

***Suncadia Community Council***  
**Memorandum of Action of the Board of Directors**

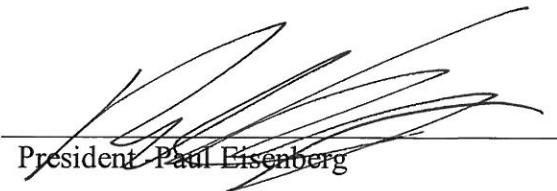
This memorandum, executed by all the Directors of The Suncadia Community Council, a Washington nonprofit corporation, records an action taken by the Board without a formal meeting in accordance with Article 4.14 of the Suncadia Community Council Bylaws.

The following Resolution is hereby adopted:

Suncadia Community Council Resolution 301, Relating to Exterior Holiday Decorations in Suncadia Neighborhoods, is rescinded because it conflicts with adopted resolutions relating to exterior holiday decorations of both the Suncadia Residential Owners Association and The Tumble Creek Village Association.

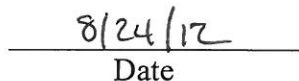
Execution of this Memorandum completes the requirements of Article 4.14 of the Suncadia Community Council Bylaws.

IN WITNESS WHEREOF, the Directors of The Article 4.14 of the Suncadia Community Council Bylaws who held office on August 24, 2012 have executed this memorandum.

  
\_\_\_\_\_  
President Paul Eisenberg

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Vice President – Gary Kittleson

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Secretary – Cape Powers

  
\_\_\_\_\_  
Date

# Suncadia Community Council

## RESOLUTION NUMBER 302

### Relating to use of charcoal

**WHEREAS**, the Governing Documents of the Suncadia Community Council ("CCR'S") assigns the Board all powers and duties necessary for the administration of the affairs of Suncadia Community Council and states that the Board may do all such acts and things, except those matters that the Board is prohibited from doing by law or the governing documents;

**WHEREAS**, Section 4.15 of the Bylaws provides that the directors shall exercise their powers and duties in good faith and in the best interest of the Council and its members;

**WHEREAS**, the Board of Directors wishes to establish standards for the operation and governance of the Council that serve as guiding principles for both volunteer leaders and members of the Council;

**WHEREAS**, the Board has determined that it is in the best interests of the Council and the Council's members to adopt *a uniform policy for the use of charcoal..*

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby adopts the following policy as a guide to the use of exterior charcoal:

***Duration:*** *Prohibited from June through October*  
***Location(s):*** *All residential homes*

[Suncadia Community Council]

## RESOLUTION ACTION RECORD

Resolution Type: **Policy** No. **302**

Pertaining to: Charcoal use

Duly adopted at a meeting of the Board of Directors held: January 10, 2007

**RESOLUTION #303 -2013**  
**SUNCADIA COMMUNITY COUNCIL**  
**DIRECTORS FIDUCIARY RESPONSIBILITY RESOLUTION**

Members of the Board of Directors of the Suncadia Community Council ("Council") volunteer their services for numerous reasons ranging from a desire to participate more closely in making decisions that affect the community to a desire to undertake a significant challenge. Frequently, however, Directors accept positions on the Board without an appreciation and understanding of the responsibilities which they have undertaken. Board members owe a fiduciary duty to the Council in accordance with RCW 24.03.127, which obligates Directors to perform their duties in good faith, in a manner the Director believes to be in the best interests of the Council, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

In performing the duties of a Director, RCW 24.03.127 authorizes Directors to rely on information, opinions, reports, or statements, including financial statements and other financial data, prepared by (i) one or more officers or employees of the Council whom the Director believes to be reliable and competent in the matter presented; (ii) counsel, public accountants or other persons as to matters that the Director believes to be within such person's professional or expert competence; or (iii) a committee of the Board upon which the Director does not serve, as to matters within its designated authority, so long as, in any such case, the Director acts in good faith, after reasonable inquiry when the need therefor is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted. These fiduciary duties begin at the time a person becomes a Director and terminate once he or she is no longer a Director.

A Director may incur personal liability for a violation of these duties. While, pursuant to the Council's Amended and Restated Bylaws, a Director may be indemnified by the Council, to the extent permitted by law, for certain actions taken as a Director, a Director must be aware of the responsibility he or she has and the duties each Director owes to the Council in order to avoid potential liability. Directors must also be aware of the potential for conflicts of interest to develop and the appropriate method of addressing such conflicts should they arise.

**WHEREAS**, the Board wishes to avoid self-dealing, actual or apparent, in its administration of the Council; and

**WHEREAS**, the Board wishes to adopt requirements for Directors in order to assure sound management of the Council:

**NOW THEREFORE BE IT RESOLVED THAT** that the Board of Directors hereby rescinds existing Resolution 303 and adopts Resolution 303-2013 which will go into effect as of April 19, 2013 and supersedes Resolution 303 and the following shall apply:

\* No Director shall use his or her official capacity to make or participate in making a Council decision in which he or she may have a direct or indirect financial interest.

\* A Director shall disclose to fellow Directors the potential for a conflict of interest as soon as it is apparent and will work to avoid even the appearance of impropriety in the discharge of his or her duties as a Director. Known conflicts will be disclosed prior to the Director's appointment or election to the Board.

\* Each Director shall exercise his or her powers and duties in good faith, to the best of each Director's abilities, and with the utmost loyalty to the Council.

\* Each Director shall have sufficient familiarity with the Governing Documents (Articles of Incorporation, Amended and Restated Bylaws, and relevant covenants) and the budgets and financial statements so that he or she can effectively access and use the information presented in those documents to assist the Board in the procedural and substantive decision-making process.

\* Each Director shall seek to understand and fulfill the responsibilities of his or her position as a Director, including the additional responsibilities he or she may assume as an officer and/or committee member. If unable to perform these duties because of the time required, or for any other reason, that Director must advise the full Board.

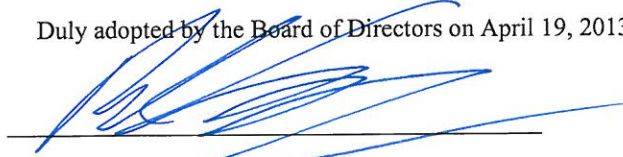
\* Each Director shall prepare in advance for meetings so as to make the best use of all participants' time. This includes review of relevant material received prior to meetings.

\* A Director shall not discuss Executive Session business outside of Board meetings, unless expressly authorized to do so by the Board. This duty extends even after his or her term has expired. (See attached Exhibit "A" for a description of the circumstances under which the Board is entitled to meet in Executive Session. Executive Sessions under certain enumerated circumstances in which there are transactions involving the Councils and actions and deliberations of the Board that merit confidentiality in order to protect the best interests of the Council and its members, as a whole.

\* Copies of any documents or correspondence from the Council's legal counsel that are marked as "Attorney/Client communications" or "Confidential Communications/Attorney Client Privilege," or which contain words of a similar nature, are privileged and are not to be distributed beyond the Board, unless such distribution is expressly authorized by the Board. This duty to maintain the confidentiality of Attorney/Client communications continues even after a Director's term of service has expired.

Caution: It is not the intent of these resolutions to establish a Director's standard of care for a particular situation. Rather it is intended to assist and encourage Directors to act in a manner that may well be above the minimum standard of care required of corporate directors in order to avoid claims or accusations having merit as well as those without merit.

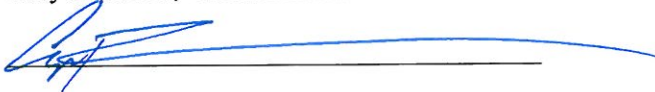
Duly adopted by the Board of Directors on April 19, 2013,



Paul Eisenberg, President



Gary Kittleson, Vice President



Cape Powers, Secretary/Treasurer

## **Exhibit A**

### **Description**

#### **EXECUTIVE SESSION MEETINGS**

Purpose: Executive sessions of the board of directors are private sessions which members are not allowed to attend. Executive sessions are provided for boards to address issues which involve privileged information or matters of a private nature. These include:

1. Litigation. Both current and potential litigation matters may be discussed in executive session. This preserves attorney-client privilege, litigation strategy and settlement strategies.
2. Matters relating to the Formation of Contracts. So as to avoid unfair bidding practices, the Board may meet in executive session to review and vote on bid proposals. The Board may also meet in executive session to discuss the formation of offers or counter-offers that may be offered or presented in the course of negotiating contracts on behalf of the Council.
3. Disciplinary Hearings. Boards must meet in executive session, if requested by a member who may be subject to a fine, penalty, or other form of discipline. Under such circumstances the member who is the subject of the action or proposed action shall be entitled to attend the executive session.
4. Personnel Issues. Personnel matters include, but are not limited to the hiring of employees (including, without limitation, the terms of employment that the Council may offer), the firing of employees, employee disciplinary matters and performance reviews.
5. Payment of Assessments. Board may meet with members in executive session to discuss requests by such members for payment plans for delinquent assessments.

Who May Attend Executive Sessions? Directors, managers, recording secretaries, Council attorneys, members subject to disciplinary action as well as witnesses called by either side (but only for that portion of meeting involving them), and others invited by the Board (such as vendors bidding on a project) may attend executive session meetings. As a general rule, in order to protect the confidentiality of matters discussed in Executive Session attendance should be limited to those persons who have a right to be in attendance by law, or those persons whose attendance is considered by the Board to be necessary or appropriate to enable the Directors to make informed decisions that are in the best interest of the Council.

The Board can meet in executive session apart from an open meeting and may vote on matters in executive session and then generally note the topics discussed in minutes of the next open meeting (such as: the board discussed a settlement offer made by the defendant in the Council's current litigation).

# Suncadia Community Council

## RESOLUTION NUMBER 304

### Relating to Park Use Policies

**WHEREAS**, the Governing Documents of Suncadia Community Council assigns the Board all powers necessary for the purpose of carrying out the functions of the Council or otherwise promoting the general benefit of the Owners within Suncadia;

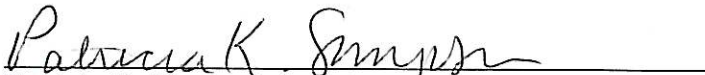
**WHEREAS**, Article 4.3.8 of the Covenants and Article 4.16 (d) of the Bylaws provide that the duties of the Board shall include adopting and enforcing Policies & Procedures relating to use and enjoyment of the Community Improvements by the Owners; and

**WHEREAS**, the Board has determined that it is in the best interests of the Suncadia community to have a uniform policy for use of park facilities located within Suncadia.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby adopts the attached policy as a rule governing the use of Dawson Park within Suncadia;

**BE IT FURTHER RESOLVED** that the Board of Directors hereby adopts the attached Application for Special Event Permit Guidelines for use in Dawson Park and other Suncadia Community Council property.

DULY ADOPTED by the Board of Directors on July 23, 2008

  
\_\_\_\_\_  
Paul Eisenberg, President  
\_\_\_\_\_  
Del Goehring, Vice President  
\_\_\_\_\_  
Patricia K. Simpson, Secretary

## **SUNCADIA COMMUNITY COUNCIL**

### **Dawson Park Rules**

1. Use of the park is restricted to owners of property in Residential Areas and Commercial Areas, and owners of Privately-Owned Amenities within Suncadia and such owners' guests.
2. Other persons may use the park only if they are invitees attending a special event sponsored by an owner as defined above.
3. A Special Event Permit shall be obtained from the Council in accordance with its permit application guidelines for the following park uses:
  - a. Any use that limits access to all or a portion of the park to a specific group or to attendees of an event;
  - b. Any use that differs substantially from the normal use of an area of the park or involves use after 10:00 pm;
  - c. Any use that requires the erection of booths, canopies, stages or other temporary structures;
  - d. Any use that involves sound amplification equipment;
  - e. Any use for which admission fees are charged, or food and/or alcohol will be sold;
  - f. Any use that requires special arrangements for traffic, parking and crowd control;
  - g. Any use that requires special arrangements for sanitation (toilets, garbage disposal, litter pick-up) or for water or electricity beyond that provided for regular park users.
4. The attached special rules governing the use of the tennis courts and the dog park shall be posted at these facilities.

## **DAWSON PARK TENNIS COURT RULES**

- 1. Courts are available on a first-come, first-served basis and operate on a user honor system**
- 2. Total court play time, including rallying and practice, shall not exceed a period of ONE HOUR, except when there is no one waiting to use the court**
- 3. Players awaiting the arrival of other players in their party may not hold a court**
- 4. No use or activity except tennis is permitted on the courts**
- 5. Bicycles, rollerblades, skateboards and pets are not permitted on the courts**
- 6. No food or beverages are permitted on the courts, excepting water in non-glass containers.**
- 7. Only tennis shoes with non-marking soles may be worn when playing on the courts**
- 8. Suncadia-sponsored classes take precedence over individual play**

**Rules adopted by Suncadia Community Council – Resolution #304 – July 23, 2008**

## **DAWSON PARK DOG PARK RULES**

- 1. Dogs may be off-leash in areas designated as such, but must be under verbal control of dog owner or caretaker at all times**
- 2. Dog owners or caretakers must pick up after their pet(s) – plastic bags are provided for your convenience – dispose of bag in garbage can or carry it out of park**
- 3. If your dog bites, injures or attacks another person or animal or if your dog places a person in fear of being bit or injured, the dog must be placed on a leash and removed from the dog park**
- 4. It is the responsibility of any owner or caretaker of any dog involved in an attack or biting incident to:**
  - Offer assistance to the person attacked or bitten**
  - Provide the attacked or bitten person with your name and telephone number**
  - Provide an injured party with the dog license number and/or rabies vaccination number**
  - If serious injuries are involved, report the incident to emergency responders (Call 9-1-1) – remain at the scene – provide identification to responders**

**Rules adopted by Suncadia Community Council – Resolution #304 – July 23, 2008**

SUNCADIA COMMUNITY COUNCIL

***Application  
For  
Special Events***

Event Name:

\_\_\_\_\_

Event Date:

\_\_\_\_\_

Event Location: \_\_\_\_\_

Sponsor(s): \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

# **SUNCADIA COMMUNITY COUNCIL**

## **Guidelines for Special Event Permit Procedures**

### **When is a Permit Required?**

Special Event Permits are required for all events that occur entirely, or in part, on Suncadia Community Council (SCC) property that:

- Are not covered by any reservation system for SCC recreation areas (events involving groups that exceed reservation system size limitations or differ substantially from the normal use of the area require Special Event Permits)
- Are not normally scheduled recreational activities or SCC-sponsored events
- Require exceptions to the Suncadia Community Covenants or the Suncadia Policies and Procedures, when such exceptions are allowed by these documents

### **How is a Permit Issued?**

- Applicants must submit a Special Event Permit Application (attached) a minimum of 60 days prior to the event. Applications submitted less than 60 days prior to the event may be accepted at the sole discretion of the Director of Community Associations depending on the scale and nature of the event. It is recommended that large-scale event applications be submitted as far in advance as possible and a pre-event meeting with Suncadia Community Associations staff be arranged. Applications for events with conflicting dates will be considered on a first come, first served basis.
- The applicant shall complete the application, sign the Permit and Indemnity Agreement and return the completed application to Suncadia Community Associations along with required certificates of insurance listing **SUNCADIA COMMUNITY COUNCIL, ITS BOARD OF DIRECTORS, OFFICERS, AGENTS AND EMPLOYEES** as additional insureds and a check in the amount of the required deposit.
- The Application and supporting materials will be routed to Community Associations staff and appropriate third parties, including the Board of Directors, for comment.
- The Director of Community Associations will decide if the application can be approved and if approved will sign the permit and return a copy of the completed application, signed permit and any conditions of approval to the applicant.
- A copy of the approved Permit shall be distributed to affected Suncadia departments.

### **What Fees & Deposits are required?**

- A deposit in an amount determined by SCC may be charged to cover SCC costs of providing services to the applicant in support of the event and the costs of repairing damages to SCC property.
- The amount of the deposit shall be determined by the Director of Community Associations based on an estimate of the cost of support services, the potential for damage to SCC property and the nature of the event.
- SCC shall refund excess deposit monies to the applicant and shall bill the applicant for costs in excess of the deposit amount.
- SCC shall charge adopted use fees if the event occurs on SCC property for which a use fee is charged.

# SPECIAL EVENT PERMIT APPLICATION

(Please Type or Print Clearly)

Date of application: \_\_\_\_\_

Name of Event: \_\_\_\_\_

Sponsor(s): \_\_\_\_\_

Proposed Location of Event \_\_\_\_\_

Type of Event: \_\_\_\_\_

Date(s) of Event: \_\_\_\_\_

Beginning Time: \_\_\_\_\_ Ending Time: \_\_\_\_\_  
(Attach additional information for multi-day events or events with complex schedules)

Expected Number of Participants: \_\_\_\_\_

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Email address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Local Agent (must be present at event): \_\_\_\_\_

Address: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Email address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Check all of the following that apply to your event:

- |                                                                                                 |                                                                                    |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> Food will be served                                                    | <input type="checkbox"/> Alcohol will be served                                    |
| <input type="checkbox"/> Food will be sold                                                      | <input type="checkbox"/> Alcohol will be sold                                      |
| <input type="checkbox"/> Admission fees/donations will be collected                             | <input type="checkbox"/> Goods/services will be sold                               |
| <input type="checkbox"/> Booths, canopies, stages or other temporary structures will be erected |                                                                                    |
| <input type="checkbox"/> Use of amplified equipment (indicate type & hours of use):             |                                                                                    |
| <input type="checkbox"/> Public address system                                                  | <input type="checkbox"/> Stereo equipment <input type="checkbox"/> Band/performers |

Hours of use for the above:

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Describe below how you will address the following issues. Be sure to designate the responsible person for each issue and how we can reach him/her during the event.

(Add additional sheets of paper if necessary):

- Safety and emergency medical needs
- Sanitation, including toilets, water, garbage disposal, litter pick-up
- Use of vehicles on bike paths or commons & parking of vehicles along roads
- Signs and pavement markings (all signage and banners must be approved in accordance with Design Review Committee Guidelines)
- Notification of impacted businesses and residences
- Traffic and crowd control
- Clean up and restoration of damages

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To avoid delays submit the following items with your application:

- Location Map showing routes or areas to be used, road/pathway closures or crossings, staging areas, aid stations, etc.
- Site Plan showing staging areas, areas with temporary structures, sanitary facilities
- Certificate of general liability and workers' compensation insurance (see guidelines)

# Indemnity Agreement & Insurance Requirements

**If Suncadia Community Council decides to issue a permit for this event, the following Indemnity Agreement will be required:**

In consideration of the issuance of a permit by Suncadia Community Council for the following event ("Event"): \_\_\_\_\_

To be held on the following date(s): \_\_\_\_\_

The undersigned Applicant for the Event hereby agrees to defend, indemnify and hold Suncadia Community Council, its Board of Directors, officers, agents and employees harmless from any claim, loss, or liability arising out of or related to the Event or the use of the Suncadia Community Council property by the Applicant.

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
By (Signature)

\_\_\_\_\_  
Title

**If Suncadia Community Council decides to issue a permit for this event, the following Certificate(s) of Insurance will be required before the permit is issued:**

Applicant shall furnish a certificate of comprehensive general liability insurance with limits of not less than \$1,000,000 for injury to one person, \$1,000,000 for injury to two or more persons in one occurrence, and \$300,000 for damage to property, **OR** a single limit policy of not less than \$1,000,000 covering all claims per occurrence. Said certificate shall name **Suncadia Community Council, its Board of Directors, officers, agents and employees** as additional insureds and shall provide for notification in the case of cancellation or material changes to coverage.

Applicant shall furnish a certificate(s) of worker's compensation insurance if Applicant, and/or Applicant's subcontractor, employ any workers who perform any labor associated with this Event.

## Deposit Requirement

**If Suncadia Community Council decides to issue a permit for this event, a deposit in an amount determined by the Council may be required to be submitted to the Council before the permit will be issued**

Applicant agrees that all, or a portion, of the deposit amount may be retained, at Suncadia Community Council's sole discretion, to cover the Council's costs of remedying Applicant's failure to comply with terms of the permit. The cost of services to be provided by the Council shall be deducted from the deposit amount and the balance refunded to Applicant, unless Applicant makes other arrangements in advance for payment of Council invoices.

Acceptance of this application does not obligate Suncadia Community Council to issue a permit. Special Event Permits will be issued at Suncadia Community Council's absolute and sole discretion. Should this application be approved by the Council, the undersigned agree to comply with the requirements and representations made in this application and any conditions of approval imposed by the Council.

**Return completed application to:**

Suncadia Community Associations  
109 South First Street  
Roslyn, WA 98941  
(509) 649-6270  
(509) 649-2706 Fax

\_\_\_\_\_  
Signature of Sponsor/Applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature of Local Agent

Do not write below this line

===== FOR SCC USE ONLY =====

**Special Event Permit**

APPROVED      APPROVED WITH CONDITIONS      DENIED

DEPOSIT REQUIRED:

YES      NO      AMOUNT OF DEPOSIT: \_\_\_\_\_

CONDITIONS OF APPROVAL:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUNCADIA COMMUNITY COUNCIL

\_\_\_\_\_  
William D. Chapman  
Director of Community Associations

\_\_\_\_\_  
Date

# Suncadia Community Council

RESOLUTION NUMBER 305

## Relating to General Financial Policies

**WHEREAS**, the Governing Documents of Suncadia Community Council assigns the Board all powers necessary for the purpose of carrying out the functions of the Council or otherwise promoting the general benefit of the Owners within Suncadia; and

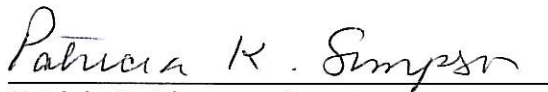
**WHEREAS**, the Board has determined that it is in the best interests of the Suncadia community to have general financial policies to guide the Council's accounting procedures, purchasing and contracting, budgeting and budget control, and asset management.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby adopts the attached policies as a guide to the management of Council finances.

DULY ADOPTED by the Board of Directors on February 25, 2009

 2-25-09  
\_\_\_\_\_  
Paul Eisenberg, President

 2/25/09  
\_\_\_\_\_  
Gary Kittleson, Vice President

 2/25/09  
\_\_\_\_\_  
Patricia K. Simpson, Secretary

## RESOLUTION NO. 306

### SUNCADIA COMMUNITY COUNCIL NORDIC TRAILS TASK FORCE CHARTER

**WHEREAS**, it is in the best interest of the homeowners and Suncadia Community Council (Council) to have a task force to act as advisors to the Board of Directors (Board) in the design and maintenance of the Nordic Trails with the intent of enhancing the community experience; and

**WHEREAS**, the Board has identified the need for such a task force;

**NOW THEREFORE LET IT BE RESOLVED**, that the Board does establish by this resolution a task force whose powers are only advisory in nature; and whose purpose is to insure that members of the Council are kept informed of issues related to the Nordic Trail System;

There is established herein a special task force to be known as Suncadia Community Council Nordic Trails Advisory Task Force (Task Force).

#### ORGANIZATION

There shall be up to five (5) members on the Task Force. Task Force members shall be appointed by and serve at the discretion of the Board. The Board will seek volunteers each September.

#### MEMBERSHIP

Task Force members will be appointed by the Board in September of each year and the Board will attempt to balance the membership to include members from Suncadia Residential Owners Association, Suncadia Commercial Association, Privately Owned Amenities and the Developer.

#### OFFICERS

Qualifications:

1. Chairperson: The Task Force Chairperson shall be selected by the Task Force. The Chairperson shall schedule, notice and conduct meetings and report recommendations to the Board.
2. Secretary: The Task Force Secretary shall be appointed by the Chairperson. The Secretary shall be responsible for making notes at each meeting

#### QUORUM AND VOTING

A Quorum shall be the majority of the Task Force members who all have the power to vote.

#### ADMINISTRATION

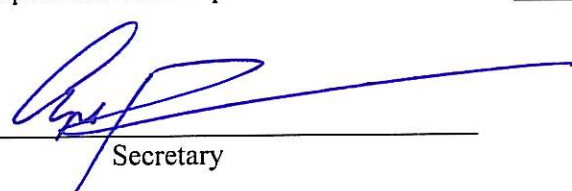
1. Meetings: The task force shall be held as needed but the first meeting can be held no later than October 1<sup>st</sup>
2. Agenda: The agenda shall be set and distributed by the Chairperson.
3. Notes: The Secretary will record notes of each meeting and submit them for approval to the Task Force.
4. Reporting: The Chairperson shall report on its activities and make recommendations by submitting a written report as needed to the Board.

#### FUNCTIONS AND RESPONSIBILITIES

1. The task force shall:
  - a. Make suggestions to the Board concerning trails structure and enhancements to the trail system.
  - b. Assist the Board in production of Nordic trail signage and maps

This resolution is adopted and made a part of the minutes of the January 26, 2010, Board meeting.

ATTESTED BY: \_\_\_\_\_

  
Secretary

## **RESOLUTION # 307**

### **SUNCADIA COMMUNITY COUNCIL ADVISORY COMMITTEE CHARTER**

**WHEREAS**, it is in the best interest of the homeowners and Suncadia Community Council (Council) to have a committee to act as advisors to the Board of Directors (Board) in the maintenance and improvement of the Council assets with the intent of enhancing the community experience; and

**WHEREAS**, the Board has identified the need for such a committee;

**NOW THEREFORE LET IT BE RESOLVED**, that the Board does establish by this resolution a committee as a special committee of the Council whose powers are only advisory in nature; and whose purpose is to insure that members of the Council are kept informed of issues related to the Council assets;

There is established herein a special committee to be known as Suncadia Community Council Advisory Committee (Committee).

#### **PURPOSE**

The Committee is to assist the Board in its efforts to preserve, protect, enhance and communicate with the Owners by providing information and recommendations pertaining to Council matters.

#### **ORGANIZATION**

There shall be five (5) members on the Committee. Committee members shall be appointed by and serve at the discretion of the Board. A Council Board member as well as the past president shall serve as an ex-officio member of the Committee. The committee may with permission of the Board form task forces to assist in the performance of their duties.

#### **MEMBERSHIP**

Committee members will be comprised of one (1) member appointed by the Suncadia Residential Owners Association Advisory Committee, one (1) member of the Suncadia Commercial Association, one (1) member appointed by a Suncadia Privately Owned Amenity, one (1) member appointed by the Developer, and one (1) member at large. The first Committee members shall serve either two- or three-year terms based on a lottery to be held at the first official meeting of the Committee. Future members will serve two year terms unless they are serving a term as an Officer. Members' terms shall be staggered so that the terms of no more than three (3) members expire in any one year. Committee members may be considered for re-appointment if needed to provide continuity or expertise.

#### **OFFICERS**

Qualifications: After the initial year, all officers must have been a member of the committee for one year. The originally appointed officers shall serve terms as follows: Chairperson and Vice-chairman shall be elected for a period of two (2) years and Secretary for one (1) year. Subsequent terms will be two (2) years.

1. Chairperson: The Committee Chairperson shall be selected by the Committee. The Chairperson shall:
  - a. Schedule and conduct meetings;
  - b. Send notice of meetings in advance of each meeting to all members by hard copy, fax, email or similar means;
  - c. Act as a liaison between the Committee, the Board and the Council Manager.
  - d. Communicate Board directives to the Committee and;
  - e. Report Committee recommendations to the Board.

2. Vice-chairperson shall be selected by the Committee and the Vice Chairperson shall:
  - a. Assist the Chairperson in the performance of his/her duties, and
  - b. In the event of absence or incapacity of the Chairperson, is empowered to perform all duties and exercise all authority vested in the Chairperson.
3. Secretary: The Committee Secretary shall be appointed by the Chairperson. The Secretary shall be responsible for:
  - a. Ensuring that notes of the meeting are recorded and records of the meetings are maintained;
  - b. Ensuring that records are maintained for any actions undertaken outside of a meeting; and
  - c. Other administrative duties as assigned by the Chairperson.

### QUORUM AND VOTING

A Quorum shall be the majority of the members of the Committee, and all members of the Committee have the power to vote.

### ADMINISTRATION

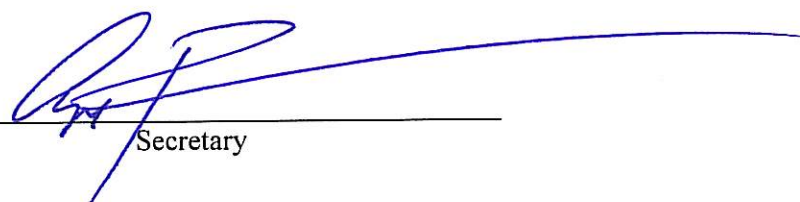
1. Meetings: The committee shall hold meetings at least every 2 months or more frequently as needed. Committee members that miss two (2) concurrent meetings without being excused by the Chairperson will be deemed to have resigned their position.
2. Agenda: The agenda shall be set by the Chairperson. The Chairperson or designee will circulate agendas and any relevant documents/presentation(s) at or in advance of each meeting, with copies to the Secretary.
3. Notes: The Secretary will record notes of each meeting and submit them for approval to the Committee.
4. Review and self assessment: The Committee will conduct an annual self-assessment of the effectiveness of the Committee. The assessment shall cover at a minimum: committee membership, process, information flow and responsibilities. This assessment will be presented to the Board by December 31.
5. Reporting: The Chairperson shall report on its activities and make recommendations by submitting a written report at least ten days in advance of a regularly scheduled Board meeting. The Chairperson or designee may present the report at any regular Board meeting. The Committee will make a presentation at the Annual Meeting.
6. Vacancies: In the event of member resignation, the Committee will submit a list of names for replacements to the Board for approval.

### FUNCTIONS AND RESPONSIBILITIES

1. The committee shall:
  - a. Make suggestions to the Board concerning maintenance of and improvement to the Council assets such as parks, paths, trails and roadways,
  - b. Make suggestions to the Board concerning services and events offered by the Council,
  - c. Assist the Board in researching and implementing Board-approved projects that benefit the Owners within the scope of the Council assets such a park structures, signage, and other amenities ; and
  - d. Assist the Board as the Board feels necessary and as requested.

This resolution is adopted and made a part of the minutes of the January 26, 2010, Board meeting.

ATTESTED BY: \_\_\_\_\_

  
Secretary

# CORPORATE RESOLUTION CERTIFICATION #308

## I. ACCOUNT INFORMATION

ACCOUNT TITLE: Suncadia Community Council Reserve Fund

ACCOUNT NUMBER: 0000000000

## II. CERTIFICATION

I HEREBY CERTIFY that a meeting, duly called, of the Board of Directors of Suncadia Community Council a corporation, which said meeting a quorum was present and acting throughout, the following preamble and resolution was adopted and ever since has been and now is in full force and effect.

WHEREAS this Corporation is duly authorized and permitted by its Charter and Bylaws to:

- (1) Engage in cash and ~~margin transactions~~ in any and all forms of securities including, but not limited to, ~~stocks, options, stock options, stock index options, foreign currency options and debt instrument options, bond debentures, notes, scrips, participation certificates, rights to subscribe, warrants, certificates of deposit, mortgage-backed securities, evidences of indebtedness, commercial paper certificates or indebtedness, and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise, and margin transactions, including short sales.~~
- (2) ~~Receive on behalf of the Corporation or deliver to the Corporation or third parties monies, stocks, bonds, and other securities. To sell, assign, and endorse for transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of the Corporation.~~
- (3) Establish and maintain an asset management account with ~~debit card, check writing, and margin privileges~~, from which account funds are directly spent, the responsibility for which is entirely that of the Corporation, such that check writing and ~~debit card~~ privileges will be limited to the following persons designated by the Corporation: 2 required

Brian Horstman

Cape Powers

Paul Eisenberg

Gary Kittleson

NOW THEREFORE BE IT RESOLVED that this Corporation open an account or accounts in its name with \_\_\_\_\_

and that this Paul Eisenberg, President, Gary Kittleson, Vice President  
Cape Powers, Treasurer, or Brian Horstman or any <sup>two</sup> ~~one~~ of them  
or their successors in office, may, on behalf of this Corporation or ~~any one of them acting individually~~, be and they are hereby authorized to (1) give orders in the said account or accounts for the purchase, sale, or other disposition of stocks, bonds, and other securities, (2) deliver to and receive from Pershing LLC (Pershing), on behalf of this Corporation monies, stocks, bonds, and other securities, (3) sign acknowledgements of the correctness of all statements of accounts, and (4) make, execute, and deliver under the corporate seal any and all written endorsements and documents necessary or proper to effectuate the authority hereby conferred; the within authorization to each of said officers to remain in full force and effect until written notice of the revocation thereof shall have been received by \_\_\_\_\_

## III. CERTIFICATION AND SIGNATURE

I FURTHER CERTIFY that the following are the signatures of the officers (or others) authorized by the foregoing resolution to act for this Corporation:

[Signature]

[Signature]

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation this

(AFFIX CORPORATE SEAL HERE)

21st day of October 2010

SECRETARY: [Signature]

NOTE: This certificate must be executed by an officer other than one of those authorized to act.



CORP

# Suncadia Community Council

## RESOLUTION NUMBER 309a

### Relating to Temporary Commercial or Event Signage

**WHEREAS**, the Governing Documents of Suncadia Community (“CCR’s”) assigns the Board all powers and duties necessary for the administration of the affairs of Suncadia Residential Homeowners Association (“Association”) and states that the Board may do all such acts and things, except those matters that the Board is prohibited from doing by law or the governing documents;

**WHEREAS**, Section 4.15 of the Bylaws provides that the directors shall exercise their powers and duties in good faith and in the best interest of the Association and its members;

**WHEREAS**, the Board of Directors wishes to establish standards for the operation and governance of the Association that serve as guiding principles for both volunteer leaders and members of the Association; and,

**WHEREAS**, the Board has determined that it is in the best interests of the Association and the Association’s members to adopt *a uniform policy for the use and style of temporary Commercial or Event signage*.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby rescinds Resolution 309, and adopts the following policy as Resolution 309a for the use and style of temporary Commercial or Event Signage:

**General:** *These regulations apply only to signage of a temporary nature that would be directional or informational in nature. This would apply to special events and occasionally granted as transitional signage during the construction of a permanent monument for a commercial property.*

*Signs of a cautionary or traffic control nature may be displayed and installed by Community Services on a temporary basis and will be removed as soon as practicable.*

*Community Special Events will be noticed in signage located prior to the Greeter’s Cottage. Any information or directions concerning events will be provided by the sponsoring entity and given out by the greeter. Events that will use roadways, crossover roadways, involve temporary parking and or other unusual circumstances may be granted after review by Management.*

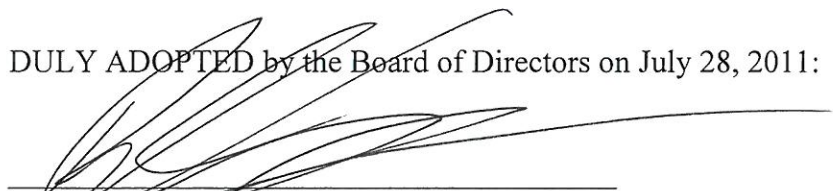
**Approval:** *All signs with both verbiage and location must be approved in advance by Suncadia Community Association Management. All permitted signs shall be constructed of materials, styles, colors, and sizes as approved by the Community Associations Management.*  
*CommunityAssociations@suncadia.com*

**Operation Hours:** *Signs may be erected no more than 24 hours before beginning of event and must be taken down as soon as practicable but no greater than 12 hours after the end of an event or as approved by the Association.*

*Signs of a cautionary nature may be displayed on a temporary basis and must be removed as soon as practicable or as approved by the Association.*

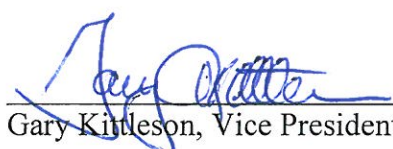
**Location(s):** *All signs must be placed in preapproved locations which will be in areas that do not impede traffic flow, do not present a safety hazard, do not damage vegetation and do not encroach upon the roadways.*

DULY ADOPTED by the Board of Directors on July 28, 2011:



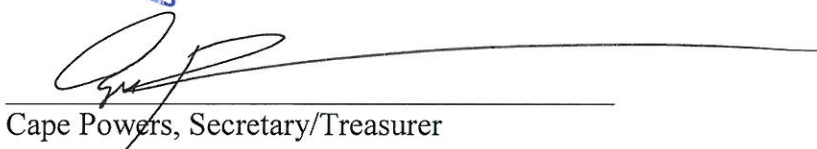
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Paul Eisenberg, President



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Gary Kittleson, Vice President



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Cape Powers, Secretary/Treasurer

**SUNCADIA COMMUNITY COUNCIL****CODE OF CONDUCT RESOLUTION**

**WHEREAS** the Amended and Restated Declaration of Covenants and Easements for Suncadia Community Improvements (the "Declaration") sets forth certain rights and responsibilities of owners of property within Suncadia ("Owners").

**WHEREAS** the Declaration serves, in part, to enhance the Owners' peaceful enjoyment of their properties by preventing activities within Suncadia which are noxious or offensive or that would interfere with or jeopardize the enjoyment of the Community Improvements or which is a source of annoyance to Owners or occupants (*See Declaration, Section 4.3.6*).

**WHEREAS** each Owner is subject to restrictions contained in the Declaration and in the governing documents (*See Sections 2.1 and 4.3.9*).

**WHEREAS** each guest or invitee of an Owner has no greater rights than an Owner and, thus, is bound while present in Suncadia to conform to the same restrictions on conduct that an Owner must observe (*See Sections 4.3.6 and 4.3.9*).

**WHEREAS** each Owner and occupant must refrain from noxious or offensive conduct (*See Section 4.3.6*).

**WHEREAS** Suncadia Community Council (the "Council") has a right and responsibility to manage conduct on the Common Areas and to enforce the Declaration and the Policies and Procedures of the Council. (*See Section 7.2*).

**WHEREAS** the Council has authority to adopt Policies and Procedures (as defined in Section 1.27 of the Declaration) in furtherance of those purposes, rights and duties embodied in the Declaration. (*See Section 4.3.8*).

**WHEREAS** the Board has determined it to be in the best interests of the Council, the Owners, and the guests and invitees of the Owners to set out, in a Code of Conduct, those behaviors that shall not be permitted within Suncadia, to the end that each Owner's rights of peaceful enjoyment shall be protected and preserved.

**WHEREAS** the Board believes that it is in the best interest of Suncadia for the Council to adopt a Code of Conduct, to apply that Code of Conduct, and then to review that Code of Conduct for possible revision, in light of what the Board learns through its application of the initial Code of Conduct.

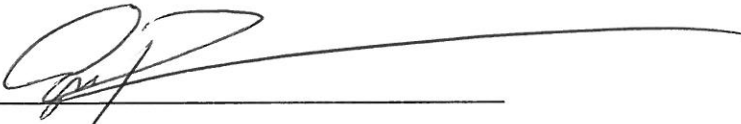
**NOW THEREFORE BE IT RESOLVED** that:

1. The Suncadia Code of Conduct, as set forth on EXHIBIT A to this Resolution, and incorporated by this reference as though fully set forth herein, is adopted;
2. This Suncadia Code of Conduct shall be effective immediately; and

3. The Council shall review the Code of Conduct not later than December 31, 2011, for the purpose of considering revisions to the Code of Conduct that may enhance its effectiveness in achieving the purposes the Code of Conduct is intended to achieve.

Approved by the Board at a meeting held on September 19, 2011, as reflected in the approved minutes of that meeting.

**SUNCADIA COMMUNITY COUNCIL**

By:   
Secretary

## EXHIBIT A

### Suncadia Code of Conduct

Suncadia is private property governed by restrictive covenants, policies and rules intended to preserve for Owners of property within Suncadia and their guests the peaceful enjoyment of the property they own. The following Code of Conduct governing the conduct of persons who enter Suncadia exists and is enforced in order to prevent conduct that would unreasonably interfere with others' peaceful enjoyment of property within Suncadia or that would create a risk of injury to person or property. The following conduct or activity likely to cause aggravation or a nuisance to other Suncadia Owners or their guests is **not permitted** within Suncadia:

- Engaging in any behavior that disrupts or impedes normal pedestrian or vehicular traffic flow. This may include, but is not limited to, participating in demonstrations or protests, and loitering.
- Using physical force, obscene or abusive language, obscene gestures or racial, sexual, religious or ethnic slurs, shouting or taunting.
- Creating noise (amplified or yelling) likely to annoy or to disturb another owner or guest. Noise sources that emanate sound that might cause such disturbance include, but are not limited to, television, radio, musical instrument, motor vehicle, and voices of a person or an animal.
- Engaging in criminal activity as defined by any applicable city, county, state or federal law or regulation. This may include, but is not limited to, consuming or possessing any type of alcohol except in areas specifically designed for the consumption of such, distributing, posting handbills, soliciting or panhandling on property without the express prior written permission of the Council.
- Any activity which constitutes a safety or health hazard. This may include, but is not limited to, discharging any explosives, fireworks or firearm.
- Any group or individual with the stated intent to interfere or disrupt the peaceful enjoyment of Suncadia's owners, guests or invitees, may be denied entrance to Suncadia.

**Any person who fails or refuses to follow this Code of Conduct  
may be asked to leave the property.**

**Any person who, when requested to sign an acknowledgment of receipt  
of this Code of Conduct, refuses to do so may be denied entry onto the property.**

**Individuals who refuse to leave or stay off the property can be subject to arrest and prosecution for  
criminal trespass.**

## RESOLUTION # 311

### SUNCADIA COMMUNITY COUNCIL YOUTH ADVISORY COMMITTEE CHARTER

**WHEREAS**, it is in the best interest of the homeowners and Suncadia Community Council (Council) to have a committee to act as advisors to the Board of Directors (Board) to represent the interests of youths as it relates to the Council programs and assets with the intent of enhancing the community experience; and

**WHEREAS**, the Board has identified the need for such a committee;

**NOW THEREFORE LET IT BE RESOLVED**, that the Board does establish by this resolution a committee as a special committee of the Council whose powers are only advisory in nature;

There is established herein a special committee to be known as Suncadia Community Council Youth Advisory Committee (Committee).

#### **PURPOSE**

The Committee is to assist the Board in its efforts to represent the interests of all ages of Community members.

#### **ORGANIZATION**

There shall be nine (9) members on the Committee. Committee members shall be recommended by the Owner's Advisory Committees and appointed by and serve at the discretion of the Board. A Council Board member and a representative of management shall serve as liaisons to the Committee. The committee may with permission of the Board form task forces to assist in the performance of their duties.

#### **MEMBERSHIP**

Committee members shall serve for one year unless reappointed. Committee members will be recommended by each of the existing owner Advisory Committees and will be comprised of the following members:

Tumble Creek Owners' Advisory Committee (TAC)- One (1) representative aged 6 - 10 years, one (1) representative aged 11-13 years, and one (1) representative aged 14- 20 years

Lodge Residential Owners' Advisory Committee (LAC)- One (1) representative aged 6 - 10 years, one (1) representative aged 11-13 years, and one (1) representative aged 14- 20 years

Suncadia Residential Owners' Advisory Committee (SAC)- One (1) representative aged 6 - 10 years, one (1) representative aged 11-13 years, and one (1) representative aged 14- 20 years

#### **OFFICERS**

##### Terms

1. Chairperson: The Committee Chairperson shall be selected by the Committee. The Chairperson shall:
  - a. Conduct meetings with the assistance of Management;
  - b. Report Committee recommendations to the Board.
2. Vice-chairperson shall be selected by the Committee and the Vice Chairperson shall:
  - a. Assist the Chairperson in the performance of his/her duties, and
  - b. In the event of absence or incapacity of the Chairperson, is empowered to perform all duties and exercise all authority vested in the Chairperson.
3. Secretary: The Committee Secretary shall be appointed by the Chairperson. The Secretary shall be responsible for:
  - a. Ensuring that notes of the meeting are recorded

## QUORUM AND VOTING

A Quorum shall be the majority of the members of the Committee, and all members of the Committee have the power to vote.

## ADMINISTRATION

1. **Meetings:** The committee shall hold meetings as needed. Committee members that miss two (2) concurrent meetings without being excused by the Chairperson will be deemed to have resigned their position.
2. **Agenda:** The agenda shall be set by Management.
3. **Notes:** The Secretary will record notes of each meeting and submit them for approval to the Committee.
4. **Reporting:** The Chairperson shall report on its activities and make recommendations by submitting a written report at least ten days in advance of a regularly scheduled Board meeting. The Chairperson or designee may present the report at any regular Board meeting.
5. **Vacancies:** In the event of member resignation the Board will appoint replacements.

## FUNCTIONS AND RESPONSIBILITIES

1. The committee shall:
  - a. Make suggestions to the Board and Management concerning programs, assets and events that would benefit members of the community under the age of 21.
  - b. Assist the Board as the Board feels necessary and as requested.

This resolution is adopted and made a part of the minutes of the January <sup>27</sup>~~26~~, 2011, Board meeting.

ATTESTED BY: \_\_\_\_\_

  
Secretary

## **RESOLUTION # 312**

### **SUNCADIA COMMUNITY COUNCIL Sustainable Forest Health Management Task Force Charter (Task Force)**

**WHEREAS**, it is in the best interest of the homeowners and Suncadia Community Council (Council) to have a task Force to act as advisors to the Board of Directors (Board) in the maintenance and improvement of the Council assets with the intent of enhancing the community experience; and

**WHEREAS**, the Board has identified the need for such a task force;

**NOW THEREFORE LET IT BE RESOLVED** that the Board does establish by this resolution a special task force of the Council whose powers are only advisory in nature;

There is established herein a special task force to be known as the Sustainable Forest Health Management Task Force (Task Force).

#### **PURPOSE**

The Task Force is to assist the Board in its efforts to research and study Sustainable Forest Health Management as related to the Spruce budworm activity within Suncadia and Tumble Creek.

#### **ORGANIZATION**

There shall be five (5) members on the Task Force. Task Force members shall be appointed by and serve at the discretion of the Council Board. A member of Management shall serve as an ex-officio member of the Task Force. The Task Force may, with permission of the Council Board, ask for other volunteers to assist in the performance of their duties.

#### **MEMBERSHIP**

Task Force members will be comprised of four (4) members appointed by the Suncadia Residential Owners Association Board of Directors, one (1) member of the Suncadia Commercial Association, one (1) member appointed by a Suncadia Privately Owned Amenity and one (1) member at large. The Task Force will serve a term of one year or until dismissed by the Board by virtue of completion of their task. The Task Force may be renewed and Task Force members may be considered for re-appointment if needed to provide continuity or expertise.

#### **OFFICERS**

Officers will be elected by the Task Force. The results of the election will be reported to the Council Board

The duties of the officers are as follows:

1. Chairperson: The Chairperson shall:
  - a. Schedule and conduct meetings;
  - b. Send notice of meetings in advance of each meeting to all members by hard copy, fax, email or similar means;
  - c. Act as a liaison between the Task Force, the Council Board and the Council Manager.
  - d. Communicate Council Board directives to the Task Force and;
  - e. Report Task Force recommendations to the Council Board.

2. Vice-chairperson: The Vice-chairperson shall:
  - a. Assist the Chairperson in the performance of his/her duties, and
  - b. In the event of absence or incapacity of the Chairperson, is empowered to perform all duties and exercise all authority vested in the Chairperson.
3. Secretary: The Secretary shall be responsible for:
  - a. Ensuring that notes of the meeting are recorded and records of the meetings are maintained;
  - b. Ensuring that records are maintained for any actions undertaken outside of a meeting; and
  - c. Other administrative duties as assigned by the Chairperson.

## QUORUM AND VOTING

A Quorum shall be the majority of the members of the Task Force, and all members of the Task Force have the power to vote.

## ADMINISTRATION

1. **Meetings**: The task Force shall hold meetings at least every 2 months or more frequently as needed. Task Force members that miss two (2) concurrent meetings without being excused by the Chairperson will be deemed to have resigned their position.
2. **Agenda**: The agenda shall be set by the Chairperson. The Chairperson or designee will circulate agendas and any relevant documents/presentation(s) at or in advance of each meeting, with copies to the Secretary.
3. **Notes**: The Secretary will record notes of each meeting and submit them for approval to the Task Force.
4. **Reporting**: The Chairperson shall report on its activities and make recommendations by submitting a written report at least ten days in advance of a regularly scheduled Board meeting. The Chairperson or designee may present the report at any regular Council Board meeting or at a Special Council Board Meeting held for the purpose of reporting of the Task Force. The Task Force may make a presentation at the Annual Meeting.
5. **Vacancies**: In the event of member resignation, the Task Force will submit names for replacements to the Board for approval. Replacements will be made based on the representation classification of the member that has resigned.

## FUNCTIONS AND RESPONSIBILITIES

1. The task Force shall:
  - a. Research and study Sustainable Forest Health Management in particular Spruce Budworm activity and impact.
  - b. Consult and work with management concerning activities in process and that have been completed relative to above.
  - c. Make recommendations to the Board concerning actions that need to be taken in relationship to the above.
  - d. Will not publish their opinions or conclusions to anyone other than Task Force members, Council management or the Council Board unless explicitly approved by the Council Board.
  - e. Work within the Community to dispel rumors and misinformation concerning Forest Health management and Spruce Budworm activity and impact.

This resolution is adopted and made a part of the minutes of the \_\_\_\_\_, Council Board\_\_\_\_ meeting.

ATTESTED BY: \_\_\_\_\_  
Secretary

# Suncadia Community Council

## RESOLUTION NUMBER 313

### **Relating to Granting of a Variance to Kittitas County Noise Ordinance and Suncadia Community Council Noise Rules**

**WHEREAS**, the Governing Documents of Suncadia Community Council (“CCR’S”) assigns the Board all powers and duties necessary for the administration of the affairs of Suncadia Community Council (“Council”) and states that the Board may do all such acts and things, except those matters that the Board is prohibited from doing by law or the governing documents;

**WHEREAS**, Article 4, Section 4.15 of the Bylaws provides that the directors shall exercise their powers and duties in good faith and in the best interest of the Council and its members;

**WHEREAS**, the Board of Directors wishes to establish standards for the operation and governance of the Council that serve as guiding principles for both volunteer leaders and members of the Council; and,

**WHEREAS**, the Board has determined that it is in the best interests of the Council and the Council’s members to adopt *a uniform policy for the granting a variance to the Kittitas County Noise Ordinance and Suncadia Community Council Noise Rules (Variance)*,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors hereby adopts the following policy as a guide actions Policy will go into effect as of October 20, 2016

Only events that are for the benefit of charitable causes will be considered by the Board.

Any entity desiring variance will give written notice to Board of Directors of the Suncadia Community Council and the Suncadia Residential Association at least 45 days in advance of the event.

Events requesting a variance must be approved by the Board of the Suncadia Community Council at a meeting that gives notice to Owners and invites residents’ comments.

After approval by the SCC Board, a proper application, by the entity holding the event, must be made to the board of county commissioners that is in conformance with existing provisions of the Kittitas County Code, as it now exists, or as amended in the future must be made.

Any related fees for county application must be paid by the applicant.

After proof of approval by the Board and the county, all residents within 1,000 feet of the noise source property boundary must be given additional notice of the particulars of the event to include date and time. Community Associations Management will deliver this notice electronically and on the website.

DULY ADOPTED by the Board of Directors on October 20, 2016:

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Paul Eisenberg, President

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Gary Kittleson, Vice President

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Cape Powers, Secretary/Treasurer

## SCC Rule and Policy for Suncadia Service Gate #314

**Purpose:** To reduce unauthorized, unsafe and unnecessary use of the Suncadia Service Gate. This will improve safety, reduce property damage and ensure that the Resort is meeting its obligations regarding the agreed terms of use for this entrance.

**Scope:** This applies to the Suncadia Service Gate but may apply to any future SCC gates.

**Background:** Each gate cycle presents a potential hazard. Therefore, reducing the frequency of gate cycles should increase safety and decrease damage. This can be accomplished by reducing unauthorized and unnecessary Gate use.

### Reducing Unauthorized Use

Suncadia Community Council has adopted the following Rule that makes unauthorized or unsafe gate use a finable offense.

“Use of a Restricted Gate by a driver or vehicle not authorized to do so. Use of the Gate not in accordance with the terms and conditions of the Gate Authorization Agreement.”

*This rule could be applied to drivers without authorization who attempt to use the gate as well as drivers who do have authorization, but are seen using the gate in an unsafe manner.*

*In keeping with established Violation Procedure, violations of this Rule would result in a warning, followed by a \$50 fine for a second offense and a \$100 fine and/or loss of use for additional offenses.*

*Community Associations may apply the Loss of Use provision to an entire organization. This will help ensure that users will be self-policing.*

The types of unauthorized vehicles that would likely be the subject of such a rule include contractor employees, resort employees and property owners. Resort guests, who may not be aware of the nature of the Service Gate will be advised to use the main entrance.

### Reducing Unnecessary Use

Community Associations will implement procedural changes to reduce unnecessary use. They will require that all authorized users, except for Emergency Services vehicles, re-apply for Service Gate Authorization, provide updated vehicle information and sign a new Gate Authorization Agreement with terms and conditions including “Use for work purposes only.”

Some users may be placed on a gate schedule that will allow use only during certain hours. This should reduce the number of cycles that occur at commute times, but allow use during the middle of the work day.

Users who cannot demonstrate a current need for access may be denied re-authorization.

Adopted by Board resolution July 21, 2016

## **Suncadia Service Gate Terms and Conditions**

**Authorized users are expected to follow all rules for gate use:**

1. Come to a full stop at the stop line in front of the gate and proceed only when the gate arms are fully raised.
2. If another vehicle is at the gate, stay at least thirty feet behind it until it has cleared the gate and the arms have closed before proceeding.
3. If a vehicle at the gate does not appear to have a transponder, do not pull forward and allow them to enter. Wait until they have left the gate area before proceeding.
4. Drafting another vehicle through the gate is not allowed.
5. Transponders may not be transferred from one vehicle to another unless permission to do so is granted by Suncadia Community Associations.
6. Use by a driver other than the ones authorized for that vehicle is not allowed.
7. The gate may only be used for its authorized purpose.
8. Obey the posted speed limits throughout the resort.

The Gate is monitored and video-recorded. Unauthorized or unsafe use of the Gate will result in a fine of up to \$100 and loss of use. Violation of these Terms and Conditions may result in the withdrawal of gate privileges for the driver's entire department or company. Damage to the Gate due to non-compliance with these Terms and Conditions will automatically result in loss of use for your entire company or department for a period of no less than 30 days.

Please complete the accompanying form for each vehicle that needs use of the Gate and drop of at the Community Associations office or email to [ntackett@suncadia.com](mailto:ntackett@suncadia.com).

Thank you for your cooperation in this matter.

Pat Simpson, Director of Community Associations



## **Rules for Operation of Low Speed Electric Vehicles/Street Licensed Golf Carts (EVs)**

### **Suncadia Community Council**

**Low Speed Electric Vehicles – Must meet the requirements of (RCW 46.04.357 and 46.04.295)** Any electric vehicle that travels on four wheels at a speed less than 35 mph may be classified as a Medium Speed Vehicle (25-35mph) or a Neighborhood Electric Vehicle (up to 25mph). These vehicles must meet the state and federal requirements for low speed electric vehicles.

#### **Examples:**

- a) A Neighborhood electric vehicle (NEV) – for road use on roads 35 mph or under and in accordance to state and local restrictions (RCW 46.04.357) (RCW 46.61.725)
- b) A Medium Speed Vehicle (MSV) – for road use on roads 35 mph or under and in accordance to state and local restrictions (RCW 46.04.295) (RCW 46.61.723)

#### **License**

Operators must have a valid drivers' license (RCW 46.20.001)

The vehicle must be registered and display a valid Washington State license plate (RCW 46.12)

#### **Insurance**

Drivers must have liability insurance.

#### **Community Association Registration**

Vehicles must be registered with the Association and display a valid Suncadia Owner Vehicle Decal. Owners must sign an acknowledgement of the Rules before a decal will be issued.

#### **Equipment Requirements**

1. 4 wheels (RCW 46.04.295& RCW 46.04.357)
2. Electrically powered (RCW 46.04.295& RCW 46.04.357)
3. Roll cage or crush-proof body (Medium Speed Vehicles Only RCW 46.04.295)
4. 20 mph – 25 mph (Neighborhood Electric Vehicle Only RCW 46.04.357)
5. 25 mph – 35 mph (Medium Speed Vehicle Only RCW 46.04.295)
6. Headlamps (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
7. Turn Signals (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
8. Tail lamps (49 CFR 571.500 – RCW 46.04.295& RCW 46.04.357)
9. Stop lamps (49 CFR 571.500 – RCW 46.04.295& RCW 46.04.357)
10. Reflectors – one red on each side to the rear (49 CFR 571.500 – RCW 46.04.295& RCW 46.04.357)

11. Mirrors - Must have a mirror on the driver's side of the vehicle and at least one additional mirror located on either the passenger's side or in the center of the vehicle (a rearview mirror) that must reflect a distance of at least 200 feet (RCW 46.37.400; 49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
12. Parking Brake (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
13. Windshield (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
14. VIN (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)
15. Seat belts (49 CFR 571.500 – RCW 46.04.295 & RCW 46.04.357)

### **Operation of Vehicle**

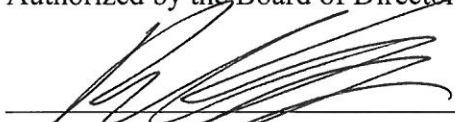
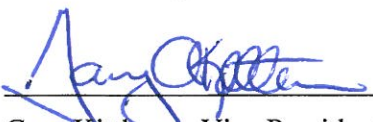
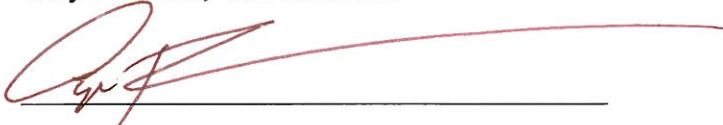
(EVs may not operate at a speed faster than 25 miles per hour (mph) and may only be used on roads that have a posted speed limit of less than 35 mph. EVs must display a notice of the operational restrictions (either painted or otherwise permanently attached) on the vehicle in a location that is in clear view of the driver.

Regarding the use of these vehicles in the Suncadia; EVs must be driven only on roadways and on the far right side of the street. These vehicles are **not** to be driven on paved and unpaved pathways, golf cart paths or within parks or common areas.

### **Exceptions**

Community Association vehicles; such as those used by Community Service personnel and authorized landscape workers are considered "farm equipment". These vehicles do not fall under the same guidelines as the EVs. These vehicles may be driven in areas in order to reach the area where work is needed, including paved and unpaved pathways. However, when driving on the roadways they must obey the speed limit and drive on the far right side of the street. Association workers must be courteous to pedestrians/bicyclists and move out of the way to let them pass by. Please notify the Association if these rules are not adhered to.

Authorized by the Board of Directors on Oct. 12, 2012:

  
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Paul Eisenberg, President  
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Gary Kittleson, Vice President  
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Cape Powers, Secretary/Treasurer