

ORCHARD PARK HOMEOWNERS ASSOCIATION

POLICY #0004: CONDUCT OF MEETINGS

Adopted 1/5/2023

The following procedures have been adopted by the Orchard Park Homeowners Association ("Association") pursuant to the provisions of C.R.S. §38-33.3-209.5, and in accordance with C.R.S. §38-33.3-308, the Association Documents, and The Act, at a regular meeting of the Board of Directors.

Purpose: To establish a uniform and systematic protocol for conducting meetings of the Association, including Members' meetings and Board meetings; to ensure equitable participation by Members while permitting the Board to conduct the business of the Association; and to memorialize the circumstances under which the Board may convene into executive session.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following Policy governing the conduct of meetings of the Members and meetings of the Board:

1. **Open Meetings.** All meetings of the Association are open to every Member, or to any person designated by a Member in writing as the Member's representative, subject to the right of the Board to conduct executive sessions as provided in the Association Documents and The Act.
2. **Agenda.** Copies of the agenda will be available at the meeting. The agenda for all meetings shall follow the order of business specified by the Association's Documents. If no order is specified, then as in accordance with the order of business as determined by the Board of Directors.
3. **Sign-Up Sheets.** Members who desire to speak at a meeting are requested to notify the Association in advance or on the meeting sign-in sheet. Any Member wishing to comment at the ensuing meeting may add his/her name to the sign-in sheet and indicate the agenda items they desire to comment on. Members will be recognized for comment at the appropriate agenda item and in the order their names appear on the sign-in sheet. The President of the Board or acting chair shall, to the best of his/her ability, allocate a time of not more than five (5) minutes to each Member for comment so as to allow as many Members as possible to speak. All Members wishing to comment who have not placed their names on the sign-in sheet will be permitted to speak, at the discretion of the President or acting chair and if time permits.

4. **Meeting Management.** The Board may place reasonable time restrictions on persons speaking during the meeting. At an appropriate time determined by the Board, but before the Board votes on an issue under discussion, Members or their designated representatives shall be permitted to speak regarding that issue, in addition to any other opportunities to speak. If more than one person desires to address an issue and there are opposing views, the Board shall provide for a reasonable number of persons to speak on each side of the issue.

(a) **Additional Member Input.** At the end of the meeting, at the Board's discretion, Members who did not sign up to speak or were otherwise not recognized to speak may be given the opportunity to address items that were discussed at the meeting.

(b) **Extended Discussion.** If it becomes evident that discussion of a particular issue will exceed the time allocated on the agenda, the Board may continue the meeting to another date or schedule a special meeting or work session to further address the issue.

5. **Recording of Meetings.** Note taking at Association meetings is permitted. Recording by video or audio of any meeting is not permitted unless explicitly authorized by the Board.

6. **Member Conduct.** No Member is entitled to speak until recognized by the chair. There shall be no interruption of anyone who has been recognized by the chair, except by the chair. Specific time limits set for speakers shall be strictly observed. Personal attacks, whether physical or verbal, and offensive language will not be tolerated. All comments are to be directed to the chair and not other individual participants. All comments are to be restricted to the agenda item being discussed. Members are expected to behave courteously.

7. **Curtailement of Member Conduct.** Should the President or acting chair determine that any Member has spoken for the allocated amount of time or longer, or determine that the Member is in violation of the provisions of this Policy, the President or acting chair shall have the authority to instruct that Member to yield the floor, terminate the discussion without prejudice and require that Member to comply with the President's or acting chair's instruction.

8. **Disruptive or Unruly Behavior.** If a Member unreasonably disrupts a meeting, refuses to stop speaking when requested, or is otherwise in violation of the provisions of the Association Documents, the President or acting chair may call a recess and attempt to speak directly to the Member, or adjourn the meeting to another time. The President may at any time call law enforcement or security to bring the situation under control. Any Member(s) found in violation of this Policy # 0004, Section 8, can be fined for disruptive and/or unruly behavior according to the Schedule of Fines in effect.

9. **Attorney-Client Privileged Communications.** 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.

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the Orchard Park Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution # 0004 was introduced for first reading at a duly called and held meeting of the Board on December 7, 2022, and is hereby approved and adopted by the Board, at a duly called and held meeting of the Board on 1/5, 2023, and in witness thereof, the undersigned has subscribed his/her name.

Orchard Park Homeowners Association, a Colorado
non-profit corporation

By:


President