By Law Revisions

Blue lettering indicates additions
Red lettering indicates deletions

3.2 Meetings

All meetings of the Board, or any committee thereof, shall be open to attendance by every owner, or to any person designated by an owner in writing as the owner's representative. The Secretary shall record the minutes of all meetings of the Board, and promptly after such minutes are approved by the Board, such minutes shall be filed in the office of the Association and available to all owners for inspection.

3.6.4 Action ~~by Majority Written Consent~~Without Meeting Pursuant to C.R.S. § 7-128-202

(1) Any action required or permitted to be taken at a Board meeting – other than the adoption of rules and regulations of the Association – may be taken without a meeting if the President transmits notice in writing to each member of the Board and each member of the Board by the time stated in the notice:

(a) Votes in writing for such action; or

(b)(i) Votes in writing against such action, abstains in writing from voting, or fails to respond or vote; and

(ii) Fails to demand in writing that action not be taken without a meeting.

(2) The notice required by subsection 1 above shall state:

(a) The action to be taken;

(b) The time by which a Board member must respond;

(c) That failure to respond by the time stated in the notice will have the same effect as abstaining in writing by the time stated in the notice and failing to demand in writing by the time stated in the notice that action not be taken without a meeting; and

(d) Any other matters the President determines to include.

(3) Action is taken under this section 3.6.4 only if, at the end of the time stated in the notice transmitted pursuant to subsection one of this section:

(a) The affirmative votes in writing for such action received by the nonprofit corporation and not revoked pursuant to subsection five of this section equal or exceed the minimum number of votes that would be necessary to take such action at a meeting at which all of the Board members then in office were present and voted; and

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(b) The Association has not received a written demand by a director that such action not be taken without a meeting other than a demand that has been revoked pursuant to subsection five of this section.

(4) A Board member's right to demand that action not be taken without a meeting shall be deemed to have been waived unless the Association receives such demand from the Board member in writing by the time stated in the notice transmitted pursuant to subsection one of this section and such demand has not been revoked pursuant to subsection five of this section.

(5) Any Board member who in writing has voted, abstained, or demanded action not be taken without a meeting pursuant to this section may revoke such vote, abstention, or demand in writing received by the Association by the time stated in the notice transmitted pursuant to subsection one of this section.

(6) Unless the notice transmitted pursuant to subsection one of this section states a different effective date, action taken pursuant to this section shall be effective at the end of the time stated in the notice transmitted pursuant to subsection one of this section.

(7) A writing by a director under this section shall be in a form sufficient to inform the Association of the identity of the Board member, the vote, abstention, demand, or revocation of the Board member, and the proposed action to which such vote, abstention, demand, or revocation relates. All communications under this section may be transmitted or received by the Association by electronically transmitted means, including facsimile, e-mail, or other form of wired or wireless communication. For purposes of this section, communications t the Association are not effective until received.

(8) Action taken pursuant to this section has the same effect as action taken at a meeting of directors and may be described as such in any document.

(9) All writings made pursuant to this section shall be filed with the minutes of the meetings of the Board.

~~In emergency circumstances, where the interests of the Association require, the Board may take action by majority written consent which must be filed with the Secretary of the Association, reported, and attached to the minutes of the regular meeting of the Board. Written consent by facsimile (FAX) will be accepted in these emergency circumstances. Voting action will not be taken when telephone meetings are utilized. Majority is clarified, as all Board members may vote and a majority vote prevails.~~

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