

Dranesville Estates Homeowners Association
Resolution No. 2022-1
Use of Electronic Means for Meeting

WHEREAS, Declaration of Covenants, Conditions and Restrictions of Dranesville Estates Homeowners Association, as amended, (the "Declaration") and the Articles of Incorporation of Dranevsville Estates Homeowners Association, as amended, (the "Articles of Incorporation") and the By-Laws of Dranesville Estates Homeowners Association (the "By-Laws"), as amended. together known as the Governing Documents, provide that the Lots are subject to the Governing Documents and the rules and regulations of Dranesville Estates Homeowners Association (the "Association"); and

WHEREAS, there were amendments to §§ 55.1-1800, 55.1-1815, 55.1-1816 and 55.1-1832 of the Code of Virginia (1950), as amended, (the "Virginia Property Owners' Association Act" or the "POAA"), relating to the use of electronic means for meetings, that became effective July 1, 2021; and

WHEREAS, § 55.1-1800 of the POAA provides that a meeting conducted by electronic means includes a meeting conducted via teleconference, videoconference, Internet exchange, or other electronic methods; and

WHEREAS, any term that is defined in § 59.1-480 of the Uniform Transactions Act (Va. Code Ann. §§ 59.1-479 et seq.) has the meaning set forth in that section; and

WHEREAS, pursuant to § 55.1-1832.A of the POAA, any notice to be sent or received by the Governing Documents or the POAA may be accomplished by electronic means, with the exception of any notice related to an enforcement action by the Association, an assessment lien, or foreclosure proceeding in enforcement of an assessment lien; and

WHEREAS, §§ 55.1-1815.H and 55.1-1832.F of the POAA provide that, unless expressly prohibited by the Governing Documents, a meeting may take place by electronic means, provided that the Board of Directors ("Board") has adopted guidelines for such meetings;

WHEREAS, § 55.1-1832.F of the POAA provides any meeting of the association or Board or any committee, may be held entirely, or partially, by electronic means provided that the Board had adopted guidelines for the use of electronic means for such meetings; and

WHEREAS, the statutory provisions cited above relating the use of electronic means for meetings are not prohibited by the Governing Documents of the Association, and therefore, apply to the Association pursuant to §§ 55.1-1832.A and 55.1-1835.H of the POAA; and

WHEREAS, a "Meeting" shall include (a) regular meetings, special meetings and work sessions, certified meetings, covenant violation or due process hearings pursuant to § 55.1-1819 of the POAA, and/or Association Complaint hearings under § 54.1-2354.4 of the Code of Virginia of the Board ("Board Meeting"), including an Architectural Review Board, a Nominating Committee and other committees of the Board ("Committee Meetings"), and (b) meetings of the Association or owners including annual meetings of the association and special meetings of the association ("Association Meeting"); and

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts this resolution and guidelines for the use of electronic means for meeting.

A. Use of Electronic Means for Board Meetings.

1. Any Board Meeting or Committee Meeting may be held entirely or partially by electronic means provided the Board has adopted guidelines for the use of electronic means for such Meetings. Such guidelines shall ensure that persons accessing such Meetings have an opportunity to do so.

2. The Board shall determine whether any Board Meeting or Committee Meeting may be held entirely or partially by electronic means.

3. In compliance with the Governing Documents and the POAA, notice of the time, date, and place of each Board Meeting or any Committee Meeting shall be published where it is reasonably calculated to be available to a majority of the Owners.

4. The Board will select a conference application, or contractor, type of equipment, computer, and/or telephone which will facilitate a Board Meeting, or Committee Meeting conducted by electronic means, including the Owner comment period of a Board Meeting, permitting Owners to comment on matters relating to the Association, or in the case of a special meeting, comment on matters listed on the Board Meeting agenda. The Board shall ensure that persons accessing such Board Meeting are authorized to do so. There is not an Owner comment period for Committee Meetings.

5. Except for those portions of a Board Meeting or Committee Meeting conducted in executive session pursuant to the POAA, Board Meeting or Committee Meeting conducted by electronic means shall be open for Owners to monitor or participate when authorized.

6. In compliance with the POAA, the Board may adopt procedures regarding the length of the Owner comment period, establishing a time limit for each Owner and the times during the Board Meeting when an Owner may be able to comment. An Owner must be recognized by the presiding officer at the Board Meeting before being provided an opportunity to comment. Once the Owner comment period has concluded, Owners shall no longer interrupt the Board Meeting unless they are recognized by the presiding officer, which the officer may decline to do in his/her discretion. There is not an Owner comment period for Committee Meetings.

7. In compliance with the POAA, the Board shall adopt procedures for making the board packet for the open portion of the Board Meeting or Committee Meeting available for examination by the Owners at the same time it is made available to the Board or Committee members. .

8. In compliance with the POAA, any Owner may record any portion of a Board Meeting or Committee Meeting required to be open that is conducted electronic means; however, any Owner doing so must provide notice that the Board Meeting or Committee Meeting is being recorded prior to commencing the recording.

B. Use of Technology.

1. If any Owner does not have the capability or desire to conduct business at a Board Meeting or Committee Meeting using electronic means, the Association shall make available a reasonable alternative, at its expense, for such Owner to conduct business with the Association.

2. Pursuant to § 55.1-1832.A of the POAA, any notice to be sent or received by Governing Documents or the POAA, may be accomplished by electronic means, with the exception of any notice related to an enforcement action by the Association, an assessment lien, or foreclosure proceeding in enforcement of an assessment lien.

3. The Board shall make available instructions to the Owners on how to participate in any Board Meeting or Committee Meeting conducted by electronic means. This information will be made available to the Owners on any of the venues designated by the Board normally used to announce Board meetings, such as the community web site, bulletin board or newsletter.

4. The Secretary, or its designee, shall take the minutes of the Meeting, and the fact that the Board Meeting or Committee Meeting was held by electronic means, entirely or partially, and the type of electronic means by which the Board Meeting or Committee Meeting was held.

This Resolution was adopted by the Board of Directors on 9/20/2022 .

The effective date of this Resolution is September 20 , 2022.

The Board directs that this Resolution regarding meeting by electronic means shall be reasonably published or distributed to the Owners.

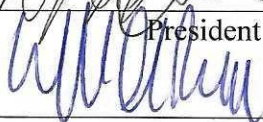
Dranesville Estates Homeowners Association

By:



President

ATTEST:



Secretary