

Elk Springs Homeowners Association, Inc.

Policy of Board Member Conduct and Code of Ethics

Pursuant to the authority granted by Article 4.14 (A) of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Elk Springs, Garfield County, Colorado (the “Declaration”) and as further authorized and required by the Colorado Common Interest Ownership Act, C. R. S. 38-33.3-209.5 (1)(b)(iii), et seq. (the “Act”), the Board of Directors of Elk Springs Homeowners Association, Inc. (the “Association”) adopts the following policy governing the conduct and code of ethics expected to be adhered to by Board Members of the Association. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein. This Policy may be amended at any time by the Board of Directors of the Association.

All Board Members of the Association are expected to avoid any engagement in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his or her duties and responsibilities in the Association. All Board Members and agents of the Association are expected to perform the duties and observe the rules of conduct and ethical principles established by state law, and Board Policies and Regulations.

Board Members will disclose any potential conflicts of interest and recuse themselves from the discussion and vote should a conflict exist. Should a conflict of interest arise, Members are expected to conduct themselves as outlined in the Policy and Procedure regarding Conflicts of Interest.

Board Members shall not misreport or conceal facts from the Association and are expected to report any potential conflict as outlined in the Policy and Procedure regarding Conflicts of Interest.

Board Members shall not make any promises to a bidder or contractor.

Board Members will not accept any gifts from Members of the Association, suppliers, or contractors either directly or indirectly, which would tend to improperly influence a reasonable person in the position to depart from impartial action.

Board Members shall not use any Association funds for personal use without prior authorization or exploit their position as a Board Member for personal gain.

Board Members shall attend all regularly scheduled board meetings insofar as possible and become informed regarding issues to be considered at those meetings.

Reasonable efforts shall be made by Members to respond to inquiries within the Board or Association.

It is expected that Board Members shall hold open, honest and fair elections. Association Members shall be allowed the opportunity to voice opinions on Association matters.

Board Members are expected to always endeavor to serve the Association's best interests and put their own personal interests aside.

Board Members are expected to act professionally and respectfully when acting on behalf of the Association. They are expected to use thoughtful consideration, respectful language, and value the views and opinions of other Board Members and Members of the Association. Board Members will avoid engaging in communications in a hostile, threatening, or verbally aggressive manner. This includes but is not limited to discriminatory language, derogatory language or gestures, and harmful internet/cyber behavior.

Board Members shall carry out their responsibilities with impartiality and make sound judgments using due diligence, and the available facts. Board Members shall refuse to surrender judgment to individuals or special interest groups.

Board Members shall promote positive and constructive communication. Board Members are expected to model good character while acting on behalf of the Association and shall do so even during times of public dissent or disagreement with other Board Members or Association Members or agents. This includes refraining from engagement in false or misleading information, personal attacks, using or engaging in profane, threatening, intimidating, or harassing language or behavior, slander or libel towards other Board Members, homeowners, residents, contractors, and/or employees.

Board Members will not support or promote any activity, action, or behavior that breaches the law or other regulatory requirement.

Board Members will respect the confidentiality of other Board Members and Association Members, or any participant in meetings and shall not disclose any confidential information outside of the Board unless given authorization to do so. This includes but is not limited to any discussions or decisions made within Board meetings, including but not limited to Executive Sessions, and personal information about Board Members, homeowners, residents, or Association employees or agents.

While Board Members are not always expected to agree completely with a final decision of the Association as a whole, Board Members will refrain from openly criticizing the Board on which they serve in a public or private manner. Members are free to express their opinion in a respectful manner as previously outlined during Board meetings and have the right to vote as they believe is in the best interest of the Association and shall not be punished for doing so. Once the Board has voted on an action item, the Board Members shall uphold the Board's position on any and all matters that have been brought to a vote, even if an individual Board Member cast a dissenting vote or abstained from voting on the matter.

PRESIDENTS CERTIFICATION:

The undersigned, being the President of the Elk Springs Homeowners Association, Inc. Board of Directors certifies that the foregoing Policy of Board Member Conduct and Code of Ethics was adopted by the Board of Directors at a duly called and noticed meeting of the Board of Directors held on August ____, 2021 and in witness thereof, the undersigned has subscribed his name.

Patrick Fitzgerald, President
Elk Springs Homeowners
Association, Inc. Board of Directors

August ____, 2021

Date Adopted

ELK SPRINGS HOMEOWNERS ASSOCIATION, INC.

ACKNOWLEDGEMENT OF CONFLICT OF INTEREST POLICY

I, _____, hereby acknowledge and confirm that I have received, read and understand the Policy of Board Member Conduct and Code of Ethics of the Elk Springs Homeowners Association, Inc. (the "Policy") and I agree to abide by such Policy and adhere to such code of ethics during my term as a director, committee member or managing agent in compliance with the Policy.

Dated: _____

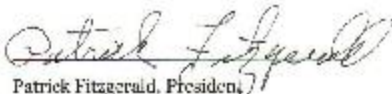
By: _____

Printed Name: _____

Title: _____

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the Elk Springs Homeowners Association, Inc. Board of Directors certifies that the foregoing Policy of Board Member Conduct and Code of Ethics was adopted by the Board of Directors at a duly called and noticed meeting of the Board of Directors held on August _____, 2021 and in witness thereof, the undersigned has subscribed his name.



Patrick Fitzgerald, President
Elk Springs Homeowners
Association, Inc. Board of Directors

August 11, 2021

Date Adopted

ELK SPRINGS HOMEOWNERS ASSOCIATION, INC.

ACKNOWLEDGEMENT OF CONFLICT OF INTEREST POLICY

I, _____, hereby acknowledge and confirm that I have received, read and understand the Policy of Board Member Conduct and Code of Ethics of the Elk Springs Homeowners Association, Inc. (the "Policy") and I agree to abide by such Policy and adhere to such code of ethics during my term as a director, committee member or managing agent in compliance with the Policy.

Dated: _____

By: _____

Printed Name: _____

Title: _____