

THE MOUNTAIN OAKS HOMEOWNERS ASSOCIATION
POLICY FOR CONDUCT OF MEETINGS

Effective Date: 10/03/2016

The Board of Directors desires to adopt a uniform and systematic policy applicable to the conduct of Board and Member meetings in order to provide transparency and accountability to MOHA homeowners. The following Policy for Conduct of Meetings applicable to all Board and Member meetings of the Mountain Oaks Homeowners Association ("MOHA") is hereby adopted by the Board of Directors of MOHA:

1. MOHA BOARD MEETINGS

A. Board Meeting Schedules and Agenda

- a. The MOHA Board shall hold an organizational board meeting after the annual homeowners meeting to elect officers, adopt a budget if not previously approved, set the annual assessments, and transact other business. This organizational board meeting will typically take place within 30 days of the annual meeting if there is minimal turnover in board members (same board or one person rotates onto the board), but will occur sooner if there has been substantial turnover in board membership (two or more new board members). No notice to homeowners is required for this meeting.
- b. Since MOHA Board meetings are not regularly scheduled, the Board will post notice of upcoming Board meetings on the MOHA website. Notice of board meetings shall be given 3 or more days prior to the meeting on MOHA website and will provide the agenda of items planned to be discussed at the time the agenda was posted. Last minute agenda additions may not be posted on the MOHA website.
- c. All Board meetings are open to attendance by homeowner members or their representatives.
- d. Homeowners who desire to attend a Board meeting and address the board with an issue can get on the agenda by contacting any Board member, preferably via e-mail, and including a statement of the issue they desire to bring up.
- e. In cases where a homeowner has provided MOHA with an email address for the purpose of being notified about MOHA activities, MOHA may send meeting notices to homeowners via email after the meeting notice has been posted on the website.

B. Conduct of MOHA Board Meetings

- a. Board meetings shall be conducted in accordance with Robert's Rules of Order.
- b. Homeowners at the Board meeting will be recognized by a Board member at the appropriate time on the agenda and prior to a vote on an agenda item. The

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- homeowner will state his/her name and address. The homeowner will provide a short background and perspective on the issue, especially if the topic is not familiar to board members. All comments by both Board members and homeowners should remain professional and businesslike. Inflammatory comments and personal attacks will not be tolerated.
- c. The Board is not obligated to take immediate action on any item on the agenda, including those items presented by homeowners.
 - d. Any member of the MOHA board of directors may make a motion. All motions will be recorded in the minutes. Motions must be seconded. Discussion both for and against a motion may take place.
 - e. If there are numerous homeowners in attendance, the Board may ask for a show of hands to indicate the amount of interest in discussion for each agenda item. Each person who wishes to express a position on an agenda item will be provided a reasonable period to do so prior to vote on the agenda item. Based on the level of interest, the Board may indicate how long each person has to speak.
 - f. If a topic has a lot of interest, the Board may announce a procedure to allow for orderly expression of homeowner positions.
 - g. Following homeowner input, the Board will indicate that the period for input has closed and will consider the agenda item or motion. An exception will be made to re-open discussion if the majority of Board members votes to open the discussion for further homeowner participation.

2. ANNUAL MOHA HOMEOWNERS MEETINGS AND SPECIAL MEETINGS

- a. Meetings of the owners as members of the MOHA shall be held at least once a year. Special meetings of the unit owners may be called by the president, by a majority of the executive board, or by unit owners having twenty percent, or any lower percentage specified in the bylaws, of the votes in the association. All regular and special meetings of the MOHA Homeowners are open to all owners or to any person designated by an owner in writing as the owner's representative.
- b. The Board shall give an annual review statement or presentation of all acts and corporate affairs at the annual meeting, in addition to any other business conducted. Annual homeowners meeting are not required to be held in accordance with Robert's Rules of Order.
- c. Notice of an annual homeowners meeting shall be personally delivered or mailed to each homeowner not less than 10 days or more than 50 days prior to the meeting. Notice will also be posted on the MOHA website. Because there is no conspicuous central location that is both feasible and practical to post a physical notice to the community, no notice shall be physically posted. If a homeowner requests notice by e-mail and provides an e-mail address, notice will be provided by e-mail. The

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- secretary of MOHA shall be responsible for providing adequate notice of the annual and special homeowners meeting. Notices shall state the time and place of the meetings, the agenda items, including the general nature of any proposal to amend the declaration or bylaws, any budget changes and any proposal to remove an officer or member of the MOHA executive board.
- d. Each homeowner will sign in prior to the annual meeting for himself/herself and for any proxies he/she holds. If the voting rights of delinquent homeowners have been suspended in accordance with the MOHA Bylaws, such homeowners shall not be given a ballot. If an election or vote is held, a Member in good standing will be given the appropriate number of ballots to represent their properties and the proxies they hold. Owners of each lot in Mountain Oaks subdivision are entitled to cast one vote.
 - e. Any ballot at the meeting for the election of directors shall be a secret ballot. A proxy ballot may be used for mail in voting, which is not secret as the owner's identity is required to verify ownership and address.
 - f. The President of the Board of Directors, or other person directed by the Board, will call the meeting to order and conduct the meeting. The meeting shall proceed in the order set in the agenda.
 - g. Each homeowner who wishes to speak may be given up to 5 minutes to speak prior to any vote on an agenda item or pending motion. The chair may impose reasonable time reductions to facilitate wider homeowner participation. Homeowners may not speak a second time until everyone who wishes to speak has been given an opportunity to speak once. Homeowners may not speak more than twice on any one topic, unless the meeting chair declares a period of open discussion.
 - h. Homeowners must maintain decorum and refrain from addressing the membership or Board until recognized by the chair. Upon being recognized, the homeowner must state his/her name and address.
 - i. Homeowners may not interrupt anyone who validly has the floor, or otherwise disrupt the meeting. Homeowners may not engage in personal attacks on either Board members or other homeowners. All comments and questions are to be delivered in a businesslike manner and comments shall be confined to matters germane to the agenda item being discussed. No homeowner may use abusive, rude, threatening, vulgar or crude language.
 - j. Homeowners must obey directions from the meeting chair, including direction to allow someone else the floor or to move on. Any homeowner who refuses to follow the above rules will be asked to leave the meeting.

3. MOHA EXECUTIVE CLOSED DOOR BOARD SESSIONS

The members of the Board may hold a closed door, executive session and may restrict attendance to Board members and other persons requested by the Board during a regular or specially announced meeting for discussion of the following:

- a. Consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client.
- b. Review of or discussion relating to any written or oral communication from legal counsel.
- c. Investigative proceedings concerning possible or actual criminal misconduct.
- d. Matters subject to specific constitutional, statutory, or judicially imposed requirements protecting particular proceedings or matters from public disclosure.
- e. Any matter for which disclosure would constitute an unwarranted invasion of individual privacy.
- f. Matter pertaining to employees of the association or the managing agent's contract or involving the employment, promotion, discipline, or dismissal of an officer, agent, or employee of the association.

Prior to holding a closed door session, the President of the Board, or other person designated to preside over the meeting, shall announce the general matter of discussion as stated above.

Minutes of all meetings at which an executive session was held shall indicate that an executive session was held and the general subject matter of the executive session.

No rule or regulation shall be adopted during a closed, executive session. A rule or regulation may be adopted only during regular or special meetings open to homeowners.

Upon the final resolution of any matter for which the board received legal advice or that concerned pending or contemplated litigation, the board may elect to preserve the attorney-client privilege in any appropriate manner, or it may elect to disclose such information, as it deems appropriate, about such matter in an open meeting.

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IN WITNESS WHEREOF, the undersigned certify that this Conduct of Meetings Policy was adopted by resolution of the Board of Directors of Mountain View Homeowners Association on this 3rd day of October, 2016.

MOUNTAIN OAKS HOMEOWNERS ASSOCIATION
A Colorado nonprofit corporation,

By: Steve Carmichall
President

By: Beverly Collins
Secretary