

TIMBER GREENS COMMUNITY ASSOCIATION, INC.

BOARD RESOLUTION AUTHORIZING ELECTRONIC VOTING AND PARTICIPATION FOR ASSOCIATION MEETINGS AND ELECTIONS

WHEREAS, Section 720.317, Florida Statutes (2021) provides that an association may conduct elections and other owner votes through an Internet-based online voting system and/or the use of electronic notice if an owner consents, in writing, to online voting and/or electronic notice and if various requirements are met; and

WHEREAS, the Board has determined it to be in the best interest of the Association to enable the use of electronic voting and/or electronic notice in Association matters and to create the requisite authority required by the above-referenced statute.

NOW, THEREFORE, it is resolved as follows:

1. The Association may permit Owners who desire to do so the ability to receive electronic notice and/or utilize electronic voting in conformance with the above-referenced statute, as amended from time to time, as well as any applicable administrative rules of the Florida Department of Business and Professional Regulation, as may now exist, be hereafter adopted, or as the same may be amended from time to time.
2. The Board or its President may determine that utilizing electronic notice and/or electronic voting is not in the best interest of the Association as to any particular meeting or election. Accordingly, there shall be no obligation for the Association to utilize electronic notice and/or electronic voting at any particular meeting or election.
3. Notice to Owners of the opportunity to vote through an online voting system shall be provided as required by law.
4. The Association hereby adopts the following forms which are incorporated into these Rules by reference:

4.1 Attached as **Exhibit "A"** is the "Consent to Electronic Voting and/or Consent to Receive Electronic Notice of Meetings," which an Owner may sign and file with the Association, or which may be affirmed by the Owner, in order for an Owner to be entitled to vote by electronic means and/or to receive electronic notice of meetings; and

4.2 Attached as **Exhibit "B"** is the "Revocation of Consent to Electronic Voting and/or Revocation of Consent to Receive Electronic Notice of Meetings," which an Owner may sign and file with the Association, or which may be affirmed by the Owner, to revoke their consent to electronic voting and/or their consent to receive electronic notice of meetings.

Unless prohibited by law, an e-mail notification from an Owner to the Association or the Owner's completion of an online voting consent or revocation form may be used in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation forms are incorporated by reference and shall be deemed affirmed by the Owner when consent is given

or revoked. Any valid consent on file with the Association prior to the adoption of this Resolution is valid and need not be replaced with a new form.

5. In order to implement electronic voting, the Association may contract with an outside vendor or other party that provides electronic voting services (referred to collectively hereinafter as the "Provider"). The Board shall use reasonable judgment to ensure that such Provider's services comply with the requirements of law.

6. The Association or its agent shall notify Owners in meeting notice materials, as provided by law, of the ability to vote electronically, including, but not limited to, the Provider's e-mail address or website in a manner the Association reasonably believes to be sufficient to enable Owners to participate in electronic voting.

7. Owners who consent to vote by electronic means may still vote in person, if they choose, by paper means (use of proxies and ballots), or may send proxies to the Association by facsimile transmission or electronic mail, to the extent the Association otherwise receives and accepts proxies through such media. In the event of multiple votes cast by a Parcel as to the same matter, the vote cast first in the election of Directors shall prevail, while the last vote cast will prevail with respect to non-election issues. In the absence of the Board announcing a different cutoff time/date for electronic voting, all electronic votes shall be cast no later than the start time of said meeting, at which time the ability to vote electronically shall be deemed closed for that meeting or election. In any instance wherein a meeting is lawfully adjourned and continued to a new time and date, for such matters to be voted upon but the question has not yet been called, the electronic voting shall be reopened following the adjournment to allow the Owner to cast an electronic vote until the start time of the reconvening of the meeting, at which time the ability to vote electronically shall be deemed closed for that continued meeting.

8. By signing or affirming the consent form attached as Exhibit "A" hereto and otherwise choosing to vote electronically as enabled by these Rules, each Owner recognizes that the Association cannot control the practices of third parties regarding internet communications and use of the Owner's e-mail address. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim against the Association pertaining to such voting, including, but not limited to, the transmission or placement of "viruses," "malware," "spyware," "cookies," and the like. Each Owner who consents to electronic voting also consents to the Association's publication of their e-mail address, as well as other information (including necessary personal identifying information) to Providers or other third parties to the extent and as may be reasonably necessary to enable the use of electronic voting processes. Such information shall not be considered an official record and shall not be available for Owner inspection unless required by law.

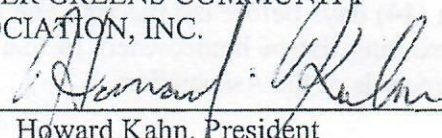
9. By signing or affirming the consent form attached as Exhibit "A" hereto, each Owner further recognizes that internet/electronic communications may be subject to failure, interruptions, or other problems due to a variety of reasons, including, but not limited to, Owner operator error, Provider system or server failures, "spam" blockers, power outages, and the like. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim or challenge to such voting, including, but not

limited to, situations where an Owner vote was not received or counted by the Association due to no fault of the Board or management.

This Resolution was adopted by the Board of Directors on the 17th day of AUGUST 2022 and is effective upon adoption. The meeting at which this Resolution was adopted was preceded by notice provided to each Owner fourteen (14) days in advance of said meeting either by U.S. mail, hand-delivery, or electronic mail (in cases where Owners have consented to receive official Association notices by electronic mail) and by posting said notice conspicuously on the Community Property fourteen (14) days in advance of said meeting. An Affidavit attesting to such notice is kept amongst the official records of the Association.

There are FIVE (5) total Board members. The number of Board members who voted in favor of this Resolution is 5. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

TIMBER GREENS COMMUNITY
ASSOCIATION, INC.

BY: 
Howard Kahn, President

Date: AUG. 17, 2022

(CORPORATE SEAL)

TIMBER GREENS COMMUNITY ASSOCIATION, INC.

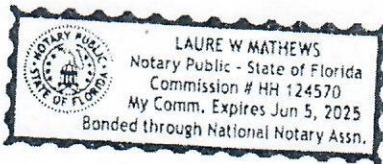
**AFFIDAVIT OF MAILING OF NOTICE OF BOARD OF DIRECTORS' MEETING
REGARDING ONLINE VOTING**

STATE OF FLORIDA
COUNTY OF PASCO

BEFORE ME, the undersigned authority, this date personally appeared Richard Dingus, who being duly sworn, does hereby state and affirm that: I am the GM (title) of Timber Greens Community Association, Inc. ("Association"), and that on 8/3/2022 (Date), copies of the Notice of Board of Directors' Meeting Regarding Online Voting, which is to occur at: 9⁰⁰ (time) 8/17/2022 (date) TIMBER GREENS HOA (location) were deposited in the United States mail, (and posted conspicuously on the Association Property) at least fourteen (14) days before the meeting and were addressed to each person whose name appeared on the existing list of homeowners to their respective post office addresses as set forth in the official records of the Association.

[Signature]
8/3/2022

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization this 3rd day of August 2022, by Richard Dingus who is personally known to me or has produced _____ (type of identification) as identification.



[Signature]
Notary Public

Printed Name: Laure W Mathews

My Commission Expires: June 5, 2025