

BUDGET COMMITTEE CHARTER

For Eagle Creek

WHEREAS, the Board of Directors deems it beneficial and desirable in the interest of the Association and by request of the Village Representatives to establish a Budget Committee to advise and assist the Board of Directors; the Committee is hereby created pursuant to this Charter.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES THAT the Committee be established as follows:

Purpose

The purpose of the Budget Committee is to ensure that annual assessments by the Association are reasonable and necessary and to assist the Board of Directors by recommending fiscal actions and improvements to fiscal policies, the proposed and final budget. It is not the role of the Committee to approve monthly expenditures as expenditures are contemplated and authorized by the budget itself, but rather, to provide recommendations for future expenditures that may not be contemplated in the Association's current budget. The Committee will make written recommendations in the best interests of the Eagle Creek Homeowners Association by working with the Board and Management Company to develop a plan for each year's budget based on historical data and projections within the timelines set by the Board of Directors and in accordance with this Charter. Only the Board can direct or order staff to compile or release information to the Committee.

At the request of the committee, the board will provide all information that is necessary to conduct committee duties.

Committee Membership

- The Committee shall consist of no fewer than five (5) Members and no more than seven (7) Members, but in either case, the Committee shall have an odd number of Committee Members.
- Committee Members must be Members of the Eagle Creek Homeowner Association in good standing at all times or shall be automatically deemed as removed from the Committee.
- Board Members or HOA staff or management or their relatives may not be Committee Members.

- No more than 2 Committee Members may be Village Representatives if it is a 5-Member Committee and no more than 3 Committee Members may be Village Representatives if it is a 7 Member Committee.
- At a minimum, at least 1 Committee seats shall be filled by Members owning a home in a townhome special service area, unless no qualified individual from that area expresses a desire to fill the vacancy.
- The Members of the Committee shall be established by the Board and may be removed by the Board. Committee Members shall not remove its own Members nor fill its vacant seats, but rather the existing Committee Members or Village Representatives may provide recommendations and reviews nominations for the Board's consideration.
- The Committee shall consist of one Chair and other Members as appointed by the Board from time to time.
- All Members of the Committee are voting Members.
- The Chair of the Committee shall be voted on by the Committee, submitted for approval to the Board of Directors, and may be held by any Member of the Committee.
- The Board of Directors may remove a Member of the Committee for non-participation, nonattendance, disruptive behavior, actions contradictory to the best interests of the Association, divisive actions in nature against the Association or Management, or any action the Board deems inappropriate or a conflict of interest.

Committee's Goal: Providing insight and recommendations as to the budgetary needs of the Association.

Committee's Objectives:

- The Committee may receive budgetary recommendations regarding items to review or analyze from the HOA management Team or from the Board of Directors.
- To present recommendations for the Annual Budget to the Board of Directors for consideration.
- The Committee will seek ways to reduce annual costs and present them to the Board.
- To review quarterly the Association's financial year to date statements, reports, tax returns, capital expenditures, financial policies, contracts, procedures and investments as needed and present recommendations to the Board of Directors for fiscal revisions.

- To review the Audit of the financial records of the Association on an annual basis and present recommendations to the Board of Directors for fiscal revisions and preparation of the Budget based upon the findings in the report.
- To review on a quarterly basis contracts and contract cost(s) to determine rate increase(s) and/or budget impact(s) for proper assignment to appropriate budget line items when and where appropriate.
- To request and review a minimum of three (3) bids for any potential service contracts if deemed appropriate by the Board or required by Florida State Statutes.
- To annually review the Reserve and Replacement Budget and make recommendations to the Board of Directors for adjustments.
- Assessing the funds necessary to complete maintenance over the upcoming year.
- To facilitate full disclosure and transparency between the Board and HOA Members.
- As requested by the Board of Directors, conduct other duties as assigned, if deemed acceptable by the committee.
- To request changes to the committee charter, as appropriate.

DUTIES AND RESPONSIBILITIES OF COMMITTEE MEMBERS:

- Committee Members are advisors to the Board of Directors. The primary function of the Committee Members is not to establish policies, but rather to provide information and options to enable the Board of Directors to make fully informed decisions regarding the budget and the budgetary process.
- Serving as liaisons between the Board, the Village Representatives and the Association's Membership when so directed by the Board of Directors, for example, at a Committee community presentation or Village Representative workshop.
- Developing priorities and strategies for the Association's current or future budgetary needs based upon historical or anticipated expenditures.
- The Committee shall annually review its own performance, including an annual report highlighting short-term goals achieved and progress towards long-term goals along with a review of expenditures towards those goals.
- The Committee shall conduct its business in the best interest of the Association, and in accordance with Florida Statutes, Florida Administrative Code, Robert's Rules of Order, this Charter, the

Association's Declaration, Bylaws and Rules & Regulations. The Committee may take no actions other than those provided for and authorized by this Charter, or by express, written directive of the Board of Directors. Confidentiality is required by Committee Members due to the sensitive nature of the information reviewed. Specifically, the Committee and its Members have no legal authority to act on behalf of the Association and has no actual or apparent authority to bind the Association.

DUTIES AND RESPONSIBILITIES OF COMMITTEE CHAIR:

- Designate the time and place of meetings, call the meeting to order and conduct the meeting.
- Ensure all Committee Members are informed of current events with respect to the Committee.
- Act as liaison between the Committee, the Board of Directors, Village representatives and the Managing Agent.
- Be present at Committee meetings and Board of Director meetings at which a report of activities shall be presented.
- Report of such activities can be delegated from time to time to a Committee Member.
- Ensure all Committee recommendations and matters of business are reported to the Board of Directors and CAM.
- Coordinating with the Association's Manager when a Committee meeting needs to be held.
- Forwarding Committee reports and recommendations to the Board of Directors
- Representing the Committee at Board and Management meetings when necessary.

Committee Vice Chairperson - Committee Vice Chairperson - The Vice Chairperson, who shall be approved by the Committee shall preside over the Committee hearings when the Chairperson is unable to attend.

Committee Secretary - The Committee Chairperson shall designate a Secretary from among the Members of the Committee. Secretary shall be responsible for assisting the Chairperson in preparing the written reports and recommendations for the Board of Directors and Management and maintaining written documentation on Committee's meetings. In the event the Secretary is not in attendance at a meeting, then the presiding officer shall assume the duties of the Secretary for the purposes of that meeting and may request the help of a committee member.

Term:

The designated Chair serves a one-year term with a maximum of two consecutive one-year terms unless no other individual expresses a desire to fill the vacancy. All other Members are to be confirmed by the Board on an annual basis with a maximum of two consecutive one-year terms unless no other nominees are available.

Committee Meetings:

- The Committee meets at least quarterly or as is reasonable and appropriate and in accordance with approved meeting schedule.
- All matters shall be decided by a simple majority of Committee Members present, presuming quorum has been achieved. Committee Members may attend remotely via telephone conference call, video conference, Skype or via some other electronical means in the same manner statutorily permitted to Board Members per Chapter 720, Florida Statutes. Committee members shall not be permitted to use or vote via proxy and shall not be permitted to send in written votes but rather must personally cast a vote at a duly called meeting. Voting outside of a meeting by written consent, by email or by mail is prohibited.
- Each Member on the Committee shall have one vote. Tie votes are decided by the Chair.
- The Committee Chair, or their designee, shall make a report of the Committee's decisions to the Board of Directors at their next regular Board meeting.
- This is a non-statutory Committee, however, the Board by this Charter mandates that all Committee meetings shall be noticed in the same manner as a Board of Directors meeting.
- Committee meetings shall be open to any Members of the Association. The affairs of the Association are private and thus, no Member of the general public has a right to attend Committee meetings.
- There shall be an agenda for any Committee meeting, presented by the Committee in advance of the meeting and provided to Management.
- Copies of all meeting minutes and reports and recommendations shall be delivered to the Managing Agent and Board of Directors as soon as is practical.

REPORTING STRUCTURE:

Directly to the Board of Directors. The Committee is not permitted to form or delegate any of its operation or purpose to a sub-Committee or other persons that are not Committee Members without Board approval.

ADDITIONAL PARAMETERS:

The Board of Directors and Management Company must provide to the Budget Committee for review as soon as practical a proposed budget for the upcoming year for review and report by the budget Committee, to be delivered to the Board prior to its annual budget meeting.

Committee Members may not use their position on the Committee for personal gain, nor be allowed to advertise for any company, business, service, or promote agendas unless expressly permitted by the Board of Directors or at an event where advertising has been allowed.

Approved by Board of Directors at its Meeting held on October 14,,2020

Adopted by the Board of Directors on Oct 14, 2020.

Signed: 

Print: M. Scott Stearns

Title: President