

BRICKYARD CREEK COMMUNITY ASSOCIATION

JOINT RESOLUTION

To Create a joint operating partnership between the Brickyard Creek Condominium and Umbrella Associations to be known as the Brickyard Creek Community Association (BYCCA)

Adopted February 16, 2021**

WHEREAS: Brickyard Creek is a self-contained development of fourteen (14) individually owned homes and eighty-four (84) condominium units and sites. It is located along the shore of Lake Superior three miles north of Bayfield Wisconsin. The development's 140 acres are roughly bounded by Roy's Point on the south and the Red Cliff Tribal Reservation on the north.

WHEREAS: This development is known to its residents and the public as Brickyard Creek.

WHEREAS: The Brickyard Creek lake homes and condominium homeowners enjoy shared use a common lands and infrastructure including roads, nature trails, a beach, parking, and picnic area.

WHEREAS: The Brickyard Creek Expandable Condominium Association Inc. exists to meet the administrative, financial, operations and common element maintenance needs of the condominium homes.

WHEREAS: The Brickyard Creek Umbrella Association Inc, exists to provide for the maintenance and improvement of infrastructure and amenities commonly used by both home and condominium owners, and to hold associated and utility related and use easements for same.

WHEREAS: Each condominium unit and lake home property has one (1) voting membership in the Umbrella Association.

WHEREAS: The Umbrella Association and the Brickyard Creek Condominium Association have collaborated since the inception of the development as an informal but functional organization known as "The Brickyard Creek Associations".

WHEREAS: This collaboration includes the de facto election of separate boards of directors with identical members which then functions as an integrated community-wide Board; the appointment of a common membership to the Architectural Control Committees; the development of needed administrative, financial management, and operational services which are provided under the terms of a single, integrated community-wide budget.

WHEREAS: The Associations have collaborated on the hiring of a manager.

WHEREAS: The combined budget is supported by Board approved annual assessments, pro-rated to reflect the varying level of services received by condominium and lake homeowners.

WHEREAS: The Brickyard Creek Expandable Condominium Association has by informal agreement served as the fiscal agent and management services entity for both the condominium and lake home communities.

NOW THEREFORE BE IT RESOLVED:

RESOLVED: The Board of the Brickyard Creek Umbrella Association and Brickyard Creek Expandable Condominium Association by virtue of simultaneous passage of this resolution agree to work in an integrated partnership, known as the **Brickyard Creek Community Associations (BYCCA)**

RESOLVED: In support of this partnership the **BYCCA** will:

- Hold an annual meeting of the combined membership of the Brickyard Creek Umbrella and Condominium Associations.
- At the annual meeting elect members to the Board of Directors. The Board shall be composed no less than five (5) nor more than (7) members as long as the number is uneven. Directors shall serve 3-year staggered terms as members of both the Umbrella Association and Brickyard Creek Condominium Boards.
- The BYCCA Board shall meet jointly as a single, integrated Board, annually electing officers and performing all duties and responsibilities as provided by applicable declarations and bylaws.
- Develop, approve, and support Brickyard Creek Community Mission, Vision, Identity, Values statements and adopted Strategic Plans.
- Annually develop an operating budget and set assessments pro-rated to reflect the varying level of services received by condominium and lake homeowners.
- By adoption of this resolution formally authorize the Brickyard Creek Expandable Condominium Association to act as the management services provider and fiscal agent for the BYCCA authorizing it to: employ a manager, contract for needed services, manage and invest all reserves, arrange for needed insurances, prepare and insure submission of required tax filings and payments, perform such administrative duties as needed and required, provide for the maintenance and improvement of commonly used properties, infrastructure and amenities, establish working committees, appoint member to an support the functioning of the Architectural Control Committee, and perform other such duties it deems necessary and proper to ensure the wellbeing of the Brickyard Creek Community.
- From time-to-time review and update the provisions this resolution as judged necessary and as approved by majority of the Board.

RESOLVED: This resolution may be terminated by a vote of a majority (*two-thirds (66%)*) of the eligible membership of the Associations or by vote of 75% of the members of the Board of Directors

** NOTE: The Boards of the Umbrella Association and the Brickyard Creek Expandable Condominium Association each voted unanimously to adopt this resolution on February 16, 2021