

WHITES MILL HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2021-01

USE OF TECHNOLOGY FOR MEETINGS

WHEREAS, Article IV, Section 1 of the By-Laws of the Whites Mill Homeowners Association (“Association”) states that the affairs of the Association shall be managed by a Board of Directors; and

WHEREAS, Article VI, Section 1 of the By-Laws of the Association assigns to the Board of Directors the power to exercise for the Association all powers, duties, and authority vested in or delegated to the Association and not reserved to the Members; and

WHEREAS Section 55.1-1832 of the Code of Virginia permits property owners’ associations to conduct much of their business by electronic means; and

WHEREAS, for the benefit and protection of the Association and its Members, the Board of Directors deems it desirable to establish guidelines to be followed by the Association and its managing agent for the use of electronic means for meetings of the Association, its Board of Directors, and any committee;

NOW, THEREFORE, BE IT RESOLVED THAT the following procedures concerning the use of electronic means for such meetings are adopted:

1. “Electronic means” shall be defined as in § 55.1-1800 of the Code of Virginia as it is in effect at the time of the meeting. Currently, the term refers to any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved, and reviewed by a recipient of such communication. A meeting conducted by electronic means includes a meeting conducted via teleconference, videoconference, Internet exchange, or other electronic methods.
2. Any meeting of the Association, the Board of Directors, or any committee may be held entirely or partially by electronic means. The Board of Directors shall have the discretion to determine whether any given meeting will be held entirely or partially by electronic means.
3. For any meeting that is held entirely or partially by electronic means, the Association shall choose a platform that provides members a reasonable opportunity to hear the discussion, to comment at appropriate times, and to vote.
4. Every person entitled to participate in a meeting will be given an opportunity to do so. If such person does not have the capability or desire to participate using electronic means, the Association will make available a reasonable alternative. A reasonable alternative may include providing a physical location from which they can access the meeting.

5. Notice of each meeting shall continue to be provided in accordance with the Association's covenants and bylaws. In advance of the meeting, the Association shall provide access instructions to all who are eligible to attend the meeting. Except in case of emergency, instructions should be sent by email at least 24-hours before the meeting is scheduled to begin. An access code or password shall be used to maintain privacy and security. Instructions should provide the name and contact information for who they should contact if they are having problems connecting to the system.
6. To ensure that all persons accessing the meeting are authorized to do so, all participants shall identify themselves by name and property address upon joining the meeting. Such identification can be done verbally or using a typed real-time chat feature. The Association shall retain a record of who attends each meeting. The person managing the virtual meeting on behalf of the Association shall verify each participant's right to attend as they join the meeting and shall terminate the participation of anyone who is not authorized to participate.
7. All votes taken during electronic meetings must satisfy the requirements of § 55.1-1832 of the Code of Virginia.
8. Members shall not record any portion of a meeting unless they provide notice that they are recording the meeting.

Duly adopted by action without a meeting of the Board of Directors October 23, 2021.

ATTEST:



Secretary

12/06/2021

Date