

## **PROPOSED RESOLUTION**

The following Resolution will be introduced at the general meeting of the Greater Olney Civic Association, Inc., at its monthly general membership meeting on Tuesday the 14<sup>th</sup> of July 2020, which will be conducted virtually

Whereas, an association's board member's fiduciary duties involve three basic components: the duty of care, the duty of loyalty, and the duty to act within the scope of its authority. Whereas, an association's board members are first and foremost responsible for the personal safety of its members and the protection of its assets.

Whereas, when in the performance of their duties, an association's board members must balance the personal safety of its members and the protection of its assets, with the desire of the community.

Whereas, the Covid-19 county guidelines, requirements, and executive orders related to association common use facilities are dynamically changing in scope and carry unmanageable timelines which could result in an HOA acting in good faith being accused of gross negligence for not flawlessly executing these county guidelines, requirements, and related executive orders.

Whereas, many associations are being advised by the CCOC as well as their management companies, and attorneys not to open facilities at this time.

Whereas, the above referenced CCOC, management companies, and attorneys have been unable to obtain Covid-19 insurance, hence putting the assets of the association and the board at serious risk.

Whereas, a signed legal waiver does not protect associations and boards against litigation arising from Covid-19.

Whereas, without the guaranteed protection of associations against litigation, the operation of common use facilities cannot be achieved without putting its associations and boards at great fiduciary risk.

Resolved, therefore, the Greater Olney Civic Association formally requests the county and its responsible agencies, including the DHCA and the CCOC, immediately work to protect associations, including their boards and membership from any litigation based on Covid-19 or any future pandemics, in connection with the operation of common use facilities.

The Greater Olney Civic Association, Inc., (GOCA or Association) is the organization representing the many homeowner associations/community associations within the greater Olney area.

The objective of GOCA is “to study, plan, coordinate and promote the overall civic, economic, ecologic and cultural welfare of the community within the Olney Master Plan Area...” (By Laws, Article III (1)).

Date: \_\_\_\_\_

Matthew Robert Quinn  
President  
Greater Olney Civic Association, Inc.