

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
SUMMERFIELD CIVIC ASSOCIATION**

**(Regarding Electronic Notice and Electronic Ballots)**

**WHEREAS**, Article 4, Section 4.8 the Bylaws for the Summerfield Civic Association recorded on October 23, 1995, in the Washington County Deed Records as Document No. 95076820, authorizes the Association's Board of Directors to promulgate Rules and Regulations to implement its administrative responsibilities; and

**WHEREAS**, electronic notice and electronic voting are permitted by the Oregon Planned Community Act at ORS 94.661, *et seq.*; and

**WHEREAS**, the Association's Board of Directors finds that it is in the best interests of the Association to facilitate electronic notice and electronic voting, both to encourage participation in Association governance, and to reduce costs;

**NOW, THEREFORE, IT IS HERBY**

**RESOLVED**, that the Association's Board of Directors shall maintain a list of the e-mail addresses for Association owners who are willing to receive notices and information from the Association by electronic means and who wish to cast their vote on Association matters by electronic means; and it is hereby further

**RESOLVED**, that the Association's officers and management, if any, are hereby authorized to send notice to any owner or director willing to participate in such electronic notice program exclusively by e-mail, subject to the following exceptions:

a. Any owner may decline, at any time and for any reason, to receive further notices by e-mail, whereupon the Association shall provide notice by other non-electronic means satisfying the requirements of the law and the Association's governing documents; and

b. Electronic notice may not be used by the Association to give notice of failure to pay an assessment, foreclosure of an Association lien, or an action that the Association may take against an Owner; and it is hereby further

**RESOLVED**, that an "Electronic Ballot" means an e-mail, facsimile, or other means of electronic communication acceptable to the Board of Directors, which shall be effective when transmitted and which is dated and identifies both the owner and the owner's lot number or address. Electronic Ballots may be cast until the voting deadline set forth in the annual or special meeting notice; and it is hereby further

**RESOLVED**, that the Board of Directors hereby authorizes owners to vote by Electronic Ballot from an e-mail address matching the one on file for the owner in the Association's records; and it is hereby further

**RESOLVED**, that all Electronic Ballots shall be kept or stored (whether in electronic form or hard copy) at least for one year from the date of determination of the vote, except that proxies and ballots relating to an amendment to the declaration, bylaws or other governing document must be retained for one year from the date the amendment is effective; and it is hereby further

**RESOLVED**, that when the Association conducts a vote by written ballot in lieu of a meeting in the manner provided by ORS 94.647 using secrecy procedures described in such statute, the Association will not solicit votes by e-mail, since the Association currently has no method of assuring the secrecy of votes cast in such manner; and it is hereby further

**RESOLVED**, that owners voting by Electronic Ballot will be counted as present for purposes of establishing quorum; and it is hereby further

**RESOLVED**, that an owner may revoke an Electronic Ballot by sending notice to the Association Secretary via e-mail or by providing such other written notice prior to the deadline detailed in the annual or special meeting notice; and it is hereby further

**RESOLVED**, that electronic notices and electronic balloting shall otherwise be administered in accordance with the applicable provisions of the Oregon Planned Community Act at ORS 94.652 and ORS 94.661.

**IN WITNESS WHEREOF**, the President and Secretary hereby certify that the foregoing Resolutions were adopted by the Board of Directors at a duly called meeting effective May 11<sup>th</sup>, 2015, and that a copy of such Resolutions has been mailed to all Owners.

**SUMMERFIELD CIVIC ASSOCIATION**

By: Cari Trocher  
Secretary

By: Barbara Johnston  
President