

Emerald Valley West HOA PUD.

POLICY RESOLUTION NUMBER 6

**Relating to the Special Assessment of \$500 in compliance with
EVWHA Bylaws/ Articles 4.3.1-4.3.3 and 6.2.1.**

WHEREAS, Section 4.2 of the Bylaws of Emerald Valley West HOA PUD ("Bylaws") assigns the Board of Directors ("Board") all powers and duties necessary for the administration of the affairs of Homeowners Association ("Association") and states that the board may do all such acts and things, except those matter that the Board is prohibited from doing by law or the governing documents;

WHEREAS, Section 4.3 of the Bylaws provides that the directors shall exercise their power and duties in accordance with these Bylaws and the Declaration in good faith and in best interest of the Association and its members;

WHEREAS, Section 4.3.1, 4.3.2 and 4.3.3 of the Bylaws provides that the directors shall exercise their power and duties to do the following: Care, upkeep, and supervision of the Common Property; Establishment and maintenance of replacement Reserve Accounts that the Board deems prudent for replacement of Common Property improvements or facilities; and Designation and collection of assessments from the Owners, in good faith and in best interest of the Association and its members;

WHEREAS, Section 6.2.1 of the Bylaws provides that the HOA establish a Reserve Account, in the name of the Association, which shall be kept separate from all other funds held by the Association. The Association shall pay out of the Reserve Account only those costs that are attributable to the maintenance, repair, or replacement of Common Property that normally requires replacement, in whole or in part, within three to 30 years and not for regular or periodic maintenance and expenses. No funds collected for the Reserve Account may be used for ordinary current maintenance and operation purposes.

WHEREAS, the Board has determined that it is in the best interests of the Association and the Association's members to adopt a *Special Assessment of \$500 one-time to each lot owner to increase the HOA Reserves Account to help pay for all damages incurred from the Jan 13th-18th Ice Storm.*

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts a Special Assessment of \$500 one-time to each lot owner to increase the HOA Reserves account to help pay for all damages incurred from the Jan 13th-18th Ice Storm per the HOA Bylaws/ Articles 4.3.1, 4.3.2, 4.3.3 and 6.2.1, as a

guide to the relationship between the association and its members.

THE RESOLUTION PASSED AND IS ADOPTED on this 8th day of February, 2024 by a vote of 3 to 0, by the Board of Directors of *Emerald Valley West Homeowners Association*.

- Dave Stainsby, President**
- Kirk Garner, Secretary**
- Dan Mills, Treasurer**
- Lori Eichelberger, at large member**
- Mike Arndt, at large member**
- Hal Ingram, at large member**
- Kaelene Spence, at large member**
- Scott MacDowell, at large member**
- Linda McCown, at large member**
- Lisa Jeko, at large member**
- Bob King, at large member**

Signed and dated by the President and Secretary of the Board of Directors of *Emerald Valley West Homeowners Association* on this 8th

Day **FEBRUARY .2024**



Dave Stainsby, President

Dated 2/13/24

KIRK R GARNER Digitally signed by KIRK R GARNER
Date: 2024.02.13 07:14:51 -10'00'

Kirk Garner, Secretary

Dated _____ 

Resolution effective date: February 8th, 2024.

Article 6.1.1 Number and Qualification:

All Owners are obligated to pay assessments imposed by the Association to meet all the Association's general common expenses, including reserves, as more particularly set forth in the Declaration. Assessments shall be payable on a periodic basis, not more frequently than monthly, as determined by the Board. Declarant (before turnover) and the Board (after turnover) may, but shall not be required to, impose interest or a service charge for late installment payments or allow a discount for payment of the annual assessment or any installment in advance. Assessments shall be made on an equal basis per Lot, including Lots in Phase IV. Provided, however, that Lots in Phase IV shall not be subject to assessments any earlier than the date of the Turnover meeting (as required by ORS 94.609) for Phase IV.

Due Process: Residents can request a hearing, via writing, to be heard by the board. At the time of the hearing the board will take notes but not dispute claims by residents. Residents will be notified in writing as to the board's decision on the matter.