

McCarthy Creek Lot Owners Association (MCLOA) Road Committee and Project Charter

1. Members of the MCLOA Road Committee (heretofore “Committee”) shall be elected by members of MCLOA at any scheduled meeting or by vote, including absentee member vote, at any time a valid election or other official meeting is called by the Officers of MCLOA.
2. Committee members shall serve as long as they desire, provided, they are not voted off the Committee by the MCLOA members or removed by unanimous vote by the four elected officers of MCLOA. A Committee chairman or leader may be appointed by the MCLOA Board of directors or selected by Committee members themselves. However, a chairman is not required, and the Committee can act as they see fit as a Committee of the whole.
3. Members with outstanding assessment balances (i.e., assessment debts owed to the association) may not serve on the Committee unless they have established a board-approved payment plan and continue to be in good standing in respect to said plan; payment plan delinquencies will cause automatic ejection from the Committee.
4. The Committee will act as an advisory body to the MCLOA Board of Directors, consulting on the maintenance of existing roads and the construction of new roads within the McCarthy Creek Subdivision, and for improvements to the road system through adjacent public lands that affect Subdivision residents. Any actions stemming from this responsibility shall be subject to the approval of the Board of Directors or the MCLOA members.
5. Any financial and contractual arrangements prepared by the Committee shall be subject to Board of Directors approval; all valid MCLOA contracts shall be between the MCLOA Board of Directors and the contractor(s). Committee members do not have the ability to sign or approve contracts on behalf of MCLOA. All funds from MCLOA shall be dispensed by the Board of Directors only.
6. The Committee may initiate actions regarding Item #4 above or respond to actions proposed by members or the Board of Directors. The Committee actions may include road design and specification; contract preparation and negotiation regarding road work; road inspection during/following repair or construction, to determine compliance with contract specifications; organization and execution of non-contracted road work through the efforts of volunteers; interaction with Alaska State officials including DOT and legislators regarding roads in, and around, McCarthy Creek Subdivision; arranging purchase of tools or machines or materials to accomplish road work approved by the Board of Directors or membership vote; communication of road status to MCLOA Directors and members; locating and accumulating road materials such as gravel from local

areas available to the MCLOA; inspecting existing roads and determining, if and when repairs are warranted, and, in general, anything pertinent to the MCLOA roads or other local roads in the neighborhood.

7. Regarding road improvement projects within the MCLOA subdivision involving special assessments: prior to contracting such work, assessments for respective projects must be voted on and approved by the membership, and Notice to Proceed will not be granted by the Board of Directors until funds are specifically collected and available for respective work.
8. MCLOA will not be responsible for debts owed to a contractor where such debts were not pre-approved by the Board of Directors through explicit written contract between the Board of Directors and the contractor. If an individual or group of lot owners initiate and execute a road project outside of the Board of Directors' knowledge and/or approval, said individuals or groups will bear full financial responsibility and liability for those projects.
9. The Board of Directors will only hire contractors licensed, bonded, and insured in the State of Alaska, in good standing, to conduct work on behalf of MCLOA.
10. Prior to serving on the Road Committee, members must read, acknowledge, and sign this Charter.