

# **Conventry Plantation Home Owner Association Bylaws**

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## BYLAWS OF COVENTRY PLANTATION HOMEOWNER'S ASSOCIATION

### I. ARTICLE I

#### NAME AND PURPOSE

- A. The name of this association shall be the Coventry Plantation Homeowner's Association hereto referred to in these bylaws as the Association.
- B. The purpose of the Association is to improve and maintain the community and provide for the maintenance of all common areas and provide for the operation of the street lighting. The Homeowners shall be bonded into a single body of authority and action, ever mindful of their responsibility to their neighbors.

### II. ARTICLE II

#### MEMBERSHIP

- A. The membership of the association is explained in the covenant Page 6 art. 17.
- B. A member in good standing is defined as a member who dues are paid and has no legal action pending against the association.

### III. ARTICLE III

#### DUES AND ASSESSMENTS

- A. Refer to Covenant page 7 article 19.

### IV. ARTICLE IV

#### MEETINGS

- A. The association at the previous month meeting will determine:
  - 1. The date and time of the next meeting and the meeting location.
  - 2. The meeting shall be held unless so changed by the President or in his /her absence, by the Presiding Officer; the Secretary shall advise all members of the change.
    - a. The regular meeting held in October shall be known as the Nomination Meeting. Nominations for officers made at this meeting shall be voted on as described by Article IX
  - 3. Special meetings can be called by the President, or by a majority of the available members, or by a majority of the Executive Board. Except in cases

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of emergency, at least three days notice shall be given and the Secretary shall make an effort to contact all members and advise them of the time and place of the meeting.

4. Sixty percent (60%) of the members in good standing of the Association including two officers shall constitute a quorum.

### V. ARTICLE V

#### RULES OF ORDER

- A. The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases of which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Association may adopt.

### VI. ARTICLE VI

#### COMMITTEES

- A. **STANDING COMMITTEES**: the Executive Board shall appoint Standing committees. Committee members shall serve for as long as the Executive Board determines or until a member submits in writing of his desire to no longer serve on that committee. Standing Committees shall include:
  1. **Fiscal**: Shall be charged with Fund raising and collection of assessments, and preparing the budget for the following year for the Association.
    - a) Ensure the budget provide reserves for major maintenance and replacements.
  2. **Architectural Control**: Will approve or disapprove any plans for exterior home improvement within the specified time limit using the covenant Section
    - a) Any rejection will automatically be appealed to the executive board for a second vote.
    - b) Any rejections by the executive board will automatically be appealed to a majority vote of a quorum of members at the next scheduled meeting.
    - c) The architectural control committee will present their argument for denying the plan at all appeals.
    - d) If plans can be slightly modified to meet the committee approval then this will not be considered a denial until after the committee responds and the submitter rejects the changes.

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- e) The committee will submit a budget to the fiscal committee for the following years landscaping, and maintenance's requirement prior to the fiscal committee budget.
3. **Bylaw**: Shall be charged with preparing the initial set and the reviewing of all submitting changes to of bylaws.
- a) Any member can submit a change, amendment, or addition to the bylaws.
  - b) Changes must be submitted in writings to a member of the bylaw committee 10 business days before the next scheduled meeting.
  - c) The bylaw committee member will prepare the submission to be presented to the membership for a vote at the next schedule meeting. This includes contacting an officer to ensure that it is added to the agenda.
  - d) The bylaw committee will meet prior to the membership meeting and discuss the legality and need for the bylaw. The member who submitted the bylaw change will be allowed to present his argument for the bylaw at all meetings. His writing submission should include all evidence for his case.
    - (1) Grammar or spelling change does not apply.
  - e) Provide new homeowners or renters with a welcome to the neighborhood package designed by the Association, which will include a copy of the covenants and bylaws.
4. **OTHER COMMITTEES**: The Executive Board shall appoint other committees as necessary to carry out the work of the Association. These committees will be dissolved when the task of the committee has been completed.
- B. All committees will meet on a regular basis at the discretion of the committee chairman. All committee chairmen will keep the Vice President informed of all activities of their committees (reporting to him prior to or at the executive board meeting) and shall make a full disclosure to the general membership when called for.
  - C. Committee chairmen are permitted to make decisions concerning their duties and committees, acting in the best interest of the Association with proper guidance from the Executive Board.

**VII. ARTICLE VII**

**OFFICERS AND DUTIES**

The officers of the Association shall be the President, Vice President, Secretary, and Treasurer. These officers shall perform the duties prescribed in these bylaws and by the parliamentary authority adopted by the Association.

- A. The President shall be the Chief Executive Officer; He shall preside at all meetings of the General Assembly and at all meetings of the Executive committees. He shall have general and active management of the business of the association on a day to day basis. He is authorized to maintain a \$50.00 reserve for miscellaneous expenses. He shall sign bank checks along with the Treasurer.
- B. The Vice President shall be vested with all the powers and shall perform the duties of the President during his absence. He shall perform such duties as may, from time to time, be assigned to him/her by the president or as determined by the Executive Board.
- C. The Secretary shall be vested with all the powers and shall perform all the duties of the Vice President and/or Treasurer in their absence. He shall keep a careful and authentic record of the proceedings of the association, prepare a roll call of members and call it when necessary. He shall preserve all documents of the Association except those specifically assigned to others. He shall provide the chairman of each committee with a list of the members of his committee together with all the papers and instructions intended for it. He shall provide the presiding officer at the beginning of each meeting with the order of business for the day. He shall read all the papers that may be called for by the Association. He shall authenticate by his signature all records, documents, bring to each meeting a copy of the bylaws, and the standing and special committees. He shall carry on all official correspondence for the Association. Copies of the minutes will be made available, for the presiding officers.
- D. The Treasurer shall be vested with all the powers of the Secretary and shall perform these duties in his absence. He shall have charge of the funds of the Association and shall make a complete financial report at each meeting or at such time as requested by the Executive Board. The treasurer shall sign all checks and make required withdrawals from the association treasury. He shall be authorized an emergency fund of up to but not exceeding \$50.00 for unforeseen expenses that may occur. Receipts will be issued for all monies received. A committee of four at the time of elections will audit the Treasurer's books or anytime the Executive Board deems necessary.

**VIII. ARTICLE VIII**

**EXECUTIVE BOARD**

- A. The officers of the Association and two members-at-large in good standing duly elected by a majority vote of the Association shall constitute the Executive Board.
- B. The Executive Board shall have general supervision of the affairs of the association and shall meet one week prior to the general meeting to discuss affairs of the Association and to set the agenda for the general meeting.
- C. The Executive Board shall not render any decisions contrary to the bylaws, but may render decisions on matters not covered in these keeping the best interest of the Association always in mind

**IX. ARTICLE IX**

**NOMINATIONS, ELECTIONS AND TERMS OF OFFICE**

- A. Candidates for the office of President, Vice-President, Treasurer, Secretary, and the two Member-at-Large positions on the Executive Board shall be nominated and accepted themselves at the regular meeting held in the month of October each year. The members at Large are nominated by the membership and appointed by the executive officer. No ballot voting is required for the member-at-large position.
- B. During the month of November, officer elections shall be held. The voting will be held by ballot and the term of office shall be for two years, to commence on 1 January and expire on 31 December.
- C. The ballot shall consist of a list of names including the address, and the office they are running for.
- D. Ballots will be distributed by the 15<sup>th</sup> of the month and will need to be returned by midnight of the last day of the month. Ballots will be distributed by any mean necessary as decided by the executive board.
- E. Any officer running unopposed shall be consider elected unless the ballots are returned with a majority of nay votes.
- F. Any ballot not return will be considered a non-contested vote and be counted as a Yea vote for any officer running unopposed.
- G. If all ballots are not return and there is more than one candidate for a office, the president will form and call upon the election committee to go out and collect the ballots of household that have not voted.

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- H. At this time they will count the votes and declare a winner.
- I. If there is a tie the office will be decided by a flip of a coin. The coin flip will be witnessed by the two candidates, and a quorum of the executive board members, and a quorum of the election committee members.
- J. In the event that an office should become vacant, the Executive Board shall appoint a member in good standing to complete the term of office.
- K. No member shall hold more than one office at any time.
- L. No Household will hold more than one office at one time. No household will have more than one voting member on a committee. Other members of the household can be members of a committee to carry out business necessary for the committee.
- M. Officers of a committee and officers of the executive board are not to be considered the same. An officer of the executive board and his/her spouse may both serve on different committees and vote.
- N. If they serve on the same committee one of them (their choice) will not vote. Normally this will be the officer of the executive board because the job is to be Chairman of the committee and as such would not vote unless to break a tie. If a tie was to happen, another member of the executive board, who does not have a household member on the committee, will be asked to cast the tie-breaking vote.
- O. Before this tie breaking was necessary the committee should decide whether or not to table this vote or to call for a second discussion on the matter up for the vote.
- P. If no resolution for this matter can be found and the tie breaking vote needs to be called for the officer who is called will have the choice of:
  - Q. Casting the vote to break the tie.
  - R. Calling in all of the executive committee to break the tie.
  - S. Calling for the matter to be tabled until the next meeting and it is brought to the floor for the entire member to debate and decide the matter.
- T. Regardless of the decision of the officer at the next scheduled meeting when the committee report is read. This vote will be reported and the President will call for a vote on whether to discuss this vote or let the committee action stand.



**X. ARTICLE X**

**ISSUES FOR APPROVAL ON THE BALLOT**

A. Issues of concern will be added to the ballot at the executive board's discretion in lieu of calling a meeting. These issues will need the approval of the home owner association and will require a two third majority vote.

B. All issues on a ballot not return will be considered a non-contested vote and be counted as a Yea vote for those issues.

**XI. ARTICLE XI**

**AMENDMENTS**

A. These Bylaws may be amended at any meeting of the Association, provided an amendment has been submitted, in writing or by ballot. Voting can be by a show of hands and if at least two-thirds of the total membership is present to voted on the amendment. If two-third of the total membership is not present a vote can still be called and if approved the bylaw changes will be added to a ballot.

B. The executive board can approve that an amendment to be added to the ballot. Any amendment add to the ballot by the executive board is not consider approved until the ballots are return. This ballot will be required to be return.

C. Any amendment approved by the quorum at the meeting shall be consider passed unless the ballots are returned with a majority of nay votes.

D. All amendments on a ballot not return will be considered a non-contested vote and be counted as a Yea vote for all amendment.

1. Ballots will be distributed by the 15<sup>th</sup> of the month and will need to be returned by midnight of the last day of the month. Ballots will be distributed by any mean necessary as decided by the executive board.

**XII. ARTICLE XII**

**VIOLATIONS AND COMPLAINTS, OF COVENANTS OR BYLAWS**

A. Violations or complaints of the bylaw, or covenants, shall be submitted to the president in writing.

B. The president is empowered to submit for the membership a standard form letter to the complainant describing the violation and the time limit in correcting the

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complaint. If he believes that no further action is required the matter will be considered dead at that time.

C. The complainant has full appealing rights and the executive committee will hear any appeals.

D. Any appeals rejected are automatically brought to the membership on the next meeting.

E. The president will keep a log of all complaints, and violations including the date and time of the complaint, the persons making the complaint, and actions taken.

### **XIII. ARTICLE XII**

#### **POLITICS**

A. The association is not a political organization with the main purpose of influencing outside issues and elections. On rare occasions, the association may become active on a single civic issue if it affects the property values of members.

B. The association does not become involved, leaving such political matters to voluntary membership, civic associations, and political parties.