

(iv) Consultation with staff personnel, consultants, attorneys, or other persons in connection with pending or potential litigation;

(v) Investigative proceedings concerning possible or actual criminal misconduct;

(vi) Consideration of the terms or conditions of a business transaction in the negotiation stage if the disclosure could adversely affect the economic interests of the homeowners association;

(vii) Compliance with a specific constitutional, statutory, or judicially imposed requirement protecting particular proceedings or matters from public disclosure; or

(viii) On an individually recorded affirmative vote of two-thirds of the board or committee members present, some other exceptional reason so compelling as to override the general public policy in favor of open meetings; and

[(4)] (5) If a meeting is held in closed session under paragraph [(3)] (4) of this section:

(i) An action may not be taken and a matter may not be discussed if it is not permitted by paragraph [(3)] (4) of this section; and

(ii) A statement of the time, place, and purpose of a closed meeting, the record of the vote of each board or committee member by which the meeting was closed, and the authority under this section for closing a meeting shall be included in the minutes of the next meeting of the board of directors or the committee of the homeowners association.

11B-111.2.

~~(A) A RECORDED COVENANT OR RESTRICTION, A PROVISION IN A DECLARATION, OR A PROVISION OF THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION MAY NOT RESTRICT LOT OWNERS FROM DISTRIBUTING INFORMATION OR CIRCULATING PETITIONS TO OTHER LOT OWNERS REGARDING THE OPERATION OF AND MATTERS RELATING TO THE OPERATION OF THE HOMEOWNERS ASSOCIATION.~~

~~(1) IN ALL COMMON AREAS AND IN ANY BUILDING OR FACILITY LOCATED IN THE COMMON AREAS, SUBJECT TO REASONABLE RULES CONCERNING TIME, PLACE, AND MANNER ADOPTED BY THE GOVERNING BODY, AND~~

~~(2) IN ANY MANNER THAT A GOVERNING BODY DISTRIBUTES INFORMATION AND CIRCULATES PETITIONS TO MEMBERS OF THE HOMEOWNERS ASSOCIATION.~~

~~(B) THE COSTS OF DUPLICATION, DISTRIBUTION, OR REMOVAL OF MATERIALS PREPARED BY A LOT OWNER SHALL BE THE RESPONSIBILITY OF THOSE DISTRIBUTING THE INFORMATION OR CIRCULATING THE PETITIONS.~~

~~(C) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE GOVERNING BODY TO DUPLICATE OR DISTRIBUTE MATERIAL PREPARED BY A LOT OWNER.~~