

CONSTITUTION & BY-LAWS
OF THE
SIXBERRY LAKE PROPERTY OWNERS ASSOC.
CONSTITUTION

ARTICLE I- NAME AND PURPOSE

SECTION 1

The name of the Association shall be Sixberry Lake Property Owners Association, and shall hereinafter in this document be referred to as the Association.

Section 2

OBJECTS OF THE ASSOCIATION- The objects of the Association shall be:

- a. ~~To promote high standards of care and conservation of Sixberry Lake and to inform Association members of matters pertaining thereto;~~
- b. To encourage the propagation preservation and distribution of wildlife, fish, bird sanctuaries, and conservation of marginal lands to swamps and ponds. To protect and develop plant life in its native state. To preserve the purification of contamination in the water shed of Sixberry Lake; .
- c. To encourage and support legislation to the foregoing: to aid and cooperate with all public authorities in so doing and to affiliate or cooperate with any other organization having purposes similar to this Association;
- d. To prepare and circulate literature and adopt any other method of informing the public of the need of such conservation work for the general health and welfare of Sixberry Lake.

Section 3

SLOGAN - TO KEEP SIXBERRY LAKE CLEAN

ARTICLE II - MEMBERSHIP

Section 1

QUALIFICATIONS FOR MEMBERSHIP - The qualifications for membership shall be:

- a. any person of legal voting age and owner of property abutting on Sixberry Lake or has a right-of-way to lake:**
- b. all members whose annual dues are paid shall constitute the Association:**
- c. each member is entitled to one vote (joint ownership, multiple lots or clubs constitute one vote):**
- d. absentee votes by authorized proxy will be allowed for issues deemed appropriate by the Officers.**
- e. all fund raising programs shall be a cooperative venture of the total membership when approved by majority vote, and each member of the Association shall be duty bound to support such programs to the best of their ability.**
- f: The annual dues for membership shall be set by the officers with the approval of the membership and shall be payable by May 15th.**

ARTICLE III-GOVERNMENT, OFFICERS AND METHOD OF ELECTION

Section 1

The government of this Association shall be vested in an elected president, vice president, secretary, and treasurer.

Section 2

The elected vice president shall assist the president and the committees.

Section 3

Election of officers shall take place at the annual August meeting of the association.

Section 4

The election of officers shall be by ballot, and in accordance with the following procedures:

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- a. a chairman of a nominating committee shall be established by the president.
- b. the chairman will choose his /hers committee members, no less than 2.
- c. the chairman shall convene his nominating committee at an appropriate date in the month of July to prepare a ballot for the election of officers for the annual meeting of the Association which shall be convened prior to September 1, of each year;
- d. the committee shall nominate at least one person for each office, and such names shall appear under the appropriate office on the ballot with a "check box" opposite each name.;
- e. the ballots, containing the proper instructions for voting, will be distributed at the annual meeting, and voting shall take place under the proper order of business;
- f. the chairman of the nominating committee, assisted by two other members, shall tabulate the votes cast, and immediately thereafter the chairman shall announce the results of the voting to the membership;
- g. nominations shall also be accepted from the floor at the annual meeting.

Section 5

- a. the president shall serve as past president for two (2) years following the election of a new president.

Section 6

- a. the elected officers are vested with the management and control of all business and policies of the Association;
- b. if any vacancy occurs in any office by death, resignation or otherwise, it may be filled by a majority vote of the remaining officers at any regular meeting or at any special meeting called for the purpose.

Section 7

- a. The newly elected officers shall convene within a reasonable date after their election to consider and plan the following year's activities.

Section 8

QUALIFICATION AND TERM OF OFFICE FOR OFFICERS

- a. Adult sons and daughters of property owners and their spouses will be eligible to run for office.

- b. All officers shall be eligible to vote at meetings.
- c. The term of office for elected officers shall be for a period of two (2) years.

Section 9 (INDEMNIFICATION)

An officer of the association shall perform his/hers duties as an officer, including duties as a member of any committee upon which he/she may serve, in good faith, in a manner he/she reasonably believes to be in the best interests of the Association, and with such care as an ordinarily prudent person in a like position would use under similar circumstances.

In performing his/her duties an officer shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by:

- a. one or more officers or members of the Association whom the officers reasonably believe to be reliable and competent in the matters presented.
- b. counsel, public accountants, government agencies, manufacturers or other persons as to matters which the officers reasonably believe to be within such person's professional or expert competence; or
- c. A committee upon which he/she does not serve, duly designated in accordance with a provision of the articles of the the by-laws, as to matters within its designated authority, which committee the officer reasonably believes to merit confidence. An officer shall not be considered to be acting in good faith if he/she has knowledge concerning the matter in question that would cause such reliance described above to be unwarranted.

A person who performs his/her duties in compliance with this section shall have no liability by reason of being or having been an officer of the association.

ARTICLE IV - DUTIES OF OFFICERS

Section 1

The President shall:

- a. preside at all meetings;
- b. direct the business of the Association;
- c. conduct the meetings in a business-like manner, and restrain members when engaged in debate within the rules of the Association;

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- d. appoint committees and chairman;
- e. be an ex-officio of all committees;
- f. in collaboration with other officers and members, administer to the needs and well-being of the Association;
- g. have a voice in all deliberations;
- h. interpret the letter and the intent of the constitution and the By-Laws using Robert's Rules of Order as a guide.

Section 2

The Vice-President shall:

- a. preside at all meetings in the absence of the president;
- b. take the chair in cases the president desires to participate in the proceedings;
- c. assist the president in the administration of the business affairs of the Association.

Section 3

The Secretary shall:

- a. take notes of all proceedings and be custodian of all the records of the Association;
- b. note, in verbatim, all motions made and seconded and by whom;
- c. prepare and submit all minutes to the officers within 30 days of a meeting for review before reading at the following meeting;
- d. carry on all correspondence of the Association and give notice of all meetings;
- e. call roll of officers at all meetings, and note absences.

Section 4

The Treasurer shall:

- a. be responsible for all monies and financial documents;
- b. keep proper financial accounts which are subject to annual audit and make current statements of Association finances at each meeting;
- c. deposit all funds in a bank account and have all statements sent in duplicate to self and the president ;

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d. have all disbursements of funds signed by him/her and the president. (in his/her absence or inability, his/hers duties shall be performed by the secretary;

e. the SLPOA fiscal year shall be from August 1 to July 31.

Section 5

The officers shall serve on committees and aid in the rendering of important decisions relative to the organization and management of the Association in an endeavor to fulfill the objects for which the Association exists.

ARTICLE V - MEETINGS

Section 1

An annual meeting of the Association shall be conducted on or before the Saturday of Labor Day weekend of each year for the receiving of the annual report of Officers and committees, and the election of officers for the ensuing year. Additional meetings may be called by the president at any time.

Section 2

Notice of all meetings shall be given seven (7) days in advance thereof to all members of the Association unless waiver of such notice is received.

Section 3

"Robert's Rules of Order" shall govern the proceedings of all meetings, except where some conflict with the Constitution of the Association.

SIXBERRY LAKE PROPERTY OWNERS ASSOCIATION

BY-LAWS

ARTICLE I - MEETINGS

Section 1

The annual meeting of the Association membership shall be held on or before the Saturday of Labor Day weekend for election of officers.

Section 2

Association meetings shall be structured as follows:

- a. transacting essential Association business;**
- b. acquainting members with current legislation pertinent to the interests of the Association;**
- c. discussion on conservation and the natural resources of Sixberry Lake;**

Section 3

Calander year to be August to August

Section 4

The quorum at Association meetings shall be:

- a. at all meetings of the members, those present shall constitute a quorum for transaction of business, including amending the constitution, as long as all members have been notified two (2) weeks in advance of what proposed changes are.**
- b. at all meetings, a majority of of those voting shall govern on issues before the Association, except when otherwise specified.**

ARTICLE II - COMMITTEES

Section 1

The president shall appoint standing committees, as needed, for: membership, programs, legal assistance, legislation, conservation, nominations, and other functions;

Section 2

Committees shall serve at the pleasure of the president, but not longer than twelve (12) months.

Section 3

Other provisions for selection of committees shall be made on motion and approval by majority vote of the members present and voting.

ARTICLE III - AMENDMENTS

Section 1- Constitution

Amendments to the Constitution may be recommended by Officers and members and must be approved by majority vote of the members present at meeting. All members must have notice of possible changes two (2) weeks prior to the meeting at which the discussion and the voting will take place.

Ssection 2 - By-Laws

The By-Laws may be amended by majority vote of officers. However, each member of the officers shall have been sent a copy of the proposed changes at least two (2) weeks in advance of the meeting at which discussion and voting will take place.