

# **PINEDALE SHORES PROPERTY OWNERS ASSOCIATION, INC.**

## **BY-LAWS**

### **ARTICLE 1-Meetings**

1. The annual and all special meetings will be held at the Civic Center or at a place designated by the Board of Directors. A ten (10) day advance notice will be given on the annual and special meetings, giving the time and place of the meeting.
2. Annual meetings of the members of the P.O.A. Inc. shall be held @2:00 PM on the second Sunday of August each year. At this meeting there shall be elected by the members of the association, by ballot, a President, a Vice-President (every two years), a Secretary/Treasurer (every year) and Directors, vacancies. Ballots cast at the annual and special meeting are to be held in the P.O.A. office for a minimum of thirty (30) days. Request for recount must be submitted to the P.O.A. office via certified mail within ten (10) days after the election. The recount shall take place within ten (10) days of the receipt of the request. Contesting parties shall choose two witnesses to be present at the recount of the ballots.
3. Special meetings of the members shall be held at the same place as set by the Directors for annual meeting as herein above provided. Such meetings may be called at any time by the President or by a minimum of seventy-five (75) members of the association. When a petition is presented to the P.O.A. office, a receipt for the petition will be given and a time limit of fifty (50) days begins within which the special meeting must take place. When a petition is received it is to be reviewed for validity within ten (10) working days. If found to be invalid, the person to whom the receipt was given will be notified in writing. Petitioners will have ten (10) working days to make corrections and resubmit to the P.O.A. office. When the petition is validated, the president will set a special meeting date. The Secretary/Treasurer shall mail a notice to each member of the association of such called meeting ten (10) days in advance, giving time and place of the meeting an object thereof. No business shall be transacted at a special meeting except that stated in the notice that was sent to the members.
4. Members present at any meeting as set out in paragraph two (2) and three (3) shall constitute a quorum for transaction of business.
5. Members shall be entitled to one vote for each lot on which the annual membership dues are paid up to date.
6. The President and Vice-President shall be elected to serve two (2) years. The Secretary/Treasurer will be elected to serve one (1) year. Directed will be elected to serve one year, two years or three years as set out in Article IV Paragraph 1.
7. The following order of business shall be observed at all annual meetings, so far as practicable.

- (1) Call to order
- (2) Prayer
- (3) Pledge of Allegiance
- (4) Proof of due notice of meeting by Secretary/Treasurer
- (5) Reading, correction, and approval of minutes.
- (6) Financial report
- (7) Report of Committees
- (8) Election of officers and directors as applicable
- (9) Unfinished business
- (10) New business
- (11) Prayer and adjournment

8. The following order of business shall be observed at all special meetings, so far as practicable.

- (1) Call to order
- (2) Prayer
- (3) Pledge of Allegiance
- (4) Proof of due notice of meeting by Secretary/Treasurer
- (5) Reading of petition of resolution
- (6) Discussion of petition of resolution
- (7) Vote on petition of resolution
- (8) Prayer and adjournment

## **ARTICLE II-Membership**

1. Certificates of membership shall be in the form approved by the secretary/Treasurer. Membership cards: When membership dues are paid, each member will be issued one (1) membership card, three (3) guest cards. All cards must be signed by the secretary/Treasurer. All boats must display a Pinedale boat sticker or be removed from the lake as a trespasser. Two (2) boat stickers per boat will be given to each member with proof of ownership.
2. All certificates of membership shall be consecutively numbered. The name of the person owning the membership, with its number, shall be entered in the association's books.
3. In the event a member sells a lot the new owner shall become a member and the seller, unless he or she owns another lot, will cease to be a member. In the case of a transfer of ownership, the Secretary/Treasurer shall be notified of the change. The seller must turn in his/her membership cards for new membership cards to be issued to the new owner.

4. Membership dues shall be Forty dollars (\$40.00) annually for vacant lots and Seventy-five dollars (\$75.00) annually for lots with building or trailer erected on it. Annual membership dues are due on September 1<sup>st</sup> and delinquent after September 30<sup>th</sup>.
5. The definition of a member of the P.O.A. Inc. is any person owning property in the Pinedale Shores subdivision.
6. The renting of the Civic Center or Bar\*B-Que Pavilion, by members of the association for private parties shall be approved by the President and/or Vice- President. The board shall establish rental fees. Only a property owner may rent the Civic Center or Bar-B-Que Pavilion and the property owner shall be responsible for the conduct of her/her guests, clean up and damages.

### **ARTICLE III-Officers and Directors**

1. A Board of Directors consisting of nine (9) directors, the President, Vice-President, and Secretary/Treasurer shall be elected as set forth in paragraph 2 Article I. Terms of office for President and Vice-President shall be two (2) years. The term of office of the Secretary/Treasurer shall be one (1) year. Terms of office for the Directors shall be as set prior to the election according to vacancies on the board, terms shall be three (3) years, two (2) years or one (1) year and terms shall be stated on election ballots. In the event a vacancy occurs on the board prior to the annual meeting, the President shall appoint a member to fill the vacancy in concurrence with the majority of the remaining board members within forty-five (45) days.

No two (2) members of one family may be employed as paid personnel by the association during any administration. No two (2) members of one family may serve as Officers or Directors. A family is considered spouses, parents, and their children.

2. The business and affairs of the corporation and all corporate authority and powers shall be exercised by or under authority of the Board of Directors, subject to limitations imposed by law, the Articles of Incorporation, or these by-laws.
3. The President shall preside at all meetings of the members and of the Directors and shall have general charge of, and control over, the affairs of the association, subject to the Board of Directors. The president shall enforce all deed restrictions.
4. The Vice-President shall perform such duties as may be assigned to him/her by the President. In case of death, disability, absence or removal of the President, the Vice-president shall serve as President Pro-Tem until the next annual Election. The President Pro-Tem shall appoint a Vice President with the approval of the Board of Directors.

5. The Secretary/Treasurer is the recording officer of the association and custodian of its records. The Secretary/Treasurer shall perform the following duties:
  1. Certify and keep originals of all corporate documents.
  2. Sign all membership cards.
  3. Record and keep minutes of the proceedings of meetings of the association.
  4. See that all notices are duly given in accordance with the by-laws of the association.
  5. Keep a registrar of all members, their addresses and number of lots.
  6. See that the books, reports, statements, certificates and all other documents and records required by law are properly kept and filed.
  7. Exhibit at reasonable times to proper persons on proper application, the by-laws, membership lists and minutes of proceedings of the Association.
  8. Sign, certify or attest such documents as may be required by law or business of the corporation, and keep the corporate seal, if any, and affix it to such instruments as may be necessary or proper.
  9. Have charge and custody of, and be responsible for, all funds and securities of the corporation, and deposit all such funds in the name of the corporation in such banks as shall be selected by the Board of Directors.
  10. Disburse, or cause to be disbursed, the funds of the corporation as may be directed by the Board of Directors, taking proper vouchers for such disbursements.
  11. Keep and maintain adequate accounts of the corporation.
  12. Perform all duties incident of the office of Secretary/Treasurer and other duties as from time to time may be assigned by the Board of Directors.
7. All checks drawn against a bank of the association shall be signed by the President or Vice-President and Secretary/Treasurer. In case of an emergency the Board of Directors will appoint an alternate to sign checks. The President, Vice-President and Secretary/Treasurer shall be bonded by a surety company in the amount of Ten thousand dollars (\$10,000) each. The bonds shall be payable to the association.
8. The President, with the approval of the Board of Directors, shall hire an accountant or accounting firm to do the monthly financial reports, reconcile the bank statements and do payroll taxes. A certified public accountant will be hired to do the yearend audit.
9. All books, papers, and records of the P.O.A. shall be maintained in the office of the P.O.A. Inc. and turned over to newly elected officers at the time of the election.
10. The fiscal year of the P.O.A. shall be September 1<sup>st</sup> through August 31<sup>st</sup> of the following year.
11. The President, Vice-President, or Secretary/Treasurer of said association may be removed from office by a vote of three-fourths (3/4) of members of the board of Directors and said Board of Directors shall be authorized by a majority vote to elect a replacement for such President, Vice -

President, or Secretary/Treasurer. Such newly elected President, Vice-President or Secretary/Treasurer shall serve until next annual election and may run for election if he/she chooses.

12. A person must serve on the Board of Directors a minimum of one (1) year before he/she can be elected President or Vice-President.

#### **ARTICLE IV-Standing Committees**

The President of the association shall appoint the following committees:

- (1) Lake & Beach
- (2) Roads
- (3) Fund Raising

#### **ARTICLE V- Delinquent Board Members**

Any Board Member absent from three (3) consecutive meetings shall be relieved of his/her office unless excused at each meeting from which he/she is absent. Excused absence determined as sick, working, death in immediate family, vacation or out of town.

#### **ARTICLE VI-Expenditures**

1. The President of the association, on the recommendation of the committee under whose authority the expenditures come, may approve the payment of up to two hundred dollars (\$200.00) per event.
2. Purchases made in the name of the P.O.A., Inc., must be made by purchase order and paid by invoice.
3. Expenditures such as up-keep of equipment, office supplies, water, garbage service, existing utilities, payment of insurance and taxes are considered a necessity and require no prior authorization; the President, Vice-President and Secretary/Treasurer will be responsible to the Board of Directors for accuracy and prompt payment of said expenditures. The Board of Directors will maintain the authority to approve any expenditure not listed above and does not exceed more than twenty-five hundred dollars (\$2500.00) on any one item. Any expenditures other than the above specified and over twenty-Five hundred dollars (\$2500.00) requires prior approval from the members at large.

#### **ARTICLE VII-Liquor**

No liquor or alcoholic beverages will be allowed in Civic Center, beach, or ballpark.

#### **ARTICLE VII-Amendments**

1. Any of these By-Laws may be amended by (2/3) of the votes cast by the members present at the annual meeting or special meeting called for that purpose, as set out in Article 1, Paragraph 1&3.
2. Every member of the association shall be furnished a copy of these by-laws.

#### **ARTICLE IX-Leash Law**

All dogs must be in a fenced yard or pen or a leash.

#### **ARTICLE X-Amendments**

These By-Laws of the Pinedale Shores Property Owners Association, Inc. became effective upon approval by the members at large.