

State of Nevada

Department of Business & Industry

Real Estate Division

Common-Interest Communities and Condominium Hotels Program



Meeting according to NRS 116 Statutes

Disclaimer

This is a general education class based on NRS 116 and related laws and regulations. It is not intended to provide legal advice. The instructor cannot comment on specific cases.



General Class Objectives

- Overview of NRS 116.3108 Meetings of units' owners of association; special meetings
- Overview of NRS 116.31083 Meetings of executive board;
- Overview of NRS 116.31151 Annual distribution to units' owners of operating and reserve budgets
- Overview of NRS 116.31085 Limitations on power of executive board to meet in executive session



Learning Objectives

- ▶ Upon completion of this class you will :
 - Be able understand differences between unit owners meetings vs executive board meeting
 - Unit Owners Budget Meetings
 - Executive Session Meetings
 - Emergency Meetings
 - Notice Requirements
 - Agenda Requirements
 - Minutes Requirements
 - Running a successful board meeting
 - CAM Responsibilities



Bylaws

NRS 116.3106 Bylaws.

1. The bylaws of the association must:
 - (a) Provide the number of members of the executive board and the titles of the officers of the association;
 - (b) Provide for election by the executive board of a president, treasurer, secretary and any other officers of the association the bylaws specify;
 - (c) Specify the qualifications, powers and duties, terms of office and manner of electing and removing officers of the association and members of the executive board and filling vacancies;
 - (d) Specify the powers the executive board or the officers of the association may delegate to other persons or to a community manager;
 - (e) Specify the officers who may prepare, execute, certify and record amendments to the declaration on behalf of the association;
 - (f) Provide procedural rules for conducting meetings of the association;**
 - (g) Specify a method for the units' owners to amend the bylaws;
 - (h) Provide procedural rules for conducting elections;
 - (i) Contain any provision necessary to satisfy requirements in this chapter or the declaration concerning meetings, voting, quorums and other activities of the association; and
 - (j) Provide for any matter required by law of this State other than this chapter to appear in the bylaws of organizations of the same type as the association.
2. Except as otherwise provided in this chapter or the declaration, the bylaws may provide for any other necessary or appropriate matters, including, without limitation, matters that could be adopted as rules.
3. The bylaws must be written in plain English.

A few simple things for the board to remember

MEETINGS

1. Request speakers to state their name before starting to speak –audio is record
2. You have a audience – be aware of non-verbal communication
3. Do not speak when some is speaking and has the floor
4. Educate the unit owners about meetings
 - ❖ The board does not have to respond
 - ❖ The board can limit the time on comments
 - ❖ Disrupting a meeting is violation of NRS 203.090
5. Review Roberts Rules



Unit Owners vs Executive Meeting



What is a quorum?

- ▶ A quorum is the minimum number of members who must be present to legally transact business.

Ex # people: 6-4, 5-3, 4-3, 2-1, 1-1

- ▶ The number is usually stated in the bylaws
- ▶ If the bylaws are silent and absent any adopted rules, a quorum is a simple majority of the members
- ▶ For owner's meeting, a quorum is defined in NRS as 20% of the voting members, unless the governing documents state otherwise
- ▶ The purpose of a quorum is to prevent an unrepresentative group from taking action in the name of the organization

NRS 116.3109 Quorum



Association Meeting Similarities

Meeting a place stated in or fixed in accordance with the bylaws

Shall cause notice–time and place of meeting

Agenda–actionable items listed

Period devoted to comments

Minutes & Minutes summary

Association Meeting Similarities

Set reasonable limitations on materials, remarks or other information to be included in the minutes of a meeting

Minutes shall be maintained until community is terminated

Unit owners may record on audiotape or other means of sound reproduction a meeting– provides notice of intent to record

Association Meeting Differences

Notice:

Unit owners – Not less than 15 days or more 60 days

Executive – not less than 10 days before date of meeting

Unit owners– mailed/email to address provided by unit owner

Executive – sent in mail, published in newsletter, hand delivered or posted in a prominent place with the association

Agenda:

Unit Owner– mailed with notice

Executive –mailed with notice or date on which and locations where copies of agenda be obtained

Differences

Timing of meetings:

Ability to comment:

Unit owners –once

Executive– twice scheduled for both beginning and end of meeting

Audio taping:

Unit owners & executive meeting – able to audio tape

Executive session – no audio required

Unit Owners Meeting “Budget”

Unit Owners Meetings

If the governing documents do not designate an annual meeting date of the units' owners, a meeting of the units' owners must be held 1 year after the date of the last meeting of the units' owners.

If the units' owners have not held a meeting for 1 year, a meeting of the units' owners must be held on the following March 1.

The units' owners may approve, at the annual meeting of the units' owners, the minutes of the prior annual meeting of the units' owners and the minutes of any prior special meetings of the units' owners.

A quorum is not required to be present when the units' owners approve the minutes.

Unit Owners Meeting For Budget

Unless the declaration of a common-interest community imposes more stringent standards, the executive board shall, **not less than 30 days or more than 60 days** before the beginning of the fiscal year of the association, prepare and distribute to each unit's owner a copy of:

(a) The budget for the daily operation of the association. The budget must include, without limitation, the estimated annual revenue and expenditures of the association and any contributions to be made to the reserve account of the association.

(b) The budget to provide adequate funding for the reserves required by paragraph (b) of subsection 2 of [NRS 116.3115](#).

Unit Owners Meeting Budget Reserves

The budget must include, without limitation:

- (1) The **current estimated replacement cost, estimated remaining life and estimated useful life of each major component** of the common elements and any other portion of the common-interest community that the association is obligated to maintain, repair, replace or restore;
- (2) As of the end of the fiscal year for which the budget is prepared, the current estimate of the **amount of cash reserves** that are necessary, and the current amount of accumulated cash reserves that are set aside, to repair, replace or restore the major components of the common elements and any other portion of the common-interest community that the association is obligated to maintain, repair, replace or restore;

Unit Owners Meeting For Budget Special Assessment

A statement as to whether the executive board has determined or anticipates that the levy of one or more special assessments will be necessary to repair, replace or restore any major component of the common elements or any other portion of the common-interest community that the association is obligated to maintain, repair, replace or restore or to provide adequate funding for the reserves designated for that purpose;

Budget Information

In lieu of distributing copies of the budgets of the association, the executive board may distribute to each unit's owner a **summary** of those budgets, accompanied by a written notice that:

(a) The budgets are **available for review** at the business office of the association or some other suitable location within the county where the common-interest community is situated or,

if it is situated in more than one county, within one of those counties but not to exceed 60 miles from the physical location of the common-interest community; and

(b) Copies of the budgets will be provided upon request.

Budget Meetings

Within 60 days after adoption of any proposed budget for the common-interest community, the executive board shall provide a summary of the proposed budget to each unit's owner and shall set a date for a meeting of the units' owners to consider ratification of the proposed budget not less than 14 days or more than 30 days after the mailing of the summaries.

Ratification Vote

Unless at that meeting a majority of all units' owners, or any larger vote specified in the declaration, reject the proposed budget, the proposed budget is ratified, whether or not a quorum is present.

If the proposed budget is rejected, the periodic budget last ratified by the units' owners must be continued until such time as the units' owners ratify a subsequent budget proposed by the executive board.

Additional Items for discussion at Unit Owners Meetings

The executive board shall, at the same time and in the same manner that the executive board makes the budget available to a unit's owner pursuant to this section, make available to each unit's owner the policy established for the association concerning the **collection of any fees, fines, assessments** .

The policy must include, without limitation:

- (a) The responsibility of the unit's owner to pay any such fees, fines, assessments or costs in a timely manner; and
- (b) The association's rights concerning the collection of such fees, fines, assessments or costs if the unit's owner fails to pay the fees, fines, assessments or costs in a timely manner.

Executive Session

NRS 116.31085 Right of units' owners to speak at certain meetings; limitations on right; limitations on power of executive board to meet in executive session

1. Except as otherwise provided in this section, a unit's owner may attend any meeting of the units' owners or of the executive board and speak at any such meeting. The executive board may establish reasonable limitations on the time a unit's owner may speak at such a meeting.

2. An executive board **may not meet** in executive session to **open or consider bids for an association project** as defined in [NRS 116.31086](#), or to enter into, renew, modify, terminate or take any other action regarding a contract.

3. An executive board **may meet** in executive session only to:

(a) **Consult with the attorney** for the association on matters relating to proposed or pending litigation if the contents of the discussion would otherwise be governed by the privilege set forth in [NRS 49.035](#) to [49.115](#), inclusive.

(b) **Discuss the character, alleged misconduct, professional competence, or physical or mental health of a community manager or an employee of the association.**

(c) Except as otherwise provided in subsection 4, **discuss a violation** of the governing documents, including, without limitation, the failure to pay an assessment.

(d) Discuss the **alleged failure of a unit's owner to adhere to a schedule** required pursuant to [NRS 116.310305](#) if the alleged failure may subject the unit's owner to a **construction penalty**.

Executive Session/Violation Meetings



Meet in Executive Session for Violations (NRS 116.31085)

An executive board may meet in executive session only to:

(c) Discuss a **violation of the governing documents**, including, without limitation, the failure to pay an assessment.

(d) Discuss the alleged failure of a unit's owner to adhere to a schedule required pursuant to [NRS 116.310305](#) if the alleged failure may subject the unit's owner to a construction penalty

NRS 116.31085 Right of units' owners



CC&R Violations– NRS 116.31031

Notice Must be Given!

- ▶ Written notice to alleged offender
 - Detailed description of the violation
 - Amount of fine
 - Proposed action to cure violation
 - Clear photograph if the violation relates to physical condition of the unit or grounds (and in other circumstances when possible)
 - Date, time, location of hearing
 - Opportunity to cure or contest the violation before a fine can be levied
- NRS 116.31031(4) Power of executive board to impose fines



Scheduling Violation Hearing

The executive board must schedule the date, time and location for the hearing on the alleged violation so that the unit's owner and, if different, the person against whom the fine will be imposed is provided with a reasonable opportunity to prepare for the hearing and to be present at the hearing.

The executive board **must hold** a hearing before it may **impose the fine**, unless the fine is paid before the hearing or **unless** the unit's owner and, if different, the person against whom the fine will be imposed:

- (a) Executes a **written waiver** of the right to the hearing; or
- (b) **Fails to appear** at the hearing after being provided with proper notice of the hearing.

Request for open hearing

An executive board shall meet in executive session to hold a hearing on an alleged violation of the governing documents **unless** the person who may be sanctioned for the alleged violation **requests in writing** that **an open hearing** be conducted by the executive board.

NRS 116.31085 Right of units' owners to speak at certain meetings; procedure governing hearings on alleged violations;

Board member not participate

A member of the executive board shall not participate in any hearing or cast any vote relating to a fine if the member has not paid all assessments which are due to the association by the member.

If a member of the executive board:

(a) Participates in a hearing in violation of this subsection, any action taken at the hearing is void.

(b) Casts a vote in violation of this subsection, the vote is void.

NRS 116.31031(9) Power of executive board to impose fines

Executive Session Minutes

Any matter discussed by the executive board when it meets in executive session must be generally noted in the minutes of the meeting of the executive board.

The executive board shall maintain minutes of any decision made concerning an alleged violation and, upon request, provide a copy of the decision to the person who was subject to being sanctioned at the hearing or to the person's designated representative.

NRS 116.31085(6) Procedure governing hearings on alleged violations

Special /Emergency Meetings

Special Meeting

An association shall hold a special meeting of the units' owners to address any matter affecting the common-interest community or the association if its president, a majority of the executive board or units' owners constituting at least 10 percent, or any lower percentage specified in the bylaws, of the total number of votes in the association request that the secretary call such a meeting.

Special Meeting

To call a special meeting, the units' owners must submit a written petition which is signed by the required percentage of the total number of voting members of the association pursuant to this subsection and which is mailed, return receipt requested, or served by a process server to the executive board or the community manager for the association.

NRS 116.3108 Meetings of units' owners of association; frequency of meetings; calling special meetings

Special Meeting

If the petition calls for a special meeting, the executive board shall set the date for the special meeting so that the special meeting is held not less than 15 days or more than 60 days after the date on which the petition is received.

The association shall not adopt any rule or regulation which prevents or unreasonably interferes with the collection of the required percentage of signatures for a petition pursuant to this subsection

NRS 116.3108 Meetings of units' owners of association; frequency of meetings; calling special meetings

Special Meeting– Removal of Board Member

NRS 116.31036 Removal of member of executive board.

1. Notwithstanding any provision of the declaration or bylaws to the contrary, any member of the executive board, other than a member appointed by the declarant, may be removed from the executive board, with or without cause, if at a removal election held pursuant to this section, the number of votes cast in favor of removal constitutes:

(a) At least 35 percent of the total number of voting members of the association; and

(b) At least a majority of all votes cast in that removal election.

2. **A removal election may be called by units' owners constituting at least 10 percent, or any lower percentage specified in the bylaws, of the total number of voting members of the association.**

To call a removal election, the units' owners must submit a written petition which is signed by the required percentage of the total number of voting members of the association pursuant to this subsection and which is mailed, return receipt requested, or served by a process server to the executive board or the community manager for the association.

*not full statute

It's not an emergency because you say so



Really no rush



Rush in action required

NRS 116.310(3) Meetings of executive board;

“Emergency” means any occurrence or combination of occurrences that:

- (a) Could not have been reasonably foreseen;
- (b) Affects the health, welfare and safety of the units’ owners or residents of the common-interest community;
- (c) Requires the immediate attention of, and possible action by, the executive board; and
- (d) Makes it impracticable to comply with the provisions of subsection 2 or 5.

Taking Action in an Emergency

In an emergency, the units' owners may take action on an item which is not listed on the agenda as an item on which action may be taken.

NRS 116.3108 Meetings of units' owners of association

Notice Requirements



NRS 116.31068 Notice to units' owners.

1. Except as otherwise provided in subsection 3, an association shall deliver any notice required to be given by the association under this chapter **to any mailing or electronic mail address a unit's owner designates**. Except as otherwise provided in subsection 3, if a unit's owner has not designated a mailing or electronic mail address to which a notice must be delivered, the association may deliver notices by:

- (a) Hand delivery to each unit's owner;
- (b) Hand delivery, United States mail, postage paid, or commercially reasonable delivery service to the mailing address of each unit;
- (c) Electronic means, if the unit's owner has given the association an electronic mail address; or
- (d) Any other method reasonably calculated to provide notice to the unit's owner.

Unit Owners Meeting

Not less than **15 days** or more than **60 days** in advance of any meeting of the units' owners, the secretary or other officer specified in the bylaws shall cause **notice of the meeting** to be given to the units' owners in the manner set forth in [NRS 116.31068](#). The notice of the meeting must state the time and place of the meeting and include a copy of the agenda for the meeting.

The notice must include notification of the **right of a unit's owner** to:

(a) Have a **copy of the minutes** or a **summary of the minutes** of the meeting provided to the unit's owner upon request, in electronic format at no charge to the unit's owner or, if the association is unable to provide the copy or summary in electronic format, in paper format at a cost not to exceed 25 cents per page for the first 10 pages, and 10 cents per page thereafter.

(b) Speak to the association or executive board, unless the executive board is meeting in executive session.

NRS 116.3108 Meetings of units' owners of association;

Executive Board Meeting

The secretary or other officer specified in the bylaws of the association shall, **not less than 10 days before the date of a meeting** of the executive board, cause notice of the meeting to be given to the units' owners

The notice of a meeting of the executive board must state the time and place of the meeting and include a copy of the agenda for the meeting or the date on which and the locations where copies of the agenda may be conveniently obtained by the units' owners. The notice must include notification of the right of a unit's owner to:

(a) Have a copy of the audio recording, the minutes or a summary of the minutes of the meeting provided to the unit's owner upon request, in electronic format at no charge to the unit's owner or, if the association is unable to provide the copy or summary in electronic format, in paper format at a cost not to exceed 25 cents per page for the first 10 pages, and 10 cents per page thereafter.

(b) Speak to the association or executive board, unless the executive board is meeting in executive session.

Agenda Requirements



NRS 116.3108 Meetings of units' owners of association;

4. The **agenda** for a meeting of the units' owners must consist of:

(a) A clear and complete statement of the topics scheduled to be considered during the meeting,

(b) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items.

In an emergency, the units' owners may take action on an item which is not listed on the agenda as an item on which action may be taken.

(c) A period devoted to comments by units' owners regarding any matter affecting the common-interest community or the association and discussion of those comments.

Except in emergencies, no action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to paragraph (b).

Agenda Executive Board

The agenda of the meeting of the executive board must comply with the provisions of subsection 4 of [NRS 116.3108](#).

A period required to be devoted to comments by the units' owners and discussion of those comments must be scheduled for both the beginning and the end of each meeting.

During the period devoted to comments by the units' owners and discussion of those comments at the beginning of each meeting, comments by the units' owners and discussion of those comments must be limited to items listed on the agenda.

In an emergency, the executive board may take action on an item which is not listed on the agenda as an item on which action may be taken.

Certain Complaints placed on Agenda of meeting of Executive Board

If an executive board receives a written complaint from a unit's owner alleging that the executive board has violated any provision of this chapter or any provision of the governing documents of the association, the executive board shall, upon the written request of the unit's owner, place the subject of the complaint on the agenda of the next regularly scheduled meeting of the executive board.

NRS 116.31087 Right of units' owners to have certain complaints placed on agenda of meeting of executive board.

Certain Complaints placed on Agenda of meeting of Executive Board

Not later than 10 business days after the date that the association receives such a complaint, the executive board or an authorized representative of the association shall acknowledge the receipt of the complaint and notify the unit's owner that, if the unit's owner submits a written request that the subject of the complaint be placed on the agenda of the next regularly scheduled meeting of the executive board, the subject of the complaint **will be placed on the agenda** of the next regularly scheduled meeting of the executive board

NRS 116.31087 Right of units' owners to have certain complaints placed on agenda of meeting of executive board.

Preparing An Agenda

- ✓ Outline of meeting
- ✓ Use an agenda form that lists the standard order of business
- ✓ Officers and committees to report are listed in the order in which they appear in the bylaws
- ✓ List only those officers or chairmen whom you know to have a report (saves time, no need for “no report” responses)
- ✓ Check bylaws for requirements that certain business be conducted at specific meetings of the year
- ✓ Check the minutes of the last meeting for any business that was postponed



Example of Agenda

- I. Call to Order
- II. Opening Ceremonies(optional)
 - A. Welcoming Remarks
 - B. Invocation
 - C. Pledge of Allegiance
- III. Minutes of the Previous Meeting
- IV. Reports of Officers
 - A. Report of the Treasurer
- V. Report of the Executive Board(annual meeting)
- VI. Report of Standing Committees
- VII. Report of Special Committees
- VIII. Unfinished Business and General Orders
- IX. New Business
- X. Announcements or Program
- XI. Adjournment



Agenda taken out of order

Below is an agenda of all items scheduled to be considered.

Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Board.

Items may also be combined for consideration, pulled or removed from the agenda at any time.

Agenda items may be taken out of order to facilitate the needs of the Board.

The Association audio tapes the regular business meetings of the Association in accordance with Nevada law.

Stacked Agenda

STACKED AGENDA: Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the Chairperson. Items may also be combined for consideration, pulled or removed from the agenda at any time. Persons who have business before the Commission are solely responsible to see that they are present when their business is conducted. Public comment may be limited to three minutes per person at the discretion of the Chairperson. The Commission may only take action on those items denoted as potential action items. Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the Commission may refuse to consider public comment (NRS 233B.126).

Minutes Requirements



Minutes of Unit Owners Meeting

The minutes of each meeting of the units' owners must include:

- (a) The date, time and place of the meeting;
- (b) The substance of all matters proposed, discussed or decided at the meeting; and
- (c) The substance of remarks made by any unit's owner at the meeting if the unit's owner requests that the minutes reflect his or her remarks or, if the unit's owner has prepared written remarks, a copy of his or her prepared remarks if the unit's owner submits a copy for inclusion

NRS 116.3108 Meetings of units' owners of association; frequency of meetings; calling special meetings; requirements concerning notice and agendas; requirements concerning minutes of meetings; right of units' owners to make audio recordings of meetings.

Executive Meeting Minutes

Except as otherwise provided in subsection 9 and [NRS 116.31085](#), the minutes of each meeting of the executive board must include:

- (a) The date, time and place of the meeting;
- (b) Those members of the executive board who were present and those members who were absent at the meeting;
- (c) The substance of all matters proposed, discussed or decided at the meeting;
- (d) A record of each member's vote on any matter decided by vote at the meeting; and
- (e) The substance of remarks made by any unit's owner who addresses the executive board at the meeting if the unit's owner requests that the minutes reflect his or her remarks or, if the unit's owner has prepared written remarks, a copy of his or her prepared remarks if the unit's owner submits a copy for inclusion.

Executive Meeting Minutes

The executive board may establish reasonable limitations on materials, remarks or other information to be included in the minutes of its meetings.

Executive Session meeting not be audio recorded

Executive board is meeting in executive session, the meeting must not be audio recorded

NRS 116.31083 Meetings of executive board; frequency of meetings;

Secretary and Minute Keeping

Guide to Writing Minutes

Do Record:

All adopted and “lost” defeated motions

Name of the maker of motion

Names of all members reporting

Names of all those elected or appointed

Number of votes on each side in a ballot or counted vote



Secretary and Minute Keeping

Guide to Writing Minutes

Don't Record:

Discussion or personal opinion

Name of the seconder of a motion

Motion withdrawn

Entire reports



Important points

- Write minutes as promptly as possible
- Promptly send a copy to president, alert the president to unfinished business.
- Prepare a summary of executive board meetings and be prepared to report motions to the membership.
- Sign the minutes and report the date of approval.
- Be specific in recording corrections, noting the date, the page and the line of correction appears. All corrections are in red.
- *Check the audio tapes



Running a successful board meeting

Preparing for Executive Board Meetings

Meeting Place prepared

Properly noticed

Past minutes prepared to be reviewed

Statutory requirements need to be scheduled

Ensure Recording equipment works—duplicate recordings

Board packets (containing information to be reviewed at the meeting) should be provided to directors early before the meeting.

Material for the executive session should be separated from material for the open portion of the meeting

Long-range planning schedule for audits, reserve studies, taxes, when contracts expire, elections, insurance and other regular expenses are due

Successful Meetings

Greet and welcome the attendees

Reminders of Roberts Rules of Order

Follow the agenda

Maintain order, firmly yet politely

People should be instructed to speak one at a time

Private conversations among board members, or among audience members, should be discouraged

No level of harassment should be tolerated

Successful Meetings

Reminders(proper meeting etiquette)

Speaking concerns(#minutes to speak)

Board is not required to respond, it is not a time for dialogue

Use stacked agenda when necessary (must be posted on the agenda, if using)

Have necessary equipment (gavel, timer, audio recorder)

What officers need to know to run a meeting effectively

1. Be on time and start on time
2. Be organized
3. Be prepared and be familiar for procedural rules of the bylaws
4. Be a teacher—explaining procedure clearly and communicate the next order of business
5. Be in control of the floor—remind members that floor assigned to one member at a time
6. Postpone or stop meeting if disorder arises



6. Be Impartial—give members of both sides of an issue an opportunity to speak
7. Be composed—stay calm and keep meeting moving
8. Be precise—restate the motion before taking a vote, be certain of results. May retake vote by requesting a showing of hands
9. Be focused—do not allow irrelevant discussion
10. Be temperate—use gavel sparingly, tap once to open and close the meeting

CAM Responsibility

- ▶ Robert Rules are being followed/Proper call to order
- ▶ All proper notice given to unit owners
- ▶ Packets completed and presented prior to meetings to all board members
- ▶ Clear agenda –listing all items of action
- ▶ Be sure no action items are voted on unless listed on agenda
- ▶ Stop any actions taken by the board which is a violation of NRS116, NRS116a or governing documents(i.e.no meetings outside scheduled meetings)
- ▶ Review actions taken are recorded and minutes are completed

CAM Responsibility

- ▶ Audio tape was successful if not notify board immediately
- ▶ Offer suggestions for success
- ▶ Meeting Minutes completed
- ▶ Storing of records (bids, contracts, violations)
- ▶ Meeting minutes and records available for unit owners to review
- ▶ Schedule any additional meetings
- ▶ Prepare proper notice

Disputes at Meetings

- ▶ Develop and follow procedural rules/code of conduct – make sure all directors and unit owners sign a copy
- ▶ Be calm, be patient
- ▶ Focus on the behavior, not the person
- ▶ Call for order
- ▶ Call a recess
- ▶ Violations...Consequences??
- ▶ Safety issues must be addressed



Disrupting a Meeting

- ▶ NRS 203.090 – Disturbing a meeting
 - Every person who, without authority of law, shall willfully disturb any assembly or meeting not unlawful in its character, shall be guilty of a misdemeanor
- ▶ NRS 116.31184
 - Threats and harassment prohibited,
 - Action that causes harm or serious emotional distress, or the reasonable apprehension thereof
 - Action that creates a hostile environment
 - Violation is a misdemeanor
 - Reportable to law enforcement



Summary

- ▶ Unit Owners Meeting
- ▶ Executive Board Meeting
- ▶ Executive Session Meeting
- ▶ Special / Emergency Meeting

*Notices

*Agenda

*Minutes

*Roberts Rules of Order



Summary Questions

1. A board member is flying out of town, would the board call a emergency meeting due to this situation? **No**
2. How many days notice must be given for unit owners meeting? **15**
3. How many days notice must be given for executive board meeting? **10**
4. Which meeting does not have be audio recorded?
Executive Session
5. If an agenda item was listed as “landscaping” how could this better be listed? **Motion to purchase trees for pool area**
6. A summary of the minutes must be completed within how many days? **Not more than 30 days**



QUESTIONS?

- ▶ Web Site
 - www.red.nv.gov
- ▶ Phone
 - 702.486.4480/877.829.9907/775.687.4280
- ▶ FAX
 - 702.486.4520/775.687.4868
- ▶ E-Mail
 - OMBCLASSES@red.nv.gov
- ▶ Office Locations
 - 2501 East Sahara Ave, Suite 202, Las Vegas, NV 89104
 - 1179 Fairview Drive, Suite E, Carson City, NV 89701



Additional Information

Consent Agenda

Q: What is a "Consent Agenda" and how will it make our meetings go faster?

At every board meeting, at least a few items come to the agenda that do not need any discussion or debate either because they are routine procedures or are already unanimous consent.

A consent agenda (Roberts Rules of Order calls it a consent calendar) allows the board to approve all these items together without discussion or individual motions.

The consent agenda is a SINGLE ITEM that encompasses all the things the board would normally approve with little comment. The minutes. The financials

http://www.wvcc.edu/CMS/fileadmin/PDF/Learning_Center/Consent_Agenda_FAQ.pdf
Depending upon the organization, this can free up anywhere from a few minutes to a half hour for more substantial discussion..

Consent Agenda

What belongs on the consent agenda?

Typical consent agenda items are routine, procedural decisions, and decisions that are likely to be noncontroversial. Examples include:

- Approval of the minutes;
- Final approval of proposals or reports that the board has been dealing with for some time and all members are familiar with the implications;
- Routine matters such as appointments to committees;
- Staff appointments requiring board confirmation;
- Reports provided for information only;
- Correspondence requiring no action.

Consent Agenda

- ▶ **How to start using a consent agenda**

In order to start using a consent agenda, the board should first adopt a rule of order allowing for the consent agenda process.

A sample rule is:

“A consent agenda may be presented by the president at the beginning of a meeting. Items may be removed from the consent agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the assembly.

http://www.wwcc.edu/CMS/fileadmin/PDF/Learning_Center/Consent_Agenda_FAQ.pdf

Consent Agenda Example

Board Meeting Agenda

Item #1: Welcome

Item #2: Consent Agenda

- a) Minutes of prior meeting
- b) Contract to retain HR Counsel
- c) Financial report
- d) Project status report
- e) CEO report

Item #3: Discussion Item:
Change recommended for XYZ Program

http://www.help4nonprofits.com/UseltToday/UseltToday-Consent_Agenda.htm

Decorum in Debate

- ▶ Confine remarks to the question before the assembly
- ▶ Do not attack another's motives
- ▶ Address remarks to the chair
- ▶ Avoid using members' names
- ▶ Do not attack a prior action
- ▶ Do not speak against your own motion
- ▶ Do not read from reports or books without consent of the assembly
- ▶ Yield to the chair
- ▶ Do not disrupt the meeting



A Motion is...

- ▶ A formal proposal by a member that is a tool used to introduce business in a meeting. The motion should be very specific. It should cover the who, what, when and how much (if money is involved)
- ▶ A main motion brings business before the assembly and can only be made if no other question is pending
- ▶ There are over 80 motions defined in Robert's Rules but only a third are commonly used



Types of Motions

- ▶ Main—as a proposal that certain action be taken or an opinion be expressed by the group
 - *I move that we accept the contract with ABC...*
- ▶ Subsidiary—Change the main motion. Relates directly to the motion on the floor. They are designed to expedite business by disposing of the pending motion other than by adopting or rejecting it.

I move the question of constructing a park be postponed until the next meeting....

Privileged

- Motions of an emergency nature or urgent matters not related to the business at hand. They do not relate to the motion on the floor but to the welfare of the group.
- They are high rank and must be handled before any other business that may be pending.
- *I move we recess for lunch..(hotel instructed to serve lunch at noon, current time 11:59am)*

Common Motions

- ▶ Motion to Table
 - Used to lay an issue aside temporarily. The issue must be taken up again at the same meeting or the next. It does not get rid of the issue.
- ▶ Motion to Postpone
 - Delays action on a question until later in the same meeting or until the next meeting.(a motion cannot be postponed further than the next regular meeting, however it can be renewed.
- ▶ Motion to Amend
 - Used to change a main motion. Voted before the main motion.
- ▶ Call the Question
 - Used to end debate, requires 2/3 vote
- ▶ Refer to Committee
 - Send the issue to a committee for further study.

Zimmerman, 2005,p 67

