

WIGGINS BAY FOUNDATION, INC.
RESOLUTION AUTHORIZING ELECTRONIC VOTING

WHEREAS, Section 720.317, Florida Statutes, expressly authorizes a homeowners' association to conduct elections and other membership votes through an internet-based online voting system for those members consenting to vote online; and

WHEREAS, the Board of Directors deems it in the best interest of Wiggins Bay Foundation, Inc. (the "Association") and its members to utilize online voting; and

WHEREAS, the Board of Directors wishes to institute a system of online voting in compliance with Section 720.317, Florida Statutes.

NOW, THEREFORE, it is resolved as follows:

1. Use of an online voting system is hereby provided for and authorized as permitted by Florida Statutes and any applicable provisions of the Florida Administrative Code, as both may be amended from time to time.

2. The online voting system authorized by this Resolution may be used for any matter that requires a vote of the Members. For any matter for which each Member retains the right to directly cast the Property Unit's vote, the Board of Directors may, by majority vote, permit online voting in its discretion. Accordingly, this Resolution shall provide the option, but not the requirement, to utilize online voting for all permissible matters.

3. To implement electronic voting, the Association may contract with an outside vendor or other party that provides electronic voting services. The Board will ensure that any method chosen can:

- a. Authenticate the Member's identity to the online voting system.
- b. Authenticate the validity of each electronic vote to ensure that the vote is not altered in transit.
- c. Transmit a receipt from the online voting system to each Member who casts an electronic vote.
- d. Confirm, at least 14 days before the voting deadline, that the Member's electronic device can successfully communicate with the online voting system.
- e. Permanently separate any authentication or identifying information from the electronic election ballot, rendering it impossible to tie an election ballot to a specific Member.
- f. Able to store and keep electronic ballots accessible to election officials for recount, inspection, and review purposes.

4. When the Association utilizes online voting, the notice materials required by law shall notify the Members of the ability to vote electronically, in a manner the Association reasonably believes to be sufficient to enable the Members to participate in electronic voting.

5. Members shall consent to online voting in writing by completing the required form on the online voting system. The deadline to consent to online voting shall be no less than twenty-four (24) hours before the meeting at which the Association authorizes online voting, and such consent shall be valid for future membership meetings until such time as the Member opts out of online voting.

6. Members who have consented to online voting may opt out of online voting by notifying the Association in writing no less than seven (7) days before the meeting at which the Association authorizes online voting.

7. A Member voting electronically shall be counted as attending the meeting for purposes of determining a quorum.

8. A vote cast electronically may be revoked at any time by the Member up until such time as the vote is closed at the meeting at which the vote is held. Any Member also will have the option of casting a vote in person at the meeting at which the vote is held. If the Member had previously voted electronically, a vote cast in person by that Member will revoke the prior electronic vote.

9. The Association hereby adopts the following form, which is incorporated into this Resolution by reference as Exhibit "A": **Electronic Notice and Electronic Voting Consent Form**. Unless prohibited by law, Members may provide consent or revocation of consent to the Association by e-mail in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation form are incorporated by reference and shall be deemed affirmed by the Member when consent is given or revoked by e-mail.

10. By signing or affirming the consent form attached as Exhibit "A" hereto and otherwise choosing to vote electronically in accordance with this Resolution, each Member recognizes that the Association cannot control the practices of third parties regarding internet communications and use of the Member's e-mail address. As such, and as a condition of the Association's agreement to permit electronic voting, each Member who consents to electronic voting releases and waives any claim against the Association pertaining to such voting, including, but not limited to, the transmission of "viruses", "malware", "spyware", "cookies", and the like. Each Member who consents to electronic voting also consents to provide information (including necessary personal identifying information) to electronic voting service providers or other third parties to the extent 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 Member inspection unless required by law.

11. By signing or affirming the consent form attached as Exhibit "A" hereto, each Member 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, Member

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 Member who consents to electronic voting releases and waives any claim or challenge to such voting, including, but not limited to, situations where a Member vote was not received or counted by the Association due to no fault of the Board of Directors or management.

12. Once a Member consents to receive Association notices via electronic transmission, the Member will no longer receive mailed/paper ballots or proxies until such time as the Member rescinds consent to receive notice via electronic transmission.

IN WITNESS WHEREOF, the undersigned has hereunto affixed a hand and the seal of the Association this 26th day of February, 2026 and this Resolution shall be effective on an even date herewith.

WIGGINS BAY FOUNDATION, INC.,
a Florida not-for-profit corporation

By: 

Printed Name: Maureen O'Shallcross

Title: President