

By-Laws of the Coldstream Subdivision Homeowners Association

Article I- NAME

The name of this association shall be the Coldstream Homeowners Association

Article II- Aims or Objectives

Section 1.

To serve the needs of the people in Coldstream Subdivision.

Section2.

To cooperate closely with other community groups in our mutual aims to do the following:

- (a) To seek out all community problems.
- (b) To find the causes of all community problems.
- (c) To determine solutions to community problems.
- (d) To solve or correct community problems.
- (e) To seek ways to improve the community.

Article III- Membership and Dues

Section 1.

Membership shall be limited to the following:

- (a) Any family who owns and resides on non-commercial property on plotted Coldstream Subdivision.
- (b) Provided however, that any unit, family, or other organization mentioned above shall be entitled to not more than two votes, cumulative and not more than one per voting age residents (voting age = 18 years or older), and provided further, that timely payment of dues shall be a condition precedent to membership.

Section 2.

The annual dues shall be assessed per family, shall cover The period from January 1st through December 31st as the membership year, and the Executive committee shall set amount. Partial year's dues *will not* be prorated except that new members joining after October 1st dues will apply towards the next fiscal year.

Article IV- Officers and their Election

Section 1.

- (a) The officers of the association shall be president, vice-president, treasurer, and secretary.
- (b) The officers shall be elected by the group annually at the October meeting.
- (c) Officers shall assume their official duties on January 1st and shall serve for a term of one (1) year not to serve for more than two (2) consecutive years in the same office.

Section 2.

- (a) There shall be a nominating committee composed of the Executive committee chaired by the current president.
- (b) The nominating committee shall select one nominee for each office to be filled and report nominees to the association prior to election.
- (c) Following the report of the nominating committee, an opportunity shall be given for nominations from the floor.

Section 3.

- (a) In the event that a vacancy should occur in any office the executive committee shall appoint that office for the remaining term.
- (b) In the event that a vacancy should occur in all offices of the association, then appointments shall be made by a majority approval of the remaining Executive Committee.

Section 4.

An officer may be removed from his position prior to expiration of his term by a two-thirds vote of the executive committee, or by a two-thirds vote of the voting members present at any general meeting: the officer shall relinquish the position upon moving from Coldstream Subdivision.

Article V-Duties of Officers

Section 1.

The **president** shall preside at the meetings of the association and of the executive committee; shall be an ex-officio member of all committees; and shall perform all duties that may be prescribed in These By-Laws or assigned to him/her by the association or by the Executive committee. He/she shall make appointments from the active membership to fill the office of vice-president, secretary, or treasurer, if any of those offices become vacant, upon the approval of the majority of the members of the executive committee.

Section 2.

The **vice-president** shall serve as an assistant to the president and Shall perform the duties of the president in the absence of that officer. If the office of president becomes vacant, the vice-president shall ascend to that position for the remainder of the term.

Section 3.

The **treasurer** shall receive all monies of the association; shall pay out funds only as authorized by the executive committee. The treasurer shall present a statement of accounts when requested by the executive committee and shall make a full report at each regular association meeting. He/she shall perform the duties as may be designated by the president.

He/she shall perform the duties of the president in the absence of both the president and vice-president. If the positions of president and vice-president vacant, he/she shall ascent the position of president for the remainder of the term.

The treasurer's account shall be examined annually by an auditor or audit committee of not less than three (3) members, who, when satisfied that the treasurer's annual report is correct, shall sign a statement of the fact at the end of the report. The audit committee, If used, shall be appointed by the Executive Committee at least two (2) weeks before the annual meeting.

Section 4.

The secretary shall keep a correct record of all meetings of the association and of the executive committee and shall perform such duties as may be delegated to him/her and shall perform

the duties of president in the absence of the president, vice-president and treasurer. If the offices of president, vice-president and treasurer. If the offices became vacant, the secretary shall ascend the position of president for the remainder of the term.

Article VI- Executive Committee

Section 1.

The executive committee shall consist of the officers of the association, the immediate past president, the chairman or vice-chairman of standing committees and two at large members elected from the association.

Section 2. The duties of the executive committee shall be:

- (a) To refer business in the intervals between association meetings and such other business as to it.
- (b) To approve the work of the standing committees

- (c) To prepare a report of the regular meetings of the association.
- (d) To prepare and submit to the association for approval In advance a budget for the fiscal year.
- (e) To approve routine bills within the limits of the budget.

Section 3.

Regular meetings of the executive committee shall be held at a time and place as is decided upon by the executive committee and at other times as may be necessary. A majority shall constitute a quorum. Special meetings of the executive committee may be called by the president or by a majority of the members of the committee.

Section 4.

- (a) **Any member of the Association wishing to express concern at the executive meeting may notify the president or other officer of their intent.**
- (b) **Any member of the Association who wishes may meet with the executive committee in a nonvoting capacity.**

Article VII- Meetings

- (a) There shall be a minimum of three (3) meetings of this association each year: Normally the second Tuesday of each January, April, and October. The executive committee shall set the specific time of each meeting and notify the Members in advance.
- (b) Special meetings may be called by the executive Committee with seven (7) days advances notice.
- (c) The first meeting shall be prior to January 31st of each year.
- (d) The members present and voting shall constitute a quorum of the membership for the transaction of business in any meeting of this association.
- (d) The privilege of holding office, introducing motions, debating and voting is limited to persons listed Article III.

Article VIII- Standing Committees

Section 1.

The executive committee is required to promote the objectives and interests of the association and shall create such standing committees. The chairman of the standing committee shall be selected by the president and approved by the executive committee. The term of office is one year. (Or until the executive committee has selected successors.)

Section 2.

The chairman of standing committees must present plans of work to the executive committee, and no committee work shall be undertaken without approval of the executive committee.

Section 3.

Each standing committee will be allocated a budget recommended by the executive committee and approved by the Association.

Section 4.

The chairman of the committee shall be inclusive of all homeowners who wish to serve on that committee.

Article IX- Parliamentary Authority

The rules contained in *Robert's Rules of Order Revised* shall govern this association in all cases in which they are applicable and which they are not inconsistent with these bylaws. The president may appoint a parliamentary/Historian advisor at his discretion.

Article X- Amendments

Section 1.

The following procedure shall govern the amendment of these Bylaws.

- (a) There will be prior notification to all members by newsletter, phone, website, email or written notice one week before an amendment change is voted on. A copy of the proposed amendment will be available On the website or through the executive committee.
- (b) These bylaws may be amended at any regular meeting of the association by a two-thirds (2/3) vote of the members present and voting.

Approved

President

Vice President

Secretary

Treasurer

