



KEN-CARYL RANCH MASTER ASSOCIATION

Ken-Caryl Ranch Master Association Board Special Meeting Agenda

Special Meeting: Policy Violation

**March 9, 2022
6 p.m.**

Online Via Zoom

<https://us02web.zoom.us/j/82505610674>

Webinar ID: 825 0561 0674

Phone Option: 1-346-248-7799

- I. Call to Order
- II. Conflict of Interest
- III. Hearing: Policy Violation for Resident Tim Berg
 - a. Master Association Board Statement
 - b. Tim Berg's Presentation: 10 minutes
- IV. Third-Party Hearing Officer Determination
- V. Adjournment

Individuals who require special accommodation to attend and/or participate in this meeting should call 303-979-1876, ext. 136 to advise the ADA Compliance Officer of their specific need(s) at least 48 hours prior to the meeting.



KEN-CARYL RANCH MASTER ASSOCIATION

7676 S. Continental Divide Rd.
Littleton, CO 80127

303-979-1876
info@kcranch.org
ken-carylranh.org

February 26, 2022

Tim Berg

2 Goshawk

Littleton, CO 80127

NOTICE OF HEARING

Notice is hereby given that a hearing before a third-party hearing officer and the Master Association Board of Directors (MABOD) has been set for **6 p.m. on Wednesday, March 9, 2022, online via Zoom**. The agenda and board packet for this special meeting of the board will be posted online at www.ken-carylranh.org prior to the meeting.

In this case, Tim Berg is alleged to have committed one or more policy violations. A hearing has been set so that Tim Berg may have an opportunity to appear to discuss the matter and/or contest the evidence. The Board has determined that an immediate hearing is necessary in this matter.

Zoom Login Information:

<https://us02web.zoom.us/j/82505610674>

1-346-248-7799

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The following policy violations per the Conduct of Meetings Policy are at issue for conduct transpiring via various electronic communications:

9. Conduct. Members and other attendees shall not engage in any abusive or harassing behavior, either written, verbal, or physical, or any form of intimidation or aggression directed at other Members, residents, guests, occupants, invitees, or directed at management, its agents, its employees, or vendors.

11. d. The Board may determine, after notice and hearing, that any Member may only attend meetings electronically and be restricted from attending meetings in person. In such an instance, the Board will ensure that Members can attend the meeting electronically and provide information for how to obtain access to the Member restricted from attending the meeting in person.

The MABOD alleges the continual pattern of behavior of Tim Berg via written electronic communications violates the above-mentioned policy. The MABOD can regulate in-person attendance and meeting conduct based on the written communications Tim Berg sends to employees, the MABOD, and members of the Master Association. The content of the communications has created a hostile work environment, and Tim Berg's in-person presence may be intimidating to attendees.

The rules violation will be heard by a third-party hearing officer, who will determine if the violation exists and if Tim Berg will no longer be allowed to attend Master Association meetings in person. If the determination is made, he would then only be able to attend meetings electronically.

Tim Berg is invited to attend the Hearing via Zoom or (at his own expense) by counsel and to produce any statement, evidence, or witnesses on his behalf. In recognition of time constraints, Tim Berg's oral presentation, and any witness(es) that he calls will be limited to a total of 10 minutes, including if he so desires, the presentation of legal counsel. In addition to Tim Berg's oral presentation, he may submit evidence by written affidavit or any statement regarding the alleged violation to the Master Association's legal counsel, Lindsay Smith, at LSmith@wlpplaw.com.

Sincerely,

Ken-Caryl Ranch Master Association Board of Directors:

Scotty Martin, Chris Schroeder, Tom Bratschun, Philip Varley

Documentation of email Communications from Tim Berg

Following is a sample from more than 300 emails staff, board members, and/or community members have received from Tim Berg. Many of the emails were also sent to government employees and elected officials. Yellow highlighting, red text, bolded font, larger font, etc. was original to the communications as received by Tim Berg. Names of staff, board members, community members, and other third-party names have been replaced in this redacted version of the document with generic bracketed terms such as "board member," "staff member," "community member," "third-party entity," etc.

Tue 3/1/2022 11:22 PM

I previously asked for a refund of \$30,000.00 that your dirty, shitty criminal organization stole from my children- when will I be getting that?

In Colorado when you pay for something but don't get what you paid for that is called stealing- stealing from children is both disgusting and a crime

Tim

Tue 3/1/2022 8:47 PM

I will add this to the list of things you have done to threaten and intimidate us.

I have filed a police misconduct and intimidation complaint with Jefferson county - you are named in my complaint. I have not violated any policy and in fact The Ken Caryl Master Association is in violation of its own policy and has chosen to give special favors to [community member] and her group as I have let you know on numerous occasions. I intend to sue Jefferson county if this is not resolved as they are very clearly in bed with [community member]. Its public fraud, and I am not going to tolerate it.

Your "lawyer" hijacked my communications and has been abusive and threatening. She states on her website "I enjoyed being called a whore". She talks about rigging elections. She boasts about being ignorant and unqualified. I am not sure why anyone would hire someone that makes such an ignorant and offensive statements. She is very clearly an anti government extremist that intends to turn our neighborhood into a concentration camp. Meeting mins are censored, the newspaper censored, Board members are abusive, hostile and threatening- 6+ hour meetings and gangs of lawyers that attack you if you say anything. I have never witnessed a more abusive and toxic hellhole. I have had 2 legal disputes both of which were started by criminals- I have reams of documentation from the county, from Doctors, I have court orders, I live next to the criminals you love so dearly, I have injuries to my family and damage to my home resulting from your organization. Your lawyer belongs in prison as I have started on numerous occasions- before I lived here I did not mind lawyer but I have now seen 12 dirty, filthy corrupt lawyers in a row so now I think they are all criminals. [third-party entity] was founded by a NAZI criminal and you funnel money meant for my children to a terrorist gang organization.

...

We have nut cases like [board member] that claim we are killing eagles, he thinks COVID is a hoax and loves Jeffrey Epstein- thats the clown show you are a part of. He terrorizes the [third-party entity] and boasts about it - he is allowed to send hundreds of threats to the Governor and thats ok.

I have the threats and abuse well documented. It is you that are in violation of the law - you have as usual presented no evidence or documentation with your claims. In addition you have created a death trap due to the unkept homes, overgrown plants and jungles of dead trees and illegal noxious weeds you refuse to maintain. You deleted my letters in the paper, denied my article about environmental protection, you steal the money meant for my children and spend it on dirty criminal lawyers. You have filled 6 false police reports- [third-party entity] used to live at [redacted address] and you are obviously in bed with him. Its a shocking level of incest, inbreeding and corruption. The dukes of hazard had less incest and back slapping.

You have done everything you can to undermine me, intimidate me and this is just another of your childish waste of my dues fees and taxes that I would be better of flushing down the toilet that giving to you. You are well aware of [community member]s criminal gang behavior and it is you that is in violation of your own document refusing to follow the Master Declaration which specifically states that North Ranch is a subordinate organization for which you are responsible for oversight.

We live in a beautiful area unfortunately it has been ruined by the corruption and abuse that stems from your organization and specifically [community member]s poisenous effect on it. I tell people where I live and they laugh and ask me how I can stand it. I saw [community member] sitting right next to the cops, you and she are very clearly in bed with the cops.

Tue 2/22/2022 8:55 PM

I was contacted by the Sheriff apparently you filed yet another false police report- that is the 5th time you and your NAZI prostitute lawyer [third-party entity] and [community member] and NAZI lawyers and her terrorist organization have done that - I have filed another FBI complaint regarding [third-party entity] a NAZI prostitute and the conspiracy with [community member] and her crime syndicate.

Police Information is a Federal Felony, extortion, embezzlement and criminal concealment are also Felonies.

My dues, fees and taxes are for my kids not NAZI Prostitute lawyers

Tim

Tue 2/8/2022 10:10 AM

further your employee [staff member] has put our lives at risk with his gross negligence, he is completely unqualified and by his own admission "knows nothing" he has no background in ecology, biology, entomology or anything else that might qualify him - he is simply lazy and I have NEVER seen him do any work at all, no work of any kind except sit in moronic meetings and make ridiculous

statements about eagles- he has wasted hundreds of thousand of dollars and decades of time and our neighborhood looks like and is a timebome of things that will catch fire including the horse stables, our parks and greenbelts and open space areas. Most of our old growth forest was destroyed by the murphy gultch fire and the rest of our neighborhood plants and animals are in severe peril due to [staff member]s laziness. I have never seen a lazier more useless individual - he is also incredibly prejudiced and was vicious and nasty to our children and summer interns and destroyed what was once a good program for neighborhood kids.

We apparently do have quality people like [staff member] - I just talked to someone that worked with him closely but just like [staff member] he is not allowed to say anything due to reprisals from [staff member].

Its the worst organization I have ever seen- the MA and MD have done nothing in the 10 years we have lived here except waste our money and tell us lies and make excuses.

Tim

Tue 2/8/2022 9:51 AM

and just to be clear your criminal NAZI dictatorship that steals money from people and terrorizes our neighborhood

you block my letters to editor

meeting mins are altertered and doctored

financial records are nothing but cooked books

the newspaper is a NAZI propaganda rag

meetings are nothing but a criminal clown show with coverups for dirty perverts like [board member]

you lie to our face

you called the cops on me and they sat right next to your NAZI counterpart [community member] - police intimidation is a Federal Felony and your are clearly engaging in blatant public corruption- very clearly violations of Federal law and more evidence of criminal racketeering

my ADA complaint was hijacked by your NAZI criminal "lawyer"

your NAZI criminal lawyer then threatened me

Its the dirtiest, shittiest criminal gang organization I have ever seen and you apparently enjoy being a NAZI propaganda minister

it's disgusting

Tim Berg

Mon 2/7/2022 7:02 PM

[third-party entity] is a neo NAZI hate group, domestic terrorists and gang members that belong in prison

<https://www.denverpost.com/2021/06/06/denver-kkk-history/>

your dirty shitty nasty criminal "lawyer" is also part of a NAZI hate group - also belongs in prison

[community member] is also part of a NAZI hate group by definition a hateful witch

these are the gang member pedophiles, terrorists and criminals and NAZI hate groups you spend your time with

I copied your dirty criminal associate so she can see for herself according to her own words "I enjoyed being called a whore" by NAZIs - probably the best day of her life

[third-party entity] "I enjoyed being called a whore" [third-party entity] - real high quality people we have running the neighborhood- no wonder its a toilet

Fri 1/21/2022 8:11 AM

I am filing a complaint about your employee [staff member].

Over 10 years he has been rude, sexist, prejudiced and is totally unable to do even the most basic tasks.

specifically:

he is wasting 10's of thousands on idiotic "eage surveys" and causing huge fights

he and [board member] act like idiots - talk in circles and offer no value

I have heard [staff member] say numerous times that he "knows nothing" about ecology, biology, entomology, zoology or any earth or natural science. Anytime there are basic questions about science we spent 10s of thousands on consultation from experts because [staff member] does not have even a basic understanding.

He is abusive to his staff - he was unbelievable abusive to the highschool and college students we used to have work on projects over the summer- I saw this numerous times - specifically when we were doing work on high meadow- he was rude, abusive and nasty to the kids, and the left and years later this program is dead.

our parks are rundown junkyards

open space is full of noxious weeds xand trash

we have huge erosion problems that have existed for decades

we have threats to our native ecology

due to [staff member]s negligence we live in a death trap of overgrown and dead plant materials

I have NEVER seen [staff member] pick up even 1 piece of trash, never seen him fix any erosion, never seen him pull out one weed, never do any research- he is lazy, indifferent, rude and is a conspiracy theroist along with [board member]- who is the most sexist and prejudiced person I have ever seen. he sits in meetings and makes stupid comments and his presentations are incoherent and nonsense

Other than [community member] who expresses her inappropriate love affair for [staff member] in public to the post where the rest of say "get a room" I am not aware of anyone that thinks he does anything. The whole room was embarrassed by [community member]'s public love affair with [staff member], she slurred her words and was drunk as I have seen her numerous times.

What are his qualifications? his performance is the worst I have ever seen how is it that we employ someone so incomprehensible and incompetent?

here is a picture of one of our creeks- its full of trash, the creek is clogged with silt, crowded with noxious weeds - its sn ecological disaster- our creeks are all ecological disasters - there is sewage in our creeks where I live, our open space is an ecological disaster of weeds, erosion, dead or dying plants

[staff member] should be fired - he is prejudiced, rude, lazy, uninformed and generally useless

Thu 1/20/2022 9:49 PM

my message was very clearly addressed to [staff member] - I included you out of courtesy- hijacking communication addressed to someone is not appropriate. [staff member] is an employee of a public entity and you are not - interfering with a public official or employee is considered a crime so I would advise against it

[staff member] please let us know when we can schedule a plant seminar.

thank you,

Tim

Thu 1/6/2022 9:19 AM

this small group of people has hijacked our neighborhood - they have diverted our tax dollars for their own personal use - [community member], [community member], [community member], [community member], [community member], [community member] have systematically diverted our tax dollars, defunded our parks, and playgrounds and infrastructure, fire mitigation projects, refused home improvements, blocked maintenance projects, altered resident surveys, rigged neighborhood elections, installed a shell company to shield their illicit activity - they have been doing this for decades

as a result, our neighborhood is a massive fire hazard, we have broken communications, we have no evacuation plan, we have no policies, no procedures or process, no accountability, our neighborhood is divided and neglected - Board meetings are abusive, hostile, and inappropriate - I have not been to a single Board meeting or any organization that did not involve bribery, special favors and other things that degrade our neighborhood and cause problems

here is one small example of those people interfering with North Ranch Park owned by Jefferson County Schools and is supposed to be used for kids - Similar to the property next to the intermediate school that is used inappropriately - instead it's loaded with dog excrements, dogs run freely in this public park and attack each other and also people, and leash laws are ignored - animal control has issued numerous citations for dog off-leash here, several kids have gotten hurt here and several dogs have gotten injured in fights, it gets vandalized on a regular basis - similar to the property next to the intermediate school that gets vandalized - our other parks like Brannon Gearhart are run down and loaded with dead leaves, dead grass, dead trees, dead branches and is a massive fire hazard right in the middle of our neighborhood - 2017 the usual cast of characters [community member], [community member], [community member]

Fri 12/17/2021 8:38 AM

In addition to a neglected property she has been abusive, hostile and threatening to me, my kids and my mom. She has attacked us, spied on us and engaged in voyerism of my children. I caught her and her pervert husband taking videos of me in my backyard- my children are afraid to go outside any near them - her actions and activities are fully documented on police bodycam videos of which I have a copy. She told the police that I have gone around the neighborhood with axes and guns threatening people. She was abusive and threatening to the previous residents of our property and also to the previous and current residents at [redacted address]. We were told by [community member] that she has severe manic depression- she is very clearly a danger to me an my family given her history of violent and threatening behavior, she has filed several false police reports and several bogus complaints about our home, our person and our children. I have filed a criminal complaint with the FBI regarding her conduct and conspiracy with [community member]. Most recently she was observed on Sunday December 12th threatening [community member] and his family- we have recordings of the threats. I have hundreds of pages of criminal conduct by these gang members which I have turned over to federal law enforcement. She is a sick and dangerous criminal as evidenced by her abusive and hostile treatment of my eight year old. She hates children and has done an enormous ammount of damage to my children and is documented by their doctors and Jefferson county police and courts.

[community member], [community member], [community member] and [community member] have turned or HOA into a organized crime syndicate- they exploit and steal our resources I have contacted federal law enforcement and initiated a criminal investigation. These are hardened dangerous criminals that belong in prison. It is documented that they sneak around the neighborhood at 3am in disguise spreading propaganda.

thank you,

Tim

Fri 12/17/2021 7:50 AM

this article is devoid of facts and is pure propaganda like most things in the paper, the dirtiest and nastiest people in the neighborhood are constantly in the paper

[community member] has not done a single thing to maintain or improve the neighborhood in 30 years, yet she gets glowing articles like this - she is a criminal and thief, and a pervert - how is it that she is recognized as a "board member"? she has been a "board member" for decades - we are supposed to have elections every year - the vast majority of people find her nasty and awful, nobody likes her our community newspaper is polluted with articles like this and ads - there is no real content, I wrote an article for the first time in 10 years and it was rejected, my letters to the editor are censored, meeting mins are censored, financial records are altered - the word **SUBORDINATE** is clearly not understood she polluted the last MA meeting with lies, deceit, propaganda and threats - not a single word of truth comes out of her mouth, not a single word of truth in 10 years

[community member] is SUBORDINATE to the Master Association by her own admission which she announced at the last MA meeting, she said "I am part of a subordinate organization" in public you are responsible for what she does, she has violated every single rule, covenant, and law possible - her house looks like a junkyard and so do the houses of the ACC, the dirtiest nastiest people in the neighborhood are flushing it down the toilet

it says in plain English "the Master Association must enforce all covenants, conditions and restrictions"

it says in plain English " to ensure enforcement in a fair and timely manner"

Covenant Control Committee: As required in Section 6.05H of the Master Declaration, the Master Association must enforce all covenants, conditions, and restrictions. Article 7, Paragraph 1 of the Bylaws authorizes the Master Association Board to appoint a committee that can exercise the authority of the Board. The Board established the Covenant Control Committee to uphold the governing documents of the Ken-Caryl Ranch Master Association and to ensure enforcement in a fair and timely manner.

Allowing [community member], [community member], [community member], and [community member] to hijack our neighborhood is a clear violation of the master declaration - having the same people control the neighborhood and steal our money for decades is clearly not "fair"

As such I insist that [community member], [community member], [community member], and [community member] be fined, and banned from KC community property as it clearly says are the remedies for repeated and deliberate violations for conditions, covenants, and restrictions.

Thu 12/16/2021 2:49 PM

I filed this complaint regarding [community member], [community member], [community member], and [community member] in 2015 and have still not gotten a response. In the meantime, they testified against my [redacted personal info] in Criminal Court - they lost and got a criminal conviction, a fine, and a court order. [community member] rigged our neighborhood elections and has stolen millions of Dollars from our neighborhood. In addition, she has terrorized the neighborhood and created strife and divisions as last evidenced by her associate who threatened to sue the neighborhood recently. [community member] was seen to give false testimony in front of the Master Association at the last meeting, she claimed to not be undermining the Master Association and also do not know about the

masked bandit that bombed the neighborhood with leaflets at 3am. I have pictures of [community member] prowling the neighborhood in disguise. She was recently observed to spy on my friend [community member] and drive by his house in several different vehicles in a short period of time. [community member] has threatened to sue us numerous times, [community member] has threatened to sue us numerous times. Overt prejudice is demonstrated against children, the handicapped, and minorities.

I notice hundreds of violations of Colorado Law, US Law, and the Ken Caryl Master Declaration - in summary, it's the most criminal organization I have ever seen. [community member] and [community member] are the most prejudiced and hostile people I have ever encountered, [community member] has been observed to engage in the voyeurism of my children in our backyard and threaten 5-year-olds at the park next door. She has an obvious bitter hatred of children and has demonstrated this from the first few days we were here when she attacked my infant children who were playing peacefully in a sandbox created from the same sand that had sat on her property for 20+ years.

We have observed corruption, prejudice, and hatred with [third-party entity] and now with your awful organization [third-party entity] - which has refused to provide us with information about who is on the Board, what the policies are. It is now December 2021 and there has been no election, no disclosures, and no information provided - all of this is in clear violation of Colorado law.

my complaint from 2015 below remains unresolved and unaddressed, [third-party entity] was attacked and threatened by [community member], [community member], and [community member] and then "fired", she was replaced by [third-party entity] who most residents consider a pedophile due to her taking pictures of children in their backyard

Wed 9/29/2021 6:16 PM

I did change the sentence when you asked me to and sent it back to you - I revised it to say: "The same person was quoted in the Denver Post taking videos of emergency room patients"

it is stated exactly what was reported by the Denver Post.

There have been numerous court cases where people have been convicted of harassment and intimidation for doing exactly what he did. He also sent hundreds of threatening letters to the Colorado State Governor according to the article.

it is stated exactly what was reported by the Denver Post.

thank you - I, unfortunately, have noticed a huge decline in our neighborhood the last few years, the Master Association and the Metro District have gone down the toilet in the last few years due to people like [board member], [community member], and the dirty criminal lawyers hired by them corrupting our neighborhood.

I would like to know who hired [third-party entity] - she is clearly not qualified, she is inappropriate, toxic, hateful, and hostile similar to [community member].

On her website she states:

"I enjoyed being called a whore" - she obviously has some serious perversion issues which is why she is not bothered by [board member] and [community member] because she is even worse than they are

"bribe the administration" she endorses bribery and enjoys being a criminal

"had no idea of what she was doing" - she clearly is unqualified, corrupt, and incompetent

I do not support my dues, fees, taxes being paid to a nasty ignorant criminal, she is very clearly endorsing, supporting, and aiding [community member]'s criminal organization. I do not think the Master Association needs to waste money on lawyers, lawyers are hired by criminals to keep them out of prison and if the MA is a law-abiding organization then it does not need a lawyer. The Metro District is completely corrupted by [third-party entity] another gang of dirty shitty lawyers.

I have noticed that you 100% full of shit "lawyer" [third-party entity]:

Ignored my intimidation complaint by [community member] that I filed on July 20th

Hijacked my ADA complaint which was clearly addressed to the Metro District

Made excuses and engaged in deliberate lies, deceit, and falsehoods regarding my ADA complaint

Deleted all the references to the 2014 Bond

Censors meeting mins

Is abusive, threatening, and hostile

Is rude, ignorant, and prejudiced

Is a criminal and harbors criminals like most of the people in her "profession"

Is engaged in a coverup to conceal criminal actions by herself and others

Is Defending [board member]'s perverted comments which I heard with my own ears telling a long story about Queen Elizabeth endorsing Prince Andrew who is a known associate of Epstein

You heard [board member] bring up Queen Elizabeth, Megan Markley, and Prince Andrew when asked about fire safety - I am sure you remember that and I am sure you will agree that bringing topics like that up at a neighborhood meeting where we are supposed to be discussing things for our families and how to improve our neighborhood for **ALL RESIDENTS** - not just the abusive nasty people that seem to show up at meetings or install themselves on the North Ranch gang.

<https://www.usatoday.com/story/entertainment/celebrities/2021/09/28/prince-andrew-officially-served-new-york-sex-assault-lawsuit/5905378001/>

<https://torontosun.com/news/world/spies-feared-prince-andrews-friendship-with-epstein-book-claims>

you very clearly heard him tell that story and also heard his "[staff] close your ears" escapade - he is unbelievably offensive and inappropriate. His offensive comments have been noted by many others including [community member], [community member], and [community member] which all served as board members previously - all of which are nice respectable people like most of our current board members - except [board member]. He does not maintain his own property, complains constantly about

others, makes grossly inappropriate comments, and now he has enlisted one of his henchmen to write completely false letters to the editor.

I did not move into this neighborhood to be abused, threatened, and attacked by [community member] or have my time, money flushed down the toilet by ridiculous meetings that are an absolute waste of time. You are well aware of [community member]'s criminal conduct, [staff member] was aware of it. Most everyone is aware of it.

You are well aware since you were the editor of the Life at KC that the 2014 Bond had specific language that stated that North Ranch Park, Bradford Park, Heirloom Park, BGP, and others would be improved. We did get the nice rustic signs like the rest of the neighborhood either instead, we got [community member]'s North Ranch Cemetary entrance signs - North Ranch where people come to die. There are dead and dying trees all over the neighborhood and those that died have not been replaced either. We have been lied to, cheated, stolen from, deceived, attacked, abused, and threatened by that awful horrible criminal.

Wed 7/21/2021 6:48 PM

I did not ask you to "investigate" anything, I am not sure why you would waste time doing something like that. You are not a Judge or Jury and therefore your "findings" are irrelevant.

I cannot possibly express myself in 3 minutes.

There is no "North Ranch" it is a completely illegitimate gang of criminals that claim to have some semblance of an organization. They steal from children and threaten families. I have no fondness or respect for them. I don't appreciate the fact that the Master Association forces me to pay them dues.

Regarding Lawyers - I have many friends that are lawyers and some of the people I most respect are Lawyers, however, I have had so many recently that have been so corrupt, abusive, and hostile that it has soured my opinion - perhaps you can help me change that.

I don't like BLAH, BLAH, BLAH idiotic answers as you gave me.

Tue 7/20/2021 8:12 AM

I have noted the following individuals you are associated with to engage in consistent and deliberate illicit and criminal activity for a period of almost 10 years, they have damaged my home, hurt and threatened my kids, and terrorized our neighborhood:

[community member] - fraud, lying and cursing in court, threats, harassment, hurting and threatening at least 3 small children including mine, criminal conspiracy with [community member] and [third-party entity]

[community member] - fraud, lying, cheating, misappropriation, gross misrepresentation, and stealing

[community member] - lying, cheating, and stealing, terrorizing my kids

[third-party entity] - lying, cheating, stealing, threatening, hijacking, criminal conspiracy, theft, fraud, and extortion

[community member] - voyeurism, harassment, false police reports, threats, false testimony, fraud, and theft and terrorizing my kids and visitors to our home

[community member]- fraud, racketeering, misappropriation, gross misrepresentation, criminal conspiracy with [community member] and others

[third-party entity] - voyeurism, fraud, general criminal conduct

[third-party entity] - voyeurism, harassment, theft, fraud, and racketeering

let me know when these issues are resolved

thank you,

Tim

Mon 6/28/2021 3:33 PM

Dear Ken Caryl Ranch Master Association and Metro District:

Pursuant to Colorado Senate Bill 2-100 I am filing a formal complaint regarding repeated, deliberate violations of the KCRMA Master Declarations and Colorado Law. This is my third formal complaint made in accordance with information provided to me by the Colorado State Senate regarding regulation and laws pertaining to Homeowners Associations.

I formally object with disgust to
the point it makes me want to
puke to the following Anti-
child, Anti-family and Anti-
community policies. All of

these and more add up to a
unbelievably hostile
environment for children and
families – especially my family
and my children. Every MA,
MD meeting has somebody
like [community member] or
[community member] making
threatening and/or insulting
comments about children in
one way or another.

DOGS ARE TREATED BETTER
THAN CHILDREN IN KEN CARYL

I do not know a single parent with little children or grandparent that agrees with any of this nasty, toxic, hatred and intolerance toward little children. I do not know any schoolteacher, police officer or public official that agrees with this – how is it that we make these awful decisions?

Mon 6/14/2021 3:05 PM

my complaint is also that the KCRMA created an organization with an unlimited budget, no apparent oversight and complete autonomy - this type of organization is typically found in 3rd world countries typically in areas such as west africa

there are many examples of tyrannical dictatorships in that part of the world unfortunately [community member] created such a dictatorship in our neighborhood - he has claimed complete authority for 31 years, no one is allowed to have an opinion, you are not allowed to maintain your own home, kids are chased out of public parks, visitors to our house are told they cannot park on public streets. meetings hosted by [community member] and his gang are drunken brawls where residents are ridiculed and attacked, children are attacked, moms and grandparents are threatened. The KCRMA organization is used for terrorism. They use the KCR logo and advertise themselves as part of Ken Caryl.

I dont see any of these supported by the KCRMA Master Declaration or its bylaws

I would note that this situation affects all our property in Ken Caryl - they have also terrorized my mom as I have also noted there is a distinct conflict of interest and I do not believe the KCRMA can be impartial therefore I request a neutral 3rd party such as a retired Judge to mediate the issues as specifically mentioned in Colorado Senate Bill 2-100

thank you,

Tim

Fri 6/11/2021 6:40 AM

[community member] can also be found at North Ranch Park attacking 5-year-olds and their parents

[community member] can be found attacking my 6-month-old and 2-year-olds over a sandbox

[community member] can be found attacking me for my walkway for my elderly mom

[community member] can be found attacking me for fixing my patio for my elderly mom

[community member] can be found terrorizing my mom and defending criminals

[community member] can be found creating a gang and attacking and threatening grandparents and young mothers

[community member] can be found blasting our neighborhood with blatantly false propaganda assailing mountain bikers and residents doing volunteer work

[community member] can be found attacking the MA and telling them we don't want playgrounds for little children

[community member] can be found bribing the MD and telling them we don't want playgrounds for little children

[community member] can be found in court testifying against my [redacted personal info]

[community member] can be found calling Jefferson County to falsely claim that I am violating building codes, setbacks, and building structures

[community member] can be found threatening me with her lawyer

[third-party entity] can be found threatening me and making up bogus claims

[third-party entity] can be found demanding that I pay him for doing nothing

[community member] can be found threatening me because my rocks are 1/2 the wrong size

[community member] can be found threatening me because I have a basketball hoop that was in the ground for 25 years she suddenly did not like

[community member] can be found threatening my kids

[community member] can be found threatening other kids

[community member] can be found in court testifying against my 8-year-old

[community member] can be found threatening visitors to my house

[community member] can be found shooting fireworks into the open space

[community member] can be found glaring and scowling at little children

[community member] can be found threatening me with his drug dealer friend

Crazy drivers can be found running me and my kids off the road, wrecking cars, and killing two children in our neighborhood since we have been here

[community member] can be found attacking anybody that objects to her drunken parties

The gang of lawyers from these criminals can be found threatening me and attacking me

The Life at Ken Caryl is loaded with personal attacks - I have never seen so many R rated and X rated letters to the editor

MA and MD meetings are also loaded with personal attacks

North Ranch meetings are like going in front of a firing squad

Tim can be found trying to make sure our neighborhood has a good fire safety plan

Tim can be found doing volunteer work to build playgrounds

Tim can be found doing volunteer work for the trail club to fix erosion

Tim can be found doing volunteer work for the trail club to pick up trash

Tim can be found doing volunteer work for the trail club to cut back overgrown vegetation

Tim can be found reading the Master Declaration and Colorado Laws regarding Common Interest Communities

Tim can be found taking care of his mom

Tim can be found taking care of his kids

Tim can be found helping his neighbors shovel their driveway, clean up their property or watch their dog

Tim can be found saving [community member]'s neglected dog from dying

Tim can be found sending flowers and a card to [community member] and [community member] only to be threatened by their lawyers

Tim can be found getting really, really, really irritated because everything he tries to do is blocked by [community member]

Tim can be found getting frustrated because after 9 years of asking he still does not have a decent playground for his kids

Tim can be found welcoming new people to the neighborhood

Tim can be found making friends with many senior citizens in the neighborhood because he loves talking to them and hearing what they have to say

Tim can be found working on his house only to have [community member] complain about everything he does

Tim can be found doing volunteer work only to have [community member] complain

Tim can be found at MA and MD meetings listening to hours, hours, hours, and hours of the same people complain over and over and over again - especially [community member]

Tim can be found spending \$6000 on a fence to keep [community member], [community member], [community member], [community member], [third-party entity], and [third-party entity] out of his backyard

Tim can be found talking to neighbors and hearing how some of them have also been attacked by these criminals

Tim can be found protecting his kids from perverts, criminals, and child predators like [community member] and [community member]

Tim can be found wanting the neighborhood that is promised by the Master Declarations

Tim does not enjoy personal attacks are making comments about people but has reached the point where he can't hold it in anymore

Tim believes calling a criminal a criminal is not an insult but just a statement of fact

That is why I have filed a FORMAL ETHICS VIOLATION COMPLAINT to the Ken Caryl Master Association

That is why I have contacted the Colorado State Senate

That is why I have contacted the Colorado Governor

That is why I have contacted the Jeffco Sheriff on numerous occasions

thank you,

Tim

Thu 2/25/2021 2:46 PM

As you know North Ranch has a history of terrorizing little children when the soccer field was put in because the School that was supposed to be built at North Ranch park was blocked, somebody took a gas-powered saw and cut down the goalposts, they were welded back in place and then they were cut down again. Then the "agreement" to block practices at the park was put in place by North Ranch, this has been expanded to NO KIDS AT THE PARK EVER by my neighbor [community member] and [community member] - specifically, we have 4 people that have terrorized us and other children in the neighborhood - [community member], [community member] (who lives right next to me), [community member], and [community member] have created a gang in our neighborhood, and have a personal vendetta against little children. They started terrorizing me and my kids when we first moved in. [community member] had some sand she was throwing away so I put it on my property behind our basketball hoop the gang started attacking us and threatening us and it has continued for 9 years. [community member] has called the police on me 3 times and threatened to sue us twice, she has yelled at my kids, she has terrorized little children playing on the playground, and generally presented herself as a terrorist. [community member] rigged our neighborhood election this last time and simply reappointed herself - these 4 have hijacked out the neighborhood and attack people they don't like. They have conspired with [community member] whose dog attacked and nearly killed my 8-year-old child on our street. [community member] has proven himself to be an outright criminal, he conspired with a contractor who caused \$96,000.00 of damage to our house, [community member] has been threatening us ever since. The North Ranch is by far the most toxic, hateful neighborhood I have ever seen due to these 4 people. They steal our HOA dues, they lie, cheat and attack people they don't like - [community member] has installed himself as a dictator and has been on the North Ranch HOA for 30 years. They do a horrible job of maintaining the neighborhood and threaten anybody that dares to have a different opinion. [third-party entity] were even enlisted to provide false evidence against my child who was attacked by a dog, [third-party entity] is the dirtiest, most criminal organization I have ever seen - not one person in North Ranch thinks [third-party entity] does a good job. They are rude, toxic, and hateful - they spy on residents and attack people on behalf of the gang of 4.

...

I don't appreciate being attacked by these people. I have sent them cards, flowers, I have tried to be nice to them and offer to help them, I wrote a 20-page document on what we can do to make our neighborhood safer, nicer and better - especially regarding fire safety. I volunteered my time and they have only gotten more bitter, hateful, and criminal. I went to a North Ranch meeting at the community center when our house was damaged, the gang was drunk and laughed at me, at the second NR meeting I have been to in 9 years they rigged the election - they have proven themselves to be dirty, corrupt, and toxic for years. They have attacked me, hurt my children, threatened and terrorized my 80-year-old mom. I have NEVER seen more corruption and outright criminals than these 4. They HATE children, they terrorize families, and are simply terrorists. They chase children out of our parks, the reason our parks are filled with drugs and crime is that [community member], [community member], [community

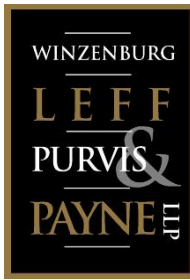
member], and [community member] don't want children playing in our parks, our parks are vacant 99% of the time so drug dealers and vandals come along, see these empty parks and then take them over.

Our neighborhood suffers from these people, I see broken houses, overgrown weeds burned out grass, broken windows - we have drug dealers at the Bradford park and I have a terrorist named [community member] that lives next to me. I have lived in 7 countries, 5 states, and several different areas in Colorado and while I love KC in general North Ranch is absolutely the worst place I have ever lived because of these criminals. Our house for example was so neglected when we bought it 9 years ago that I have had to spend \$500,000.00 fixing it, In a previous place I lived I got several awards from the Mayor of Redwood City, CA for improving and maintaining my house and the neighborhood. In North Ranch I have been attacked by these terrorists - I am not kidding when I say they are terrorists. I have filled out their forms, they complain. I have given them landscape designs, architecture drawings, they have complained about every flower, rock, bush, tree, toy - EVERYTHING, they are the most prejudiced gang of nasty criminals I have ever seen - I have gotten 50 complaints from [community member] - she is an awful toxic, hateful person in my experience. She also has threatened to sue us. I have spend \$500,000.00 on my house using only the highest quality materials and ALL they do is complain and attack people. They are simply the dirtiest, most criminal, most toxic, most hateful gang of thieves you have ever seen.

...

Then there is North Ranch which is controlled by criminals and terrorists.

I DO NOT WANT TO LIVE IN A NEIGHBORHOOD RUN BY CRIMINALS and TERRORISTS, I don't want to be in a neighborhood that HATES children - why is it like this? I am tired of being TERRORIZED by [community member], [community member], [community member], and [community member]. I thought it was a MASTER PLANNED COMMUNITY? How is it that we have broken buildings, overgrown weeds, fire hazards, children are not allowed in the park, we have drug dealers instead, you cant park on the street or have visitors to your house or sit in your backyard without [community member], [community member], or [community member] spying on you, your kids can't have any toys without them threatening you - but certain parts of North Ranch look like an absolute Junk Yard and have wrecked houses - I know about this because I bought one of those houses.



LINDSAY S. SMITH
lsmith@wlpplaw.com
www.coholaw.com

Via U.S. mail and e-mail to: [redacted]

July 21, 2021

Timothy Berg
[redacted]
Littleton, CO 80127

Re: *Ken-Caryl Ranch Master Association; Complaints*

Dear Mr. Berg:

This firm represents the Ken-Caryl Ranch Master Association. The Board of Directors asked me to write to you regarding your recent communications and complaints with respect to the Master Association's business. I have reviewed all your complaints, as well as several other e-mails from you to the community manager. I have also met with the Board to discuss your complaints and the actions that may help to address and alleviate them. This letter is intended to explain to you the different roles of the Master Association, the Ken-Caryl Ranch Metropolitan District, the North Ranch subassociation, and community members such as yourself. It is also meant to respond to some of your recent communications with the Board and community manager and provide clear expectations for future communications.

ROLES OF THE MASTER ASSOCIATION, METROPOLITAN DISTRICT, AND SUBASSOCIATIONS

First, thank you for bringing to the Board's attention your concerns regarding community maintenance and covenant compliance. The Master Association will investigate and, where appropriate, undertake enforcement action. The Master Association is not required to provide you with information relating to other owners' properties and will not provide you with the results of its investigations and actions.

The Master Association does not control or dictate the actions of either the North Ranch subassociation or the Metropolitan District. The three are separate entities, with independent Boards, governance obligations, and governing documents. The Master Association is charged with the operations and maintenance of open space and certain recreation and common properties, and also provides covenant enforcement. Subassociations, like the North Ranch, have their own covenants that they enforce. Both the Master Association and the North Ranch subassociation fund their work with homeowner assessments, or dues.



The Metropolitan District is a quasi-municipal corporation and political subdivision of the State

Focused on Communities

8020 Shaffer Parkway, Suite 300
Littleton, CO 80127
303.863.1870
Fax 303.863.1872

of Colorado. The Metropolitan District also provides recreation, parks, and programming, but its work is funded by property taxes and registration fees. The Metropolitan District and the Master Association work together to operate Ken-Caryl Ranch, but each have their own independent duties and responsibilities.

When the Master Association undertakes covenant enforcement activity, its goal is to obtain compliance with the governing documents¹. Because the Master Association's resources are limited, it acts in the exercise of its reasonable business judgment to tackle the covenant violations that it determines are most problematic from a community-wide perspective. This means that some violations may take longer to resolve than others, but this does not mean the violations are not being addressed.

RESPONSES TO YOUR CONCERNS

You reference Senate Bill 100, which was a bill passed into law 16 years ago. Senate Bill 100 encouraged community associations to adopt protocols to make use of mediation or arbitration as alternatives or preconditions to institution of a lawsuit. The Master Association adopted this policy as required by law, and a copy is available on its website at ken-carylranh.org. Neither Senate Bill 100 nor the Master Association's policy require it to take the actions you demand; your complaints do not plainly and concisely state the nature of your claim and the Master Association's role, nor are they specific in the relief they request. Much of the relief you may seek is not available from the Master Association.

Your complaints blur the lines between actions and obligations of the Master Association, the North Ranch subassociation, and the Metropolitan District, rendering it impossible for the Master Association to ascertain what complaints apply to it, and what complaints apply to other entities. You spend several pages discussing the historic racism of England, your personal disputes with your neighbors, and your disagreement with how the Metropolitan District has used its funds. This is not relevant to the Master Association's operations. I understand from your correspondence on July 7, 2021, that you have filed a complaint regarding compliance with the Americans with Disabilities Act. Accordingly, I will await service of this complaint and respond to it, rather than to the multiple duplicative complaints you lodged with the Master Association.

With all that said, I must demand you **cease and desist** your defamatory, irrelevant, incendiary, and offensive communications. Your communications have greatly increased in frequency, and at this point it appears that your intent is to harass. This is not tolerable.

On July 1, 2021, you indicated that one of the Master Association Board members launched into

¹ The Master Association's governing documents are the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions of Ken-Caryl Ranch, recorded on September 1, 1976 at Reception No. 76812728; its Articles of Incorporation and Bylaws; and the Rules, Guidelines, and Policies adopted by the Master Association in accordance with the Declaration. The governing documents do not include documents adopted by or for the metropolitan district or any subassociations.

a “racist and perverted tirade.” I have investigated this “tirade” and respectfully suggest that your statement is not accurate. Mr. Varley has an English accent, but he did not defend the abuse you reference in your correspondence, nor was his statement a “tirade.” The Master Association does not discriminate against individuals who may have a national origin other than the United States, and blaming Mr. Varley for all the wrongs the British Empire may have committed across the globe throughout history is discriminatory.

The Master Association is entitled by Colorado law to “place reasonable time restrictions on persons speaking during the meeting.” The three-minute limit for comments is expressly contemplated by Colorado law, and the Board is acting reasonably and within the scope of its authority to enforce this limit. The Board comprises volunteers and their time is not unlimited. The Master Association is a private, nonprofit corporation and is not subject to the free speech and due process obligations imposed by the First and Fourteenth Amendments to the United States Constitution, and your rights to speak freely during Board meetings are legally limited.

I will not opine or comment on matters that are specific to the Metropolitan District, such as ADA compliance and taxation questions.

PROTOCOL FOR FUTURE COMMUNICATIONS

In light of the numerous emails and complaints from you, and your apparent expectation for unrealistically quick responses to communications that are verbose, lengthy, and not relevant to the Master Association’s operations, it is important to state the communication protocol that the Board and management will apply going forward. I have advised the Board and management that they should protect the interests of the Master Association and not allow individual members’ priorities to distract from business that the Board prioritizes. When owners such as yourself submit topics by email for Master Association consideration, the manager may send a brief response that simply acknowledges receipt of your message. The Board will then place appropriate items on its meeting agenda and allow discussion to occur amongst the directors at an open meeting of the Board. Not all the items you discuss in your complaints are appropriate for discussion and the Board has absolutely no intention of putting your defamatory statements on its agenda. The Board and management will not engage in deliberations with you over email, and the Board has indicated to Ms. DeSair that she is not required to respond to your emails in advance of the next Board meeting.

Moreover, the Master Association will not comb through pages and pages of defamatory and irrelevant statements to glean information that may actually support a valid complaint. Please be concise, specific, and economical in your correspondence, and take care to only submit complaints specific to the Master Association.

Board meetings are open and your attendance in compliance with the Master Association’s Policy governing the conduct of meetings is welcome, although the Board may limit in-person audience attendance and require electronic participation from time to time.

CIVILITY AND COVENANT VIOLATION REPORTS

In addition to communications about Board business, the Board expects that you will treat the community manager with professionalism and respect in all interactions. The Board also wants to make clear that these expectations apply to complaints about other homeowners. The Board truly feels that Ken-Caryl Ranch is a community that can and should engage in neighbor-to-neighbor conversations, even when those conversations relate to covenant violations. The Board encourages people to talk with one another and address problems before they escalate into more serious concerns. When a neighborly exchange does not suffice, the Association may be able to assist, but it does not mediate neighbor-to-neighbor disputes. You and your neighbors may voluntarily undertake mediation in an attempt to resolve your conflicts, but this is not a service the Master Association provides.

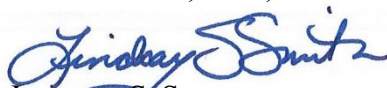
CLOSING REMARKS

Please support the Board as it acts on behalf of the Master Association. You can do this by understanding the different roles of the different Ken-Caryl Ranch entities, adhering to the communication protocol provided in this letter, not demanding additional manager time, and refraining from making defamatory and incendiary allegations. The Board appreciates your interest and engagement and asks that you cooperate with these requests and take steps to prevent the need for further responses of this nature. If your interactions with the Association's Board members and/or management result in the need for extraordinary management time or legal counsel involvement, the Master Association may charge costs, such as manager time and legal fees, to your account after providing you with an opportunity for a hearing. Further, if you refuse to comply with the Master Association's requirements laid out in this correspondence, the Master Association may take such other actions available to it by law, which may include suspension of voting privileges, imposition of fines, and additional civil legal actions against you. The Master Association will require your reimbursement of any legal fees it incurs in such actions.

The Master Association acts in good faith to make reasonable business decisions in the best interests of the entire community, weighing its available resources, community-wide priorities, and its relationship with the Metropolitan District. The discussions made by the Master Association Board of Directors are in furtherance of these goals. Do not project the bad faith you may have experienced in other contexts on their deliberative processes.

To avoid additional legal fees, the Board has not authorized any further communication on my part at this time.

Very truly yours,
WINZENBURG, LEFF, PURVIS & PAYNE, LLP


LINDSAY S. SMITH

KEN-CARYL RANCH MASTER ASSOCIATION, INC.
POLICY REGARDING CONDUCT OF MEETINGS

Adopted February 21, 2006

Amended June 15, 2010

Amended May 21, 2013

Amended August 17, 2021

The following procedures have been adopted by the Ken-Caryl Ranch Master Association, Inc. (“Association”) pursuant to the provisions of C.R.S. 38-33.3-209.5, at a regular meeting of the Board of Directors.

Purpose: To establish a uniform and systematic protocol for conducting meetings of the Association, including Members’ meetings, Master Association Board of Directors (Board) meetings, and any committee meetings; to ensure equitable participation by Members while permitting the Board or committee to efficiently conduct the business of the Association; and to memorialize the circumstances under which the Board may convene into executive session.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing the conduct of meetings of the Members, meetings of the Board, and any meetings of an Association committee:

1. Members’ Meetings. All meetings of the Association are open to every Member, or to any person designated by a Member in writing as the Member’s representative, and Members or designated representatives so desiring shall be permitted to attend, listen, and speak at an appropriate time during the deliberations and proceedings; except that, for regular and special meetings of the Board, Members who are not Board members may not participate in any deliberation or discussion except as provided below.
2. Board and Committee Meetings. All regular and special meetings of the Board, or any committee or task force thereof, shall be open to attendance by all Members or to any person designated by a Member in writing. At regular and special meetings of the Board, Members who are not members of the Board may not participate in any deliberation or discussion unless recognized by the Chairperson.
3. Electronic Meetings. Member meetings, Board meetings, and committee meetings may be held in person and/or electronically by any means of communication by which all attendees may hear each other during the meeting. Notice of a meeting of the Members, Board, and/or committees that will be conducted virtually will be mailed and/or posted in the same manner as any other Member, Board, or committee meeting, in accordance with Colorado law. Such notice shall contain the date, time, and method of attendance, and shall contain instructions on how to join the meeting virtually. Meetings held electronically will follow the remaining provisions in this Policy, to the extent possible.
4. Members’ Right to Speak. The Board may place reasonable time restrictions on those persons speaking during any meeting. However, at Board meetings, the Board shall permit Members or their designated representatives to speak before the Board takes formal action on an item under discussion, as provided in paragraph 6 of this policy. If more than one Member or their designated representative wishes to speak before the Board takes formal action on an item under discussion and there are opposing views, the Board may designate a reasonable number of persons to speak on each side of the issue or may give all of those Members or their designated representatives who wish to speak an opportunity to speak. For any meeting held electronically, attendees may be muted until called upon to speak. Attendees will be

invited to submit a written request to speak, which request may be submitted before or during the meeting, but can only be submitted during the meeting if the Association's virtual meeting software supports such requests during the meeting.

5. Agenda; Open Forum. The President of the Board and in his/her absence, the Vice President, shall be Chairperson of all meetings. The agenda for all meetings shall follow the order of business specified by the Association's Bylaws, and if none, in accordance with the order of business determined by the Board. A Member wishing to provide information or a request to the Board is encouraged to submit the information or request to the Executive Director in advance of the meeting. The Executive Director has the authority to direct the information or request to the appropriate staff or Committee for that topic for review and recommendation, prior to inclusion as a meeting agenda item if still warranted or appropriate. The agenda for Members' meetings shall include a Member Open Forum during which any Member or Member's designated representative who wishes to speak will have the opportunity to do so, subject to the remaining provisions of this policy. The agenda for Board meetings shall include a Member Open Forum, subject however, to the Board's right to dispense with or limit the Member Open Forum at the discretion of the Board, except that such limits on Member Open Forum shall always be subject to the provisions of paragraphs 2 and 4 of this policy.

6. Limits on Right to Speak. The Board shall have the right to determine the length of time of the Open Forum. The Chairperson of the meeting may place reasonable limitations upon the time given to each member seeking to comment, to allow sufficient time for as many members as possible to comment within the time permitted. Unless otherwise determined by the Chairperson, the time limit will be three minutes per member. Members will be allowed to speak more than once during Open Forum only at the discretion of the Board. No member may speak a second time until all members wishing to speak have had an opportunity to speak once. Members may speak only after being recognized by the Chairperson. Members will be allowed one minute to respond if a Board member speaks about that Member.

7. Attorney/Client Privileged Communications. Upon the final resolution of any matter for which the Board received legal advice or that concerned pending or contemplated litigation, the Board may elect to preserve the attorney-client privilege in any appropriate manner, or it may elect to disclose such information, as it deems appropriate, about such matter in an open meeting.

8. Recording of Meetings. Note taking is permitted, however, video or audio recording of all or any portion of any meeting by Members is prohibited.

9. Conduct. Members and other attendees shall not engage in any abusive or harassing behavior, either written, verbal, or physical, or any form of intimidation or aggression directed at other Members, residents, guests, occupants, invitees, or directed at management, its agents, its employees, or vendors. With respect to meetings specifically, all Members are expected to comply with the following conduct:

- (a) No Member is entitled to speak until recognized by the Chairperson.
- (b) There shall be no interruption of anyone who has been recognized by the Chairperson except by the Chairperson.
- (c) Specific time limits set above for speakers and as determined by the Chairperson shall be strictly observed.
- (d) Personal attacks, whether physical or verbal, and offensive language will not be tolerated.

- (e) All comments are to be directed to the Board and not to other individual participants.
- (f) Argument amongst audience participants is not permitted. All comments are to be restricted to the item being discussed.
- (g) Courteous behavior BYALL PARTIES is mandatory.

10. Curtailment of Member Conduct. Should the Chairperson determine that any Member has spoken for the allocated amount of time or longer, or determine that the Member is in violation of the provisions of this policy, the Chairperson shall have the authority to instruct that member to yield the floor, and that Member will be obligated to comply with the Chairperson's instruction.

11. Disruptive or Unruly Behavior. If a Member refuses to stop talking after his/her allotted time has ended, or otherwise disrupts the meeting, or is otherwise in violation of the provisions of this policy, the following procedure will be followed:

- (a) The Chairperson will issue an oral warning such that if the Member continues to speak, disrupt the meeting, or otherwise act in violation of the provisions of this policy, either the Member will be asked to leave the meeting, or the meeting will be adjourned, or law enforcement/security will be called to remove the individual.
- (b) If the Member continues to speak, disrupt the meeting, or otherwise act in violation of the provisions of this policy, the Chairperson will issue a final warning. If the Member does not immediately yield or leave the meeting as requested, the Chairperson will either adjourn the meeting to another time or to call law enforcement/security to remove the individual.
- (c) If the Member still refuses to cooperate, the chair may choose whether to adjourn the meeting to another time and/or to call law enforcement/security to remove the individual.
- (d) The Board may determine, after notice and hearing, that any Member may only attend meetings electronically and be restricted from attending meetings in person. In such an instance, the Board will ensure that Members can attend the meeting electronically and provide information for how to obtain access to the Member restricted from attending the meeting in person.
- (e) During meetings held electronically, should the Board Chairperson determine that any Member has spoken for the allocated amount of time or longer, or determine that the Member is in violation of the provisions of this policy, the Chairperson shall have the authority to instruct that Member to yield the floor, and that Member will be obligated to comply with the Chairperson's instructions. If the Member fails to comply with the directive, the Member may be muted or removed from the meeting if muting is not sufficient.

12. Executive Session. Notwithstanding the foregoing, the Board or a committee thereof may hold an executive or closed door session and may restrict attendance to Board members and other persons specified by the Board; provided that any such executive or closed door session may only be held in accordance with the provisions and requirements of the Act, as amended from time to time, or other

applicable law. The matters to be discussed at such an executive session are limited to:

- (a) Matters pertaining to employees of the association or the managing agent's contract or involving the employment, promotion, discipline, or dismissal of an officer, agent, or employee of the association;
- (b) Consultation with legal counsel concerning disputes that are the subject of pending or imminent court proceedings or matters that are privileged or confidential between attorney and client;
- (c) Investigative proceedings concerning possible or actual criminal misconduct;
- (d) Matters subject to specific constitutional, statutory, or judicially imposed requirements protecting particular proceedings or matters from public disclosure;
- (f) Any matter the disclosure of which would constitute an unwarranted invasion of individual privacy;
- (g) Review of or discussion relating to any written or oral communication from legal counsel.

Prior to the time the members of the Board convene in executive session, the Chairperson shall announce the general matter of discussion as enumerated in paragraphs (a) to (f) above. No rule or regulation of the Board shall be adopted during an executive session. A rule or regulation may be validly adopted only during a regular or special meeting or after the Board goes back into regular session following an executive session.

Ken-Caryl Ranch Master Association, Inc.

By: _____
President

This policy regarding conduct of meetings was adopted by the Board of Directors at a regular meeting held on the _____ day of _____, and is effective _____, and is attested to by the Secretary of the Ken-Caryl Ranch Master Association, Inc.

Secretary