## THE BEAVER CREEK LODGE CONDOMINIUM ASSOCIATION, INC.

## **EXECUTIVE BOARD RESOLUTION**

## **ADOPTION AND AMENDMENT OF POLICIES**

The Executive Board The Beaver Creek Lodge Condominium Association, Inc., a Colorado nonprofit corporation (the "Association"), hereby approves and adopts the following Resolution:

RESOLVED, that the following Policy of the Association is hereby adopted and ratified:

- 1. Scope The Executive Board of the Association may, from time to time, adopt certain policies, procedures and rules as may be necessary to facilitate the efficient operation of the Association, including the clarification of ambiguous provisions in other documents, or as may be required by law. In order to encourage Owner participation in the development of such policies, procedures and rules and to insure that such policies, procedures and rules are necessary and properly organized, the Board shall follow the following procedures when adopting any policy, procedure, or rule. Notwithstanding the foregoing or any contrary provision herein, the initial adoption of Association Policies by the Executive Board as required by the Act will not be subject to these procedures, have been adopted by the Executive Board on its own authority and shall be and remain valid Policies of the Association until modified or terminated pursuant to these procedures.
- 2. <u>Drafting Procedure</u>. The Board shall consider the following in drafting policies, procedures and rules:
  - a. Whether the governing documents or Colorado law grants the Board the authority to adopt such a policy, procedure, or rule;
  - b. The need for such policy, procedure, or rule based upon the scope and importance of the issue and whether the governing documents adequately address the issue; and
  - c. The immediate and long-term impact and implications of the policy, procedure, or rule.
- 3. Notice and Comment. A copy of the proposed policy, procedure, or rule shall be provided to all Owners or posted on the Association's website or, if there is no website, by email notice to all Owners, and Owners shall be allowed a minimum of thirty (30) days to provide comment and/or feedback on the proposed policy, procedure, or rule. The adoption of every policy, procedure, or rule shall also be listed on the agenda for the Board meeting prior to adoption by the Board and any Owner who wishes to comment on the proposed policy, procedure, or rule shall be afforded such opportunity in compliance with Colorado law.
- 4. <u>Emergency</u>. The Board may forego the notice and opportunity to comment in the event the Board determines in its sole discretion that providing notice and opportunity to comment is not practical given the emergency nature of such policy, procedure, or rule.

- 5. Adoption Procedure. After the period for Owner comment expires, the Board may adopt any policy, procedure, or rule. Upon adoption of a policy, procedure, or rule, the policy, procedure, or rule or notice of such policy, procedure, or rule (including the effective date) shall be provided to all Owners by any reasonable method as determined by the sole discretion of the Board, including but not limited to posting on the Association's website.
- 6. <u>Definitions</u>. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration and Bylaws shall have the same meaning herein.
- 7. <u>Supplement to Law.</u> The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration, Bylaws, and the law of the State of Colorado governing the Association.
- 8. <u>Deviations</u>. The Board may deviate from the procedures set forth in this Policy if in its sole discretion such deviation is reasonable under the circumstances.
- 9. <u>Defenses</u>. Failure of the Association to comply with any provision in this Policy shall not be deemed a defense to payment of Assessments or other charges, late charges, return check charges, attorney fees and/or costs otherwise payable to the Association.

## **CERTIFICATION**

I, the undersigned, do hereby certify:

That I am a duly elected and acting Secretary of The Beaver Creek Lodge Condominium Association, Inc., a Colorado nonprofit corporation; and

That the foregoing Resolution was duly adopted by action of the Executive Board of the Association at its meeting held on November 7th, 2013, at which a quorum was present.

Dated: November 11th, 2013.