

COTTONWOOD CREEK PROPERTY OWNERS, INC. (CCPOI)

POLICIES AND PROCEDURES

(Adopted June 2, 2016 unless otherwise noted)

In accordance with the Articles of Incorporation and CCPOI Bylaws, the Board of Directors ("Board") is responsible for the management of CCPOI for the benefit of its members. To this end, the Board implemented the following policies and practices to ensure the proper management of CCPOI and its common areas. The common areas include all real property held by CCPOI and the improvements contained on that real property (i.e., the streets, buildings, grounds, golf course, swimming pool, hot tub, recreational vehicle (RV) storage area, and maintenance area).

STREETS AND PARKING

- The speed limit on all streets within CCPOI is 15 miles per hour.
(Adopted March 3, 2016)
- CCPOI members and residents are permitted to use streets at all times for walking, driving, and bicycling. Lights shall be used when driving and bicycling at night.
- No vehicle may be used, at any time, for the purpose of residence or living space when parked within Cottonwood Creek.
- Parking for periods in excess of those outlined in the CCPOI covenants, conditions, and restrictions (CC&R's) are not permitted without CCPOI approval.
- Failure to comply with parking restrictions may result in the vehicle being tagged, showing the date, time and violation. CCPOI may have a commercial towing service remove, at owner's expense, any vehicle of a nonresident in violation of the CC&R's no less than 24 hours after posting notice of noncompliance on such vehicle.
- Guests under 16 years of age must be accompanied by a resident while driving within Cottonwood Creek. Residents are responsible for ensuring their guests comply with this requirement.
- Vehicles and other items displaying for sale signs shall not be parked or placed within CCPOI parking lots unless approved by the Board of Directors.

- Property owners shall request parking permits for themselves or their guests to park on CCPOI property longer than overnight from CCPOI. The permit is to be displayed as instructed while parked on CCPOI property. Parking permits will be issued for up to two weeks after which time the vehicle must be removed or moved to fee based long-term storage. *(Adopted March 30, 2017)*

CLUBHOUSE/HALL

- The Clubhouse is for the exclusive use of CCPOI property owners. It can only be reserved by a property owner for their personal use (i.e., property owner's birthday or anniversary). *(Adopted March 31, 2017)*
- Clubhouse or common building use during which persons other than CCPOI members and residents will be invited or permitted to attend require prior Board approval.
- Reservations for use of the Clubhouse by Cottonwood Creek owners or renters, if the owners gave up their amenities privileges to the renters, shall include a \$25.00 use fee for the first four hours. An additional \$25.00 shall be charged for each four hour increment after the first four hours.
- Reservations for use of the Clubhouse by Cottonwood Creek owners and residents require completion of a request available at the CCPOI office and payment of a \$50.00 cleaning deposit plus the \$25.00 use fee. The cleaning deposit shall be refunded, provided no CCPOI supplies are used and the Clubhouse is left in the condition it was in prior to the activity. Organizers of events in the Clubhouse are responsible for obtaining prior instructions for turning off lights, fans, air condition and P/A systems which shall be done prior to leaving the building after the event.
- In order to comply with Harlingen Fire Code, only 300 seated persons are permitted in the Clubhouse at one time.

PERSONAL USE OF CCPOI OFFICE EQUIPMENT

- Only CCPOI staff and Board members may use CCPOI office machinery, including computers, copy machines, and fax machines. Property owners will be asked to reimburse CCPOI \$0.15 per copy if more than 10 personal copies are made per month. *(Adopted March 30, 2017)*

GOLF COURSE

- Golf tournaments require prior Board approval and are subject to outside guests paying the appropriate green, cart, and equipment rental fees.
- Cottonwood Creek guests are required to pay green, cart and equipment rental fees for each round of golf prior to beginning play. Green fees are not required of qualifying temporary guests of CCPOI property owners.
- Golf cart rental fees apply to CCPOI owners, residents, and guests.
- Green fees and equipment rental fees shall be reviewed by the Golf Committee prior to the start of each League season. Any fee changes recommended by the Golf Committee shall be approved by the Board of Directors prior to their implementation.
- Only golf course appropriate vehicles are permitted on the golf course.
- Except during league play, foursomes are suggested when the golf course is busy.
- Use of a tee is required at all times when teeing off.
- Everyone on the golf course is required to wear appropriate clothing, including shirts, at all times.
- Appropriate golf shoes should be worn on the golf course. Metal spikes are not permitted.
- Riding golf carts are to be kept on the cart paths when teeing off and at least 30 feet from the greens, when possible and practical.
- Golfers are not to trespass upon private property at any time except to retrieve their stray golf balls. Stray golf balls shall not be hit from private property.
- Golfers are responsible for replacing divots on tee boxes and the fairways and for repairing ball marks on the greens.
- When the golf course is closed or riding carts are not permitted for any reason, signs will be posted in front of the Pro Shop and on the first tee box.

POOL AND HOT TUB AREA

- Rules and procedures posted in the pool area are enforced at all times.
- Use of the pool and hot tub is limited to CCPOI members and residents and their eligible temporary guests.
- Prior to entering the pool or hot tub users must shower to remove any lotions. Soap is not permitted in the showers.
- Children 12 years or younger are not allowed in the hot tub.

- If guests using the pool or hot tub are under 18 years of age, they must at all times have an adult supervising them, be kept under control, and not permitted to interfere with the quiet enjoyment of the pool and hot tub by other residents and temporary guests.
- Anyone displaying rowdy or rude behavior may be asked to leave the pool area at any time by any CCPOI owner.
- The following activities are not permitted:
 - Diving into the pool or hot tub
 - Running in the pool area.
 - Throwing of objects into the pool or in the pool area.
 - Bicycles, skates, or skateboards in the pool area.
 - Bringing or allowing pets in the pool area.

TENNIS COURT AND SHUFFLEBOARD

- Use of the tennis courts and shuffleboard courts is limited to CCPOI members and residents and their eligible temporary guests.
- Proper footwear is to be worn at all times on the tennis courts. Shoes with abrasive soles or any kind of black soles may not be worn.
- Shufflers should walk on the concrete area between the courts when changing ends. The green court area is a very specialized material and may be damaged just by walking. Do not use the courts as a short cut.
- Any activity other than tennis on the tennis court and shuffling on the shuffleboard lanes is forbidden.

EXERCISE ROOM

- Guests under 18 years of age must be accompanied by a resident adult when using the Exercise Room.
- The equipment located in the Exercise Room must be utilized in the manner for which it was intended.
- To avoid injury and for their own safety and welfare, anyone using the exercise equipment is responsible for knowing their own limitations.

LIBRARY AND POOL ROOM

- Guests under 18 years of age must be accompanied by a resident adult when using the Library/Pool Room.

RV STORAGE AND MAINTENANCE AREAS

- Access to the RV storage area is limited to CCPOI members/residents, and its employees while performing their duties for CCPOI.
- Refunds of RV rental storage spaces shall be made by written request of the renter for full month's rental upon vacancy of the space. Refunds of less than full month's rental shall not be made. *(Adopted March 30, 2017)*
- Access to the maintenance area is limited to CCPOI members/residents, and its employees while they are performing their duties for CCPOI.

RENTAL OF PRIVATE HOMES

- Property owners shall complete and submit a CCPOI rental property information form prior to renting their Cottonwood Creek property. *(Adopted November 3, 2016)*

PRIVATE PROPERTY IMPROVEMENT AND MAINTENANCE

- Owners wishing to make additions and exterior improvements to their property must complete and submit a CCPOI proposal form for Architectural Control Committee (ACC) approval. Any addition/improvement may not commence until the necessary approval is obtained from the ACC and the City of Harlingen.
- All storage buildings and their location must be approved by the ACC prior to their installation.
- Each private property shall be maintained in a sanitary and attractive manner without excess overgrowth of vegetation or accumulated garbage, trash, or rubbish. If vegetation overgrowth is permitted by the owner/resident, CCPOI will mow for \$30.00 per mowing and/or trimming at the owner's expense.

EMPLOYEES

- As the Bylaws provide, decisions to hire, discipline, or terminate an employee, require a majority vote of the Board.
- Employees are at-will and hourly unless otherwise appropriate as determined by the Board in compliance with Federal and State employment laws.
- Beginning July 4, 2016, employees will be paid biweekly on Fridays with the first biweekly payroll being on July 15, 2016.

- Employees are permitted time off, with pay for the following holidays, provided the holiday falls on a regular work day (Monday through Friday):
 - January 1
 - Memorial Day
 - July 4
 - Labor Day
 - Thanksgiving
 - Christmas
- Background checks of prospective employee shall be conducted. Such background check shall include no less than criminal history check and past employment verification.
- Employees shall earn 80 hours personal leave posted on January 1 each year following one year of full-time employment with CCPOI. The personal leave shall be used before January 1 the following year. Use of the personal leave shall be approved by the CCPOI President. Or, in the absence of the President, the Vice President. *(Adopted July 5, 2016)*
- Employees who are ordered by the Board to use their personal vehicles for CCPOI business shall be reimbursed for the required miles driven in accordance with Internal Revenue Service rates. Reimbursement shall be made once per month. The current IRS reimbursement amount is \$0.535 per mile. *(Adopted February 23, 2017)*

DISCRIMINATION AND SEXUAL HARASSMENT POLICIES *(Entire section Adopted March 3, 2017)*

The CCPOI is an equal opportunity employer which shall not discriminate in any of its activities or operations on the basis of race, color, religion, gender, gender expression, age, national origin, disability, marital status, sexual orientation, or military status. These activities include, but are not limited to, hiring and firing of staff, selection of volunteers and vendors, and provision of services.

The CCPOI is committed to providing a work environment that is free from harassment on the basis of an individual's sex, race, ethnicity, national origin, age, religion or any other legally protected characteristics. All employees, including supervisors and other management personnel, are required to abide by this policy. No person will be adversely affected in

employment with the CCPOI as a result of bringing complaints of unlawful harassment.

Sexual harassment will not be tolerated by CCPOI. Sexual harassment is: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for decisions about employment, promotion, transfer, selection for training, performance evaluations, benefits, or other terms and conditions of employment; or (3) such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment or substantially interferes with an employee's work performance. Any employee who believes s/he is a victim of sexual harassment must immediately report any incident to the CCPOI President. If the CCPOI President is the alleged harasser, immediate reporting will be to a CCPOI Board member of the employee's choice.

If a CCPOI employee feels s/he has been harassed on the basis of their sex, race, national origin, ethnic background, or any other legally protected characteristic, they should immediately report the matter to the CCPOI President. If that person is not available, or if the employee feels it would be unproductive to inform that person, the employee should immediately contact the CCPOI Board member of the employee's choice. Once the matter has been reported, it will be promptly investigated and corrective action taken, if appropriate. All complaints of unlawful harassment will be handled in as discreet and confidential manner as possible under the circumstances.

Any CCPOI employee engaging in improper harassing behavior will be subject to disciplinary action, including the possible termination of employment.

The CCPOI will not tolerate retaliation against any employee who complains of harassment, including sexual harassment, or provides information in connection with any such complaint.

GUESTS

A temporary guest is defined as one who resides outside a 150 mile radius of Cottonwood Creek. Such temporary guests include those staying with the owner of a residence within Cottonwood Creek. This temporary guest is limited to use of the common facilities for no more than two consecutive weeks per year.

PETS

- Pets must be controlled by the owner or responsible adult at all times so they are not a nuisance.
- Pet owners are responsible for any damage caused by their pets.
- When not on the owner's property, all pets must be kept on leash as required by the CC&R's and City of Harlingen and Cameron County regulations.
- At no time may pets be allowed to enter another person's private property without their express permission.
- Pet owners are responsible for immediately cleaning up after their pets.

CCPOI COMMITTEE APPOINTMENTS

- The CCPOI Board shall approve all standing and special committees and the members of the committees. *Adopted November 3, 2016)*

EXPENDITURES BY THE BOARD OF DIRECTORS ON BEHALF OF CCPOI

- Three bids are required for all expenditures by the Board over \$1000.00. *(Adopted July 30, 2020)*
- All expenditures over \$500.00 require a majority vote of the CCPOI Board. *(Adopted March 3, 2016)*
- Two CCPOI Board member signatures are required on all checks issued. *(January 26, 2017).*
- No one, including Directors, committee members, or property owners, has the authority to bind CCPOI by written or verbal contract, to render it liable monetarily, or to incur any expense on behalf of CCPOI for any purpose, without prior majority approval by the Board. *(Adopted March 30, 2017)*

DUE DATES

- CCPOI assessments are due on the first of the month and if unpaid become delinquent on the 30th of the month. Late fees of 10% per annum will be collected on delinquent assessments beginning with any delinquent on June 30, 2016. *(Adopted May 5, 2016)*
- When a check is returned by the bank to CCPOI as unpayable for any reason, in addition to any penalty fee imposed by the bank being collected by CCPOI, CCPOI will collect a processing fee of \$35.00 from the payor. *(Adopted December 18, 2018)*
- Profit and Loss and Budget vs. Actual reports shall be posted on the bulletin board in the Mail Room by the 10th of the following month. *(Revised June 2, 2016)*
- The prior month's bank statements shall be available for viewing by the property owners in the CCPOI office no later than the 5th of the month. Viewing of the bank statements does not require signature. Property owners requesting a copy of a bank statement will either submit a written request or sign for a copy of the statement. *(Revised June 2, 2016)*
- Payroll taxes are filed for each payroll by CCPOI's accountant processing payroll.
- Quarterly filings – IRS form 941 and Texas Workforce (April 15, July 15, October 15, and January 15)
- Annual filings – Sales tax, IRS form 940 (January 15), Vendor's 1099, W2's (January 31)
- Real estate taxes – October
- Insurances vary.