

High Desert Resident Owners' Association
Landscape Committee Charter
Adopted October 19, 2011

WHEREAS, pursuant to Article V, Section 5.1 of the High Desert Resident Owner's Association By-Laws, the Board of Directors may appoint such committees as it deems appropriate to perform such tasks as to serve for such periods as the Board may designate by resolution.

WHEREAS, pursuant to Article V, Section 5.1., each Committee shall operate in accordance with the terms of such resolution.

WHEREAS, pursuant to Article V, Section 5.1., landscape recommendations to the Board of Directors shall be made by the Landscape Committee.

WHEREAS, the Board of Directors has developed a Landscape Committee Charter for the purpose of providing to the Landscape Committee the purpose, responsibilities, and organization of the committee and to clarify its expectations to the Board of Directors on any issue pertinent to the Landscape Committee.

NOW, THEREFORE the High Desert Resident Owners' Association Board of Directors hereby adopts the High Desert Resident Owners' Association Landscape Committee Charter.

IN WITNESS WHEREOF, the High Desert Resident Owners' Association hereby executes this Landscape Committee Charter by and through its authorized representatives on the date and year first above written.

High Desert Resident Owners' Association

BY: _____
REGNER C. RIDER, PRESIDENT

DATE: _____

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Purpose:

The purpose of the Landscape Committee (Committee) is to present to the Board of Directors recommendations for landscaping in High Desert and to perform responsibilities listed below.

Responsibilities:

The Committee possesses no authority to make decisions or act on behalf of the Association in any manner, unless such action is authorized by the Board of Directors. Upon the formation of the Committee, the Committee will:

- Meet periodically to discuss landscaping policies and practices in High Desert.
- Consider new ways to enhance landscaping in High Desert and make recommendations to the Board for such enhancements.
- If directed by the Board, work to support the management company's direction of the contracted landscaping company for HDROA.
- If directed by the Board, work with a retained landscaping consultant for specific projects.
- Establish and maintain a demonstration garden in High Desert Park for the purpose of presenting approved plantings for observation by residents of High Desert
- Keep record of the Committee meetings.
- Report monthly to the Board of Directors, or as requested by the Board of Directors.

The Committee will agree by majority vote the final recommendations to be brought to the Board of Directors. The Board of Directors reserves the right to review the recommendations and require the committee to reconvene.

Organization:

As required by the High Desert Resident Owners' Association Declaration of Covenants, Conditions and Restrictions and By-Laws, the Committee shall:

- Be appointed by the Board.
- Serve at the discretion of the Board.
- Consist of a Chairperson, who will be a member of High Desert.
- Consist of other reasonably required members who will be members of High Desert.
- Meet in a place and at a time that will allow for effective and productive outcome.
- Consultants may be considered by the committee with the approval of the Board.

CODE OF CONDUCT FOR COMMITTEE MEMBERS

WHEREAS, the Board of Directors of the High Desert Residential Owners Association (“Association”) has the authority and responsibility to make decisions for the benefit of the entire community, and

WHEREAS, pursuant to Article V, Section 5.1 of the High Desert Resident Owners’ Association By-Laws, the Board of Directors may appoint such committees as it deems appropriate to perform such tasks as to serve for such periods as the Board may designate by resolution.

WHEREAS, the Board wishes to ensure that said appointed committee members maintain a high standard of ethical conduct in the performance of the Association’s business, and to ensure that the Association’s members maintain confidence in and respect for the entire Board process,

NOW, THEREFORE, BE IT RESOLVED THAT the Board of the Association hereby adopts the following rules of conduct, standards and behavior, ethical rules, and enforcement procedures that are applicable to all appointed members of a committee. Committee members are required to review and sign said Code of Conduct prior to serving on said Committee:

- 1. Committee Members shall act in the best interests of the Association as a whole.** Committee Members serve for the benefit of the entire community, and shall, at all times, strive to do what is best for the Association as a whole. Committee Members shall not use their positions as such for private gain, for example:
 - No Committee Member shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a person who is seeking a contractual or other business or financial relationship with the Association.
 - No Committee Member shall seek preferential treatment by the Board, any of its committees, or any contractors or suppliers.
 - No Committee Member shall accept a gift or favor made with the intent of influencing a decision or action on any official matter.
 - No Committee Member shall receive any compensation from the Association for serving on the Committee.
 - No Committee Member shall willingly misrepresent facts to advance a personal cause or influence the community to advance a personal cause.
 - No Committee Member shall use his/her position to enhance his/her financial status through the use of certain contractors or suppliers.

- 2. Committee Members shall comply with governing documents and relevant law.** Committee Members shall use their best efforts at all times to make reasonable recommendations to the board that are consistent with the Declaration, Bylaws, and other governing documents of the Association, and to be familiar with all such documents. Committee Members shall likewise comply with and make recommendations that are consistent with all applicable laws, including, but not limited to, refraining from discriminating against any person on the basis of race, color, religion, national origin, gender, family status, or mental or physical disability.

- 3. Committee Members shall set high standards for themselves as Association members.** Committee Members shall hold themselves to the highest standards as members of the Association, and shall in all ways comply with the provisions of the Association's governing documents.
- 4. Committee Members shall work within the Association's framework and refrain from unilateral action.** Members shall at all times work within the Association's framework and abide by the system of management established by the Association's governing documents and the Committee. The Committee shall conduct business in accordance with state law and the Association's governing documents, and shall act upon decisions duly made, and no Committee Member shall act unilaterally or contrary to such decision. Toward that end, no Committee member shall seek to have a contract implemented that has not been duly approved by the Board, nor promise anything not approved by the Board to a contractor, supplier or to any other entity.
- 5. Committee Members shall behave professionally at meetings.** Committee Members shall conduct themselves at all meetings, including Board meetings, annual meetings of the members, and committee meetings, in a professional and businesslike manner. Personal attacks, either in person, by email or by any other means, against Board Member, other Committee Members, Association members, residents, officers, management, or guests are not consistent with the best interests of the community and will not be tolerated. Language at meetings shall be kept professional. Though differences of opinion are inevitable, they must be expressed in a professional and businesslike manner.
- 6. Committee Members shall maintain confidentiality when appropriate.** Committee Members shall, at all times, maintain the confidentiality of all legal, contractual, personnel, and management matters involving the Association as determined by having been covered or on the agenda to be covered in an Executive Session of the Board. Committee Members shall also maintain the confidentiality of the personal lives of Board Members, other Committee Members, Association members, residents, and management staff.
- 7. Committee members shall disclose conflicts of interests.** Committee Members shall immediately disclose to the Committee any perceived or potential conflict of interest regarding any aspect of the business operations of the Association.
- 8. Committee Members shall refrain from defaming anyone in the community.** Committee Members shall not engage in defamation, by any means, of any Board Member, other Committee Members, Association member, resident, or management staff member. The Association shall deem any Committee Member, who engages in defamation, to be acting outside the scope of his authority as a Committee Member.
- 9. Committee Members shall refrain from harassing Association members or residents.** Committee Members shall not in any way harass, threaten, or otherwise attempt to intimidate any Board Member, other Committee Members, Association member, or resident, either in person, by email or by any other means. The Association shall deem any Committee Member who harasses, threatens or otherwise attempts to intimidate other Association members or residents, to be acting outside the scope of his authority as a Committee Member.
- 10. Committee Members shall refrain from interfering with Management staff and contractors.** No Committee Member shall interfere with the duties of management staff or any contractor executing a contract in process. All concerns with contractors' performance

must go through the association property management, or must otherwise be in accordance with Board policy. Any concern with property management performance must be raised with the full Board.

- 11. **Sanctions.** Violating any of the above rules of conduct of the Association shall be cause for possible submission to the Board for removal from the Committee.

**ADOPTED BY BOARD RESOLUTION DURING THE BOARD MEETING ON
OCTOBER 19, 2011.**

REGNER C. RIDER, PRESIDENT

DATE
