

FALLS CREEK RANCH ASSOCIATION, INC.

Use of Falls Creek Ranch Equipment by Association Members Policy

1. The purpose of these Rules and Regulations regarding the use of certain Falls Creek Ranch Association, Inc., (FCRA) owned equipment by members of FCRA is to establish requirements, responsibilities, procedures, costs and fees regarding such use.
2. The fees noted in this policy apply to the use of FCRA equipment by Association members for personal projects and are not intended to apply to situations where FCRA equipment is used for Ranch-sanctioned projects (examples include the Annual Ranch Clean-up Day or Association members projects to support the Community Wildfire Protection Program, aka CWPP).
3. All requests by FCRA members to use the Association's backhoe, dump truck, grader, Zetor tractor, trailer or brush-hog must be submitted to and approved in advance by the Ranch Liaison or designee. Subject to Board of Directors' review and approval, the Ranch Liaison may establish procedures for submitting such requests. The Ranch Liaison is responsible for informing the Board of his approval of Association members use of any FCRA equipment so the Board Treasurer can then bill the member for the use of the equipment.
4. Use of FCRA equipment is subject to availability as determined exclusively by the Ranch Liaison or designee.
5. Association members may only use FCRA equipment if their assessments are current and may only use FCRA equipment on property the members own within Falls Creek Ranch.
6. All FCRA equipment must be operated by the Ranch Manager (exceptions noted below). Association members are to pay the Ranch Manager \$25.00 per hour, in addition to the stated fees for use of the equipment as noted in this policy. Association members are to pay this hourly rate directly to the Ranch Manager themselves.
7. The fee for use of the FCRA backhoe is \$75.00 per hour computed in one (1) hour increments with a minimum charge of one (1) hour. Only the Ranch Manager is allowed to operate the backhoe. The hourly fee for the backhoe includes fuel.
8. The fee for use of the FCRA dump truck (with or without the plow) is \$50.00 per hour computed in one (1) hour increments with a minimum charge of one (1) hour. Only the Ranch Manager, or a resident who has been trained to drive the dump truck, is allowed to operate the dump truck. The hourly fee for the dump truck includes fuel.

9. The fee for use of the FCRA Zetor tractor is \$50.00 per hour computed in one (1) hour increments with a minimum charge of one (1) hour. Only the Ranch Manager, or a resident who has been trained to operate the Zetor tractor, is allowed to operate the Zetor tractor. The hourly fee for the Zetor tractor includes fuel.
10. The fee for use of the FCRA grader is \$150.00 per hour computed in one (1) hour increments with a minimum charge of two (2) hours. Only the Ranch Manager is allowed to operate the grader. The hourly fee for the grader includes fuel.
11. The fee for use of the FCRA brush-hog is \$25.00 per hour computed in one (1) hour increments with a minimum charge of one (1) hour. Only the Ranch Manager is allowed to operate the brush-hog. The hourly fee for the brush-hog includes fuel.
12. The fee for use of the FCRA trailer is \$25.00 per day or \$15.00 per half day, including the day of return, with a minimum charge of one-half day. Association members must provide a vehicle to tow the trailer.
13. The fee for use of any of the FCRA chainsaws (including the pole saw) is \$25.00 per day, including the day of return, with a minimum charge of one (1) day.
14. The licensed Ranch pickup truck is only to be used by the Ranch Manager and is not available for members' use. The unlicensed pickup truck, currently used for weed control, may be used by members only as directed by the Board.
15. Instruction Booklets detailing the operation of FCRA equipment are available for Association member's review at the Equipment Shed. By taking possession of FCRA equipment, an Association member certifies to the Association that the member has reviewed the Instruction Booklet for the equipment and is capable of operating the equipment in a safe manner. Removing FCRA equipment from the Equipment Shed either by the Association member or the Ranch Manager constitutes taking possession of the equipment. Possession ends when the FCRA equipment is returned to the Equipment Shed either by the Association member or the Ranch Manager in accordance with the provisions of these Rules and Regulations.
16. Hourly fees begin when the equipment is removed from the Equipment Shed and end when the equipment is returned to the Equipment Shed.
17. Association members are responsible for verifying the condition and operation of FCRA equipment before taking possession. Taking possession of the equipment is conclusive evidence the equipment was operating properly. Association members are responsible for returning the equipment in undamaged, operating condition unless damage is noted in writing at the time possession is taken. Association members returning inoperable or damaged equipment will be charged the actual cost of repairing or replacing the equipment.

18. FCRA expressly disclaims any responsibility or liability, direct or indirect, to any Association member or any other person or entity for any injury or damage to any person or property resulting from use of FCRA equipment by Association members or others, including but not limited to use of the backhoe, the dump truck, the grader, the Zetor tractor, the brush-hog, the trailer and the chain saws.
19. Fees, costs, and charges for use of FCRA equipment will be billed to the member by the FCRA Treasurer and are due and payable not more than thirty (30) days from the date of the bill. Bills not paid within the time specified will accrue interest at the rate of 1.5% per month until paid in full per the Falls Creek Ranch Collection Policy.