

HIGHLAND HILLS MAINTENANCE COMMISSION
Board of Trustees

BOARD POLICY NO: 1-2

Dated: 3 June 1992

Revised: October 2000

(Notice: This Policy supersedes all previous HHMC Board actions related to this subject.)

TITLE: GENERAL ADMINISTRATION: BEING HEARD BY YOUR BOARD

PRIMARY RESPONSIBILITY: HHMC SECRETARY

REFERENCES:

- 1) HHMC Board meeting minutes, 3 June 1992

DEFINITIONS:

1. Board is the Board of Trustees, Highland Hills Maintenance Commission.
2. Owner is any owner of Highland Hills Development real property.
3. Presenter is an owner recognized by the Board making a presentation per Procedures of the Policy.
4. Notice to Petition is BP Form 1-1. References are made to both.

PURPOSE:

The Board of Trustees recognizes the imperative of effective, on-going communications with the owners/residents of Highland Hills and encourages it. To that end this policy and the procedures herein are provided. The Board recognizes also that there are a variety of reasons that an owner could have for speaking to and being listened to by the Board. To tailor a single procedure for all reasons has been discussed and rejected in favor of having three procedures, and thereby creating more opportunity and making it easier for owners to be heard. An owner may use any or all of the methods described below which in his/her judgment will best serve the purpose:

a) OPEN FORUM. The last item on the Agenda of each regular meeting is Open Forum. It is available for owners attending the meeting to make comments or ask questions of the Board.

b) HEARING. The Board has created a Hearing Standing Committee for listening to owners at their request for any reason. While it cannot provide a Board decision or reverse the decision of an executive committee the Hearing Committee will provide an Opinion relative to any request or question brought before it.

c) PETITIONING THE BOARD. This method allows an owner to speak to the Board and receive a response of authority from the Board. The procedure has been stylized in a manner to assure that both the Board and the Petitioner will be focusing on the pertinent aspects of the subject under discussion.

The three methods above are not a substitute nor a replacement for informing the Board by the regular mail process. Nor are they a replacement for the authority of the standing executive committees, i.e. Architectural Control Committee, Community Environment Committee, etc. The Board Petitions can take the form of an appeal, a request, a suggestion, a query, or to inform the Board.

PROCEDURES FOR OPEN FORUM:

1. Overview: While it is not required it would be helpful to notify the Board President before the meeting that he/she wishes to be called upon at Open Forum time on the Agenda. Also a review of the Form 1-1 used for preparing a Petition presentation (see BP Form 1-2, attached) may prove helpful for the Open Forum Presentation.

2. Presentation: When called at Open Forum by the President rise, introduce yourself and commence your presentation. Normally, five minutes is time enough to make the point you wish to convey to the Board. The Board may ask questions inasmuch as they may or may not be prepared for your subject. It is highly unlikely any Board decision or action i.e. motion, vote, etc., may be taken regarding your subject at the meeting since for the Board Open Forum is information gathering.

PROCEDURES FOR HEARING COMMITTEE:

1. Overview: The Hearing Committee sits to hear complaints, enquires, answer questions, accept suggestions; in summary anything for the good of the order. It is Chaired by the VP of the Board and four other members of the Commission, only one of whom may be a Board member, but all four will have some expertise in the area under

question. The Chairperson of the Hearing Committee will provide in writing to the presenter and to the Board an Opinion following the Hearing. The Opinion of the Committee is not binding on the Board inasmuch as it is not a Board action.

2. Notification: Any Highland Hills property owner wanting to raise a point with the Committee can contact the Vice President of the Board or any Board member. Upon notification an owner requests a Hearing, the Chairperson will notify the owner (now the presenter) and selected committee members of the time and place of the meeting.

3. Presentation: While not required, the presenter is encouraged to use the Form 1-1 (attached) used for Petitions since it will aid in preparing for a methodical and logical discussion of the facts involved under consideration. The Chairperson may ask the presenter if he also would provide one copy of the Form for use by the Hearing Committee. This can prepare the Committee to be informed on the specifics under question and lead to a more meaningful Hearing. The presenter is not limited as to time for the presentation. The Committee may ask questions and seek additional data to make informed decisions relative to the topics raised by the presenter.

4. Resolution: A timely response in writing in the form of an Opinion of the Committee will be provided by the Chairperson to the presenter and to the President of the Board. If a presenter still is not satisfied, the Petition process remains an option.

PROCEDURES FOR PETITION:

1. Overview: A written notice requesting to Petition the Board should be provided by the Petitioner to any Board member a minimum of six days before the regularly scheduled Board meeting. It will then be passed on to the Secretary who will add the item to the Agenda and provide it to all Board members. At the meeting the Petitioner has five minutes to make a presentation to the Board and then, if required, respond to questions or comments from the Board. No later than the next following regular meeting a written response of progress or of conclusion will be provided from the Board to the Petitioner.

2. The Notice to Petition: (BP Form 1-1, attached). Detailed specifics appearing on the Form will help the Petitioner and the Board Members prepare for the presentation. The Form, in addition to facilitating scheduling, will help to preclude miscommunication occurring with, between or among the participants. It has been developed in a manner to assist the Petitioner in organizing the presentation and to assist the Board in following the rational or logic in comments, conclusions or other points the Petitioner desires to make.

BP FORM 1-1

The following is provided to assist in completing the form on the reverse side. When completed it will serve equally to inform the Board and to prepare yourself for your presentation to the Board.

Subject: Petition to Address the Board

Re: Appeal Request Suggestion Question Inform
(Determine and indicate the broad nature of your purpose)

Specific purpose for Petitioning the Board:

1. My purpose for petitioning the Board is:
(This should be a clear, brief and complete statement free of extraneous material, and is usually in the interrogatory mode)

Factors relevant to the request:

2. These are the Facts regarding my Petition:
(Enumerate facts with precision; can they be proven, are the pertinent?)
3. I have made these assumptions:
(Enumerate assumptions; they must be logical and acceptable to the point of the discussion.)
4. This is my understanding of the terms:
(Define your terms; insure everyone understands your meaning of uncommon terms to which you may refer.)

Discuss your position:

5. (Using the data above and supporting attachments if required, focus on a reasoned, logical development of your position; test and compare alternative solutions, methods. Your conclusion should clearly satisfy the stated purpose for petitioning the Board.)

Recommendation:

(Clearly and briefly state your recommendation. Does it respond to the purpose stated in #1. above?)

BP FORM 1-2

TO: Board of Trustees, HHMC

Date: _____

From: _____
(Name Address Telephone)

Subject: Petition to Address the Board

Re: Appeal Request Suggestion Question Inform

Specific purpose for Petitioning the Board:

1. My purpose for petitioning the Board is:

Factors relevant to the request:

2. These are the Facts regarding my Petition:

3. I have made these assumptions:

4. This is my understanding of the terms:

Discuss your position:

5. Based of the factors above I believe:

Recommendation:

6. My recommendation to the Board is: