

Bylaw Articles of the Barbour Manor Homeowners Association

WHEREAS, the Barbour Manor Homeowners Association (to be referred to hereafter as BMHA) has been formed comprising those persons residing within the area known as Barbour Manor in Jefferson County, Kentucky; and

WHEREAS, we realize that in unity there is strength and through the Association we can best meet common interests, needs and goals; and

WHEREAS, we are agreed that this Association must have a system of written rules conducting its affairs if the organization is to return the maximum benefit to its members;

THEREFORE, the membership of this Association hereby structures, approves and agrees to conform with these bylaws as set forth herein.

ARTICLE I: PURPOSES

1. The name of the society is The Barbour Manor Homeowners Association.
2. Membership
 - a) The membership is made up of persons who reside in homes in the Barbour Manor subdivision so defined.
 - b) A member in good standing in the Association is one who has paid the maintenance fees to the Association for continuous periods relative to their residence in said subdivision. Persons establishing residency after March 30 of any year are only liable for one-half of the maintenance fee for said year. No refunds are made by said Association to any household terminating residency during any period of said year
3. The Association is governed by a Board of Trustees consisting of five elected officials so defined.
4. Meetings of the Trustees will be held quarterly (with at least one meeting per calendar quarter) at 7:00 P.M., with at least one week's advance notice made to each household of said Association. A quorum of three Trustees will be required to conduct business. These meetings will be open to the general membership and will be conducted using Robert's Rules of Order Revised, as interpreted by the chair.

ARTICLE II: TRUSTEES

1. Functions

The functions of these Trustees are to administer the activities of the Association to include but not limited to:

- a) Development of an annual budget.
 - b) The administration of the said appropriations within the scope of the available funds.
 - c) Provide a forum for general discussions by the membership.
 - d) Serve as an organized liaison between the membership and other governmental bodies, surrounding communities, or other related agencies or individuals.
 - e) Protection of Association assets.
 - f) The proper collection of said approved homeowner assessments.
- ### **2. Composition**
- This body shall be composed of five elected officials so designated: President, Vice President, Treasurer, Secretary and Trustee-At-Large
- ### **3. Duties of Officers:**
- a) President

The President's duties are to preside over all meetings of the Trustees. She/he shall appoint members to standing committees and appoint other assignments as required. She/he shall act as a spokesman for the Association in community affairs. As a presiding officer, she/he is entitled to vote only in the event of a tie among the Trustees. The President may, at any time, call a special meeting of the Trustees.

This Association and its Trustees have the right to decide who may be present during its session; and when the Association and/or Trustees, either by rule or by vote, decides that a certain person shall not remain in the room, it is the duty of the President to enforce the rule of order, using whatever force is necessary within the law to eject the Party.

b) Vice President

The Vice President's duties are the same as the President's in his/her absence and she/he shall fulfill those duties as designated by the President. She/he will assume the job of President should it be vacated.

c) Treasurer

The Treasurer shall pay approved invoices, administer the collection of dues of said Association, present the budget or financial report at each official meeting of the Trustees. The Treasurer shall make an annual report of the fiscal activities of said Association. Fiscal activities, and said report, shall be audited annually by a disinterested Party appointed by a vote of the Board. For purposes of definition, the fiscal year of said Associate will begin on October 1 of each year and end September 30. The books shall be open to inspection by any eligible member at a meeting of the Trustees.

d) Secretary

The Secretary shall keep the records of the Association and the minutes of the meetings; and also shall keep the records of the current voting register, or roll, of all eligible members and to call the roll when required; to notify officers, committees, and delegates of their appointments; and to see that proper written notifications are given, as required.

e) Trustee-At-Large

This elected official is to serve as a voting member of said Trustees.

4. Expense Approval

a) All expenses must be approved by at least 3 of the 5 Trustees.

b) Approval is to be obtained prior to committing to the expense.

c) The Trustees will decide when additional bids are required, however as a general rule any expense of \$500.00 or more will require competitive bids.

d) The Treasurer will not pay any invoices for expenses that were not approved.

5. Checking Account Control

a) The Treasurer and President will be the authorized signers.

b) The address on the account will be that of the Vice President.

c) The Vice President will upon receipt of the bank statement, review all activity and sign the statement

indicating approval of the activity.

d) The Vice President will forward the statement of the Treasurer for reconciliation purposes.

6. Elections

a) Election procedures

Elections of Trustees is to be held in September of odd numbered calendar years with term commencing on January 1 of even numbered years and running for two calendar years. Designated offices shall be voted upon by office in the following order on separate ballot: President, Vice President, Treasurer, Secretary, Trustee-At-Large. In case of a tie for any elected office, there shall be a run-off vote for that particular office. All offices shall be elected by a plurality. Two ballots shall be issued per household, as defined herein, that has voting rights, and one of the two ballots may be cast as a proxy ballot.

b) Nominating Procedures

Nominating for Trustees will be gathered through designated Area Captains polling residents in their area to establish an interest and intent to become a nominee for a specific office. Each Area Captain will then give the Secretary those names to be placed in nomination. This does not preclude nominations from the floor.

c) Mid-Term Vacancies

Any mid-term vacancies, other than for the office of President, shall be appointed by the remaining Trustees from the general membership.

ARTICLE III: STANDING COMMITTEES

1. Function

Standing committees shall serve as a continuing adjunct of the Board of Trustees to accomplish the aims of the Association.

2. Composition

Those Committees shall be: Activities, Area Captains, Grounds and Roads, and Welcome.

3. Duties

a) Activities Committee

The Activities Committee shall plan, organize, coordinate, and direct all social and cultural activities of said Association.

b) Area Captains

Area Captains shall provide a flow of communication from their designated sections to the Board of Trustees. Their duties shall include, but not be limited to:

- 1) Contact of homeowners for meetings.
- 2) Advise Welcome Committee and Treasurer of new homeowners in subdivision.
- 3) Distribution of subdivision newsletter.
- 4) Work with the Secretary to compile and keep current subdivision directory.
- 5) Direct suggestion to the Board of Trustees.

c) Grounds and Roads

This committee shall coordinate and insure the continual beautification of those areas of Barbour Manor Subdivision, as defined. Their duties shall include, but not be limited to:

- 1) Maintenance of the entrance signs, planted area and center island located on Barbour Manor Drive.
- 2) Plan, oversee and maintain recreational areas.
- 3) Supervise cleanliness of streets within the subdivision.
- 4) Oversee maintenance of all street signs within the subdivision.

d) Welcome

This committee shall insure that all new residents of the subdivision are welcomed. In addition, they should insure that all new arrivals have copies of current plats with regard to the Associate and a copy of the Bylaws of said Association.

ARTICLE IV: ASSOCIATION MEMBERSHIP

1. Duties

The Association membership shall serve as the parent organization to the Trustees. It shall:

- a) Elect into office the Trustees, as so defined.
- b) Adopt and approve changes to Bylaws governing said Association.
- c) The membership shall act on any changes to the annual assessment. These changes shall be approved by a majority vote of then owners of eligible households by attendance in no less than two consecutive open meetings. After the first open meeting with a successful majority vote for change in the assessment, all households of Barbour Manor must be notified by mail to the change in the assessment dollar amount, and the date of the next open meeting vote, no less than 30 days from the postmark. A majority vote of eligible households in attendance in the second open meeting (or two consecutive meetings thereafter occurring no less than 30 days apart), installs the change.
- d) When requested by the chair, provide on expression of feeling by vote on the issue at hand.

2. Voting

In the normal conduct of business within a strictly deliberative assembly, no member can vote who is not present when the question is completely put. For the purposes of these Bylaws and

the membership of this Association, it is deemed permissible to provide a method of voting that will enable a member of a household to vote by proxy through the other member of the household. A proxy is a power of attorney given by one person to another to vote in their stead. Proxy voting, under these Bylaws will be applicable to Article IV, Section 1, a), b) and c). For purposes of proxy voting, at least one member of the household must be present. Said member will be given two ballots, one of which may be cast through proxy. No motion is in order that conflicts with the laws of the nation, or state, or with the Association's Bylaws, and if such motion is adopted, even by a unanimous vote, it is null and void.

3. Definitions

a) Household

A single family dwelling that is used as the primary domicile.

b) Household Member

For purposes of voting, a member is so defined as a person or persons, who hold governance over said household.

ARTICLE V: RULES AND REGULATIONS

The Trustees shall adopt such rules and regulations as may be necessary to implement more specifically the general principles found within these Bylaws. These shall relate to the proper conduct of the Association's activities.

ARTICLE VI: AMENDMENTS

These Bylaws may be amended after submission of the proposed amendment to the membership at least at one regular meeting prior to the meeting being held for such purpose. To be adopted, an amendment shall require approval by a majority vote of those votes cast.

ARTICLE VII: ADOPTION

The Bylaws and Articles shall be adopted and become effective on October 1, 1999.