



*“Government is best that governs least.”* – Thomas Jefferson  
Monticello Woods Policy Resolution # 2009-1

## **Monticello Woods Homeowners’ Association – Guidelines for Open Meetings**

The Virginia Property Owner Association Act requires that all meetings of the Board of Directors and HOA committees be open for member access, with only minimal exceptions for narrowly defined confidential subjects (e.g. personnel issues, attorney conversations, contract proposals). While this might feel like a nuisance to the person trying to get a team together to plan a social gathering or to organize the landscape committee, the purpose is to ensure that everyone has the chance to attend, contribute to the discussion, and ultimately be able to influence the governance of our community.

Accordingly, this memo defines policy for all meetings of the Monticello Woods Board of Directors and the meetings of all committees who may exercise authority over either financial or policy decisions of the Homeowners Association. Any member of the Monticello Woods Homeowners Association may appeal an action of any committee to the Board of Directors, and a member who feels the open meeting policy has not been properly applied may bring it to the attention of any member of the Board to schedule a review of the proceedings.

### **Required for all Board and Committee meetings:**

- All meetings shall be properly announced to the membership. The easiest way to do this is to have a regular standing meeting schedule.
- Otherwise, meetings must be announced by one of the following methods: posted on the sign at the entrance, posted on the website, notice sent by Email, or posted in the newsletter.
- An agenda should be available in advance, ideally as part of the announcement.
- All decisions should be made in sessions open to the members.
- It’s OK for board or committee members to confer by phone or send information to each other by Email, but a properly public forum requires that Email not be used for discussion, building consensus, or making decisions.
- Every meeting must have minutes taken. Meetings without minutes, by definition, aren’t proper meetings.

### **Minutes don’t have to be complicated or formal, but they should always be:**

- The official record of the decisions or actions taken, but NOT a record of the discussions, rationale, or motivations. Quotes and who-thought-what accounts are not actions of the board or committee, and therefore should never be in the minutes.
- Subsequently reviewed and approved at the next meeting.
- A complete list of actions taken. An action not noted in approved minutes is not valid.
- Retained in a sequential file for future reference by the Committee or the Board, and available to our membership for review if requested.
- Succinct, simple, and short. In many ways, less is better and clearer.
- A list of Board or committee members present and absent (NOT attending observers).
- If homeowners attend who are not members of the board or committee, they should be given the chance to speak at a specific point in the meeting in a Homeowner Forum. The Homeowner Forum should be noted in the minutes as having occurred, but names of attending homeowners and their comments should never be recorded in official minutes.

**Good Example of Minutes:**

A meeting of the Monticello Woods Social Committee was held on 3/3/03 at 6:30pm for the purpose of planning the Easter party, as announced in the newsletter. Attending were Mary Smith, Susan Jones, and Harry Schlunk. Absent were Fred Astaire and Ginger Rogers. The minutes of the last meeting on 2/2/09 were approved. It was determined that Fred no longer wishes to serve on the committee. The Easter party was discussed, and it was decided to spend \$122.22 from the social budget for the party. The meeting was adjourned at 8:40pm.

Approved by the committee 4/4/09. - Mary Smith

**Bad Example of Minutes:**

A meeting was held at the Grenelefe Bar because nothing ever gets done if Fred shows up. Since Fred and Ginger never get along with anybody and nobody likes their ideas anyway, the meeting was hopefully conducted without their knowledge. We decided to stop telling Fred about when we're going to have future meetings. Our priorities have been really stupid in the past, so instead of what those other people were going to do, it was decided to spend \$111.11 on beer and just \$11.11 on those little marshmallow chicken things and that kind of stuff.

**What's Wrong:**

There is no proper reference to this as a committee meeting, no reference to proper notice of time and place for the meeting, no list of committee members in attendance and absent, inflammatory content about committee/association members, these minutes represent a public declaration that the meeting was held without proper notice in violation of our bylaws (and state law too), the minutes document the deliberate exclusion of committee members, and there is no indication that an approval of the minutes occurred at a subsequent meeting.

Approved by the Board of Directors 4-21-09:

  
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