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Hearing Advisory Committee Charter

This Charter will serve as a guide for the operation of the Hearing Advisory Committee (HAC). Section I provides standard information applicable to all Committees and Task Forces, unless otherwise specifically provided in Section II. Section II provides for the specific information pertaining to the Hearing Advisory Committee.

For purposes of this Charter:

- Riverstone Homeowners Association shall be referred to as “Riverstone HOA”
- Riverstone Homeowners Association Board of Directors shall be referred to as “The Board”
- Members within the Jurisdiction of Riverstone Homeowners Association shall be referred to collectively as the “Community”

SECTION I – APPLICABLE TO ALL COMMITTEES AND TASK FORCES

Establishment of Committees or Task Forces

1. All Committees are established by the Board unless otherwise specified in the Riverstone HOA governing documents.
2. The role of the Committee or Task Force is defined by the Board.
3. Committees are generally established when there is an ongoing need to involve a group of volunteers in the Association business. Once established, Committees do not typically sunset; however, in the event their role is no longer necessary, the Board may disband the Committee.
4. Task Forces are generally established when there is a specific project (or task) needing involvement by a group of volunteers. Task Forces typically have a stated period of time they will exist.

Role

1. The specific role of the Committee and/or Task Force will be outlined in Section II.
2. Represent the Community in considering the specific tasks or role of the Community and not the individual member’s special interest.
3. Actively recruit involvement from others in the Community as appropriate.

Appointment, Resignation & Removal of Members

1. All Committee members are appointed by the Board. Unless otherwise specified, the Board will base their decision based on recommendations from the Committees.
2. Committees shall use the Committee Appointment Process (Exhibit A), attached hereto, when making recommendations to the Board for appointment.
3. Annually, typically at the 1st Board meeting of a year, the Board will consider reappointment of existing Committee members. Therefore, Committees will need to prepare their recommendation at the last meeting of the prior year.
4. Task Force appointments will generally be made when the Task Force is established and continues until the Task Force is disbanded. Because the work of a Task Force is specific and typically short in duration, no interim appointments will be made.
5. A member resigning from the Committee shall provide the Committee Chair and/or Riverstone HOA Staff Liaison notice at their earliest convenience.
6. A Committee member may be removed from the Committee by the Board for cause upon thirty (30) days written notice. “Cause” includes, but it not limited to:



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- a. any act of harassment toward any other volunteer or staff member of the Association, The Declarant, or Board member.
- b. any detrimental or abusive attitude or behavior toward any Foundation Committee member, Board member, the Declarant, an Association volunteer, the Association, or the Properties
- c. attending any Committee or Board meeting while under the influence of alcohol or illegal drugs;
- d. participating in the reckless or intentional misrepresentation of information relating to the Foundation Committee, the Association, the Board, the Declarant and/or the Properties;
- e. misusing information relating to the Foundation Committee, the Association, the Board, the Declarant and/or the Properties;
- f. using Committee member contact information for any reason other than Committee business;
- g. soliciting personal business or gain while acting in the capacity of a member of the Committee or as a volunteer of the Association;
- h. communicating directly with any vendor of the Associations or person or entity requested to submit a bid to provide services to the Associations or one currently providing service to the Associations, without express written approval to do so from the Associations;
- i. failing to fully disclose to the Board any personal or business relationship with a vendor of the Associations or a person if the Committee made any recommendation to the Board to engage that vendor or renew an existing contract;
- j. Missing three consecutive meetings unless otherwise assisting the Committee or task force in another way.
- k. If the Foundation committee member no longer qualifies as a Member in Good Standing of the Association

Composition, Qualifications and Membership

1. Membership on the Committee is restricted to Members of the Associations. Such Members must be Members in good standing with the Associations. "Member in good standing" shall mean Declarant and a Member (a) who is not delinquent in the payment of any Assessment against the Member's Lot or any interest, late charges, costs or reasonable attorney's fees added to such Assessment under the provisions of the dedicatory instruments (as defined in the Texas Property Code) or as provided by law, (b) who is not delinquent in payments made pursuant to a payment plan for Assessments, (c) who has not caused damage to the Common Area or Area of Common Responsibility, (d) who does not have any condition on his Lot which violates any Dedicatory Instrument which has progressed to the stage of a written notice to the Owner of the Owner's right to request a hearing to be held by the Association or its designated committee, or beyond, and which remains unresolved as of the date of determination of the Member's standing, (e) who has not failed to pay any fine levied against the Member and/or the Member's Lot pursuant to the Dedicatory Instruments, or (f) who has not failed to comply with all terms of a judgment obtained against the Member by the Association, including the payment of all sums due the Association by virtue of such judgment. If one Occupant of a particular dwelling does not qualify as a Member in Good Standing, then all Occupants of such dwelling shall not be considered as Members in Good Standing. Additionally, if an Owner of multiple Lots does not qualify as a Member in Good Standing as to one Lot, then such Owner shall not qualify as a Member in Good Standing as to all Lots owned by the Owner.
2. Committee members must reside within the jurisdiction of Riverstone HOA, unless specifically approved otherwise by the Board.
3. Tenants are not permitted to serve on Committees or Task Forces, unless specifically approved by the Board.
4. Riverstone HOA will provide a Staff Liaison to the Committee, but staff of Riverstone HOA do not serve as voting members on any Committee position.



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5. The number of members on a Committee or Task Force (size) will be dependent on the role and defined further in Section II.
6. Spouses or adults living in the same residence will not have more than one vote on the same Committee and cannot be appointed to Chair and Vice Chair concurrently.
7. The term of each Committee member shall be one year. Members may serve multiple terms with recommendation of the Committee and approval of the Board.
8. Members may not serve on more than two Committees or Task Forces at the same time
9. Board members may not serve on Committees or Task Forces.
10. The Committees or Task Forces may appoint sub-Committees and Task Forces to complete specific projects, as needed, subject to Board or General Manager approval.

Meetings

1. The Chair (or Vice Chair in the Chair's absence) shall conduct the meeting and work with the Staff Liaison to establish the agenda and determine any required action in between meetings.
2. In the absence of both the Chair and Vice Chair, the Staff Liaison shall conduct the meeting.
3. Frequency of meetings will be dependent upon the role of the Committee or Task Force.
4. If needed or agreed upon between the Staff Liaison and Chair, meetings may be held electronically via email.
5. Agendas shall be prepared for all meetings to make the best use of the volunteers' time. During the meeting, discussion on any action should be kept to the items on the agenda unless otherwise decided by the Chair. In the event new issues arise during the course of the meeting, they shall be placed on a future agenda if determined by the Chair and/or a majority of the Committee members.
6. Committee members shall be respectful of others; speak one at a time (if necessary the Chair will call on Committee members); keep their remarks concise and directed to the item being discussed and not an unrelated topic.
7. Meetings of Committees shall be open to Members of the Association. The exception to this will be when the Committee is considering applicants for recommendation for appointment and/or removal to the Board as provided for in #2 under Appointment, Resignation & Removal of Members above, or as may be otherwise specifically excepted per Section II of this Charter.
8. Subject to any exceptions set forth in Section II, Members of the Associations who are in attendance and are not Committee members ("Guests") may be invited to speak at the discretion of the Chair. The Chair may establish a time for member input (using the same policy as adopted by the Board), or may define a specific time during the course of the meeting for the Guest to speak.
9. The Chair or Riverstone HOA Representative (Staff Liaison, General Manager or Board member) may remove from a Committee meeting any attendee, including a Committee member who unreasonably disrupts the business of the Committee.

Selection & Role of Committee Chair & Vice Chair

1. Committee Chair and Vice Chair will be appointed by the Board (typically at the 1st meeting of the year) based upon a recommendation by the majority of the Committee. Therefore, the Committee should consider their recommendation at the last meeting of the prior year.
2. The Committee Chair shall serve a maximum of two (2) years as chair of the same Committee, unless otherwise specifically approved by the Board.
3. Work with Staff Liaison in preparing the agenda.



4. Facilitate and lead the meeting. This includes encouraging input from all committee members on all topics and as Chair, bringing the group to consensus whenever possible.
5. Welcome guests and define when and if, non-Committee member resident input time will be permitted.
6. Determine whether discussion of non-agenda items will be allowed at the meeting or placed on a future agenda.
7. Present periodic reports to the Board and membership.
8. Vote only in the event of a tie or if necessary to meet quorum requirements.

Role of Staff Liaison

1. Riverstone HOA will provide a Staff Liaison for all Committees and Task Forces. The Staff Liaison(s) will be determined by the General Manager.
2. Staff Liaison(s) roles will function as follows:
 - a) Staff Liaison(s) will compile a list of eligible violations prior to the monthly meeting(s) and observe the violation to determine whether the violation still exists. If cured, the violation will be closed. If still not in compliance, the violation will be added to the agenda.
 - b) Staff Liaison(s) will prepare the agenda and minutes (for prior month's meeting) with input from the Chair.
 - c) Staff Liaison(s) will distribute the agenda and draft minutes in PDF format electronically and supporting materials (agenda package) to the HAC in advance of the meeting. The agenda package should be distributed the Friday prior to meeting.
 - d) Staff Liaison(s) to coordinate any visitors assisting with the business of the Committee.
 - e) On the day of the meeting, Staff Liaison(s) will take a date stamped color photo of each violation and compile all photos into a presentation for the Committee to review at the meeting and provide information and support to the Committee or Task Force as needed.
 - f) Staff Liaison(s) will assist Committee Chair with the preparation of periodic reports to the Board and membership of the Associations; or present those in the absence of the Chair or Vice Chair.
 - g) Staff Liaison(s) will initiate action as needed from the meeting; including but not limited to, Committee decision letters and follow up with any volunteers as needed.
 - h) Prior to Committee and Board considering applicants for appointment, Staff Liaison(s) will verify eligibility; and throughout the year confirm existing Members remain eligible.

Voting

1. On any issue to be voted upon for recommendation to the Board, at any meeting there must be a quorum present of the currently appointed Committee members. A quorum is one person greater than half of the Committee. Any exception to this will be specified in Section II. In the event the meeting commences with a quorum, it may continue to conduct business only as indicated in the agenda provided at least 50% of those originally in attendance at the meeting remain.
2. Committee members must disclose any relationship with any entity/person *prior* to the vote on the recommendation to the Board to use that entity's/person's services.
3. Committee members must be present to vote unless the meeting is held electronically.
4. Proxies will not be accepted.



SECTION II – INFORMATION SPECIFIC TO THE HEARING ADVISORY COMMITTEE

Role and Authority

1. This Committee is responsible for holding hearings for Members of the Associations to determine if fines or other penalties should be imposed for violations of the Association's dedicatory instruments.
2. This Committee shall perform other functions as directed by the Board.

Size & Quorum

1. This Committee shall consist of at least 3 members and no more than 7.
2. Quorum requirement for this Committee shall be 2.

Frequency of meetings

1. This Committee shall meet monthly or as needed.
2. The meetings of this Committee shall NOT be open to Members of the Associations, and shall be held in Executive Session due to the nature of discussion involving individual owners. As such, minutes will also be included in the Executive Session document.



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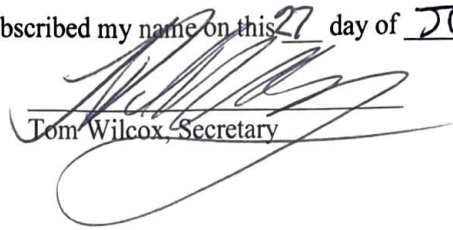
CERTIFICATION

I, the undersigned, do hereby certify:

That I am the Secretary of the Riverstone Homeowners Association, Inc., a Texas non-profit corporation;

That the foregoing Charter was adopted by resolution of the Board of Directors for Riverstone Homeowners Association Inc. at a meeting held on the 27 day of JULY, 2022, at which a quorum was present.

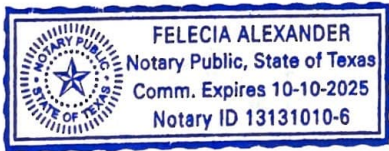
IN WITNESS WHEREOF, I have hereunto subscribed my name on this 27 day of JULY, 2022.


Tom Wilcox, Secretary

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared TOM WILCOX, the Secretary of the Riverstone Homeowners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 27th day of July, 2022.




Notary Public – State of Texas



EXHIBIT A Committee Appointment Process

Purpose

The Association has numerous volunteer Committees so the purpose of this process is to maintain consistency across the Committees in how volunteers get appointed.

Calls for Volunteers

At least once annually, a “call for volunteers” for all Committees will be put in the newsletter and in the E-news.

If a Committee has a vacancy and no applicant on a waiting list (see below), a specific call for volunteers can be included in the newsletter and E-news specifying a deadline to submit the application.

A Committee application form will be kept on www.RSHOA.org so at any time someone may submit an application.

Applications

Applications will be accepted at any time. Upon receipt, the appropriate Staff Liaison will do the following:

- Date stamp the application
- Verify the applicant’s eligibility (confirm a Member in Good Standing (as defined in the Committee charter) of Riverstone HOA,)
- Contact the applicant to advise status of eligibility
 - They are eligible and there are current openings so they are encouraged to attend the next meeting to observe and confirm they are interested in serving and then they will be considered at an upcoming meeting
 - They are eligible but there are no vacancies so their application will be kept on file for one (1) year
 - As vacancies arise, applicants will be considered based on the order in which they were received
 - They are not eligible and explain why (i.e. their assessments are unpaid, etc.)
- Place applicant on waiting list or on agenda for consideration at next meeting
- If an applicant indicates an interest in multiple Committees, the HOA Staff will make copies and distribute to the appropriate Staff Liaisons

Committee Role in Appointment Process

Applicants will have been invited to attend a Committee to observe a full meeting to confirm they know the Committee’s job and wish to serve.

If an applicant is attending a meeting, the Committee Chair or Staff Liaison should:

- Welcome the applicant and introduce the Committee to the applicant
- Provide the applicant a copy of the agenda and a copy of the charter
- Ask the applicant some questions (i.e. their interest in serving, prior volunteer experience, where they live, length of time in Community, etc.)
- After the conclusion of the normal part of the meeting, ask the applicant whether they have any questions about the Committee’s job
- Thank the applicant and excuse them, advising that the Committee will now be going into Closed Session



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Once in Closed Session, the Committee will consider the applicant. The Board desires to have all of the Committees balanced with representation from each of the Neighborhoods within the jurisdiction of Riverstone HOA, so in considering an applicant, their location in the Community will be considered; therefore, Staff will provide the Committee with a summary Community and Neighborhood breakdown by existing members of the Associations.

The Committee will vote to recommend, or not, appointment to the Board.

Annually, the Board will consider all Committee members' appointments. At the last Committee meeting of the year, the existing members should announce whether they wish to continue to serve. The entire Committee should then vote to recommend (or not) reappointment. The Staff Liaison will then need to prepare the recommendation for the next Board Meeting.

Board Decision

Assuming the Committee's recommendation is to appoint, the Staff Liaison will make contact with the applicant after the meeting to confirm the applicant is still interested in serving (after having attended a meeting). Upon confirmation, the Staff Liaison will prepare a recommendation for the next Board package.

The Board will consider the Committee's recommendation at their next meeting.

After the Board has acted, the Staff Liaison will advise the applicant of the decision. If the decision is to appoint, the Staff Liaison will provide the member with the next meeting date, update the roster and advise the Chair.

If the decision is not to appoint, the Staff Liaison will advise the applicant of the decision and reason why. If appropriate, encourage the applicant to reapply at some future time.

RETURNED AT COUNTER TO:

Nick Deacon
18353 University Blvd,
Sugar Land, TX 77479

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

August 08, 2022 02:34:54 PM

FEE: \$44.00 RMM

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Homeowners Association, Inc. • Commercial Property Owners Association, Inc.

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Sugar Land, TX 77479

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