

Kopachuck Ridge Estates
Homeowners Association

Emergency Powers Policy

Approved by the Assessment Committee on
September 29, 2011

KOPACHUCK RIDGE ESTATES HOA EMERGENCY POWERS POLICY

9/29/2011

Purpose: The purpose of this policy is to ensure that the Committees of the Homeowner Association can achieve a quorum to allow decisions to be made in a timely manner when one or more members are temporarily incapable of participating.

DEFINITIONS:

An **EMERGENCY** is defined as:

1. Any sudden event or situation that may endanger life, safety, security, health or the well being of Kopachuck Ridge Estates residents or may result in serious damage to KREHA resident property or KREHA property.

PROCEDURE:

In the event of an emergency and the AC is unable to obtain a majority vote due to a member that is not reachable, the President of the Association may assume the role of the absent AC member and cast a vote to break the deadlock to reach a decision.

Refer to Appendix A for examples of emergency situations that may require the AC to act quickly and will invoke the provisions of this policy.

In the event that the DRC has been tasked by a HOA member to render a decision quickly to avoid a hardship for one of our members and the DRC is unable to obtain a majority vote due to a member that is not reachable, the President of the Association may assume the role of the absent DRC member and cast a vote to break the deadlock to reach a decision.

Refer to Appendix B for examples of emergency situations that may require the DRC to act quickly and will invoke the provisions of this policy.

All emergency decisions must be documented sufficiently to justify the action taken and any funds expended to mitigate the problem.

In the event that the President is unreachable, the Vice President may act on his or her behalf and render a decision. If both the President and Vice President are unreachable, the AC may draft any board member present or reachable to facilitate a decision.

APPENDIX A

Examples of Emergencies for Assessment Committee Review

(These are examples only.)

1. Our private roads are covered in snow and/or ice and not safe for residents and the forecast looks like the roads may not be useable for several days.
2. A tree falls across our private road and must be removed immediately to allow traffic to pass.
3. A tree on common property has been declared by a certified arborist as a dangerous tree and must be felled immediately.
4. One of more of our storm drain system features (catch basin, pond, pipe) is clogged and requires immediate cleaning.

APPENDIX B

Examples of Emergencies for Design Review Committee Review

1. A resident has an offer to sell their home contingent on a DRC decision regarding building a structure on the property.
2. A resident is having some trees pruned and removed per an approved plan and a dangerous tree is discovered by the tree service. The resident requests approval from the DRC for the tree to be felled while the tree service is on site.

From: "Gary Lester" <glestera1@comcast.net>
To: "Don Elliott" <dgelliott2@comcast.net>
Cc: <kre-ac@kreha.org>
Sent: Wednesday, September 28, 2011 8:59 PM
Subject: Fw: DRAFT EMERGENCY POLICY

Don,

For the archives, here is the email trail which shows how the final vote was taken on the new Emergency Policy.

Gary.

----- Original Message -----

From: "Jim & Linda Gough" <jlgough@comcast.net>
To: "'Gary Lester'" <glestera1@comcast.net>; "'Lynda Filson'" <lynda.filson@gmail.com>; "'Kim Henson'" <khenson13@comcast.net>; "'Greg Baer'" <gabaer@comcast.net>
Sent: Wednesday, September 28, 2011 6:45 PM
Subject: RE: DRAFT EMERGENCY POLICY

* >I vote "yes" JG

>

> -----Original Message-----

> From: Gary Lester [mailto:glestera1@comcast.net]
> Sent: Wednesday, September 28, 2011 6:28 PM
> To: Lynda Filson; 'Kim Henson'; 'Greg Baer'; 'Jim & Linda Gough'
> Subject: Re: DRAFT EMERGENCY POLICY

>

>

>

* > I also vote yes. Let's hold off announcing it to the
> Board/membership/website until Jim has a chance to vote, so that we may be
> able to announce that it is a unanimous vote (I hope).

>

>

> ----- Original Message -----

> From: "Lynda Filson" <lynda.filson@gmail.com>
> To: "'Gary Lester'" <glestera1@comcast.net>; "'Kim Henson'" <khenson13@comcast.net>; "'Greg Baer'" <gabaer@comcast.net>; "'Jim & Linda Gough'" <jlgough@comcast.net>

* >> My vote is yes!
 >>
 >> -----Original Message-----
 >> From: Gary Lester [mailto:glester1@comcast.net]
 >> Sent: Wednesday, September 28, 2011 6:04 PM
 >> To: Lynda Filson; 'Kim Henson'; 'Greg Baer'; 'Jim & Linda Gough'
 >> Cc: 'Lynda Filson'
 >> Subject: Re: DRAFT EMERGENCY POLICY

* >> I hereby second the motion by Lynda, even though I thought the plan was
 >> to
 >> review it with the Board first. However, I like the idea of reviewing it
 >> with them as an ADOPTED plan already in place. Also, the sooner we get it
 >> in
 >>
 >> place, the better.

>> ----- Original Message -----
 >> From: "Lynda Filson" <lynda.filson@gmail.com>
 >> To: "Gary Lester" <glester1@comcast.net>; "Kim Henson"
 >> <khenson13@comcast.net>; "Greg Baer" <gabaer@comcast.net>; "Jim &
 >> Linda
 >> Gough" <jlgough@comcast.net>
 >> Cc: "Lynda Filson" <lynda.filson@gmail.com>
 >> Sent: Wednesday, September 28, 2011 2:03 PM
 >> Subject: RE: DRAFT EMERGENCY POLICY

* >>> Here is the final policy as a clean copy.
 >>> I move that the AC accept this policy and present it at the next Board
 >>> Meeting as a new KREHA policy.
 >>> We need a second and then a vote.
 >>> Lynda

>>> -----Original Message-----
 >>> From: Gary Lester [mailto:glester1@comcast.net]
 >>> Sent: Wednesday, September 28, 2011 9:37 AM
 >>> To: Kim Henson; 'Greg Baer'; 'Jim & Linda Gough'; Lynda Filson
 >>> Subject: Re: DRAFT EMERGENCY POLICY

>>> ACers and Greg/Kim,
 >>>