

# **Summerfield Homeowners Association**

## **POLICY RESOLUTION NUMBER 006**

### **Presumption of Board Resignation**

**WHEREAS**, “Declaration” is the Declaration of Covenants, Conditions and Restrictions for Summerfield Subdivision, “Bylaws” is the Bylaw of Summerfield Homeowners Association, Inc. and “Association” is Summerfield Homeowners Association, Inc. and “[the] Board” or [the] “Board of Directors” is the Summerfield Homeowners Association Board of Directors, “Agent” is the Association’s Property Management Company, Association Attorney is a Board-designated attorney;

**WHEREAS**, Article III, Sections 3.5.1.5 and 3.5.2.6 of the Declaration and Article IV, Paragraph 11 of the Bylaws allow the Association to adopt rules and enforce compliance with the Declaration, Bylaws, and administrative rules and regulations;

**WHEREAS**, Article IV, Paragraph 5 of the Bylaws allows the Board of Directors to select a qualified individual to fill a member vacancy on the Board until the next annual election, at which time a director shall be elected to complete the unexpired term, if any, for the vacated position;

**WHEREAS**, the Board of Directors deems it is in the best interest of the Association to adopt procedures for the presumption of resignation based on consistent nonattendance of scheduled board meetings;

**WHEREAS**, the Board of Directors has attempted all forms of communication, including but not limited to in-person, e-mail, voice mail and registered mail to establish the intent of the Board member;

#### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. If a Board member, during her or his term, has missed three (3) consecutive scheduled Board meetings without prior notification, the Board of Directors will make every effort to contact the Board member to confirm the member’s intent to remain active on the Board.
2. If the member does not respond to any of the forms of communication attempted by the Board, such as in-person, e-mail, voice mail and or registered mail, the member will be presumed to have resigned her or his Board position.

**NOW, BE IT FURTHER RESOLVED THAT:** The Board will seek to select a qualified individual to temporarily fill a vacancy until the next annual election of Directors unless the annual election of Directors is within two (2) months of the vacancy.

# Summerfield Homeowners Association

## RESOLUTION ACTION RECORD

Resolution: **Presumption of Board Resignation** No.: **006**

Pertaining to: **Article III, Sections 3.5.1.5 and 3.5.2.6, and Article IV, Paragraphs 5 and 11 of the Bylaws**

Duly adopted at a meeting of the Board of Directors held: **January 19, 2016**

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
_____ President – Sheryl Bishop	_____	_____	_____	_____
_____ Vice President – Nick Farnsworth	_____	_____	_____	<u>  X  </u>
_____ Treasurer – Kyle Peck	_____	_____	_____	_____
_____ Secretary – Karen Geselle	_____	_____	_____	_____
_____ Director – Eric Jurgensen	_____	_____	_____	_____
_____ Director – Janis Stanwood	_____	_____	_____	_____

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

FILE:

[www.summerfieldsubhoa.org](http://www.summerfieldsubhoa.org)

Resolution effective date: **January 19, 2016**