

# Eagle Pointe Shores Homeowners Association

Policy Resolution #3

Adopted: 6-6-2023

## Code of Conduct For Board Members and Association Members

WHEREAS, Section 55.1-1819(A) of the Virginia Property Owners' Association Act, Va. Code 55.1-1800, et seq. ("Act") and Section 4.1(D) of the Bylaws, grants the Board of Eagle Pointe Shores Homeowners Association ("Association"), the power to establish rules and regulations not inconsistent with the Association Documents,

WHEREAS, the Board has determined that is in the best interest of the Association to develop a Code of Conduct, with appropriate sanctions for anyone who is determined to have violated the terms of this Policy Resolution.

### **Board members must:**

- Act within the scope of their authority, as determined by the law and the association's governing documents.
- Always endeavor to serve the association's best interests.
- Carry out their responsibilities with impartiality.
- Make decisions for the association using sound judgment and due diligence.
- Disclose any potential conflicts of interest and recuse themselves from the discussion and vote (in case one exists).
- Allow community members the opportunity to voice their opinions on association matters (during the open forum of a board meeting, or via email submitted through the HOA's management).
- Always support the decisions made as a board, even if they do not necessarily agree with them.
- Be transparent.
- Hold open, honest, and fair elections

### **Board members must not:**

- Support or promote any activity, action, or behavior that breaches the law or other regulatory requirement.
- Disclose confidential information to any party outside of the board, unless given authorization to do so.
- Share any discussions or decisions made in the executive session of board meetings to any 3<sup>rd</sup> party.



- Reveal personal information about any homeowner, resident, or employee.
- Use association funds for personal use.
- Misuse their position as a board member for personal gain.
- Threaten, intimidate, or harass any board member, homeowner, resident, contractor, or employee.
- Make any promises to a bidder or contractor.

**Association members must:**

- Thoughtfully voice their opinions on association matters, whether they agree with them or not.
- Be transparent (submit questions/concerns through the HOA's management company or bring them up during the open forum of a scheduled board meeting, so matters are openly discussed).

**Association members must not:**

- Threaten, intimidate, or harass any board member, homeowner, resident, contractor, or employee.
- Treat the board or members unfavorably, as individuals.
- Intimidate the board or members (voice, text, or email).
- Be a menace.
- Make false accusations against the board, or any member, to satisfy their own personal feelings/opinions/objectives.

BE IT FURTHER RESOLVED that if any board member is considered to be in violation of this Policy Resolution, the following procedures and sanctions shall apply:

1. If the complaint is against a board member, the "Complainant", by proper motion, shall request the Board to convene in a closed session to discuss the possible violation;
2. During the closed session, all facts surrounding the allegation shall be heard without interruption. The subject member ("Respondent") shall then be heard in response;
3. After hearing and considering all of the statements from all Board members, the Board, by a majority vote, shall determine which of the following sanctions is appropriate:
  - (a) No action;
  - (b) Private reprimand, with or without terms;
  - (c) Public reprimand, with or without terms;
  - (d) Recommendation to remove the Respondent, pursuant to Section 6.3 of the Bylaws.

BE IT FURTHER RESOLVED that if any Association member is considered to be in violation of this Policy Resolution, the following procedures and sanctions shall apply:

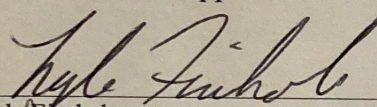
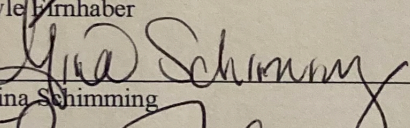
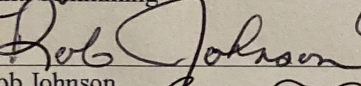
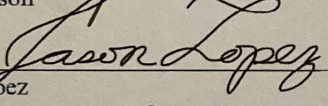
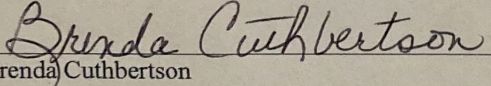


1. The "Complainant" shall notify the board and submit, in writing, all facts surrounding the allegation of the violation;
2. The Board will notify the member ("Respondent") of their violation, and they shall be heard in response;
3. After considering all of the statements and facts, the Board members, by a majority vote, shall determine which of the following sanctions is appropriate:
  - (a) No action;
  - (b) Private reprimand, with or without terms;
  - (c) Public reprimand, with or without terms;

BE IT FURTHER RESOLVED that if any Association member disrupts a board meeting (speaks out-of-turn), the following procedure shall apply:

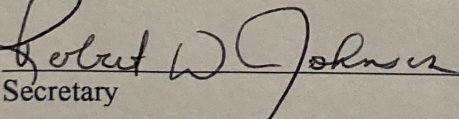
1. The member will be asked to refrain from interrupting the meeting;
2. The member will be muted by the board;
3. The member may be prohibited from attending future board meetings.

Board Member Approval:

		<u>VOTE:</u>			
		YES	NO	ABSTAIN	ABSENT
	, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lyle Firmhaber					
	, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gina Schimming					
	, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rob Johnson					
	, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Lopez					
	, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brenda Cuthbertson					
_____	, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EPS HOA CODE OF CONDUCT

ATTEST:

  
Secretary

Date 6-6-2023