

Ashbrook Condominiums Owners Association

Resolution Number 1 – Resolution to Create Resolutions

WHEREAS, Recitals and various Articles of the Declaration of Protective Covenants, Conditions and Restrictions and Easements (Declaration) and the Bylaws (Bylaws) including Article 3, Section 3.6 Powers and Duties, Article 5, Section 5.6, Violation by Owners; Remedies, and Article 7, Section 7.5 Restrictions and Requirements Respecting Use of Condominium Property describe the general powers, obligations and duties of the Ashbrook Condominiums Owners Association, a nonprofit corporation formed under the laws of the State of Oregon (see Articles of Incorporation), and the Oregon Condominium Act, ORS 100.405 and 100.417, provide for the jurisdiction and powers to administer the management affairs of the Association;

AND WHEREAS, Article 3, Section 3.6 Powers and Duties, of the Bylaws of the Ashbrook Condominiums Owners Association, delegates and describes the powers and duties of the Board of Directors as necessary for the administration of the affairs of the Association and charges the Board of Directors to manage said affairs;

AND WHEREAS, in order to exercise its powers and duties as efficiently and effectively as possible, the Board of Directors of the Ashbrook Condominiums Owners Association deem necessary the establishment of systematic procedures to reach, record, promulgate, maintain, and administer far-reaching, precedent-setting actions and decisions;

AND WHEREAS, the Board of Directors desires that these procedures be fully open and readily accessible to Association members for effective communication, including the gathering and evaluation of feedback, to serve the Association's purpose to provide for the management, maintenance, protection and preservation of property in the Ashbrook Condominiums Owners Association, and to promote the health, safety, welfare and other general benefits of its members, along with the Oregon legislature's goals of assuring proper maintenance of the projects so that the investment of the owners and the appearance of Oregon communities are protected;

NOW, THEREFORE, BE IT RESOLVED THAT the Board shall establish a process of creating and adopting resolutions as follows:

1. When necessary, the Board shall create a draft of a Proposed Resolution in a format that conforms to the model resolution provided in Attachment One below:
2. A Proposed Resolution shall specifically relate to the long-term governance of the Association, including but not limited to, actions affecting members' rights of enjoyment, members' obligations, and the protection of the equity of the Association and its members.
3. After the initial draft of a Proposed Resolution is created, the Board of Directors shall circulate it to all Association members of record, for their review and constructive comment.

4. Based on the feedback received from the Association members, the initial draft of the Proposed Resolution may be revised by the Board of Directors into a Draft Two Proposed Resolution, and then re-circulated to the Association members for their final review and feedback. The re-circulation of revisions for comment is only necessary when the changes substantially affect the rights of owners and/or create more restrictive rules, sanctions or substantive changes to procedures.
5. If there are substantive changes to the first draft, a Draft 2 is circulated for further information and feedback. Following the second comment period, the Board of Directors shall draw up a Final Draft of the Resolution that gives consideration to the will of the majority of the membership.
6. The Board of Directors shall vote to either Approve or Disapprove the Final Draft of the Resolution. If it is approved, the Resolution will be signed and dated by the Board President. The Resolution shall then be enforceable. If it is Disapproved, the matter is deemed closed for the time being.
7. An enforceable Book of Resolutions shall be maintained by the Secretary of the Board of Directors and made available to all Association members.
8. The Board of Directors may occasionally modify, amend or update a previously approved policy resolution without the opportunity for advance review and comment by the membership. The Board may also implement a new resolution on a temporary basis with subsequent opportunity for members of the community to comment on the new resolution. The membership will be informed in advance of significant changes before the changes go into effect, and where revisions may result in greater sanctions or burden on the members. There may be circumstances that require clarification, updating, or additional elements of a timely nature that require immediate attention and action, and in some cases the changes may be minor and thus have no substantive impact on members. The objective of the Association is to have clearly defined policy resolutions that provide for a timely, fair and systematic application of polices on behalf of the community, while at the same time recognizing that circumstances may change and therefore require additional procedures, rules and/or sanctions to meet the needs of the community.
9. The Board of Directors may also adopt administrative resolutions/procedures that deal with the internal structure and operation of the Association, including but not limited to, responsibilities of committees, financial procedures, and administration of policies and rules. These administrative resolutions/procedures are not subject to the “Resolution to Create Resolutions” process and procedures.