

**POLICY
FOR THE
20TH HOLE TOWNHOMES ASSOCIATION, Ltd.
CONDUCT OF MEETINGS**

- SUBJECT:** Adoption of a policy and procedures for conducting Owner and Board meetings.
- PURPOSE:** To facilitate the efficient operation of Owner and Board meetings and to afford Owners an opportunity to provide input and comments on decisions affecting the community.
- AUTHORITY:** The Declaration, Bylaws and Articles of Incorporation of the Association and Colorado law, including but not limited to *Colorado Revised Statutes (38-33.3-308-310)*.
- EFFECTIVE DATE:** June 25, 2008
- RESOLUTION:** The Association hereby adopts the following procedures regarding the conduct of meetings:
1. **Owner Meetings.** Meetings of the Owners of the Association shall be called pursuant to the Bylaws of the Association.
 - A. **Notice.**
 - (1) All Owners shall be given in writing and conspicuously posted, if feasible, notice of the Annual meeting and any Special homeowners meeting not less than ten (10) but not more than thirty (30) days prior to each such meeting, or as may otherwise be required by Colorado law.
 - (a) For the Annual meeting a copy of the next year's annual budget as determined by the Board shall be provided. Each meeting notice shall include an agenda and proxy form.
 - (b) Special meetings may be held on any business day when called by:
 - (1) the Association's President, or (2) the Board of Directors, or (3) twenty percent (20%) of the Members entitled to vote. Upon delivery of a written request by the Members to the President or other board member, such officer shall give the Members notice of a meeting to be held on a date not less than ten (10), nor more than thirty (30) days after receipt of such request. If such notice is not given within twenty (20) days after delivery of such request, the Members who petitioned for the special meeting may fix the time of the meeting and give notice thereof. No business except as stated in the notice shall be transacted at a special meeting unless by consent of seventy-five percent (75%) of the Members present.
 - (2) If any Owner has requested that the Association provide notice via email and has provided the Association with an email address, the Association shall send notice of all Owner meetings to such Owner at the email address provided as soon as possible after notice is provided pursuant to the Bylaws but in no case less than ten (10) days prior to any such meeting.

B. Conduct.

(1) All meetings shall be conducted in accordance with Robert's Rules of Order and in accordance with the Colorado Non-profit Code.

- (a) The President of the Association or designee shall chair all Owner meetings.
- (b) All Owners and persons who attend a meeting of the Owners will sign in, present any proxies and receive ballots as appropriate.
- (c) Anyone wishing to speak must first be recognized by the Chair.
- (d) Only one person may speak at a time.
- (e) Each person who speaks shall first state his or her name and Unit address.
- (f) Any person who is represented at the meeting by another person, as indicated by a written instrument, will be permitted to have such person speak for him/her.
- (g) Those addressing the meeting shall be permitted to speak without interruption from anyone as long as these rules are followed.
- (h) Comments are to be offered in a civilized manner and without profanity, personal attacks or shouting. Comments are to be relevant to the purpose of the meeting.
- (i) Each person shall be given up to a maximum of three minutes to make a statement or to ask questions. The Board may decide whether or not to answer questions during the meeting. Each person may only speak once per agenda item. Yielding of time by a speaker to another individual shall not be permitted. Such time limit may be increased or decreased by the Chair, but shall be uniform for all persons addressing the meeting.
- (j) All actions and/or decisions will require a first and second motion.
- (k) Once a vote has been taken, there will be no further discussion regarding that topic.
- (l) So as to allow for and encourage full discussion by Owners/ Residents, no meeting may be audio-, video- or otherwise- recorded. Minutes of actions taken shall be kept by the association.
- (m) Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order will be requested to immediately leave the meeting.

C. Voting. All votes taken at Owner meetings shall be taken as follows:

(1) Contested election of Board Members (more than one candidate) shall be conducted by secret ballot. Each Owner entitled to vote, pursuant to the Bylaws, shall receive a ballot. The ballot shall contain no identifying information concerning the ballot holder. In the event an Owner holds a proxy for another owner, upon presentation of such proxy to the secretary of the association or the secretary's designee, the Owner shall receive a secret ballot to cast the vote of the owner who provided the proxy. The proxy shall be kept and retained by the Association.

(2) Uncontested elections of Board members and all other votes taken at a meeting of the Owners shall be taken in such method as determined by the Board of Directors including acclamation, by hand, by voice or by ballot, unless otherwise required by law.

(3) Notwithstanding the above, uncontested elections of Board members or other votes on any other matter affecting the Association shall be by secret ballot at the discretion of the Board or upon the request of 20% of the Owners who are present at the meeting or represented by proxy.

(4) Written ballots shall be counted by a neutral third party who are not Board members, and in the case of contested election, are not candidates. The Committee shall be selected at an open meeting, in a fair manner, by the person presiding during that portion of the meeting.

(5) The individual(s) counting the ballots shall report the results of the vote to the Chair by indicating how many votes were cast for each individual or how many votes were cast in favor and against any issue.

D. Proxies. Proxies may be given by any Owner as allowed by Colorado Revised Statutes 7-127-203. Proxy shall be effective only for the specific meeting for which it was originally given.

(1) All proxies shall be reviewed by the Association's Secretary or designee prior to the meeting's "Call to Order" as to the following:

- (a) Validity of the signature
- (b) Signatory's authority to sign for the unit Owner
- (c) Authority of the unit Owner to vote
- (d) Conflicting proxies
- (e) Expiration of the proxy

2. Board Meetings. Meetings of the Board of Directors of the Association shall be called pursuant to the Bylaws of the Association.

A. Notice

- (1) All Board of Director Meetings shall be called at the discretion of the board except for the initial meeting held immediately after the election of the new member(s) during the homeowner's annual meeting.
- (2) Board of Director Meetings are open to all residents to attend.
- (3) All Owners shall be given in writing notice of the board meetings that will include amendments to the Association policies, rules & regulations.
 - (a) All proposed amendments to the policies, rules & regulations shall be written in detail and distributed to the Owners no less than ten (10) days prior to the meeting.

B. Conduct.

- (1) All meetings shall be conducted in accordance with Roberts Rules of Order and in accordance with the Colorado Non-profit Code.
 - (a) The President of the Association, or designee, shall chair all Board meetings.

- (b) All persons who attend a meeting of the Board shall be required to sign in, listing their name and unit address.
- (c) All Owners/Residents will be given an opportunity to speak as to any matter or ask questions of the Board during the homeowner/resident forum at the beginning of the meeting. Any Owner wishing to speak during the homeowner/resident forum shall so indicate at the time of sign in.
- (d) Anyone desiring to speak shall first be recognized by the Chair.
- (e) Only one person may speak at a time.
- (f) Each person speaking shall first state his or her name and Unit address.
- (g) Any person who is represented at the meeting by another person as indicated by a written instrument at the meeting shall be permitted to have such person speak for him/her.
- (h) Those addressing the Board shall be permitted to speak without interruption from anyone as long as these rules are followed.
- (i) Comments are to be offered in a civilized manner and without profanity, personal attacks or shouting. Comments are to be relevant to the purpose of the meeting or issue at hand.
- (j) Each person shall be given up to a maximum of three minutes to speak or to ask questions, although questions may not be answered until a later date. Each person may only speak once during the owner forum and once on any other issue prior to a vote by the Board on such issue. Yielding of time by a speaker to another individual shall not be permitted. Such time limit may be increased or decreased by the Chair but shall be uniform for all persons addressing the meeting.
- (k) No meeting of the Board may be audio, video or otherwise recorded except by the Board to aid in the preparation of minutes. Minutes of actions taken shall be kept by the Association.
- (l) Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order shall be requested to immediately leave the meeting.

C. Owner/Resident Input. After a motion and second has been made on any matter to be discussed, but prior to a vote by the Directors, Owners, or their designated representatives, present at such time shall be afforded an opportunity to speak on the motion as follows:

- (1) The Chair will ask those Owners/Residents present to indicate by show of hands who wishes to speak in favor or against the motion. The Chair will then determine a reasonable number of persons who will be permitted to speak in favor of and against the motion and for how long each person will be permitted to speak. The Chair shall also announce the procedure for who shall be permitted to speak if not everyone desiring to speak will be permitted to speak.

(2) Following homeowner/resident input, the Chair will declare homeowner/resident input closed and there shall be no further owner participation on the motion at hand unless a majority of the Board of Directors votes to open the discussion to further homeowner/resident participation.

(3) Amendments to the policies, rules and regulations shall not become enforceable until 45 days following the Board of Directors distribution of the written amended document to the homeowners.

3. Meeting Minutes. All meetings, whether Homeowner or Board of Directors shall have written minutes documenting the date, time, place, attendees, record of the proceedings and motions approved. Written minutes of each meeting shall be signed stating "Recorded by" and distributed to the members within thirty (30) days for their approval, unless the next scheduled meeting is to be held within thirty (30) days.

A. Board meetings may be formal or informal but minutes shall be taken and in addition, each officer's vote for, against, or abstain shall be part of the minutes.

(1) Board of Director meeting minutes will be reported to the homeowners in a timely manner or within thirty (30) days of meetings.

4. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

5. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

6. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

7. Amendment. This Policy may be amended at any time by the Board of Directors.

**President and
Secretary's
Certification:**

The undersigned, respectively being the President and Secretary of the 20th Hole Townhomes Association, Ltd., a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on 6-25-2008 and in witness thereof, the undersigned has subscribed his/her name.

20th Hole Townhomes Association, Ltd.

By:

Widge B Abel
President

ATTEST:

By:

Candace A. Shelton
Secretary

Original signed copy on file with:

20TH HOLE TOWNHOMES ASSOCIATION, Ltd.

Proxy Form

I, the undersigned, being a bona fide owner in good standing of the 20th Hole Townhomes Association, Ltd, and as such entitled to cast one (1) vote at the annual/special meeting, to be held _____, do hereby appoint
(date of meeting)

Name _____

Address _____

as my proxy to attend this meeting with full power to vote for me in my name, place, and stead in the same manner and to the same extent and with the same effect that I might were I personally present thereat.

Signature _____ Lot Unit Number _____

Printed Name _____ Mailing address _____

Date Signed _____ Telephone number _____

Accepted this _____ day of _____,
(month) (year)

Recording Secretary _____
20th Hole Townhomes Association, Ltd.

NOTES:

1. If you have an item of new business which should be considered in the agenda, it should be submitted in writing to the President or the Secretary no less than one week before the scheduled meeting.
2. If you are unable to attend the meeting, you may give your proxy to someone who will be able to attend the meeting. The proxy must be given to the recording secretary prior to the start of the meeting ("Call to Order") for verification and approval.
3. If a Quorum is not reached by either proxy or in person, the meeting will be rescheduled. Please return your proxy or plan to attend in person.