



Setting the Standards for Home Energy Efficiency

Results of Reconsideration Ballot of the RESNET Board of Directors on Revision of Policy of Broadcasting RESNET Board Meetings

March 29, 2019

Phillip Fairey made the following motion:

In light of the advice from RESNET's legal counsel (Attachment A) I move that the RESNET Board reverse its policy of broadcasting via GotoWebinar RESNET Board meetings.

John Hensley seconded the motion.

The following are the results of the first ballot.

Shall the RESNET Board approve the Fairey-Hensley motion?

| Yes -18 | No – 1 | Abstain - 0 | Not Voting - 1 |
|-----------------------------|------------------|-------------|----------------|
| Jim Amarin | Paulette McGhie* | | Bob Eipert |
| Jacob Atalla | | | |
| David Bean | | | |
| Dave Bell | | | |
| Philip Fairey | | | |
| Matt Gingrich | | | |
| Emelie Cuppernell Glitch | | | |
| David Goldstein | | | |
| Andrew Harris | | | |
| John Hensley | | | |
| Roy Honican | | | |
| Mark Johnson | | | |
| Abe Kruger | | | |
| Chris McTaggart | | | |
| Clayton Morris | | | |
| Curt Rich | | | |
| Clayton Traylor | | | |

*Paulette McGhie voted no for the following reason:

I feel that the Board Meetings need to be available to broadcasting so that all members of Resnet will have access. I believe in transparency. If Go To Webinar is not to be used, what other methods of broadcasting will be used moving forward?

Because of the negative vote, following RESNET electronic ballot procedures a reconsideration vote was taken. The results of the reconsideration ballot was;

Shall the RESNET Board approve the Fairey-Hensley motion?

| Yes -18 | No – 1 | Abstain - 0 | Not Voting - 1 |
|-----------------------------|------------------|--------------------|-----------------------|
| Jim Amarin | Paulette McGhie* | | Bob Eipert |
| Jacob Atalla | | | |
| David Bean | | | |
| Dave Bell | | | |
| Philip Fairey | | | |
| Matt Gingrich | | | |
| Emelie Cuppernell Glitch | | | |
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| Andrew Harris | | | |
| John Hensley | | | |
| Roy Honican | | | |
| Mark Johnson | | | |
| Abe Kruger | | | |
| Chris McTaggart | | | |
| Clayton Morris | | | |
| Curt Rich | | | |
| Clayton Traylor | | | |

The policy was reversed.

Attachment A

RENOSI
Law P.A.



Drew Englund, Esq.
Kelly Puckett, Esq.
*Sandra Pfau Englund, Esq.
*(of counsel, D.C. Bar)

To: Steve Baden. Executive Director

From: Kelly Puckett, Esq

Re: RESNET board meeting webinar

Date: March 7, 2019

Steve,

You asked that I provide you with an opinion on the issue of whether RESNET should exhibit their board meetings via a webinar service such as GoToWebinar.

RESNET is a private nonprofit corporation and is not subject to any type of Sunshine Laws requiring open board meetings. As part of RESNET's dedication to transparency, however, it has conducted open Board meetings, allowing any member who wished to attend to be present. With today's technology, moving to the next level using digital exhibition, such as GoToWebinar, seems like a logical progression. From a legal standpoint, there is nothing to prevent RESNET from using this medium to reach its members, but the issue is whether doing so is the right move for RESNET. Can broadcasting an open meeting over the internet cause harm? It's possible.

With the ability to easily record a webinar on computers nowadays, a taped meeting could be used against RESNET if it ever found itself embattled in litigation over an issue discussed in that meeting. This thinking may appear over-the-top, but the possibility exists, and if the possibility exists, then why risk it.

Based on this, it is my opinion that RESNET should not broadcast its board meetings using any type of webinar or online software.

Please let me know if you have any questions.



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