

Lakewood Hills Homeowners Association

PO Box 414
Eureka, MO 63025-0414

BY-LAWS

Base Document April 15, 2007

As amended October 18, 2014

ARTICLE I. THE OBJECTIVES OF THE LAKEWOOD HILLS HOMEOWNERS ASSOCIATION SHALL BE:

To enforce existing regulations and establish additional regulations as required to govern the conduct and behavior of the property owners and their guests where such conduct and/or behavior affects the rights and well being of others; and to maintain a sense of community and social infrastructure.

ARTICLE II. MEMBERSHIP QUALIFICATIONS AND VOTING:

- A. Members are the property owners or the designated agent of property owned by a trust, partnership, or corporation.
- B. To be eligible to vote, Members must be current in all assessments, regular and/or special. Votes may be cast in person or by a verifiable proxy.
- C. Ballots:
 - 1. A ballot shall be used for the election of Board Members. When only one person is running, a ballot is not necessary; a show of hands is sufficient. The Treasurer shall furnish the Secretary with a list of Members who will then furnish the ballots for the meeting.
 - 2. A show of hands vote will be used for resolutions and general policy and well being of the Members.
 - 3. A mail-in ballot shall be used for any revision, amendment, or additions to the Letters of Dedication. If passed, changes to the Letters of Dedication shall be filed with the County Clerk.
- D. Residents who do not own property are Associate Members and may utilize any of the common areas and may participate in sponsored activities, but may not vote at any of the Association meetings.

ARTICLE III. BOARD OF TRUSTEES, OFFICERS, AND COMMITTEES:

- A. The board of trustees of the Lakewood Hills Homeowners Association shall consist of six members.
- B. Responsibilities and Priorities.
 - 1. The board of trustees shall supervise the affairs of the association between property owners' meetings.
 - 2. The board of trustees shall perform other duties specified in the Declaration of Dedication, in these Bylaws, and in the Restrictions, Rules, and Regulations documents.
 - 3. Priorities of the board of trustees shall be snow and ice removal, maintaining road conditions, and the upkeep of community property.
- C. Trustees.
 - 1. Qualifications. Trustees must be property owners and residents of Lakewood Hills, and current in all assessments.

2. Trustees shall be elected to serve for a term of two years or until their successors are elected. One-half of the trustees shall be elected at the annual meeting in even numbered years while the other half shall be elected at the annual meeting in odd numbered years. Term of office shall begin at the close of the annual meeting at which they are elected.

3. Filling Vacancies.

If a trustee position becomes vacant during its term, and if a semi-annual homeowner meeting occurs before the next board meeting, the vacancy will be filled by election at that next semi-annual homeowner meeting and the elected trustee shall fill the remainder of the vacant term.

Otherwise, the board shall appoint someone to fill the vacancy and serve the remainder of the vacant term. If the trustees remaining in office constitute fewer than a quorum of the board, they may fill the vacancy by the affirmative vote of a majority of all the trustees remaining in office.

4. Removing a Trustee.

- a. A trustee may be removed by the property owners without cause at a meeting of the property owners. The meeting's notice must state that a purpose of the meeting is to remove the trustee.
- b. If a trustee is absent for four scheduled meetings in less than a twelve-month period that trustee may be removed by a majority vote of the other trustees.

5. Duties and Responsibilities of Trustees.

- a. Trustees will be familiar with the Declarations of Dedication and other filed documents, the Bylaws, and the Restrictions, Rules, and Regulations.
- b. Trustees will protect the assets of the association by managing budgeting and spending processes that are in the best interest of the association.
- c. Trustees will ensure that community assets are adequately maintained.
- d. Trustees will adhere to and enforce rules and regulations in a consistent and fair manner.
- e. Trustees must act in the best interests of the community as a whole.
- f. Trustees will perform other duties as assigned.

- D. Officers.

1. Elections. The board of trustees shall elect the association's officers at the first monthly board meeting following the annual association meeting. The officers shall be: president, vice-president, secretary, and treasurer.
2. Resignation and Removal of Officers.
 - a. An officer may resign at any time by delivering notice to the board. A resignation is effective when the notice is delivered unless the notice specifies a future effective date.
 - b. The board may remove any officer at any time with or without cause.
3. Duties and Responsibilities of the President.
 - a. The president will perceive the association as both a community and as a business, operating on democratic principles of parliamentary procedure.
 - b. The president will conduct meetings, prepare agendas, and work with committees and volunteers.
 - c. The president is the spokesperson for the board – to the members, to vendors, and to the greater community.
 - d. The president will perform strategic financial analysis, financial planning, and communicate those results to the membership.
 - e. In the absence of the treasurer, the president signs checks and promissory notes.
 - f. The president shall perform other duties as assigned.
4. Duties and Responsibilities of the Vice-President.
 - a. The vice-president will assist the president with all duties, and will assume those duties if the president is incapacitated, absent, or otherwise unable to serve.
 - b. The vice-president will ensure that association documents and records are safely stored and are accessible.
 - c. The vice-president will establish and maintain a schedule for document retention and disposal.
 - d. The vice-president shall perform other duties as assigned.

5. Duties and Responsibilities of the Secretary.

- a. The secretary will record minutes of board and association meetings.
- b. The secretary will create a permanent digital copy of the minutes annually.
- c. The secretary will provide member notification of meetings, prepare ballots, and comply with other statutory requirements.
- d. At association meetings, the secretary will:
 - i. Verify proxies.
 - ii. Notify the presiding officer of the total number of lots voting.
 - iii. Notify the presiding officer of the presence or absence of a quorum.
- e. The secretary will maintain lists of association membership, board and committee members, officers, and their current contact information.
- f. The secretary will maintain a list of trustee terms of office and election dates.
- g. The secretary shall perform other duties as assigned.

6. Duties and Responsibilities of the Treasurer.

- a. The treasurer is the chief financial officer of the corporation.
- b. The treasurer is responsible for collecting association assessments and disbursing association funds.
- c. The treasurer prepares and reviews association financial statements.
- d. The treasurer signs checks and promissory notes.
- e. The treasurer prepares and recommends the annual budget.
- f. The treasurer reports to the board at each meeting on budgetary matters.
- g. The treasurer summarizes financial statements as part of the treasurer's report, including a review of the balance sheet, aging of accounts receivable and expenses, and highlights any unusual variances in the collection and/or expenditure of association funds.
- h. The treasurer monitors late assessment payments and coordinates with the secretary to determine member voting eligibility.
- i. The treasurer is the liaison between the bookkeeper and the board, between the bookkeeper and the membership, and between the bookkeeper and vendors.
- j. The treasurer will ensure that community assets are adequately insured.
- k. The treasurer shall perform other duties as assigned.

E. Board of Trustees – Meetings, Quorum, and Voting.

1. Regular meetings of the board of trustees shall be held at a time and place determined by the board of trustees.
2. Special meetings of the board of trustees may be called by the president or upon the written request of three trustees.
3. Four trustees constitute a quorum for a meeting of the board of trustees.
4. Four affirmative votes are required to approve a motion.

F. Committees.

1. Member Qualifications. Committee members must be property owners and residents of Lakewood Hills, and current in all assessments.
2. Standing Committees.
 - a. Standing committees may be established by passing a motion in a property owner's meeting or by passing a motion in a board of trustees meeting.
If the committee was created during a property owner's meeting, then the presiding officer will assemble a list of owners who are interested in being appointed to the committee.
 - b. The president shall appoint the committee chair.
 - c. Members of the committee shall be appointed by the board of trustees.
 - d. The first action of a committee shall be the creation of a Mission Statement. The Mission Statement must be approved by the board of trustees.

e. The Roads Committee is a permanent standing committee. The roads committee chair must be a trustee.

3. Special Committees.

Special committees may be established using the same procedures for establishing standing committees. In addition to the requirements for standing committees, when a special committee is established, it must have a defined purpose and end point. End points can be a date or the accomplishment of a specific goal.

4. Dissolving a Committee.

A committee can be dissolved by passing a motion at a meeting of the group that created it.

ARTICLE IV. MEETINGS:

A. General meetings will be held on a Saturday morning in April and October, as close to the middle of the month as is practical. Two (2) weeks written notice shall be sent to all property owners via the Association newsletter or by mail.

B. The Annual Meeting will be combined with the Spring Meeting.

C. A quorum will consist of 20% of the eligible properties and must include a presiding officer and a recording secretary to make any action binding.

D. Special meetings may be called by the President of the Board of Trustees or by a petition of 10% of the properties for consideration of issues where action is imminent. Notification of such a meeting will be given to all property owners at least two (2) weeks in advance. At special meetings, only the specific issue which generated the call for the meeting will be discussed.

E. All meetings shall be conducted in accordance with Roberts Rules of Order, Newly Revised.

ARTICLE V. AMENDMENTS TO THE BY-LAWS:

A. The membership will have mailed to them a written notice of any proposal to amend the By-Laws at least thirty days prior to a scheduled meeting.

B. Amendment of the By-Laws will require a two-third's vote of approval.
