

**THE FOUR SEASONS FARM HOMEOWNERS
ASSOCIATION, INC.**

GENERAL POLICIES & PROCEDURES

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1. Introduction

This publication is an accumulation of the Association's policies. It is intended to be a statement of purpose, policies, values, perspectives and relationships. Because of its nature, this is intended to be a "work in progress" in the respect that it will continue to grow and to be modified as better information and values are discovered. The hierarchy of authority begins with the members who make up the Association's Board of Directors.

It is intended that this publication serve as a tool that will assist in organizing the leadership of the Association and provide a foundation for the future leaders to respect and build upon.

2. General Information

The Association is comprised of 208 LOTs with address locations off of 1399 Old Georgia Rd, Roebuck, SC 20376. The Association is located in Spartanburg Country.

As a private homeowners association, we are governed by our Articles of Incorporation, By-Laws and Declaration of Covenants, Conditions & Restrictions (collectively “Governing Documents”), Rules and Regulations. We elect our own Board of Directors (“Board” from our unit owner membership(“members”) and the Board manages the affairs of the Association on behalf of our members.

Annual meetings are to be held in September. Regularly scheduled board meetings (typically monthly) are held throughout the year.

The Board, on behalf of the Association, retains the services of a professional management company to handle the day-to-day operations of the Association (Community Management Partners, LLC) as well as any other functions assigned to them from time to time.

The Association and the management company do not have the responsibility for law enforcement at the Association. The responsibility for dealing with suspicious or criminal activity remains exclusively with the Spartanburg County Sheriff’s Office.

In accordance with the Association’s Governing Documents, the Association intends to enforce the provisions of this document and the Governing Documents by any and all means available to the Association at law or in equity, and to seek recovery and reimbursement of all reasonable attorneys’ fees, Association expenses and costs incurred by the Association in connection therewith.

Failure by the Association, the Board or any person to enforce any provision of this document shall in no event be deemed to be a waiver of the right to do so thereafter.

In the case of any conflict between the Governing Documents and this document, such provisions of the Governing Documents shall take precedence and supersede any provisions of this document.

In the event a Court of competent jurisdiction finds a provision of any of these Policies & Procedures void or otherwise unenforceable, the other provisions shall remain in full effect.

See also HOA Policy on Policies – Policy Number 1

3. Adopting and Implementing General Policies and Procedures

The Board of Directors has adopted the following policy around the adopting and implementing general policies and procedures.

The Board, in its sole discretion, has the authority to implement general policies and procedures which it feels are just, sensible, not excessive and intended to promote legitimate goals for the benefit of the Association as a whole.

When proposing the implementation or modification of a policy or procedure, the Board will ensure that such proposal is:

- a. Consistent with applicable federal, state and local statutes
- b. Consistent with the Association's Governing Documents
- c. Fair and will not create a separate group or class of members
- d. Clear and unambiguous
- e. Uniformly enforceable

The following procedure shall apply to the Association's authority to implement policies and procedures.

- A. Adoption shall require a majority vote of the Board at a board meeting.
- B. The Board may provide notice to the members of the issue and the proposal(s) to address the issue by policy or procedure.
- C. The Board may seek the comment of the members prior to voting on the adoption of the policy or procedure.
- D. The policy or procedure shall become effective 30 days after it is adopted by the Board and published to the members of the Association.

The Board is empowered in the Association's Governing Documents to adopt and publish rules and regulations governing the use of Common Area only. Any proposed changes to the Association's Governing Documents will be made in accordance with amendment provisions contained therein.

4. Ethics and Conflict-of-Interest Code

The Board of Directors has adopted the following policy for board members, committee members and other volunteer leaders (individually or collectively referred to as “Volunteer Leaders”) of the Association. These principals and guidelines are intended to provide guidance with respect to issues pertaining to ethics or conflicts of interest as well as a mechanism for addressing violations of this policy. All Volunteer Leaders are required to certify to having received a copy of this Ethics and Conflict-of-Interest Code (the “Code”) as well as to agreeing to abide by the Code in its entirety.

See also details - HOA Conflict of Interest & Confidentiality Policy – Policy Number 5

a. Responsibilities of Volunteer Leaders

Volunteer Leaders are entrusted with the operation of the Association by its members and as such they must always hold themselves to the highest standards. A member serving as a Volunteer Leader represents and warrants that at all times in fulfilling their role they will:

- i. Make every effort to attend and participate in all scheduled meetings and to respect parliamentary procedure at such meetings, refraining from speaking out of turn and participating in a businesslike manner.
- ii. Fully comply with all provisions of the Association’s governing documents and endeavor to uniformly enforce the Association’s governing documents.
- iii. Use their best efforts to at all times make decisions that: (1) represent the best interests of the members of the association; (2) are consistent with high principles; and (3) protect and enhance the welfare and property values of the Association and its members.
- iv. Focus his or her efforts on the mission of the Association and to do nothing that would violate the trust of the Association’s members.
- v. Approach all Association issues with an open mind and make reasonable inquiry in an effort to ensure that all decisions are made in what the Volunteer Leader believes to be the best interests of the Association as a whole.
- vi. Protect the confidentiality of the personal lives of other Volunteers Leaders, owners or resident of the community.

- vii. Refrain from engaging in any writing, publishing or speech that defames or disparages any other Volunteer Leader, owner or resident of the community.
- viii. Refrain from interfering with the system of management established by the Board as a whole and the Association's management personnel and will not harass, threaten or attempt through any means to control, intimidate, extort or instill fear in another Volunteer Leader, owner, resident or management personnel.
- ix. Exercise only their official authority, except to the extent that other specific authority has been delegated by the Board to that Volunteer Leader.
- x. Conduct themselves in a considerate and professional manner during all committee meetings, membership meetings and Board meetings.

b. Responsibilities of Directors

As a member of the Board of Directors, a member further represents and warrants that at all times in fulfilling their role they will:

- i. Refrain from divulging to persons other than Board Members, the Association's professional advisers or others whose work is essential to the work of the Board as a whole any information that is confidential or privileged information received by the Board from the Association's legal counsel.
- ii. Operate, make decisions and act collectively as a Board. No single director has the authority or power to act individually or independent of the Board unless: (1) the Board specifically grants, by a majority vote, an individual director such authority or power; or (2) the Association's governing documents provide for such individual authority.
- iii. Recognize that as a director they are obligated to act in a fiduciary capacity and use their best efforts to ensure the Association's finances are well managed.
- iv. Accept and support the decision of the majority of the Board and acknowledge the finality of a Board vote on a particular issue by not reintroducing issues unless there is an intervening and substantial change in the underlying facts.

c. Conflicts of Interest

Volunteer Leaders have an affirmative duty to conduct all dealings with honesty and fairness and to safeguard information that belongs to the Association. With respect to the potential for conflicts of interest, a Volunteer Leader represents and warrants that at all times they will:

- i. Refrain from using their position for personal advantage or for the personal advantage of the Volunteer Leader's immediate family.
- ii. Promptly disclose all direct or indirect financial interest that a Volunteer Leader or their immediate family has in a contractor or supplier or any other potential conflict of interest that might arise from time to time.
- iii. Refrain from knowingly misrepresenting any material fact to anyone for the purpose of advancing a personal cause or influencing owners or residents to place pressure on the Board to advance a personal cause.
- iv. Refrain from soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, loan or any other thing of value from any resident, contractor, supplier or person who is seeking to obtain contractual or other business from the Association.
- v. Recuse themselves from voting or any of the following matters:
 1. Discipline of the Volunteer Leader
 2. As assessment against the Volunteer Leader for damage to the common areas
 3. A request by the Volunteer Leader for a payment plan for overdue assessments
 4. A decision whether to foreclose a lien on the separate interest of the Volunteer Leader
 5. Review of a proposed physical change to the separate interest of the Volunteer Leader
 6. Any other vote where it may be reasonably assumed that participation would demonstrate a conflict of interest

d. Violations of the Code

Any Volunteer Leader who violates this Code shall be deemed to be acting outside the course and scope of their authority. Anyone in violation of this Code may be subject to disciplinary action, including, but not limited to:

- i. Censure (private or public)
- ii. Removal from committees
- iii. Removal as an officer of the Board
- iv. Request for resignation from the Board
- v. Legal proceedings

Any member who reasonably believes that a violation of the Code has occurred should promptly report such violation to the Board and provide all applicable supporting evidence.

Prior to taking any actions described above, all disinterested members of the Board shall review the evidence of the violation, endeavor to meet with the Volunteer Leader believed to be in violation, confer with the Association's legal counsel, and determine the appropriate action, if any, to pursue.

e. Certification

Each Volunteer Leader shall be provided a copy of the Ethics and Conflict-of-Interest Code to review and will be required to sign a certification attesting to their agreement to abide by its provisions. Such certification must be signed off prior to the Volunteer Leader assuming their responsibilities as a Volunteer Leader (for initial implementation, certification will be required within 10 days of the effective date of this policy). Copies of the signed Code will be maintained by the management company and noted in the minutes of the Board meeting next following such execution. The form to be used for certification can be found in the Index of this document.

5. Member Rules for Speaking at Annual Meetings of the Board of Director

The Board of Directors has adopted the following policy which pertains to the participation of members in regular meetings of the Board of Directors.

- a. All members of the Association have the right to attend the annual meeting. Members of the Association are not to attend regular meetings of the Association's Board of Directors unless request.
- b. Tenants and other occupants of a property who are not members of the Association have no participation rights unless specifically request of and granted by the Board.
- c. Association members shall have the right to speak to the Directors in attendance at an annual meeting of the Association's Board of Directors subject to reasonable restrictions imposed by this policy.
- d. The aggregate amount of time allotted for all member comments relative to a particular agenda topic shall be limited to 10 minutes unless otherwise indicated by the Director presiding of the meeting ("Chairperson").
- e. Each member's comments relative to a particular agenda topic shall be limited to 4 minutes unless otherwise indicated by the Chairperson.
- f. The annual meeting agenda shall include a topic for "Member Discussion" during which members will be given 30 minutes to comment on topics that were not designated on the agenda for the meeting.
- g. Each member's comments relative to a topic that was not on the agenda for the meeting shall be limited to 3 minutes unless otherwise indicated by the Chairperson.
- h. Members who do not wish to make comments at a meeting of the Association's Board of Directors may not yield to another member for the purpose of allowing the other member more than the allotted time for their comments.
- i. A member who desires to make comments during a meeting of the Association's Board of Directors shall indicate said desire on the sign-in sheet for attendees and shall indicate which agenda topic they wish to comment on or whether the comments pertain to the "Member Discussion" agenda topic.

- j. Subject to time limits imposed here, a member who did not indicate a desire to speak when they signed the attendance sheet may express their desire to speak by raising their hand after all members who properly indicated their own desire to speak have concluded their comments. The Chairperson shall call upon such members in the order in which they raised their hand as long as time limits permit.
- k. Members who intend to make comments to the Board of Directors shall wait to be called upon by the Chairperson or raise their hand and be recognized by the Chairperson before speaking.
- l. Members shall be respectful of all others in attendance, shall not interrupt others while they are speaking and shall refrain from the use of derogatory comments directed towards other individuals.
- m. Members shall state their first and last name and their address before commencement of their comments.
- n. Members who violate this policy or who otherwise disrupt the meeting in a manner that interferes with the Board's ability to conduct its business shall be subject to expulsion from the meeting at the sole discretion of a majority of the Board.
- o. Unless otherwise permitted by state law, the Association's Governing Documents or an order of the court, a member shall not record (audio or video) any regular meeting of the Association's Board of Directors.

6. Enforcement of Covenants and Rules

The Board of Directors has adopted the following procedure to govern the process that is to be followed for enforcement of the Association's Governing Documents and this Policy.

- i. All complaints shall be directed to the Four Seasons Farm Property Manager as assigned by the Directors.
- ii. Four Seasons Farm Rules, Regulations, Covenants and all compliance shall be enforced and communicated to residents by the Property Manager in conjunction with the HOA Directors. These notifications, penalties and fines are general guidelines and be modified by the HOA Directors depending upon the violations and any circumstances.
- iii. When a violation or issue is brought to the attention of Property Manager, the Board will be notified for review and any action necessary.
- iv. Violations will be handled in the following manner.
 - A. First violation notification: Courtesy letter notice mailed to resident to cease within ten (10) days from the date of the letter for the violation providing details of violation and to comply and advise the Property Manager of compliance.
 - B. Second violation notification: Should the homeowner not comply a second letter will be sent and the homeowner will be immediately fined \$25. Homeowner has 10 day to comply and advise the property manager of compliance.
 - C. The next fine notice will be for an immediate \$50 fine and after that that the fine increases to an immediate \$100 per violation and shall continue fining \$100 every 10 days until the violation is resolved. Homeowner has 10 days to comply and advise the Property Manager of compliance.
 - D. Once a violation letter is sent, it becomes the responsibility of the homeowner to contact the Property Manager in writing to show that the violation has been corrected so the violation can be closed. All fines will continue to accrue on the homeowner's account until the homeowner does so.
 - E. If a violation is closed but then reopened within 45 days of the date the original violation was closed, escalation of the violation will resume as if never stopped.
 - F. Right to a hearing: Within ten (10) days of the date of the notice, a homeowner may request in writing (letter, email or fax) a hearing with the Board to dispute the violation or to reach an agreement for remedy of the violation. If a hearing is requested, one will be scheduled no later than thirty (30) days after the request. If the owner does not attend the hearing the assessed fine will stand.
 - G. Legal Action: If fines are not paid within 90 days after the date of notice, the fine may become a charge that could be attached to the homeowner's residence by way of lien and additional legal action may be taken.

- H. Compliance: When the violation has been corrected, the homeowner may petition the Board for removal of the fine with a commitment of continued compliance. The Board has the authority to suspend all or a portion of a fine once the violation has been corrected.
- I. Other action: In addition to fines, the Board also has the authority to suspend the homeowner's right to vote and/or for non-payment of annual assessments. Suspension of voting rights may be enforced until such time that the violation is remedied.
- J. Amendment of fine structure: The Board shall set the initial and subsequent fine structure as necessary.

7. Other Policies

The following are additional policies adopted by the Board of Directors.

a. HOA Policy on Policies	Policy Number 1
b. HOA Board Expense Reimbursement	Policy Number 2
c. HOA Board Mandate Policy	Policy Number 3
d. Conduct of Board/Director	Policy Number 4
e. Board Member Ethics & Conflict of Interest Policy	Policy Number 5
f. HOA Director Indemnification Policy	Policy Number 6
g. HOA Director Development Policy	Policy Number 7
h. HOA Board Committees Policy	Policy Number 8
i. HOA Policy on Role Chairs	Policy Number 9
j. Board & Committee Minutes	Policy Number 10
k. Board Materials Policy	Policy Number 11
l. HOA Board Meeting Protocol	Policy Number 12
m. HOA Board Political Advocacy Policy	Policy Number 13
n. Policy on the Delegation of the Power to manage by the Board of Directors to the President	Policy Number 14

Index A
History of Revisions

xx-xx-xxxx – Board adopted policies I – VII with effective date of xx-xx-xxxx.