

# Magnolia Heights Neighborhood Association

Revision of Association Bylaws: October 12th, 2020

## **ARTICLE I: NAME**

**Article 1, Sec. 1:** The name of this organization is Magnolia Heights Neighborhood Association

## **ARTICLE II: PURPOSE**

**Article 2, Sec. 1:** The purpose of the Association is to represent and promote the concerns and interests of all residents of this neighborhood.

**Article 2, Sec. 2:** The Association shall represent no individual ethnic group, religion, or political party.

## **ARTICLE III: MEMBERSHIP**

**Article 3, Sec. 1:** Active members

**Article 3, Sec. 1, Sub.a:** Any adult (over the age of 18) property owner, tenant, or resident within the boundaries of this neighborhood whose dues are currently paid.

**Article 3, Sec. 1, Sub.b:** May attend any Association meeting and vote on all issues submitted to the Association.

**Article 3, Sec. 1, Sub. c:** Have the privilege of holding a Board office.

**Article 3, Sec. 3:** Any Person who ceases to be a member of the Association shall forfeit all right of interest in any property of the Association. Any records or property in their possession shall be turned over to a current Board member.

## **ARTICLE IV: DUES**

**Article 4, Sec. 1:** All members shall be required to pay annual dues in the amount recommended by the Board of Directors and approved by a majority vote of present active Association members.

**Article 4, Sec. 2:** The fiscal year shall be the calendar year, beginning January 1 and ending December 31.

## **ARTICLE V: ELECTIONS**

**Article 5, Sec. 1:** Nominations for Board members shall be held at the last Association meeting of the current year.

**Article 5, Sec. 1, Sub. a:** Any present Association active member may be nominated as a Board member.

**Article 5, Sec. 1, Sub. b:** No current board member shall nominate themselves for any Board position.

**Article 5, Sec. 1, Sub. c:** Once nominated, nominees qualifications shall be verified by the Board of Directors.

**Article 5, Sec. 1, Sub. d:** Herein, in the event of a tie vote the Association President shall make the final decision; unless the said vote is to determine the nomination or election of the President in which case the final decision shall be made by the Association Vice-President. If the Vice-President is not present, the decision shall be made by the Association Secretary.

**Article 5, Sec. 2:** Election of nominated Board members shall be held at the first Association meeting of the following year.

**Article 5, Sec. 2, Sub. a:** Nominated Board members shall be elected by a majority vote of present Association active members.

## **ARTICLE VI: OFFICERS**

**Article 6, Sec. 1:** There shall be four Officers — President, Vice President, Secretary, and Treasurer.

**Article 6, Sec. 2:** The duties of the President shall include, but no limited to, the following:

**Article 6, Sec. 2, Sub. a:** Be the Executive Officer and preside over the meetings of the Association and the Board of Directors.

**Article 6, Sec. 2, Sub. b:** Co-sign with the Treasurer any contract or obligations as authorized by the Association.

**Article 6, Sec. 2, Sub. c:** Have the authority to create committees as outlined in Article 8.

**Article 6, Sec. 2, Sub. d:** Give an annual report at the last Association meeting of the current year.

**Article 6, Sec. 3:** The duties of the Vice President shall include, but not limited to, the following:

**Article 6, Sec. 3, Sub. a:** Perform the duties of President in his or her absence.

**Article 6, Sec. 3, Sub. b:** Assist the President and the Board of Directors upon request.

**Article 6, Sec. 3, Sub. c:** Assume the office of the President for the remaining term, should that office become vacant.

**Article 6, Sec. 4:** The duties of the Secretary shall include, but not limited to, the following:

**Article 6, Sec. 4, Sub. a:** Keep minutes of Association and Board of Directors meetings and deliver them to the President by the next scheduled meeting.

**Article 6, Sec. 4, Sub. b:** Maintain a current list of all Association members.

**Article 6, Sec. 4, Sub. c:** Regularly pick up and distribute any Association mail received at the post office.

**Article 6, Sec. 4, Sub. d:** Send out or provide notices as requested.

**Article 6, Sec. 4, Sub. e:** Provide a report to the Association as requested by the President.

**Article 6, Sec. 5:** The duties of the Treasurer shall include, but not limited to, the following:

**Article 6, Sec. 5, Sub. a:** Collect and receive all funds due the Association and promptly deposit them in the designated Association financial institution.

**Article 6, Sec. 5, Sub. b:** Receive all Association membership dues and provide the Secretary with the names and addresses of new members.

**Article 6, Sec. 5, Sub. c:** Pay all recurring and routine bills of the Association and disperse any funds approved by the Board of Directors.

**Article 6, Sec. 5, Sub. d:** Co-sign with the President any contract or obligation as authorized by the Association.

**Article 6, Sec. 5, Sub. e:** Provide a report to the Association as requested by the President.

## **ARTICLE VII: DIRECTORS**

**Article 7, Sec. 1:** The Board of Directors shall consist of all Officers and non-officer members as may be elected.

**Article 7, Sec. 1, Sub. a:** The maximum number of Board members shall be nine, consisting of four Officers and five non-officer members.

**Article 7, Sec. 1, Sub. b:** Any Board member who is absent at three or more consecutive meetings, without prior arrangements with the Board of Directors, may be dismissed from that member's Board position.

**Article 7, Sec. 2:** Non-officer Board member responsibilities shall consist of, but not limited to, the following:

**Article 7, Sec. 2, Sub. a:** Have a vote on all issues presented to the Board of Directors.

**Article 7, Sec. 2, Sub. b:** Fill vacancies of the Board for the term remaining, except for the office of President, by a majority vote of the Board of Directors.

**Article 7, Sec. 2, Sub. c:** Temporarily perform the duties of the Association Secretary in the event the elected Secretary is unable to attend a Board of Directors or Association meeting.

## **ARTICLE VIII: COMMITTEES**

**Article 8, Sec. 1:** Standing committees are to be established for long term issues or problems.

**Article 8, Sec. 1, Sub. a:** Standing committees shall be created and dissolved by the Association President with the majority approval of the Board of Directors.

**Article 8, Sec. 1, Sub. b:** Standing committee chairpersons shall be appointed by the Association President with the majority approval of the Board of Directors.

**Article 8, Sec. 1, Sub. c:** The purpose of a standing committee shall be outlined by the Board of Directors.

**Article 8, Sec. 1, Sub. d:** Standing committee chairpersons shall be responsible for selecting committee members and organizing committee meetings, as well as reporting committee findings and decisions to the Board of Directors upon request.

**Article 8, Sec. 1, Sub. e:** Any Association active member may volunteer to chair or be a member of a standing committee.

**Article 8, Sec. 2:** Special committees are to be established for short term issues or problems.

**Article 8, Sec. 2, Sub. a:** Special committees shall be created and dissolved by the Association President.

**Article 8, Sec. 2, Sub. b:** Special committee chairpersons shall be appointed by the Association President.

**Article 8, Sec. 2, Sub. c:** The purpose of a special committee shall be outlined by the Association President with the majority approval of the Board of Directors.

**Article 8, Sec. 3:** All findings and decisions made by any committee shall be reviewed by the Board of Directors prior to any action being taken on behalf of the Association.

## **ARTICLE IX: MEETINGS**

**Article 9, Sec. 1:** General meetings of the Association shall be held at the date and time recommended by the Board of Directors and approved by a majority vote of present Association active members at any general meeting.

**Article 9, Sec. 1, Sub. a:** The Board of Directors may cancel an Association meeting in the case of situations in which members may have difficulty reaching the meeting place (i.e.: extreme weather, problems with the meeting place, etc.)

**Article 9, Sec. 1, Sub. b:** A general Association meeting may be cancelled with the agreement of at least five Board members.

**Article 9, Sec. 1, Sub. c:** With the exception of emergency situations, such as those outlined in Article 9, Sec. 1, Sub. a, a minimum of 24 hours notice shall be given as to the cancellation of a general Association meeting.

**Article 9, Sec. 2:** Special meetings of the Association may be called by a minimum of six Board members.

**Article 9, Sec. 2, Sub. a:** Notice of special Association meetings shall be given to all available Association members a minimum of seven days prior to the meeting date.

**Article 9, Sec. 3:** A quorum at any Association meeting shall consist of 10% of the active membership or five Association members, whichever is less.

**Article 9, Sec. 4:** Special Board meetings may be called by the Association President or by a minimum of three Board members.

**Article 9, Sec. 4, Sub. a:** A minimum of three days notice shall be given to all available Board members as to special Board meetings.

**Article 9, Sec. 4, Sub. b:** In all Board meetings, a quorum shall consist of at least three Board members.

**Article 9, Sec. 4, Sub. c:** Cancellations of any Board meeting shall be the same as outlined in Article 9, Sec. 1, Sub. a and c.

**Article 9, Sec. 5:** In the event the minimum quorum requirements are not met within 15 minutes after a meeting's start time, the meeting will be adjourned with no official business taking place.

**Article 9, Sec. 6:** The orderly transaction of business affairs during meetings may be covered by Roberts Rules of Order, at the discretion of the Association President.

## **ARTICLE X: CHALLENGES AND DISPUTES**

**Article 10, Sec. 1:** Any present Association active member may challenge an Association vote with a recount.

**Article 10, Sec. 1, Sub. a:** Any challenge made to a vote must be made while the said issue is still on the table. Once the Association has voted and moved to the next issue the vote shall stand and no further challenge shall be heard.

**Article 10, Sec. 1, Sub. b:** No more than one challenge, in the form of a recount, shall be made on any issue. The result of the recount shall stand as the final vote.

**Article 10, Sec. 2:** There shall be no absentee voting, with the following exceptions:

**Article 10, Sec. 2, Sub. a:** An active Association member that is unable to attend a meeting due to being home-bound may have their vote cast by a spouse or other family member who is also an active Association member and lives with them. The family member must be present at the meeting.

**Article 10, Sec. 2, Sub. b:** An active Association member that is unable to attend a meeting due to being home-bound but has no family living with them may have their vote cast by another present active Association member with majority approval of the Board of Directors.

**Article 10, Sec. 2, Sub. c:** Any absentee vote is subject to verification by members of the Board.

**Article 10, Sec. 3:** Should any active Association member dispute the manner in which the Association is conducting business, the following steps may be taken:

**Article 10, Sec. 3, Sub. a:** A written complaint shall be submitted to the Board of Directors at any general Association meeting.

**Article 10, Sec. 3, Sub. b:** The complaint shall be reviewed and subject to a majority vote by all present active association members.

**Article 10, Sec. 3, Sub. c:** Should the Association find the complaint to be valid, all business pertaining to the said issue shall halt until a time the Association is in majority agreement on how to remedy the situation.

**Article 10, Sec. 4:** These articles of Association bylaws shall be made available to any Association member upon request.

#### **ARTICLE XI: REVISIONS AND AMENDMENTS**

**Article 11, Sec. 1:** The Association bylaws shall not be revised more than one time nor amended more than two times within one fiscal year, as outlined in Article 4, Section 2.

**Article 11, Sec. 2:** Revision of the Association bylaws shall be made by the Association President.

**Article 11, Sec. 2, Sub. a:** A recommendation of revision may be requested by a majority vote of present Association active members at any Association meeting.

**Article 11, Sec. 2, Sub. b:** A revision shall be submitted to the Association within a time period determined by the Association at the time the request was made. This time period shall not be less than thirty days.