



# **THE VILLAGES AT LYNX CREEK**

## **POLICIES & PROCEDURES MANUAL**

REVISED: 5/15/2025

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Revision: 5/22/2025

**SUBJECT: INTRODUCTION**

The Villages at Lynx Creek provides its residents with a lifestyle over and above what is commonly associated with residential living, by offering amenities associated with adult living such as a recreation center, tennis courts, and common areas designed for the enjoyment and use of the owners. To ensure that this lifestyle is maintained, a nonprofit corporation has been created to manage and administer the properties and facilities that form The Villages at Lynx Creek.

The Villages at Lynx Creek Owners Association is an Arizona nonprofit corporation. It is the owner of the recreation center, tennis courts and common area of The Villages, obtaining its title to them from the Developer. In addition, the Association administers the provisions of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) for the Villages.

The Board of Directors manages the business of the Owners Association. Some of their duties include:

- Preparing an annual budget and establishing the annual rate of assessment
- Employing personnel for the operation of The Villages
- Collecting assessments levied to support the operation of The Villages
- Establishing policies and procedures governing the use of The Villages properties in accordance with the CC&Rs for The Villages
- Enforcing the provisions of all legal documents governing The Villages and its policies and procedures.

The Owner's Association is responsible for maintaining all of the common areas of the Association, including landscaped areas, streets, areas around the recreation center, main entrance, recreation center and tennis courts.

The success of The Villages largely depends on the attitude and cooperation of its lot owners. It is your community - you chose to live here. We are certain you want to be proud of it and believe you want to keep it a nice place to live. As an owner, you are required to adhere to the CC&Rs, Bylaws, Policies and Procedures and all other Governing Documents of the Villages.

**SUBJECT: PURPOSE OF MANUAL**

Policies & Procedures are mandatory for efficient operation of any organization.

Procedures must not be ignored. They must be followed. If a better way is discovered, they may then be changed to reflect the better way.

Procedures do not stifle creativity. On the contrary, they should stimulate everybody to improve the way things are being done.

The more routine the job to be done, the more detailed the procedure to assure uniformity and efficiency.

The more creative the job to be done, the broader the procedure to allow latitude in the performance of the job.

The Policies and Procedures Manual assembles in one place all the procedures deemed necessary to accomplish the smooth functioning and interaction of all entities of The Villages. Its scope is shown in the Policies and Procedures Index, Procedure No. 1.01. These procedures are to be used in conjunction with the CC&Rs, the Bylaws and other Governing Documents.

To be of maximum use, each procedure must be reviewed from time to time to assure that it still represents the best way to accomplish a task. When necessary, a procedure can be revised to reflect the current thinking of how the task should be performed. Revisions require the approval of the Board of Directors.

Approved by BOD: 2/20/2003

**SUBJECT: POLICIES AND PROCEDURES GUIDANCE**

The Board of Directors of the Owner's Association of The Villages at Lynx Creek shall establish policies and procedures in the major areas of the Association to assure uniform understanding of the Association's objectives.

Every function performed on a repetitive basis shall be covered by a procedure to assure that these functions are performed in a uniform manner.

A Policy is a general statement of understanding intended to guide the thinking of a decision maker. It defines the area in which the decision can be made and assures that the decision will be consistent with the objectives of The Villages.

Policies avoid the need for repeated analysis and review of existing courses of action, thereby permitting managers to delegate authority while maintaining control.

A Procedure is a step-by-step plan of how to implement a particular policy to accomplish a desired activity. It is a guide to action rather than to thinking.

THE VILLAGES AT LYNX CREEK

No. 2.01

**SUBJECT: PRECEDENCE**

The operation of the Villages at Lynx Creek shall be governed by:

Articles of Incorporation of the Villages at Lynx Creek Owners Association, Inc.  
Declaration of Covenants, Conditions and Restriction for The Villages at Lynx Creek (CC&Rs)  
Bylaws of the Villages at Lynx Creek Owners Association  
The Villages at Lynx Creek Policies and Procedures Manual

The Villages at Lynx Creek Owners Association is an Arizona nonprofit Corporation.

It is the owner of the recreation center, tennis courts and common area of the Villages obtaining its title to them from the developer. Every lot owner in The Villages becomes a member of the Owners Association upon his or her acceptance of the title to their property in the Villages at Lynx Creek and payment of the Owners Association dues.

The Declaration of Covenants, Conditions and Restrictions for the Villages at Lynx Creek is recorded in the book of the County Recorder of Yavapai County, Arizona Book 4634 of Official Records, Pages 820-855, dated November 24, 2008.

It has been and may be amended pursuant to Article IX of our CC&Rs.

The Villages at Lynx Creek Bylaws are condensed from the CC&Rs for the Villages at Lynx Creek and serve as a shortcut to understand the laws governing The Villages.

The Villages at Lynx Creek Policies and Procedures Manual defines how the Board of Directors of The Owners Association wants a specific task or a set of tasks to be performed to assure uniform results.



Revised by the BOD: 2/20/2009

**SUBJECT:       MANAGER**

The Board of Directors may engage a Manager who shall be responsible for managing the day-to-day operations of the Association facilities, landscaping, community relations and resident relations. The Manager shall be responsible for office procedures.

Assists the Board of Directors in establishing policy by identifying short-term and long- term issues to be addressed.

Keeps the Board of Directors informed by collecting, analyzing and summarizing information and trends affecting the operation of the community. Remains accessible and answers questions and requests from the Board and the Owners.

Provides Owner services by establishing and improving a functional structure, enforcing Board decisions, monitoring and enforcing Board policies and procedures.

Maintains Association staff performance by training employees, providing coaching and counseling and assisting them as needed to ensure the best possible service to association members.

Performs periodic reviews of the Association employees.

Supervises the preparation and issuance of the monthly/annual financial reports.

Complies with Federal, State and Local laws and regulations by studying existing and new legislation, enforcing adherence to requirements, and advising the Board of needed actions.

Supervises the management and enforcement of all Governing Documents.

**Experience Required:**

Expertise in accounting, forecasting, cash management, budgeting, profit and loss analysis and reconciliation.

**Contract negotiation**

Excellent communication skills including the ability to lead committees, train Board Members, make presentations and communicate at all HOA related meetings.

Proven ability to lead, train, coach and supervise office staff; including assigning tasks, evaluating performance, and facilitating professional development.

Working knowledge of the communities' maintenance needs and the ability to work with the maintenance staff to schedule, replace, maintain and repair all HOA property.

Proficiency with word processing, spreadsheet, installing new software programs and general I.T. knowledge.

## MANAGER - continued

Troubleshoots existing software and has the ability to speak to technical advisors.

Implement and manage office policies and procedures to maintain compliance with insurance laws and regulations.

Use of a ten key calculator by touch.

Type at least 40 wpm.

Familiarity with Reserve Studies and the ability to update the study as capital improvements are made or acquired.

Demonstrated ability to communicate the associations' financial expectations to the finance and budget committees and the Board of Directors, along with communicating this information to the member's as needed.

Payroll experience.

Understanding of Accounts Payables, Accounts Receivables, and a Balance Sheet. The ability to timely reconcile the Association's bank accounts at the end of each month.

Perform year end reconciliations and the preparation of tax returns.

Develop and maintain business relationships with clients, insurance carriers, and other stakeholders to support business growth.

**SUBJECT: 55+ Housing Qualification Process**

In order for our community to qualify as housing for persons 55 years of age or older, it must be able to produce, in response to a complaint filed under this title, verification of compliance with § 100.305 through reliable surveys and affidavits.

Our community has developed procedures for routinely determining the occupancy of each unit, including the identification of whether at least one occupant of each unit is 55 years of age or older. Our facility requires this to be part of a normal leasing or purchasing arrangement.

The procedures described above must provide for regular updates, through surveys or other means, of the initial information supplied by the occupants of the housing facility or community. Such updates must take place at least once every two years. Our facility completes a survey every two years during Board elections.

Any of the following documents are considered reliable documentation of the age of the occupants of the housing facility or community:

- (1) Driver's license;
- (2) Birth certificate;
- (3) Passport;
- (4) Immigration card;
- (5) Military identification;
- (6) Any other state, local, national, or international official documents containing a birth date of comparable reliability; or

(7) A certification in a lease, application, affidavit, or other document signed by any member of the household age 18 or older asserting that at least one person in the unit is 55 years of age or older.

We consider any one of the forms of verification identified above as adequate for verification of age, provided that it contains specific information about current age or date of birth.

If the occupants of a particular dwelling unit refuse to comply with the age verification procedures, we may, if we have sufficient evidence, consider the unit to be occupied by at least one person 55 years of age or older. Such evidence may include:

- (1) Government records or documents, such as a local household census;
- (2) Prior forms or applications; or

(3) A statement from an individual who has personal knowledge of the age of the occupants. The individual's written statement must set forth the basis for such knowledge and be signed under the penalty of perjury.

Surveys and verification procedures which comply with the requirements of this section shall be admissible in administrative and judicial proceedings for the purpose of verifying occupancy.

A summary of occupancy surveys shall be available for inspection upon reasonable notice.

## THE VILLAGES AT LYNX CREEK

No. 2.04

### SUBJECT: **BOARD / OFFICE COMMUNICATION OPTIONS**

Our office and Board have numerous ways to communicate with our residents. All are used in a professional manner to relay relevant information about our Community. They include:

Emails: The office has a system that enables them to send out relative and current information via email to all residents. This would also include your monthly HOA fee and electric bill if you are one of the 232 residents on the electrical pass through.

Robocalls: Along with the weekly update on upcoming events in the Community, the office has the capability to call all residents in a single call. Reasons for this would include water leaks and electrical shutoffs.

Villages Crier: Our newsletter is available on the first of each month in the Association office. It is sent out via email and is on our website. This lists all planned recreation and social activities for the coming month. Notices of events are also posted on bulletin boards and on white boards near the office and in the pool area. All activity scheduling is through the Association office. If you wish to contact the Crier or are interested in placing pertinent information within it use:

Crier.Villages.AZ@gmail.com

Website: [www.villagesatlynxcreek.com](http://www.villagesatlynxcreek.com) Our website provides a a lot of information about our Community and its operation. It includes our Governing Documents, a listing and photos of our many amenities, office contacts and includes financial documents that only are available to our residents. Please contact the office for the passcode for this particular portion of our website.

Mail: Although infrequent due to cost, mail is used for our annual elections to assure that all residents have the opportunity to vote for Board members.

Google: Google has a listing for the Villages at Lynx Creek that we have posted photos and respond to all reviews. Hopefully, our residents will take the time to post a positive review as Google is a normal first place for potential buyers to get opinions on our Community.

Facebook: The Villages at Lynx Creek Community is our Facebook page which list upcoming events, projects, policies and activities.

Manager's Meeting: Normally the second Monday of each month, the Community Manager gives an update on events and projects that include presentations from the Recreation and Architectural Committee, maintenance and updates from the Board. All residents are welcome to participate.

HOA Board Meeting: All residents are welcome to attend as the Board gives a presentation on the recent past, present and future happenings that effect the business of our community. In addition, the Community Manager, Recreation and Architectural Committee also give reports. These meeting are announced in advance. There is also the annual HOA Board meeting, which gives residents an update on all the happened in the year past and announces the results of our annual elections.

Approved by the BOD: 5/15/2025

THE VILLAGES AT LYNX CREEK

No. 2.05

**SUBJECT: COMMUNICATION AND INTERACTION BETWEEN RESIDENTS WITH THE BOARD AND EMPLOYEES OF THE VILLAGES**

Board members are unpaid and likely retired residents that reside in the Community. Should residents wish to communicate with any member of the Board regarding their duties and the operations of the community, you may do so at our quarterly HOA meetings, our annual meeting, special meetings, monthly manager meetings when Board members may be present, or our annual budget meeting. ***Unless a Board member specifically announces otherwise, residents are not to contact Board members via their personal phone, text, email or in person regarding their duties or management of the community outside of the above.***

The operations of our community run through the Community Manager and the office staff. Any questions regarding the community are to be directed to the office. Should the Community Manager feel that a resident issue requires a Board members feedback or guidance, the Community Manager will contact a Board member and respond to the resident. Contact with the Community Manager is to be made by making an appointment with the Community Manager, the Villages office phone or Villages email accounts. As the Villages considers hiring from within the community whenever practical, Villages employees are likely to also be residents. No Villages employee is to be approached with any community operations issue unless it is during normal office operating hours.

Residents are encouraged to contact the office with any maintenance issue they feel needs to be addressed. Residents may come in to the office and complete a “work order” of the item. A copy of the work order will be given to the maintenance staff and the resident will be contacted by the office with the status of the “work order” once reviewed and or completed by maintenance. Residents may also call or email the office with an issue they feel needs to be addressed.

You are asked to not interrupt maintenance personnel throughout the course of their daily duties with these requests. They will not stop their assigned / designated duties for the day to complete a “Request for Maintenance” for you or complete the task you have a concern about unless it is an emergency. Further, their function is to make repairs and improvements to the community, not respond to questions regarding policies and procedures of the community not directly related to maintenance.

No resident is to contact any employee of the Villages by using the employee’s personal phone number, text or email account.

Approved by the BOD: 5/15/2025

**SUBJECT: ALTERATION OR EXPANSION**

Since all Charter Clubs of the Association have been established as a nonprofit organization, formed solely to meet the recreational needs of the member of the Association, funding for construction, alteration, expansion or remodeling shall normally be supplied by the Associations. Furniture, fixtures, and equipment, new or replacement, may not be purchased or acquired without prior approval by the Manager and/or the Board of Directors.

When a Charter Club establishes the need for constructions, alteration, expansion or remodeling of an Association area which has been assigned to the use of the club, the following steps will be taken:

Written application is made to the manager and/or Board of Directors consisting of a detailed description of the proposed construction, alteration, expansion or remodeling, and justification why such changes are needed.

If necessary, club officers and/or member may be interviewed, site visits may be made, and other information may be required as requested by the Board of Directors.

Based upon the application materials and consideration of alternative, such as revised schedules of club operation, moving the club to other available facilities, or others, recommendations for appropriate action will be finalized. If more than one alteration or expansion project is deemed appropriate for consideration, the Board will establish a priority list of cost estimates for such action of Association properties.

All recommendations, priority lists, and cost estimates thus established shall be submitted to the manager and/or Board of Directors.

The Board may authorize or require the Club to provide some or all of the needed funding through club dues, club assessments, and fund-raising projects. As any items that are being removed or replaced are owned by the HOA, the office manager and at least one Board member will determine what is to be done with these items and how any funds derived from their sale are disbursed. These items will be listed in the "For Sale" display case outside of the Card Room for residents interested in their purchase.

**SUBJECT: DONATIONS AND MEMORIALS**

Proposed donations and/or memorials should be representative of the sentiment of a significant segment of the Association, must be compatible with existing facility appearance, i.e., building decor and landscape, and shall not create an increase in maintenance expense or obligate the Association to a future commitment for replacement.

When the Association and/or the Manager receive an offer of donations in the form of plantings, plaques or furnishings as memorials to individuals, groups or organizations, the Board of Directors shall make the determination concerning acceptance or rejection of such offers.



**SUBJECT: INDEMNIFICATION OF THE ASSOCIATION**

All organizations and members of the Association which are granted use of any Association facility shall hold the Association harmless from any and all liability they may occur as a result of its activities and/or use of said facility.

An organization or member of the Association wishing to use an Association facility shall execute a "Use Agreement for Facilities for the Villages at Lynx Creek" and may be asked to provide insurance.

**SUBJECT: NO SMOKING**

The No-Smoking policy extends to all forms of tobacco, electronic cigarettes, and similar products to ensure a healthy environment for all members and guests and extends into any indoor area of any building owned, operated or maintained by the Association, nor is it permitted within the interior courtyard.

The Board of Directors reserves the right to designate additional outside areas in which smoking will not be permitted. Anyone found violating this policy will be subject to appropriate action by the Board of Directors.

**SUBJECT: ALLOCATION OF SPACE IN ASSOCIATION FACILITIES**

The Association will give priority to use of facilities and the Social Hall in the following order:

- For the use of the Association for its business.
- For the use of Members and groups of Members for their various interests.
- For events/private parties sponsored by Members subject to availability and subject to approval and limitations established by Policies and Procedures 3.07, 3.08 and 3.09 and the Board of Directors.

Association facilities are not for use by members or non-members whose purpose is to sell products or services, except as outlined in the Recreations Committee Rules.

The Association facilities consist of the Social Hall, the Activity Room, Card Room, Library, Swimming Pool, Courtyard area and all other rooms in the area. Their purpose is to provide convenient and equipped space for members recreational, social and leisure interests. Due to the utility costs involved, use of the Social Hall for small groups is discouraged unless justification can be made as to need (i.e., floor space, state, etc.....)

The use of the Association facilities is open to all residents of the Villages. If a resident chooses to participate in a scheduled activity they should be allowed. Activities that are individual use, by "invitation", private, or refuse to let others participate may use the facilities only when available. Other open, scheduled events take priority. Use of a sign- up sheet is advised if a set number of participants are required.

While certain groups may be granted priority for the use of designated areas of the facilities, such use is not exclusive. Unless the group requires and uses all of the facility for its purposes, the unused portion may be used by other members or groups of members assuming that such use is not disruptive to the scheduled activity. Reservation use must be kept the designated timetable. When activities abut, arriving early or staying late may cause disruption to the other scheduled party. If problems arise – the timetable will be the rule.

All open activities use will be advertised in the Crier under "Activities Schedule". An activity may be labeled as "advanced" or "experienced" if lessons are not provided. It is recommended that at least once per year that lessons be given (if a skill level is required to participate) so that all are given the opportunity to participate in the event in the future.

## **ALLOCATION OF SPACE IN ASSOCIATION FACILITIES-** Continued

Members or groups of members must make application with the Recreation Committee for the use of the facilities.

Recurring reservations must be requested for use of the Social Hall, Activity Room, or Card Room and updated on a yearly basis.

Owners wishing to reserve the Social Hall for a Sponsored event (P&P No.3.07) or reserve the Social Hall for a Private - Personal event (P&P No. 3.08) or Activity Room (P&P No. 3.9) for Private-Personal event must make application with the Villages on-site Office.

The library is not to be used for games or activities or Club meetings. Wi-Fi usage and jigsaw puzzles are permitted in the library.

All reservation requests must include an owner contact name and phone number in the event of a conflict or change. Parameters of need must also be outlined consisting of room needed, special needs, dates and time frames.

Should there be conflicting requests for use; decisions will be made by the Community Manager based on the policy above, number of participants, or other factors pertinent. Decisions may be appealed in writing to the Board of Directors whose decision shall be final.

**SUBJECT: MAJOR MAINTENANCE, REPAIR, REPLACEMENT OR CAPITAL IMPROVEMENTS**

Except in the case of an emergency, and when practical, all items of major maintenance, repair or replacement of capital improvements, not included in the Reserve Study, shall be submitted to the Budget and Finance Committee for inclusion in the following fiscal year's budget.

Major maintenance and repair applied to any required maintenance or repair that is not routine or day-to-day in nature.

This policy applies to club request, Maintenance Department recommendations, and requests from Board members, a group of residents or individual members of the Association.

The requesting entity shall submit to the Office Coordination/Board of Directors full and factual documentation detailing the requirements for major maintenance, repair, replacement or capital improvements of specific items(s). Documentation should include all pertinent data (plans and specifications and a preliminary estimate of cost), an opinion on the immediate and continuing monetary impact on the Association, the effect of health, safety, and welfare concerns, and advice concerning these recommendations and priorities.

The Board of Directors will make the final decision which will be announced at a regular meeting of the Association where comments and suggestions by the members can be heard. If rejected, the request may be resubmitted in the next fiscal year.

No. 3.07

**SUBJECT: SPONSORED SOCIAL HALL USE**

The Association recognizes that on occasion an outside group or organization may request use of the Social Hall for an event or activity. Any such request must first be presented to the Board of Directors for consideration and approval.

Allocation priority of the hall must be within the policy stated in Procedure 3.05.

Such event must have an Association Owner act as Sponsor, and that Owner must take **full** responsibility for the event.

The Sponsor of an event must sign both the Facility Reservation Request as well as the Use Agreement to ensure their knowledge and understanding. They will also be responsible for obtaining and returning of any keys as per the current key policy. Sponsors must be in attendance at all times of each event they sponsor.

The use of the hall would include any and all equipment accessible to the public (table and chairs, stage, platform, restrooms, parking, janitor's closet, etc.). Quoted charges are based on up to six (6) hour continuous usage maximum. Rates will increase (by \$50.00/hr. minimum) if more time is necessary or if a prior day is needed for preparation.

50 Persons or less:	\$175.00	150.00
51 to 100 Persons:	\$275.00	250.00
101 to 300 Persons	\$375.00	350.00

Any facility reservation expecting over 300 people in attendance will require special Board permission with special fees imposed.

The fee structure for the use of the kitchen will apply to above events in which food or uncontained beverages are being served. This fee is to ensure proper usage and cleaning of equipment.

Beverages only:	\$50.00	35.00
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(Includes coffee and/or coffee pot usage and/or beverages only)

non-preparation of food:	\$80.00	60.00
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(Includes snacks or desserts, catered events, potlucks, etc.)

Food preparation use:	\$150.00
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(Includes actual cooking on premises - use of roasters, grills, ovens, etc.) Events serving contained beverages only will not be subject to a kitchen fee.

## SPONSORED SOCIAL HALL USE – Continued

### Damage and Cleaning Charges:

Cleaning/Damage Deposit:	\$200.00	100.00 (refundable)
Minor Cleaning infractions (Dirty equipment, floors, tables, etc.)	\$ 25.00	
Extensive Cleaning infractions (Mud, grease, spills, etc.)	\$ 50.00 +	
Damage to floor	\$ 25.00	
Setting infraction	\$ 50.00	(Failure to replace room to original configuration)
Damage of any item		Estimated cost of repair or replacement

A request must first be submitted to the Board of Directors for approval. Sponsor may make application for the use of the facilities by completing the Facilities Reservation Request at the Association office. After determining if the Social Hall is available, the user must complete the Contract and Agreement for the use of the facilities and place the applicable deposit fee to hold the date. All other applicable fees must be paid no later than 30 days prior to the event. Cancellations made 30 days or less of the scheduled event will forfeit the deposit. Owner-Sponsor Will be responsible for obtaining and returning the keys per the current key policy.

User (outside group or organization) of the Social Hall must provide the Association with an insurance binder for a minimum of \$1,000,000.00 (One-million) liability coverage. This policy must state that coverage limits, the dates and times of the event and that coverage is Primary and the Villages at Lynx Creek is not Contributory and the Villages at Lynx Creek is named as the additional insured. No waivers are allowed.

All rules of the contract will apply. Any communication with the Village office is done through The Owner-Sponsor.

The Villages Board of Directors has the right to deny use of the Social Hall for events at their discretion but not on the grounds of race, color, religion, or creed.

If an event is cancelled by the Villages after the contract and funds have been received, the User will receive a full refund.

Revision Approved by BOD: 9/17/2015

Revision Approved by BOD: 11/16/2023

Revision Approved by BOD: 5/15/2025



**SUBJECT: VILLAGES OWNER PRIVATE SOCIAL HALL USE**

The Association recognizes that on occasion a Current owner may request to use the Social Hall for a private, personal event. If the hall is available (per allocation policy 3.05), all guidelines must be followed.

The use of the Social Hall by a current Owner will be for Private-Personal immediate-family events such as a: Birthday, Anniversary, Wedding, Reception, Memorial, etc.

- Attendees may not enter any other area of the inside Courtyard and / or common area building rooms.
- Attendees may not enter or use the stage area
- Children under the age of 18 must be supervised by adults at all times. **Alcoholic beverages are STRICTLY PROHIBITED ON THE PREMISES ; HOWEVER, an alcohol waiver is available. (DELETE: NO ALCOHOLIC BEVERAGES ARE ALLOWED ON THE PREMISES.)**
- The Association assumes no responsibility for any accident or injury where alcohol is present.

SOCIAL HALL FEES:

50 persons or less:	\$50.00	25.00
More than 50 persons:	\$75.00	50.00

(Exception: The Social Hall Fee is waived for a Villages' (currently-named) property Owners Memorial.)

Fees are based on up to six (6) hour continuous usage maximum.

Rates will increase by \$75 (DELETE 50) per hour (one hour minimum) if more time is necessary or if a prior day is needed for preparation.

The fee structure for the use of the kitchen is to ensure proper usage and cleaning of equipment:

Non-preparation of food: FEE WAIVED

(Includes beverages, catered events, potlucks, etc.) \$75.00 50.00

Food preparation use:

The fee structure for the use of the kitchen is to ensure proper usage and cleaning of equipment.

Non-preparation of food: (serving beverages, catered events, potlucks) and non-use of any appliances): FEE WAIVED

Food Preparation and /or any appliance use: \$75.00 50.00

DAMAGE AND CLEANING CHARGES:

Cleaning/Damage Deposit:	\$200.00 (refundable)	\$100
Minor Cleaning infractions: (Dirty equipment, floors, tables, etc.)	\$ 25.00	
Extensive Cleaning infractions: (Mud, grease, spills, etc.)	\$75.00+	50.00
Damage to floor:	\$50.00	25.00
Setting infraction:	\$50.00 (Failure to replace room to original configuration)	
Breakage of any item:	Estimated cost of repair or replacement	

Owner must provide the Association with a copy of their Homeowner's Insurance Policy Liability Policy Coverage Declaration, no later than thirty (30) days prior to the event. No waivers are allowed.

Owner will make application for the use of the Social Hall by:

- Completing the Facilities Reservation Request at the Association Office.
- If the Social Hall is available on the requested date, the Owner must complete the Social Hall Use Agreement and place the deposit fee to hold the date.
- All other applicable fees must be paid no later than 30 days prior to the event.
- Cancellations made 30 days or less of the scheduled event **will forfeit the deposit**.
- Owners will be responsible for obtaining and returning the keys per the current key policy.

Approved by BOD: 10/15/2015

Revision by BOD: 5/15/2025

## THE VILLAGES AT LYNX CREEK

No. 3.09

### SUBJECT: **VILLAGES OWNER PRIVATE ACTIVITY ROOM USE**

The Association recognizes that an Owner may request to use the Activity Room for a small Private event. If the Activity Room is available (per Allocation Policy 3.05), all Guidelines must be followed.

To provide space for a small group to celebrate a private event such as a Birthday, Anniversary or a social gathering of friends. Strict adherence is required to the following rules.

Owner must complete a reservation form at the Office at least two weeks in advance. Room availability depends on the existing reservations or activities schedules for Activity Groups or Clubs that have priority. The Office Manager maintains the use calendar. Owner will be given a copy of the approved reservation request.

A \$100 cleaning/ damage deposit is required (refundable). The condition of the room will be determined by the Office Manager on the following business day. If there is damage or cleaning required (carpet, furniture) the full deposit will be used and member will be billed for any additional expenses.

Owner must provide the Association a copy of their Homeowner's Insurance Policy Liability Coverage Declaration, no later than thirty (30) days prior to the event. No waivers are allowed.

**Alcoholic beverages are STRICTLY PROHIBITED ON THE PREMISES ; *HOWEVER*, an alcohol waiver is available.** (~~DELETE: NO ALCOHOLIC BEVERAGES ARE ALLOWED ON THE PREMISES.~~) .

The Association is NOT responsible for any accident or injury where alcohol is used at the event.

- a) Maximum time for room uses- Four (4) hours (during regular facilities' hours).
- b) Maximum number of persons for the private event- Thirty (30)
- c) Adults only may attend (must be 21 and over). No Children may attend
- d) Host(s) may only be Owners. The Owner must be present at the event.
- e) Only cold food and cold drinks are permitted; i.e., hors d'oeuvres, snacks, sandwiches, salads.
- f) No hot food is permitted. No electric appliances; i.e., crock-pots, warming pans, sterno-warmers, coffee pots, etc.
- g) All foods and drinks are restricted to the rectangular folding tables. No food, drinks or items of any kind be placed on the shuffle board, cabinet tops, coffee table, end tables, or folding card tables.
- h) Host must provide their own cleaning items: i.e., spray disinfectant (such as Lysol, 409) and paper towels/cloths and must clean all table surfaces after use. Host must provide trash bags for disposed items and remove same from the Activity Room at the end of event and transport to the trash dumpster. Host must vacuum carpet if needed.
- i) Host must return the air-conditioning/heat thermostat to the noted settings on the thermostat.
- j) Host must return all tables and chairs to the original configuration.
- k) Host must turn off all lights at the end of the event.

Approved by BOD: 10/15/2015

Revision by BOD: 5/15/2025

**SUBJECT: USE OF BARBEQUE EQUIPMENT-INNER COURTYARD**

The large commercial roaster-oven may only be used for Association meal events (Example: Woodshop or billiards Clubs cookouts)

The small BBQ's may be used only by a Villages Club for a Club-Member Event

Individuals may not bring personal BBQ's, of any kind, into the Courtyard area.

A Club President or designated Club representative will complete a reservation request at the Villages office to use the small BBQ equipment and sign out a key to unlock the BBQ. The key must be returned to the Office the next business day. The President or representative will receive written instructions on the operation of the BBQ's and will also sign a Waiver holding the Association harmless in the event of an injury due to using the BBQ equipment.

Participants may move rectangular resin tables and the non-fabric folding chairs from the Social Hall to the outside area by the BBQ's. This area will be designated as the only outside dining area and will be outlined on a diagram provided to the Club President or representative. Food may not be taken to the deck area or vicinity of the pool or the gazebo's area

After using the equipment and/or furniture, all items must be cleaned and returned to their original placement.

All food residue and supplies, such as paper plates, etc., must be put in trash bags supplied by the Club and deposited in the trash compactor.

**SUBJECT: KEYCARDS / BADGES / REGISTRATION / VISITORS AND GUESTS**

Keycard System: In order to improve community security, a keycard / lock swipe system was purchased and installed, located at strategic areas of community building and dumpster.

New residents are issued two photo identification keycards with lanyard per household at no charge. Replacement of a lost or damaged card is \$25. The office has the equipment to take a photograph, keep it on file for replacements and the creation of the card. Separately, residents receive a name badge to be worn on their shirt to make themselves more recognizable.

Residents are required to use and wear, the keycard provided to them to gain access or use our HOA facilities. The keycard is only to be used by the person whose name is on the card. Management may deny the use of our facilities to anyone without the proper keycard.

The system in which the keycard system operates has the ability to disable the card should it be warranted under our Governing Documents. It further registers each time a resident accesses our facility, should management ever have any security issues or damage occurs within our facilities. Our fine schedule lists penalties for the misuse of the keycard.

Since Villages' keycards or name badges are the only means of identifying owners and their guests, they must be worn at all times when using any of the facilities. Management may deny use of the facilities to anyone without the proper keycard.

Guests and/or Visitors: A guest is defined as any person who resides with a Lot Owner for an extended period. They must secure a Guest Badge from the Association Office and wear it at all times when using the Association facilities. Guests over 18 years of age are not required to be accompanied by the host resident unless they have not acquired a Guest Badge. Residents may obtain Guest Badges during office hours. All Guests are subject to this policy and our Governing Documents, as are their hosts.

Visitors are persons who do not reside overnight and Guest Badges are not required. However, the Lot owner host must accompany them to any Villages function or use of the facilities.

All Guests and Visitors under 18 years of age must be accompanied by the resident Lot Owner while using any of the Association facilities who are responsible for their conduct and safety.

Children are allowed to visit for not more than two (2) consecutive weeks. Renters and/or lessees are required to follow the same policy.

Owner & Tenant Registration: Owners and tenants must register with the Villages Office within 14 days of purchase or lease with a valid ID required. Owners are ultimately responsible for compliance with this policy. All provisions of the Governing Documents and bind all occupants.

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

**SUBJECT: SIGNS / FLAG POLICY**

Sign Policy: For Sale or Rent sign shall be professionally produced and mounted on a wooden or metal sign metal post if displayed outside. An additional rider (metal sign or flyer display or information tube) may be attached to the metal stake. The cost of the signs will be at the owner's/realtor's expense. One sign can be placed on each lot, facing the street. Corner lots are permitted one sign. For golf course properties, two (2) signs will be allowed, one facing the street and one facing the golf course. Sign may be placed inside home or on lot.

Political sign policy: Political signs will follow ARS 33-1808: Political signs may be displayed on the member's property no earlier than seventy-one (71) days before the day of a primary election and no later than fifteen (15) day after the day of the general election. For a candidate in the primary election who does not advance to the general election, the sign must be removed no later than fifteen (15) days after the primary election. All signs may not exceed an aggregate of 9 square feet. It is a class 2 misdemeanor to remove, alter, cover or deface a political sign. The association prohibits using profanity and discriminatory text, images or content based on race, color, religion, sex, familial status or national origin.

Flag Policy: Flag policy will also follow ARS 33-1808: The following flags are permitted: The American flag, flag of uniformed services displayed consistent with the federal flag code, POW/MIA flag, Arizona state flag, Arizona Indian Nations Flag, Gadsden Flag, First responder flag, blue star service or gold star service flag.

**SUBJECT: COMMON AREAS AND THE SWIMMING POOL**

The entire Common Area and the swimming pool are open from 6:00am – 10:00pm, seven days a week, (7:00am – 10:00pm, October 15 through May 15; exact dates may vary). Our HOA office is open from 9am – 2pm, Monday through Friday, (notice of holidays the office is closed is sent out via robocall). The entire Common Area is non-smoking and no glass items are allowed.

Children's swim hours are from 11 :00am to 2:00pm and 4:00pm to 6:00pm. Rules for use of the pool are posted in the pool area. Please review the policy regarding guests and visitor's badges, particularly during Summer months. Violators of any of the posted rules will be asked to leave the facilities and may lose their privileges.

Pets are not allowed in any common area building, outdoor courts or the patio/pool area with the following exceptions:

1. The Villages Association office when a resident visits to conduct HOA business.
2. Seeing Eye or Certified Service. Does not include emotional support pets.

The Laundromat with coin operated washers and dryers is open during the same hours and is for the use of Villages' residents only. A coin changer is provided in the room.

A machine to purchase water is located just outside of the Laundromat that enables residents to purchase water by the gallon or 5 gallons.

An air compressor for tires and other such items is available for residents, located on the side of the mailboxes.

Mail Service: Lot owners may acquire a mailbox key from the Post Office in Dewey or through the office for a fee. Lessees and renters will need to receive a key from their landlord . Mail is delivered via the Dewey Post Office to the mail box complex outside the Common Area Building. Your mailing address is:

12200 E. SR 69

Lot # \_\_\_\_\_

Dewey, AZ 86327

Rules posted in the Common Areas (all Villages owned buildings courtyards and parking areas) are incorporated as part of this policy.

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

**SUBJECT: TRASH COMPACTOR / RECYCLING**

A trash compactor for resident only trash is included in your HOA fees. To gain access, you must use your keycard, swiping it at the bottom of the numbered keypad. This area is monitored with its own specific surveillance camera.

Any contractors working in the community are not permitted to utilize our trash compactor to dispose of construction materials. They cannot use your keycard.

PROHIBITED ITEMS that are subject to a fine if placed in the compactor:

Any construction or remodeling debris	Toxic or flammable items
Unflattened boxes	Anything over (3) feet in size
Furniture or appliances	Undried paint
Vehicle batteries	Any landscape project debris
Lumber of any type	Mattresses
Tires of any type	Unbagged leaves

Anyone leaving any garbage outside of the compactor is subject to a fine per our fine schedule. This includes items that are not allowed in the compactor. It is your responsibility to take these items to landfill or a recycling center, not the HOA.

It is your responsibility to close the door after use. Upon doing so, please push, (not turn), the key to the left of the door to compact the garbage for the next resident to use. If another resident is waiting to use the compactor, you may leave the door open for them and allow them to push the key.

Variance approved by the Board of Directors: 10/21/2021

“Handymen or yard maintenance tradespeople living at the Villages will be allowed to use the dumpster for yard maintenance of Villages’ residents. Allowable items will include leaves and trimmings of bushes and trees not to exceed three feet in length and one inch in diameter.

No other materials are approved. If a Villages resident uses an outside contractor for these approved items, the resident must accompany the contractor to the dumpster and personally unlock the dumpster. The resident will then remain in attendance until the dumping is done and the dumpster door is secured.

A contractor / handyman who dumps material not found on the approved list will be subject to fine.

Residents who allow an outside contractor to dump unapproved materials will be subject to a fine.

Any homeowner who gives their card to a contractor or other person to use in their absence will be subject to fine and possible deactivation of that keycard.”

A recycling container for aluminum cans is located to the left of the compactor should you wish to recycle these items.

Approved by the BOD: 5/15/2025



**SUBJECT: SPEED LIMIT AND NON-AUTOMOBILES**

The speed limit throughout The Villages is 15 mph. This is to be observed at all times. Pedestrians, bicycles and golf carts have the right of way over automobiles. Keep all vehicles on roadways.

Bicycles: All bicycles in the common area must be parked only in those spaces provided. Riders must obey all Villages speed regulations and stop signs.

Motorcycles/Mopeds and Golf Carts (collectively "Carts"): All carts must obey the speed limit. Hand signals are required for indicating turns and stopping. All Cart operators must be 16 year of age or older or be accompanied by a licensed adult resident who shall be responsible for their actions.

Unlicensed or Off-Road Vehicles: With the exception of golf carts or Villages owned maintenance vehicles, unlicensed or off-road vehicles are not permitted to operate on Village's streets.

Owners may wash their vehicles on their lot. Minor repair of vehicles must be completed within three (3) days.

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

Parking of any type of vehicle on Common Areas, which includes streets, for an extended period of time, defined as after 10:00 PM when the facilities are locked, overnight and on weekends. However, the Association office or Monitor may grant permission for a variance for the parking of an RV or passenger vehicle of a visitor to a resident for a period of 48 hours. It is prohibited for any person to park and display "for sale" signs on any vehicle in the common area parking. This would also include golf carts.

All vehicles with permission to park on the Common Area or streets for 48 hours must display a permission slip in plain sight. Violators will be reported to the Association office and fines may be imposed. Any fines imposed will be the responsibility of the lot owner and a lien may be filed if not paid.

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

THE VILLAGES AT LYNX CREEK

No. 3.17

**SUBJECT: COMMON AREA / HOA OFFICE MASTER KEY CONTROL**

It is important that access to the HOA office and the Common Area is available after hours to ensure proper operation of our facility. It is equally important that all Master Keys and Extended Access Keycards are properly inventoried, and that extended access is restricted to only those parties necessary to maintain uninterrupted and safe operation of Association property.

#### Key Control and Access

To that end, a Master Key or Extended Access Keycard to the office and the Common Area are routinely restricted to the HOA office, monitors and maintenance staff. In some instances, a Master Key or Extended Access Keycard may be issued to selected Board Member(s) at the Community Managers discretion. Emergency situations may arise wherein an authorized party will need to access the Common Area or HOA office after hours.

All keys are to be numbered to assist in safekeeping and inventorying the restricted Master Keys and Extended Access Keycards. This includes any remote control devices used to open our maintenance shop gate.

#### Key Issuance and Return

In all circumstances, all individuals given extended access must sign the Master Key Control document which is to be kept on file in the office. Upon an employee leaving our employ or a Board Member leaving the Board, the key must be returned immediately and its return documented accordingly.

Approved by the BOD: 5/15/2025

As our Common Area has maybe a hundred or more residents a day, you are your Community's best eyes to locate and report issues in need of repair.

Unless you feel something is an emergency, such as a water leak or an electrical outage, please do not interrupt the maintenance staff from their daily tasks and routine.

Instead, should you see something you feel needs attention, please visit the HOA office and ask for a "Request for Maintenance Form."

You will be able to right down exactly where you saw the issue and what you feel is in need of attention. Upon completion, you will be given a copy of the form with the date it was completed, so that if you feel it was not attended to properly, you can present the copy to the HOA office at a later date and request an update.

We all want our Community to prosper and stay in proper repair. Your assistance is greatly appreciated.

Approved by the BOD: 5/15/2025

THE VILLAGES AT LYNX CREEK

No. 4.01

**SUBJECT: CAPITAL EXPENDITURES**

Establish guidelines for defining a capital asset. Establish parameters for the capital budgeting process, identifying the approval Requirements for the authorization of funds, Provide for tracking of final costs of approved capital expenditures.

The Capital Expenditures Budget is submitted concurrently with the fiscal year Operating Budget. Requests must include the name of requesting person/organization, reason for request, (for new asset, provide details of cost savings and other benefits; for replacement asset, give reason for replacement and method of disposal of asset being replaced); the cost of each proposed asset and the primary assigned location and use.

After review by the Director/Budget and Finance Committee, the Capital Expenditure Budget is submitted to the Board of Directors for final approval.

Unused funds from an approved capital budget may not be used for any purpose without further approval as specified above.

Every request must be reviewed to determine what portion, if any, constitutes an expense rather than a capital asset.

Following final billing of each approved capital project the Treasurer must submit a report of significant variances to the Board of Directors.

The inventory record for each capital asset must include:

- Date of purchase or construction completion date
- Total Cost
- Life expectancy
- Assigned location

Use of monies from the Reserve Fund for replacement of capital assets is covered in the Bylaws. An asset purchased, built or replaced with monies from the Reserve Fund will be classified as a capital expenditure. Estimated future repair and replacement costs for newly acquired capital assets will be included in the Reserve Study calculations.

Approved by BOD: 6/18/2009

**SUBJECT: CONTINGENCY FUNDING**

A line item entitled "Contingency" shall be included in each fiscal year budget.

The purpose of the Contingency line-item in each fiscal year's budget is to provide funding for any unforeseen expenses or capital equipment purchases that may occur during the fiscal year and cannot be deferred for budgeting in the following year.

If an unbudgeted expense or capital equipment purchase cannot be absorbed in the approved current fiscal year's budget, the Treasurer will advise the Board of Directors of the dollar amount of the unforeseen expense or capital equipment purchase requested to be transferred from the Contingency Fund to the line item of the budget to which the expense is applicable.

If the Board approves the transfer of such funds from the Contingency Fund, it shall notify the Budget and Finance Committee which will authorize the Treasurer to make the transfer.

Unused funds from an approved capital budget may not be used for any other purpose without further approval as specified above.

Every request must be reviewed to determine what portion, if any, constitutes an expense rather than a capital asset.

Following final billing of each approved capital project the Treasurer must submit a report of significant variances to the Board of Directors.

The Contingency Fund in any fiscal year's budget shall not exceed 5% of total expenses in the prior year.

**SUBJECT: CHECK AUTHORIZATION / ACCESS TO BANK & RESERVE ACCOUNTS**

The HOA Board, through our local bank, is to arrange to have the President and Treasurer, (or other authorized Board members if necessary), authorized to sign checks which are evidenced by a billing from the payee.

The Manager will be responsible to authorize all payments to contracted vendors such as garbage collection, utilities, insurance policies maintenance and office supply providers and all other invoiced bills. The Manager and select office staff members, may have access to the bank accounts in order to balance them on a monthly basis, but they are not to sign checks.

The Manager will review each bill received and forward to the appropriate staff member with written authorization to pay. Any single purchase over \$50.00 will need prior Manager approval:

- a. Exceptions: fuel for vehicles, Sparklight, APS, Town of Prescott Valley, subscriptions such as copier service agreements, assessment software, etc., compactor rental, trash removal, utilities.
- b. Any aggregate purchase up to \$250.00 will need prior Manager Approval

Any single purchase over \$250.00 will need Treasurer, (or another Board member if not available), approval.

A written invoice must be presented to the Manager or the Treasurer for approval.

The appropriate staff members may pay our bills, through the "billpay" system at the Association banking entity, through the direct debit authorized by the Board of the Association, or by check.

Any invoice generated by an independent contractor must have a w-9 attached for tax purposes; any reimbursement to a resident for an approved purchase (decorating, computer supplies, etc) will be paid by check which must be signed by an authorized signer.

Petty cash reimbursements may be made to residents or employees who are authorized to purchase items such as social decorations, food for recreation parties, food for Board meetings, etc. but must have a receipt and must be signed by the payee upon reimbursement.

All checks in the amount of \$25,000.00 and over, for whatever reason, must bear the signature of two authorized signatures on the final invoice or on the check, (if the check offers the ability for two signatories). In the event that authorized employees are unavailable to complete our payable responsibility, no Board Member has the authorization to write and sign a check without the approval of a second Board Member signing off on the invoice from the payee.

Reserve Accounts are to have restricted access. Two Board members are to have access to move funds in and out of the accounts, but only through our local checking account. Any investment made with these funds will require a vote of the full Board. The Manager and select office staff members, may have access to the accounts in order to balance them on a monthly basis.

Approved by BOD: 6/18/2009

Revised by the BOD: 5/15/2025

**SUBJECT: FEES ASSOCIATED WITH PROPERTY SALE OR TRANSFER**

In order that certain administrative costs arising from the transfer of properties within The Villages may be recovered, and to provide for participation by new owners in the General Reserve Fund, the Board of Director shall establish fees which are payable upon the transfers of Villages lots. These fees are categorized as follows:

A "Transfer Fee" which shall reimburse the Villages for the administrative costs associated with the recording of changes in ownership. This fee shall apply to all such changes without exception.

A "Disclosure Fee" to offset costs in inspecting properties, searching our records for Village's liens, overdue dues and assessments, and for preparing title company disclosure forms. This fee shall be payable on all transfers which are handled by title companies through escrow proceedings.

An "Asset Preservation Fee" which is a contribution to the General Reserve Fund by new owners to share in the fund which has been created by previous Village's owners. This fee shall be payable on all transfers of Villages ownerships except for those which arise by inheritance or by transfers from a decedents trust, or are between family members such as parents and children or brothers and sisters and in which no monetary consideration is paid.

The fees established by this policy shall be: \$25.00 for the Transfer Fee; \$275.00 for the Disclosure Fee; and \$1,500.00 for the Asset Preservation Fee. These fees shall be paid out of escrow as a closing cost as appropriate or by the buyer and/or seller when transfers occur outside of escrow. All three fees shall increase, on an annual basis, based upon the U.S. Government's announcement in the month of November the current rate of inflation in the United States. The Board of Directors may increase, at its discretion, more than this amount should it be deemed necessary. The increases shall take effect on December 1 of each calendar year. As of December 1, 2022, the fees are as follows: Asset Preservation Fee: \$1,615.50, HOA Transfer Fee: \$26.92, HOA Disclosure Fee: \$296.17.

For the exceptions set forth above for the Asset Preservation Fee, the inheritors or grantees shall execute a notarized affidavit showing that the transfer is being made without monetary consideration of any kind.

Monies received under this policy for the Transfer Fee and Disclosure Fee shall be deposited in the Operations Fund. Asset Preservation Fees shall be deposited in the General Reserve Fund.

Approved by BOD: 11/17/22



**SUBJECT: FINANCIAL REPORTING TO THE BOARD**

The Treasurer shall report to the Board of Directors monthly with particular emphasis on any significant variances from the approved budget.

The reports will be used by the Board to determine if the financial performance is satisfactory or if the Budget and Finance Committee must be directed to reevaluate the current budget and to propose changes thereto.

**SUBJECT: FINANCE COMMITTEE**

The Finance Committee, consisting of the HOA Treasurer, the Community Manager or Finance Manager and two Owners shall conduct a monthly review of the Association financial documents, including the Profit and Loss (P&L) Statement and Balance Sheet.

To achieve this goal, the HOA Finance Manager shall prepare for the Finance Committee a P&L and Balance Sheet for the previous month and give these documents to the Finance Committee for a monthly meeting review.

The Finance Manager will attend the monthly Finance meetings to address any concerns and answer questions. The Finance Committee shall present any issues or questions to the HOA Finance Manager through the HOA Treasurer as quickly as possible. The HOA Treasurer shall report to the Finance Committee the results of the issues brought forward.

From time to time, it may be necessary to review other financial documents to resolve issues. All parties concerned shall cooperate in these matters. Prior to the HOA Board meeting on the third Thursday of the month, the HOA Finance Manager shall have communicated any unresolved issues. These issues shall be on the Finance Committee's agenda until resolved.

The HOA Treasurer shall prepare and maintain the agenda. In addition to reviewing the P&L and Balance Sheet, the Finance Committee from time to time may suggest certain procedures be put in place by the HOA Board. For example, raising certain fees, getting bids for work, doing away with ineffective items, etc. It is then up to the HOA Board to consider these suggestions.

~~(DELETE: All matters discussed by the Finance Committee shall be treated as Confidential Information unless they are released in open meeting.)~~

Finance Committee meetings are open to residents to attend and listen to the proceedings. Exact meeting date and times are to be announced via our office communication systems.

Approved by BOD: 11/17/22

Revision by the BOD: 5/15/2025

**SUBJECT: PREPARATION OF ANNUAL BUDGET**

The Budget Committee, consisting of The Treasurer of the BOD and the Community or Finance Manager and up to two owners shall prepare the annual budget (s) for approval by the Board of Directors.

The Budget Committee will be appointed by the Board and announced at the February HOA meeting. The Committee will determine how often to meet and at what schedule. These meetings are open to all residents to listen to the proceedings. The office will announce the meetings in advance. The Committee is to communicate any issues at the HOA quarterly meetings.

Committee members are given a history of Operating and Capital expenses and the current budget for the year at the time they are appointed. They are to receive from the Community Manager, monthly financials after they are approved by the Finance Committee. From the time of their appointment, committee members are encouraged to analyze the community to project future needs. Suggestions presented at HOA meetings or directly to the Community Manager will be forwarded to the committee members for analysis. The Reserve Study is available to review possible repairs or items that may need to be replaced.

A preliminary budget is presented to the Committee prior to September 15<sup>th</sup> by the Community or Finance Manager based upon research of the last 4 years; current expenses through August 30<sup>th</sup>, anticipated increases or decreases in costs and possible capital expenditures.

The insurance agency is consulted to provide estimates of costs of insurance for the next year. The vendors who provide services such as security monitoring, telephone, accounting and property management software are also consulted for projected increases. Members of the committee may be called upon by the Community Manager to assist in finding alternatives to these vendors or analysis of some expenditures; such as the cost of utilities and or trends in other operating expenses. Payroll costs including taxes, workers' compensation, salaries are projected by the Community Manager.

Having worked together during the year and put in writing your own thoughts and that shared by the community, the Budget Committee shall provide information by major line items for the next fiscal year according to the following schedule:

Between September 15 and October 1, the Budget Committee shall continue to meet to analyze available information on estimated repair and maintenance, capital equipment, and Reserve Fund expenditures.

By October 15, present a preliminary list and estimated costs of proposed Reserve Fund projects together with the estimated total dollar amount in each Reserve Fund at the beginning and at the end of the following fiscal year; an estimate when each Reserve Fund will pass its upper or lower limit, if acceptable; a list of Capital Expenditures to be funded by operating revenues; an estimate of the Operating Expenses using current labor and benefit rates.

By October 31, the Budget Committee shall complete its review of the upper and lower limits for each of the Reserve Funds and the need for any changes in the current contribution level to each fund. Upon completion of a review of the entire budget, the Budget and Finance Committee shall make its recommendations to the Board of Directors for the budget to be presented to the Owners.

A minimum of 10 days prior to the November HOA meeting, the Budget Committee will present the budget for the next year to the homeowners. If any changes are necessary they will be made in time for the Board to accept and approve the budget at the November board meeting. A copy of the budget will be emailed or mailed to the homeowners by December 1<sup>st</sup>.

Approved by BOD: 11/17/2022  
Revised by the BOD: 5/15/2025

## THE VILLAGES AT LYNX CREEK

### No. 4.08 SUBJECT: **PROCUREMENT POLICY**

For all contracts in excess of \$2,000 (DELETE \$1,000.00), the contractor must be licensed, bonded and insured. For purchases in excess of \$7,500 (DELETE \$5,000.00), a minimum of three (3) bids from qualified procurement sources shall be obtained. In the event (3) bids cannot be secured, the Board President and Community Manager may approve the expense.

Blanket Procurements – limited to minor, low-cost purchases of small tools, Maintenance work, supplies, and hardware which are needed for immediate use. Vendors should be local businesses when possible.

Expense Items – food, miscellaneous operating supplies, paper products food services, etc.

Capital Equipment – electrical, mechanical equipment, motorized tools, vehicles, etc.

Reserve Fund Projects – goods and services, building construction and modifications, major repairs and replacement to plant equipment and facilities.

Emergency Services and Repairs – required due to catastrophic failure of facilities and equipment.

A purchase request shall be submitted in writing to the Board of Directors by the person/organization requesting purchase to be made. The request must define the product or service to be purchased, reason for the purchase, any applicable known specifications, estimated cost parameters, date needed, and any suggested vendors if known.

1. The Board of Directors shall determine the need of the request, verify that the planned purchase falls within the approved budget or is affordable from the contingency budget or General Reserve Fund.
2. If approved the Board refers the procurement to a committee (consisting of one Board Director and two others with knowledge in the field) to examine and/or set the specifications for the project.
3. The Board then reviews the specifications submitted and must approve prior to bids being obtained.
4. Detail plans and specifications for the goods and services to be procured can then be transmitted with a request for quotation to all bidders by the committee.
5. When the bids are obtained, the Committee review them for completeness, and compliance to specifications. Any deviations to the requested job must be noted. The Committee must verify that the contractor is currently licensed (through the State ROC or the County ROC) and also contact the BBB to ensure contractor is reputable.)
6. The bids are then compiled with all details outlined including price, timeframes, guarantees/warranties, and other criteria, if any, and presented to the Board in packet form with the committee's recommendation.
7. The Board of Directors shall review and evaluate the bids and award a contract to the lowest qualified bidder.

Any departure from this process must be approved by the Board of Directors prior to awarding the contract.

It is prohibited for any employee or Director of the Association who has, or whose relatives have, a substantial interest in any sale, purchase or service to the Association, from participating in any manner in such contract, sale or purchase without the approval of the Board of Directors.

Gratuities in any form from a vendor or prospective vendor of goods and services rendered to the Association, to any employee, officer or Board member of the Association, are strictly prohibited. Any violation of this policy provision may be grounds for immediate dismissal from employment or service as a Board member.

Approved by the BOD: 5/19/2011

Revision by the BOD: 5/15/2025

## THE VILLAGES AT LYNX CREEK

### No. 4.09 SUBJECT: **RESERVE FUND PROJECT**

#### **INITIATION**

The cost of preliminary investigations shall become part of the total project cost and shall be paid from the appropriate Reserve Fund for approved projects. If the project is not approved, these preliminary costs shall be paid from the General Fund in the current year's budget.

In order for the board of Directors to make informed and financially responsible decision regarding Reserve Fund Projects, it may be necessary for the Association to contract for professional services. These may include, but not be limited to, a feasibility study and/or preliminary plans and specifications, estimated cost, and actual bids before giving final approval of a project.

The Board of Directors reviews the needs and justification of the initial request for a Reserve Fund Project.

Upon approval, in principle, the Board of Directors may proceed with the preliminary analysis at a cost not to exceed \$10,000.00.

Approved by Board of Directors: 6/1/2009



**SUBJECT: BILLING AND COLLECTION OF ACCOUNTS ELECTRIC AND ASSESSMENTS (deleted all references of turning off electric)**

It is the policy of the Board of Directors to be fair and consistent to all owners in the application and receipt of funds for assessments, fines, and late charges. The following policy meets all criteria as outlined in the C.C. & R.'s Article 6 and gives specifics as to the procedure for assessing late charges, collecting delinquent balances and the discontinuance of utilities and privileges to the Villages at Lynx Creek.

As not all owners have electric meters that are billed through the Association, these procedures are outlined and categorized by two types - Electric Accounts and Assessment Accounts. Any special assessment on the account will be treated under the same policy as Assessment Accounts.

**ELECTRIC ACCOUNTS:**

**Reading Procedures:** For those owners having the electric usage billed through the Association, the meters will be read on or around the 15<sup>th</sup> of each month. Any special reads requested for any other time must be submitted 3 days in advance of the date requested will be subject to an additional meter reading fee of \$4.00 per occurrence. Disputes of meter reading will be assessed the \$4.00 meter reading fee if the previous reading is proven to have been accurate. The Service fee will be waived if meter reading was inaccurate or meter proved to be faulty.

**Billing Procedures:** All owners having electric usage billed through the Association will be assess a monthly contribution to the Association of \$4.00 fee for reading of the meter regardless of usage. The total billing will be included on the monthly statement and will be mailed or emailed to the account of record. For those owners who rent their properties, the electric billing goes to and is the responsibility of the property owner. The owner may request in writing that the invoice be email or mailed to the tenant

**Time frames:** Electric bills are due and payable on the first of every month with a grace period of fifteen (15) days. On the sixteenth day of each month (or no later than the 18th of the month considering weekends or holidays), all unpaid electric balances over \$15.00 could be charge a late fee for the unpaid balance.

**Notices:** A statement will be generated to all accounts receiving a late charge and mailed to the owner of record or their designated receiver of the bill at the next statement. Any electric account that is delinquent by forty-five (45) days will receive a statement showing the second late charge applied to the account. At that time, those accounts in excess of \$25.00 will also be issued a notice to advise them that non-payment of the account may result in loss of common area privileges. At sixty (60) days delinquent, another notice may be mailed to the owner of record. Seventy-five (75) days delinquency results in a letter notifying the owner that an on-going lien may be filed in fifteen (15) days. At ninety (90) days delinquent, a lien may be filed.

**Lien of Property:** After the above steps have been taken, an account that is seventy-five (75) days delinquent results with a letter notifying the owner that an on-going lien will be filed in fifteen (15) days. At ninety (90) days delinquent, a lien will be filed.

**Appeals:** An owner has the right to appeal fines assessed as outlined in the C.C. & R.'s, Article 6 and the Bylaws.

Approved by BOD:	6/18/09
Revision by BOD:	1/15/2015
Revision by BOD:	11/17/2022
Revised by the BOD:	5/15/2025

THE VILLAGES AT LYNX CREEK

No. 4.11 SUBJECT: **APPLICATION OF**

**PAYMENT RECEIVED**

It is the policy of the Board of Directors to be fair and consistent to all owners in the application and receipt of funds for all billings, assessments, fines, and late charges. The following policy meets all criteria as outlined in the C.C. & R.'s, Article 6.

Any late charge or fine waived by the Board will be part of the owner's file record for future reference.

All payments received in the office shall be processed in a timely manner. Any payments received in the office postmarked on or before the 15<sup>th</sup> of any month will be deemed as received by the 15<sup>th</sup> of the month. Any cash payments will be issued a receipt. Automated Clearing House (ACH) payments are available to all owners with no extra charge. ACH payments are withdrawn from the owner's account on or before the 15<sup>th</sup> of each month. Thirty days' notice is needed to begin or discontinue ACH payments.

The Owner of record may determine the amount of payment to be applied on the outstanding electric balance. Any electric "credits" may be applied to outstanding Association Assessments in arrears without permission of the Owner. Funds received for payments other than electric may also be determined by the Owner of record as it applies to fines and late charges. If the Owner does NOT designate how funds are to be applied the Association will apply funds according to A.R.S. 33-1807(k) as outlined below:

Unpaid Assessments

Unpaid late charges on assessments;

Unpaid reasonable collection fees;

Unpaid attorney's fees and costs;

Other unpaid fees;

Unpaid Charges;

Unpaid monetary penalties;

Unpaid interest; and

Unpaid late charges on unpaid fees, charges, monetary penalties or interest.

Approved by BOD: 6/18/09

THE VILLAGES AT LYNX CREEK

No. 4.12

**SUBJECT: FIXED ASSET AND CAPITALIZATION POLICY**

It is the intent of the Board of Directors to establish policies for the consistent capitalization of and accounting for Fixed Asset Acquisition Personal property acquired using operating funds or reserve funds with a cost of \$2,500.00 or and a useful life of more than 5 years shall be capitalized as an asset of the Villages at Lynx Creek. Individual expenditures of less than \$2,500.00 shall be recorded as operating expenses. A group of like items, individually valued at less than \$2,500.00 may qualify as a capital expenditure if the items are purchased together and their aggregate value meets the threshold outlined above.

This policy is effective as of February 1, 2023

It is the intent that this policy shall be applicable to the current and future Board of Directors unless otherwise rescinded, modified or amended by a majority of the Board of Directors.

Personal property capital expenditures as described above shall be added to the assets of the Villages at Lynx Creek and recorded within the Operating Fund.

Depreciation expense will be calculated yearly and reflected in the annual Operating Account Financial Statement.

In the situation where personal property capital expenditures are made using Reserve Funds, such expenditures should be treated as an interfund transfer from the Reserve to the Operating Account.

The journal entries necessary to reflect such a transfer in the financial statement are shown below:

Operating Account -credit transfer from reserve fund

Reserve Fund – debit transfer to operating fund

Transfers between funds are not considered as revenues or expenses but should be accounting for a change in Fund Balances (Fund Equity). The above example assumes a credit to reserve cash and debit to operating fixed asset occurred upon purchase of the asset.

The cost to repair or replace assets are generally provided for through the funding of the reserve fund. The help ensure that the periodic Reserve Study is as comprehensive as possible, care should be taken to modify the reserve study of the new asset acquisitions.

Approved by the BOD: 1/1//2023

THE VILLAGES AT LYNX CREEK

No. 4.13

**SUBJECT: INVESTMENT POLICY STATEMENT**

The purpose of this Investment Policy Statement is to set forth operating procedures to guide the administration of the investment portfolio of the Villages at Lynx Creek Homeowners Association, Hereinafter call “The Villages”. The procedures set forth below are to be followed by the Investment Committee and operating personnel when carrying out the Investment Policy.

The Investment Committee shall be composed of:

- 1) The Association Treasurer or another designated Board Member
- 2) A community Owner selected by the Board
- 3) The Community Manager

The role of the Investment Committee is to serve as advisor to the Board of Directors on investment related financial issues, including opening new accounts, recommending portfolio strategies consistent with investment objectives, and recommending decision on specific investments.

Signature authority for operating accounts will be delegated to two Board members, normally the President and the Treasurer of the Board of Directors of the Association.

The primary investment objective is to ensure that the operating resources and long-term reserves are available for Association purposes when needed, while earning a positive return consistent with good credit risk and high liquidity need of the Association

In light of the investment objectives set forth above, the portfolio should be composed of assets with the following characteristics:

- 1) A low degree of credit risk.
- 2) A low degree of market risk resulting from changes in the level of interest rates and inflation.
- 3) A high degree of liquidity in the event of an unforeseen requirement for use of the assets.

Adopted by the BOD: 3/17/2022

**SUBJECT: RV LOT RENTAL FOR VILLAGES RESIDENTS**

It is the policy of the Board to offer a fair and equitable rental rate while securing funds to properly maintain and service the lots in addition to increasing the Villages' operating funds over the long term via the use of this valuable asset.

The Association offers storage for a 12 month rental and a month to month rental. The most current rates and a contract that outlines all of the information regarding a rental is located in our HOA office.

**DELETE ALL IN RED:** The fee as of January 1, 2023, for storage is \$420 for a 12-month rental (\$35.00 per month). (DELETE: The Lessee agrees that the fee for a six-month storage, beginning in April through October or October through April is \$240.00 (\$40.00 per month).) For those desiring a month-to-month rental, the fee is \$50.00 per month and must be paid in advance. Fee must be paid in advance.

If the lessee no longer requires the space prior to the end of the agreement and wishes a refund, the monthly charge reverts to \$50.00 per month for the months occupied, and the balance will be refunded upon vacating the space. (As an example: Lessee signed a contract for 1 year and paid the annual fee of \$420.00. Lessee decides to terminate after 4 months. Lessee will be charged \$50.00 per month for four months totaling \$200.00, then will be refunded \$220.00).

Lessee will need to visit the Village's office 30 days prior to the end of the agreement to pay for a new 12-month period at the rate decided upon by the Association at that time. 30 days written notice must be received by the Association prior to move out. Late fees of \$25.00 per month will be accrued on month-to-month storage and the rental agreement will be null and void if the rental amount and the late fees are not paid by the end of the month. Additionally, The Association reserves the right to tow the vehicle(s) or equipment or RV stored in the space at a cost to the lessee.

All paperwork must be submitted prior to the initial contract and upon renewal. Should paperwork not be returned to the office, the rental rate charged will be the monthly rate until the paperwork is received and the renter will be charged an additional \$10.00 per month.

Fees shall increase, on an annual basis, based upon the U.S. Government's announcement in the month of November of what the current rate of inflation is in the United States. The Board may increase the above amount should they deem it necessary. This increase shall take effect on December 1<sup>st</sup>.

The passcode to access each of our storage facilities is to be different from the other and changed on or before the 1<sup>st</sup> of every calendar year. No renter will be given the code unless all paperwork has been received.

The Association Manager is to see to the proper accounting of all revenues which will include a visual inspection of each space and vehicle on a monthly basis.

Approved by the BOD: 11/16/2023

Revision by the BOD: 5/15/2025



**SUBJECT: FORGIVENESS OF RESIDENT FINES OR ASSOCIATION FEES**

The Community Manager has the authority to forgive resident fines under \$100 at their discretion.

The Board of Directors voted in open session on March 18, 2021 to approve a provision that a unanimous decision of the Board is required to forgive any resident's Association fee or fine exceeding \$100.

Approved by the BOD: 5/2/2024



**SUBJECT: THE ELECTRIC RESERVE FUND / ELECTRIC BILLS FOR PASS THROUGH RESIDENTS**

The Villages is unique in that 232 residences do not directly receive their electric service from APS, the local electric company. Instead, APS lines run to our transformers and then our lines go on to resident's home electric standing pedestals.

Further, in order for these residents to receive their monthly bill, a Villages' employee must go to each meter every month and read the meter. This data is given to the office and each individual resident's bill is created. The 232 residents are charged a fee each month for this service.

In 2010, the then Board made the decision to charge the 232 residences \$10 every month to create and fund an Electric Reserve Fund.

This money was placed in this account every month for the sole purpose of repairs that may occur to the electric service that is unique to that of the 232 homes which includes the following:

- Repairs to wiring leading from APS transformer box to our Transformers.
- Repairs/Upkeep/Inspections to any portion of our Transformers, including their total replacement. Inspections are to be completed by a licensed electrician on or about April 1 of every year.
- Repairs to wiring that leads from our Transformers to resident's electric pedestal stand and the electric meter attached to it.
- Repairs to miscellaneous mechanical equipment that is noted in the most recent reserve study and that is required to guarantee electrical service to any one of the 232 homes known as the pass through residences.

Two transformers, along with all parts to assemble them and or to repair current transformers, are stored in our maintenance area for repairs.

Residents are responsible to repair and maintain their own electric pedestal and the wiring that leads from it to their home. We have been informed by APS that this is also true for residents that receive their bill directly from APS as well. The pedestal is considered your own personal property and therefore your responsibility to maintain and replace if necessary. Electrical problems within your home are your responsibility. Management makes every effort to inform residents of power outages but are not responsible to inform residents of issues APS may be having.

Any damage caused by a resident to the electrical lines on their property is their responsibility to repair. This would include damage that spreads to other owner's property.

On December 31, 2021, the Board decided that the Electric Reserve Fund balance had reached a sufficient balance to no longer charge the 232 residences an additional fee. The Fund, like all of our funds, continues to be managed by the Board.

In the event of a complete replacement of a transformer, it is not possible for the vendor to build something in advance that they can just put into place if one of our current transformers goes out, as the current product is not the same as what it would be replaced with due to the age of the current units.

Management will inform residents of such a situation and offer assistance if possible, but like any power outage, residents will be responsible to cope with the inconvenience.

Should you have a power outage that you feel is the responsibility of the HOA, please contact the office.

Approved by the BOD: 5/15/2025

**SUBJECT: CONDUCT ON ASSOCIATION PROPERTY**

All parties involved in any physical altercation or any other inappropriate conduct, or unsafe conduct on Association property, may lose their privileges to use certain Association facilities.

All complaints should be reported to the Association Office which will fill out an incident report.

The Association Office shall refer the incident to the Board of Directors for a suspension hearing of the offender. The Board may then impose a suspension of Association facility use privileges of the member or members involved in the incident for a period not to exceed thirty (30) days and or a fine per the Rules and Regulations fine schedule.

The length of suspension of facility use imposed shall depend on the nature and severity of the incident. The Board may impose a suspension of facility use privileges of a member or members pending a membership suspension hearing.

If the member or members involved wish to appeal the Board of Director's decision of facility use suspension, they may do so by filing an appeal with the president of the Board of Directors. The president must schedule a hearing with the full Board within thirty (30) days after receipt of the letter of protest. The decision of the Board shall be final and binding upon the member(s).

Approved by BOD: 6/18/2009

Revision approved by BOD: 5/16/2024

**SUBJECT: CONFLICT OF INTEREST**

Each member of the board of Directors serves the Association in a fiduciary capacity.

Each Board member must, therefore, avoid any direct or indirect participation in activities that could result in personal or family benefit at the expense of the Association's interest.

Director's must disclose to the Board of Directors any and all transactions between the Association and the Director (including any other corporation, firm, association, or entity in which the Director, or a member of the Director's family, is a member Officer, director, or has a financial interest). The transactions to be disclosed include but are not limited to: the sale, lease or exchange of property between the Director and the Association, the lending or borrowing of monies between the Association and the Director, or the payment of compensation by the Association to the Director for Services.

The disclosure by a Director of conflict-of-interest situations extends to not only the businesses currently engaged in business with the Association, but also businesses seeking to do business with the Association in the future. Directors must disclose their conflict-of-interest situation in writing at any Board of Directors. Directors should err on the side of disclosing conflicts of interest to the Board. If the Board determines that a conflict of interest does not exist, then at the least the disclosure by the Director and the discussion and the decision of the Board are on record.

In regards to when a member of the Board is related to a perspective or an employee of the Association:

Any Board member who is related by blood, marriage, or domestic partnership to an Association employee must disclose their relationship in writing to the full Board. This disclosure will be entered into the official minutes of the Board meeting and maintained in the Association records.

A Board member who is related to an employee shall recuse themselves from participating in any discussion or voting on any matter regarding the employee. Furthermore, they will not be providing input or direction regarding hiring, evaluation, supervision, management, promotion, discipline, termination, or compensation of the related employee.

Board members with a related employee must not attempt to influence officer operations, staff management decisions, or employment conditions that may affect the related employee, either directly or indirectly.

Approved by BOD: 2/20/2003

Revision by the BOD: 5/15/2025

**SUBJECT: LEGAL AFFAIRS**

The Association Office is responsible for advising the Board of Directors concerning matters of a legal nature that may have an impact on the Association. The Association shall designate a single Association attorney to provide such legal advice and assistance. When appropriate, other attorneys may be employed for their specialized expertise with the prior approval of the Board.

All proposed contracts for goods or services requiring the payment of five thousand dollars (\$5,000) or more, and all personal service contracts and any other contracts or agreements which the Manager or the Board of Directors believe should be subject to legal review, may be submitted to the Association attorney.

All proposed amendments to the Articles of Incorporation, CC&R's or Bylaws and any other documents which the Board of Directors determines to require legal review may be submitted to the Association attorney.

Unless otherwise determined by the Board of Directors, only members of the Board shall have authority to contact the Association attorney. Such contact must have the prior approval of the President of the Board. Such approval shall not be unreasonably withheld.

**SUBJECT: SOLICITATIONS, PETITIONS, DISTRIBUTION OF WRITTEN MATERIALS AND ELECTIONEERING**

Any solicitation, petition or distribution of literature shall in a manner that does not interfere with the rights of others, and that does not constitute any hazard to any person on the property of the Association.

The Villages at Lynx Creek is a nonprofit corporation established under the laws of The State of Arizona. The incorporated entity (Association) is the “provide property owner” and this entity speaks through its Bylaws, Resolutions and Policy Statements of the Board of Directors.

Except for scandalous, malicious, defamatory or libelous materials, an Association member is entitled to solicit, petition, or distribute literature relating to issues of the Association and Association property. A copy of any petition, solicitation, or literature must be submitted to the Board of Directors at least forty-eight (48) hours prior to its distribution.

The Board of Directors may take whatever appropriate action it deems necessary to preserve the policies stated herein.

If any solicitation, petition action, or distribution of literature is deemed “electioneering” (as defined in Arizona Election Day Statutes, and association Policy Statement, as applicable) then such “electioneering” shall be conducted in accordance with the Arizona election Day statutes, Arizona Revised Code, Chapters 1 through 8.

**SUBJECT: FINES AND APPEAL PROCESS**

WHEREAS, the Board of Directors of the Villages at Lynx Creek has recognized a need to implement a policy of imposing monetary penalties against members who violate (or whose tenants, guests or invitees violate) the governing documents of the Villages at Lynx Creek Owners Association (hereinafter referred to as "The Villages"):

AND WHEREAS the Board of Directors desires to give notice to the Members of the implementation of the monetary penalty policy;

NOW THEREFORE BE IT that the Board of Directors, in compliance with Arizona Revised Statute 33-1803, hereby adopts the following monetary policy:

A member of the Villages who is found to be in violation of the Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as the CC&R's) or any other provision of the Restrictive Documents of the Villages will be notified in writing of the nature of the violation. Such notice will be sent by mail or hand delivered and then mailed. The notice of violation shall provide that within a period of time (to be determined by the Board of Directors) the violation must be corrected. If such violation is not cured within the determined time frame, a second notice will be sent notifying that the violation has not been cured and that a subsequent fine has been imposed. The second letter shall also advise the member of the right of the member to appeal a decision and to allow the member to present a defense and to offer any mitigating circumstances concerning the alleged violation.

If the Board of Directors hears a member's reasons for the violation and decides not to impose a monetary penalty, the member will be relieved of any obligation to pay a monetary penalty.

If the member does not attend the meeting at which any appeal is to be heard, the monetary penalty shall be imposed the day of the meeting.

Any fine levied pursuant to this resolution shall be considered an assessment against the member's lot and shall be collected by the Villages in the same manner as all other such assessments as provided in the CC&R's.

Adoption of this resolution will not preclude any other enforcement remedy the Villages may possess at law or in equity with respect to any violation of relevant documents of the Villages. All legal, collections and/or other expenses incurred by the Villages will be the obligation of the member.

The fine schedule may be any amount and may be imposed per incident, per day or as determined appropriate by the Board of Directors. A schedule will be adopted by the Board of Directors and published listing appropriate penalties. Such list shall not preclude the inclusion of violations not listed nor the amounts of such penalties.

BE IT RESOLVED THAT this resolution be sent to all lot owners and given to all persons buying property in the Villages.

## APPEAL PROCESS

Effective: March 18, 2021

The following Fine Policy and Appeal Process shall be followed for The Villages at Lynx Creek Owner's Association pursuant to the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") at Section 6.10:

**FIRST NOTICE:** A courtesy call will be placed to the homeowner and documented.

**SECOND NOTICE:** If violation still exists seven (7) calendar days after the date of the courtesy call, a notice will be sent to the homeowner via certified mail. The homeowner has 21 days from the date on the notice of infraction to correct the infraction or respond via certified mail to challenge the notice (*phone calls or office visits are not legal responses to a notice of violation*).

**THIRD NOTICE:** If the infraction is not corrected within the 21-day period, or the homeowner has not responded via certified mail, a notice of fine will be sent to the homeowner via certified mail. This fine will be assessed to the homeowner. If the violation continues, there will be an escalation of the fine and or interest applied per the attached fine schedule.

**CONTENT OF NOTICES:** Consistent with Arizona law as may be amended, any notice will state the process the Owner must follow to request an appeal/hearing to contest the notice, and will also give notice of the Owner's right to petition for an administrative hearing with the Arizona Department of Real Estate pursuant to A.R.S. Section 32-2199.01.

**FINES:** No fine shall be imposed, for correctable infractions, without first providing a notice of the violation from the Association to the Owner describing the violation and stating that failure to correct the violation within twenty-one (21) calendar day or *another recurrence of the same violation within 1 year* of the original violation shall mean, the Owner is *subject to imposition of a fine*. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under Article 6 of the CC&R's.

**COMMON AREA / ASSOCIATION PROPERTY FINES:** May be assessed without notice. Common area fines *or infractions that occur on Association property* are those violations that are an action of the homeowner in common areas *or other Association property* rather than a correctable condition of their property. These fines will only be assessed toward actions that are witnessed by a Villages Board Member, *an employee of the Association*, a community monitor or a formal written grievance submitted by a homeowner. Example: *Speeding, driving on grass or sidewalk, removal of material from any recycle bin, dumpster rules violations, parking overnight on street. etc.*

**INJUNCTIVE RELIEF:** If a violation is not cured after the Third Notice, the Board of Directors may request the Association's legal counsel to file an action seeking injunctive relief against the Owner to cure the violation(s). However, this Fine Policy shall not limit the Board of Directors right to seek immediate injunctive relief at any time regardless of the presence or absence of notices or fines hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion.

**BOARD DISCRETION:** The Board of Director shall consider the fines set forth in this Fine Policy and schedule to constitute damages sustained by the Association and are intended to compensate the Association for the administrative burden of addressing the violation and the adverse impact of the violation on the community.

The Board of Directors reserves the right to deviate from the fine amounts set forth herein if, after a hearing on the matter, the Board finds good cause to modify the amount of the fine levied in a particular case. The Board also reserves the right to pursue any and all other remedies set forth in the CC&Rs at the same time or in lieu of levying the fines set forth in this Fine Policy.

## **APPEAL PROCESS**

Any unit owner who has received a fine notice shall have the opportunity to appear before the Board to appeal the Board's decision that a violation exists. Such appeal right shall be deemed waived if not timely exercised by the Owner. The appeal process shall be as follows:

- Within twenty-one (21) calendar day following the date of the fine notice, the Owner may appeal the violation decision in writing, via certified mail, to the Board and request a hearing on the matter (***Phone calls or office visits do not constitute a legal appeal***). . If the written hearing request is not received within such twenty-one (21) day period, the Owner's right of appeal shall terminate as of the end of the twenty first day.
- The Owner shall have the right to appear at the hearing in person or by a representative and to present all pertinent supporting information.
- An Owner who timely exercises his or her appeal right shall be provided a written notice of the time, date and place of scheduled appeal hearing which shall be conducted in an Executive Session meeting of the Board. In the event the Owner fails to appear in person or by representative at such scheduled hearing, his or her appeal right shall be deemed waived.
- After completion of the appeal hearing, the Board will make its decision. The Owner will be informed in writing of such decision within fifteen (15) calendar days from the date of the appeal hearing.
- In the event the appeal is denied, unless otherwise stated in the Board's written decision, the effective date of the fine shall be retroactive to the date set forth in the fine notice.

All decisions of the Board as to an appeal hearing are final. However, an appeal of the board's decision may be submitted to the Arizona Department of Real Estate pursuant to A.R.S. 32- 2199.01.

## **FINE SCHEDULE:**



**VILLAGES AT LYNX CREEK, DEWEY, AZ. NEW FINE POLICY EFFECTIVE DATE: January 20, 2022**

<b>FINE SCHEDULE:</b>	<b>CC&amp;R or other Reference</b>	<b>3rd Notice</b>	<b>4<sup>th</sup> and additional Notices</b>
Alterations to property, structures, Painting or landscape without Architectural committee approval	CC&R's 3.1.4 & Architectural Rules	\$250 plus remedial action	\$1,000
RV Generator Use	3.2.3	\$25	\$75
RV Wheel/Axel – Skirting	3.2.4	\$150	\$450
RV Setbacks	3.2.5	\$25	\$75
Exceeding RV Age Restrictions	3.2.6	\$250	\$1,000
Park Model - Utilities Requirements	3.3.3	\$25	\$75
Park Model Wheel/Axel – Skirting	3.3.4 & 3.3.5	\$150	\$450
Exceeding Park Model – Age 2 yrs.	3.3.6	\$250	\$1,000
Park Model not installed per CC&R's & Architectural Guidelines	3.3.7 & 3.3.9	\$150 Plus Remedial Action	\$450
Modular/Manufactured (M/M) Criteria	3.4.1	\$250	\$1,000
M/M Skirting	3.4.3	\$150	\$450
M/M Set Backs	3.4.4	\$150	\$450
Building & Lot Development	3.4.6	\$500	\$2,500
Storage Restrictions	3.5.1	\$75	\$250
Approval & requirements for sheds, ancillary structures, attachments, etc.	3.5.2 thru 3.5.5.	\$500 Plus Remedial	\$2,500
Passenger vehicles & parking	3.5.6	\$25	\$75
Passenger vehicle exceeding permit	3.5.6	May be subject to immediate fine of \$50 per day	
Animal waste control and other issues	3.5.7	\$25 Plus Remedial	\$75
Only 1 unit/lot excepting that allowed under 3.5.6	3.5.8	\$500	\$2,000

Items requiring added insurance	3.5.9	\$150	\$450
Signage Restrictions	3.5.11	\$50	\$150
Rent/Lease Requirements	3.6 /P & P	\$150	\$450
Lawns and plantings maintenance Nuisance/Disease/Insects	3.7 thru 3.9	\$50	\$150
Buildings in disrepair, needing paint, mineral exploration, lines & wires, overhead encroachment	3.10 thru 3.13	\$150	\$450
Residential Use Only	3.14	\$250	\$1,500
Adult Housing	3.15	\$250	\$1,000

<b>FINE SCHEDULE:</b>	<b>CC&amp;R or other Reference</b>	<b>3rd Notice</b>	<b>4<sup>th</sup> and additional Notices</b>
Drainage, gutters and downspouts	3.19	\$50	\$150
Temporary Occupancy or Buildings	3.21	\$150	\$450
Walls and Fences	3.22	\$150	\$450
Violating Restricted Area Access	4.1.1 (iii)	\$50	\$150
Owner of leased lot using common area	4.1.2	\$50	\$150
Preventing Easement Access	4.3 all	\$50	\$150
Violation of Common Area Rules at various locations on HOA property	P & P Posted Rules	\$25 common area fine	\$100
Parked Vehicles Blocking Street or parked across from one another	P & P	\$50 common area fine	\$150
Parking on Rocks (No fines 'til 5/22)	3.5.6	\$50	\$500
Violating Rec. Committee Rules	P & P	\$25	\$75
Violating Pool/SPA Rules	P & P	\$25 common area fine	\$75
Speeding on Village Streets	P & P	May be subject to immediate fine of \$25 2nd is \$75	
Underage vehicle operation	P & P	\$25	\$75
Violating Village Sign Ordinance	P & P	\$25 common area fine	\$75

Violating Storage Lot Gate Rules	P & P	May be subject to immediate fine of \$100	
Violating Quiet Time	P & P	\$25	\$75
Tree not trimmed to 14' over road	Fire Dept Reg.	\$25	\$75
Rules of Conduct	P & P	\$150	\$450
No overnight street parking	3.5.6	\$25	
Residents not wearing name badge to pool/clubhouse complex or events	P & P	\$25 or Remedial Action	
Removal of Aluminum from any recycle bin or any material from The trash dumpster.	P & P (Posted)	\$100 common area fine	\$400
Fallen Leaves not removed within 21 days of notice.	CC&R 7.4 State Statute Applies 21	Removal by others and charged back to homeowner	
Owner or Tenant not registered	P & P	\$100	\$400
Handymen/Contractors dumping other than leaves and yard cuttings in dumpster	P & P	\$100	\$400
Handymen or others soliciting services to residents.	P & P	\$100	\$400

<b>FINE SCHEDULE:</b>	<b>CC&amp;R or other Reference</b>	3rd Notice	4th and additional notices
All animals will be licensed and vaccinated (Verification Required)	CC&R	\$100	\$400
Resident giving key card to anyone for any reason	P & P	Will be subject to immediate fine of \$250	
Lost or damaged key card	P & P	Will be deactivated & \$25 replacement fee	
Trash left outside dumpster when it is full or not operating	P & P	Will be subject to immediate fine of \$100	
Approaching in an aggressive or offensive manner <b>or using abusive</b>	P & P	Will be subject to a fine of up to \$1000 and or a 30 suspension of use of our facilities	

language towards an Association employee		
Disruptive behavior or refusing to comply with association meeting rules	P & P	Will be subject to a fine of up to \$1000 and or a 30 suspension of use of our facilities

**FYI: ALL ARCHITECTURAL ISSUES NEED TO BE DISCLOSED TO ALL POTENTIAL BUYERS**

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

THE VILLAGES AT LYNX CREEK

No. 5.06

SUBJECT: **RULES OF DECORUM**

The Board and the HOA management want to assure that all residents that wish to attend our community meetings are welcomed and treated in an environment that affords them the opportunity to hear and be heard on the issues with respect. For many, this may be their first time they have lived in an HOA community and are not sure of the rules of decorum. Others may want to know the meetings will be held in an orderly manner without disturbances. The purpose of the meetings include: making you aware of any proposed changes to our governing documents, updates to the community, or any potential or current problems the community faces as a whole. To that end we have created the following rules of decorum for our meetings:

1. Please arrive in a timely manner. Most HOA meetings start at 2:30p and most Community Manager Meetings at 10a. We offer Zoom meetings for those residents that cannot attend in person. A volunteer monitors the broadcast and the attendee has the opportunity to send comments that will be addressed if they fall within the guidelines listed below.
2. Please silence and do not use your cell phones.
3. No personal conversations during the meeting. No cross talk at tables that will interfere with the topic under discussion.
4. No one in attendance is allowed to air personal grievances or level an insult against any member of the HOA, the Board or an employee of the HOA at these meetings. If residents have a grievance, they should send a written grievance to the Community Manager or to the Board through the Association office.
5. As topics are discussed from the meeting agenda, there will be a time for discussion and you will be made aware of when to make comments or ask questions.
6. Raise your hand and wait to be recognized before speaking. A microphone will be brought to each speaker so that all in attendance can easily hear your comment or question. All speakers must give their full name and lot number before speaking.
7. The Board and management will give their full attention to the speaker. Interruptions by those in attendance will not be tolerated. If you wish to speak on the subject, respectfully wait your turn to be heard.
8. Residents are allowed to voice their concern and if necessary, discuss the matter with person(s) they are speaking with. The President, Community Manager, or assigned speaker may end the conversation regarding the topic when they deem it appropriate. If the topic is one to be voted on by the Board, another Board member must second the motion. At that point, the board chair should not allow any debate on the issue but ask for an immediate vote.
9. As a norm, the last item on the meeting's agenda will be an open session in which residents may speak on a topic of their choosing as long as it falls within the guidelines listed above. As listed above, you must give your name and lot number before you speak. You will have three minutes to speak on the topic. You will be notified when you have 30 seconds left to speak. If, after the original topic you have discussed, you have another topic to bring up and no one else is waiting to speak, you may do so and have three minutes to speak on this new topic. Board members, Committee members or the Community Manager or staff will address the topic and will notify the speaker when the topic has been closed. Again, no interruptions by those in attendance will be tolerated. If you wish to speak on the topic that has been brought up, you may wait your turn for your three minutes to speak and follow the guidelines listed.
10. The President or Community Manager will announce when the meeting is adjourned.

**At the Board's discretion; residents who violate the stated rules are subject to being warned, if necessary asked to leave the meeting, and further be subject to a \$100 fine with late fees attached and if not paid, possible suspension of attendance at future meetings, and the possibility of a suspension of the use of the community facilities. C&R's page 21, 6.13.4 and 6.13.5**

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

**SUBJECT: COMMUNITY QUIET TIME**

In order to assure that all residents of the Community have a peaceful experience the following “Quiet Time” is to be adhered to:

Weekdays: 10:00pm to 6:00am

Weekends: 10:00pm to 8:00am

Examples of things that would not be allowed include: contractors, (tree trimming, exterior painters, concrete or construction on your home, etc.), beginning projects on your residence that will produce a significant amount of noise during the above hours.

Moved from the former Rules and Regulations and approved by the BOD: 5/15/2025

**SUBJECT: FILING A GRIEVANCE AGAINST A RESIDENT**

There may come a time when you have a disagreement with a neighbor or see something that you feel is against something within our Governing Documents.

Regarding any disagreements, it is our hope that you first try to find common ground and work together to compromise and find a solution. If you cannot resolve your differences, keep in mind you own your home and land, not the HOA. If the differences or problem that is occurring is not within our Governing Documents, this is not an issue for the HOA. You must take whatever legal action you deem necessary to come to a resolution.

In the event that you witness something in our Common Area that is in violation of a posted sign or our Governing Documents, the best course of action is to inform the office of the issue with all the particulars of the incident, including the time. Confronting the individual you believe is in violation can enflame the situation. We have security cameras which can assist in resolving the matter per our Governing Documents.

Finally, if you see something on someone's property or their land that you believe is in violation of our Governing Documents, you have the right to complete a "Grievance Form", which is located in our office. You can list all pertinent information as to what you believe is a violation. You are required to sign this form per Arizona statute.

From there, our office will have a member of the Architectural Committee visit the lot number in question to see if indeed what you have listed is against our Governing Documents. If, after discussing with the Community Manager it is an issue, the Community Manager will begin to take action per our "Fines and Appeals" policy and other Governing Documents.

Approved by the BOD: 5/15/2025

**SUBJECT: EMPLOYEE CONDUCT**

High standards of employee conduct are essential to the efficient, safe and productive operation of Association affairs in the daily course of the employee employer relationship. All employees shall maintain and demonstrate the highest standard of integrity and personal conduct during their work performance. Deliberate individual or group action(s) detrimental to the safe and productive operation of Association affairs will not be tolerated.

Employee violations of this policy and all rules and regulations may result in disciplinary action up to and including termination.

The Association strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. Each employee's personnel file and/or salary information is considered confidential and will not be released without a written request approved by the Board of Directors on a need-to-know basis and with the full knowledge of the specific individual.

Approved by BOD: 2/20/2003



**SUBJECT: HARASSMENT**

Any type of harassment violates Association policy as well as the Federal Civil Rights Act and the Arizona Rights Act, and is not permitted.

Harassment is a particularly unpleasant and disturbing form of misconduct which interferes with work productivity and wrongfully deprives employee's opportunity to work in an environment free from suggestive remarks, racial or religious slurs, physical or visual conduct, or unsolicited and unwelcome sexual overtones.

Whenever harassment has been reported to the Board of Directors, a thorough investigation is conducted. If the Association deems that any form of harassment has occurred, immediate remedial action will be taken according to the circumstances involved. An employee determined by the Association to be responsible for harassment of another individual will be subject to appropriate disciplinary action, up to and including termination even on the first offense.

Approved by BOD: 6/18/2009

**SUBJECT:           HIRING**

It is the policy of the Association to hire best qualified Owners, or tenants, but may solicit from outside.

Vacancies will be filled by reassignment of a qualified employee, or by promotion of a qualified employee, or by outside recruitment, either by reinstatement of a qualified former employee or a new hire.

Residents of the Villages are encouraged to participate in employment opportunities offered by the Association. Residents will be considered on an equal basis with other new hire applicants provided they meet the qualifications stated in the vacancy announcement.

It is the policy of the Association that no relatives of current employees or Board members be employed by the Association.

The following are the current positions within our Community although they may vary from time to time:

Association Manager: details of position are outlined in Policy 2.02

Maintenance: two full time persons that maintain HOA assets

Finance: assists Community Manager

Office: greets those that visit the office and directs them per their need

Monitors: Hired staff that open / close the Common Area and do a standard drive through in the morning / evening looking for any issues pertinent to the HOA.

Custodian: responsible for cleaning our Common Areas

Approved by BOD: 6/18/2009

Revised by the BOD: 5/15/2025

**SUBJECT: PERSONNEL INFORMATION DISCLOSURE**

The Association is committed to providing equal opportunity in all phases of employment to all individuals by following standardized established procedures for maintaining personnel records in order to manage its operation and comply with State and Federal record keeping and reporting requirements.

The Association strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. Each employee's personnel file and/or salary information is considered confidential and will not be released without a written request approved by the Board of Directors on a need-to-know basis and with the full knowledge of the specific individual.

Approved by BOD: 6/18/2009

**SUBJECT: USE OF ASSOCIATION ASSETS**

Any machine, tool, or other asset belonging to the Association may be used only on Association property by an Association employee.

All tools and other assets of the Association shall be properly maintained at all times.

Removing any Association assets from Association property or taking such property home for personal use is prohibited and subject to disciplinary action.

No non-employee shall have access to the association computers without an association employee present.

A vehicle owned by the Association may be driven off Association property to perform such business as relates to the Association, or as needed with prior authorization of the Manager or Board of Directors.

Approved by the BOD: 6/18/2009

THE VILLAGES AT LYNX CREEK

SUBJECT: **REVIEW / REMINDER ADDENDUM**

PURPOSE: Addendum lists existing items within our  
the HOA Board or Management as follow

**MONTHLY:**

POLICY 4.05	FINANCIAL REPORTING TO T
POLICY 4.06	FINANCE COMMITTEE meetin
COMMITTEE	RECREATION COMMITTEE m

**QUARTERLY:**

POLICY 4.07	PREPARATION OF THE ANNU
BYLAWS	QUARTERLY HOA MEETINGS

**ANNUAL:**

POLICY 2.03	55+ HOUSING QUALIFICATIO
POLICY 4.04	FEEES ASSOCIATED WITH PRC
POLICY 4.07	PREPARATION OF THE ANNU
POLICY 4.13	RV STORAGE RATE, every Nov