

HOA Meeting Checklist -- Kentucky

Annual Meetings · Board Meetings · Quorum · Minutes

Use this checklist for every HOA meeting in Kentucky. This reflects Kentucky Planned Community Act, KRS §§381.785-381.801, particularly §§381.792-.793. where it applies -- always verify against your governing documents, which may set a stricter rule. This is a governance aid, not legal advice.

PHASE 1 - BEFORE THE MEETING

DETERMINE MEETING TYPE

- | | |
|--|--|
| ☐ Annual / membership meeting | ☐ Regular board meeting |
| ☐ Special membership meeting | ☐ Special board meeting |

REVIEW GOVERNING DOCUMENTS

- | | |
|---|--|
| ☐ Declaration / CC&Rs | ☐ Confirm notice deadline & method
<i>Notice: 10-30 days before any association meeting; notice must state time, place, and agenda items. KRS §381.792(3).</i> |
| ☐ Bylaws | ☐ Confirm quorum requirement
<i>Quorum: 10% of lot owners/lots, unless the governing documents provide otherwise. KRS §381.792(3).</i> |
| ☐ Adopted meeting/election rules | ☐ Confirm agenda notice requirements
<i>Agenda: Yes — notice must state the time, place, and agenda items. KRS §381.792(3).</i> |

PREPARE & SEND NOTICE

- | | |
|--|--|
| ☐ Notice sent by required method
<i>Mail / hand delivery / electronic as bylaws permit</i> | ☐ Notice includes: election information (if applicable) |
| ☐ Notice sent within required window | ☐ Notice includes: proxy instructions (if applicable) |
| ☐ Notice includes: date, time, location | ☐ Affidavit / proof of notice prepared |
| ☐ Notice includes: agenda items
<i>Yes — notice must state the time, place, and agenda items. KRS §381.792(3).</i> | |

Watch out: Do not copy last year's notice without checking whether the meeting involves an election, amendment, budget change, or director removal - those may require different notice language or a longer window.

BUILD THE QUORUM WORKSHEET

TOTAL VOTING INTERESTS

VOTES NEEDED FOR QUORUM

NOTICE SENT DATE

MINUTES RECORDER

QUORUM REQUIREMENT

10% of lot owners/lots, unless the governing documents provide otherwise.

MEETING DATE / TIME

NOTICE METHOD

ELECTION REQUIRED?

Yes / No

VERIFY PROXIES (MEMBERSHIP MEETINGS)

- | | |
|---|---|
| ☐ Each proxy is signed | ☐ No conflicting / duplicate proxies |
| ☐ Each proxy is dated | ☐ Proxies logged in a proxy register |

☐ Each proxy identifies the meeting

☐ Proxy validity / expiration checked

Permitted; proxy terminates one year after signing, unless it specifies a shorter term. E...

☐ Proxy is from an eligible voting interest

ELECTION PREPARATION (IF APPLICABLE)

☐ Candidate eligibility confirmed

☐ Who counts ballots - identified in advance

☐ Nomination procedure followed

☐ Tie procedure established

☐ Voting method determined (secret / open ballot)

☐ Ballot / proxy forms prepared

PHASE 2 - AT THE MEETING

OPENING

☐ Call meeting to order - record exact time

☐ Identify presiding officer

☐ Confirm proof of notice

☐ Identify minutes recorder

ESTABLISH QUORUM -- BEFORE ANY VOTE

OWNERS PRESENT

VALID PROXIES

TOTAL REPRESENTED

REQUIRED FOR QUORUM

QUORUM ACHIEVED?

10% of lot owners/lots, unless the gove...

Yes / No

If quorum is not met: do NOT conduct member business. Call the meeting to order, announce the quorum calculation, and follow the applicable adjournment procedure. In Kentucky: The Planned Community Act establishes the board quorum at 51% of directors unless the bylaws require a larger percentage, but provides no statutory reduced-quorum or adjournment procedure when the board lacks a quorum.

CONDUCT THE MEETING

☐ Follow the prepared agenda

☐ Do not vote on matters outside the agenda

Especially amendments, assessments, director removal

☐ State each motion clearly before voting

☐ Do not conduct member business at a board meeting

☐ Record who made and seconded each motion

☐ Member speaking rights observed

Open meetings: Yes, unless bylaws provide otherwise; closed only during executive sessions

☐ Record the exact vote count and result

EXECUTIVE / CLOSED SESSION (BOARD MEETINGS)

☐ Valid statutory basis identified before closing

☐ Entry time recorded in minutes

☐ Exit time recorded in minutes

☐ Formal vote (if any) taken in open session after reconvening

☐ Post-session summary entered in minutes where required

Executive session is not a general privacy button. "We'd rather discuss this privately" is not a statutory basis. In Kentucky, permitted categories: KRS 381.793 expressly permits board meetings to be closed during executive sessions but does not specify statutory categories or subjects for those executive sessions.

IF NO QUORUM -- ADJOURNMENT

☐ Quorum calculation announced and recorded

☐ Motion to adjourn made and passed

☐ New date / time / place announced or noted for re-notice

☐ All proxies and attendance records preserved

☐ Adjournment procedure followed

The Planned Community Act establishes the board quorum at 51% of directors unless the

ADJOURNMENT

☐ Motion to adjourn made

☐ Adjournment time recorded

☐ Ballots / proxies retained

Do not discard - needed if results are challenged

PHASE 3 - AFTER THE MEETING

DRAFT MINUTES -- PROMPTLY

☐ Association name, meeting type, date, time, location

☐ Presiding officer and minutes recorder identified

☐ Proof of notice recorded

☐ Quorum calculation recorded

Owners present + valid proxies = total represented vs. required

☐ Each motion stated precisely

☐ Maker and seconder of each motion

☐ Vote count and result for each motion

☐ Election results recorded

☐ Executive session entry / exit times and any required summary

☐ Adjournment time recorded

Minutes are an official record, not a transcript. Record what was decided, not every word spoken. Avoid personal commentary. Good example: "Motion by Smith, seconded by Jones, to approve the landscaping contract for \$12,000. Passed 4-1." Bad example: "There was a long discussion and people seemed pretty divided."

RECORDS & FOLLOW-UP

☐ Minutes approved at next appropriate meeting

☐ Ballots and proxies retained

Minutes retention: The statute requires an association to keep meeting minutes for both a...

☐ Records available for member inspection as required

☐ Any required post-meeting notices sent

e.g. election results broadcast, assessment notices

☐ Action items assigned with owner and deadline

☐ Next meeting date confirmed and calendared

KENTUCKY QUICK REFERENCE

Governing statute	Kentucky Planned Community Act, KRS §§381.785-381.801, particularly §§381.792-.793.
Member meeting notice	10-30 days before any association meeting; notice must state time, place, and agenda. KRS §381.792(3).
Agenda in notice	Yes — notice must state the time, place, and agenda items. KRS §381.792(3).
Member quorum default	10% of lot owners/lots, unless the governing documents provide otherwise. KRS §381.792(1), (4).
Proxy rules	Permitted; proxy terminates one year after signing, unless it specifies a shorter term. Each lot has one vote; cumulative voting is prohibited. KRS §381.792(4)(a)-(b).
If quorum fails	The Planned Community Act establishes the board quorum at 51% of directors unless the bylaws require a larger percentage, but provides no statutory reduced-quorum or adjournment procedure when the board lacks a quorum.
Board meetings open	Yes, unless bylaws provide otherwise; closed only during executive sessions. KRS §381.793(2).

Board meeting notice	No statutory board-meeting notice period is prescribed in the Kentucky Planned Community Act. KRS 381.792 establishes the 10-to-30-day notice requirement for association/member meetings, while KRS 381.793 governs board meetings without specifying a notice period.
Board quorum default	51% of directors, unless bylaws specify a larger percentage. KRS §381.793(1).
Executive session	KRS 381.793 expressly permits board meetings to be closed during executive sessions but does not specify statutory categories or subjects for those executive sessions.
Minutes retention	The statute requires an association to keep meeting minutes for both association and board meetings, but does not prescribe a specific retention period.
Citation	KRS §§381.785-381.801, particularly §§381.792-.793. Sections 381.792-.793 were created by 2023 Ky. Acts ch. 23, effective June 29, 2023.

These reflect statutory defaults for Kentucky and apply only when your governing documents do not specify otherwise -- your declaration and bylaws generally control. This checklist is a governance aid, not legal advice. For contested elections, amendments, director removal, or disputed voting rights, have the association's attorney review the procedure before the meeting.