

## **Having a Say in an HOA**

*by Richard Thompson*

There is a thin line between opening Board Meetings to member guests and having those guests commandeer the show. While most guests are content to sit back and listen, others feel it's their duty to pipe up on every subject and give their sage advice. You might even see their hand go up when the President asks for a vote. While maybe well intended (and maybe not), guests need to remain just that when attending a Board Meeting. This means only speaking when requested to speak.

One mechanism for letting guest members have their say is an Open Forum which is held just prior to the formal Board Meeting. But Open Forums need their ground rules. Some guests use them to soapbox, harangue and harass. The Open Forum is designed to allow members to express opinions, ask questions and petition the Board in a civilized and orderly fashion. It's up to the Board President to lay down the rules in advance and cut folks short that violate the privilege.

A fifteen minute Open Forum is usually adequate to accommodate the few guests that attend. The President should ask upfront who would like to speak in the Open Forum. Not all do, so establishing the number is important. If three say "I do" than that means each is allotted five minutes. If there are four, that means about four minutes. Announce the time limit and have a board member keep time. The message conveyed to the guest speakers should be "Be brief and to the point. We want to hear what you have to say but have important board business on the agenda we also need to attend to."

The Open Forum is not designed to examine or debate complex issues or have the Board actually vote on a guest's petition. If the guest is bringing a matter of complexity to the Board, it should be put on the agenda and dealt with properly. By so doing, the guest can have enough time to address the topic in the detail it merits and can expect a board verdict at the conclusion, unless the issue is tabled until the next meeting. Members need to understand this important difference. The Board cannot (or shouldn't) be making shoot- from-the-hip decisions on any subject that cannot be thoughtfully considered. An owner showing up at the Open Forum with an Architectural Change Request he wants approved so his contractor can start tomorrow is a prime example of something the Board should never act on. Complex issues take time to study and reflect upon.

An important component of allowing members to attend Board Meetings is having enough room to actually have them attend. Holding Board Meetings in someone's kitchen does not lend itself to guests. Hold them in a location that allows a reasonable number of guests and provide seating. Do not let them sit around the Board table since this blurs the Board authority and guest function. The Board should face each other, not the guests. This configuration is important to maintain "the Board" nature of the meeting. A Board facing an audience invites continuing interaction with the guests and makes it difficult to focus on the agenda.

The Open Forum is a privilege, not a bully pulpit. While a guest should be able to speak freely, it should be done with civility. If not, he/she should be asked to leave the meeting. Letting HOA members have their say is an extremely important facet of living in a homeowner association. Even if they rarely show up, always keep the door open and be prepared to accommodate them.