

**BUCKHORN PROPERTY OWNERS ASSOCIATION, INC.
POLICY RESOLUTION**

RESOLUTION FOR ELECTRONIC NOTICES

WHEREAS Section 2, Paragraph 3, of the Bylaws of the Buckhorn Property Owners Association, Inc. ("Association") requires that written notice of the annual members meeting, specifying the place, date and time of the meeting and purpose thereof, be mailed to property owners not fewer than ten (10) days nor more than sixty days (60) prior to the meeting;

WHEREAS Section 3, Paragraphs 5 and 6, of the Bylaws of the Buckhorn Property Owners Association, Inc. ("Association") requires that notice of regular and/or special meetings of the Board of Directors, specifying the place, date and time of the meeting, be given to each Director, personally or by mail, email, or telephone at least three (3) days prior to the meeting;

WHEREAS Section 13.1-810(D) of the Virginia Nonstock Corporation Act (the "Act") states that notice or other communication may be delivered by electronic transmission if consented to by the recipient, given that said consent is revocable;

WHEREAS Section 55-515.3 of the Property Owners Association Act (the "POAA") allows certain notices and other permissible communication, including proxies, to be sent by the Association, using the most advanced technology available, including electronic mail (or e-mail), with the exception of notices related to enforcement action, assessment liens, or foreclosure proceedings pursuant to Section 55-515.3(G); and

WHEREAS the Board of Directors wishes to set forth orderly procedures for the provision of consensual electronic notices and any other communication between the Association and Members of the Association at verified email addresses and such other matters described below.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules apply to and govern the implementation of notice and other permissible communication from the Association by electronic transmission:

- 1) Consent to Receive Electronically Transmitted Notices and Other Communication from the Association. Members who wish to receive notices and other permissible communication from the Association by electronic transmission, in lieu of mailed notices, including notice of the annual and special meetings of members, shall receive such notice or communication electronically upon providing their consent in writing to the Board of Directors of the Association. The consent submitted to the Association shall be substantially in the form attached hereto and shall include the following information:
 - a. A verified email address at which the Member shall receive notices;
 - b. Member's mailing address for identification and recordation purposes;
 - c. A dated signature of the Member; and

- d. A statement that the Member agrees to accept communication and notices from the Association by electronic transmission and that said transmission shall substitute fully for mailed notices.
- 2) Revocation. A Member may revoke his consent to electronic notice and any other electronic communication from the Association upon providing written notice of revocation to the Association. It is solely the responsibility of the Member who has given consent to receive electronic notices and electronic communication to ensure that the Association is furnished with any changes to the email address to which notices are delivered. Unless and until the member furnishes a revocation or amendment regarding said email address, the Association shall be deemed to have complied with its notice requirement by delivering electronic notice of the last known address on file with the Association.

Consent to receive electronic notices and electronic communication shall be deemed revoked by the Member if (i) the Association is unable to deliver two consecutive electronic transmissions given by the Association in accordance with such consent, and (ii) such inability becomes known to the Board of Directors or managing agent of the Association. The inadvertent failure of the Association to treat such email delivery failures as a revocation shall not invalidate any meeting or other action.

- 3) Directors. Directors may also receive notice of regular or special meetings of the Board by electronic transmission upon providing their consent in writing to receive such notice in the consent form described above.

REVISIONS APPROVED**

10 March 2024

 10 March 2024

 3/10/2024

 3/10/2024

 3-10-2024

BOARD OF DIRECTORS

 Stanley B. Will

 Mike Howard

 Roger P. Brown

 Tony J. Conte

**An Electronic Notices Resolution was originally approved by the Board in 2018. At that time, property owners were directed to forward completed forms to Gibson and Associates, LLC, the management company used by the POA. The management company contract was not renewed for 2024; therefore, the Resolution and form were revised to delete reference to Gibson and Associates and provide new instructions as to where to send the completed form.

Dear Buckhorn Property Owner Association member;

In an effort to provide a more prompt and economical means of communicating with Members, the Board of Directors would like, whenever possible and allowable, to use email.

If you would like to begin receiving notice and other communication from the Association via email, please complete, sign, and return this form and send to **Buckhorn POA, Post Office Box 534, Clifton Forge, VA 24422**. Signed forms may also be returned by email to **BuckhornPOASec@aol.com**.

If you do not wish to receive electronic notices from the Association, please check here (). You will continue to receive required notices and other communication from the Association via US Mail.

Thank you,

Board of Directors,
Buckhorn Property Owners Association

1. Name/Mailing Address of Member: _____

Lot Number (s) _____

2. Agreement:

I hereby agree and consent to receive all legal notices and communication from the Association, including but not limited to annual and special meeting notices and applicable proxies, Board meeting notices (if applicable) and any other communication from the Association, via email at the email address provided below.

I further agree that the Association's electronic transmission of legal notices and communications to me at my verified address shall substitute fully for any written notice to which I may otherwise have been entitled under the Association's governing documents or applicable law and shall serve as legal and proper to me.

3. Member's Verified Email Address: _____

4. Change of Address/Revocation:

I understand that if my email address changes or terminates, it is my obligation to provide timely written notice to the Association. Unless and until I revoke this consent form or provide an amended email address, I understand that the Association shall be deemed to have complied with written notice requirements by sending communications to the email address on this form.

5. Member's Signature: _____ Date: _____