

Pheasant Hills Preserve Homeowner Association Board Structure and Composition

The Pheasant Hills Preserve Homeowner Association Board of Trustees shall have 9 members (Article IV, section 1)

Board of Trustees Code of Conduct:

As a member of the Pheasant Hills Homeowner Association, you agree to abide by basic conduct guidelines as listed below:

- Members agree to serve on the Board for a minimum of three years to ensure its continuity of purpose.
- Members must attend all board meetings unless there is a valid reason for absence. All absence should be reported to President of the board before the board meeting, and as soon possible before the meeting.
- Members must read reports, recommendations, and other materials in advance of the meeting in order to be prepared properly for the efficient running of the meeting.
- Members must maintain a high level of confidentiality regarding all matters brought before the board. Members agree to not discuss Board or committee deliberations outside the meetings to the neighbors, or public. Communication of board decision is to be done through a common channel, not through individual members.
- All board members agree to support the decisions of the board.
- Board members agree to deliberate as a whole board, supporting each member's right to express his or her own opinion in a respectful environment.

Pheasant Hills Preserve Homeowners Association Succession Policy

Recruitment and selection of new board members follows the established open election procedure as set forth in Declaration of Covenants (article V, section 1). Regular elections for board member position take place at the Annual Meeting with terms beginning in May. Board members are elected to a three-year term (article IV, section 2). Election of Officers takes place at the first meeting of the Board following each annual meeting. If there is a vacancy in any office it may be filled by appointment by the board. The officer appointed to the vacancy will serve for the remainder of the term of the officer she or he replaces.

Officer position is for 1 year.

President: Presides at all meetings of the Board; is responsible for insuring that resolutions of the Board are carried out, signs all leases, mortgages, deeds, contracts and other written instruments and co-sign all checks and promissory notes.

Vice President: Acts in the place and stead of the President in the event of his or her absence, inability or refusal to act and shall exercise and discharge such duties as may be required by the board.

Treasurer: Receives and deposits in appropriate bank accounts all monies of the Association and disburse such funds as directed by resolutions of the Board; co-signs checks and promissory notes of the Association; keeps proper books of account, and prepares an annual budget and statement of income and expenditure to be presented to Pheasant Hill Preserve Community at the annual meeting. In addition, delivers a copy to the board and to any first mortgagees who request the report (Article XI)

Secretary: Records the votes and keeps the minutes of all meetings and proceeding of the board and of the members. Keeps appropriate current records showing the members of the Association together with their addresses and perform such duties as required by the board.

Removal and/or Resignation:

Any director may be removed from the board, with or without cause, by a majority vote of the member of the Association. In the event of 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 predecessor. Any officer may resign at any time by giving written notice to the board president or the secretary. Such resignation takes effect on the date of receipt of such notice.

Pheasant Hills Preserve Homeowners Association Committee Principles

The Board recognizes the responsibility of committees in helping carry out their responsibilities. The Board has the responsibility to establish committees from time to time to help in their work. Each Committee consists of a chair and one or more members and includes a member of the board for board contact. The Board recognizes the importance of the preservation of the board “holism” and establishes a set of principles to avoid fragmentation of the board and confusion of the board one voice.

- Committee will be used so as to minimally interfere with the wholeness of the board.
- Board committees are established to help get the board job done.
- The board will charge a committee with specific responsibilities and limits of authority
- Committees will assist the board by preparing policy alternatives and implication for board deliberation
- Board committees may not speak or act for the board unless expressly given such authority as define in the bylaws.
- Ad-hoc board committees will disband when their charge has been completed.
- Minutes of committee meeting will be made available for any Board or committee member who requests them.
- Committees shall be chaired by a board member when possible
- Members shall be appointed to board committees based on their experience and expertise.
- It is recommended that each board member participate on at least one board committee.

Committee Member: The Board delegate’s responsibility to Committee Chairs to appoint committee members, and provide monthly updates to the board of the committee actions. As a non-profit Volunteer run Homeowner Association, Pheasant Hills relies heavily on the generosity and support of volunteers. Pheasant Hills welcomes any interested neighbor to serve on any of its committees at the discretion of the committee chair.

Board Power, Duties, and Restrictions:

The Pheasant Hill Preserve Homeowner Association Board is entrusted with maintaining common areas, and the appearance and market value of Pheasant Hill Preserve. The board is granted certain powers, duties, and restriction under Article VII. Below is a summary only, please refer to the actual Declaration of Covenants, Conditions and Restrictions, and Bylaws for specific language.

Powers:

- Adopt and publish reasonable rules and regulations governing the use of the lots and the personal conduct of the community members and their guest, and establish penalties for the infraction.
- Suspend the voting rights of a community member, when in default in payment of any assessment levied by the Association.
- Exercise for the Association all powers, duties and authority vested and not reserved to the membership by other provision of these Bylaws
- Declare the office of a board member to be vacant in the event such member is absent from three consecutive meetings.
- To employ a manager, an independent contractor as deem necessary to prescribe duties.
- The board can correct or remove a violation upon 30 days written notice to the owner as outlined by Article VI. In addition, the board can levy an assessment against the lot for the cost of the removal or correction.
- The Board can levy a special assessment for Capitol Improvements with a 2/3 vote of owners in person or by proxy at a meeting called for this purpose.
- The board can place a lien on any home where the annual assessment is not paid, plus 8% interest per annum, any cost of collection and attorney's fees. The lien maybe enforced and foreclosed by the Association.
- The Board may borrow money for the purpose of improving the common property.
- The Board can suspend the voting any enjoyment rights of any member for any period during which any assessment remains unpaid.
- The Board may adopt rules and regulations concerning the use of parking areas, maintenance of the common areas, and appearance of each lot and utilization of pond areas.

Duties:

- Keep a complete record of all its acts and corporate affairs and present a statement thereof to the members at the annual meeting.
- Supervise all officers, agents, and employees of the Association and see their duties are properly performed.
- Set the amount of annual assessment against each lot at least thirty days in advance of each annual assessment period, and send written notice of each assessment to every owner at least thirty days in advance, and foreclose the lien of any assessment against any property subject if such assessment is not paid within 30 days after due date, or bring an action at law against the owner personally obligated to pay the same.
- Issue upon demand a certificate setting forth whether any assessment has been paid. The board can charge a reasonable fee for the issuance of these certificates.
- Procure and maintain adequate liability and hazard insurance in accordance with the Declaration

- Any officer or employee having fiscal responsibilities to be bonded in accordance with the Declaration
- Landscaping Public areas consisting of street islands, entrances monuments, Blvd., if any and portions of public right-of-way along those portions of Pheasant Hills Preserve lying contiguous to Pheasant Hill Drive and Birch Street. As well as landscaping and walkways of common areas.
- The board may contract with private vendors for collection of garbage in Pheasant Hills Preserve.
- Association is responsible for enforcement of the covenants and restrictions contain in the Declaration, and of the architectural controls imposed by Article VI.
- Is responsible for the exclusive management and control of the common property and all improvements (including furnishings and equipment) and keep the same in good, clean, attractive and sanitary condition, order and repair.

Restrictions:

- The Association can not increase the annual dues more than \$10.00 or the percentage increase over a twelve month period of the preceding year in the Consumer Price Index, all items published by the United States Department of Commerce, Bureau of Labor Statistics for the region including Lino Lakes, MN.. In order to increase the annual assessment a vote of 67% of the votes of each class of membership cast by the members present, in person or by proxy at a meeting of the Association called for that purpose is required.
- Annual Assessment is fixed, and written notice provided to each owner at least 30 days prior to May 1st of the year in which the assessment is due. However failure to provide notice does not render the assessment invalid.