

# Committees' Handbook

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***You are an author of this handbook***

This is a living document. So that we can build upon what we've learned rather than keep reinventing the wheel, as a committee or Board member you are encouraged to suggest changes and additions to the Board as you learn new lessons. Periodically, the Secretary or other designated editor should incorporate changes into an updated version of this document. Text for this handbook is in a computer file so it is easily changed.

***Conflicts in authority***

The contents of this document are subordinate to the DCC&R's (Declaration of Covenants, Conditions & Restrictions), Bylaws and other governing documents of YOUR ASSOCIATION HERE! Homeowners Association and codes and ordinances of the City of Charlotte and laws of the state of North Carolina. Any inconsistencies between this document and those authorities defer to the latter.

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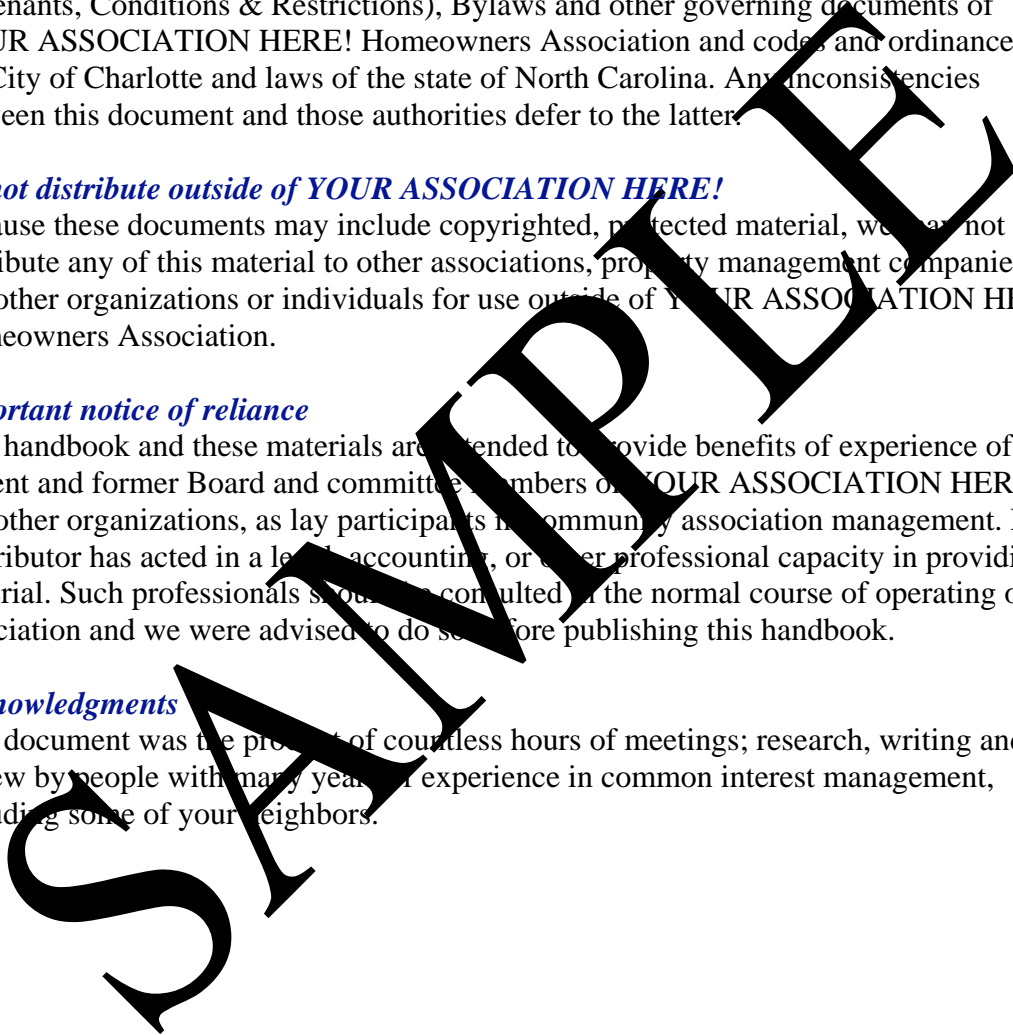
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***Important notice of reliance***

This handbook and these materials are intended to provide benefits of experience of current and former Board and committee members of YOUR ASSOCIATION HERE!, and other organizations, as lay participants in community association management. No contributor has acted in a legal, accounting, or other professional capacity in providing material. Such professionals should be consulted in the normal course of operating our association and we were advised to do so before publishing this handbook.

***Acknowledgments***

This document was the product of countless hours of meetings; research, writing and review by people with many years of experience in common interest management, including some of your neighbors.



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**SAMPLE**

## *Committees are important*

*YOUR ASSOCIATION HERE! runs on volunteer power. We rely upon it. It is our lifeblood.*

Committees allow us to benefit from the contributions of volunteers without their having to be on the Board. Committees also are a good grounding place for future Board members.

Recording a volunteer as a *committee member* gives that volunteer official standing with the association to receive the support, authority, protection, funding and other resources that the Board chooses or as our governing documents provide.

For a homeowners association, a *committee* may include almost any number of volunteers—from a single individual appointed to accomplish a task, to many volunteers working on a complex project or a standing committee.

Committees may be *standing* or *ad-hoc*. A standing committee is permanent. An ad-hoc committee is temporary, usually appointed to accomplish a specific task or to serve for a certain period.

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## *Keeping volunteers*

A person may join a committee or serve on the Board for any of a number of reasons: because he or she was persuaded by the nominating committee, or to fulfill a sense of duty, to correct an adverse condition, to learn more about the management of our business, to satisfy curiosity, to gain feedback from exercising a newly-learned skill, for satisfaction in accomplishing something for the neighborhood or for social reasons. Although getting productive volunteers will remain a challenge for us, keeping them will be even more difficult. Even though we may succeed in a volunteer drive, we will lose those volunteers if we neglect them. We must

- provide direction and clear objectives.
- support them with resources.
- acknowledge their contributions and make them feel valued.
- be sensitive to their burden and longevity of service.
- sustain them with energy, encouragement and enthusiasm.

We're not recruiting squads of selfless workers. We are really creating and nurturing relationships. If the nurturing ends, or if it never existed, the relationships will soon end as well. We, the Board members and committee chairpersons are responsible for keeping those relationships healthy:

### *Provide guidance*

No matter how good the intentions, appointing a committee to solve a complex problem or accomplish an important task without a written charter may well result

in confused, disorganized, floundering and frustrated volunteers, slow progress and an unsatisfactory result.

Except, perhaps, for very short-lived, ad-hoc committees to accomplish very simple tasks, it is very important that any *significant* committee we appoint have a *written* charter that clearly establishes its authority and mission. When appointing such a committee, if a charter does not already exist, then the President or someone appointed by the President should draft a charter for Board approval. It needn't be very long—a few sentences may be adequate for a simple committee. Included in this Handbook (see below) are descriptions and charters for committees—not only for committees now active, but also for committees we may appoint in the future.

### ***Establish Board/Committee Liaisons***

The President, or we as a Board, should appoint a Board member liaison for each committee as the principal means of contact with the committee. (In the absence of such an appointment, the fifth Director should be the liaison.) The liaison will be responsible to ensure Board requests for committee action are relayed to committees and that committee requests received by the Board. Each liaison should reinforce and encourage participation by committee members, demonstrate Board support for their activities, alert the Board to additional resources required, and make the Board and Award Committee aware of special contributors deserving acknowledgment in newsletters and recognition at the Annual Meeting.

### ***Energize***

The President, we as Board members and the committee liaison should attempt to make a volunteer's experience on a committee positive and rewarding. Beyond recognition and awards, we can further this by promoting a pleasant atmosphere at meetings. We can even arrange occasionally for *extracurricular* activities, like meetings over pizza (try to keep grease off of the financials).

People like to be associated with a winning team. Empowering volunteers, recognizing and complimenting successes, and channeling energy back into the committee helps to create and sustain a team and environment that better attracts and keeps volunteers who produce positive results.

### ***Never stop looking for new talent***

Realistically, there will always be some dropout from committees. Therefore, to maintain our collective health we must keep new blood flowing. And it's only fair that our members take turns participating. Although our drives for Board and committee members may be seasonal, always keep your eyes open for that sharp, levelheaded, and clear thinker and for that homeowner with special talents and background we can apply to our business. Also, watch for that high-energy sparkler with infectious enthusiasm and talent to inspire and motivate others. Keep a list and when it comes time to appoint new committee members or assist our nominating committee, use that list.

## Getting volunteers

We have some very creative members who should be able to come up with creative schemes to bring in new volunteers. Who do we know who can spark enthusiasm and coordinate resources to make it happen? Let's ask that person or those people to help us.

### *Bring the meetings to the members*

If we have problems getting members to come to meetings, we can bring the meetings to the members. We can hold each regular Board or committee meeting in a different member's home, regardless of whether that member belongs to the Board or committee.

We can hold a lottery to create a sequence of members' addresses where we hope to hold our meetings. Then we can call each member in the sequence, asking if we may put his or her home on the calendar as a place for a meeting. We can appeal on the basis of "sharing a fair rotation and doing our part." We can shift the lottery sequence as necessary to accommodate schedule conflicts until we've created our schedule for the next two or three years.

Bringing meetings to the members would expose those who otherwise would never come to a meeting to the association, educate them about how we operate, introduce them to their neighbors who are participating in our operation and make meetings more *interesting*. We would get to know them as possible contributors and they would see first hand that participating can be interesting and even fun. It doesn't matter if the house doesn't have enough chairs—some of us can sit on the floor. Who knows?—sometimes we may be lucky enough to have a host who will provide us with cookies or other proper refreshment.

### *Committee membership drives*

Periodically, to find volunteers for committees and projects it may be necessary for us to mount a public campaign. A well-publicized campaign should have two benefits:

- draw-in volunteers for our committees.
- even for households that don't volunteer it should have an educational effect—to remind and put non-participating homeowners on notice that buying a home in YOUR ASSOCIATION HERE! obligates each of us to share responsibilities for helping in our management through contributions of time. This may be a revelation for some—that volunteering really is an *obligation* and is *expected* of all households. It also may help to put Board members in a new light—that we are volunteers, homeowners like them, who have answered the call and are taking our turns.

Two committees can be particularly helpful to us in this: the Newsletter and Social committees.

The Social committee can set up a social event, like a "Find out what's cookin'" event where we cook hot dogs, distribute inexpensive, fun door prizes, then have each committee chairperson give a *brief*, positive, engaging orientation to

attendees about what the committee does, the value its members contribute and what committee members get out of it. As the orientation begins, forms can be distributed allowing each person to indicate his or her interests, talents and what he or she would be willing to do on committees or on the Board or in other ways. The newsletter committee can publicize the event, promoting it for its fun and informational aspects. (If it is promoted as a volunteer solicitation, not many will come.)

After the event, we can send the same form to those homeowners who did not come, requesting that they, also, provide us with a completed form. The newsletter can help by following-up a few weeks later with a reminder. Below is an example form that might be used in such a campaign. We have a copy of it on a computer disk should we wish to modify it. It is entitled *One good turn*. It asks the member to list his or her interests and preferences for future involvement. It is a way for us to *inventory* the talent pool in our membership, discover those who are ready to volunteer now and identify those who anticipate volunteering in the future. We can keep a file of the returned forms as a resource from which to draw future committee members and volunteers for special projects.

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# One good turn...

It is only fair that each of us takes a turn helping to manage our collective affairs in YOUR ASSOCIATION HERE!. Maintaining our high standards takes much good talent—and each of us must, periodically, make commitments of time to our management. If you are not yet aware of your obligations to contribute time to help in our management, please take the time now to review the first few pages of your Residents' Handbook.

If you have not yet taken your turn on a committee or on our Board, thank you for taking the time now to plan how you wish to make your commitment. To help us (and you) plan for our future, we have enclosed a form for you to complete and return. It would be most helpful if you would return it to us by the end of the month. It is very important that you return it. We will be following-up on unreturned forms.

Please, do not be reluctant to complete the form simply because you're short on time now. You may not necessarily be called upon in the immediate future; we will use the forms as a resource for planning our committees and projects into the future.

Fortunately, we make it a point to have a good time while meeting these obligations. We do manage to enjoy ourselves at committee meetings and at Board meetings, which are often followed by refreshments and conversations with neighbors.

Please tell us how you would prefer to make your commitment...

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home telephone: \_\_\_\_\_

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***Yes, I can help and here's what I can do: (Please check as many boxes as you can.)***

- Attend the Annual Meeting in November and at least one Board meeting per year. (Everyone is asked to make this commitment.) Please select *at least one* Board meeting.

Editorial Note: Fill in dates of upcoming meetings.

- Be willing to volunteer occasionally for special projects.
- Be willing to attend a seminar orientation for new and prospective Board members on \_\_\_\_\_.
- This is a great opportunity for you to discover some of the legal, financial and operational issues that Board members deal with and to help prepare yourself as a future Board member.
- Attend a neighborhood walkthrough one Saturday morning per quarter for about an hour and survey for problem areas requiring attention.
- Help organize refreshments to follow Board meetings.
- Help to organize social events, for example, a holiday social or picnic.

- Telephone neighbors to inform them of important association needs or events.
  - Be willing to host a meeting in your home.
  - Serve on ad hoc committees occasionally, for example, an Disaster Preparedness group, a Rules Committee, Budget Committee or a committee to research an important issue affecting us.
  - Write articles for or help to compose and publish our newsletter.
  - Use your personal computer to help maintain our Website.
  - Monitor expenditures and income, for example, utility costs and CD interest rates, to spot trends and cost savings opportunities.
  - Review our financial statements, research past expenses, project future expenses and help to develop a budget.
  - Serve on the Architectural Review Committee. We are particularly interested in candidates with backgrounds in architecture, construction, art, interior design, or related disciplines and neighborhood or municipal government. Simply a strong interest in these areas and a willingness to learn may also qualify a candidate.
  - What, huh? I've already actively served on a committee or Board for at least two years. Contact me again in another few years.
  - Is there any other way you would like to help?
- 
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Managing YOUR ASSOCIATION HERE! involves many disciplines and we rely upon the diverse backgrounds and experience of our members in managing our affairs. We'd love to know about what background, experience and talent you can apply in our management of YOUR ASSOCIATION HERE!:

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What other member do you think would make a good Board or Committee member due to a valuable talent or experience, and why? (Go ahead, we won't tell him or her who told us!)

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Please, check at least 3-4 boxes and return your completed form before \_\_\_\_\_ to any Board member. If you have questions about volunteering, committees, the Board or about anything discussed on this form, please don't hesitate to call any of us. Thank you!

## Committee Charters

### *Committees need charters*

Except, perhaps, for very short-lived, ad-hoc committees appointed to accomplish limited tasks, it is important that any *significant* committee we appoint have a *written* charter that clearly establishes its mission. This serves

- to help committee volunteers understand what they are expected to accomplish—the committee's mission.
- to avoid misunderstandings and committee activities not intended by our Board.
- to ensure consistency and continuity as the makeup of the committee changes year-to-year.

Below are charters for our current committees, as well as example and "stand-by" charters for committees we may appoint in the future. Charters we have *formally* adopted have their adoption dates written into them. Those without dates are the example charters that might be helpful should we create the committees someday.

### *Keep all charters here*

All charters, including revisions, should be recorded in this section. As new committee members are appointed, relevant pages of this section may be photocopied and provided to them.

SAMPLE

## *Architectural Review Committee (ARC)—standing*

### *Function*

This committee protects our property values from possible detrimental impact of uncontrolled exterior changes by homeowners. It does this by reviewing and then approving or disapproving homeowners' applications for such changes based upon conformance of the proposed changes to our architectural standards. The committee also educates our members about our architectural review process.

### *Authority*

This committee draws its authority from Article 7 of our Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association and the Resolutions of the Board concerning special committee's and officers.

### *Appointment*

This is a standing committee, specifically chartered in our DCC&R's.

### *Background*

In a higher-density living environment such as ours, the investment each of us has made in our property is vulnerable to actions of our neighbors. Therefore, the Architectural Review Committee has been chartered in Article 7 of our DCC&R's to protect our property values from possible detrimental impact of uncontrolled exterior changes by our neighbors.

Years ago, homeowners associations went about the process of architectural review rather casually. The committee evaluating an application might have approved or disapproved an application based upon subjective criteria, for example, whether or not they felt the proposed improvement "looked nice" or whether the neighbors living near the applicant had any objections to the project. Case law has since determined that approach to be unacceptable—making such associations' actions vulnerable to challenge as being arbitrary and capricious. Therefore, homeowners associations have been compelled to adopt procedures not unlike those used by city planners, employing objective standards and well-defined procedures for application review.

In protecting our property values, members of our Architectural Review Committee have serious responsibilities. As a member you must be able to divorce yourself from personal and social considerations and evaluate applications objectively relative to our architectural standards. You must be prepared to make hard decisions. There may be times when you will have to deny

an application for someone you know. We have three primary means of dealing with this awkwardness of regulating ourselves:

- fairness
- education
- participation

**Fairness**—First, our Board goes to great effort to ensure the review process itself is fair.

We discuss and approve our standards openly and publicly, allowing everyone fair opportunity to be heard. We attempt to pass standards that are not unreasonably restrictive, yet protect our common interests. Also, our procedures ensure that everyone is treated fairly and uniformly.

**Education**—This is *important*. Many conflicts arise through misunderstandings by homeowners about their obligations. We inform our members about our architectural review process and of what to expect—in the newsletter, our Residents' Handbook, notices and letters, in meetings and in neighborhood-to-neighbor conversations. Being very thorough in publicizing requirements for application submittal and conformance with standards can help greatly—both in preventing problems and in protecting our association's position should enforcement by the Board be challenged.

**Participation**—We openly encourage members to become involved with their association and we recognize and commend them for that participation. A homeowner who participates, whether on a committee or on the Board, feels more a part of the association. Seeing first-hand how our association operates makes misunderstandings less likely.

### *Suggested activities*

Specific activities of the committee include:

- Evaluating and approving or disapproving applications submitted by homeowners who wish to construct exterior improvements. Applications should be evaluated relative to our standards as published in our Residents' Handbook and any subsequent amendments. Broadly speaking, this is the review process.
- Educating homeowners about the review process and complying with our standards. This may be by answering questions of applicants, making helpful suggestions, periodically publishing articles in the newsletter and briefly outlining at the Annual Meeting the requirement to apply for approval of exterior modifications and how the review process works.
- Performing walk-through inspections of the neighborhood as requested by the Board or President, noting and reporting violations to the Board so that notices may be sent.

### *ARC committee member orientation*

Every ARC committee member should read

- the explanation of the *Architectural review process* in our Residents' Handbook.

- the article relating to the Architectural Review Committee in our DCC&R's.
- the discussion in the Directors' Handbook section entitled *Rules creation and enforcement*. This is because violations of architectural standards and the architectural review process may involve enforcement. Although enforcement is a function of the Board of Directors, committee members should be familiar with the enforcement process to have a sense of their standing in administering architectural controls. Attorneys specializing in homeowners association affairs advise that *procedures we adopt, such as those specified in those documents, must be followed diligently*.

### ***Our records***

Minutes must be carefully taken at each committee meeting. Also, all actions taken by the ARC and notices to homeowners *must* be in writing. All such documents must be filed in the records of that committee, and/or given to the board secretary for archiving.

We keep 148 file folders, one for each home. We file all ARC applications and all committee actions that relate to a particular home in its respective folder. The chairperson of the ARC is the keeper of those records.

The committee chairperson or secretary also should maintain a folder that includes every notice ever sent to homeowners about the requirement to apply for approval for modifications. This should include the relevant page(s) from the DCC&R's, letters, newsletter articles, and any posted notices. Having this folder may be invaluable should the Board be challenged some day by a homeowner who alleges insufficient publicity of a rule.

### ***The review process***

All aspects of our review process described below are subject to conformance with our DCC&R's. Any conflict between the descriptions below and our DCC&R's defer to the DCC&R's.

We have adopted a set of forms that we use to ensure the integrity of the review process. These forms follow this discussion and are referred to below.

Here are the steps we follow in our review process:

### ***The homeowner submits an application***

The owner of a home who wishes to apply to make an improvement should complete and submit two copies of a form entitled *ARC Application*. It should include scale drawings with top (plan) and side (elevation) views as necessary to clearly indicate proposed location and elevation of the proposed modification. The drawing should also include existing structures and boundaries where necessary to indicate relative location. The drawing need not be an art masterpiece. What is important is that sufficient details are included as to enable all aspects of the project to be evaluated and issues to be addressed with respect to conformance with our architectural standards.

### ***We receive the application***

When the committee receives an application, the committee chair or secretary records it in the *Applications Log*. This is the *master list* of *all* applications ever received. Notice, as we record a new application into this log, we assign a unique identifying *Application Number* to it by which all documents relating to that application are keyed. After the application is received, the committee chair or secretary should contact the applicant confirming that it was received. This may be simply a photocopy of the application form with a notation at the bottom of the date received.

### ***The clock starts***

The Architectural Committee *must* approve or disapprove an application within a certain time limit from the date of submittal. *We must not neglect to act within this time limit!*

If we promptly determine that the applicant omitted important information that prevents the application from being considered, we may deem the application incomplete and inform the applicant of that fact, requesting more information. Once we have done that properly, we may not be constrained by the original submittal date—only by the date at which the application is finally complete.

### ***The application is assigned to a committee member***

After receiving and recording a new application into the Applications Log, we assign the application to an ARC member to work-through the case. This person will be the liaison between the applicant and the committee. (We rotate through our committee members for these assignments.)

### ***The committee member investigates the project***

The investigating committee member represents the association to the applicant. Care should be taken to project a fair and positive image. Every homeowners association seems to have at least a couple of unenlightened homeowners who never read their OCC&R's and who resent any restrictions on what they may and may not do with the exteriors of their homes. This liaison should respond to any questions with patience, assuming a helpful role, answering the applicant's questions and helping the applicant to understand the purpose of the review process and why we must follow it. Failing to follow it diligently may compromise enforceability of its provisions and, thus, its protections.

The investigating committee member should establish contact with the applicant, inspect the site and discuss the project with him or her. Then the committee member records comments and recommendations onto an *Application investigation worksheet*. (See the forms that follow this discussion.) This will be used at the Architectural Review Committee meeting when evaluating the application.

### ***The Architectural Review Committee holds a meeting***

Minutes must be carefully taken at each committee meeting. Also, action taken by the ARC *must* be in writing.

The committee evaluates the application relative to our architectural standards approved by our Board. The committee itself may not create and approve new standards, although it may propose new standards to our Board. Only our Board is empowered to create standards.

The committee may approve only applications consistent with our standards. If specifications in an application do not conform the committee may:

- disapprove the application or
- conditionally approve an application, even though not in conformance, by listing conditions it must meet in order to conform. This allows an applicant to proceed with a project observing the new conditions, without having to start the application process all over again. Of course, the project must meet those conditions to be deemed approved.

Although the committee may not approve an application that does not conform, it may recommend that the Board grant a *variance* or appeal if there are circumstances unique to the site that would justify it. A *variance* is an exception granted because the applicant has demonstrated circumstances sufficiently unique to justify setting aside a standard that would otherwise restrict a project. Should the committee wish to recommend that the Board grant a variance, it should not wait for the Board to act; the committee must disapprove the application and *then* recommend the variance. The committee *must* meet its deadline for action on the application.

A variance should not be granted casually or be used to avoid the unpleasantness of having to deny an application. Remember, standards exist to ensure fairness, uniformity and defensibility of committee and Board actions. For a variance to be granted an applicant must demonstrate that the basis or rationale for the standard does not apply in the particular case and that no ill-effects would be realized by the proposed deviation.

Should the committee be considering an application for a project already completed or in progress, the application must be considered with the same objectivity as if the project had not yet been constructed. Committee members must not be influenced in their decision by the prospect of expense of improvement removal or hurt feelings. Nor should they be biased against the applicant because the application was not submitted before the project was constructed.

### ***The Architectural Review Committee records its decision***

Upon reaching a decision the committee

- records its decision in the *Applications action log*. This two-sided form documents the status of the application at any given time.
- records its decision in a letter to the homeowner and to their file.
- and sends it to the applicant.

### ***If the application is approved***

Then the homeowner may begin construction, meeting any conditions imposed by the ARC or Board or City.

The ARC may inspect the improvement for conformance to standards and conditions as prescribed in our DCC&R's.

### ***If the application is disapproved***

If the application was disapproved the applicant may

- modify plans to conform with Architectural Standards and resubmit them to the ARC.
- appeal the committee decision in writing to the Board of Directors within 15 days of the decision. If such an appeal is made, the ARC should submit a written recommendation to the Board and the Board must act on the appeal within 45 days.

The Board may act to

- uphold the committee's decision.
- approve the application, overriding the committee's decision.
- conditionally approve the application.
- grant a variance. Again, a *variance* is an exception granted because the applicant has demonstrated circumstances sufficiently unique to justify setting aside a standard that would otherwise restrict a project.

### ***Neighborhood inspections***

The Board or President may request that the ARC schedule a neighborhood walk-through during which committee members note unapproved improvements and other violations. Should the committee become aware of a violation or an improvement constructed without approval, it should be treated as a rules violation. (See the Directors' Handbook section entitled *Rules creation and enforcement*.) The committee should contact the Board for approval to send the violation letter to the homeowner, requesting that an application be submitted for the noted improvement. Further notices or enforcement then becomes the Board's

Rules enforcement is documented in our rules enforcement flow chart in the Directors' Handbook.

### ***Architectural Review Committee Forms***

This is a brief explanation of the forms tools we have adopted to facilitate the architectural review process at YOUR ASSOCIATION HERE!. We can photocopy them as needed.

- **ARC Application**—This is the form completed and submitted by the applicant planning exterior changes to a home.
- **Applications Log**—This is the *master list* of applications. It is a log of *all* applications ever received. Notice, as we record a new application into this log,

we assign a unique identifying *Application Number* to it by which all documents relating to that application are keyed.

- **Notice of Committee Action**—This is the official notice of the action taken by the Architectural Review Committee that is sent to the applicant.
- **Notice of Board Action on Variance Request or Appeal**—In the event an application must be forwarded to the Board to consider a variance from standards, or if an application has been disapproved and appealed, this is the notice sent to the applicant of the action taken by the Board on the variance or appeal.

SAMPLE

**Applications Log**  
**YOUR ASSOCIATION HERE! Architectural Review Committee**

|  |
|--|
| Application number assigned: Application date: |
| Applicant:                                     |
| Address:                                       |
| Property address, if different:                |
| Project:                                       |
| Application number assigned: Application date: |
| Applicant:                                     |
| Address:                                       |
| Property address, if different:                |
| Project:                                       |
| Application number assigned: Application date: |
| Applicant:                                     |
| Address:                                       |
| Property address, if different:                |
| Project:                                       |
| Application number assigned: Application date: |
| Applicant:                                     |
| Address:                                       |
| Property address, if different:                |
| Project:                                       |
| Application number assigned: Application date: |
| Applicant:                                     |
| Address:                                       |
| Property address, if different:                |
| Project:                                       |

**SAMPLE**

## *Awards Committee—ad hoc*

### *Function*

This committee helps to preserve a positive spirit of participation by helping us to recognize those volunteers making noteworthy contributions to YOUR ASSOCIATION HERE!.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is an ad hoc committee, normally appointed around August to enable selection of award recipients at the Annual Meeting.

### *Background*

YOUR ASSOCIATION HERE! is made up of volunteers. *Recognition* and *thanks* are the only currencies we have for our volunteers. We should ensure plenty is paid.

Traditionally, at our Annual Meeting in November we present a modest award, such as a plaque or framed certificate of appreciation or other token, to retiring Board or committee members and to volunteers who have made notable contributions. Such tangible reminders memorialize those contributions (upon which we greatly depend) and may encourage their future participation as well.

### *Suggested activities*

Identify these awards recipients:

Retiring Board and committee volunteers who have contributed at least a full 2-year term of service with good effort.

- Volunteers who have made especially notable contributions—You can identify these individuals by interviewing Board members and chairpersons and members of other committees for their suggestions.

Select the top three for First, Second and Third place awards, and as many as are deserving for Honorable Mention.

It is also the responsibility of the committee to buy or create the awards and have them ready for presentation at the Annual Meeting. Statements for compensation may be submitted to the Treasurer. We have funds budgeted for awards through our operating expense account entitled *Annual Meeting*.

At our Annual Meeting, the President and/or members of the Awards Committee will present the awards. (A presentation by the President lends that *extra aire* of importance.)

One way to do this is to have members of the Awards Committee read the citations while the President presents the awards.

Awards don't have to be expensive. It's the recognition and public acknowledgment that counts. You can create an impressive certificate of appreciation, like the example that follows, with a personal computer and laser printer using a quality bond paper. Having the certificate signed by the President and/or Secretary and put into a frame can complete the effect—a memorable expression of thanks, virtually only for the price of the frame.

**SAMPLE**

## *Board Advisory Committee—standing*

### *Function*

The Board Advisory Committee advises the Board of Directors. Its members also have standing to participate in meeting discussions, including closed meetings.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is a standing committee. Normally the committee should be appointed at the regular Board meeting in November, following officer election. The President may appoint retiring Board members who he or she believes represent a valuable resource to our association, and may reappoint those already on the committee who remained active and who contributed during the year.

### *Background*

Each year, we will lose Board members as their terms expire or as they retire. This may be just when a Board member is most experienced and of most value to us. The Board Advisory Committee provides us with the means to retain the benefits of participation and contributions by some of these experienced, former Board members without the burden of the continued high level of commitment and responsibility they had as Directors. Their standing justifies participation by committee members in closed executive sessions and appointment to tasks or positions for which some official standing is desirable.

### *Suggested activities*

Specific activities may include

- participating at Board meetings as a Board member would, but without a vote.
- advising Board members, collectively or individually, concerning the conduct of Association affairs.
- requesting that certain business be placed onto the agenda.
- proposing business for Board consideration.
- suggesting resolutions.
- acting in other roles as the President or Board shall request and as these committee members shall agree to volunteer.

## *Budget Committee—standing or ad hoc*

### *Function*

The Budget Committee assists our Board in managing the budget and finances of YOUR ASSOCIATION HERE!.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This may be either a standing committee or an ad hoc committee, as determined by our Board. Appointment as a standing committee allows the committee to be in place for any finance-related project that may develop at any time. Should none be anticipated, simply appointing this committee in June as an ad hoc committee may meet our requirements. Chaired by the Treasurer, this committee normally operates between June and August when the budget must be mailed out.

### *Background*

Managing our budget and finances is a vital Board activity and our Budget Committee is the principal organization helping us do this. It focuses primarily upon developing our budgets between June and August, though it may be reactivated at other times of the year for special projects as needed.

### *Suggested activities*

In planning the budget, the committee

- anticipates future operating expenses.
- notifies committee chairpersons to make known any special budget requirements.
- conducts or causes to be conducted a Reserves Study to:
  - update estimates of remaining life for each class of physical assets.
  - get bids and estimates on replacement costs for those assets.
  - recompute contributions to reserves necessary to ensure that sufficient funds are available by the time they are needed to repair or replace those assets.
  - works with the Association's Reserves Study consultant, if retained, to develop an estimate of funds required for near-term maintenance or replacement.

To ensure sufficient time for the process, we must initiate our budgeting process relatively early. The President appoints our Budget Committee around June. The

first draft of the budget should be completed in time for review by the Board in July. The Board should approve the substantially completed version in August. If adjustments are required after that, they must be made in time for the final budget to be approved by the Board and mailed to members by August 15<sup>th</sup>, if a dues increase is required, otherwise it can be mailed in October.

**SAMPLE**

## *Newsletter Committee—standing*

### *Function*

The Newsletter Committee, acting on behalf of the Association, shall periodically publish a newsletter through which our Board can inform members about Association affairs, provide notices as required in our governing documents, and further the interests of our membership as described below.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors and the Resolution of the Board concerning special committee's and officers.

### *Appointment*

This is a standing committee.

### *Background*

The newsletter is an extremely important organ of the Association. It shapes, to a great extent, our membership's perceptions about their Board of Directors and its conduct of our business. It is the face of the Association and of the Board; it may be the only one some members will ever see.

Because of its importance, and because the newsletter may, from time to time, give treatment to sensitive issues, the Board should review each issue before distribution. The newsletter should *never* be distributed before someone other than its author has reviewed each article. This helps us to catch substantive errors and language that could be misinterpreted, as well as less significant errors of grammar and punctuation.

### *Suggested activities*

The Newsletter Committee shall include such information in the Newsletter as the Board of Directors shall direct. Additionally, the Newsletter may

- serve as a source of information about Board and Committee activities and announcements.
- publish notices of meetings and hearings for new rules and policies or significant changes to them.
- notify members of matters on the agenda for the next meeting(s).
- publish other notices as required by our governing documents and policies.

- alert our membership to important issues.
- publicly thank volunteers who have made notable contributions.
- regularly provide a reference about persons to contact regarding Association affairs.
- provide a calendar of events, including times and locations of meetings.

Every issue may also include a publisher's box with:

- Names of Board and committee members. Providing visibility and recognition for committee volunteers helps to sustain involvement. It lets our members know that we're an active, vital organization. It is also useful as a roster to confirm membership status for committee members.
- Telephone numbers of principle contacts, such as the President, Committee heads and Management.
- Website Address

### ***Issue frequency***

We should try to have an issue prepared every other month.

### ***Budget***

The annual budget of the Newsletter Committee may include funds for copy preparation, duplication, mailing, production of special issues, and other allocations specifically approved by the Board.

### ***Production***

Our newsletter needn't be a masterpiece. Almost any production technique will work for us. A simple typewritten page has a *home-grown* charm, reminding its reader we're hard-working volunteers, while a slicker, more professional look has its own strengths, broadcasting an attention to quality and thoroughness that reflects the attention our Board and committee members lend to their other work. Inevitably, our newsletter *look* will vary, depending upon the volunteers working on it, the techniques, computer, word processing or publishing software, printer and other resources being used.

### ***The example newsletter***

An example newsletter follows.

## *Nominating Committee—ad hoc*

### *Function*

The Nominating Committee identifies and recommends to the Board for the ballot as many qualified candidates as there are openings on the Board of Directors.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is an ad hoc committee. This committee is appointed each year in July and ceases to exist at the conclusion of the annual meeting.

### *Background*

Too often, homeowner association Boards or nominating committees begin their candidate search by asking, "Who do we think would agree to run?" What they should be asking is, "Who would make the best managers of our business?" Selecting someone as a candidate simply because that person volunteered or attended meetings certainly is easy, but that methodology won't get us the best candidates.

Remember, when you leave, the Board that follows will be managing your share of our business, millions of dollars in assets, thousands of dollars of your dues, and dealing with serious legal liability issues. Who would you most trust to manage that? Who do you think is best equipped to manage our business and our future? Get that person to say "yes," whatever it takes.

The future of YOUR ASSOCIATION HERE! depends greatly upon the success of members of our Nominating Committee in getting us the best candidates they can.

### *Suggested activities*

#### *We compile a list of prospects*

We begin to collect a list of prospective candidates in July so the list can be approved by our Board in time for the November annual meeting. The Nominating Committee can collect a list of prospects by

- considering members we know with valuable talents, experience, education or professional skills we could benefit from.
- asking Board and Board Advisory Committee members and committee chairpersons for their suggestions.

- considering those who have made notable suggestions and contributions.
- publishing an announcement of Board openings in the newsletter.

### ***We qualify prospects***

After coming up with our list of prospects, our next step is to qualify them. References are important here. What do those who recommended a candidate have to say about him or her? What contributions has a prospect already made that supports a candidacy? What talents, skills or education does that person have that can be applied to managing our business? For those for whom we have no references, such as volunteers who responded to our newsletter announcement, we arrange for an interview with that person to discover his or her qualifications. Our next step is to rank our prospects for qualifications. We will approach our prospects in that order, asking each to become a candidate until we have filled our slate.

### ***We get them to say "Yes," whatever it takes***

Coming up with a name of a qualified candidate may be much easier than getting that person to agree to run. That is where our resourcefulness comes in. We plan our best approach, using all of our persuasiveness, creativity and persistence. We should anticipate rejection and resolve to be persistent. This may mean a major expenditure at the Hallmark store, tying balloons to our prospect's car door, a kidnapping on the evening of the Annual Meeting, purloining a potted plant and leaving a ransom note on the doorstep, threats of string confetti drive-by spraying, or any other compelling strategy we can think of. Remember, the question isn't whether we will get a "No" but rather how long it will take us and what we must do to get a "Yes."

We select the same number of qualified candidates as we have openings. There is little reason to select more since that would dilute the ballot and guarantee rejection of volunteers who we may wish to run later. Limiting candidate's chosen by the nominating committee does not preclude others from running. We can include any others on the ballot who wish to run and, of course, other nominations can be accepted at the Annual Meeting. But matching committee nominations with the number of openings does serve homeowners' interests in filling vacancies with the most qualified candidates we can find.

### ***After the prospect becomes a candidate***

The Committee may request from each candidate a brief statement of approximately fifty to one hundred words to include background, qualifications or statements that may help to acquaint members with the nominee. When we send out the notice of our Annual Meeting we will include a page with those candidate biographies. An example of such a biographies page is included in the *Annual Meeting* topic in the Director's Handbook section of this binder. The Committee should copy the example page and give it to candidates for them to use in preparing their own biographies.

The Committee should also inform each candidate that he or she may be called upon at the Annual Meeting to make a brief statement (usually just a minute or so) just before the election.

***When the slate is complete***

The Nominating Committee should coordinate with the President to ensure that names and statements of nominees are submitted in time to be included in the Annual Meeting notice. Our Annual Meeting notice should be sent out at least three weeks prior to our November annual meeting. In the case of a dues increase for the upcoming year, the notices must be mailed by August 1<sup>st</sup>.

**SAMPLE**

## ***Rules Committee—ad hoc***

### ***Function***

The Rules Committee assists our Board of Directors in proposing, developing and/or evaluating rules and changes to rules.

### ***Authority***

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### ***Appointment***

This may be either a standing or an ad-hoc committee.

### ***Background***

In addition to restrictions specifically described in our DCC&R's, that document also provides for the creation of other rules by our Board of Directors.

### ***Why have rules?***

Most of us would like to believe that we can live without rules—and we can, *mostly*.

However, over time it becomes apparent that a high-density living environment is vulnerable to certain kinds of problems, some of which can seriously affect the quality of life and the value of our investments. A carefully crafted set of rules, tuned to the needs of the community and without being overly burdensome, is necessary to prevent problems as well as to resolve them.

Most of the value of having rules is in their prevention of problems. Knowing what our rules are helps to sensitize us to each other's rights and interests and prevent problems from occurring in the first place.

Should problems occur, having rules allows us to resolve them. Rules provide objective standards that, under the authority of our DCC&R's and Bylaws and the laws of the State of North Carolina, are legally enforceable.

### ***Creating rules***

In order to ensure fairness, first we must agree on a process for rules creation, consistent with our Bylaws and ensuring member participation. The process we use is described in our policy entitled *Guidelines for Rules Creation/Modification*, located in the *Policies* section of the Directors' binder. When assisting our Board in creating or changing a rule, ask the Association President or Secretary for a copy of that policy. Objectives of the policy are:

- to ensure openness and member participation.
- to subject proposed rules to a hearing to solicit comments by members to ensure they provide the best protections for our interests and have the support of our community.
- to ensure rules are reasonable, that is, they should not be unnecessarily restrictive and there should be a good reason for their existence.
- to help ensure rules are consistent with laws and local ordinances.
- to ensure publicity for new rules. First, to have the benefit of prevention, we must know what the rules are and, second, to be legally enforceable, they must be published. Every member should have a copy of our rules. It also helps to remind members in the newsletter periodically about rules that relate to problems that tend to reoccur.

### *Suggested activities*

The Rules Committee may

- evaluate proposed rules or policies or changes to rules or policies and develop language for adoption by the Board.
- evaluate and make recommendations to the Board concerning proposed changes in enforcement procedures.
- make recommendations concerning implementation of procedures and rules enforcement.

Additionally, from time to time, one or more committee members may be asked to assist in informal efforts to resolve rules violations and conflicts among neighbors.

SAMPLE

## *Landscape/Grounds Committee - Standing*

### *Function*

The Landscape/Grounds Committee, acting on behalf of the Association, shall oversee the maintenance and upkeep of all common areas of the Association.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors and the Resolution of the Board concerning special committee's and officers.

### *Appointment*

This is a standing committee.

### *Background*

In a higher-density living environment such as ours, there are common area's deeded to the Association for the enjoyment and use of our community. Contractors and other vendors to ensure the beauty of the neighborhood, and must maintain these areas continually. Therefore, the Landscape and Grounds Committee was created in March 2004.

### *Suggested activities*

Some possible responsibilities include:

- Identifying and understanding ongoing grounds maintenance needs
- Becoming the liaison with our landscaping & irrigation companies and updating the Board on issues
- Identifying further areas of improvement beyond routine maintenance
  - Development & implementation of a common area Master Plan
- Organizing community wide efforts to improve common grounds
  - i.e. plantings, spreading pine needles, etc.
- Selecting and awarding Yard of the Month recipients
  - 12 per year
- Changing main entrance lighting as required
  - purchase standard long life flood lights and turn receipts into treasurer for reimbursement

**SAMPLE**

## *Website Committee—standing*

### *Function*

The Website Committee, acting on behalf of the Association, shall maintain the Association Website through which our Board can inform members about Association affairs, provide notices, governing documents, and further the interests of our membership as described below.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION (HERE!) Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is a standing committee.

### *Background*

In an ongoing effort to improve communication and cut down on copying expenses, a web site was developed in October 2003 in order to post information electronically. (mckwoods.com) The Website is an extremely important organ of the Association. It shapes to a great extent, our membership's impressions about their Board of Directors and the conduct of our business. It is the face of the Association and of the Board; it may be the only face some members will ever see.

Because of its importance, and because the Website may, from time to time, give treatment to sensitive issues, the Board should review each modification before posting.

### *Suggested activities*

The Website Committee shall include such information on the Website, as the Board of Directors shall direct. Additionally, the Website may

- serve as a source of information about Board and Committee activities and announcements.
- publish notices of meetings and hearings for new rules and policies or significant changes to them.
- notify members of matters on the agenda for the next meeting(s).
- publish other notices as required by our governing documents and policies.
- alert our membership to important issues.
- publicly thank volunteers who have made notable contributions

## *Street Representatives—standing*

### *Function*

This important committee assists us in getting more members to come to Board and Annual meetings and in distributing newsletters and other duties.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is a standing committee.

### *Background*

The concept of a street representative was developed in order to help facilitate communication throughout the neighborhood and assist the Board with becoming an extra set of “eyes and ears” and the feel of the neighbors. This person should ideally be someone who already is familiar with many of his/her neighbors, frequently talks or socializes with them and has an interest in becoming a liaison to the Board.

### *Suggested activities*

Duties might include attending Board Meetings, typing up quick summaries to distribute to neighbors via email, taking informal polls on hot topics and being available for assisting with distributing newsletters, etc. In addition, in times of neighborhood events such as block parties, pine needle day, etc. this person would be helpful for helping to recruit additional, one time volunteers.

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## *Social Committee—standing*

### *Function*

This important committee assists us in getting more members to come to Board and Annual meetings and in getting members together socially.

### *Authority*

This committee draws its authority from the Bylaws and Declaration of Covenants, Conditions & Restrictions of YOUR ASSOCIATION HERE! Homeowners Association that provide for appointment of committees by the Board of Directors.

### *Appointment*

This is a standing committee.

### *Background*

The two primary functions of this important committee are

- to get members together socially, enabling them to develop relationships that enhance the harmony and pleasure of living at YOUR ASSOCIATION HERE!
- to interest members in increasing their participation in their community.

This is important because:

- At social events, neighbors get to know each other as people, without the barrier something is present at business meetings. Homeowners tend to feel more responsible to neighbors they have met and know personally. This may mean fewer conflicts and more cooperation neighbor-to-neighbor and neighbor-to-association.
- Knowing each other also helps us to be aware of good candidates to tap for future Boards, committees and special projects. So our future is impacted by the success of the Social Committee in attracting our members to social events.
- Putting faces with names of Board and committee volunteers enhances the association-to-member relationship and makes more apparent that our association is really an *us* rather than a *them*.
- By visiting with Board and committee volunteers, members learn how their association works—that their input is invited and valued and that everyone has an important role in our management. Feeling part of our management can prevent problems that occur when members feel they are

being excluded, controlled, restricted or treated unfairly by some remote administration.

- Members that we get to attend Board and committee meetings often make valuable contributions and suggestions. They also represent a valuable pool from which to appoint ad hoc committees for projects and tasks.

### *Suggested activities*

Specific activities of the Social Committee may include

- contacting a few of our members a couple of weeks before each Board meeting, and encouraging them to attend. The committee should try to contact every member this way at least once per year. (We'd like to have every member attend at least one regular Board meeting each year.)
- organizing post-Board meeting refreshments. By asking two-or-three members to bring refreshments, this helps to commit them to attend as well as provide a pleasant way for all to end the evening. Serving refreshments for 15-30 minutes following each Board meeting provides a relaxed, comfortable setting at which members can talk with and become familiar with Board members and others outside of the more formal proceedings.
- organizing a summer potluck picnic. A June picnic is a good way to start the summer, to see each other after the winter's hibernation. Or a July 4th potluck picnic can be a festive event with lots of decorations. Post announcements in the newsletter. The key to getting participation is personal contact—call everyone. Ask them to bring something potluck to share, such as potato salad, casseroles or dessert. They should also bring meat for their family to eat on the grills. Arrange for some neighbors to bring their grills. The Association will compensate a member of the Social Committee for soft drinks, charcoal, paper plates, cups and plastic ware, so keep all receipts. Notes on organizing a picnic are included following this charter.

Note, purely social events like this may not be the most appropriate occasions for soliciting volunteers or conducting other association business, at least not openly. Some members stay away from such events simply because they're afraid they will be solicited. So just make these occasions purely social and make sure everyone has a good time.

Naturally, there may be a few inquiries by curious residents about what's happening with such-and-such, and comments that relate to business. But be careful about open drafting.

- arranging for the social that follows immediately after our Annual Meeting in November. This may include coffee, a modest assortment of munchies, and possibly a cake with "Thank you..." and the names of any retiring Board and committee members.
- organizing other social events as the committee feels would enhance our quality of life, and as approved by our Board.

***Funds***

Funds for this committee are provided for in our Association budget. Ensure you contact the Treasurer by June with the amount you are requesting for the Social Committee next year.

**SAMPLE**

### ***Example planning notes for neighborhood picnic***

If you've been asked to help organize a neighborhood picnic, this planning sheet describes a formula that has worked well in the past. Feel free to suggest changes as experience determines to help future volunteers.

(Put initial of person responsible for each item in parentheses.)

### ***July 4th picnic***

Plan for 60 attendees. (It's better to over-estimate—better safe than sorry!)

Kids games at 3 PM. Eat around 4 PM.

#### ***Arrange for:***

- ❑ Get Board authorization and notify neighbors about closing street.
- ❑ Divide-up list of residents to call and invite. (A phone call from neighbors is much more effective in getting people to come than a mailed notice.) Try to call about 2 weeks before the picnic. Don't forget to remind that it's a potluck: bring something to share, and your own meat for your family. It's okay to invite friends, who also should bring something.
- ❑ Publicity: have published in newsletter; have flier to leave on doorsteps of folks we're unable to reach by phone.
- ❑ Arrange to borrow about 1 grill for every 10 people expected
- ❑ Get pylons or streamers to close street.
- ❑ Inflatable children's swimming pool that can be used to ice soft drinks; bottom is inflatable as well and very effective at keeping ice insulated and cold.
- ❑ Need sheet to cover ice chest with soft drinks so sun doesn't melt ice.
- ❑ Decorations.
- ❑ Plan for children's games. Possibilities:
  - Sack races; can use recycling bags
  - Potatoes spinning races
  - Wheelbarrow races
  - Pin the tail on the ?
  - What else?
  - Bring a whistle!

#### ***Buy:***

- ❑ Plastic decorative table covers to fit picnic tables
- ❑ Soft drinks in cans—at least 10, 6-packs
- ❑ Plasticware: 70 plastic forks, spoons, knives (people use more forks)
  - ❑ 70 cups
  - ❑ 100+ napkins
  - ❑ charcoal
  - ❑ lighter fluid
  - ❑ decorations
  - ❑ Prizes for children's games
  - ❑ Barbecue sauce
  - ❑ Extra hot dogs in case some folks forget to bring meat

***On day of picnic, bring:***

- ❑ Trash cans & extra 30 gal. trash bags
- ❑ 50 lb. of ice to ice soft drinks
- ❑ Matches
- ❑ Long barbecue forks
- ❑ Salt & pepper
- ❑ Recycling bag for aluminum cans w/soft drinks.
- ❑ Squirt guns
- ❑ Water balloons
- ❑ Frisbee or other *fun things*
- ❑ Decorations

***Notes:***

Let's get kids to get out and start decorating tables early in the day to ensure we will have them "reserved" for the picnic later. Don't forget to warn residents at least a few days before that the street will be closed-off on the day of the picnic.

**SAMPLE**

End of committee charters

**SAMPLE**