

**Minutes**  
**Horizon Towers Condominium Association**  
**Board Meeting**  
**July 12, 2023 at 6:30 PM in the Sportscenter**

- Dale Wheatley – President
  - Notice of Meeting
    - Emailed and posted on July 7, 2023
  - Roll Call – A quorum of 5 Directors were present
    - Dale Wheatley – President, Linda Scheve – Vice President, Dale Reece – Director  
Andy Hatfield – Director, Charles Spath – Director
  - The minutes from the previous board meeting were approved and posted shortly after the meeting
- President’s Report – Dale Wheatley
  - The President’s report is attached
  - Operating Procedures
    - It is great to have more homeowners participating in the process and hearing what’s going on at Horizon Towers
    - Please remain neighborly and respect your neighbor if things are getting heated
    - You will have a comment period before any votes
    - If we don’t cover a topic in the meeting you, can always talk to a board member. It might not be an immediate fix but you can start the conversation
  - Norma Jean E– After the engineering assessment how long will it take to get things fixed
    - Dale W– I can’t really give an answer to that until the assessment. After the assessment is completed, we will have an idea of what we need to do and what the time frame will be
    - Linda S– The Knott proposal says they will bill twice a month and invoices are due in 30 days
- Treasurer Report – Linda Scheve
  - Operating account has \$36,141.77
  - Reserve account has \$81,171.28
  - Total cash is \$117, 313.05
  - We moved our reserve account into an FDIC insured money market account. This account has a 2.75% APY and will provide larger interest returns
- Manager Report – Charles Garner
  - Trees – We have a bug infestation stressing some of the Pine trees around the property and have contacted T4 Trees and Alpine Tree Service to evaluate the trees and provide a solution
    - T4 Tree has provided a quote to spray 9 pine trees for \$1,671.00. They also suggest spraying our 18 ash trees for Emerald Ash Borer at a cost of \$3,840.00, this would last 2 years.
    - Alpine Tree will be sending their quote soon.
  - Birds – Birds are a problem at Horizon Towers. Maintenance has successfully trapped some of the pigeons. Watch for bird nests on your patios and don’t put out anything to attract them
  - Sprinklers – Maintenance has replaced or capped about \$1,000 worth of broken sprinklers. As we fix leaks other appear and we are still working to get them all under control. Maintenance has made some big improvement to the sprinkler system, but there is still a long way to go.
  - Insects – There has been a recent infestation of Elm seed bugs. These bugs are short lived and won’t be around long, but if you would like to have someone come spray then contact Jerry’s Pest Control and they can do it at a fair price. 970-242-7455

- Utility Closet and Door Hinge Inspection – This inspection took place on July 5<sup>th</sup> and we are reviewing the data and will send a letter to the homeowner if an issue was found
- Bird Holes – Summit Sealants will be coming the week of July 17<sup>th</sup> to repair the bird holes on the 8<sup>th</sup> floor
- Aaron's Lawn Care – They will be trimming vegetation from around the building on Friday 7/14
- Drain Hole in steam room – In the near future we will be briefly closing the steam room to install a second drain.
- Insurance Inspection – AmTrust, our new insurance underwriter, sent a building engineer to Horizon Towers to evaluate the property, the inspection went very well and the building engineer was impressed. He only made a handful of minor recommendations
  - Pool depth markers around the pool skirt
  - A rope divider across the pool for depths deeper than 48"
  - A placard for our fire system showing its specifications
- Architectural Report – Dale Wheatley
  - One thing this committee will do is look at the overall condition of the property and make recommendations that the board can choose to implement. Carol Grunkmeyer has drafted a report regarding our entry areas and is making recommendations to improve the signs and landscaping around the entry ways. The shrubs were put in a long time ago and they have become overgrown and some are dying. ARC recommends a rock border or curb around the Horizon Drive Entrance to stop cars from driving on the gravel and pushing it into the street
  - We are working to find low-cost and no-cost items that we can achieve despite limited budget
  - If you are remodeling something please look at the Architectural review form and make sure to submit one if necessary
    - *6.02(a) all plans for alterations and repair of structural or utility bearing portions of the buildings housing the Units must receive the prior written consent of the Architectural Committee*
- HTCA Treasurer Nomination
- Dale Wheatley nominated Linda Scheve to serve as treasurer
  - Andy Hatfield seconded the nomination
  - Vote
    - YES – Andy H, Dale W, Linda S, Chuck S, Dale R
  - Resolution Passed that Linda Scheve will serve as treasurer for the remainder of this term
- HTCA Secretary Vacancy – Dale Wheatley
  - There is an opening for secretary. Do any of the board members have an interest in the secretary position? No board members volunteered for the secretary position. An HTCA member can also serve as the secretary, if interested.
- Knott Laboratory
  - Dale W – The Board, per the 7/5 resolution, has been evaluating Knott Labs and their ability to do this work over the past months, we are at a time where we can vote on this proposal
  - Dale R – I believe that we should get a second quote for an engineering assessment. We want a competitive bid over a \$3,000 tree spraying, why would we not get one for such a big expense as this engineering study? It is not an emergency so we should take our time and make sure it's done correctly
  - Chuck S – I believe this is not an emergency but sometimes the timing is correct and after we get the assessment, that is when the real expense will come
  - Andy H – I want to get the water intrusion stopped as soon as possible and I think Knott would be able to at least help us with that. Rains will be coming in the near future and it will be important to get this done before then. I think we should start sooner than later and I don't think we would really save that much money.
  - Bill Carter – Why didn't we ask for more than 1 bid?

- Dale W – We had a third party recommend them to evaluate the building damage and they made an unsolicited bid.
  - Andy – Some on the board had not seen the comments by Knott for 2 months and were not informed about Knott. Once we saw the comments from Knott they were concerning.
  - Chuck S – We have had many meetings on this and nobody has brought any other companies forward that we should pursue. The bids for the study are not as important as the bids for the work
  - Dale R – I would like a second opinion for consistency
- Bill Carter- I agree, Knott seems great and they know what they are doing. It is my understanding that they will only write a report to tell us what needs to be fixed. After about 2 months will they will have a report?
  - Andy H – Hopefully they can tell us problems as they go
  - Dale R – I was impressed with Knott and this is an issue that needs to be addressed. I think we need to wait for the full report and then we can analyze it then we can move forward. Let them do their job and be efficient, then we will share the report.
  - Linda S – School District 51 has hired Knott Labs to assess GJ High school for usability and the airport has hired Knott to assess one of their twin T structures.
  - Dale W – I think we all agree that Knott is qualified to perform the assessment
- James Walton – I showed some pictures to a structural engineer and he said the most important thing is to get the engineers to do the assessment. Why haven't the owners been notified of the special assessment and had input as to whether we want a second opinion or not?
  - Dale W - Owner involvement is important and we have been having great turnout at the meetings where this is being discussed and the last special Meeting with the Knott Labs representative. There has not yet been a discussion regarding a special assessment. We have come this far and I would not like to go back at this point
- **Linda Scheve made a motion to amend the 7/5 resolution and remove the requirement for attorney review of the Knott Laboratory proposal**
  - **Andy seconded the motion**
  - Dale R – We should have the attorney look at it
  - Linda – The proposal is short and not complicated and I don't think it is necessary
  - Dale R – it is short that is why an attorney could look at it quickly. I always have an attorney look at business proposals
  - Norma Jean E – Will they give us a guarantee?
    - Stan Stroll said that because he is a professional engineer, he must stand behind his work and he must address any mistakes he makes.
  - Dale R – What is the cost of having an attorney look at?
  - Dale R – Asks Joan Carrico what her boss would think of having an attorney review this?
    - Joan Carrico – My boss is an attorney and he says to always bring it to him so he can take a look before you sign
  - Sharon Wheatley– This is just a facility assessment and we need to know where we're at
  - Andy H – James made a good point that the cost of Knott assessment will not be as critical as the cost of the repairs. Their sample assessment from the building in Arizona was very good.
  - **Vote**
    - **Yes – Andy H, Linda S, Chuck S, Dale W**
    - **No – Dale R**
  - **Motion Passed to amend the 7/5 resolution and remove the requirement for attorney review of the Knott Laboratory proposal**

- Dale W – This does not mean we won't use an attorney we are just not required to
- **Linda Scheve made a motion to accept the tier 2 option of the Knott Laboratory Proposal**
  - **Chuck Spath seconded the motion**
  - **Vote**
    - **Yes – Andy H, Linda S, Chuck S, Dale W**
    - **No – Dale R**
  - **Motion Passed to accept the tier 2 option of the Knott Laboratory Proposal**
  - Dale W – Charles will schedule Knott at their earliest convenience. They have said they could start work in about 15 days
- **Board Workshop Policy Proposal – Dale W**
  - We are meeting for workshops on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays at 9:30AM in the Sports Center
  - Work shops are not defined in the law or our By-laws. They are open and any homeowner may attend but there will be no agenda and the discussions are less formal.
  - Dale W – Proposed adopting a workshop policy
    - The proposed policy is attached
  - Dale R – Have we run it by the attorney?
    - Dale W – no we have not
  - Linda S – a policy passed by resolution would affect the board of the future and they would have to actively vote to change a policy. If this is a definition then boards can use it if they like but are not bound by it.
  - Dale W – I feel strongly that we define what these workshops are about and what the limits of these meeting are. This has been an issue since I started on the board and I would like to set this policy up so that future boards can change it, but they can't ignore it.
  - Dale R – Past board always references Lena and she had a different style than Dale W. and I don't think there were ever any secret meetings and that was how she wanted to run it. But anyone could come to them with problems.
  - Dale W – This policy proposal has nothing to do with Lena, it is a proposal to define our workshop policy
  - Linda S – I think this policy is restrictive
  - Dale R – I just want to make sure that legally this is correct
  - **Linda S – Made a motion to table this discussion regarding the proposed workshop policy**
  - **No second**
  - Mike Sutherland – I think a compromise would be that this is a guideline and not passed by resolution. I have never seen any boards that have a policy about workshops
  - James Walton – We are all happy with where the building is but since we moved in it felt like they were making decision without our input
  - Bill Carter - As a person in the "secret meeting" I think the difference is they will be scheduled instead of informally called. I support it
  - Andy H – I think by writing it in the by-laws this protects future owners from boards that may try to take too much power and we don't have closed meetings again. And we should consider it.
  - Chuck S – I like the guideline idea
  - Linda S – The openness that Andy and Dale want are already written into the by-laws so I don't see the need to write any further rules.
  - Andy H – On June 17<sup>th</sup> we received a letter we requested from our attorney that outlines what workshops are and I would like to post the letter
    - Attorney letter is attached
  - **Dale Reece made a motion to table this and discuss it in our next workshop.**
  - **Linda Scheve seconded the motion**

- Norma Jean – I talked with Dale W and he said we are more than homeowners we are like shareholders in this building. Workshops are a good tool.
- Dale W – I do not want to table the discussion; I believe this is important and is something that we can fix for this board. A future board can cancel the policy and make a new policy if desired.
- Linda S – I have a broader range of experience on the board at HT and we don't need another rule to follow.
- Bill Carter – Remember that Lowell ran the building for 20 years and he did not take requests. This responsibility was abdicated to Lowell and it wasn't all just one person's fault and there were no secret agendas. It just looks like Dale wants to open it up and make it scheduled.
- Sharon Wheatley – We have been here for 6 years and maintenance was not being done. We put a wall in the pool room and nobody agreed with that. So, I am in favor of this policy
- **Vote**
  - **Yes – Linda S, Dale R**
  - **No – Andy H, Chuck S, Dale W**
- **Motion not passed to table this and discuss it in our next workshop was**
- **Dale Wheatley made a motion to adopt the proposed workshop policy**
  - **Chuck Spath seconded the motion**
  - **Vote**
    - **Yes – Andy H, Chuck S, Dale W**
    - **No – Dale R, Linda S**
  - **Motion to adopt the workshop policy as a resolution passed**
  - Dale W – This policy can be changed or adjusted just as easily as it was passed tonight.
  - Andy H – I think this procedure will protect the owners
- **2023 Insurance unbudgeted costs**
  - Dale W - In the interest of time I propose we workshop this and make a plan or proposal for discussion
- **Knott unbudgeted costs**
  - Dale W - In the interest of time I propose we workshop this and make a plan or proposal for discussion
- **Maintenance Reserve –**
  - Dale R – I think the reserve is important and we should keep funding it the best we can
  - Dale W - In the interest of time I propose we workshop this and make a plan or proposal for discussion
- Dale W – The board would like to thank the anonymous donor that provided the Independence Day decorations throughout the building.
- Dale W – Thank you to everybody that help with the Independence Day celebration
- **Linda Scheve made a motion to adjourn**
  - **Dale W seconded the motion**
  - **Vote**
    - **Yes – Dale W, Linda S, Dale R, Andy H, Chuck S**
  - **Motion passed**
    - **Meeting adjourned at 8:13 PM**

## **President's Report - HTCA Board Meeting 7/12/2023**

**Thank you Members for taking time out tonight to participate in the HT Board Meeting. Just a quick reminder regarding maintaining neighborly decorum through the meeting. Members will have an opportunity to speak before any motion during discussion after seconding.**

**First, let's welcome Chuck Spath who has been appointed to fill the vacant Director position until the November election.**

**Tonight we are trying out a new agenda order where Owners are given an opportunity early in the meeting to make comments and share concerns instead of waiting until the end of a meeting.**

**The Board finds it useful to gather to share and discuss information more frequently than is possible at the Quarterly Board Meetings currently scheduled. We have adopted a schedule of meeting twice per month on 1st and 3rd Weds at 9:30. In Workshop sessions. The schedule for the 3rd Quarter is posted on bulletin boards through the building and will be emailed to all owners. Tonight's agenda includes further discussion on a policy to define just what a workshop is (and is not)**

**The Architectural Review Committee will be making a report on our activity.**

**We had an excellent public Q&A Meeting with the Stan Stoll, Owner of Knott Engineering last week learning a lot about the proposal to provide engineering assessment of our garage and building roof and overall structure for water intrusion related damage. More on this agenda item later.**

**We managed to obtain insurance coverage before our June 1st expiration date and at substantially reduced cost from our initial quoted cost, but, still almost double our previous years cost. Thanks to Betty and Andy for taking this issue down the home stretch.**

**Now it is time to assess how we will pay for the unbudgeted insurance costs as well as unbudgeted assessment and repair costs anticipated**

**during the remainder of 2023 while still addressing essential maintenance issues including bird hole repairs, driveway repairs, landscape care issues and the day-to-day repairs needed to maintain our home.**

**Speaking of paying for things - Linda, how are we doing budget-wise?  
(Treasurer Report)**

## Proposed Resolution

### Board Workshops

7/12/2023

#### Board of Directors Workshops Policy

The HTCA Board of Directors assemble informally to share and discuss information of concern to the Association in a manner the Board refers to as a Workshop. While these gatherings focus on Association affairs they are distinct from Regular or Special Board meetings in that there is generally no agenda, no advance notification requirement, no motions made or voted on and no minutes kept or published. Because there is no action taken at a Workshop there is no requirement regarding establishing a quorum.

Workshops are often attended by the HTCA Manager who enters in the informal exchange with updates on finance and project activities in the building. All Workshops are open to HTCA Members. Members will be welcome to make a statement during the Workshop or ask questions at a time specified by the Directors.

The frequency of Workshops will vary with the Association workload. When the Board elects to have a recurring or standing series of Workshops the dates, times and locations of the Workshops may be posted on the Association bulletin boards in the Card Room and Library, but, this is not a required action.

The informal exchange of information in a Workshop does not take the place of open discussion and voting carried out in Regular or Special Board Meetings.



# Attendance Record for HTCA Board Meeting July 12, 2023

Unit #	Name of Attendee
604	Sharon Wheatley
512	Brian Walls
704	Peggy Curry
510	Jean Carri Co
505	<del>BCA</del>
509	Jacqueline Hansen
807	Bonnie Jorgensen
412	Jo Ann Siddle
503	Margaret Grant
502	Carol Grunkemeyer
310	James + Debbie Walton
609	Donna Gear-
709	Claudia Dayan
204	Barb Kaper
603	Charm Gregg
804	Hessy Mcerry
402	Zy Kukul
706	Ronichele Bennera
305	Pattie Taylor
209	Mike Sutherland
411	Jagie Manton
803	CLADIS COPE
210	Diana Miles
208	Phyllis
605	Phyllis
211	Richard Hickey



## MEMORANDUM

To: Horizon Tower Board of Directors  
From: Andrew Teske  
Date: June 15, 2023  
Subject: Can a board workshop be held without member notice under CCIOA?

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### QUESTION PRESENTED

Under the Colorado Common Interest Ownership Act (CCIOA), can a workshop-type event where a quorum of the members of the Board of Directors of a community association participate in a discussion regarding community matters, but do not make decisions on any subject, be held without providing notice to the community members?

### BRIEF ANSWER

CCIOA requires that all meetings of a community association board of directors be open to attendance by the membership and notice must be provided to facilitate community participation. Workshop events may not be meetings of the board, and the Horizon Towers Condominium Association (the "Association") may choose to conduct these events without providing notice or otherwise specifically complying with CCIOA meeting notice requirements. However, it would be best practice to begin providing notice for such events and holding them as open meetings to minimize the risk of litigation or other adverse outcomes.

### STATEMENT OF FACTS

The Association is managed and operated by a Board of Directors. Like most community associations, all of the Directors are also community members, and many of the Directors also serve as Officers, wearing different hats at different times.

As is typical of most community associations, the Directors are the principal fiduciaries of the Association, and are the ultimate decision makers with respect to all matters. As a practical matter, however, the Directors choose to delegate most of their otherwise broad authority to Officers, whose roles and authority are generally provided in the Bylaws. Specifically, the President has plenary power over the Association's day to day operations, including most matters that would bear on the operation and management of the Association's affairs.

Historically, the Association's Directors, many of whom are also Officers, including the President, have held workshop-type discussions concerning various community matters. During these workshops, no matters are determined or voted on by the Directors, but matters

are discussed and often a consensus regarding the matters under consideration is revealed. The Board would prefer that these workshops be closed—meaning that there would not be any notice of the workshop to condominium unit owners, nor would the workshops be open to attendance by such other unit owners.

## DISCUSSION

As a common interest community, the Association is governed by CCIOA. CCIOA imposes requirements concerning corporate meetings of community associations. *See e.g.* CCIOA § 308. Among other requirements, CCIOA establishes that “[a]ll regular and special meetings of the association’s executive board, or any committee thereof, shall be open to attendance by all members of the association or their representatives.” *Id.* at § 308(2)(a). Similarly, CCIOA mandates that “all meetings of the association and board of directors are open to every unit owner of the association.” *Id.* at § (2.5)(a).

It is also important to note that within CCIOA there is a section enumerating what meetings can be held in executive session. C.R.S. § 38-33.3-308(4)(a)-(f). The statute even states that the topics for closed meetings “are limited to” the specified six topics, leaving little room to argue that any other topic should be discussed in a closed meeting. *Id.* at § 308(4). Those six topics are:

- (a) Matters pertaining to employees of the association or the managing agent's contract or involving the employment, promotion, discipline, or dismissal of an officer, agent, or employee of the association;
- (b) Consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client;
- (c) Investigative proceedings concerning possible or actual criminal misconduct;
- (d) Matters subject to specific constitutional, statutory, or judicially imposed requirements protecting particular proceedings or matters from public disclosure;
- (e) Any matter, the disclosure of which would constitute an unwarranted invasion of individual privacy, including a disciplinary hearing regarding a unit owner and any referral of delinquency; except that a unit owner who is the subject of a disciplinary hearing or a referral of delinquency may request and receive the results of any vote taken at the relevant meeting;
- (f) Review of or discussion relating to any written or oral communication from legal counsel.

*Id.* at 308(4)(a)-(f).

Importantly, however, CCIOA does not define the term “meeting,” leaving it open for interpretation. The common definition of the term is not terribly helpful, indicating that a “meeting” is “the act or process of coming together” or “an assembly for a common purpose.” Merriam-Webster’s Collegiate Dictionary, 11<sup>th</sup> Ed. That definition would almost

certainly include the workshop gatherings. In the legal or corporate context, the term often refers to formalized events where a corporation's managing authorities make decisions about corporate operations or policy. *See* Black's Law Dictionary, 7<sup>th</sup> Ed. (defining "meetings" as "as assembly of persons, esp. to *discuss and act on* matters in which they have a common interest", emphasis added). Thus, if no action will be taken at the workshop, or, as seems likely, the matters under discussion are more properly determined by the President than the Board, suggesting that the Board really could not act on the subject anyway, then a reasonable argument can be advanced that the gathering is not a meeting, in the narrower, corporate sense. Furthermore, the Association might argue that any matters requiring the Director's action were discussed and determined in open meetings, subject to CCIOA-compliant notice, at other times highlighting the differences in corporate procedure between the two.

While Colorado courts have not yet had occasion to resolve this interpretive question, Colorado courts have had the occasion to determine what constitutes a "meeting" in other contexts, including under the Colorado Open Meetings Law (OML), §24-6-401, *et seq.* C.R.S. While the OML provides statutory requirements binding only on government offices and agencies, and does not apply to the Association, the interpretation of its requirements provides some useful guidance. Under the OML, meetings are defined more similarly to the Merriam-Webster definition to include "any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication." *Id.* at § 402(b).

While this definition is very broad, case law concerning the OML has expanded the understanding of what falls outside the definition. Simple e-mail exchanges among non-decision makers do not constitute meetings under the statute. *Intermountain Rural Elec. Ass'n v. Colo. Pub. Util. Comm'n*, 298 P.3d 1027 (Colo. App. 2012) (holding that for a meeting to be subject to OML, "the record must demonstrate a meaningful connection between the meeting itself and the policy-making powers of the public body holding or attending the meeting."). Meetings that public body members do not call, plan, or actively participate in are similarly outside the regulations of the OML. *Bd. of Cnty. Comm'rs, Costilla Cnty. v. Costilla Cnty. Conservancy Dist.*, 88 P.3d 1188 (Colo. 2004) (finding that "[a] meeting is part of the policy-making process [and thus subject to OML] when the meeting is held for the purpose of discussing or undertaking a rule, regulation, ordinance, or formal action.").

The relatively minute detail considered by the courts in defining "meetings" for purposes of the OML signals a preference for open meetings and a generally broad construction of the terminology intended to require notice of and public participation in government decision making. Something similar seems likely under CCIOA, and the concept of community meetings will likely be given a broader rather than a narrower definition.

## OPTIONS

With the above discussion and context, the obvious question is this: What should the Owners' Association do next? There are several options, which present a spectrum of relative risk.

### 1. Treat the workshops as open meetings.

The most conservative course of action would be to treat the workshops as open meetings. Under CCIOA, this would mean providing notice prior to the meeting in a public place and opening the meetings up to attendance from any unit owners in the association. Low-cost and low effort, this strategy would provide near-complete legal protection to the workshops. Additionally, while the meetings would be open to other unit owners it is unlikely that such unit owners would actually attend or provide input. In practice, we suspect this approach would then be nearly indistinguishable from the current approach but with much less risk.

### 2. Only workshop items that can be discussed in executive session.

Another course of action would be to only hold workshop discussions when the items under consideration are enumerated as appropriate for executive sessions under CCIOA. So, for example, the board could hold workshops to discuss employees of the Association, consultation with or communications from legal counsel, or disciplinary hearings for unit owners. This would substantially reduce what items could be discussed in a workshop gatherings but would not require workshops to be noticed or open to all unit owners.

### 3. Use email instead.

Under relevant OML determinations, discussed above, email communication will sometimes fall outside of the definition of a meeting. In *Intermountain Rural*, the Public Utilities Commission (PUC) was in a position to give opinions and input to the General Assembly and Governor on proposed legislation, but the General Assembly and Governor were free to completely disregard their thoughts. 298 P.3d at 1032. As the PUC members were not the final policymakers, their email gatherings were not convened to discuss public business and so were not meetings subject to the OML. *Id.*

The Association could attempt something similar using members of the Board of Directors other than the President. As the President of the Owners' Association has the final say on what actions the Association will or will not take, that person is similarly situated to the Governor in *Intermountain Rural*. The other members of the Board of Directors are then similar to the PUC, whose members could generate opinions and input but did not have the final say. The Association's governance model is somewhat different, however, in that the Board can remove the President from office and appoint someone else, which generates a material distinction between the Association's e-mail discussions and the discussions in *Intermountain Rural*.

Nonetheless, under this model, there could be workshopping emails among the Board of Directors members (excluding the President), discussing what opinion the Board members want to give to the President on proposed actions or changes. If this approach were taken, some care should be used to be clear about the process being utilized and acknowledging that the President will make the decision regardless of Board input.

4. Continue with no changes.

The Association may choose to continue holding workshops without notice or community participation. The current approach leaves the Association open to claims that it is violating CCIOA requirements, and the defense of that action would hinge on untested technical interpretation of the term “meetings” as used in CCIOA, with a significant risk of adverse outcome.

CONCLUSION

We suggest the Association implement option 1, above, because of its attractive balance of low-cost implementation and high protective effect, though any of the other options are also available should the Association evaluate the balance of risks and benefits differently.