

CROOKED RIVER RANCH CLUB & MAINTENANCE ASSOCIATION

Board of Directors Agenda – Work Session

Monday, August 7, 2023

- I. Call to Order and Roll Call
- II. Regular Board Meeting Review – August 21, 2023
- III. Annual Meeting Update
- IV. 2023 CRR Election Update
- V. AFE #287 – Road Maintenance Products
- VI. New CC&R Procedure and Revised Handbook – Stephanie Proffitt
- VII. Sponsorship for the Ranch – Vice President Erdekian
- VIII. Alternative Funding Committee – Volunteer Oriented Grants – Vice President Erdekian
- IX. Volunteer Service Forms – Mark Schneider – renewal CC&R Review Committee;
Stephanie Proffitt – Ranch Enhancements Committee
- X. A/R Log Review
- XI. Vote to Adjourn to Executive Session If Needed

**CROOKED RIVER RANCH CLUB & MAINTENANCE ASSOCIATION
BOARD OF DIRECTORS
REGULAR MEETING AGENDA**

Monday, August 21, 2023, 6:00 P.M.

I. CALL TO ORDER: Pledge of Allegiance and Roll Call

Name		Name		Name	
Kari Vickery President		Ara Erdekian Vice President		Mike Dries Secretary	
Randy Peterson Treasurer		Sheryl Jones Director		Julia Randall Director	
Sarah Woolverton Director		Robert Beveridge Director		Mike Carey Director	

II. CONSENT ITEMS

- a. Agenda of Regular Meeting – August 21, 2023
- b. Minutes of Regular Session – July 17, 2023
- c. Minutes of Work Session – August 7, 2023

III. COMMITTEE & STAFF REPORTS – Representatives of Committees may request to report on committee's activities since last regular Board meeting. Each person's comments will be limited to three minutes. *(Available Committee minutes and staff reports have been provided in the Board books and on the website.)*

IV. RANCH MANAGER's REPORT –

- a. Collections Report
- b. General Maintenance Supervisor Knoke's Retirement Update

V. OLD BUSINESS

- a. Recap of Annual Meeting
- b. AR Log

VI. NEW BUSINESS

- a. Presentation of FY 2022-2023 Annual Audit – Zack Harmon, Capstone CPAs

VII. SECOND READINGS

VIII. FIRST READINGS

IX. PUBLIC INPUT - Must sign up and identify issues to speak on before meeting starts and individuals will be limited to three minutes unless additional time is allowed by the President.

X. PREVIEW OF WORK SESSION – September 6, 2023

XI. ANNOUNCEMENTS & WRAP-UP:

- a. CRR Annual Yard Sale – September 8, 9, 10

XII. VOTE TO ADJOURN TO EXECUTIVE SESSION IF NEEDED

CROOKED RIVER RANCH C&MA BOARD MEETING

AGENDA ITEM SUMMARY

Meeting Date: 8/7/23

Meeting Type: Work Session

Department: Road Department

Staff Contact: Jordan Jones

Estimated Time: 5 Minutes

ITEM TITLE: AFE #287 – Road Maintenance Products

ACTION REQUESTED

Approve AFE # 287 for initial purchase of road maintenance products not to exceed \$78,000.

ISSUE STATEMENT:

The Road Department is requesting approval of AFE # 287 to purchase road maintenance materials to include ¾-0” commercial base gravel, cold patch and crack seal materials.

ATTACHMENTS: None

DISCUSSION/FINANCIAL IMPACT:

This expenditure is allotted for in the FY 2023-2024 Operating Budget. This is the first half of the expenditure for this fiscal year.

CROOKED RIVER RANCH
AUTHORIZATION FOR EXPENDITURE

All expenditures over \$5000 must be justified on this form, endorsed by the Ranch Manager before going to the Board of Directors for approval.

DATE: August 7, 2023

AMOUNT OF EXPENDITURE: \$78,000.00

AFE NUMBER: #287

REASON FOR EXPENDITURE: Initial purchase of road materials for maintenance of Crooked River Ranch roads. The requested amount is \$78,000 of the \$156,000 amount budgeted in the FY 2023-0224 operating budget.

JUSTIFICATION FOR EXPENDITURE:

Expenditure is in alignment with the FY 2023-2024 budgeted dollars. Materials will be used to maintain various Ranch roads for improvement, maintenance or enhancement. This will cover all materials used for our road maintenance including: ¾ "-0" commercial base gravel, cold patch, and crack seal material. This request is for the first draw of \$78,000 of the approved expenditure.

REQUESTING DEPARTMENT: Road Department DATE: 8/7/23

SUPERVISOR: Jordan D. Jones DATE: 8-7-23

RANCH MANAGER: Quay LaPera DATE: 8/7/23

BOD OFFICER: _____ DATE: _____

FY 23-24 Road Department Operating Budget Excerpt

ROADS

Account	Description	2021 Actual	2022 Actual	2023 Budget	May-Oct 22-23 Actual	Nov-Apr 22-23 Projected	2022-2023 Actual and Projected	2024 Proposed Budget
ROADS								
1-30-32-65250	Road Maint Products	94,516.46	155,954.82	156,000.00	29,896.21	126,000.00	155,896.21	156,000.00
1-30-32-65270	Shared Expenses		-	-		-	-	-

CC&R REVIEW COMMITTEE HANDBOOK

TABLE OF CONTENTS

CRR POLICY & PROCEDURES ON THE CC&R REVIEW COMMITTEE	PG. 3
CC&R REVIEW COMMITTEE CHARTER	PG. 4
CC&R REVIEW COMMITTEE OFFICER RESPONSIBILITIES	PG 6
CC&R REVIEW COMMITTEE OPERATIONS	PG 7-13
CC&R REVIEW COMMITTEE INSPECTION REPORT FORM	
ANNEX: CC&R & CODE ENFORCEMENT MATRIX	

Authorization for CC&R Committee

Excerpts from the CRR Policy & Procedures Handbook {Revised July 3, 2023}

4.12 Committees – Roles, Responsibilities and Board Oversight

The Crooked River Ranch Board of Directors is supported by a number of established committees and ad hoc committees which act according to Board policy and direction. Committees are strongly recognized and supported by the Board as an essential part in maintaining the livability and sustainability of the Association. Committees are comprised of volunteers who are members of the Association or otherwise approved by the BOD. At times, there may be a need for Board members to serve actively on a committee at the direction of the Board.

The BOD will conduct an annual review of each established committee for the purpose of identifying areas where the Board can better support the committee and determine if the role, requirements or expectations of the committee need to change. The BOD will provide some type of annual recognition for all committee members.

The Board shall define the roles, requirements and expectations and confidentiality requirements for each committee, as well as the term of ad hoc committees. The committee shall elect a chairperson and secretary each year. The committee will review applications for membership in the order they are received and will recommend applicants to be approved by the Board. The normal term for a member of an established committee is three (3) years, with the exception of the Architectural Review Committee, whose members are elected annually by the Association's members, and the Nominating Committee, which is appointed annually by the Board.

Once a committee member has completed their term of service, they may reapply for membership on the committee; however, to encourage maximum participation, every consideration should be afforded to new applicants. The term for a member of an ad hoc committee ends when the committee reaches the end of the term established by the Board. A person may be a member of up to two regular committees and two ad hoc committees at the same time. A member may be removed from a committee by action of the committee or the Board prior to the end of their term. The Board liaison will work with the committee chair to help provide basic skills on how to conduct effective meetings, and an orientation for new committee members.

4.15 Established Committees

A. Architectural Review Committee (ARC): The role of the ARC is to review all property improvement applications for compliance with the established CC&Rs. The committee shall work with county authorities to have a cooperative relationship which supports the work of the committee. The committee shall review all property improvement documentation forms and sign requirements yearly and submit recommended changes to the Board for approval. Application forms for construction and sign requirements can be found on the Association website. Members of this committee are elected by the members of the Association yearly. (See section pertaining to ARC and BOD nomination and election for guidelines on applying for membership in this committee.)

B. Budget/Audit Committee (BAC): The role of the BAC is to provide both an operating and a capital expenditure budget to the Board for its review and adoption. In addition, the BAC makes recommendations concerning the funding of the Capital Reserve Plan (CRP) to the Board for review and adoption. The BAC, based on its findings, shall recommend to the Board the amount they feel should be transferred to the CRP during the next fiscal year. (Resolution 2010-04-19)

C. CC&R Review Committee: The role of the CC&R Review Committee is to investigate CC&R-Violation complaints submitted on the approved form; adjudicate whether claims are valid; seek voluntary abatement of valid claims; and recommend actions to the Board where voluntary abatement efforts fail. It works closely with county code enforcement on problems that represent county code violations. It is also responsible for recommending to the Board refinements to the Crooked River Ranch CC&R policy, processes and documentation as the need arises; plus providing education to homeowners and renters regarding CC&Rs and county code requirements.

CC&R REVIEW COMMITTEE CHARTER

Approval Date: For Year(s): 2023-2024

Name of Committee: CC&R Review Committee

Type of Committee: ☐ Ad Hoc ☒ Standing

Number of Committee Members: Up to 12

Projected Length of Service for Committee: Ongoing

Confidentiality Requirements:

- Confidentiality form signed.
- Identities of Complainants are to be held confidential, unless agreed upon by complainant – such as in legal action.
- Deliberations of the Committee are confidential and names of property owners under investigation are not to be identified in minutes which are submitted to the Board and public.
- Unless otherwise determined by the Board, briefings of specific cases to the Board are to be done in executive session.

Expectations for Committee:

- Length of committee members commitment: 3 years – Appointed by BOD
- Projected number of meetings per year: 12 (cannot miss more than 3 consecutive meetings)
- Provide monthly minutes to Board.
- Meetings to be held at – Juniper Room on 3rd Tuesday of the month at 1:30pm 3rd Wednesday of the month at 3:00pm

BOD Liaison is –TBA

Role - To support the Board of Directors in the enforcement of CRR Covenants, Conditions and Restrictions (CC&Rs) and county codes.

Purpose:

- Investigate CC&R/Code Violation complaints submitted on the approved form, decide whether claims are valid, seek voluntary abatement of valid CC&R claims and recommend actions to the BOD where voluntary abatement efforts fail. If there is a county code violation, send instructions to the complainant to file the complaint directly with the County. Include a county complaint form.
- Maintain a working relationship effective liaison with Jefferson County and Deschutes County code enforcement officers to deal with problems that represent county violations.
- Keep complainants informed throughout the process, until the case is closed.
- Keep the BOD informed of the macro effort by periodic reports made in executive session.
- Recommend to the BOD refinements to CC&R enforcement policy, processes and documentation as the need arises.
- Provide education to homeowners regarding CC&Rs and county codes.

Benchmarks to Evaluate Progress & Accountability:

- Periodic reports to BOD on new cases, closed cases, status of abatement and presentation of individual cases where voluntary abatement fails for BOD determination of an “open violation” and approval of additional measures.

Financial Impact: Legal counsel will be needed for non-voluntary abatement- each instance will be approved in advance by the BOD.

COMMITTEE OFFICER RESPONSIBILITIES

Chairperson/Admin liaison

- Chair Committee meeting
- Review incoming CC&R/Code complaints. and work with vice chair to determine necessary actions.
- Review, approve and sign Committee correspondence.
- Review and approve draft minutes of meetings, approve draft for submission to the Committee for official (final) approval.
- ~~Propose to the Committee changes in status of complaint cases based on inspections.~~
- Provide periodic briefings to the Board of Directors on Committee actions.
- Present Committee recommendations for specific CC&R enforcement actions to the Board of Directors for decision.
- Serve as advisors to the Board of Directors concerning CC&R enforcement policy and adoption of rules clarifying CC&R requirements and prohibitions.
- Serve as liaison with Jefferson County and Deschutes County code enforcement officials on issues involving Ranch properties.

Vice Chairperson/Admin liaison

- Fill in for Chairperson, as necessary.
- Review incoming CC&R/Code complaints and put out email for inspectors to meet needs assign 2 people to inspect via email. CC staff liaison for follow up.
- Prepare for Chairperson’s review correspondence tailored to complaints – letters to property owner, complainants and other organizations involved in CC&R and county code enforcement, as appropriate.
- Serve as liaison with Ranch Manager and other Association Staff involved in the CC&R enforcement process.
- Serve as liaison with the Architectural Review Committee, Special Road District and CRR Fire Department, as needed for CC&R Enforcement issues.
- ~~Deal, as required, with complainants and owners of properties which are the object of complaints.~~
- Work with the secretary, chair, and admin liaison to keep Committee Handbook current.

Secretary/Admin liaison

- Keep notes for Committee meetings, prepare draft minutes and email them to the Chairperson/Admin liaison. Distribute approved draft minutes to Committee via email along with a 2nd copy omitting names and addresses to the admin liaison for inclusion into Board of Directors monthly meeting reading package.
- Forward Keep Committee working files of complaints, Committee correspondence, inspection reports and all other material bearing on the enforcement process to Admin liaison.

- ~~Receive CC&R enforcement log update from Admin Office and transfer new date to the Committee's Master Work log. Update the Office Master CC&R Log with changes to the status of complaints and forward updated log to the receptionist.~~
- ~~Maintain Tickler file on letters sent (based on final sent copy forwarded by staff)~~
- Assist the Vice Chair and Admin **liaison** with changes to the Committee Handbook and other documents assigned to the Committee by the Board of Directors. (Examples – Draft enforcement policy paper and draft rules.)
- Work with Admin liaison & Chairman to prepare meeting agenda.

CC&R REVIEW COMMITTEE OPERATIONS

CC&Rs

- A declaration of covenants, conditions & restrictions (commonly referred to as “CC&Rs”) is a common feature of developments and homeowner associations. In general, CC&Rs describe the rights and obligations of the membership to the association and the association to the membership. They are legally binding on all property owners and run with the land – so all successive owners are legally bound to their provisions.
- Originally adopted in the early 1970s under the Ranch’s developer, each of the 16 phases has its own set of CC&Rs but the major provisions that involve obligations and prohibitions are pretty uniform.
- Copies of the Association’s CC&Rs are supposed to have been provided by the title company to new owners prior to or during the closing on the purchase of their property. The Association website contains a complete selection of the Ranch CC&Rs and a hard copy may be obtained from the Administration office upon request for a fee.

CC&R/Code Enforcement

- The Board of Directors has approved the principle that the enforcement of the Ranch’s CC&Rs is to be a complaint driven process. In the absence of a formal complaint, no enforcement actions will be taken.
- If a member (property owner) of Crooked River Ranch Club and Maintenance Association (CRR&MA) or other CRR resident believes there is a violation of CRR’s CC&Rs, or of county codes on any property under the purview of the Association, that person has the right to initiate an official complaint against the property owner or resident.

- There are many reasons to maintain confidentiality of the complainant -the party initiating the complaint – and **it is the policy of CRR to make every reasonable effort to keep a complainant's identity confidential.** CC&R Review Committee Members are charged with making sure that their actions do not undermine that policy.

Committee Filed Compliant Procedure

Mission: Our primary objective is to investigate complaints generated by Ranch residents. In some cases, due to the nature of the problem it may be necessary to initiate a complaint from within the committee. Committee generated complaints will be kept to a minimum.

- Maximum of 4 committee complaints allowed per year, any additional ones would need HOA BOD approval before proceeding.
- Any member may write up a complaint form, make a copy for each CC&R committee member and distribute.
- EVERY committee member must physically go view the property.
- At the next scheduled CC&R committee meeting a vote by show of hands to be taken. In order to proceed it must be unanimous.
- If the vote is to proceed then the complaint form is submitted as usual to ADMIN and will go through the normal process.

The Complaint Process

- The enforcement process begins with the complainant completing, signing, and submitting to the Administrative Office a copy of the **CC&R/Code-Enforcement Complaint Form** – which may be obtained in hard copy from the Office or downloaded from the Administration website.
- ~~The same form is used for both claimed violations of the Association's CC&Rs and Jefferson or Deschutes County Codes.~~ While the Association does not have the authority and does not enforce county codes, the CC&R Review Committee works closely with county code enforcement officers for the benefit of the Ranch community. ~~The Committee investigates complaints of violation of county codes much as it does those of CC&R violations, but actual enforcement would be carried out by the county~~ If found to be a county code violation a letter will be sent to the complainant stating what violation is county and include county complaint form. A courtesy letter will be sent to the violator letting them know they have a county violation.

Administrative Staff Support

- The Admin staff will ensure that all key information (identified on the form with an asterisk) has been filled in, the entries are legible, and the form has been signed certifying that all information submitted on and with the form is true and accurate to the best of the complainant's knowledge. Additional sheets may be added to the complaint form, but there must be a clear statement of the details of the complaint in the space provided on the first page.
- Once it accepts a complaint **is received**, the admin liaison will **(1)** assign the complaint the next open case number, **(2)** check the owner **verify owner and** information provided by the complainant against

Association and/or county records, (3) fill in office use only area what additional information is available from those records in those field left empty by the complainant and (4) initial any information added. Or changed on the form

- A case file will be created that will include original complaint, tracking sheet, inspection reports and any correspondence that takes place filed in the admin office CC&R file cabinet. A copy of the complaint will be filed in the property file. . The original copy of the complaint form will be filed in the active complaint file in the receptionist's area until such time as the case is closed and then the contents will be filed in the appropriate master property file. Two hard copies will be placed in the CC&R Review Committee mail slot to be used by the CC&R Review Committee inspectors.
- A "pdf" file of the first page of the complaint as well as any supporting documents will be emailed to the CC&R Review Committee, Chair, Vice Chair, Secretary, Ranch Manager and BOD Liaison. A hard copy is available upon request. Pdf files of all inspection reports and subsequent correspondence processed and mailed by the Admin Staff will be sent to the same distribution.
- The Admin Staff will transfer key data from the form to the Excel CC&R Office Master Log. An updated log will be provided at monthly meetings with active, closed, county etc.... status. which is periodically update by the CC&R Review Committee Secretary to reflect changes made to complaints' status by the Committee. The updated Control Log will be emailed to the CC&R Review Committee Chair, Vice Chair, Secretary and BOD Liaison

CC&R Review Committee Action

- Upon receipt of a new complaint the committee will review their information. the first thing the Committee need to determine is whether a complaint, or portion of a complaint, is "relevant" — that is it addresses a legitimate CC&R or county code issue. The CC&R and Code Enforcement Matrix (Annex I) is a useful tool for making this determination. In the past several years, the Committee has received a number of complaints that have not satisfied the "relevant" criteria. For instance, complaints concerning dog issues should be addressed to the appropriate county sheriff's office. Other complaints have addressed other law enforcement issues and Bureau of Land Management regulation issues. If a complaint is judged to be "not relevant", a letter will be sent to the complainant pointing out the proper authority for enforcement and noting that the complaint case will be closed.
- If a complaint meets the "relevant" criteria, the Secretary will draft an acknowledgment letter and forward it to the Administration Office/Receptionist for mailing. Alternatively, if the complainant includes an email address, the acknowledgement letter may be emailed with a cc to the receptionist for the Office file.
- If a complaint comes in that is clearly not a CC&R violation such as dog issues or Bureau of Land Management regulations staff liaison would email to committee stating that, ask them if they agree and then mail appropriate form letter to complainant.
- Deal, as required, with complainants and owners of properties which are the object of complaints.

Inspection Phase

- If a complaint is judged to be relevant one of the The committee's officers or staff liaison will assign 2 committee members to will request volunteers to conduct an investigate the claimed violation within 5 days by email. or the next scheduled Committee meeting. For complex or sensitive complaints, two

~~members of the committee will be assigned to investigate a complaint's validity~~ Members of the Committee must recuse themselves from investigation of any property in which they have a relationship (personal, legal, social, or business) with the owner or resident, or they are a close neighbor of the property.

- Each assigned inspector will be provided with a copy of the complaint form, ~~either by email or hard copy~~ (hard copy available by request) from the Administrative Office and will be given any special instructions from the Chairperson, Vice Chair, Secretary, or admin liaison. **Inspectors need to read both pages of the complaint since the second page gives information on the complainant. Inspectors, at their discretion, may contact the complainant for additional information. However, when in contact with the complainant, they must not appear to be siding with the complainant since the Committee has not yet taken a position as to whether or not the complaint is valid. Inspectors must maintain impartiality and confidentiality.**
- Inspectors must also respect the personal and property rights of the owner and resident of a property being inspected – inspections are limited to viewing from roadways and, in some cases, from neighboring properties with written permission of the owner or occupants of that property. Such permission may be authorized by the complainant checking and initialing the appropriate box on the second page of the complaint. Even with the authorization noted and initialed on the complaint form, inspectors should contact complainants before entering the complainant's property.
- Inspectors need to pay careful attention to the portion of the complaint form dealing with known or suspected hazards at the location and **at no time are they are to place themselves in personal danger.**
- Photos capturing the essence of reported violations of CC&Rs and/or county codes are particularly useful for adjudication whether complaints are valid and for communicating that fact to property owners and renters. Such photos need identifying data – the inspector taking the photo, the date it was taken, the address of property photographed and the location from which the photo was taken. Photos with key information should be submitted with the inspection report ~~but digital photos should be also submitted by email to the Chair, Vice Chair and Secretary.~~ **Digital format is the best way to insert the photos into correspondence to graphically illustrate a problem that needs to be abated.**
- The Administration Department may provide Committee Members with a CC&R Review Committee Photo ID, which can be shown upon demand during an inspection or in discussion with a complainant.
- When ~~the initial inspection is done or if~~ two inspectors are assigned, they may operate independently of each other or as a team. In the latter case, each inspector should sign the investigation report.
- Complete inspection reports should be expeditiously emailed or turned over to the admin liaison which will in turn email a pdf copy to the Chair, Vice Chair and Secretary. Reports turned over to the admin ~~receptionist liaison~~ become part of the official case file and may play a role in legal actions undertaken by the Association Board of Directors. ~~or county code enforcement efforts~~ Consequently, they need to be signed and dated by inspectors.
- **When a follow up inspection is done, only one of the original inspectors needs to complete unless in question of abatement being satisfactory or not. The inspector in question should request the other original inspector to do their own inspection. All reports need to be turned over to the admin liaison.**

Follow-up Committee Action

Assessing Validity of Complaint

- If the assigned investigators cannot agree on the validity of a complaint, the Committee will discuss it at their monthly meeting or via email. If there are some extenuating circumstances, a complaint case may be placed "on hold". If the assigned investigators cannot agree on the validity of a complaint, a third member of the Committee will conduct an inspection as a tie breaker. If there are some extenuating circumstances, a complaint case may be place "on hold".
- Inspection results will be discussed at the next scheduled Committee meeting or via email between meetings. Based on inspection reports and any additional relevant information, complaints will be judged to be "valid", "not valid", or "not proven". In the latter case, it must be shown that there was insufficient evidence to evaluate the validity of a claimed violation.

The Complaint is judged "Not Valid" or "Not Proven"

- Admin liaison will mail appropriate form letter which notifies the complainant that the Committee judged the complaint to be either "not valid" or "not proven" and the case was closed. The complainant may request an opportunity to appeal that by contacting the Admin Office. The Committee will draft a letter for signature by the Committee Chairman to be sent to the Ranch Administration Office for mailing which notifies the complainant that the Committee judged the complaint to be either "not valid" or "not proven" and the case was closed. The complainant may request an opportunity to appeal that by contacting the Admin Office.
- Sometimes, the Committee may determine a complaint is directed at a situation that does not violate either CC&Rs or county codes, but nevertheless has grounds for concern. In such a case, the Committee may send a letter to the owner of the property against which a complaint was made making a recommendation on how to deal with the issue to avoid future similar complaints. If so, then a letter will also be sent to the complainant reporting the action taken.

The Complaint is Judged Valid

- While it may not always be successful, voluntary compliance with the CC&Rs and county codes is always the preferred solution to problem(s) identified in complaints. Convincing someone to take care of his or her problem is the most cost-effective way of dealing with any nuisance. If a complaint is investigated by the Committee and judged to be valid, the first step toward abatement will be communication via letter to the property owner (and to the resident, if other than the owner). This notification letter will clearly state the substance of the complaint, explain that it is judged by the Committee to have merit and request the owner deal with problem(s) noted. This letter may include a photo of the problem(s) if deemed helpful. Excerpt of the violation from the CC&Rs or County Code will

be included. Contact by telephone or in person may also be made with the owner or occupant, if judged appropriate but not in place of a letter as a letter however provides a clear indication that a problem exists and could serve as a document trail should legal action be needed.

- The non-compliance notification letter will be signed “CC&R Committee” but will be sent out by the Administration liaison office which will file a copy in the CC&R case file. The letter addressing a complaint will may request that the property owner make contact the Ranch Administrator within two weeks 15 days of the letter’s date. Possible solutions are (a) that the Committee re-inspect the property) (b) commitment to abate with a plan of corrective action that includes timelines that eliminate the problems within a reasonable time, (c) a commitment to meet with Committee representatives to explain why corrective action has not been or cannot be taken, or (d) a request to appeal the Committee’s judgment on the validity of a complaint. (a) proof or certification that the problems noted have been addressed or abated (this can be simply a request that the Committee re-inspect the property) (b) acceptance of the Committee’s judgement of a violation and commitment to abate with a plan of corrective action that includes timelines that eliminate the problems within a reasonable time, (c) a commitment to meet with Committee representatives to explain why corrective action has not been or cannot be taken, or (d) a request to appeal the Committee’s judgment on the validity of a complaint.
- In some cases, the Committee can request that a letter to a property owner regarding a CC&R or code issue be sent via certified mail. The 2nd and 3rd letter are sent certified. The date of the outgoing letter and requested response will be entered into the admin liaison calendar for follow-up time frames as well as in the case file database. A pdf copy of any signed outgoing letter will be sent by Admin via email to the Committee Chair, Vice Chair and Secretary for record purposes and follow-up action. In some cases, the Committee can request that a letter to a property owner regarding a CC&R or code issue be sent via certified mail, especially the second and subsequent letters. The date of the outgoing letter and requested response will be entered into the Committee’s tickler file to monitor responsiveness.

Possible County Code Issues

- Complaints that have been investigated by the CC&R Review Committee have included issues that involve our CC&Rs, some that involved Deschutes or Jefferson County codes, and some that have involved both our CC&Rs and county codes. The Association does not have the authority to enforce county codes, so any letter involving a county code issue will include that statement, plus the fact that the Committee works very closely with the county code enforcement officers for the benefit of our community. In such cases, the Committee’s letter is advisory – it will note that inspection in response to a complaint “appears to be a violation of a county code”. It will provide an excerpt dealing with the issue from county codes for owner’s information. The committee will also send a letter to the

complainant with said excerpt and a county complaint form requesting they submit a complaint to the county for enforcement.

- The Board of Directors has assigned the Committee the task of educating property owners and other residents of relevant county codes. So, this effort is aimed at helping property owners to identify and deal with county code issues without escalation to the counties, and thereby, assist the counties' limited enforcement resources. . However, the letter will also note that if a county code issue is not abated or planned for abatement within a reasonable amount of time, the Committee will forward the complaint along with all of its investigative reports and correspondence on the case to the appropriate county code enforcement officer for inspection and enforcement. The county code enforcement teams have the ability to investigate and levy fines, albeit through due process.

Dealing with Failure to Abate or Respond to First Letter

- Failure on the part of the property owner to respond to the non-compliance letter within the time allotted, will lead to a second warning letter sent by certified mail that notes voluntary compliance is always the preferred option, but there are other options and failure to comply within 15 additional days could lead to additional discretionary action by the Board of Directors.
- When all attempts at achieving resolution on a voluntary basis fail, a violation case will be taken to the Board of Directors by the CC&R Review Committee chair or vice chair with a recommendation that the case be declared an "open violation" and for further action to be taken.

Dealing with Refusal to Comply with CC&Rs – BOD Options

The Board may take the following actions to deal with an open violation referred to it by the CC&R Review Committee:

- If the violation is for failure to maintain the owner's lot, the Board may choose to implement its authority under Article VI, Paragraph 1 which allows the Association to enter a lot that the owner has refused to properly maintain and conduct appropriate maintenance and to assess the cost to the owner – upon reasonable notice. The letters sent to owners in this situation by the CC&R Review Committee note the authority granted to the Association by this CC&R provision and state that the letters represent a start of the reasonable notice process. The letters sent by the CC&R Review Committee also note the Board approved the rate of \$75 an hour per person involved in clean up, not including the equipment and vehicle costs.
- The Board could decide to deny to the property owner membership rights of access to and use of Ranch recreational and service facilities – such as pool use or member rates for golf – as noted in a legal counsel' opinion.
- The Board could levy a fine
- Finally, the Board can decide on taking legal action against the property owner. CC&R Article XI, Paragraph 1 deals with enforcement of the CC&R provision and states: "the Association shall have the right to enforce by any proceedings at law or in equity, all restrictions, conditions, covenants,

reservations, liens and charges now or hereafter imposed by the provisions of this Declaration.” Thus, the Board can consult with legal counsel on options available and costs involved in civil litigation over a CC&R issue.

A fuller discussion of the enforcement options is contained in the CRRC&MA Policy & Procedures Handbook, Appendix A, Crooked River Ranch CC&R Rules of Enforcement Procedures which was updated by the Board of Directors July 3, 2023. ~~A fuller discussion of the enforcement options is contained in CRRC&MA CC&Rs Rules Enforcement Procedures, which was adopted by the Board of Directors on May 16, 2016. This document is contained in this handbook's Annex B.~~

AR Log for August 21, 2023					
	ACTION OFFICER (*CONTACT)	TASK	STATUS	TASK DESCRIPTION	COMMENTS
1	M Knoke Sheryl Jones	Fire Abatement Project No. 1 - CRR owned properties	On-going	To reduce fire danger, all CRR-owned property to be surveyed for junipers and other brush to be limbed up or removed working with Well Springs, CRR Fire Department and Ranch personnel.	5/15/23 - Supervisor Knoke continues to coordinate fire abatement efforts in coordination with the Fire Dept and Well Springs. Grant applied for by Alternative Funding Committee for CRR was denied. Grant was awarded to CRR Lions Group. Lions Club is waiting for check. 7/17/23 Meeting with Fire Chief and Tim Bell to discuss Sundown Canyon and other areas. \$20K still in budget.
2	M Knoke Randy Peterson	Fire Abatement Project No. 2 - Lower Pasture	On-going	To reduce fire danger on lower pasture. Lower pasture community garden project	7/17/23 - In talks with Charlie Smith for additional mowing in lower pasture along Chinook. Small brush hog is being used for areas around preimeter.
3	M Knoke Sheryl Jones	Fire Abatement Project No. 3 - BLM Project	On-going	To reduce fire danger, all public lands adjoining CRR-owned properties. Ranch personnel and volunteers are working with BLM to identify areas of need. The total acreage on this project is about 1031. Areas are on the south side of the ranch and along the Deschutes River. Also 10 acres near Otter Bench Trailhead	12/5/22 - BLM is completing burning disbris piles from the thinning project. 12/19/22 - two areas left to burn before completion. - 7/17/23 - BLM has completed most unite of the Steelhead Falls project. Will continue this winter.
4	K Vickery	Commercial Loop Improvements	On-Going	Clean up appearance of Commercial Loop.	5/1/23 Conex painting should start soon and lessee is in discussion with owner concerning fencing. 7/17/23 - President Vickery will send email this week.