

Colorado Senate Bills 86 and 100 require ETLOA to publish the following Policies and Procedures regardless of whether we ever use them:

- A. Investment of Reserve Funds Policy
- B. Enforcement Policy and Procedures
- C. Collections Policy and Procedures
- D. Handling Board Member Conflicts of Interest
- E. Conduct of Owner and Board Meetings
- F. Examination, Inspection, and Copying of Association Records
- G. Adoption and Amendment of Policies, Procedures, and Rules Procedure
- H. Procedure to Address Disputes Between Association and Owners
- I. Reserve Study Policy

The versions presented below were presented at the Annual Board meeting on June 6, 2016 and posted on ETLOA website. Owner feedback is welcome.

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
PROCEDURES FOR ADOPTION OF POLICIES, PROCEDURES, RULES, REGULATIONS, OR GUIDELINES

PURPOSE: To adopt a standard procedure to be used in developing Policies in order to facilitate the efficient operation of the Association and to afford Owners an opportunity to provide input and comments on such Policies prior to adoption.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following procedures to be followed in approving Policies of the Association:

1. Scope. The Board of Directors of the Association may, from time to time, adopt certain Policies as may be necessary to facilitate the efficient operation of the Association, including the clarification of ambiguous provisions in other documents, or as may be required by law. In order to encourage Owner participation in the development of such Policies and to insure that such Policies are necessary and properly organized, the Board shall follow the following procedures when adopting any Policy.
2. Drafting Procedure. The Board shall consider the following in drafting the Policy: (a) whether the governing documents or Colorado law grants the Board the authority to adopt such a Policy; (b) the need for such Policy based upon the scope and importance of the issue and whether the governing documents adequately address the issue; (c) the immediate and long-term impact and implications of the Policy.
3. Notice and Comment. A copy of the proposed Policy shall be provided to all Owners or posted on the Association's website and Owners shall be allowed a minimum of thirty (30) days to provide comment and/or feedback on the proposed Policy.
4. Emergency. The Board may forego the notice and opportunity to comment in the event the Board determines in its sole discretion that providing notice and opportunity to comment is not practical given the emergency nature of such Policy.
5. Adoption Procedure. After the period for Owner comment expires, comments will be reviewed and summarized at a duly constituted meeting of the Board of Directors, before a Board vote to adopt the Policy. Upon adoption of a Policy, the Policy or notice of such Policy (including the effective date) shall be provided to all Owners by any reasonable method as determined by the sole discretion of the Board, including but not limited to posting on the Association's website.
6. Policy Records. The Board of Directors shall post any and all adopted Policies on the Association website. The Board of Directors may further categorize Policies, Procedures, Rules and Regulations, Resolutions and Guidelines but shall not be required to do so.
7. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

8. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the Project.

9. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the East Twin Lakes Owners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICY AND PROCEDURES FOR ALTERNATIVE DISPUTE RESOLUTION (ADR)

PURPOSE: To adopt a standard procedure to be followed for alternative dispute resolution.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following Policy and Procedures:

1. General. It is the general policy of the Association to encourage the use of Alternative Dispute Resolution to resolve disputes involving the Association and an Owner. Alternative Dispute Resolution ("ADR") is defined as a procedure for settling a dispute by means other than litigation, such as mediation, non-binding arbitration, or binding arbitration.

2. Policy. ADR, in the form of mediation, may be pursued by an Owner before any lawsuit is filed by an Owner against the Association. ADR, in a form as may be agreed to by the parties, may be pursued by the Association before any lawsuit is filed, except in the case of covenant/rule violations; collection matters; foreclosure matters, which are subject to the following:

- (a) ADR shall not be required if time constraints prevent accomplishing ADR.
- (b) ADR will not be pursued by the Association if an Owner refuses to participate in the process.
- (c) At the time the parties agree to use ADR, the parties shall also agree on the form of ADR to be used. If the parties cannot agree on the form of ADR to be used, ADR shall be in the form of mediation.
- (d) Any ADR pursued must be done so using a trained mediator, arbitrator, or facilitator having some familiarity with the governance of community associations.
- (e) Any ADR must be conducted in compliance with the Uniform Arbitration Act and/or the Dispute Resolution Act, as applicable.
- (f) If ADR is to be pursued, the Owner shall execute an agreement with the Association prior to the commencement of the ADR process which tells any applicable statute of limitations while the parties are attempting to resolve the dispute through ADR.

3. Selection of Mediator/Arbitrator. If the parties to the ADR cannot agree, within 30 days of the request for ADR, on the facilitator, mediator, arbitrator, or other qualified person to conduct the ADR, then, within 10 days,

- (a) Each party shall choose a qualified person as defined in this Policy, and those so selected shall then appoint a third qualified person to be determined in their sole discretion.
- (b) In the event a party fails to select a qualified person as specified in subsection (a) above, the person selected by the other party shall be deemed acceptable to both parties and shall act as the facilitator, arbitrator, or mediator.

4. Costs. The costs of ADR shall be split equally among the parties involved in the ADR. In the event an Owner fails to pay the Owner's share of the cost of the ADR, then ADR will not be pursued, and any prior agreements will be void.

5. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration shall have shall have the same meaning herein.

6. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.

7. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

8. Amendment. This policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the East Twin Lakes Owners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICY AND PROCEDURES FOR COLLECTION OF UNPAID ASSESSMENTS

PURPOSE: To provide notice of the Association's adoption of a uniform and systematic procedure to collect assessments and other charges of the Association.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following policy and procedures:

1. Due Dates. The yearly collection of the annual assessment as determined by the Association and as allowed for in the Association Bylaws shall be due and payable on May 1st of each year. Assessments or other charges not paid in full to the Association within one day of the due date shall be considered past due and delinquent. Assessments or other charges not paid in full to the Association within 30 days of the due date shall incur late fees and interest as provided below. In the event notice of acceleration is given to delinquent Owner(s), the Owner(s) of the Lot shall also be charged any costs incurred by the Association in giving notice of such acceleration.
2. Receipt Date. The Association shall post payments on the day that the payment is received by the Association
3. Late Charges on Delinquent payments. The Association shall impose interest from the date due at the rate of 21% per annum on the amount owed for each Owner who fails to timely pay the annual assessment within 30 days of the due date.
4. Personal Obligation for Late Charges. The late charge shall be the personal obligation of the Owner(s) of the Lot for which such assessment or installment is unpaid. All late charges shall be due and payable immediately, without notice as set forth herein for payment of assessments.
5. Return Check Charges. In addition to any and all charges imposed under this policy or Articles of Incorporation and Bylaws, a reasonable fee, not to exceed \$20.00, shall be assessed against an Owner in the event any check or other instrument attributable to or payable for the benefit of such Owner is not honored by the bank or is returned by the bank for any reason whatsoever, including but not limited to insufficient funds. Such return check charge shall be due and payable immediately, upon demand. This return check charge shall be in addition to any late fees or interest incurred by an Owner.
6. Service Fees. In the event the Association incurs any type of service fee, regardless of what it is called by its management company, for the handling and processing of delinquent accounts on a per account basis, such fees will be the responsibility of the Owner as such fee would not be incurred but for the delinquency of the Owner.
7. Attorney Fees on Delinquent Accounts. As an additional expense permitted under the Association Bylaws and by Colorado law, the Association shall be entitled to recover its reasonable attorney fees and collection costs incurred in the collection of assessments or other charges due the Association from a

delinquent Owner. The reasonable attorney fees incurred by the Association shall be due and payable immediately when incurred, upon demand.

#### 8. Collection Process.

Step 1: When an Owner is late paying ETLOA dues, a reminder letter will be sent to the Owner's most current address stating that the assessments/dues are 30 days past due.

Step 2: When an Owner is late paying ETLOA assessments/dues by 60 days, a certified return/receipt letter will be sent to the Owner's most current address stating the amount of the fines per month, the total due, and informing the Owner that a lien will be filed against the subject property in the event the dues are not paid on or before the time the dues become six months delinquent. The Owner will also be notified that legal fees, if necessary, will be added to the amount owed.

Step 3: In the event the dues/assessments are not paid on or before they become six months delinquent, the Association shall send a certified/return receipt letter to the Owner's most current address stating the amount due, and informing the Owner that a lien has been filed, because overdue amounts have not been paid.

Step 4: In the event the dues/assessments become delinquent for one year, the Owner will be invited by certified/return receipt letter to meet with the Board of Directors to arrange a payment plan. The Owner will be informed that the Association may refer the account to an attorney if satisfactory payment plan is not reached.

Step 5: If an Owner continues to fall behind with dues payments for a period of two years, and no payment plan has been arranged or such plan is not maintained in a current status, the Board of Directors shall inform the Owner, by certified return/receipt letter, of their right to a "public hearing" before sending the subject property to an attorney for collection.

Step 6: If past due amounts are not resolved at the public hearing or if the owner fails to request such a hearing, an owner's account shall be sent to collection.

9. Bankruptcies and Foreclosures. Upon receipt of any notice of a bankruptcy filing by an Owner, or upon receipt of a notice of a foreclosure by any holder of an encumbrance against any Lot within the Association, the Association shall turn the account over to the Association's attorney, if appropriate.

10. Referral of Delinquent Accounts to Attorneys. Upon referral to the Association's attorney, the attorney shall take all appropriate action to collect the accounts referred. After an account has been referred to an attorney, the account shall remain with the attorney until the account is settled, has a zero balance or is written off. The attorney, in consultation with the Association, is authorized to take whatever action is necessary and determined to be in the best interests of the Association.

11. Communication by Owners. Owners may communicate with the Association in any manner they choose including email, text, fax, phone, or in writing, when available. However, in doing so, the Owner acknowledges that the Association and/or its agents may communicate via the same method unless otherwise advised.

12. Defenses. Failure of the Association to comply with any provision in this Policy shall not be deemed a defense to payment of assessment fees or other charges, late charges, return check charges, attorney fees and/or costs as described and imposed by this Policy.

13. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

14. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Association Bylaws and the law of the State of Colorado governing the Project.

15. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

16. Amendment. This Policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.



RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
PROCEDURES FOR THE CONDUCT OF MEETINGS

PURPOSE: To facilitate the efficient operation of Owner and Board meetings and to afford Owners an opportunity to provide input and comments on decisions affecting the community.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following procedures regarding the conduct of meetings:

1. Owner Meetings. Meetings of the Owners of the Association shall be called pursuant to the Bylaws of the Association.

(a) Notice. (1) In addition to any notice required in the Bylaws, notice of any meeting of the Owners shall be communicated by letter or email at least 30 days prior or as may otherwise be required by Colorado law. (2) The Association shall also post notice on its website of all Owner meetings. Such notice shall be posted for at least 30 days but will make reasonable attempts to post notice of meetings between 30-50 days prior to such meeting. (3) If any Owner has requested that the Association provide notice via email and has provided the Association with an email address, the Association shall send notice of all Owner meetings to such Owner at the email address provided as soon as possible after notice is provided but in no case less than 30 days prior to any such meeting.

(b) Conduct. (1) All Owner meetings shall be governed by the following rules of conduct and order: (A) a Director of the Association or designee shall chair all Owner meetings. (B) All Owners and persons who attend a meeting of the Owners will sign in, present any proxies and receive ballots as appropriate. (C) Anyone wishing to speak must first be recognized by the Chair. (D) Only one person may speak at a time. (E) Any person who is represented at the meeting by another person, as indicated by a written instrument, will be permitted to have such person speak for him/her. (F) Those addressing the meeting shall be permitted to speak without interruption from anyone as long as these rules are followed. (G). Comments are to be relevant to the purpose of the meeting. (H) Each person shall be given an appropriate amount of time to make a statement or to ask questions as determined by the ETLOA Board. The Board will answer questions during the meeting unless the discussion concerns a legal matter or when potentially sensitive details of a situation might negatively infringe upon the privacy of individuals. If the Board cannot answer a question, it will make its best effort to state when it will address unanswered questions. (I) All actions and/or decisions will require a first and second motion. (J) Once a vote has been taken, there will be no further discussion regarding that topic. (K) Minutes of actions taken shall be kept and posted on the Association website within 30 days of the meeting. (L) Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order will be requested to immediately leave the meeting. (M) The Chair may establish such additional rules of order as may be necessary from time to time. The rules must be in accordance with Robert's Rules of Order.

(c) Voting. All Board member elections shall be taken as follows: (1) Contested elections of Board members, defined as elections in which there are more candidates than positions to be filled, shall be conducted by secret ballot. Each Owner entitled to vote pursuant to the Bylaws shall receive a ballot. In the event an Owner holds a proxy for another Owner, upon presentation of such proxy to the Secretary of the Association or the Secretary's designee, the Owner shall receive a secret ballot to cast the vote of the Owner who provided the proxy. The proxy shall be kept and retained by the Association. (2) Uncontested elections of Board members, defined as elections in which the number of candidates is equal to or less than the positions to be filled, and all other votes taken at a meeting of the Owners shall be taken in such method as determined by the Board of Directors including acclamation, by hand, by voice or by ballot. Notwithstanding the above, uncontested elections of Board members or other votes on matters affecting the community shall be by secret ballot at the discretion of the Board or upon the request of 20% of the Owners who are present at the meeting or represented by proxy. (3) Written ballots shall be counted by a neutral third party, or a committee of volunteers who are not Board members, and in the case of a contested election, are not candidates

(d) Proxies. Proxies may be given by any Owner as allowed by C.R.S. 7- 127-203. (1) All proxies shall be reviewed by the Association's Secretary or designee as to the following: (A) Validity of the signature (B) Signatory's authority to sign for the Lot Owner (C) Authority of the Lot Owner to vote (D) Conflicting proxies (E) Expiration of the proxy

2. Board Meetings. Meetings of the Board of Directors of the Association shall be called pursuant to the Bylaws of the Association. Notice of Board meetings shall be given to Board members in compliance with the Bylaws and Colorado law.

(a) Conduct. (1) All Board meetings shall be governed by the following rules of conduct and order: (A) a Director of the Association, or designee, shall chair all Board meetings. (B) All persons who attend a meeting of the Board shall be required to sign in, listing their name and Lot number. (C) All Owners will be given an opportunity to speak as to any matter or ask questions of the Board during the Owner forum at the beginning of the meeting. Any Owner wishing to speak during the Owner forum shall so indicate at the time of sign in. (D) Anyone desiring to speak shall first be recognized by the Chair. (E) Any person who is represented by another person as indicated by a written instrument at the meeting shall be permitted to have such person speak for them. (F) Those addressing the Board shall be permitted to speak without interruption from anyone as long as these rules are followed. (G) Comments are to be relevant to the purpose of the meeting or issue at hand. (H) Each person shall be given an appropriate amount of time to speak or to ask questions as determined by the ETLOA Board, although questions may not be answered until a later date if the discussion concerns a legal matter or when potentially sensitive details of a situation might negatively infringe upon the privacy of individuals. If the Board cannot answer a question, it will make its best effort to state when it will address that question. (I) Minutes of actions taken shall be kept and posted on the Association website within 30 days of the meeting. (L) Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order shall be requested to immediately leave the meeting.

(b) Owner Input. After a motion and second has been made on any matter to be discussed, at a time determined by the Board, but prior to a vote by the Directors, Owners, or their designated representatives, present at such time shall be afforded an opportunity to speak on the motion as follows: (1) The Chair will ask those Owners present to indicate by a show of hands who wishes to speak in favor or against the motion. The Chair will then determine a reasonable number of persons who will be permitted to speak in favor of and against the motion and for how long each person will be permitted to speak. (2) Following Owner input, the Chair will declare Owner input closed and there shall be no further Owner participation on the motion at hand unless a majority of the Board of Directors votes to open the discussion to further Owner participation.

(c) Board Action Without a Meeting. (1) Notice of Action Without a Meeting. Notice of the proposed action must be transmitted in writing to each Director. The notice must contain the following information: (A) The action to be taken; (B) The deadline (date and time) by which a Director must respond to the written notice. (C) That failure by a Director to respond by the deadline stated in the notice will have the same effect as abstaining in writing or failing to demand in writing that the action be taken at a meeting. (2) Voting. By the deadline stated in the written notice, each director may: (A) Vote in writing for such action; (B) Vote in writing against such action; (C) Fail to respond or vote; or (D) Demand in writing that the action be taken at a meeting. If any Director demands, by the deadline date, that action be taken at a meeting, action without a meeting is no longer available. The Board must then hold a Board meeting to take action on such matter. The Board may take action on the motion only at a Board meeting. (3) Effective Date of Action. Once the deadline stated on the notice has expired, and assuming no Director demands that action be taken at a meeting, the action is deemed effective if at least a quorum of votes are received and at least a majority of such votes are in favor of the action. (4) Electronic Communications/Authenticity of Signatures. All written communications of Directors pursuant to this section may be transmitted or received by facsimile, e-mail, or other form of wireless communication. The Association may accept any electronic vote received from a Board member as valid, unless it has a reasonable, good faith basis to doubt its validity. (5) Minutes/Ratification. If action is taken pursuant to the above procedures, such action(s) shall be noted in the minutes of the next meeting of the Board and ratified at that time.

(c) Executive Sessions. The members of the Board may hold a closed door, executive session and may restrict attendance to Board members and such other persons requested by the Board during a regular or specially announced meeting for discussion of the following: (1) Matters pertaining to employees of the Association or involving the employment, discipline, or dismissal of an officer, agent, or employee of the Association; (2) Consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client; (3) Investigative proceedings concerning possible or actual criminal misconduct; (4) Any matter the disclosure of which would constitute an unwarranted invasion of individual privacy; (5) Review of or discussion relating to any written or oral communication from legal counsel; and (6) Matters subject to specific constitutional, statutory, or judicially imposed requirements protecting particular proceedings or matters from public disclosure. No rule or regulation shall be adopted during a closed session. A rule or regulation may be validly adopted only during a regular or special meeting or after the Board goes

back into regular session following a closed session. The minutes of all meetings at which an executive session was held shall indicate that an executive session was held and the general subject matter of the executive session.

3. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

4. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Association Bylaws and the law of the State of Colorado governing the Project.

5. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

6. Amendment. This Policy may be amended at any time by the Board of Directors. However, any amendments must be approved by a majority vote at the next regularly scheduled Owner's annual meeting.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICIES AND PROCEDURES REGARDING BOARD MEMBER CONFLICTS OF INTEREST

PURPOSE: To adopt a policy and procedure to be followed when a Director has a conflict of interest to ensure proper disclosure of the conflict and voting procedures and to adopt a code of ethics for Directors.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following policy and procedure regarding Director conflicts of interest and code of ethics:

1. General Duty. The Board of Directors shall use its best efforts at all times to make decisions that are consistent with high principles, and to protect and enhance the value of properties of the members and Association. All Directors shall exercise their power and duties in good faith and in the best interest of, and with utmost loyalty to the Association. All Directors shall comply with all lawful provisions of the Association's Bylaws, and Colorado Law.
2. Definition. (a) "Conflicting interest transaction" means a contract, transaction, or other financial relationship between the Association and a Director, or between the Association and a party related to a Director, or between the Association and an entity in which a Director of the Association is a director or officer or has a financial interest. (b) "Director" means a member of the Association's Board of Directors. (c) "Party related to a Director" means a spouse, a descendant, an ancestor, a sibling, the spouse or descendant of a sibling, an estate or trust in which the Director or a party related to a Director has a beneficial interest, or an entity in which a party related to a Director is a director or officer or has a financial interest.
3. Loans. No loans shall be made by the Association to its Directors or officers. Any Director or officer who assents to or participates in the making of any such loan shall be liable to the Association for the amount of the loan until it is repaid.
4. Disclosure of Conflict. Any conflicting interest transaction on the part of any Director or party related to a Director shall be verbally disclosed to the other Directors in open session at the first open meeting of the Board of Directors at which the interested Director is present prior to any discussion or vote on the matter. The minutes of the meeting shall reflect the disclosure made, the abstention from voting, the composition of the quorum and record who voted for and against.
5. Enforceability of Conflicting Interest Transaction. No conflicting interest transaction shall be voidable by an Owner or on behalf of the Association if: (i) The facts about the conflicting interest transaction are disclosed to the Board, and a majority of the disinterested Directors, even if less than a quorum, in good faith approves the conflicting interest transaction; (ii) The facts about the conflicting interest transaction are disclosed or the Owners entitled to vote on the matter, and the conflicting interest transaction is authorized in good faith by a vote of the Owners entitled to vote on the matter; or (iii) The conflicting interest transaction is fair to the Association.

6. Director Code of Ethics. In addition to the above, each Director and the Board as a whole shall adhere to the following Code of Ethics: (a) No Director shall use his/her position for private gain, including for the purpose of enhancement of his/her financial status through the use of certain contractors or suppliers. (b) No contributions will be made to any political parties or political candidates by the Association. (c) No Director shall solicit or accept, directly or indirectly, any gifts, gratuity, favor, entertainment, loan or any other thing of monetary value from a person who is seeking to obtain contractual or other business or financial relations with the Association. (d) No Director shall accept a gift or favor made with the intent of influencing a decision or action on any official matter. (e) No Director shall receive any compensation from the Association for acting as a volunteer. (f) No Director shall willingly misrepresent facts to the members of the community for the sole purpose of advancing a personal cause or influencing the community to place pressure on the Board to advance a personal cause. (g) No Director shall interfere with a contractor engaged by the Association while a contract is in progress. All communications with Association contractors shall go through the Board President or be in accordance with policy. (h) No Director shall harass, threaten, or attempt through any means to control or instill fear in any member, Director or agent of the Association. (i) No promise of anything not approved by the Board as a whole can be made by any Director to any subcontractor, supplier, or contractor during negotiations. (j) Any Director convicted of a felony shall voluntarily resign from his/her position. (k) No Director shall knowingly misrepresent any facts to anyone involved in anything with the community which would benefit himself/herself in any way. (l) Conduct between Board members and Association members, whether by e-mail or phone should be focused on issues, respectful, and concise.

7. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

8. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the community.

9. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

10. Amendment. This policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICIES AND PROCEDURES FOR COVENANT AND RULE ENFORCEMENT

PURPOSE: To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the Association.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: It is the intent of the Association to resolve all real and alleged violations informally and with cooperation of all involved parties. For instances where that is not possible, or the violations are recurring, continuous, or egregious, the Association hereby adopts the following policy:

1. Reporting Violations. Complaints regarding alleged violations may be reported by an Owner or resident within the community, a group of Owners or residents, Board member(s) or committee member(s) by submission of a written complaint.
2. Complaints. Complaints by Owners or residents shall be in writing and submitted to the Board of Directors. The complaining Owner or resident shall have observed the alleged violation and shall identify the complainant ("Complainant"), the alleged violator ("Violator"), if known, and set forth a statement describing the alleged violation, referencing the specific provisions which are alleged to have been violated, when the violation was observed and any other pertinent information. Non-written complaints or written complaints failing to include any information required by this provision may be investigated or prosecuted at the discretion of the Association.
3. Investigation. Upon receipt of a complaint by the Association, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board designated individual or committee. The Board shall have sole discretion in appointing an individual or committee to investigate the matter.
4. Initial Warning Letter. If the violation is not a repeat violation, , the letter shall advise the Violator that he or she will have 14 days from the date of receipt of the letter to come into compliance without further sanction. The letter shall contain a statement advising the Violator that any additional similar violations could result in the imposition of a fine after notice and hearing. All notices sent pursuant to this Policy shall be sent by U.S. mail and a copy by certified U.S. mail with a return receipt.
5. Continued Violation After Initial Warning Letter. If the alleged Violator does not come into compliance within 45 days of the warning letter or any subsequent letter, such continued violation will be considered a subsequent violation. The Board may, upon review of the specific situation, determine if the violation can be reasonably cured within the 14 days. If the Board determines the violation cannot be reasonably cured within the 14 day period, may extend the cure period up to 90 additional days. In such a case, or if the alleged Violator subsequently violates a covenant or rule previously violated and for which the alleged Violator has received a prior violation letter, a fine letter shall then be sent to the alleged Violator, providing notice and an opportunity for a hearing, and explaining a fine may be

imposed pursuant to this Policy. The letter shall further state that the alleged Violator is entitled to a hearing on the merits if the owner requests a hearing.

6. Notice of Hearing. If a hearing is requested by the alleged Violator, the Board, committee or other person conducting such hearing as may be determined in the sole discretion of the Board, may serve a written notice of the hearing to all parties involved at least 14 days prior to the hearing date.

7. Impartial Decision Maker. Pursuant to Colorado law, the alleged Violator has the right to be heard before an "Impartial Decision Maker". An Impartial Decision Maker is defined under Colorado law as "a person or group of persons who have the authority to make a decision regarding the enforcement of the association's covenants, conditions, and restrictions, including architectural requirements, and other rules and regulations of the association and do not have any direct personal or financial interest in the outcome. A decision maker shall not be deemed to have a direct personal or financial interest in the outcome if the decision maker will not, as a result of the outcome, receive any greater benefit or detriment than will the general membership of the association." Unless otherwise disqualified pursuant to the definition of Impartial Decision Maker, the Board may appoint to act as the Impartial Decision Maker the entire Board, specified members of the Board, any other individual or group of individuals.

8. Hearing. At the beginning of each hearing, the presiding officer, shall introduce the case by describing the alleged violation and the procedure to be followed during the hearing. Each party or designated representative, may, but is not required to, make an opening statement, present evidence and testimony, present witnesses, and make a closing statement. The presiding officer may also impose such other rules of conduct as may be appropriate under the given circumstances. Neither the Complainant nor the alleged Violator are required to be in attendance at the hearing. The Impartial Decision Maker shall base its decision solely on the matters set forth in the Complaint, results of the investigation and such other credible evidence as may be presented at the hearing. Unless otherwise determined by the Board, all hearings shall be open attendance by all Owners. After all testimony and other evidence has been presented at a hearing, the Impartial Decision Maker shall, within a reasonable time, not to exceed 10 days, render its written findings and decision, and impose a fine, if applicable. Failure to strictly follow the hearing procedures set forth above shall not constitute grounds for appeal of the hearing committee's decision absent a showing of denial of due process.

9. Failure to Timely Request Hearing. If the alleged Violator fails to request a hearing within 14 days of any letter, or fails to appear at any hearing, the Impartial Decision Maker may make a decision with respect to the alleged violation based on the Complaint, results of the investigation, and any other available information without the necessity of holding a formal hearing. If a violation is found to exist, the alleged Violator may be assessed a fine pursuant to these policies and procedures.

10. Notification of Decision. The decision of the Impartial Decision Maker shall be in writing and provided to the Violator and Complainant within 5 days of the hearing, or if no hearing is requested, within 5 days of the final decision.



11. Appeals. The Violator may file a written appeal to the Board of Directors (if the Board does not act as the Impartial Decision Maker) of any adverse decision of the hearing committee or individual within 14 days of the decision.

12. Fine Schedule. The following fine schedule has been adopted for all recurring covenant violations: Second violation (of same covenant or rule) \$50.00; Third and subsequent violations (of same covenant or rule) \$100.00; Third and subsequent covenant violations may be turned over to the Association's attorney to take appropriate legal action.

13. Continuous Violations. Continuous violations are defined as violations of Owner obligations that are uninterrupted by time. For example: failure to remove or conceal abandoned vehicles or failure to control frequently barking dogs. If an Owner is determined as having a continuous violation, in accordance with the terms of this Policy, such Owner may be subject to a monthly fine of \$100.00 per month per each covenant if not corrected, following a notice and opportunity for a hearing as set forth above.

14. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the Violator coming into and staying in compliance with the Declaration of Covenants or Bylaws.

15. Other Enforcement Means. This fine schedule and enforcement process is adopted in addition to all other enforcement means which are available to the Association through its Declaration of Covenants, Bylaws, and Colorado law. The use of this process does not preclude the Association from using any other enforcement means.

16. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

17. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the Project.

18. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

19. Amendment. This policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICY AND PROCEDURES FOR INSPECTION AND COPYING OF ASSOCIATION RECORDS

PURPOSE: To adopt a policy regarding an Owner's right to inspect and copy Association records and identification of records to be permanently retained by the Association.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts the following Policy and Procedures:

1. The Association shall permanently retain the following records as required by Colorado law:
  - Minutes of all Board and Owner meetings;
  - All actions taken by the Board or Lot Owners by written ballot in lieu of a meeting;
  - All actions taken by a committee on the behalf of the Board instead of the Board acting on behalf of the Association;
  - All waivers of the notice requirements for Lot owner meetings, Board member meetings, or committee meetings.
2. Inspection/Copying Association Records. The Board of Directors will post all current and relevant association records on line which may be accessed, inspected and copied by individual owners as needed. In the event an owner believes the requested information is not available through the Association's web site, an Owner or his/her authorized agent may inspect and copy any of the books and records of the Association, subject to the exclusions, conditions and requirements set forth below: (a) The inspection and/or copying of the records of the Association shall be at the Owner's expense, which may be collected by the Association in advance. (b) The Owner shall give the Association's Board member a written demand, stating the purpose for which the inspection and/or copying is sought. The Association shall make the requested records available within five business days of the Owner's request or at the next regularly scheduled Owner or Board meeting if the next regularly scheduled Owner or Board meeting is scheduled within 30 days of the Owner's request, in the sole discretion of the Board. The Board shall advise the Owner of the time and place of such inspection in writing within five business days of the Owner's request.
3. Proper Purpose/Limitation. Association records, including membership lists, shall not be used by any Owner for: (a) Any purpose unrelated to an Owner's interest as an Owner; (b) The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes of the Owners in an election to be held by the Association; (c) Any commercial purpose; (d) For the purpose of giving, selling, or distributing such Association records to any person; or (e) Any improper purpose as determined in the sole discretion of the Board.
4. Exclusions. The following records shall NOT be available for inspection and/or copying as they are deemed confidential: (a) Attorney-client privileged documents and records, unless the Board decides to disclose such communications at an open meeting; (b) Any documents that are confidential under constitutional, statutory or judicially imposed requirements; and (c) Any documents, or information

contained in such documents, disclosure of which would constitute an unwarranted invasion of individual privacy, including but not limited to social security numbers, dates of birth, personal bank account information, and driver's license numbers.

5. Fees/Costs. Any Owner requesting copies of Association records shall be responsible for all actual costs incurred by the Association, which have been determined to be no less than \$1.00 per page as any copies would need to be made off site and delivered to the requesting owner, including the cost to search, retrieve, and copy the record(s) requested. The Association may require a deposit equal to the anticipated actual cost of the requested records. Failure to pay such deposit shall be valid grounds for denying an Owner's request for copies of such records. If after payment of the deposit it is determined that the actual cost was less than the deposit, the difference shall be returned to the Owner with the copies. There shall be no cost to any Owner accessing records which are required to be disclosed by Colorado law at no cost to Owners.

6. Inspection. The Association reserves the right to have a third party present to observe during any inspection of record by an Owner or the Owner's representative.

7. Original. No Owner shall remove any original book or record of the Association from the place of inspection nor shall any Owner alter, destroy or mark in any manner, any original book or record of the Association.

8. Creation of Records. Nothing contained in this Policy shall be construed to require the Association to create records that do not exist or compile records in a particular format or order.

9. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

10. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the Project.

11. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

12. Amendment. This policy may be amended from time to time by the Board of Directors.

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*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICY AND PROCEDURES FOR INVESTMENT OF RESERVE FUNDS

PURPOSE: To adopt a policy for the investment of reserve funds.

EFFECTIVE DATE: July 9, 2016

RESOLUTION: The Association hereby adopts a Policy as follows:

1. In order to properly maintain areas in the Community that are the responsibility of the Association and to protect the market value of Owners' homes and livability in the Community, the Board of Directors may determine that it is necessary to have reserve funds. Colorado law requires that the Association publish a policy for investment of reserve funds.
2. The purpose of the Reserve Fund shall be to responsibly fund and finance the projected repair and replacement of those portions of the Community that the Association is responsible for and for such other funding as the Board of Directors may determine. The portions of the Community that the Association is responsible for typically have limited but reasonably predictable useful lives.
3. Investment of Reserves. The Board of Directors of the Association shall invest funds held in the Reserve Funds accounts to generate revenue that will accrue to the Reserve Funds accounts balance pursuant to the following goals, criteria and policies: (a) Safety of Principal. Promote and ensure the preservation of the Reserve Fund's principal. (b) Liquidity and Accessibility. Structure maturities to ensure availability of assets for projected or unexpected expenditures. (c) Minimal Costs. Investments costs (redemption fees, commissions, and other transactional costs) should be minimized. (d) Diversify. Mitigate the effects of interest rate volatility upon reserve assets. (e) Return. Funds should be invested to seek the highest level of return.
4. Limitation on Investments. Unless otherwise approved by the Board, all investments will be FDIC (Federal Deposit Insurance Corporation) insured and/or guaranteed by the United States Government.
5. Independent Professional Investment Assistance. The Board of Directors of the Association may hire a qualified investment counselor to assist in formulating a specific investment strategy.
6. Review and Control. The Board shall review Reserve Fund investments periodically to ensure that the funds are receiving competitive yields and shall make prudent adjustments as needed.
7. Standard of Care. The officers and members of the Board of Directors shall make investment decisions in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner the Director or officer reasonably believes to be in the best interests of the Association in accordance with the Colorado Revised Nonprofit Corporation Act.

8. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

9. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the community.

10. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

11. Amendment. This policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*

RESOLUTION OF THE EAST TWIN LAKES ESTATES OWNERS ASSOCIATION (ETLOA)  
POLICY AND PROCEDURES FOR RESERVE FUND STUDY

PURPOSE: To provide a policy related to when the Association will have a reserve study prepared, whether there is a funding plan for the work recommended by the reserve study, and whether the reserve study will be based on a physical analysis and a financial analysis.

EFFECTIVE DATE: JULY 9, 2016

RESOLUTION: The Association hereby adopts a Policy as follows:

1. Baseline Reserve Study. The Association shall, within twelve months of the adoption of this Resolution, conduct a baseline reserve study, which will include both a physical analysis and a financial analysis of the Association as follows: A. The physical analysis shall include: (1) A component inventory identifying those portions of the community the Association is obligated to maintain, including the useful life of each component. (2) A condition assessment of each component on the component inventory by on-site inspection. (3) Estimates of the remaining useful life and replacement costs of each component. B. The financial analysis shall include: (1) An analysis of the funds currently held in the Association's reserve fund in relation to the expected needs of the Association per the reserve study. (2) A future funding plan to meet the requirements of the reserve study.
2. Update of the Reserve Study. A. The Association shall cause the reserve study, including both the physical and financial analysis, to be evaluated by the Board of Directors and if deemed necessary, with the advice of a reserve study specialist at least every three years to determine increases in replacement costs and decreases in remaining useful lives of the components of the reserve study to adequately address changes to be made to the reserve study. In determining whether an update to the reserve study is needed more often than every three years, the Association shall consider the following: (1) Whether the Association added or replaced any significant common elements. (2) Whether the common elements sustained extreme wear and tear from harsh weather or lack of maintenance. (3) Whether local inflation for materials and labor has substantially increased. (4) Whether the Association has deferred any replacements or moved up replacements from the scheduled dates of replacement. (5) Whether reserve income and expenses have occurred as planned. (6) Whether there have been any new technological changes or improved product development that might result in a component change. B. In determining whether a site visit is required in any given year in order to update the reserve study, the Association shall take into consideration the following: (1) Any special or extraordinary issues facing the community (such as an increase in roof leaks or other maintenance issues). (2) Increased deterioration in any components beyond normal wear and tear. (3) Economic changes that affect the replacement cost of any component. (4) Whether routine maintenance of the components has been completed.
3. Funding of the Reserve Study. The financial requirements set forth in the reserve study will be funded through annual assessments levied by the Association. The reserve fund shall be funded at a level such that the reserve fund shall at all times maintain a positive balance.

4. Definitions. Unless otherwise defined in this Resolution, words initially capitalized or terms defined in the Declaration of Covenants shall have the same meaning herein.

5. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration of Covenants and the law of the State of Colorado governing the community.

6. Deviations. In the event of emergencies or in the event the Board of Directors, in good faith, fails to fully comply with the above policy, such action taken will not invalidate the policy.

7. Amendment. This policy may be amended from time to time by the Board of Directors.

DIRECTOR CERTIFICATION: The undersigned, being a Director of the Association certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on June 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

*Jeffrey Ashby*