

May 5, 2010

Cherry Ridge Property Owners,

As indicated in the postcard dated April 26, change has come to the Cherry Ridge Owners' Association Board of Directors. On April 19, Craig Christensen tendered his resignation from the Board; it was accepted by the remaining three members of the Board on April 23, 2010.

The Board wants to sincerely thank Craig for his commitment to the Cherry Ridge Owners' Association over these past ten months. Craig dedicated countless hours to improving the common areas, removing dangers associated with our sidewalks through the "shave or remove process," and sought to bring the community together through the "drop box" and summer yard sale event. And there were many additional hours spent in researching options and information for the benefit of the Association.

His efforts have been recognized and appreciated by many home owners, as well as the commercial and multi-family entities of the Cherry Ridge neighborhood.

Also as indicated in the postcard, the following steps have been taken to navigate this change.

- Open enforcement proceedings, including fines, will be "frozen" until a new board is elected. They will review all open enforcement issues for resolution.
- The new board will take up the issue of hedge height, CC&R, 5.06.

The election for two (2) single-family board members will take place immediately; one position to fill the remaining year of Craig Christensen's term and the other to fill Sally Wright's position which expires May 2010. One board position will be for one year (end May, 2011) the other for two years (end May 2012). As stated in the CC&Rs and By-laws (CC&R, 3.04iii; 307ii. By-laws, Articles 5.1.3 and 5.3), owners elect board members and the board elects its officers.

The current Board of Directors has chosen to conduct this election by mail to assure all owners have an opportunity to participate and to provide documentation for CROA records. Nominations will be handled confidentially by our bookkeeper, Pam McBeth. At the close of the nomination period, paper ballots will be sent to all owners, complete with a self-addressed, stamped (CROA) envelope. Votes will be tabulated, recorded and results shared at a community-wide meeting.

Here is the timeframe:

- Nomination deadline, May 18, 2010 (see nomination form and instructions).
- Ballots sent to owners no later than May 30, 2010.
- Deadline to return ballots, postmarked by June 15, 2000.
- CROA meeting scheduled no later than June 30, 2010, to introduce new board members and turn over board responsibilities.

## The Role of Owners and Boards

Taken from:

*“The Essentials of Community Association Volunteer Leadership”*

*Community Associations Institute*

*Copyright 2005 by CAI (Community Associations Institute) and Katharine Rosenberry*

### **ROLE OF THE OWNERS**

Although board members run community associations, governing documents and the law often reserve certain powers for the owners. For example, there are often provisions in the documents and the law stating that the owners must elect the board members. Also, some governing documents only permit owners to fill vacant positions on the board.

It is the owners—not the board members—who generally have the power to amend the declaration (master deed) or propriety lease. The owners also may have the power to amend particular provisions of the bylaws....This usually requires consent from a specified percentage of the owners.

Along with these rights come obligations. The owners are obligated to adhere to the restrictions imposed in the governing documents.

Owners are also obligated to share in the financial operation of the community by paying their assessments on time....

Although the owners do not have a legal obligation to actively participate in the association, the association will not be able to function if no one participates. Therefore, it is important for the board to foster a sense of community spirit to encourage participation.

### **ROLE OF THE BOARD**

The board manages the community. The board’s authority to act on behalf of the association is not, however, unlimited. The governing documents—and sometimes the law—grant the board the authority and obligation to act. They also restrict the board’s ability to act. Provisions that *permit* the board to act use words such as *may*. Provisions that *obligate* the board to act use words such as *shall*.

The role and scope of authority of the board may be broad or specific, depending on the association’s governing documents and the law....Examples of the powers generally granted by the governing documents and state law include the authority to set goals, standards, and policies for the association; to enforce the governing documents; to maintain property; to maintain the association’s financial stability; to purchase adequate insurance; to enter into contracts for services; to create and supervise committees; and to conduct annual meetings and board meetings.

The board always has a fiduciary duty to the owners. Fiduciary duty is an umbrella term and includes a duty of loyalty and a duty of ordinary care.

*Watch for the following changes/additions to the Cherry Ridge Owners Association website.  
They should be completed by the end of May.*

*New Links*

- By-laws
- Budget/Financials for past five years
- Board Meeting Minutes/Agendas
- Newsletters

*Bulletin Board*

We'll be able to post board meeting times and locations as well as agendas on the bulletin board,  
Also time-sensitive information can be posted as needed.

*Thank you for your support. Marjorie Henderson, McKenzie White, Sally Wright*

**Cherry Ridge Owners' Association  
PO Box 33  
Troutdale OR 97060-0033**