

BLUE MOUNTAIN LAND AND HOMEOWNERS ASSOCIATION

BYLAWS AND WORKING RULES

ARTICLE I. This organization shall be known and designated as Blue Mountain Land and Homeowners Association.

ARTICLE II. Purpose

- A. Promotion of friendly and considerate relations and activities among all residents and land owners of Blue Mountain Estates.
- B. Promotion and improvement of recreation areas, schools, transportation, utilities, streets, and maintenance thereof.
- C. Promotion of fair, equitable and just zoning, architectural control, covenants, tax statutes, ordinances and regulations, and further securing fair, equitable and just enforcement thereof.
- D. Promotion and improvement of fire protection, police protection, game law enforcement, emergency relief, civil defense and safety program.
- E. Prevention of the encroachment of business development within the present residential area of Blue Mountain Estates.
- F. Doing all other things necessary, proper or incidental to promotion of the above objects and of the general welfare of the residents and land owners of Blue Mountain Estates.

ARTICLE III. Meetings

- Section 1. An annual meeting shall be held as close as feasible to the first of May each year. All annual Association meetings must be publicly announced one month in advance. Special meeting of the membership may be called by the board of directors at any time.
- Section 2. No business shall be transacted at a special meeting other than that for which the meeting was called.
- Section 3. When a special meeting is called, the Secretary shall notify all members in writing of the purpose of the meeting. Notices must be postmarked at least 3 days in advance of the meeting.
- Section 4. One third of the members, including Directors, in good standing shall constitute a quorum at the annual or any special meeting of the organization. Proxies will be allowed in consideration of a quorum.

ARTICLE IV. Board of Directors

- Section 1. Board of directors shall consist of six members.

- Section 2. Election of the board of Directors of this organization shall be held at the annual meeting in May. The newly elected Directors shall take office immediately after the annual Association meeting at which he is elected and shall serve until the adjournment of the annual Association meeting at the end of his term. In the event that any Director resigns or becomes disqualified during his term, it is the responsibility of the Board of Directors to elect a replacement from the membership.
- Section 3. Terms of office shall be two years for all Board members with the exception that the initial Board shall be composed of three Directors serving one year terms, and three directors serving two year terms.
- Section 4. The board of Directors of this organization shall be elected each year, these officers shall consist of President, Vice-President, Secretary, Treasurer, and two Trustees. No two offices shall be held by the same person.
- Section 5. In addition to these officers, the board of Directors may elect or appoint such committees and delegates as it deems advisable. In the event of the election of committees and delegates, members are to be notified and given an opportunity to submit comments or queries to the Board.
- Section 6. No fund of this organization will be used to print, mail, circulate any literature of any kind to serve, promote, or further any members candidacy for election held in this organization.
- Section 7. No fund of this organization over the amount of one thousand dollars can be spent without the approval of a quorum of members.

ARTICLE V. Duties, Power and Restrictions of Officers

- Section 1. It shall be the duty of the president to preside at all meetings, enforce the rules and customs of order, to decide all questions of order subject to appeal to the members. He shall cast the deciding vote in the case of tie. Shall sign all orders of the Treasurer for disposition of funds and all documents authorized by this organization. Shall furnish each new member with a copy of the By-Laws of this organization. Shall preserve order at all times during the session of this organization whenever heated arguments or controversy arise among members, where bitterness or personalities are indulged in that threatens the peace and harmony and good will of the order. He shall have power to immediately stop such proceedings and permit no further discussion on the subject until such time that, in his judgment, proceedings can and will be carried on in an orderly manner, unless otherwise ordered by a two-thirds vote of the organization present.
- Section 2. The Vice-President shall assist the President in the discharge of his official duties, fill his place in case of absence.

Section 3. The duties of the secretary: It shall be the duty of the Secretary to keep the minutes of each meeting, to read all correspondence and documents; to issue notices for the calling of meetings; to have charge of the seal (if applicable) and affix the same to all official documents; to maintain a correct list of the membership and their addresses. In the absence of both the President and the Vice-President from a meeting, the Recording-Corresponding Secretary shall call the same to order and a President pro tem shall be elected who shall serve as presiding officer for said meeting.

Section 4. It shall be the duty of the Treasurer to receive and hold all funds paid to the organization; to give receipt for all funds delivered to him; to keep a correct financial account of each member together with the name and address of each; to establish and maintain proper bank account(s); to make no disbursements without approval of the organization and only upon the written order of the President; to make an itemized statement and report to the organization at the annual meeting on the condition of his accounts and the transactions of his office; to submit books and accounts for the inspection by the Trustees when called upon by him; to perform such other duties as are customarily incident to his office or which from time to time may be delegated to him by the organization.

Section 5. It shall be the duty of the Trustees to have supervision over all funds and property of the organization under such instructions as they shall from time to time receive from the organization; to see that the funds of the organization are deposited by the proper officers in such banks and accounts therein as the organization shall designate; to examine the bank books and records of the Treasurer and see that the same are correct; to be custodian of the bonds covering the Treasurer and such officers as the organization may require to be bonded. They shall have such other duties as are customarily incident to the office or which shall from time to time be delegated to them by other authorities.

ARTICLE VI. Salaries of Officers

No salaries or expenses for any office shall be paid for services in office except that the organization may deem necessary to properly carry on the function of an office.

ARTICLE VII. Rules Governing Memberships

Section 1. Every member in good standing shall be eligible to cast one vote on all matters affecting this organization and shall be entitled to full membership privileges.

Section 2. A member in good standing shall meet all requirements for a membership and have paid all current dues and assessments.

- Section 3. Every member in good standing may cast his vote by proxy in writing specifying his specific ballot or authorizing the proxy holder to exercise his own opinion. Proxies shall be limited to a single issue on election.
- Section 4. All members shall have a full obligation to serve on a committee or in an office if they accept the appointment or election.

ARTICLE VIII. Fees and Dues

- Section 1. The initial membership fee of this organization shall not be less than \$15.00 dollars.
- Section 2. The annual dues for each family shall be \$30.00 dollars, payable January 1, for that calendar year, effective January 1, 1978. Only member families with dues paid by the date of the annual meeting shall be eligible to vote. (amended 6/10/77)
- Section 3. Special assessments for a specific purpose may be set by majority vote of the membership.
- Section 4. A member who is more than one year in arrears shall lose his membership in the Association. Upon re-application for membership, that person shall be treated as a new member.(amended 6/76)

ARTICLE IX. Standing Rules

- Rule 1. Roberts Rules of Order shall be the parliamentary authority on all provisions not covered by these By-Laws.
- Rule 2. Upon request of three members of any meeting, the President shall grant a secret ballot upon any question to be voted upon by the organization.
- Rule 3. Any member wishing to change his vote may do so before the Chair has announced the results of the ballot taken, which change shall be noted in the minutes of the meeting.
- Rule 4. No member shall be excused when only a legal quorum is present.
- Rule 5. Without objection, the President may refer back to any order of business.
- Rule 6. Members desiring the floor must first obtain recognition from the Chair.
- Rule 7. All meetings shall take up at a mutually agreed upon time.
- Rule 8. The president shall have general direction of the meeting and shall have the right to call on the Vice-President at any time to preserve order over the organization while in session.

- Rule 9. The President shall be privileged to debate all questions by calling the Vice-President to the Chair.
- Rule 10. The maker of a motion may withdraw it with the consent of his second before debate, but not later.
- Rule 11. No question shall be stated until regularly moved and seconded, nor shall it be debated until stated by the President.
- Rule 12. All resolutions shall be submitted in writing, and all motions shall be reduced to writing if the President or any member shall so desire.
- Rule 13. A motion to table or postpone indefinitely closes all debate and cannot be amended, nor can an affirmative vote on the question be considered.
- Rule 14. A motion to postpone to a certain time shall be debatable only to the degree of its postponement.
- Rule 15. A motion duly supported can only be amended once, but a substitute for the whole may be offered after an original motion has once been amended.
- Rule 16. When the reading of a paper is called for and the same objected to, it shall be determined by a majority vote.
- Rule 17. When papers are read for criticism and remarks, members taking part shall be restricted to five minutes, except the author who shall have ten minutes to reply if desired.
- Rule 18. It shall be the option of the Chair to allow a member to speak more than once upon the same question on motion.
- Rule 19. Motions postponed indefinitely shall lie on the table at least until the next meeting.
- Rule 20. The number of votes required to determine a question shall always be a majority of those present unless there is a special rule to the contrary. The President shall always have the deciding vote in case of tie, unless he is directly interested.
- Rule 21. The president shall have the power (subject to appeal) to decline to entertain any order, resolution or motion that, in his judgment, is not presented at the proper time or in the proper form.
- Rule 22. All appeals from the decision of the Chair must be seconded before being put to the question.
- Rule 23. Any member of this organization may have a protest or action entered on the minutes if couched in respectful language.

Rule 24. A motion to reconsider must be made either at the meeting at which the action to be reconsidered was taken or at the next meeting. It shall only be made by someone who voted in the affirmative on the question to be reconsidered and shall require only a majority vote for adoption. The motion shall be debatable only if the question to be reconsidered is debatable.

ARTICLE X. Amendment to By-Laws

These By-Laws may be amended by a majority vote of the membership.

Presented to membership for approval of revisions May, 1996