, cholla, prickly pear, plants with latex sap toxic to humans and animals, and vines growing on exterior visible from the street or common areas.*

## II. COUNTRYSIDE VILLAS

### LANDSCAPE MAINTENANCE DUTIES, POLICIES & PROCEDURES

---

#### **Basic Information:**

- The Association provides landscape maintenance (trimming, irrigation, weed control) for homeowner's exterior front yards and the common areas.
- Tree service (removal, stump grinding, pruning/trimming requiring a ladder) is not included in landscape maintenance and is performed by a certified arborist for the common areas only.
- Exterior front yard shrubs will be maintained at a maximum of up to 6 ft high and 4 ft wide.
- Landscape must be maintained to substantially conform to the landscaping design originally adopted by builder: shrubs under 6' feet in exterior front yards; shrubs and trees of all sizes in common areas.
- Crew of 3-4 come 1x per week for 3-4 hours between 6-7am on set day of the week, e.g., "Mondays."
- Landscapers will check in and out with a member of the Landscape Committee.
- The property has been mapped out into six sections, one section is to be done each week. (The 10 ft of common area behind homes along the Doria wash is to be done 2x per year.)
- Special requests from homeowners or the Board will be sent to the Manager. They will be sent to the Landscaper in writing and will be done when they work that section unless it's an emergency.
- Homeowners are solely responsible for removal and replacement of vegetation on their property damaged by weather, age, disease, soil erosion, compaction, acts of God.
- Any landscape modifications require an application requesting written approval from the Board.

#### **Description of Work Expectations:** The following will be done each week in the appropriate sections:

- Shrubs in exterior front yards and common areas will be kept trimmed, shaped, and deadwood removed.
- Gravel/Dirt
  - All areas will be kept weed free by hand and for safety weed killer spray must be blue colored.
  - Gravel areas will be policed and gravel raked.
- Streets, Driveway Aprons, Roads:
  - All trash and debris will be picked up and all areas needed will be blown.
- Irrigation: Irrigation will be checked and any necessary repairs made.

**Trees:** Trees reaching over 6 feet high and 3' feet wide at maturity are permitted in common areas only. Trees reaching over 6' feet high and 3' feet wide at maturity are not permitted in exterior front yards.

#### **Landscape Committee:**

- Will check the crew in and out each week and left to work in the scheduled section.
- After the crew has left the property, an inspection of that section will be done.
- Any items missed or complaints will be relayed to the Manager by the Landscape Chair. These items will be written up and sent on to Landscape Company for follow-up.
- All communication, special items or instructions will be communicated in writing to Landscape Company.

#### **Landscapers:**

- The crew will not take direction from homeowners but will advise them to contact manager or the Board.
- Pre-emergent (for safety must be colored, usually "blue") will be applied twice annually and the timing will be at the discretion of the Landscape Company.

### III. COUNTRYSIDE VILLAS

#### SOCIAL & WELCOME COMMITTEE DUTIES, POLICIES & PROCEDURES

---

##### **Basic Information**

Greeting new residents.

##### **Duties:**

**Welcome committee responsibilities** include:

- Greeting new homeowners upon move-in.
- Assisting with the creation and distribution of the HOA's welcome packet.
- Provide new homeowners a Board-approved Welcome Packet that includes information such as trash day, landscaping day, parking rules, policies, dues instructions, homeowner registration forms, HOA rules, and contact information for the Manager and Board.
- *NOTE: HOA welcome packets are provided to new homeowners by the Board as a courtesy, but it is the responsibility of the title company to provide all recorded governing documents that are part of public record (CCRs, Bylaws). However, the HOA will have other rules and restrictions that aren't part of the CC&Rs. For instance, parking rules. New homeowners would get these from the seller/HOA directly via the escrow request, along with all the financial documents when they purchase their home. Whether a homeowner or renter was not given a welcome packet doesn't release their obligation to abide by the Rules.*
- Offering support and assistance to homeowners as they navigate their new surroundings.
- Help plan and organize social gatherings and community events.

### IV. COUNTRYSIDE VILLAS

#### NOMINATING COMMITTEE DUTIES, POLICIES & PROCEDURES

---

##### **Basic Information:**

The Nomination Committee is responsible for making nominations for elections to the Board of Directors at the Annual Homeowner's Meeting.

##### **Duties:**

- Nominating candidates for election to the Board of Directors.
- Appointed by the Board of Directors prior to each annual homeowners meeting, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting.
- Counting the votes at the Annual Homeowners Meeting.

Nominations may also be made from the floor at the annual meeting. The Nominating committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two or more Members of the Association. The Nominating Committee shall make as many nominations for election to the Board of directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.

## V. COUNTRYSIDE VILLAS BOARD MEETING PROTOCOL

---

The Board of Directors of Countryside Villas Homeowner's Association has adopted the following protocol and procedures for Board meetings:

1. All meetings will be conducted using a basic form of Robert's Rules of Order. The Manager shall be the parliamentarian and will maintain order.
2. Board meetings will be chaired by the President of the Board. If the President is absent, then the meeting will be chaired by an officer in the following order: Vice President, Treasurer, and Secretary. The Board may by majority vote have someone other than the President Chair any meeting.
3. An Open Forum will be held at the start of every meeting. The Board will set a time limit for this portion of the meeting that will allow each member present at least 2-3 minutes to speak.

4. The following basic Agenda will be used for all Board meetings:

Call to Order  
Open Forum  
Approval of Minutes  
Treasurer's Report  
Committee Reports  
Manager's Report  
Old Business  
New Business  
Pending – Tabled Business  
Adjournment

5. All matters requiring the Board to vote will be done using proper motion procedures as follows:
  - Formal Motion for Action made by Board member
  - Motion must be seconded (or the motion dies)
  - After motion and seconded each Board member will be recognized by the Chair to comment on the matter at hand. Further comments by Board members will be recognized by the Chair after each member's initial comments.
  - At any time during discussion, a member of the Board may Call the Question which requires that all discussion stop and a vote be taken.
  - The Board member who made the motion may at any time during discussion withdraw that motion. He/She may amend the original motion which will need to be seconded.
  - After the Board has completed discussion, the Chair will open the floor for owner comments on the motion that is on the floor. The Chair will set a time limit for this comment period. The Chair will formally close the discussion from the floor.
  - The Chair will ask the Board if there is further discussion or call for a vote.

## **VI. COUNTRYSIDE VILLAS Financial Management / Emergency Powers**

---

### **Purpose:**

To provide the Board with authority to act decisively during periods of financial challenges, ensuring the Countryside Villas HOA can maintain essential services, meet its obligations, maintain adequate reserves and avoid operating at a deficit.

### **Financial Management - Authority & Fiduciary Duty:**

The Board of Directors shall have the power to manage the affairs of the Association and to take all actions necessary to carry out the purposes of the Association, including enforcing the CC&Rs, collecting assessments, and maintaining common areas.

### **Emergency Powers:**

Under Arizona law and the Association's governing documents, the Board must act in good faith and in accordance with its fiduciary duties to protect the financial stability of the Association and maintain essential services and adequate reserves.

1. The Board may adjust assessments, levy special assessments, or implement financial measures in response to inflation, other significant financial pressures, or emergency circumstances.
2. Actions must be reasonable, substantiated, and directly tied to maintaining essential services and fiscal stability.

### **Citations:**

*Arizona Revised Statutes §§ 33-1802 and §§ 33-1803. CCRs ARTICLE VII – Powers and Duties of the Board of Directors, Section 2.C(1) & (2); ARTICLE IV, Section 4.04; and ARTICLE VI, Section 6.02; and Amendment to CC&Rs Art. VI §6.03(B). Guidance for Reserves based on Community Associations Institute (CAI) – National Reserve Study Standards (“20%-40% Rule”)*

### **Resolution of the Board of Directors**

#### **Countryside Villas Homeowners Association**

#### **Subject: Adoption of Financial Management / Emergency Powers Protocol**

WHEREAS, the Board of Directors of Countryside Villas Homeowners Association has a fiduciary duty under Arizona law (A.R.S. §§ 33-1802, 33-1803) and the Association's governing documents to ensure the Association can meet its financial obligations, maintain essential services, and avoid operating at a deficit; and

WHEREAS, the Board recognizes that periods of inflation, other significant financial pressures, or emergency circumstances may require immediate action to protect fiscal stability; and

WHEREAS, the Board has determined it is in the best interests of the Association to adopt a protocol granting the Board authority to implement financial measures, including adjustment of assessments or special assessments, under such circumstances;

The Board hereby adopts the Financial Management / Emergency Powers protocol as set forth in Section VI of the Countryside Villas HOA Policies & Procedures effective **October 20, 2008**.

**President:** Gene Fanning  
Gene Fanning

**Attest:** Monica Alponete  
Monica Alponete, Secretary

### **Resolution / Certification**

These Policies and Procedures were approved and adopted by a majority of the Board of Directors of **Countryside Villas Homeowners Association** at a properly called meeting held on the **16th day of April, 2007**, and reviewed and reaffirmed by the Board on **July 31, 2017**.

By:

Its President Celia Bryan

Attest: [Signature]

Its Secretary