

REFLECTION HOMES ASSOCIATION

POLICY RESOLUTION 2018-3

(Policy for Recording of Open Meetings of the Board of Directors and Committees)

WHEREAS, Article VII, Section 1 of the Bylaws of Reflection Homes Association charges the Board of Directors with the powers to adopt and publish rules and regulations governing the use of the Common Area and facilities, the personal conduct of the members and their guests, and to exercise for the Association all power, duties and authority vested in or delegated to the Association; and

WHEREAS, Section 55-510 (A) of the Virginia Property Owners' Association Act ("Act") requires that all meetings of the Board of Directors, including any subcommittee or other committee thereof, shall be open to all members of record; and

WHEREAS, Section 55-510 (B) of the Act states that any member may record any portion of a meeting required to be open; and

WHEREAS, Section 55-510 (B) of the Act further authorizes the Board to adopt rules governing the placement and use of equipment necessary for recording a meeting to prevent interference with the proceedings and requiring the unit owner recording the meeting to provide notice that the meeting is being recorded; and

WHEREAS, the Board deems it in the best interest of the Association to establish and publish such rules.

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the following policy governing recording meetings of the Association's Board, subcommittees and other committees:

A. Any unit owner may make a recording of an open portion of a meeting of the Board, subcommittee or any other committee by audio or visual means provided the unit owner:

1. Provides notice at the start of a meeting of the owner's intention to record the meeting.
2. Complies with all requests of the Officer or Chair presiding over the meeting concerning the placement and use of the equipment to prevent interference with the proceeding and view of other meeting attendees. In general:
 - i. Recording equipment and equipment operators must be positioned at the rear or sides of the meeting area and not in front of meeting attendees, or otherwise disruptive to the meeting;
 - ii. Recording of the executive session portion of any meeting is strictly prohibited; and

iii. Recordation of the meeting via any means of concealment or without prior notice shall be strictly prohibited.

B. The Officer or Chair presiding over the meeting may announce to all attendees that the meeting is being recorded at any time during the meeting and may post notices within the meeting area advising attendees that the meeting is being recorded by audio or visual means.

C. Any recording of a Board meeting produced by a unit owner may not be used, edited or distributed in any manner which violates applicable law. No part of any recording may be reproduced, modified, distributed or transmitted in any form or by any means, electronic or mechanical, including photography, partial or full transcription, email or internet posting without express permission from the Board of Directions.

D. Posting of any recording of a Board or committee meeting on any internet website, app or social media platform, communications platform or any other digital or other location to include, but not limited to, the owner's personal website or social media site(s) or those associated or affiliated with the Association is strictly prohibited. The meeting is intended to be an open meeting for the members of the Association and is not intended for viewing by individuals who are not members of the Association and do not have a right to attend such meetings.

E. Violations of this Resolution may be enforced pursuant to the Association's due process policies and procedures, including without limitation, the right of the Board to suspend the voting rights and the rights to use recreational facilities by an owner and the right to file suit to compel compliance. This Resolution shall not be deemed to be an election of remedies. In addition to the enforcement mechanisms described in this Resolution, the Association reserves the right to pursue any and all enforcement options available under the Association's governing documents or those available at law or in equity.

This Resolution is effective this 11th day of September 2018.

Reflection Homes Association

By: M. J. Olson
President