

Tahoe Donner Association Covenants Committee DRAFT Charter

I. INTRODUCTION

A. Authority

Pursuant to the powers vested in the Board of Directors (“Board”) by the Articles of Incorporation, the Bylaws and the Covenants and Restrictions of the Tahoe Donner Association (“Association”), the Board hereby establishes the Covenants Committee (“CC”) as a standing committee of the Association.

The CC is established and operates under the provisions of:

- Section 1, Article X, Restated Bylaws of Tahoe Donner Association
- Section 2, Article X, Restated Bylaws of Tahoe Donner Association
- Section 7, Article XIII, Restated Bylaws of Tahoe Donner Association
- Article VIII, Restated Bylaws of Tahoe Donner Association
- Resolution 2021-5, Committee Policy, Tahoe Donner Association Board of Directors, July 23, 2021, or as further amended by the Board.

This CC Charter shall remain in effect as presented herein until such time as it is amended or revoked by the Board. Any changes, amendments or modifications hereafter may only be accomplished at a properly noticed meeting of the Tahoe Donner Association Board of Directors.

The Committee shall have no authority to act on behalf of the Association, other than to formulate and present recommendations to the Board related to its stated purpose as supported by the Declarations of Covenants and Restrictions.

II. PURPOSE

The purpose of the CC is defined by Section 7, Article XIII, Restated Bylaws of Tahoe Donner Association. The committee’s purpose includes the following:

- Oversee the administration and enforcement of the Governing Documents and Association Rules as they apply to
 - Property owners use, care and maintenance of properties and the behavior of property owners, members of the owners’ families, their guests, tenants, and invitees.

- Use and the behavior of property owners, members of the owners' families, their guests, tenants, and invitees on Tahoe Donner owned property.
- Holding hearings in cases where property owners, their guests or tenants have allegedly violated those portions of the Governing Documents and Association Rules that apply to the property owner, members of the owners' families, guests, tenants, and invitees after proper notification, and is repeated within a 12-month span. After due process, the Committee may apply fines consistent with the Board approved fine schedule for violations and request other sanctions established by the Board of Directors.
- Periodically review Governing Documents and Association Rules under its oversight and may support and collaborate with staff to recommend changes to existing rules and propose new rules as necessary to keep current with changing conditions and requirements.

III. COMMITTEE ADMINISTRATION

A. Resolution 2021-5, Committee Policy

Except as exempted and specified below, the committee shall operate according to policies established in Resolution 2021-5, Committee Policy as established by the Board of Directors, and/or as subsequently amended in the future.

B. Committee Size

The Committee shall consist of 5 regular, voting members. The Board may also designate up to 4 alternate members of the Committee. Alternate members are encouraged to attend all meetings and participate in Committee discussions but may only vote if an insufficient number of regular members are present to constitute a quorum.

C. Officers

The Officers of the committee shall include one Chair and one Vice-Chair. Officers must be regular members of the committee.

D. Staff Liaison

Management shall appoint a Staff Liaison to provide the necessary support to the committee.

E. Appointment Eligibility

In addition to the standard eligibility requirements, the following members are ineligible for appointment to the committee:

- Architectural Standards Committee members and their immediate family members.
- Association members who, within the previous two years, have been found at properly noticed hearings to have been in violation of association rules more than one time.

F. Vacancies

In addition to the standard vacancy procedures, alternate members appointed to fill a regular member vacancy shall serve for the balance of the unexpired term of the vacated regular membership.

G. Appointment Qualifications

In selecting the members of the committee, the Board of Directors shall endeavor to appoint individuals whose occupations, education, or experience will provide knowledge and expertise relevant to matters within the committee's purpose.

In addition to such standard qualifications, prior to the Board's appointment of any new committee members, the committee may provide the Board with a report describing the committee's current personnel needs, and any supplemental qualifications necessary to satisfy those needs.

Prior to appointment, prospective committee members must also complete the following qualification prerequisites:

- Initiate potential onboarding by notifying the chair of their interest in applying to the committee
- Introduce themselves to the committee at a noticed meeting
- Attend at least 2 CC meetings
- Read the relevant governing documents and CC charter

H. Member Responsibilities

Because the CC membership includes alternates, the CC is exempt from the following standard: "Absences unexcused by the Chair in excess of 25% of regular meetings within any consecutive twelve-month period will trigger Board review."

Committee members or alternates who, within the previous two years, have been found at properly noticed hearings to have been in violation of Association rules more than one time may

be subject to a recommendation of removal. Such recommendations are to be voted on by the committee and subsequently referred to the Board for acceptance and affirming action.

I. Quorum

A quorum of at least three (3) members (regular or, if insufficient regular members are present, alternate) shall be required to conduct business and / or hearings.

VI. COMMITTEE APPOINTMENT CLASS FORMATION

At the first meeting following the approval of this CC charter, the committee members shall divide themselves into the three classes as follows:

- Class B, consisting of 1 regular and 2 alternate appointments, shall be vacated at the expiration of the first full calendar year.
- Class C, consisting of 2 regular and 1 alternate appointments, shall be vacated at the expiration of the second full calendar year.
- Class A, consisting of 2 regular and 1 alternate appointments, at the expiration of the third full calendar year.

The resulting partial terms completed by Classes B and C shall not be counted toward any limitation on consecutive full terms. For Board notification, the Chair will provide staff with a written report naming the members of each class and the expiration of their terms.

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