

MOUNTAIN TRAILS COMMUNITY ASSOCIATION
POLICY REGARDING CONDUCT OF MEETINGS
Jan 24, 2022

WHEREAS, the Board of Directors believes it to be in the best interest of the Association to establish a uniform and systematic protocol for conducting meetings of the Board of Directors which will ensure equitable participation by the Members, while permitting the Board to conduct the business of the Association;

AND WHEREAS, The Board wishes to formalize its policy and procedure regarding the manner in which persons attending may tape record (audio) or videotape those portions of the meetings of the Board of directors that are open and for meetings of the members as well. For purposes of this resolution any means of audio recording shall be considered synonymous with the term "tape record," and any means of video recording shall be considered synonymous with the term "videotape." [The terms "tape recording" and "videotaping" are used in the operative Arizona statute referenced *infra*.]

NOW, THEREFORE, BE IT RESOLVED that the Association does hereby adopt the following policy, rules and procedures, governing the conduct of meetings of the Board of Directors, and when and where applicable, the policy, rules and procedures shall also apply to meetings of the members. These principles apply to both in-person and teleconference meetings.

1. GENERAL. All meetings of the Association and Board of Directors 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 an appropriate time during the deliberations and proceedings.
2. TIME RESTRICTIONS. The Board may place reasonable time restrictions on those persons speaking during the meeting, but shall permit a Member or a Member's designated representative to speak once after the Board has discussed a specific agenda item but before the Board takes formal action on that item. The Board shall provide for a reasonable number of persons to speak on each side of an issue, and the Board shall have the right to determine the length of time each person speaks. Unless otherwise determined by the President or acting chair, the time limit will be two (2) minutes per Member. Speakers may not allot their time to others.
3. OPEN DISCUSSION. The Board shall have the right to determine whether or not to allot meeting time to a member participation *Open Discussion* portion of its meeting. If it is to be included, unless otherwise determined by the President or acting chair, *Open Discussion* shall be conducted for approximately one-half hour after the meeting is called to order. The President or acting chair of the meeting may place reasonable limitations upon the time given to each Member seeking to comment during *Open Discussion* to allow sufficient time for as many Members as possible to comment within the time permitted. Unless otherwise determined by the President or acting chair, the time limit will be two (2) minutes per Member. Members will only be allowed to speak more than once during *Open Discussion* at the discretion of the Board. No Member may speak a second time until all Members wishing to speak have had an opportunity to speak

once. Speakers may not allot their time to others.

4. SIGN-UP SHEET. A sign-up sheet will be made available to Members immediately prior to the meeting. Any Member wishing to speak at *Open Discussion* may add his/her name to the sign-up sheet. Members will be recognized at the meeting in the same order as their names appear on the sign-up sheet. All Members wishing to comment who have not placed their names on the sign-up sheet will nonetheless be permitted to speak, time permitting. The President of the Board or acting chair shall, to the best of his/her ability, allocate time to each Member as to allow as many Members as possible to speak during the time allotted for *Open Discussion*.
5. CURTAILMENT OF MEMBER CONDUCT. Should the President or acting chair determine that any Member has spoken for the allocated amount of time or longer, the President or acting chair shall have the authority to instruct that Member to yield the floor and that Member will be obligated to comply with the President's or acting chair's instruction.
6. DISRUPTIVE OR UNRULY BEHAVIOR. If a Member refuses to stop talking after his/her allotted time has ended, or at any time interrupts the Board or another Member, his/her behavior shall be considered by definition *disruptive*. In that event, or in the event a Member in any manner otherwise *disrupts* the meeting, which definition shall include but not be limited to the use of obscene gestures or language, shouting, loud and/or aggressive speech or posturing, or similar behavior, the following procedure will be followed:
 - The President or acting chair will request [one time] that the Member desist from speaking or otherwise disrupting the meeting.
 - In the event the Member continues to be disruptive, or in the event the Member at any time after the request to desist is made, becomes disruptive again, the Member will be asked to vacate the premises (or muted by the teleconference administrator).
 - If the Member still refuses to cooperate, the President or acting chair shall temporarily adjourn the (in-person) meeting and may call or cause to be called the appropriate law enforcement authority to have the Member removed.
 - After the Member is removed, whether voluntarily or otherwise, the Board shall, if it so desires, reconvene the meeting to further conduct business, or upon motion and second, the meeting may be adjourned.
7. AUDIO AND/OR VIDEO RECORDING. Pursuant to A.R.S. 33-1804(A), the following rule governs the audio and/or video recording of open portions of the meetings of the Board and the membership:
 - The terms "record" and "recording" shall apply both to audio and video recordings.
 - All recording devices shall remain off until the presiding officer informs attendees that the meeting is about to be called to order and turned off immediately upon adjournment.
 - Recording devices must not produce sound or distracting light

emissions.

- In the event any recording device fails, the meeting will not be stopped while the device is reset or adjusted.
- A recording shall not be disseminated to members outside of the Association without the prior written consent of the Board.
- A recording of a meeting shall not be posted or otherwise made available on the internet or social media without the prior written consent of the Board.