

## **Wildcat Homeowners Association Rules**

Approved by the Board of Directors on June 11, 2016, Amended September 10, 2016, July 15, 2017, September 9, 2017, July 13, 2019, March 14, 2020, November 14, 2020, September 18, 2021, June 11, 2022 and October 14, 2023

### General Community Rules

1. The speed limit in Wildcat Subdivision shall be 35 mph unless otherwise posted.
2. The entrance gate shall be kept closed at all times except when subject to repair or a special event approved by the Board of Directors.
3. Gate access is limited to owners and approved vendors, realtors and guests. Property owners shall not distribute owner gate access codes to vendors, guests, vendors or realtors. Transponders that remotely open the entrance gate may be purchased for owner use only. (Additionally, details and instructions related to gate access are provided on the Wildcat website.)
4. Driveway culverts are the responsibility of the individual owners and shall be properly maintained and kept clear of debris. Failure to properly maintain the culverts can impact proper drainage in the community and damage roadway.
5. While the Association periodically mows road rights of ways, it is the individual property owner's responsibility to maintain their property.
6. The Association reserves the right to temporarily suspend access to the Association's website and use of transponders for any property owner that is delinquent on their dues.
7. Residents and non-residents shall not utilize Wildcat roadways or any land in the Wildcat Community to hunt or track animals. This restriction shall not apply to eradicating nuisance animals in compliance with the State of North Carolina laws and regulations.
8. Residents and non-residents shall not represent themselves as security at the gate or within the Community and shall take no action that interferes with the lawful access by residents or guests. Any resident that has reason to believe there is a trespasser in the community is direct to contact the Cherokee County Sherriff's office.
9. Owners of lots within the Wildcat subdivision are allowed access to Wildcat roads with their vehicles intended for personal use within Wildcat. Construction equipment or heavy duty equipment is not allowed on Wildcat roads except to go directly to, and return from, a Wildcat owner's lot within the Wildcat subdivision for construction, modification or repair of such Wildcat lot.

## Water System Rules

1. The Association shall maintain a water system for the homes constructed in Wildcat that conforms to the North Carolina Standards for a Non-Community Water system. The water system is designed only for household use and shall not be used for any commercial, pool or hot tub use greater than 400 gallons. All non-household uses shall not exceed two hours of use per day. The Association reserves the right to restrict non-household use in order to preserve adequate water supply for other residents. Residents requiring significant amounts of water for any of these prohibited uses, shall contract with a service vendor that can deliver the needed water for the non-household use.
2. Landowners proposing to construct a home on their parcel shall verify with the Association in advance of starting any construction that water supply is currently available to connect their home to the water system.
3. The Association reserves the right to make necessary system improvements as it deems necessary to provide water capacity to landowners currently not served. The construction of these improvements by the Association may be delayed due to the need to obtain additional financial resources to complete the improvements.
4. The Association reserves the right to deny connection to the Association water system for any property owners that is delinquent on any HOA dues owed to the Association, until such time the subject property is no longer delinquent.
5. Landowners shall be responsible for all cost necessary to connect their home to the Wildcat subdivision water distribution system. Construction of the water connection shall comply with the construction standards defined in the Wildcat Subdivision Infrastructure Design Standards, adopted March 12, 2016 and as it may be amended.
6. The Association shall be responsible for water lines and valves located in the roadway easement, (which is 22 ½ feet from the centerline of the roadway) in addition to all wells, water tanks and water lines accessing wells and tanks. The Association shall not be responsible for any improvement in the easement area that may be disturbed in order to make necessary water line and/or valve repair in the roadway easement area of a property owner's parcel. Property owners are responsible for all water lines and valves located on the remainder of the owner's property and are required to immediately make repairs. If a property owner fails to timely repair water lines, the HOA reserves the right to temporarily shut off water service to the home until such time the water line has been repaired. Alternatively, if the property owner agrees, the Association may choose at its discretion to have the repair completed and invoice the property owner for the repair on the individual's property outside of the easement area.

### Board of Directors Operating Rules

1. Bank Accounts. The Board of Directors shall maintain both an operating (checking) and reserve (savings) account and each shall have separate and different signatory authority. All accounts shall be FDIC insured. The operating account shall be used to receive annual dues collected and to pay annual operating expenses. The reserve account shall be used for the accumulation of funds for anticipated future long term repair, unanticipated expenses that exceed the capacity of the operating account, and replacement costs of infrastructure.
2. Financial Authorization. All expenditures must be pre-approved by at least two Board members before funds are committed. Approvals for any expenditures must be communicated to the Treasurer prior to or with the submission of an invoice. Any two Board members can approve \$200 or less. Expenditures between \$200 and \$1000 also require approval of two Board members, but one of which must be the President or Vice President. All commitment of funds in excess of \$1,000 must be approved in advance by the Board of Directors. NOTE: The Treasurer has sole authority to approve and direct payment of any recurring invoice up to \$1500, above which Board approval is required.
3. Expenditure Review. The Treasurer shall present to the Board of Directors a monthly financial statement that provides a summary of expenditures compared to the annually adopted budget and a detailed listing of income and expenditures made during the preceding month. The Board of Directors shall review and approve all monthly financial statements at the following Board meeting.
4. Vendor Agreements. Written vendor agreements shall be used for any reoccurring vendor services (maintenance, mowing, etc.) that is projected to be in excess of \$1,500 in any given calendar year and any other service the Board deems appropriate.
5. Insurance. The Board of Directors shall maintain a minimum liability insurance policy for the association at all times in the amount in the amount of \$1,000,000, all personal property of the association shall be adequately covered and errors and omission coverage shall be obtained for the Board of Directors.
6. Conflict of Interest. Any Board of Director that has a direct or indirect (i.e. through investment, marriage or employment) financial interest in a vendor or supplier that the Association has a relationship or intendeds to, shall both disclose the conflict of interest and shall abstain from voting on any matter related to the vendor or supplier.
7. Delinquent HOA Dues. Property owners that fail to pay their dues by March 1<sup>st</sup> are delinquent and shall be assessed a late penalty of \$50 per parcel. On April 1<sup>st</sup>, Property

Owners that are delinquent on any portion of their Wildcat Homeowners Association dues or late fee, shall be charged an interest rate of 8% beginning on the day the account becomes delinquent through the date of payment, in addition to all legal and administrative cost associated with the delinquent dues collection process. The Board of Director's on behalf of the Association may take any legal action that is deemed by the Board appropriate to collect delinquent HOA dues, penalties, interest, legal and administrative costs.

8. Record Retention and Access. The Board of Directors shall maintain at a minimum the following records for the time period noted and shall make the records available for inspection by members of the Association. The Board may choose to store the records electronically and/or with a contacted accounting firm or a management firm:
  - a. Minutes of all Board of Directors Meetings (Permanently)
  - b. All Financial transaction (including invoices and checks) (7 years)
  - c. Annual Budget (Permanently)
  - d. Monthly Financial Treasurers Report (3 years)
  - e. Annual Financial Summary (Permanently)
  - f. Tax Returns (7 years)
  - g. State Corporation Records (Permanently)
  - h. Annual Board of Directors Election Results (Permanently)
  - i. Vendor Agreements (7 years after expiration)
  
9. Election of Board of Directors. When there are either the same or more candidates on the ballot for the Board of Directors as open Board positions, and there are both one year and two-year Board terms available, the candidates with the most votes shall fill the longer terms. In the case that there is a tie in votes cast, the tie shall be determined by the flipping of a coin by the Board President, or designated representative, at the organizational meeting.