

**CROOKED RIVER RANCH
CLUB & MAINTENANCE ASSOCIATION**



POLICY & PROCEDURES HANDBOOK

Updated 10/2/2023

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1. Introduction

The Crooked River Ranch Club & Maintenance Association (CRRC&MA), hereafter referred to as the “Association,” Policy & Procedures Handbook has been enacted by the Board of Directors (BOD). The policies in this handbook apply to all staff, elected officials, volunteers and members. The intent of this handbook is to provide the Association with policies that establish expected standards and provide guidance for organizational operations and decision making. This handbook is intended to capture the basic policies that the organization will routinely encounter. In the cases where these policies conflict with any county, state or federal law, that law prevails.

1.1 Handbook Authority Policy

The Board of Directors is the governing body responsible for all policies contained within the Policy & Procedures Handbook and only the Board has the authority to add, delete, or modify any policy contained in this handbook. Though technically not a governing document, as is the declaration (CC&Rs) and By-Laws, properly adopted rules and regulations not in conflict with the declarations and By-Laws are enforceable by the Association. Any change will be made formally via a Board of Directors approved motion and vote.

2. Mission Statement

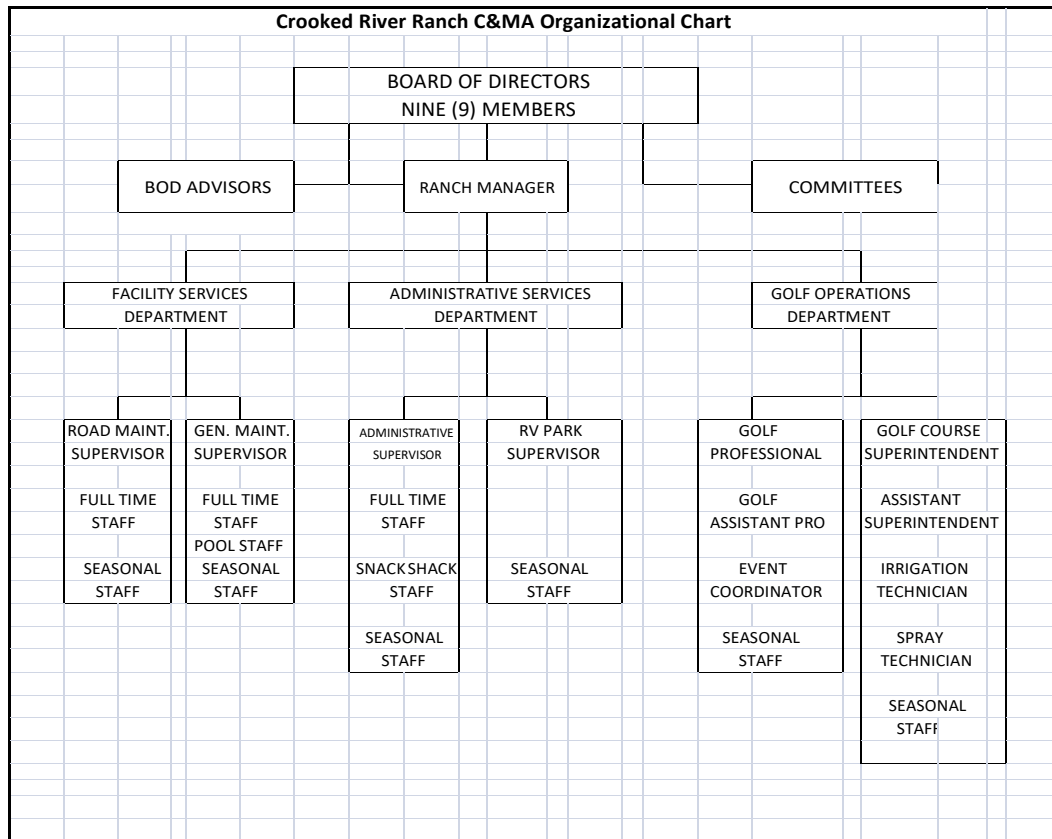
The mission of Crooked River Ranch Club & Maintenance Association is to support its members by working for the preservation and betterment of property values; by ensuring a safe, secure, and clean living environment; and by promoting the continuing improvement of the quality of life for Ranch residents._

3. Vision Statement

We envision Crooked River Ranch to be a place where members, staff and elected leaders all work together effectively to create a strong sense of community and maximize the quality of life for homeowners, renters and guests, so that Crooked River Ranch remains “A Great Place to Hang Your Hat.”

4. Organization Structure

4.1 Organizational Chart



4.2 Board of Directors and Board Officers

Board of Directors (BOD) – The Board of Directors is a nine (9) member elected body and is the source of authority for all operations and activities of the Association. The Board is to operate under the By-Laws; Articles of Incorporation; Covenants, Conditions and Restrictions (CC&Rs); and approved policies as documented in the Policy & Procedures Handbook. Board members do not have authority as individual members unless specifically assigned by majority vote of the Board. Team culture and adhering to the Association’s Mission and Vision Statements is the responsibility of the Board of Directors.

4.3 Powers and Duties

The Powers and Duties of the Board include the following:

- To adopt and publish rules and regulations governing the use of common areas, facilities and the conduct of the members and guests using them; and to establish penalties for infraction of them.
- To maintain all common areas of the Association, including land and buildings on common areas.
- To declare the office of a member of the Board vacant if the member is absent three consecutive regular meetings.
- To employ and direct managers, employees and contractors as deemed necessary, define their duties, and ensure that their duties are properly performed.
- To keep a complete record of all acts and affairs and present a statement thereof to its members at the annual meeting.
- To set annual dues and send written notices to the members at least 30 days in advance of the assessment period.
- To maintain adequate liability and hazard insurance on all property owned by the Association.
- To cause officers with fiscal responsibility to be bonded, as deemed appropriate.
- To ensure compliance with CRR Covenants, Conditions & Restrictions.

The Board is responsible for establishing a Mission Statement, a Vision Statement, Policies & Procedures, and the Capital Reserve Fund. The Board shall provide priorities for the next fiscal year prior to the start of the budget cycle. The Board shall review and adopt the final annual operating and capital expenditure budgets for the Association and shall review and adopt the Capital Reserve Plan (CRP) annually. The Board shall review and act on the Budget/Audit Committee's recommendation to transfer funds to the CRP, after considering operational needs.

Fees, rates, charges, and schedules will be established and adopted by the Board. Adjustments to any rates, fees, or schedules may be reviewed and adjusted periodically to recover costs for rendered services. Various departments are authorized to charge the approved amounts as listed in the current adopted resolution.

Various committees will be used to aid in the long-range planning, but it is the responsibility of the Board of Directors to ensure proper long-range planning is accomplished and capital expenditure budgets are established to support the long-range plan. (See website for details on "Resolution 2011-05-16: A Resolution Establishing a Reserve Fund").

The Board is to represent and be an advocate for the Association and its members. This can be done through county and state relationships. The Chamber of Commerce and other organizations that may have impact on the Association community should also be considered.

Board members may provide volunteer support to the Association for specifically defined volunteer opportunities that are available to all Association members.

The Board of Directors will assign a Board member as a liaison to all the committees. Typically, the role of any assigned liaison is to improve communication between the Board and the committee. The liaison may not take a more active role within the

committee; however, the liaison may make recommendations. Liaisons will forward critical information to the committee at the direction of the Board. The assigned liaison will not be a voting member of the committee.

4.4 Roles and Responsibilities of Board Members

The election of Board officers shall take place annually at the first Board meeting following the annual meeting of the members. Nominations will come from the Board members. The Board shall elect a President, Vice-President, Treasurer, and Secretary for a term of one year. The Board of Directors may remove any officer with or without cause. Any officer may resign by giving notice to the Board, the President or Secretary, effective when notice is received, or date specified. All Board officers can sign checks after bank paperwork has been submitted. (See By-Laws for more information on duties of Board Officers.)

President: Presides over all meetings of the Board, sees that orders and resolutions of the Board are carried out, and signs all leases, mortgages, deeds and other written instruments. The Board President is the designated spokesperson for the Association.

Vice-President: Acts in the place of the President in the event of the President's absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of the Vice-President by the Board.

Treasurer: Shall oversee the receipt and deposit of all monies of the Association in appropriate bank accounts, and he/she shall oversee the disbursement of all funds as directed by resolution of the Board of Directors. The Treasurer shall oversee the accounting system for the Association and ensure an annual audit of the Association's finances is performed at the completion of each fiscal year. The Treasurer shall oversee the preparation of an annual budget and statement of income and expenditures and ensure that these are presented to the membership at its regular meeting and have these documents available for the Association membership. The Treasurer is an ex-officio member of the Budget/Audit Committee.

Secretary: Shall ensure that a record is kept of the votes and minutes of all Board meetings and that they are available to the Association members. Minutes must be taken at each BOD meeting. The Secretary is responsible unless the task is delegated to the Manager or other designated person. Often many of the duties of a secretary are assigned or delegated to a professional manager. Actions must be recorded including date, time, place of meeting, type of meeting, directors present. Minutes should not include opinions, summaries or who said what. The Secretary shall ensure that a notice of all regular Board meetings and annual meeting of the members is posted and communicated to the Association membership. The Secretary shall have oversight of website content and oversee the keeping of appropriate records showing the members of the Association and their address. The Secretary shall perform such other duties as may be assigned by the BOD. The Secretary shall oversee the update of the Policy & Procedures Handbook when the BOD makes changes to existing policies or creates new policies.

4.5 Team Members

A team is a sub-group of the Board assigned specific defined responsibilities and authorized to approve in the name of the Board actions that meet the goals of the full Board, such as approving payment plans for members in collection. The team is also

charged with making recommendations for the full Board's consideration on any issue that significantly impacts the Association. The team should periodically report to the Board on its activities.

4.6 Board of Directors Meetings

A, General Rules of Order and Guidelines: The BOD has established Rules of Order and Guidelines to govern themselves along with meeting decorum and interaction amongst themselves and the public while in session. Rules and Guidelines to be established are those which are common and consistent with board governing processes, such as Robert's Rules of Order. Board members will not discuss any proceedings deemed confidential by the full Board outside the Board Room. They shall respect the dignity, values, and opinions of each Board member, Ranch Manager, department head and employee. Changes to any policy or procedure require a majority vote of the current members of the Board.

Policy Definition: "Policy" defines what activities, standards, and expectations the Board has defined for the Association. Policy does not establish how specific activities are to be accomplished. If an activity has not been performed before, this may indicate that a policy may need to be established first.

Procedure Definition: "Procedure" is a process that has been defined by or abides by an approved policy. Procedures are generally those processes that have been accomplished in the past and meet the objectives of the established policies of the Association.

B. Regular Board Meeting Agenda: The agenda for a regular board meeting will be determined by the BOD who will determine the order and will generally include the following: Call to Order, Pledge of Allegiance, Roll Call, President's Announcements, Special Activity (briefing, presentation or oath of office), Consent Items (approval of Minutes of previous meetings, A/R Log and Board assignments), Reports (committee, Treasurer and staff), Old Business, New Business, Second Readings, First Readings, Correspondence and Membership Input/Announcements. Not all items will appear at each meeting, and the agenda will vary according to the volume and priority of issues to be placed before the Board. The regular Board meeting agenda and support documents will be placed on the website no later than Friday prior to the meeting.

C. Regular Board Meeting Protocol: The Board reserves the right to withhold public speaking at any meeting, per ORS 94.640. Individuals must indicate their desire to speak on the sign-up sheet that is available before each regular meeting. They must print their name and the subject (or subjects) to which they desire to speak. Each input will be limited to three (3) minutes, unless extended or decreased by the presiding officer. The presiding officer may also use his or her discretion to allow a person to speak on an item not marked on the sign-up sheet. No owner has the right to participate in a BOD meeting unless the owner is a member of the Board. The presiding officer has the authority to exclude from the meeting an owner who disrupts the proceedings at a Board meeting. The Board of Directors have adopted resolutions to ensure orderly conduct at Board meetings and Work Sessions. These were adopted to prevent intimidation and harassment of the Board, Staff and Committee members and prevent using email to harass, annoy or interfere with the operations of any

employee, agent, Committee or the Board. In the event one or more of these resolutions have been violated, the Board, at its discretion may assess a fine. If a fine is assessed, the alleged violator may appeal the fine using the Resolution Violation Appeal Form. All appeals must be received within 30 days of the decision by the Crooked River Ranch Board of Directors declaring the violation valid and assessing a fine. This appeal will be reviewed at the subsequent meeting of the Board of Directors following the receipt of appeal. The appellant has the option of providing additional information in writing. The Crooked River Ranch Board of Directors must provide a decision within 30 days of the appeals review. In the event a fine is levied and not removed based on appeal, nonpayment of said fine may result in a lien.

D. Work Session Agenda: The agenda for a work session will be determined by the BOD who will determine the order and will generally include the following: Call to Order, Roll Call, Regular Board Meeting Agenda Review/Approval, Special Topics, Opens, Review A/R Log.

E. Work Session Protocol: The Ranch Manager will provide the Board with a template of the regular Board meeting agenda that includes the items that the Ranch Manager proposes be included on the regular Board agenda (items that come from staff, committees, association members and outside community). The Board members will then provide additional agenda items they would like included on the regular Board meeting agenda. At the work session the Board will then review each agenda item and decide if that item should remain on the agenda, and, if so, have any discussions required for Board member understanding. The Ranch Manager will place on the work session agenda any special topic that has at least one Board member as sponsor and that topic had been given to the Ranch Manager the Wednesday (EOB) before the work session meeting. The public is invited to attend the Board work session meetings and may be given opportunity to speak on topics of discussion at the Board President's discretion. The Board President may call upon any member of the public at any time for comments/questions. Legislative action will be limited in Work Sessions. Work session agenda and supporting documentation will be posted for public access. Minutes of the work session will also be recorded and posted for public access.

F. Executive Sessions: The Oregon Planned Community Act allows the Board to hold executive sessions. These sessions should be for personal and confidential information including, but not limited to, personnel matters, legal or contract issues, or outstanding debts to the Association, etc.

Before holding an executive session, the Board will vote to go into executive session and state the reasons(s) (listed above) for the session. No minutes will be taken during executive session. Open session will be reconvened if necessary, to memorialize any required actions resulting from Executive Session discussions.

4.7 Conduct Resolutions

A. The authority for the BOD's adoption and enforcement of resolutions, rules and regulations to promote the mutual health, safety, welfare and benefit of its members is provided in the following:

- a. Crooked River Ranch C&MA is a Class 1 homeowners association subject to the Oregon Planned Community Act (ORSCChapter94). ORS 94.630 authorizes the Association to adopt rules and regulations.
- b. The Association is governed by the Declarations of the CC&Rs that were recorded in 16 phases in the deed records of Jefferson County, Oregon
- c. The Association is also governed by Bylaws which have been recorded in the deed records of Jefferson County, Oregon. Article X of the By-Laws lists as a power of the Board of Directors “to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the Membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration. Article VII, Section 4 includes “nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood”.

B. The Board determined that it became necessary for the protection of Members and employees to adopt rules to more clearly define conduct that is a nuisance or annoyance due to some Members of the Association engaging in activities for the purpose of harassing or intimidating Directors, employees, or other Members.

C. Therefore, Resolution 2022-06-22-A E-mail Communication Policy, Resolution 2022-06-20-B Board Meeting Code of Conduct and Resolution 2022-06-20-C Harassment and Intimidation Policy were adopted by the Board of Directors.

D. In crafting this set of resolutions, the BOD sought guidance from the Association attorney.

E. In accordance with legal counsel, the BOD has incorporated in this set of rules all other previously promulgated rules involving conduct of all Members.

4.8 Enforcement of BOD Resolutions

- A. These Resolutions shall be enforced as is noted in each Resolution.
- B. Upon determination by the Board of Directors that an “open violation” of the specific resolution has occurred, the Board of Directors will have the option to vote to levy a Class C fine as set forth in the Schedule of Fines.
- C. If an “open violation” is approved by the BOD and a fine levied, a letter signed by the BOD President will be sent to the Member via certified mail and regular mail. This letter will note the determination of “open violation”, the amount of the fine (if any) and that a violation carries with it denial of membership rights for access to and use of recreational and service facilities as well as denial of Member input at BOD meetings.
- D. The letter will notify the Member of the option of an appeal of the BOD decision and a “Resolution Violation Appeals Form” (Appendix C) will be included with the notification letter. It will also notify the Member that if they fail to file an appeal within thirty days of the decision by the BOD a fine may be assessed.

- E. If the violating Member submits an appeal in writing, the Board shall review it at the next regular Board meeting and vote to either affirm or rescind the fine. The Board of Directors must provide a decision within thirty days of the appeals review. Decisions by the BOD will be final.
- F. In the event the Member does not file an appeal within the time allotted or pay the fine as levied within 90 days of the date of the letter, a lien may be placed on the Member's real property.
- G. All restrictions imposed due to the violation will remain in effect until the fine is paid or the Board of Directors vote to rescind the fine.

4.9 Advisors' Duties and Responsibilities

- A. The Advisor is an individual Board member who is assigned yearly for specific support to each department of the Association. Advisors shall familiarize themselves with the function of their designated department, historical information pertinent to this role, and develop successful relationships with the department supervisors. There will be three advisors who will serve the following departments: Facility Services Department, Administrative Services Department, and Golf Operations.
- B. The Advisor may assist the Ranch Manager in providing aid, support, guidance, and technical assistance as requested, and provide recommendations or possible actions for consideration, and shall serve as a resource for new and difficult situations.
- C. The Advisor may serve as a conduit between the Board and Ranch Manager for their designated departments. They may assist the department supervisors with the Ranch Manager's knowledge and support in any way requested and act as a channel for the grievance process as delineated in the Employee Handbook.
- D. In the event of the Ranch Manager's absence, the Advisors may, with Board approval and direction, step in to assist their assigned departments in providing operational management of the Association.

4.10 Ranch Manager's Duties and Responsibilities

The Ranch Manager should receive an annual written Performance Review. It is recommended this review occur within 45 days after the end of the fiscal year.

The evaluation should include input from Board Directors and senior staff members and be reviewed/approved by the entire Board prior to sharing with the Ranch Manager. Typically, the review will be given by the Board President.

The Ranch Manager is a full-time employee responsible for guiding the day-to-day operations of the Crooked River Ranch Club & Maintenance Association under direct oversight of the Board of Directors. The Ranch Manager reports directly to the Board, at whose pleasure he or she serves in an "at will" capacity. The work of the Ranch Manager must be in compliance with all Federal and State laws and is further guided by the provisions of the Association's Articles of Incorporation; Covenants, Conditions and Restrictions (CC&Rs); and By-Laws supplemented by Board-approved budgets, handbooks, policies, procedures, and specific guidance. The Ranch Manager also serves

as the head of the Administrative Department, directing support for the Board, employees, volunteers and members across a broad spectrum of activities.

In addition, the Ranch Manager shall:

- Lead the experienced team of supervisors who are professionals and experts in their assigned areas, towards integrating all staff components into an effective and cohesive whole.
- Serve as the primary conduit of information in both directions between the Board and departments.
- Provide support for all aspects of the work of the Board of Directors.
- Manage and oversee all accounting and financial operations in cooperation with the BOD Treasurer.
- Serve as the Association's chief human resources officer.
- Work to improve the future for Crooked River Ranch, the Association, its members and residents, by pursuing an active publicity effort and seeking out opportunities to promote Crooked River Ranch with the support of committee, staff and volunteer resources.
- Support the development of new programs, services, and events that will contribute to the growth of Crooked River Ranch and the quality of life for its residents.
- Support the Board on legal issues.
- Work closely with the Board to ensure effective contact and representation with external entities. Contacts and representation with governmental and non-governmental entities may be delegated to the Ranch Manager, but the Board will maintain primacy and determine the appropriate mix.
- Provide the Budget/Audit Committee with the proposed operating and capital expenditure budgets that reflect the priorities and direction given by the Board. Provide the Budget/Audit Committee with an updated Capital Reserve Plan (CRP) that reflects the priorities and direction given by the Board. Provide the Budget/Audit Committee with information on the current budget status and issues. Upon Board adoption, properly allocate and transfer funds to the CRP, keeping in mind cash flow requirements.

Performance reviews for the Ranch Manager, and all follow-up actions, are to be approved by the full Board.

4.11 Crisis Management

The Ranch Manager will normally be the first responder to any emergency or crisis on Association property or with any staff. The Board will be brought into the emergency/crisis response planning and direction as soon as the initial crisis response has been addressed. Any emergency or crisis response will be documented and communicated to the Board within 12 hours after the emergency is over. For emergencies lasting more than 12 hours, interim reports to the Board will be provided. If the first respondent is a Board member, he/she will ensure appropriate immediate action is taken, e.g., call 911 - and then communicate the incident to the Ranch Manager or their designate. The Board will determine if additional action is required.

4.12 Committees – Roles, Responsibilities and Board Oversight

The Crooked River Ranch Board of Directors is supported by a number of established committees and ad hoc committees which act according to Board policy and direction. Committees are strongly recognized and supported by the Board as an essential part in maintaining the livability and sustainability of the Association. Committees are comprised of volunteers who are members of the Association or otherwise approved by the BOD. At times, there may be a need for Board members to serve actively on a committee at the direction of the Board.

The BOD will conduct an annual review of each established committee for the purpose of identifying areas where the Board can better support the committee and determine if the role, requirements or expectations of the committee need to change. The BOD will provide some type of annual recognition for all committee members.

The Board shall define the roles, requirements and expectations and confidentiality requirements for each committee, as well as the term of ad hoc committees. The committee shall elect a chairperson and secretary each year. The committee will review applications for membership in the order they are received and will recommend applicants to be approved by the Board. The normal term for a member of an established committee is three (3) years, with the exception of the Architectural Review Committee, whose members are elected annually by the Association's members, and the Nominating Committee, which is appointed annually by the Board.

Once a committee member has completed their term of service, they may reapply for membership on the committee; however, to encourage maximum participation, every consideration should be afforded to new applicants. The term for a member of an ad hoc committee ends when the committee reaches the end of the term established by the Board. A person may be a member of up to two regular committees and two ad hoc committees at the same time. A member may be removed from a committee by action of the committee or the Board prior to the end of their term. The Board liaison will work with the committee chair to help provide basic skills on how to conduct effective meetings, and an orientation for new committee members.

4.13 Requirements of a Committee

The committee may have up to nine (9) members, although a committee may have more than nine (9) members with Board approval. Each member must be a member of the Association in good standing, which means that they must be current in their Association dues and not have any open CC&R violations and must be approved by the Board. Non-members may serve if approved by the Board of Directors in special circumstances. Minutes are to be taken at all committee meetings and must be submitted to the Administration Office. These minutes will be included in the Board monthly meeting packet.

Each committee must give advance announcement of the location and time of their meetings and make this schedule available to the Administration Office. The committee may request support from, and reports directly to, the Board. A committee may request information or other type of support from the Ranch Manager; however, the committee does not report to staff or direct staff activities. Each committee provides information and support to the Board by attending the monthly Board meetings or submitting written reports.

Every committee member is responsible for maintaining confidentiality of sensitive or personal information gained due to his or her membership on a committee. This may include information about other Association members, members of the Board, staff or other confidential information gained as a committee member and must be held in the strictest confidence. Failure to do so may result in removal from the committee by action of the committee or the Board.

The Administration Office will provide Committee Chairperson name upon request. CRR Administration will be point of contact (phone number) for all committees. Administration will pass requesting members contact name and contact information to the appropriate committee chairperson for action if needed.

4.14 Committee Member Application Process

A *Volunteer Service Application Form* is available at the Administration Office and on the website. Once the form is filled out with the required information, the Administration Office staff will receive the form from the committee or applicant and stamp with the time and date the application was received. Applicant must read and sign the confidentiality agreement.

The Administration Office will verify that the applicant is current on dues and that there are no open CC&R complaints filed against him or her and file the application with the committee. If the dues are not current or there is an open complaint, the applicant will be notified that their form will not be placed in the application file until the issue is resolved. When there is an opening on a committee, the chair or their representative will review the applications. If an applicant has expressed interest in more than one committee, they will be contacted to determine if they are still interested in serving on that committee. Applications will be considered in the order in which they were received.

4.15 Established Committees

A. Architectural Review Committee (ARC): The role of the ARC is to review all property improvement applications for compliance with the established CC&Rs. The committee shall work with county authorities to have a cooperative relationship which supports the work of the committee. The committee shall review all property improvement documentation forms and sign requirements yearly and submit recommended changes to the Board for approval. Application forms for construction and sign requirements can be found on the Association website. Members of this committee are elected by the members of the Association yearly. (See section pertaining to ARC and BOD nomination and election for guidelines on applying for membership in this committee.)

B. Budget/Audit Committee (BAC): The role of the BAC is to provide both an operating and a capital expenditure budget to the Board for its review and adoption. In addition, the BAC makes recommendations concerning the funding of the Capital Reserve Plan (CRP) to the Board for review and adoption. The BAC, based on its findings, shall recommend to the Board the amount they feel should be transferred to the CRP during the next fiscal year. (Resolution 2010-04-19)

C. CC&R Review Committee: The role of the CC&R Review Committee is to investigate CC&R-Violation complaints submitted on the approved form; adjudicate whether claims are valid; seek voluntary abatement of valid claims; and recommend

actions to the Board where voluntary abatement efforts fail. It works closely with county code enforcement on problems that represent county code violations. It is also responsible for recommending to the Board refinements to the Crooked River Ranch CC&R policy, processes and documentation as the need arises; plus providing education to homeowners and renters regarding CC&Rs and county code requirements.

D. Events Planning Committee (EPC): The Events Planning Committee is responsible for the planning, coordination, and production of Board-sanctioned events on CRR. The EPC will promote participation in community events by residents and guests and will ensure all events are organized and conducted in a manner that reflects well on CRR. The committee will procure vendors, entertainers, and special interest groups for events. They will coordinate with local businesses, sponsors, and volunteers to facilitate events such as:

- The Independence Day Celebration & Barn Dance
- Western Holiday Village Christmas Event
- Annual Yard Sale
- Art Events
- Trunk or Treat
- Support Ranch staff for functions such as the Steel Stampede

G. Neighborhood Phase Rep Committee (NPRC): The role of the committee is to improve the quality and quantity of information between the BOD and Ranch members and renters. The roles and responsibilities of the NPRC and Neighborhood Phase Representative (NPR) will be posted on the website and in the monthly newsletter, along with the names and contact information of the NPRC chair. The contact information will be available in the Administration Office as well as included in welcome baskets provided to new residents. Evaluation of the program will come from feedback of residents, members of the Board, and fellow NPRs. The NPRs will also discuss improvements for the program. Evaluations will be performed annually. The NPRC will honor the privacy of those residents who do not wish to receive information. The committee will have up to 24 members. Each Phase will have one or more representatives, if positions can be filled.

H. Nominating Committee (NC): The role of the Nominating Committee is to secure candidates for the annual election of members of the Board of Directors and Architectural Review Committee (ARC). The committee will evaluate applications and present a slate of qualified candidates to the Board for approval and to the membership for a vote. The NC will make as many nominations for election to the Board as deemed appropriate, but not less than the number of vacancies that are to be filled in accordance with Article IX of the By-Laws. All applicants who apply for a Board position will be considered equally, if they meet the requirements established by the Board. The committee will serve for one (1) year following the end of the annual meeting. The Board may re-appoint members of the committee for additional years.

Candidate solicitation for the BOD and ARC will begin with an article published in the February newsletter describing the upcoming election process and the specific

role of the Nominating Committee. The article will also call for recommendations for candidates from the membership. Qualified individuals will be strongly encouraged to fill out application forms, which must be returned directly to the Administration Office by the specified date. Meetings and procedures will be carried out according to the time frames provided by the Schedule of Events. The committee will review and discuss applicants for each open position, including validation of eligibility based on established requirements.

The Nominating Committee, if necessary, may request from the Board that deadlines for applications be extended to allow more time for applicants to apply. The Nominating Committee must ensure that a ballot is prepared in accordance with committee procedures and submitted to the Board for approval, and that all potential nominees are notified of final ballot and election results.

I. Parks and Recreation Committee: The role of this committee is to provide advisory input to the Board concerning issues related to park improvement and use, and to provide summer recreation programs for approval by the Board of Directors.

K. Ranch Enhancement Projects Committee: Profits from the Steel Stampede and other funding sources, such as donations, are designated for projects that enhance the Ranch and benefit the Ranch as a whole, separate from the operating funds of the Ranch. Any CRR member in good standing can sponsor a Ranch project by filling out and submitting a Project Proposal Form. Project Proposal Forms are available at the CRR Administration Office. After committee review, worthy projects will be submitted to the BOD for final selection and approval. All projects must comply with Section 5.3, Purchasing and Bid Process, within this manual. Requests for bids must be reviewed and approved by the General Maintenance Supervisor prior to issuance.

L. Neighbor Helping Neighbor Committee: The role of the Neighbor Helping Neighbor Committee is to review recommendations from the Program Coordinator to determine which applicants will or will not receive assistance. The committee will be made up of three Association Members and will work under the supervision of the Neighbor Helping Neighbor Program Coordinator.

M. Alternative Funding Committee: The role of this committee is to build a reliable, alternative, non-fee related source of funds for the betterment of Crooked River Ranch. The Alternative Funding Committee is advisory in nature and shall assist the Board in identifying available sources of funding that may be used to support specific improvements or programs of need.

4.16 Election of Board Members and Architectural Review Committee

The Board of Directors (typically three (3) members) and the entire Architectural Review Committee are elected by the property owners of Crooked River Ranch annually.

Election shall be by secret written ballot, and the candidates receiving the largest number of votes shall be elected. Each Association member is entitled to cast one vote for each CRR property owned, as long as their dues are current according to BOD policy.

Any applicant or member of Crooked River Ranch Club & Maintenance Association in good standing is eligible to apply for an open position on the Board of Directors or Architectural Review Committee as long as a complete and signed application packet is submitted no later than the approved deadline. "In good standing" is defined as having

all dues and any outstanding debts to the Association current according to Board policy, and having no outstanding county code or valid CC&R violations at the time of application.

Applicants must be a member of the Association to apply for a Board position. All applications shall be in accordance with the application process and material as submitted by the Nominating Committee for the current election. All completed applications will be delivered to the Administration Office in a sealed envelope identified only as an application. The sealed envelope will be date/time stamped and delivered expeditiously to the Nominating Committee for confidential review. All candidates are required to become familiar with all election procedures, processes, and documents. All documents related to the election process listed below can be obtained from the Administration Office and are available on the website.

- Candidate Application Instructions
- Rules and Procedures for Election
- Application Information Sheet for Nominating Committee
- Guidance for Campaign Statement
- Candidate Sign Guidelines
- Request to be a Candidate
- Schedule of Events

4.17 Special Election of Board Member

Per the By-Laws, in the event of a death, resignation, or removal of a Director, his or her successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his or her predecessor. The process of selecting the replacement Board member shall be as follows:

- The Board vacancy should be posted via the Phase Rep system, Next Door, the CRR website, and the newsletter, if time allows. Those seeking the office will fill out an application and will be subject to the same criteria as other Board members, i.e., no outstanding dues or debts to the Association, and no outstanding County code or CC&R violations.
- A notice of the date and time of a special meeting will be broadcast at the same time as the Board vacancy. At this special meeting, the applicants' names will be drawn for the order of the interview questions.
- The interview questions will be determined by the Board and could include information regarding background, what he or she views as the role of a Board member, areas of concern they have about the Ranch, or what they would like to accomplish as a member of the CRR Board of Directors. The questions may be given to the candidates prior to the meeting so that they may have time to consider their responses.
- The Board will adjourn to executive session to deliberate and choose the member to be appointed.
- Upon returning to the regular special session, the Board president will announce the new Board appointee.
- The oath of office will be given to the new Board member.

4.17 Homeowner Initiative Process

Homeowners will be able to affect Crooked River Ranch Club & Maintenance Association By-Laws, policy, direction, and operations by allowing residents the ability to submit a petition, signed by verifiable homeowners in good standing. Such a petition would require 5% of current property owners (135 signatures as of June 2017).

- Any change that impacts the Association financially must have a financial impact analysis and associated costs.
- Any change affecting the By-Laws must not contradict the Association's Articles of Incorporation or CC&Rs.
- Once submitted to the Association, all petitions must be approved by the Association's attorney.

Once the above requirements have been met, the initiative will be filed with Crooked River Ranch Club & Maintenance Association's Administration Office to be placed on the ballot for voting by the membership at the next annual election. The majority of voters will then decide the outcome of the initiative.

5. Finance Management

5.1 Definitions

A. Operating Budget: The Operating Budget is the annual budget for the current revenues and expenses of the Association. It includes on-going expenses that are required in the day-to-day business of the Ranch, and it matches revenues generated with the related expenses that are incurred to generate the revenue. Repairs and maintenance which are routine and on-going and do not materially extend the useful life of facilities and equipment shall be included in the operating budget. In addition, equipment that has a value of less than \$3,000 is treated as an expense in the year acquired, regardless of its useful life, and included in the operating budget.

B. Capital Expenditure Budget: The Capital Expenditure Budget is the annual budget for capital expenditures of the Association, which include new construction, new equipment, and major renovations of facilities and equipment. Items are considered to be capital expenditures if they have a value of \$3,000 or higher and a useful life of one (1) year or more. Any items not meeting this criterion are treated as an expense in the year acquired and included in the Operating Budget.

C. Capital Reserve Plan: The Capital Reserve Plan (CRP) is a 30-year plan for how the Association reserves could be spent for major repairs and replacement of Association capital assets. The operating and capital expenditure budget process will use the CRP as a forecasting tool, but the CRP will not dictate the final budget for that fiscal year. The CRP funds shall be put into their own bank account, separated from operating budget funds.

D. Operating Lease: An operating lease is a lease whose term is short compared to the useful life of the piece of equipment being leased. The lessee is responsible for personal property taxes and all scheduled maintenance over the term of the lease. The only exception is warranty repairs, normally during the first one or two years of the lease. In an operating lease, the lessor (or owner) transfers only the right to use the property to the lessee. At the end of the lease period, the lessee returns the property to the lessor.

The main advantages of an operating lease are:

- The lessee shows the rent on the income statement as an operating expense deductible from profits rather than on the balance sheet as payments for debt associated with purchased assets.
- The lessee is able to avoid the risk that new technology will render the equipment obsolete within a few years, leaving the lessee with equipment that is difficult to sell.
- The lessee can cancel the lease with notice; however, any modification or cancellation of an operating lease results in significant penalties for the lessee.

E. Capital Lease: A capital lease is a legal agreement (usually non-cancelable) to lease a piece of equipment for a fixed period. It is similar to financing the purchase of the equipment. At the end of the lease term, there is either a transfer of ownership to the lessee or the lessee has an option to purchase the asset at a “bargain price.” The lessee makes monthly payments to the lessor and pays all other costs, including maintenance, insurance, and taxes. Because capital leases are regarded as equivalent to a purchase, the leased assets must be capitalized and shown on the balance sheet as a fixed asset, with the corresponding debt shown as a long-term liability. The leased asset must be depreciated along with other fixed assets.

The main advantages of a capital lease are:

- The lessee is able to get financing terms when a bank loan may not be feasible, although at higher interest rates.
- Equipment depreciation and interest payments may be better than operating rents for tax purposes.

Policy Statement on Leases

Operating leases make sense if the equipment will be heavily used and the costs of maintaining the equipment are expected to increase substantially in the latter part of the equipment’s life (golf mowers or golf carts for example), or if the asset may become technologically obsolete. Less intensively utilized equipment with a life expectancy of over seven plus years should probably be purchased. As a general rule, the Association should avoid entering into capital lease agreements unless all other avenues for purchase have been explored.

The decision as to whether or not the Association should enter into any lease agreement should be evaluated based on the economic benefits to the Association without consideration as to accounting treatment.

5.2 Budget Development and CRP Update Process

The Budget/Audit Committee (BAC) will elect a chair and secretary each year at the October committee meeting. The calendar for developing the operating and capital expenditure budgets and updating the CRP will be established at the October committee meeting. The Board will provide the Ranch Manager and the BAC with the vision and priorities for the next fiscal period. The Ranch Manager will work with the department heads to establish the budget structure, priorities, and process to be followed by the staff in the budget development cycle. The CRP will also be updated by the staff at this time or prior to the beginning of the budget cycle.

The BAC will meet jointly with the Board for the presentation of the staff-proposed operating and capital expenditure budgets at the beginning of the budget cycle. The

Ranch Manager will provide the BAC with an opportunity to ask questions and gain clarification from the staff on specific areas of their proposed budgets and updated CRP. The BAC may recommend changes to the proposed operating and capital expenditure budgets and updated CRP. The BAC will meet jointly with the Board for the public presentation of the recommended operating and capital expenditure budgets and the updated CRP and provide an opportunity for the community to ask questions, receive clarification, and provide input.

The BAC may recommend additional changes to the proposed operating and capital expenditure budgets and updated CRP based on input from the community. The BAC will approve the operating and capital expenditure budgets and updated CRP. They will forward the approved operating and capital expenditure budgets and updated CRP to the Board for their adoption. The Board will review and adopt the final operating and capital expenditure budgets and updated CRP at a regular Board of Directors meeting prior to the end of the current fiscal year.

The Board of Directors has mandated the transfer of the prior year's depreciation from operating capital to the CRP each year. Additionally, the Board of Directors approved the annual transfer of an additional \$75,000 from operating capital to the CRP each year. Additional discretionary transfers may be made based on operating cash reserves after analysis of the Ranch Manager and Staff Accountant. Discretionary transfers will be approved by Resolution of the Board of Directors.

Interim Operating and Capital Expenditure Budget Amendment Process

If the Board of Directors approved any changes to the operating budget or the capital expenditure budget during the interim period between annual budget approvals, those changes will be captured by the Ranch Manager. The Ranch Manager will provide the amended budget(s) to the Board and the BAC for their files. If any Board-approved budget amendments affect the existing CRP, the Ranch Manager will also capture those changes and provide the updated CRP to the Board and the BAC for their files.

5.3 Purchasing and Bid Process

The Ranch Manager has authorization to approve purchases up to \$5,000 for items that have already been authorized in the current capital or operating budget while maintaining effective cash flows, without resubmitting to the Board for authorization. For all purchases over \$5,000, the Ranch Manager must gain approval from the Board by submitting an AFE (Authorization for Expenditure) justifying the purchase and citing bids received. Any purchase of a service, commodity, or non-inventory item must go through one of the following bid processes:

- A. The Ranch Manager will obtain at least three sealed formal bids for any purchase totaling over \$25,000 in the approved budget.
- B. The Ranch Manager will obtain at least three formal quotes for any purchase that is over \$5,000.
- C. Bids and quotes should contain at a minimum the following information:
 - Complete description of the commodity or service needed that may include size, color, quantity, dimensions, specifications, model numbers, brands, warranties, etc.

- Technical specifications for vendors to know the desired outcome of service or commodity requested.
 - Specific requirements, such as installation required; delivery and shipping dates; terms of sale and payment; any applicable discounts, features or accessories; samples, maintenance service requirements, training provided; or any such item providing a clearer direction for vendors.
 - Seller's information should include name and address, any applicable builder's number, etc.
- D. Formal bids are written documents completed with a set format, submitted in a sealed envelope, and opened on a specified date and time. Formal bids must use the widest and most effective means in communicating the announcement. Such announcements should consider the use of the Association newsletter and follow an approved vendors' list.
- E. Formal quotes are inquiries of current market pricing, backed up by fax or written format, providing the ability to secure the best offer price and item in a short time frame to maintain effective operations. Quotes should follow an approved vendors' list.
- F. The Association reserves the right to direct staff to obtain formal bids that may be lower than the established value noted above.
- G. The Association reserves the right to "sole source," but the reasons for doing so must be documented and provided to the Board of Directors.
- H. The Board must approve all sealed formal bids submitted by the Ranch Manager after the public offering. Sealed bids will be reviewed by the Board, who will either select the best value bid or may reject all bids.
- I. For any purchase or purchases that would cause the operating or capital budget to be exceeded, it must be approved by the Board, except as outlined in the Section "Emergency Expense Management," below.

Expenditure of Funds

Where possible, major expenditures require estimates from multiple sources. All actual expenditures, \$5,000 or greater, require staff justification and formal approval by the Board of Directors. This approval is required whether or not the expenditures have been approved in the annual Operating or Capital Expenditures budgets, or in the Capital Reserve Plan which were adopted by the Board. Supervisors complete the Authorization for Expenditure Form and submit it for approval through the Ranch Manager. The one exception to this policy (approved 11-17-2014) is that Line Item #64330, "Fertilizers, Chemicals & Seeds" has a maximum of \$8,000 in order to take advantage of year-end and last-minute sales opportunities.

5.4 Emergency Expense Management

An emergency is defined as any event that threatens life or property, such as fire, accident (auto, commercial, residential), and events of nature (earthquake, blizzard, hurricane, etc.), or issues that would disrupt normal operations that require immediate purchase to continue successful operations (pump malfunctions, electrical failures, equipment breakdowns, etc.).

In the case of an emergency, the Ranch Manager may authorize purchases above the Ranch Manager's approved limit, with the approval of two Board Officers, including the President, Vice President, Treasurer, or Secretary.

Any purchases for emergencies must be reviewed at the next scheduled meeting of the Board of Directors.

5.5 Annual Financial Audit Process

Fiscal year books are closed prior to the beginning of the audit process. The Board Treasurer will identify the auditor that will conduct the financial audit. The Board will review the engagement letter from the proposed auditor. This letter will specify the reports and letters that will be provided to the Association. The Board will approve the proposed auditor engagement letter. The auditor will oversee the Association's inventory process. The auditor will be given access to the required financial records of the Association. The auditor will provide a draft Annual Report and Management Letter to the Board and the BAC and will meet with them for a review of the documents prior to the Annual Meeting. There may be a period of time for exchange of information with the auditor before the final audit report is published. The Board Treasurer and Ranch Manager will prepare a written response to the Management Letter for the BAC's review and Board action. The Board Treasurer will present the final audit report at the Association's Annual Meeting.

5.6 Dues and Collection Policy

Based on the Association's By-Laws, Articles X and XIV, and ORS 94.630 and ORS 94.709 and ORS 94.719, the Association may collect dues, fines, and liens related to homeowners' dues.

Assessments are currently due and payable semi-annually on January 1st and July 1st. All assessments shall accrue interest at a rate of 12% per annum on all accounts which are at least 30 days past due. Interest shall accrue on the full remaining balance. The Ranch Manager may approve payment plans in lieu of semi-annual payments, if deemed necessary.

It is in the Association's best interests to establish a uniform and systematic procedure for the collection of unpaid assessments in a timely manner and to refer past due accounts to an attorney for collection where deemed necessary so as to minimize the Association's loss of assessment revenue. (See website for details on "Resolution 2019-03-04 Revision of Collection of Unpaid Charges").

5.7 Neighbor Helping Neighbor Program:

The Board approved the Neighbor Helping Neighbor Program in order to assist CRR homeowners with paying their homeowners' dues. Contributions to the program are made by homeowners on the Ranch who want to assist their neighbors and can be made either directly at the Administration Office or when paying their semi-annual dues. The contributions to the program are not tax-deductible. The Board will approve a Program Coordinator who will manage the process of interviewing and recommending applicants for the Program.

Homeowners who request assistance must meet the following requirements:

- Applicant must be a homeowner of record;
- They must have lived on the Ranch a minimum of one year;
- They must complete an application and provide necessary documentation, such as tax returns, proof of income, copies of mortgage statement, utility or medical bills, or any other documentation the Program Coordinator deems necessary;
- They must agree to an in-person interview with the Program Coordinator.

After reviewing the documentation provided by each applicant, the Program Coordinator will review the cases with the NHN Committee. The Committee will decide as to which applicant receives assistance and for what amount based on the applicant's debt-to-income ratio, amount of dues owed, and any special circumstances deemed relevant to the case. Each applicant will be assigned a case number and all information obtained by the Program Coordinator will be held in the strictest confidence.

Applicants who re-apply for assistance within one year and who have experienced no changes to their financial status, will need to complete a Notice of No Change application. All forms are available at the Administration Office and on-line.

6.0 Association Lease Policy and Process

The Board of Directors must strive to manage all Association-owned property for the best interest of the majority of Association members. The following process should be followed whenever any lease agreement is to be considered for approval by the Board.

Lease Process

When making a recommendation for lease, the Board shall consider the best use for that property. If one type of operation/business can generate a higher lease rate based on market demands, but another operation/business would better serve the Association membership and would generate a lower lease rate, the Board must weigh the two options to determine the best alternative.

Approving Lease Agreements

All lease agreements should include the following *at a minimum*:

- Official name of the operation/business/individual leasing
- Start and end date of the lease agreement
- Penalty clearly identified for defaulting on the lease
- Any renewal options need to allow the Board the ability to approve or reject the renewal of the lease agreement
- Lease rate and any adjustments to the lease rate over the time of the lease agreement
- Permitted use of the lease property
- No sub-lease allowed without Board of Directors approval
- Obligations of the landlord (the Association) and the tenant for repairs, maintenance, utilities, taxes, insurance, condition of the premises at the end of the lease, etc., must be clearly stated in the agreement
- Termination clause

The Association shall have a standard lease agreement template which may be revised as needed. If there have been significant changes to the standard lease agreement template, the agreement should be reviewed by legal counsel prior to approval of the revised lease by the Board of Directors. The Ranch Manager will manage all lease agreements.

7.0 Key Organizational Links

7.1 Special Road District

The Special Road District (SRD) is the organization that has primary authority and jurisdiction over public roads on the Ranch, except those that are part of the county road system.

Within its authority, the SRD delegates the authority to the Association to perform road maintenance on district roads as needed and indicated in the Road Management Plan. The SRD shall establish road maintenance standards and it is the responsibility of the Association to maintain those standards.

In the event of any disputes concerning application of materials, both Boards shall work together to resolve issues while continuing to work collectively on behalf of Ranch members. The Association will support the SRD road improvement projects with resources as the Association Board decides appropriate and feasible. The Association will assist the SRD with equipment and personnel on SRD projects subject to the Association's needs and availability.

7.2 Crooked River Ranch Rural Fire District

The Crooked River Ranch Rural Fire District (CRRRFD) is the organization that provides fire and life safety to the members of the Ranch. Both the CRRRFD and the Association will work cooperatively in the event of emergencies pertaining to areas within Crooked River Ranch which affect the community at large. The Association will assist the CRRRFD with equipment and personnel, subject to resources and availability.

7.3 Crooked River Ranch Water Company

The Association and the Crooked River Ranch Water Company have a working relationship as outlined in the Memorandum of Understanding dated April 10, 2012 and Easement Agreement dated April 21, 2015. For details of these agreements, visit the CRR website.

7.4 Jefferson County

The Jefferson County Commissioners Board meetings are held at 66 S.E. "D" St., Madras. The agendas for each meeting are posted at www.co.jefferson.or.us. The Association will strive to have representation at Board meetings, as appropriate.

7.5 Deschutes County

The Deschutes County Commissioners Board meetings are held at 1300 N.W. Wall St., Bend in the Commissioners Hearing Room. The agendas for each meeting are posted at www.co.deschutes.or.us. The Association will strive to have representation at Board meetings, as appropriate.

7.6 State and Federal Agencies

Any official communication with the various state and federal agencies will be conducted through the Administrator or an assigned Board member. The Ranch Manager will keep the Board current on any issues related to these governmental organizations, and the Board must approve any agreements or contract with any of these organizations.

8.0 Document Retention and Management

Document retention, disposition, and safeguard policy will be managed by the Ranch Manager with the approval of the Board of Directors. The procedures, at a minimum, will follow all state and federal requirements. Cyber security will be reviewed semi-annually, beginning May 2020 with contract IT resources and the Ranch Manager and a cosigned written record of each review is required.

9.0 Facilities

9.1 Association Recreation Areas/Facilities Policy

Various community properties are amenities for Association members and their guests. Procedures for these areas may be established by separate Board resolution and periodically reviewed by the Board of Directors. Procedures may include, but are not limited to: who may use the facilities, whether intended use is exclusive or open, whether or not disclaimer forms are required to be signed, and what condition the area should be left in. Special instructions for each area will be established and made available to those using the facilities.

9.2 Tennis/Pickleball Courts & Disc Golf Course Policy

Use of the tennis and pickleball courts and the disc golf course will be overseen by the Ranch Manager. Both the tennis and pickleball courts and the disc golf course may be reserved with advance notice and subject to fees, if exclusive use is requested.

9.3 Golf Course Policy

A. Annual Golf Passes: Annual golf passes are available to both property owners and non-property owners entitling pass holders golf privileges as determined by the Board of Directors. To be eligible for a property owner pass, a person must be listed on a Crooked River Ranch Club & Maintenance Association property title and be a member in good standing. For a couple's pass, at least one person must be a property owner and they both must reside at the same address.

B. Golf Cart Storage & Trail Fees: Golf pass holders may, for an annual fee and based on availability, store their golf cart in a space in the CRR golf course storage facility. A portion of the fee includes an annual trail fee for the purpose of covering associated expenses of maintaining golf cart paths and wear-and-tear of the golf course. The following additions and exceptions shall apply:

- Those golf cart owners not utilizing the storage facility must pay the trail fee portion of the annual fee or a daily trail fee.
- A pass holder or a property owner may store a cart only if space is available with no waiting list at the time of entry. Should a waiting list become necessary,

property owner golf pass holders will have first priority; non-property owner golf pass holders, second priority; and property owner non-pass holders, third priority.

- Two adults may own a golf cart together and pay one storage fee inclusive of the prevailing annual trail fee.
- Golf cart owners utilizing the golf cart storage facility or paying an annual trail fee may allow immediate family, guests, or other cart owners to use their golf cart. The cart owner must notify the golf shop staff of this intent and the name(s) of the borrower(s). Those other than immediate family members must pay the daily guest trail fee or an annual trail fee.
- A golf cart owner may have a guest or other golfer not owning a cart, ride with him/her, and no trail fee will be charged the rider.

C. Annual Golf Pass Refund: Refund requests may be granted at the discretion of the CRR Head Golf Professional for members who are unable to continue using the golf facilities due to health or family-related emergencies. Requests will be evaluated on a case-by-case basis and, upon approval, prorated monthly. Those with short-term temporary emergencies who intend to resume use of the golf facilities are not eligible for refunds. Those who have lost use of facilities for delinquency of Association dues are not eligible for refunds.

9.4 Horse Arena Policy

All CRR authorized individuals in good standing using the horse arena must first sign an Indemnification/Hold Harmless Agreement and must strictly abide by the posted horse arena rules. All minors under the age of 18 must have a parent or guardian sign the Indemnification/Hold Harmless Agreement before use of the arena. These agreements are located at the Administration office. After signing the agreement a gate code will be issued. This code will be changed yearly and a new Indemnification/Hold Harmless Agreement will need to be signed and the new code issued. A new code will be issued in January of each year.

9.5 RV Park Policy

Property owners in good standing can use the RV Park facilities at property owner rates.

9.6 Pool Policy

Pool hours and procedures are based on governmental laws and regulations, and operational procedures that comply with safety and Board-approved annual fiscal requirements. Each year, operational hours will be established allowing for a time – Monday through Friday – for adult swim. Staff will use factors such as weather, maintenance, health situations, and pool usage for opening or closing times.

9.7 Reservation for Exclusive Use of Community Facilities

The clubhouse, conference rooms, meeting rooms, MacPherson Park, the ballpark, RV Park pavilion, pool, and equine facility are considered community facilities.

The Association-recognized committees, community-based public service groups, or non-profit organizations may reserve these facilities at a reduced rate for their individual group meetings or gatherings.

All other property owner groups or organizations may submit a request to the Board for annual approval if a facility is required on a regular schedule, along with a schedule of the dates and facility for the year. Fees will be according to the established Fee & Rate Resolution approved by the Board.

Non-property owners and non-current dues paying property owners may reserve use of Association facilities for private meetings, gatherings, parties, seminars and any other activity for a pre-arranged period of time. A rental fee and a refundable deposit are due at the time of the reservation. Fees will be per the established Fee & Rate Resolution. Property owners whose dues are current will be given priority in scheduling whenever possible but will not bump previously scheduled non-property owner and non-current dues paying property owner events.

Any individual, group or organization that causes damage or leaves the facility in need of cleaning or repair, will be responsible for all costs related to the cleaning and repair of the facility. This applies to both property owners and non-property owners. The equine facility may have a fee for harrowing the arena, if required outside of regularly scheduled maintenance.

All persons using the facilities are required to abide by all existing and future fire and life safety rules that apply to the facility. Smoking is not allowed in any part of the buildings/facilities, per state law.

The Association's insurance will not cover the liability of any person, group, or organization that rents any community facility. A liability disclaimer must be signed by the renter to acknowledge his or her liability responsibility as a renter. Liability may include, but is not limited to, physical injury and use of alcohol. The renter is responsible for his or her own liability insurance.

9.8 Easement & License Policies

A. Easement Policy: An easement may be granted if the following conditions are met:

- There is a clear benefit for the person(s) requesting the easement.
- There is no adverse impact on Association membership such as added expenses/costs, or significant loss of Association membership access to Association property or livability.
- The cost to establish the easement is paid by the person(s) requesting the easement.
- The easement may be granted for a specific period of time or perpetual.

B. License Policy: A license may be granted if the following conditions are met:

- There is a clear benefit for the person(s) requesting the license.
- Granting use of Association property will cause no adverse impact on Association membership such as added expenses/costs or livability.
- The cost to establish the license is paid by the person(s) requesting the license.
- The license to have use of Association property may be revoked at any time and will be reviewed at the time of property owner transfer or sale. (No automatic transfer of license.)

10 a. Logo Use Policy

This policy governs the use of the Crooked River Ranch logo, including official written and electronic communications and publications. The logo will be used on official Association correspondence, signs and markers for Association property or merchandise sold by the Association's facilities. This logo is a registered tool of the Association and its use is prohibited without written approval by the Board of Directors. The logo alone is not the official identification of the Association or authority of the Association.

10 b. The official Bird of Crooked River Ranch is the California Quail.

11. SIGN GUIDELINES FOR CROOKED RIVER RANCH RESIDENTIAL

Purpose: To comply with Crooked River Ranch's (CRR) CC&Rs and the Jefferson and Deschutes County Codes.

Policy:

I. No sign may be displayed on any parcel unless expressly permitted or by written approval/application of the Architectural Review Committee. {Ref: CC&R's Article VII PROPERTY USE RESTRICTIONS}.

II. Any sign or flag which contains any of the following, in words or pictures, may be handled in an expeditious manner outside the normal CC&R complaint process:

Vulgarity, swear words, nudity, pornography, malicious, vicious, profane, indecent or any other language or picture that may be perceived as such that does not meet normal community standards. Once a complaint involving any of the above is received by the Ranch Administration staff and has been declared valid by 2 members of the CC&R Committee, the Ranch Manager may authorize a telephone contact of the owner and/or renter to immediately remove the offending sign or flag. The Ranch Manager or designee, plus a second observer to verify the call, will make this initial contact. If no phone contact is made, the Ranch Manager can request an emergency meeting of the BOD. The BOD can then authorize a Process Server to be tasked with 24 hours to deliver a letter requiring sign/flag removal and notification of the potential for an open violation designation and fine. The violator has 24 hours from receipt of notification to permanently remove the sign/flag. If no compliance, the BOD, at its discretion can designate a Violation C-3 and assess the property owner a fine as outlined in the Policy and Procedures Manual. {Ref: CC&R Enforcement Procedures}. The fine can be assessed every 30 calendar days until the sign/flag has been removed.

III. All community banners/signs to be displayed at the entrance of CRR at Antelope and Chinook and Mustang and Chinook will be approved through the Administration Office after completing a Banner Request form. A sample of the banner must be included with the request. Banners must be professional and appropriate. Banners may be from any banner and/or print shop but must comply with the "Guidelines for Event Banners". The Maintenance Department will put up the banner. The banner may be displayed up to 2 weeks prior to the event, unless there was a prior week's banner posted, and will be removed within 2 days after the event by the Maintenance Department and rolled up to prevent damage to the banner so it may be used again.

IV. Sign limitations and exceptions to Architectural Review shall be as follows:

- A. A maximum combination of 4 signs and flags to be displayed per property at one time.
- B. No flag shall exceed 24 square feet in size. No sign shall exceed five square feet in size.
- C. No temporary sign or flag shall be placed within 5 feet of any road and placed in a location that will not obstruct the vision or view of vehicular traffic. Example: Garage Sale signs, Real Estate signs, Event Signs, Political signs, Children at Play signs, etc. No signs or flags shall be affixed to power poles, trees or structures not belonging to the property owner.
- D. No sign or flag may be illuminated internally or externally except for the CRR Welcome Sign and the US Flag.
- E. Business signs are allowed but require ARC Approval. A Home Occupation Permit must be obtained from the county before a business can advertise with a sign in the residential zone and can only be placed upon the property on which the business use is located.
- F. Property name signs require ARC approval with signs placed before August 2020 being “Grandfathered” in and are exempt.
- G. Garage Sale signs **must** be dated with the date of posting and may be put up **2 days** before the sale begins. All signs must be removed within 24 hours after the sale ends. Signage may not be posted more than 6 times per calendar year per property.
- H. All event (wedding, etc.) signs can be displayed 2 days before the event and must be removed within **24 hours** following the event.
- I. Only 1 real estate sign per property offered for sale or rent of no more than 5 square feet is permitted and must be removed **immediately** after close of escrow. {Ref: CC&R’s Article VII PROPERTY USE RESTRICTIONS}.
- J. Real Estate signs for “Open Houses” may be put up on the day of the event and must be removed immediately after the Open House.
- K. No directional signs are allowed with the exception of Garage Sale signs, Open House signs, and those with the approval of the Architectural Review Committee.
- L. Federal, State and County election/political signs may be displayed **60 days** before an election and must be removed within **3 days** after the completion of voting in Oregon. CRR election/political signs can be displayed on **July 1st** and must be removed within **3 days** after the election. All political signs may be placed on private property only after receiving permission of the property owner. A political sign refers to a sign regarding a candidate running for political office or regarding a political issue to be considered in a current election.
- M. No signs may be placed on **Community Property** or attached to the CRR Welcome sign without prior written approval.
- N. Contractor’s and subcontractor’s signs may be displayed when the work actually starts, not when the contract is signed, and must be removed within **5 business days** after completion of work.

- O. The US flag, POW/MIA flag, State flag, foreign country and US military branch of service flags should be flown or draped according to official American flag etiquette rules and will be included within the parameters of the sign and flag limitations without prior ARC Approval.
- P. All permanent signs and flags must be placed on or inside the property lines and off the road right of way. While most CRR roads have a 60 foot right of way, those connecting to BLM land have an 80 foot right of way. Example: No Trespassing, Slow Down, Dust, Official Flags representing Country, State, Sports, Schools, Emergency Services and Military.

12. Newsletter Policy

Monthly articles, calendar items and contact information may be submitted by the following entities: Association Board members and Administration staff; Association departments and committees with approval of Ranch Manager or the Board of Directors; Ranch service entities, e.g., Special Road District and the Crooked River Ranch Rural Fire District; and Ranch service clubs, organizations and others as requested or approved by Administration staff or the Board.

Feature and future event articles and stories may be submitted in addition to monthly articles and may exceed monthly article size limitations.

Articles need to include: the name of the entity or individual referred to in the article; the name of the individual writing the article and their position; dates and location of coming events; and contact information for inquiries about events.

Article content must meet the following criteria:

- Be about Crooked River Ranch business, events or meetings
- Be about Ranch life: its clubs, organizations, members or residents
- Be positive in nature, family-friendly and free of offensive language or content
- Be ready for printing: proofed for spelling, grammar and accuracy
- Be concise and informative

Articles, calendar items, and contact information are to be submitted in writing, email or digital format preferably with no more than 300 words for monthly articles, unrestricted for feature and event articles/stories. Email submissions to the Telegraph Editor with the subject line "Newsletter Article." All articles, calendar items, and contact information must be in by 4:30 p.m. the 2nd Thursday of the month for publication the following month. Preferential placement will be considered based on the date of submission. For more information about advertising, article templates, other policies, and Telegraph Editor contact information go to the website.

13. Membership Rights

A property owner may delegate his or her right to use common and community properties and facilities to a tenant who resides on their property. Such a delegation of ownership rights may not be for a limited period, such as a seasonal absence of a property owner. The property owner must notify the Administration Office in writing of the name of any such tenant. The rights and privileges of such tenant are subject to suspension to the same extent as those of any member.

Property dues will remain the responsibility of the property owner. Membership rights will be suspended if dues are in default of the current billing cycle. A property owner may not relinquish his or her voting right. Membership rights are extended to immediate family residing full-time with the property owner or tenant.

14. Website Policy

The Crooked River Ranch web page must provide the following current information for the Association members:

- All public meeting notices and supporting documents
- Board of Directors meeting agendas
- Board of Directors meeting minutes
- Contact information for the Ranch Manager and Board of Directors
- Board-approved Resolutions
- Complete set of Covenants, Conditions & Restrictions (CC&Rs)

Board Meetings Audio/Visual File Management:

The hands-on use and management of the system will be performed by the Ranch Manager or BOD approved designee. This will include file creation, storage and transfer to recipients including, but not limited to, the Telegraph, the CRR Website or outside agencies e.g. insurance carriers, police, legal counsel etc. Board Directors are allowed to review file content internally for Board related purposes. File transfer to any outside entity or agency, would require Board approval. All audio/video recordings will be for internal use only to ensure accuracy of minutes, etc. Audio/video recordings will not be posted on the Ranch website or provided to Members. Stored files will be reviewed during quarterly IT reviews and retained, if needed, or discarded to reduce file storage requirements.

15. Lot Line Adjustment and Association Dues Policy

In the event of a consolidation of lots for tax purposes, the status of those lots with the Association will not change, which means they will remain individual lots and pay dues assessments as individual lots. If any new lots are created by county-approved subdivision of existing lots, the new lots would require dues assessment by the Association.

16. CC&R Code Enforcement Policy

A. Enforcement Policy

Any member of Crooked River Ranch or a Ranch resident who believes there is a violation of CRR Covenants, Conditions & Restrictions (CC&Rs), or county codes of any property under the purview of the Association, has the right to initiate an official complaint, using the *CC&R Code Enforcement Complaint Form* for CC&R complaints and the *County Complaint Form* for county violations. The identity of the complainant will be held confidential.

The Administration staff will check the complaint form for completeness and accuracy, log it into the CC&R Complaint log, and provide it to the CC&R Review Committee for

investigation. The staff will send a form letter signed by the CC&R Committee to the complainant acknowledging receipt of the new complaint and commitment to keep complainant informed of results of investigation and actions taken.

Upon receipt of a new complaint, the CC&R Review Committee Chair or designee will assign two members of the committee to investigate the complaint's validity. Their inspection report noting the judgement of the inspectors to be "valid", "not valid", or "not proven" will be submitted to the designated committee or staff member for processing. In the latter two cases, the complainant will be informed of the Committee's judgment. While it may not always be successful, voluntary compliance with the CC&Rs and county codes is always the preferred solution to problems identified in complaints. When a property is judged to have a valid complaint, the CC&R Review Committee shall draft a letter which officially notifies the owner of the property of the judgment of non-compliance by the Committee. A second letter shall be drafted by the Committee to the originator of the complaint noting that the complaint was judged to have merit and the committee will follow prescribed enforcement procedures.

If the issue is judged to represent a violation of county codes, the CC&R Committee will communicate to the complainant that a formal County Complaint form to the respective county to be investigated by the county code enforcement officer needs to be submitted. The county code enforcement teams have the ability to investigate and levy fines, albeit through due process.

The initial letter to the property owner/renter will give the property owner/renter a fixed period (usually 15 days) in which to respond to the determination of non-compliance by providing: (a) proof or certification that the property has been brought into compliance; (b) a plan of corrective action which includes timelines that eliminate the problems within a reasonable time; (c) a commitment to meet with Committee representatives to explain why corrective action has not been taken; or (d) a request to appeal the Committee's judgment that the complaint is valid.

Failure to respond to the initial letter within the time allotted will lead to a warning letter that provides for an additional 15 days and notes that continued failure to comply will lead to the case being taken to the Board of Directors for a formal declaration of the property being in "open violation" of Crooked River Ranch CC&R's. If no response is received from the violator and no abatement has been done, a final letter is sent noting the intent to take the complaint to the Board for Open Violation determination. At this point, the Board must decide on further actions to be taken against the property owner. In addition to loss of membership privileges which an "open violation" determination brings, other options may include a fine or legal action.

B. Enforcement Rules Procedures

The Board of Directors approved the CC&R Enforcement Rules Procedure, a copy of which is attached to the Policy & Procedures Handbook as Appendix A.

APPENDIX A

CROOKED RIVER RANCH

CC&R RULES ENFORCEMENT PROCEDURES

I. Introduction

- A. In many cases, conditions and activities which could impact negatively on the rights and welfare of Crooked River Ranch property owners and other Ranch residents are regulated by state and federal statutes, and by the codes of Deschutes and Jefferson Counties. These statutes and codes carry the force of law and are enforced by government bodies. The Crooked River Ranch Club & Maintenance Association does not have the authority to enforce these statutes and codes but would support higher authority in their enforcement efforts for the benefit of the Ranch community.
- B. Crooked River Ranch is a community development organized under Oregon law as *Crooked River Ranch Club and Maintenance Association* (hereafter as “The Association”)--a “not for profit corporation.” A major reason for its organization was “to promote the mutual health, safety, welfare and benefit of its members, including the residents of Crooked River Ranch”. The Association is governed by a Board of Directors (BOD) which is elected by the membership (property owners). The BOD establishes broad policies and objectives for the organization.
- C. The Association is regulated by its basic documents--**Articles of Incorporation, Bylaws, and Covenants, Conditions and Restrictions (CC&Rs)**. Together, these documents provide a set of requirements, prohibitions and protections for our community--both the Association and the general population.
- D. The CC&Rs, in particular, seek to define what is required or prohibited for property owners and other residents. Their enforcement is based on civil law because they represent a legally-binding contract between the Association and CRR’s property owners. That contract runs with the land, so the CC&Rs are legally binding on each successive property owner. It is the practice of local title and escrow companies to provide a set of the CC&Rs to each new owner prior to or in the closing process. The set of CC&Rs for each of the 16 CRR Phases is available on the Association website. In addition, a hard copy may be obtained upon request from the Association Administration Office. Consequently, ignorance of the CC&Rs requirements or prohibitions is no legal excuse for their violation.
- E. In some areas the CC&Rs provide very clear guidance on what is required or prohibited. In others they provide only general guidance--such as prohibitions against conditions that

constitute “noxious”, “offensive” or “unsightly” conditions or actions “which may be or become a nuisance.” The Board of Directors has recognized the need for increased clarity of the intent of the CC&Rs. Such increased clarity would make the CC&Rs more “user-friendly” for both home owners/renters and those involved in the enforcement process itself. To improve such clarity, the BOD has decided to establish the set of rules provided in this procedural document. These rules expand definitions and provide examples of what would be prohibited. Care has been taken to ensure that the rules are sufficiently specific and clear enough that a reasonable person or a court would be able to understand what would constitute a violation of them.

- F. These rules are consistent with the Ranch’s basic documents--***CC&Rs, By-Laws*** and ***Articles of Incorporation***. *In no way do they seek to duplicate or replace laws or codes of higher authority—federal, state or county.* However, where appropriate to meet the requirements of the basic documents, the Association may adopt rules that are more restrictive than those adopted by higher authority.

II. Rules Adopted by the CRR Board of Directors

- C. The authority for the BOD’s adoption and enforcement of rules and regulations to promote the mutual health, safety, welfare and benefit of its members is provided in the following:
- a. Article X of the By-Laws lists as a power of the Board of Directors “to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the Membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration.
 - b. Article II of the Articles of Incorporation lists as a purpose for which the corporation is organized: “to enforce any and all covenants, restrictions and agreements now or hereafter made applicable to said property”.
 - c. Articles V, VI and VII of the CC&Rs for each phase (I through 16) broadly discuss each owner’s responsibility for the maintenance of each lot and restrictions on the use of property and the personal conduct of inhabitants of the property. These CC&Rs are legally binding on all members (property owners) and Article IX addresses enforcement of the CC&Rs. It gives the Association the right to enforce, “by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration”. It further notes: “The covenants and restrictions of this declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association...”
- D. In crafting this set of rules, the BOD sought guidance from accepted legal definitions—such as for the term “nuisance”, which include the following: “the unreasonable, unwarranted, or unlawful use of one’s property in a manner that

substantially interferes with the enjoyment or use of another individual's property, without an actual trespass or physical invasion to the land." The BOD also included in its prohibitions any annoying, unpleasant, or obnoxious condition or practice causing a potential threat to public health, safety and welfare.

- E. In accordance with legal counsel, the BOD has incorporated in this set of rules all other previously promulgated rules involving property use.

III. Enforcement of CRR Rules

- E. Voluntary abatement has always been the preferred option in dealing with violations of the CC&Rs and shall be so with the rules established in this document. As with the CC&Rs, the CC&R Review Committee will be charged with seeking to achieve voluntary resolution of any potential violations of the rules. The Committee will work with the Ranch Manager in this effort. Unfortunately, it is a regrettable fact that voluntary resolution is not always possible. When all attempts at achieving resolution on a voluntary basis fail, a violation case will be referred to the Board of Directors (BOD) by the CC&R Review Committee with a request that the case be declared "an open violation" of the specified rule(s). The Board of Directors will make a determination as to whether or not an open violation exists.
- F. If an "open violation" is approved by the BOD, a letter signed by CC&R Committee will be sent to the property owner via certified mail and regular mail. This letter will note that an open violation carries with it denial of membership rights for access to and use of recreational and service facilities. It will also warn that failure to either deal with the violation, or to provide the Ranch Manager with a plan for doing so, within four weeks will result in additional enforcement action(s). The letter will notify the property owner of the option of an appeal of the BOD decision and a "CC&R Open Violation Appeals Form" (Appendix B) will be included with the notification letter. It will also notify the property owner that if they fail to respond as requested within the time limit specified in the warning letter or file an appeal within the time allotted, the case will be taken to the BOD to approve additional specific enforcement action(s). Such action(s) may include approval of clean-up operations organized by the Ranch Manager where such action(s) are authorized by the CC&Rs, with the cost assessed to the property owner. Any such action will follow all pertinent laws and regulations. Alternatively, the BOD may choose to levy a fine – either as a one-time assessment or a monthly assessment until compliance is achieved. In the event a fine is levied and not removed based on appeal, nonpayment of said fine may result in a lien.

IV - Schedule of Fines

A. The fine schedule listed in **Table 1** is organized into five classes of violations (Classes A through E) based on the relative severity of a violation. The amount listed for each class represents a recommended maximum amount. These amounts were established as “reasonable” based on comparison of fine schedules of similar homeowner associations in the general geographic area.

TABLE I - CRR FINE SCHEDULE

Class A Violation:	\$1000
Class B Violation:	\$500
Class C Violation:	\$250
Class D Violation:	\$150
Class E Violation:	\$100

Note: Any recurrence of a violation within twelve (12) months can result in an increase to the next highest class and its fine amount.

B. Any fine must be approved by a vote of the BOD. The BOD will also determine whether a fine is to be a one-time assessment or a monthly assessment until compliance is achieved. The BOD will use the fine schedule as a guide. Once a fine is levied, the BOD retains the option to suspend or reduce the amount based on the willingness of the complaint recipient to deal with the violations cited. Fines for a non-defined violation of any kind shall be established by the BOD as necessary, and by definition will be included in this document for future reference.

V – The Rules

A. Violation of Architectural Review Committee (ARC) Approval Requirements

a. New Construction or Improvements.

According to CC&Rs, Article V, Paragraph 1: “No building, fence, wall, hedge, structure or improvement shall be placed or permitted to remain upon any part of said property unless a written request for approval thereof containing the plans and specifications therefore, including exterior color scheme, has been approved in writing by a majority of the Architectural Committee or by a its representative designated by a majority of the Committee. Particular emphasis is placed upon the type of structure, setbacks, and compatibility. The approval of the Committee shall not be unreasonably withheld if the said plans and specifications are for improvements which are similar in general design and quality, and generally in harmony with dwellings then located on said property.”

1. Advance written approval must be obtained from the Architectural Review Committee (ARC) by submitting a ***Property Improvement Application*** for all new construction or improvement of buildings larger than 200 square feet, and for perimeter fences, walls or hedges. Repainting a structure is considered an improvement and requires ARC approval which may be obtained by submitting a letter to the ARC through the Administrative Office noting the planned repainting which is accompanied by a color board of the new color. Only colors which meet the approved “earth tones” would be approved
 - a. The ***Property Improvement Application*** comes in two forms, one for *commercial properties* (Phases 15 and almost all of 16) and another for *residential properties* (all others, including a few properties in Phase 16, which have been rezoned as residential).
 - b. The application forms may be downloaded from the Association’s website or be obtained in hard copy from the Administrative Office.
 - c. ***The applications need to be accompanied by all required plans, and specifications – including a color board, if appropriate.***
 - d. The Architectural Review Committee normally meets on the second and fourth Mondays of each month and to be considered at the next meeting, the application package needs to be submitted to the Administrative Office by noon on the Friday prior to a Monday meeting.
 - e. ***VIOLATION A-1 Starting construction or improvements without first obtaining ARC approval constitutes a “Class C” violation subject to that level of fine (\$250).***

VIOLATION A-2 Significant modification to a project after an application has been approved by the Architectural Review Committee without an adjustment approved by the ARC constitutes a “Class C” violation subject to that level of fine (\$250).

B. Sign Restrictions for the Residential Zone

CC&Rs Article VII, paragraph 1 states: “*Unless written approval is first obtained from the Architectural Committee, no sign shall be displayed to public view on any building or building site on said property except one professional sign of not more than five square feet advertising for sale or rent, or signs used by the developer to advertise the property during the construction and sales period. If a property is sold or rented, any signs relating thereto shall be removed immediately except that the Declarant and only the Declarant or its agent may post a “sold” sign for a reasonable period following the sale.*

The BOD has approved more specific rules on signage in the residential area in its ***Sign Guidance for the Crooked River Ranch Residential***, most recently updated by Board approval on May 16, 2022. Those rules build upon the CC&R stipulations making them more user-friendly, including specifying exemptions to ARC approval requirements. There are no complementary sign guidelines for the Commercial Zone beyond that specified above in the CC&Rs Article VII, paragraph 1 and Jefferson County sign codes. Legal counsel recommended that all CRR rules be incorporated into a single document. Consequently, the rules on signage are incorporated verbatim below for residential:

Purpose: To comply with Crooked River Ranch's (CRR) CC&Rs and the Jefferson and Deschutes County Codes.

Policy:

I. No sign may be displayed on any parcel unless expressly permitted or by written approval/application of the Architectural Review Committee. {Ref: CC&R's Article VII PROPERTY USE RESTRICTIONS}.

II. Any sign or flag which contains any of the following, in words or pictures, may be handled in an expeditious manner outside the normal CC&R complaint process: Vulgarity, swear words, nudity, pornography, malicious, vicious, profane, indecent or any other language or picture that may be perceived as such that does not meet normal community standards. Once a complaint involving any of the above is received by the Ranch Administration staff and has been declared valid by 2 members of the CC&R Committee, the Ranch Manager may authorize a telephone contact of the owner and/or renter to immediately remove the offending sign or flag. The Ranch Manager or designee, plus a second observer to verify the call, will make this initial contact. If no phone contact is made, the Ranch Manager can request an emergency meeting of the BOD. The BOD can then authorize a Process Server to be tasked with 24 hours to deliver a letter requiring sign/flag removal and notification of the potential for an open violation designation and fine. The violator has 24 hours from receipt of notification to permanently remove the sign/flag. If no compliance, the BOD, at its discretion can designate a Violation C-3 and assess the property owner a fine as outlined in the Policy and Procedures Manual. {Ref: CC&R Enforcement Procedures}. The fine can be assessed every 30 calendar days until the sign/flag has been removed.

III. All community banners/signs to be displayed at the entrance of CRR at Antelope and Chinook and Mustang and Chinook will be approved through the Administration Office after completing a Banner Request form. A sample of the banner must be included with the request. Banners must be professional and appropriate. Banners may be from any banner and/or print shop but must comply with the "Guidelines for Event Banners". The Maintenance Department will put up the banner. The banner may be displayed up to 2 weeks prior to the event, unless there was a prior week's banner posted, and will be removed within 2 days after the event by the Maintenance Department and rolled up to prevent damage to the banner so it may be used again.

IV. Sign limitations and exceptions to Architectural Review shall be as follows:

- A. A maximum combination of 4 signs and flags to be displayed per property at one time.
- B. No flag shall exceed 24 square feet in size. No sign shall exceed five square feet in size.
- C. No temporary sign or flag shall be placed within 5 feet of any road and placed in a location that will not obstruct the vision or view of vehicular traffic. Example: Garage Sale signs, Real Estate signs, Event Signs, Political signs, Children at Play signs, etc. No signs or flags shall be affixed to power poles, trees or structures not belonging to the property owner.
- D. No sign or flag may be illuminated internally or externally except for the CRR Welcome Sign and the US Flag.
- E. Business signs are allowed but require ARC Approval. A Home Occupation Permit must be obtained from the county before a business can advertise with a sign in the residential zone and can only be placed upon the property on which the business use is located.

- F. Property name signs require ARC approval with signs placed before August 2020 being “Grandfathered” in and are exempt.
- G. Garage Sale signs **must** be dated with the date of posting and may be put up **2 days** before the sale begins. All signs must be removed within 24 hours after the sale ends. Signage may not be posted more than 6 times per calendar year per property.
- H. All event (wedding, etc.) signs can be displayed 2 days before the event and must be removed within **24 hours** following the event.
- I. Only 1 real estate sign per property offered for sale or rent of no more than 5 square feet is permitted and must be removed **immediately** after close of escrow. {Ref: CC&R’s Article VII PROPERTY USE RESTRICTIONS}.
- J. Real Estate signs for “Open Houses” may be put up on the day of the event and must be removed immediately after the Open House.
- K. No directional signs are allowed with the exception of Garage Sale signs, Open House signs, and those with the approval of the Architectural Review Committee.
- L. Federal, State and County election/political signs and/or flags may be displayed **60 days** before an election and must be removed within **3 days** after the completion of voting in Oregon. CRR election/political signs can be displayed on **July 1st** and must be removed within **3 days** after the election. All political signs may be placed on private property only after receiving permission of the property owner. A political sign refers to a sign regarding a candidate running for political office or regarding a political issue to be considered in a current election.
- M. No signs may be placed on **Community Property** or attached to the CRR Welcome sign without prior written approval.
- N. Contractor’s and subcontractor’s signs may be displayed when the work actually starts, not when the contract is signed, and must be removed within **5 business days** after completion of work.
- O. The US flag, POW/MIA flag, State flag, foreign country and US military branch of service flags should be flown or draped according to official American flag etiquette rules and will be included within the parameters of the sign and flag limitations without prior ARC Approval.
- P. All permanent signs and flags must be placed on or inside the property lines and off the road right of way. While most CRR roads have a 60 foot right of way, those connecting to BLM land have an 80 foot right of way. Example: No Trespassing, Slow Down, Dust, decorative flags that are not vulgar or political, flags supporting diversity and inclusion, Official Flags representing Country, State, Sports, Schools, Emergency Services and Military.

VIOLATION B-1 Placing or keeping a sign in the CRR Residential Zone which requires Architectural Review Committee (ARC) approval without first obtaining ARC approval constitutes a “Class C” violation subject to that level of fine (\$250).

VIOLATION B-2 Posting in the CRR Residential Zone a sign which is not in compliance with the applicable provision of the rules listed above is prohibited and constitutes a “Class E” violation and is subject to that level of fine (\$100).

C. Property Maintenance and Restrictions on Property Use

Articles VI and VII of the CC&Rs for Crooked River Ranch Phases 1 through 16 speak to requirements for property maintenance and restrictions on property use. These articles work together to define what is required and what is prohibited:

- Exterior Maintenance Requirements: CC&Rs Article VI, Section 1, Paragraph B: *“It shall be the obligation of each owner of any Lot or Building Site to keep and maintain the same, and any building or improvement now or hereafter located thereon, in proper condition, including the area between his property line and the paved portion of any street or curb abutting his property. The Association may, if it desires, offer to and perform such service for the owners desiring the same, assessing the reasonable cost thereof to said Owners. If any Owner fails to keep his lot improvement so maintained, the Association may, upon reasonable notice, enter said Lot and perform said maintenance and assess the cost thereof to said owner.”*
- Property Use Restrictions: CC&Rs Article VII, Section 2: *“No part of said property shall be used or maintained as a dumping ground for rubbish, trash, garbage, or any other waste. No garbage, trash or other waste shall be kept or maintained on any part of said property except in a sanitary container. All incinerators or other equipment for the disposal of such material shall be kept in a clean and sanitary condition.”*
- CC&Rs Article VII, section 4: *“No noxious or offensive or unsightly conditions shall be permitted upon any part of said property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.”*

The following rules building upon those articles have been adopted by the Board of Directors.

1. Buildings, fences, walls, other structures and improvements on CRR properties -- must be properly maintained. The BOD defines this as:
 - a. Buildings, other structures, walls and fences must not be falling down, or otherwise in disrepair, such as having broken windows or doors, or a roof caving in.
 - b. Buildings and other structures must not have peeling paint that is observable to the naked eye from any public road or easement.

VIOLATION C-1 Failure to properly maintain a building, other structure, fence, wall or other improvement constitutes a “Class C” violation subject to that level of fine (\$250).

2. Lots and building sites – including the area between the property line and any public road abutting the property – must be properly maintained without unsightly conditions: The BOD defines this as:
 - a. No accumulations of rubbish, trash, garbage or any other waste.
 - b. Any house garbage must be kept in a sanitary container—open trailers or bins may not be used to collect garbage for periodic disposal in the absence of sanitary service. Any garbage, trash or litter stored for later proper disposal must be placed in a secure garbage container to prevent scattering of the contents by animals, birds or weather or attraction of vermin. Overflowing of sanitary containers is prohibited.
 - c. No accumulations of discarded items or materials – such as furniture, bedding, machinery, or building materials.
 - d. No open accumulations of junk or “solid waste” (as defined by the counties) — this includes open storage of inoperable or discarded appliances and inoperable and unlicensed vehicles, RVs, boats, utility trailers. This prohibition also includes an accumulation of vehicle parts, including tires. There are no junk yards allowed within either the residential or commercial zones of Crooked River Ranch.
 - e. Discarding, dumping, burying, burning or other improper disposal of garbage, trash or litter on any Crooked River Ranch property is prohibited.
 - f. Given the consistent fire danger endemic to Crooked River Ranch, large piles of tree limbs, and other dead plant material which presents a fire hazard are prohibited.

VIOLATION C-2 Failure to properly maintain a lot or building site as defined above constitutes a “Class C” violation subject to that level of fine (\$250), except that violations involving improper storage or disposal on site of garbage constitutes a “Class B” violation subject to that level of fine (\$500).

3. Anything which is, or which could become, an “annoyance” and “nuisance” to the neighborhood of a property would be prohibited by the CC&Rs. The board approved as the standard for this prohibition the legal definition of a “nuisance” as “the unreasonable, unwarranted, or unlawful use of one’s property in a manner that substantially interferes with the enjoyment or use of another individual’s property, without an actual trespass or physical invasion to the land.” The Board also included in its prohibitions any annoying, unpleasant, or obnoxious condition or practice causing an unreasonable threat to public health, safety and welfare. Examples of what would be considered a “nuisance” are the following:

- a. Uncontrolled growth of noxious weeds which threatens the invasion of neighboring properties.
- b. Loud and/or prolonged noise that undermines the peace and tranquility of Crooked River Ranch. The intent of this rule is to ensure that the quiet and comfort of any reasonable person of normal auditory sensitivity inhabiting the area is not disturbed. Exceptions to enforcement of this rule include, without limitation, road maintenance, general maintenance, golf maintenance, the operation of emergency vehicles, the conduct of normal

activities within commercial areas and commercial activities so long as such activities do not otherwise violate these rules. A subset of this prohibition include the following:

- b.i. Frequent or prolonged (in excess of 15 minutes) noises (including animals) must not be clearly audible to adjacent residences. Special care must be taken during the hours prior to 7:00am and after 10:00pm.
- b.ii. The use or operation of any electronic device, radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of any reasonable person of normal auditory sensitivity inhabiting the area is prohibited.
- b.iii. Use of any motor vehicle on the road or off-road in a manner that creates excessive noise.
- b.iv. Activity, growth of a crop, or a process that creates a noxious odor which disturbs the peace and comfort of any reasonable person of normal olfactory sensitivity inhabiting the area.

VIOLATION C-3 Creating or allowing to be created on the owner's property a nuisance or annoyance to the neighborhood, as defined above, constitutes a "Class C" violation subject to that level of fine (\$250).

- D. As needed, rules herein may be amended, or new rules added as approved by the Board of Directors with notification provided to the public.
- E. See Appendix A, "CC&R And Code Enforcement Matrix" for further information.
- F. See Appendix B for the "CC&R OPEN VIOLATION APPEAL FORM"

CC&R AND CODE ENFORCEMENT MATRIX

II. Property Maintenance & Use Issues		
Property must be free of rubbish, trash, garbage or any other waste outside of a properly maintained sanitary container.	CRRC&MA CC&R Article VII, 2.: <i>"No part of said property shall be used or maintained as a dumping ground for rubbish, trash, garbage, or any other waste. No garbage trash or other waste shall be kept or maintained on any part of said property except in a sanitary container. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. "</i>	Failure to keep property, building or improvement free of rubbish trash, garbage or any other waste. / Association
Prohibition against accumulation of waste or solid waste on public and private property in such a manner as to create a public nuisance, a hazard to health or a condition of unsightliness.	<u>Jefferson County:</u> County ordinance 8.08 defines solid waste to include garbage, rubbish, discarded or abandoned vehicles or parts thereof, discarded home or industrial appliances and manure. "Discarded vehicle" means any vehicle which does not have a lawfully affixed unexpired license plate and is inoperative, wrecked, dismantled or partially dismantled, abandoned or junked. While the definition does not apply to "licensed auto wrecking yards", there are none in Crooked River Ranch and that is not a permitted use under Section 318 – Crooked River Ranch Residential Zone (CRRR) codes. <u>Deschutes County:</u> Chapter 13.12.205. definition of "solid waste" includes inoperative and/or unlicensed or dismantled or partially dismantled vehicles or parts thereof, discarded home or industrial appliances and manure. 13.36.020: Except as provided in DCC 13.16.020 and in the definition of "disposal site" in DCC 13.12.040, no person shall use or permit to be used any land within the County as a public or private disposal site without approval of the Board (of Commissioners). The disposal of waste or solid waste in or upon such land is declared to be a public nuisance.	Having an accumulation of "solid waste" on property as it applies to vehicles./ County Code Enforcement
Prohibition against property use that creates noxious or unsightly conditions, and what may represent an annoyance or nuisance to the neighborhood.	CRRC&MA CC&R Article VII, 4: <i>"No noxious or offensive or unsightly conditions shall be permitted upon any part of said property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood."</i>	Allowing offensive or unsightly conditions on the property or anything which represents an annoyance or nuisance to the neighborhood/ Association
Prohibition against shipping containers, semi-trailers and converted manufactured dwellings for onsite storage--Jefferson County only.	<u>Jefferson County:</u> Code 318, A, 8: "No semi-trailers, shipping containers or converted manufactured dwellings shall be permitted or used for onsite storage purposes".	Presence of shipping container, semi-trailer or converted manufactured dwelling used for storage./ County Code Enforcement

RESTRICTIONS	REQUIREMENT/OBLIGATION	ISSUE/ENFORCEMENT AGENT
	III. Dog Issues	
Dog Issue : Animal is a "public nuisance". The standard for "frequent and prolonged noises" is 15 minutes" of uninterrupted barking or howling.	Jefferson County: Code 6.04.010 defines a dog as a nuisance when it bites a person; chases vehicles or persons; damages or destroys property of persons other than the owner of the dog; scatters garbage; trespasses on private property of persons other than the owner of the dog; disturbs any person by frequent or prolonged noises; is a female in heat and is running at large; or deposits animal wastes on any property not the property of the owner or keeper if the dog owner does not immediately removes the solid waste. A dog shall not be considered a public nuisance or destroyed if the dog bites a person wrongfully assaulting the dog or the dog's owner or if the dog bites a person trespassing upon premises occupied by the dog's owner after being provoked by that person. Deschutes County: Code 6.08.50 defines an animal, other than livestock, as a nuisance if it bites, injures or attacks a person; chases vehicles or persons; damages or destroys property of a person other than the owner; scatters garbage; trespasses on private property; disturbs any person by frequent or prolonged noises; places a person in reasonable fear of imminent physical injury when the incident takes place off the premises of the animal's owner; Injures or kills an animal or fowl belonging to a person other than the owner or keeper of the animal; or is found to be at large.	An animal involved in any activities prohibited by the respective county ordinances/ Jefferson County Sheriff & Deschutes County Sheriff. For Jefferson County, report violations by calling the dispatch at 541-475-2201; for Deschutes County the dispatch number is (541) 693-6911—selection 3. The respective Sheriff's office will respond and investigate your complaint. If a dog is found in violation, a law enforcement officer or dog control officer may impound it or/and cite the owner or keeper.
Dog issue: Animal is running at large.	Both Jefferson and Deschutes Counties prohibit dog owners or keepers from allowing them to "run at large". Jefferson County: Code requires that a dog be either on a leash or under control of its owner or keeper when it is off or outside the premises belonging to the owner or keeper, or not in the company of, or under the control of its owner or keeper. Deschutes County: code 6.08.15 defines "at large" to mean a dog or other animal found off the premises of the owner or keeper while the dog or animal is not under the complete control of a capable person."	An animal involved in any activities prohibited by the respective county ordinances/ Jefferson County Sheriff & Deschutes County Sheriff. For Jefferson County, report violations by calling the dispatch at 541-475-2201; for Deschutes County the dispatch number is (541) 693-6911—selection 3. The respective Sheriff's office will respond and investigate your complaint. If a dog is found in violation, a law enforcement officer or dog control officer may impound it or/and cite the owner or keeper.
	IV. Livestock Issues	
Livestock issue: Livestock running free in Jefferson County portion of CRR, which is part of a livestock district. Deschutes County portion of Ranch is not part of a livestock district --it is open range.	Oregon law (ORS Chapter 607) divides areas into livestock districts and open range. In a livestock district, the animal owner is required to keep the animals on their property. In an open range area and don't want other people's livestock on your property, you must build adequate fences or have natural barriers to keep livestock out. Livestock means cattle, all equidae (horses, donkeys, mules, asses, etc.), sheep, and goats. Swine are not allowed to run at large anywhere in Oregon: they must be kept on the owner's property. For more information on livestock districts, go to: http://www.oregon.gov/ODA/AHID/pages/livestock_id/pendclosed_range.aspx#Livestock_district_counties	Livestock running free in Jefferson County portion of CRR/ Jefferson County Sheriff
Livestock issue: County limitations on raising livestock.	In the Jefferson County portion of CRR, keeping or raising livestock is permitted under Zoning Ordinance, Section 31.8 (Crooked River Ranch Residential Zone) as a use other than the primary residential one designated for the lot or property. While there are currently no statutory numerical limits on livestock this section provides legal limitations on livestock husbandry. First, there are specific setbacks--animal runs or barns and fowl pens must be no closer than 50 feet from the front property line, 15 feet from the rear property line, 15 feet from the side property line and not closer than 100 feet from dwellings on adjoining lots. Any pig sty, however, must be located at least 200 feet from dwellings on adjoining lots. Second, animals and fowl must be properly caged, fenced or housed, and proper sanitation must be maintained at all times to prevent odors, dust and flies. Finally, all animal or poultry food shall be stored in metal or other rodent proof containers except hay and similar bulky materials.	Issues involving required setbacks, proper housing or sanitation/ Jefferson County Code Enforcement. Concerns over animal welfare and improper treatment should be addressed to the Jefferson County Sheriff's Office.

RESTRICTIONS	REQUIREMENT/OBLIGATION	ISSUE/ENFORCEMENT AGENT
Occupancy of an RV- County restrictions	<p><u>Jefferson County:</u> Seasonal Occupancy of an RV: On some vacant lots in the Jefferson County portion of CRR, seasonal occupancy of Recreational Vehicles for up to six months in any calendar year by the property owner or an invited guest is permitted as a nonconforming use. These are lots on which an onsite septic system was installed prior to July 8, 1994 and an RV permit was obtained from Jefferson County. During this seasonal occupancy, the RV may be connected to the subsurface septic system. This special use shall end when a permanent residence is placed on the property or when such use has been discontinued for more than one year. (Section 318 - Crooked River Ranch Residential Zone)</p> <p>Temporary Occupancy of an RV: Recreational vehicles do not generally meet Oregon State Structural Specialty Code standards and specifications for permanent residential use and, consequently, may not be used for permanent habitation. However, an RV may be used for temporary housing to accommodate visitors of the current resident for a maximum of 60 days in any 12-month period or as temporary housing to accommodate the property owner during construction, remodeling or replacement of a residence while there is an active building permit. The RV would have to be removed from the property if the building permit expires. (Jefferson County, section 422.1)</p> <p><u>Deschutes County:</u> A single recreational vehicle may be located on a lot or parcel not containing a dwelling and used as a temporary dwelling unit for a period totaling not more than 30 days in any consecutive 60-day period without obtaining a land use permit from the Deschutes County Planning Division; or for a total period not to exceed six months in a calendar year by obtaining a temporary use permit from the Deschutes County Planning Division. A temporary use permit may be renewed annually for use of a recreational vehicle on the same lot or parcel. All necessary permits shall be obtained from the Deschutes County Building Safety Division before connecting a recreational vehicle to sewer, water and/or electric utility services. (18.116.095. Recreational Vehicle as a Temporary Residence on an Individual Lot)</p>	Failure to meet regulations/ County Code Enforcement.
Light Pollution	<p><u>Jefferson County:</u> "all external lighting shall contain shielding by design or external application that directs the light downward and limits direct line-of-sight of a fixture's light rays to the property upon which the fixture is installed." The code specifies: "the purpose of this provision is to make the lighting used for residential and public areas appropriate to the need and to keep the light source (bulb) from shining off-site onto adjacent properties". Excerpted from Jefferson County Codes on Design Standards and Improvements (16.40.050). Deschutes County: As specified in DCC 15.10.010-(The Purpose and Intent as Relates to Residential, Commercial and Public Area Lighting): "The purpose of DCC 15.10 is to affirm the right of citizens in Deschutes County, Oregon to illuminate residential, commercial and public areas with lighting fixtures appropriate to the need while utilizing such illumination in a way that preserves rural and urban vistas and is confined to the property from which it is generated." (Ord. 94-024 §1, 1994)</p>	Enforced by county code enforcement efforts-standards are subjective.
Light Pollution	<p><u>Jefferson County:</u> "all external lighting shall contain shielding by design or external application that directs the light downward and limits direct line-of-sight of a fixture's light rays to the property upon which the fixture is installed." The code specifies: "the purpose of this provision is to make the lighting used for residential and public areas appropriate to the need and to keep the light source (bulb) from shining off-site onto adjacent properties". Excerpted from Jefferson County Codes on Design Standards and Improvements (16.40.050). Deschutes County: As specified in DCC 15.10.010-(The Purpose and Intent as Relates to Residential, Commercial and Public Area Lighting): "The purpose of DCC 15.10 is to affirm the right of citizens in Deschutes County, Oregon to illuminate residential, commercial and public areas with lighting fixtures appropriate to the need while utilizing such illumination in a way that preserves rural and urban vistas and is confined to the property from which it is generated." (Ord. 94-024 §1, 1994)</p>	Enforced by county code enforcement efforts-standards are subjective.

APPENDIX
B

CC&R COMPLAINT

APPEALS FORM

CROOKED RIVER RANCH CLUB & MAINTENANCE ASSOCIATION CC&R OPEN VIOLATION APPEAL FORM

Date: _____

Address of Complaint: _____

Address of Appellant (if different): _____

City: _____ State: _____ Zip: _____

Telephone number(s): _____

State basis of appeal: (Attach additional sheets if necessary)

Request for homeowner presentation: Yes _____ No _____

All appeals must be received within 30 days of the decision by the Crooked River Ranch Board of Directors declaring the complaint an open violation. This appeal will be heard at the next meeting of the Board of Directors following the receipt of appeal. The appellant has the option of providing additional information in writing or appearing in person. The Crooked River Ranch Board of Directors must provide a decision within 30 days of the appeals hearing.

Signature of Appellant: _____

For office use only: Date received: _____

Appeals hearing date: _____

Decision: _____

Signature of CC&R Review Committee representative: _____

APPENDIX
C

RESOLUTION VIOLATION

APPEALS FORM

**CROOKED RIVER RANCH CLUB & MAINTENANCE ASSOCIATION
RESOLUTION VIOLATION APPEAL FORM**

Date: _____

Name of Appellant: _____

Address of Appellant: _____

City: _____ State _____ Zip: _____

Telephone number(s): _____

State basis of appeal: (Attach additional sheets if necessary)

All appeals must be received within 30 days of the decision by the Crooked River Ranch Board of Directors declaring the violation valid and assessing a fine. This appeal will be reviewed at the subsequent meeting of the Board of Directors following the receipt of appeal. The appellant has the option of providing additional information in writing. The Crooked River Ranch Board of Directors must provide a decision within 30 days of the appeals review.

Signature of Appellant: _____

For office use only: Date received: _____

Appeal review date: _____

Decision: _____

Signature of BOD representative: _____ Date: _____