

**The Vaux Condominiums
Owners' Association**

Resolution of the Board of
Directors

ELECTRONIC NOTICES AND VOTING

RECITALS

- A. **"Association"** is The Vaux Condominiums Owners' Association.
- B. The Association is governed by the following documents recorded in Multnomah County, Oregon:
 - 1. *Declaration of Condominium Ownership for The Vaux Condominiums Owners' Association* recorded September 20, 2006 ("**Declaration**");
 - 2. *Bylaws of The Vaux Condominiums Owner's Association* recorded including any amendments thereto ("**Bylaws**"); and
 - 3. The Plat for *The Vaux Condominiums Owners' Association* ("**Plat**").
- C. The Board has determined that it is in the Association's best interest to implement electronic notice and voting procedures which will encourage the participation of the greatest number of homeowners possible, while also reducing expenses.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED that:

- 1. **Online Notice.** Board of Directors hereby authorizes the use of email for all notices to owners and directors, except for the following notices:
 - a. Notices of failure to pay assessments;
 - b. Notice of foreclosure of an Association lien under ORS 100.450;
 - c. Notice of any action the Association may take against an owner, including Notice of Opportunity to be heard before the levying of a fine; and
 - d. An offer to use a dispute resolution process under ORS 100.405.

Notices by email will be the default for all owners and Board members with an email address on record with the Association. However, a unit owner or director may decline to receive notice by email by requesting the Board of Directors provide notice in the manner required under the Declaration, Bylaws or the Condominium Act. Owners and Directors are responsible for updating their email address on file with the Association.

2. **Electronic Storage of Records.** Association records will be stored electronically. Owners requesting records from the Association will be provided those records in electronic format and will be charged for the personnel costs at the then current hourly rate. Owners who require paper copies will be provided paper copies at an additional charge of the then current rate per copy.

NOW, THEREFORE, the Board of Directors hereby adopts the following electronic notice and voting procedures:

- A. **Notices.** Notice of all Association meetings shall be sent to the membership in accordance with the Bylaws, and at the option of the Board in each instance, may be sent by email except when an Owner has opted out of receiving electronic notices. All electronic notices shall be sent to the email address provided by the homeowner to the Association. It shall be the affirmative obligation of the owner to update his or her email address with the Board or Managing Agent.
- B. **Voting Methods.** Unless otherwise announced by the Board of Directors with respect to a particular vote or election, the Association will accept votes from Owners in person at an Association meeting by proxy, by absentee ballot or by electronic ballot. The Association will provide forms of proxies and absentee ballots for owners' convenience, but the Association may not require that Owners use the form promulgated by the Association. Votes cast by email need not take any particular form, but such votes must identify the Owner by name and in such a manner to allow the Association to confirm the Unit(s) of the Owner and must clearly indicate how the Owner casts the vote(s) for such Unit(s).
- C. **Secret Ballots.** When the Association conducts a vote by written ballot in lieu of a meeting in the manner provided by ORS 100.425 using secrecy procedures described in such statute, the Association will not solicit votes by email, since the Association currently has no method of assuring the secrecy of votes cast in such manner.
- D. **Electronic Ballot.** An "Electronic Ballot" means an e-mail or facsimile transmission that identifies both the Owner, by name, and the Owner's Unit number or address. An electronic ballot may not be revoked or changed once sent. For the purposes of a vote by electronic ballot in lieu of a meeting, the "Record Date" shall be the date the notice of secrecy procedures is sent to the owners.
- F. **Ballot Retention.** All ballots cast by any accepted method shall be kept in a secure location(s) until they have been released to the inspectors of the election or the Association Secretary for counting or verification. All ballots and proxies, including electronic ballots, shall be retained for one year after the vote or election, after which time the Association

may dispose of the ballots, as it deems appropriate.

- G. **Proxies**. In order to be valid, a proxy must be dated and must be signed by at least one Owner of the Unit. If more than one proxy is cast for the same Unit, the proxy bearing the latest date shall be considered the valid proxy. A proxy holder must verify the proxy’s identity before casting the ballot(s) of the Owner granting the proxy.

DATED this the ____ day of _____, 2019

ATTEST:

Chairperson

Secretary