

# **BLUEFIELDS HOMEOWNERS ASSOCIATION**

## **Purpose of Association**

A majority of residents in Bluefields Subdivision have agreed it is desirable to organize an association for the betterment of the Homeowners. The organization shall be known as the Bluefields Homeowners Association. The purpose of the organization shall be as follows:

1. Combine efforts to improve the safety and beauty of the subdivision.
2. Improve communication of issues that affect the property values of the subdivision.
3. Promote a unified voice to address governmental agencies that may make decisions that affect the subdivision.
4. Organize subdivision activities for the enjoyment of the homeowners/residents.
5. Research the history and architecture of the Bluefields Community.
6. Include other actions that will be deemed mutually beneficial to the majority of the homeowners/residents of the Association.

## **ARTICLES OF ADMINISTRATION**

### **ARTICLE I**

#### **MEETINGS AND VOTING RIGHTS OF OWNERS**

1. Eligibility. Each homeowner/resident in Bluefields Subdivision shall be entitled to attend and vote at all meetings of the Bluefields Homeowners Association.

2. Dues, which will be determined by the Board/Association annually, are requested to be paid by March 31 of each calendar year.
3. Voting Rights. Only one person of each residence shall be entitled to one vote at all meetings. If a resident/homeowner is unable to attend the meeting, a vote can be cast by proxy designated in writing and dated. Voting shall be by ballot.
4. Meetings. The meeting frequency for the coming year shall be determined by the Association at the meeting to elect officers. The time and place shall be determined by the Officers and shall be designated in writing in notice of such at least one week in advance.
5. Special Meetings. Special meetings of the Bluefields Homeowners Association shall be held whenever called by the President, Secretary, or a majority of the Board of Directors in attendance or by written request of one-third of the entire number of homeowners/residents. When a special meeting is called, a written notice shall be given of such.
6. Notice. Notice shall be given to all homeowners/residents of meetings stating the time, place, and purpose for which the meeting is called. Such notice shall be in writing and shall be delivered to each homeowner/resident at their address as it appears on the books of the Association.
7. Quorum. A quorum shall be defined as 20 homeowners/residents. The affirmative vote of a majority of homeowners/residents, being more than fifty percent (50%)

of the total number of members in attendance or by proxy, is required to adopt any resolution, elect any officer, and make any decision to take any action; except that these Articles and the system of administration may be modified only in the manner hereinafter set forth.

8. Presiding Officer. The President of the Bluefields Homeowners Association shall preside over all meetings, and the Secretary of the Association shall take and keep the minutes and minute books of all meetings, wherein adopted resolutions shall be recorded, and shall serve as guidelines at such meetings.
9. Amendments. The Association may, at any duly called, held and convened meeting, modify or amend the system of administration of the Bluefields Homeowners Association and these articles for the administration of the Association by the affirmative vote of two-thirds (2/3) of the eligible voting homeowners/residents present in person or by proxy.
10. The Association shall maintain an accurate list of members and shall make the list available for inspection by any member. This list may not be sold or given away and is the property of the Bluefields Homeowners Association and solely for its use.
11. Parliamentary Rules. Robert's Rules of Order may govern the conduct of meetings of the Association and of the Officers. The Officer presiding over the meeting shall designate a Parliamentarian for that meeting.

12. A Nominations Committee shall be elected consisting of three to five homeowners/residents of the Association in good standing at the September meeting for the purpose of presenting a slate of Board of Directors and Officers for election at the November Meeting.

## **ARTICLE II**

### **BOARD OF DIRECTORS OF THE ASSOCIATION**

1. The Board of Directors of the Bluefields Homeowners Association, its business and affairs and of the general common elements therein, shall be ten to include four officers. To be eligible for nomination as a director, such person should be a dues-paid member of the Association in good standing.
2. The Election of the Directors. The Bluefields Homeowners Association shall at its November meeting, or as soon thereafter as is reasonably possible, elect the Board of Directors, and Officers of the Bluefields Homeowners Association.
3. Vacancies. The remaining Directors may fill vacancies in the Board of Directors until a successor is duly elected by the Association.
4. Term. The term of each director's service shall extend until the next November meeting. Directors may serve successive terms of one year each, however, the objective is to rotate two to three directors each year.
5. Organizational Meeting. The organizational meeting of a newly elected Board of Directors shall be held within a reasonable amount of time of their election at such place and time to be determined by the directors at the meeting at which they were elected, and no further notice of the organizational meeting shall be

- necessary, providing a quorum shall be present.
6. Regular Meetings. Regular meetings of the Board of Directors may be held at such time and place to be determined from time to time by a majority of the Board. Notice of regular meetings shall be given to each Board member at least 7 days prior.
  7. Special Meeting. Special meetings of the Board may be called by the President, Secretary, or at the written request of a majority of the members of the Board.
  8. Quorum. A quorum at Board of Directors meetings shall consist of no less than fifty percent of the Board of Directors. The acts of the Board approved by a majority of votes at a meeting of the Association at which a quorum is present shall constitute the acts of the Association.
  9. Presiding Officer. The President of the Bluefields Homeowners Association shall preside at all meetings of the Board. The Secretary of the Bluefields Homeowners Association shall serve as secretary of all meetings of the Board.
  10. The Officers. The Officers of the Bluefields Homeowners Association, its business and affairs and of the general common elements therein, shall consist of a President, Vice President, Secretary and Treasurer. To be eligible for nomination as an Officer, such person must be a dues-paid member in good standing.
  11. Vacancies of Officers. The remaining Officers may fill vacancies until such time as the annual election is held.
  12. Term of Officers. The term of each Officer's service shall extend until the next November meeting of the Association. Officers may serve successive terms of

one year each, however the objective is to rotate two to three Officers each year.

13. Officers. Elected from the Association:

- A. A President, who shall be the chief administrative officer of the Association, shall execute contracts and agreements in the name of the Association when directed by the Board or Association, shall preside at all meetings and perform such other duties as required.
- B. A Vice President, who shall, in the absence or disability of the President, preside at all meetings and perform the duties of the President. The Vice President shall perform the reconciliation of the Association's bank account.
- C. A Secretary, who shall keep the minutes of all meetings and proceedings of the Bluefields Homeowners Association and meetings of the Officers as required. He/she shall attend to the giving and serving of all notices to the Association regarding meetings. He/she shall keep all other records of the Association and the Officers. An Assistant Secretary may also be elected to perform the duties of the Secretary when the Secretary is absent.
- D. A Treasurer, who shall have custody of the Association's funds and securities, shall keep a full and accurate account of receipts and disbursements and shall deposit all monies and other valuable effects in the name and to the credit of the Association. Reconciliation of the bank statement shall be done by the Vice President. The Treasurer shall render

an account of all transactions and the financial condition of the Association at all meetings of the Association. In case of the Treasurer's death, resignation, retirement or removal from office, all books, vouchers, money and other property shall be passed to the Association or to the new Treasurer.

- E. A Sub-Committee Chairman can be appointed by the President, Board, or the Association or volunteer to head a sub-committee. The Sub-Committee Chairman shall report to the Officers of the Association.

No compensation shall be paid to any Director or Officer for services as such, except by approval of the Bluefields Homeowners Association. This provision shall not preclude, however, the Directors or Officers from employing an independent contractor such as an auditor, attorney, or the like.

## **ARTICLE III**

### Termination of Membership

A homeowner/resident may resign at any time and the Officers shall have full authority to suspend or expel any member for the violation of these By-Laws or any rules and regulations duly adopted by the Board or Officers of the Bluefields Homeowners Association or by reason of any conduct deemed by the Association to be prejudicial to the orderly conduct of business. Prior to expelling a member, the Officers shall give not less than fifteen (15) days notice of expulsion to the homeowner/resident and the reasons therefore.

**ARTICLE IV**

**DISSOLUTION OF THE BLUEFIELDS HOMEOWNERS ASSOCIATION**

The homeowners/residents of the Bluefields Homeowners Association using the guidelines stated in this document for adopting a resolution or amending the By-Laws may dissolve the Association. Upon dissolution, the assets of the Association should be distributed to creditors with the remaining monies to be distributed according to a vote of the Association.

This original document has been executed by the elected officers of the Bluefields Homeowners Association after ratification of the Association in accordance with this document and shall be retained by the Secretary of the Association.

Dated the \_\_\_\_\_ of \_\_\_\_\_ 2003.

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice- President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Treasurer