

SOMERSET ESTATES HOMEOWNERS ASSOCIATION, INC.
CONDUCT OF MEETINGS POLICY

First Adopted 2/27/2019 – Rev 1 Adopted October 18, 2022

The following policy has been adopted by Somerset Estates Homeowners Association, Inc. ("Association") pursuant to the Colorado Common Interest Ownership Act ("Act"), including C.R.S. 38-33.3-209.5 and 38-33.3-308, as amended, at a regular meeting of the Executive Board ("Board").

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 specify the circumstances under which the Board or a committee thereof may convene into executive session. The general intention of the Board is for Members' and Board meetings to be conducted such that Members are heard and encouraged to participate in a reasonable manner.

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. Members' 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, and Members or designated representatives so desiring shall be permitted to attend, listen, and speak at the appropriate time during the deliberations and proceedings. The Order of Business at meetings of the Members shall be as set forth in the Notice of Meeting.

2. Board Meetings. All regular and special meetings of the Board, or any committee thereof, shall be open to attendance by all Members or to any person designated by a Member in writing. At regular and special meetings of the Board, except as stated below, Members who are not Board members may not participate in any deliberation or discussion unless expressly so authorized by a vote of the majority of a quorum of the Board or as otherwise allowed by the chairperson.

3. Members' Right to Speak at Board Meetings. At Board meetings, at an appropriate time, to be determined by the Board, the Board shall permit Members or their designated representatives to speak before the Board takes formal action on an issue under discussion. However, the Board may place reasonable time restrictions on those persons speaking during any meeting. 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(s).

4. Agenda: Open Forum. The President of the Board, and in his/her absence, the Vice President, shall be the chairperson of all meetings. The agenda for all meetings shall be in accordance with the order of business determined by the Board. The agenda for Members' meetings shall be determined and noticed in the manner set forth in CRS section 38-33.3-308, unless the Declaration provides for different notice requirements. The agenda shall include a Member Open Forum during which any Member or Member's designated representative who wishes to speak will have the opportunity to do so, subject to the remaining provisions of this policy. The agenda for Board meetings shall include a Member Open Forum, subject however, to the Board's right to dispense with or limit the Member Open Forum at the discretion of the Board, except that such limits on the Member Open Forum shall always be subject to the provisions of paragraphs 2 and 3 of this policy.

5. Limits on Right to Speak. The Board shall have the right to determine the length of time of the Open Forum and the discussion period prior to the Board taking formal action on an issue under discussion. The chairperson of the meeting may place reasonable limitations upon the time given to each Member seeking to comment, to allow sufficient time for as many Members as possible to comment within the time permitted. Unless otherwise determined by the chairperson, the time limit will be three minutes per Member. The chairperson shall, to the best of his/her ability, allocate time to each Member for comment so as to allow as many Members as possible to speak within the time permitted. Each Member will only be allowed to speak more than once at the discretion of the Board. No Member may speak a second time until all Members

including a disciplinary hearing regarding an Owner and any referral of delinquency; except that an Owner who is the subject of a disciplinary hearing or a referral of delinquency may request and receive the results of any vote taken at the relevant meeting;

- (f) Review of or discussion relating to any written or oral communication from legal counsel.

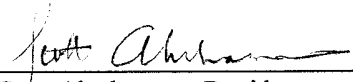
Prior to the time the Board members convene in executive session, the chairperson shall announce the general matter of discussion as enumerated in paragraphs (a) to (f) above. No rule or regulation of the Board shall be adopted during an executive session. A rule or regulation may be validly adopted only during a regular or special meeting or after the Board goes back into regular session following an executive session.

The 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. Minutes of executive session may be kept but are not subject to disclosure pursuant to the Association's policy regarding inspection of records.


13. Miscellaneous. Failure by the Association to enforce any provision of this policy shall in no event be deemed to be a waiver of the right to do so thereafter.

14. Severability. If a provision of this policy is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provisions of this policy.

Somerset Estates Homeowners Association, Inc.

By: 
Scott Abrahamson, President

This Conduct of Meetings Policy was amended by the Executive Board on the 18th day of October, 2022, effective immediately, and is attested to by the Secretary of the Somerset Estates Homeowners Association, Inc.

By: 
Paula Hemenway, Secretary