

**BY-LAWS  
OF  
COLLINS PLACE HOMEOWNERS ASSOCIATION**

**ARTICLE 1: NAME AND BOUNDARIES**

**Section 1:** The name of the organization shall be the Collins Place Homeowners Association, Inc. (Association). The Association is a non-profit corporation qualifying under Section 501 of the Internal Revenue Code (26 U.S.C.A. 501) and was established on November 27, 2006 thru the Articles of Incorporation recorded with the Louisiana Secretary of State.

**Section 2:** Boundary exists east and south from Williamsburg Drive to west on Ridgeway Drive to north on Brookcrest Drive and all streets within that boundary.

**ARTICLE 2: PURPOSE**

The purpose of the Association is to:

Maintain, protect, enhance and promote the livability and sense of community of the neighborhood;

Provide an open process by which all members of the neighborhood may involve themselves in the affairs of the neighborhood;

Facilitate the exchange of information among neighborhood members;

Enforce the terms and conditions of the Covenants and Restrictions, including taking appropriate legal action, if necessary;

Levy and collect assessments from members to pay the expenses of the Association and to establish a reserve fund for the purchase, replacement and/or repairs of elements within the neighborhood and common areas;

Provide and maintain reasonable limits of liability insurance for the common areas and the Board of Directors; and to

Exercise such other responsibilities, obligations, and duties set forth in the Articles of Incorporation and these By-Laws.

### **ARTICLE 3: MEMBERSHIP**

All lot owners are members of the Association. Licensed building contractors who own property within the neighborhood boundaries shall each designate, in writing, a single representative for membership purposes.

### **ARTICLE 4: BOARD OF DIRECTORS AND OFFICERS**

**Section 1:** The Board shall initially consist of five elected (or appointed) members. The Board Members shall elect officers of the Association as: President, Vice-President, Secretary and Treasurer. The fifth Board Member shall serve At-Large. Board members will serve on a volunteer basis and shall not receive compensation for their services.

**Section 2:** Each Board member shall hold office for a term of 2 years and until his/her successor has been elected or appointed to take office. For the first slate of Board members, the members shall serve staggered terms of office to provide for leadership continuity. The initial members shall serve as follows: Two members shall serve until August 30<sup>th</sup> (one year) following their election and three members shall serve until the second August 30<sup>th</sup> (two years) following their election. All members of the Board shall be eligible for reelection/appointment for no more than two additional, consecutive terms. However, a former Board member may be re-elected/appointed after a one-year break.

**Section 3:** Association members who hold public office, is a candidate for public office or who holds any political appointment not within the civil service system may not serve on the Board.

**Section 4:** The Board may fill any vacancy on the Board or committee by majority vote of the Board. Members appointed to fill a



vacancy shall serve the remainder of the unexpired term and until his or her successor is elected or appointed.

**Section 5:** Board members shall be elected by use of electronic voting software. Only members in good standing who are current on their assessment payment(s) may vote in the election.

**Section 6:** Names of candidates for the Board shall be placed in nomination by the nominating committee or by any member of the neighborhood association. Election requires a majority vote of the members.

**Section 7:** The Board shall have following responsibilities and powers:

Manage the daily affairs for the neighborhood association.

Make decisions and represent the interests of the neighborhood association on all matters for which it is impractical to present to the membership in advance. All such actions shall be reported to the membership at the next regular meeting.

Appoint committees to perform necessary functions and represent the neighborhood association on specified topics.

Establish a plan for maintaining and encouraging involvement in the neighborhood association.

**Section 8:** The Board Officers shall have the following duties:

The President shall preside at all board meetings and all membership meetings and shall perform such duties as the Board and the membership from time to time authorize. The President shall represent the position of the Board and the interest of the neighborhood association. The President will serve as an ex-officio member of all Association committees.

The Vice-President shall perform the duties of the Chair in the Chair's absence and as authorized by the bylaws or regulations for the

Board. The Vice Chair will also assist the President with managing the Association.

The Secretary shall record and maintain minutes of membership and Board meetings, assist the President with correspondence and maintain the non-financial files of the neighborhood association. The Secretary will maintain a list of Board members and committee members and their terms.

The Treasurer shall have charge of all funds belonging to the neighborhood and shall receive, deposit and disburse funds for the neighborhood association in a bank(s) or financial institution(s) in such manner as designated by the Board. The Treasurer and one other Board member shall sign all checks for expenses related to the management of the association.

The Treasurer shall make financial reports and prepare the annual Association budget as directed by the Board. Financial reports of the Association will be shared at the annual meeting, upon request by a member and/or via the Association website.

**Section 9:** Board meetings shall be held at the discretion of any Board member and called when necessary. Due to the volunteer nature of each position, along with conflicting work schedules, mandatory meetings are not necessary to conduct everyday matters and decisions concerning the HOA. Most matters can be discussed via electronic means and the recording of votes maintained in the HOA's email ([collinsplacehoa@gmail.com](mailto:collinsplacehoa@gmail.com)).

Actual meetings held are facilitated by the President. A quorum exists with a majority of the Board members being present. Board meetings are open to Association members. The Board reserves the right to call for a closed Executive Session to discuss matters of sensitivity.

Special Board meetings may be called by the President by giving notice to each Board member of the time, place and items to be discussed or acted upon at least three calendar days before the special Board meeting. A special meeting shall be called when insufficient time is available to consider a pertinent matter at the



regular Board meeting.

**Section 10:** At the discretion of the majority of Board, a Board member may removed for failure to attend three consecutive Board meetings or for reasons detrimental to the ability of the Board to carry out its responsibilities. Notice shall be given to the Association members specifying the reason(s) for the removal.

**Section 11:** Roles of the officers, as described herein, are subject to change if the services of an association management company are procured. The role of the officer(s) shall be that of oversight of that portion of the contractual agreement of the management company.

**Section 12:** An independent audit of the financial records and status shall be procured by the Board no less than every three years. Findings of the audit shall be shared with all residents and property owners.

#### **ARTICLE 5: Annual Election**

**Section 1:** The annual election for the Board of Directors shall take place on September 1st each year and will be conducted using voting/survey software. No later than July 30<sup>th</sup> of each year, the Nominating Committee shall present the Association members with a slate of potential candidates for election to the Board.

**Section 2:** In the event there is an insufficient number of volunteers or no opposition to the nominee(s), no election shall be necessary and those nominated shall become members of the Board by acclamation. The results of the acclamation shall be transmitted to the Association members by electronic means.

**Section 3:** The nominee information, including a brief bio on each candidate, shall be transmitted via electronic means and included on the Association website.

**Section 4:** Those nominated for election must be Association members in good standing. In good standing in this context means assessment payments are current.

**Section 5:** Elections shall be held each September 1<sup>st</sup> using electronic voting software. Results will be shared with all Association members via electronic transmission and posting on the Association website no later than 5 working days following the election or vote by acclamation.

**Section 6:** New Board members shall be installed and new Board officers appointed at the next regularly scheduled monthly meeting of the Board following the annual election.

**Section 7:** Only one member of each household may vote in the annual election.

## **ARTICLE 6: MEETINGS**

**Section 1:** There shall be at least one (1) annual membership meeting yearly, subject to interest by members. The meeting shall be convened upon any day decided by majority vote of the Board. Notification shall be by posted, published or electronic notice, E-Mail, telephone and other reasonable methods in order to reach a majority of the members. Notification for the annual meeting shall require at least thirty (30) calendar days advance notice.

**Section 2:** A general meeting may be called by the Board President or by a majority vote of the Board. Notification shall be by the methods listed in Section 1 of this Article and be made at least fourteen (14) calendar days prior to the meeting.

**Section 3:** Working with the Board, the President shall prepare the agenda for meetings of the membership. Any member may add an item to the agenda by submitting the item in writing to the Board at least seven (7) days in advance of the meeting and gaining approval of the majority of the Board, or by making a motion at the meeting. Adoption of a motion to add an agenda item requires a second motion.

**Section 4:** A quorum for any annual, general or special meeting shall be those members present. Except that for a meeting in which a vote will be taken regarding assessments/special assessments, a minimum of 60% of the Association members must be present (in



person or via proxy) for a quorum. In the event a quorum is not present and a vote is to be taken to change the annual assessment or impose a special assessment, additional meetings may be called and the quorum requirement will be half that required at the previous meeting provided that each subsequent meeting will be held more than 60 days following the proceeding meeting.

**Section 5:** Only Association members are eligible to vote at meetings with one vote per home/lot.

**Section 6:** Minutes of meetings shall be communicated to all Association members via electronic means or by posting to the Association website. The Presiding Officer may regulate discussion and length of time allocated to an issue and/or person.

**Section 7:** Robert's Rules of Order shall be followed in all areas not covered by these bylaws.

## **ARTICLE 7: COMMITTEES**

### **Section 1: Committee Actions**

All Committees act at the discretion of the Board.

Committees may make recommendations to the Board and correspond on behalf of the Committee itself; however, Committees may not correspond on behalf of the Board.

Committee fundraising activities must be pre-approved by and reported to the Board. Funds raised become part of the operating funds of the Association and are held in the Association account. No committee will have its own bank account, nor raise or expend funds without approval of the Board.

Committees may submit budgets to the Board for approval and inclusion in the annual budget. Committees may request funds from the Board for specific projects throughout the year.

## **Section 2: Nominating Committee**

The Board of Directors shall comprise the Nominating Committee and may designate an Association member(s) to assist with soliciting volunteers to seek election or appointment to the Board.

## **Section 3: Social/Welcome Committee**

This committee shall be comprised of Association volunteers who will organize neighborhood activities for holidays, seasonal and other events to facilitate a sense of community. Members of this committee will also welcome new residents and provide them with information about our neighborhood, communication tools, etc. Members may seek donations from residents (monetary, food, paper goods, supplies, etc.) for neighborhood activities and seek additional volunteers to accomplish their charge. Plans for activities will be distributed to all Association members via e-mail.

## **Section 3: Beautification Committee (common areas)**

This committee shall be comprised of Association volunteers who will work together to maintain and enhance the neighborhood entrance. This committee may seek donations from residents (monetary, plants, use of equipment, etc.) to accomplish their charge. Any changes to the landscaping or equipment require Board approval prior to implementation.

## **Section 4: Architectural Control Committee (post-construction; existing home)**

This committee shall be comprised of Association volunteers who will work with homeowners and the Board to insure the exterior of the homes and lots in the neighborhood are maintained in accordance with the standards and obligations outlined (and agreed upon by the homeowner) in Section VII of the Covenants and Restrictions.



## **Section 5: Lake Lot Homeowners Committee**

This committee shall be comprised of homeowners of lake lots and shall be responsible for addressing lake-related matters such as proper maintenance and landscaping of shorelines, erosion control, lake maintenance and improvements and other matters related to the lakes as outlined in Section VII, Part 7.5.B and 7.5.C in its entirety.

**Section 6:** The President may appoint additional committees as he deems necessary, subject to the approval of the Board.

**Section 7:** The Chairman of each committee shall make written report to the Board of Directors whenever requested by the Board.

## **ARTICLE 8: ASSESSMENTS**

**Section 1:** Each lot owner, by recordation of the Act of Sale transferring title to the owner, whether or not it is expressed in the Act of Sale, has agreed to pay Association annual assessments and/or special assessments as specified by the Covenants and Restrictions and/or the Board of Directors. Funds collected thru assessments shall be used judiciously by the Board to pay the expenses of the Association including but not limited to:

Liability insurance for common areas and retention ponds;

Maintenance and improvements of common areas including subdivision sign and fountain;

Property taxes related to common areas;

Water and lights for subdivision entrance;

Other expenses related to the administration and management of the Association responsibilities.

**Section 2:** The Board of Directors will maintain a roster of the lots and assessments applicable to each. Such roster will be open to inspection by any owner upon reasonable notice to the Board President.

**Section 3:** The annual assessment will be collected in advance and prorated for the remainder of the calendar year. The assessments for each subsequent year are due and payable in advance for the year on January 1st of that year.

**Section 4:** Written notice of the annual assessment will be transmitted electronically to Association members at least 30 days prior to the due date of January 1<sup>st</sup>.

**Section 5:** Any change to the annual assessment amount must have the approval of 2/3 of the votes of the lot owners who are voting in person (or by proxy) at a meeting of the Association called specifically for that purpose. The quorum for such meeting is 60% of the votes of all the lot owners. In the event a quorum is not present, additional meetings may be called and the quorum requirement will be half that required at the previous meeting provided that each subsequent meeting will be held more than 60 days following the proceeding meeting.

**Section 6:** If an Association member's assessment is not paid by January 31<sup>st</sup>, an interest penalty of 12% shall be imposed from the date of the delinquency in addition to any costs defrayed by the Association while attempting to collect the assessment. Failure to pay within 60 days will result in a filing of "Notice of Delinquency, Lien and Privilege" against the member's property. The member shall be responsible for all interest, attorney fees, collection agency fees, filing costs and any other charges.

## **ARTICLE 9: SPECIAL ASSESSMENTS**

**Section 1:** The Association shall have the right and authority to levy and collect special assessments from Association members to defray the cost of any construction, reconstruction, repair or replacement of a designated capital improvement to the common areas.

**Section 2:** Any special assessment shall be for one year and requires the approval of 2/3 of the vote of Association members. Notice of a vote for a special assessment must be sent to all members no less than 30 days prior to the voting and must include



sufficient information so members may make an informed decision regarding the capital improvement.

**Section 3:** Voting shall take place via electronic voting software and results will be shared by the Board via electronic means and notice posted to the Association website.

## **ARTICLE 10: KNOWING VIOLATION OF RESTRICTIONS**

**Section 1:** Upon the finding of a credible violation of the terms and standards of the Covenants and Restrictions, the Board shall first seek conciliation thru informal means by a meeting with the member and a Board representative to address the violation.

**Section 2:** If the first remedy attempt is unsuccessful, written notice shall be given to the violator specifying the nature of the violation and the remedy for alleviating the violation. The violator shall be provided 10 calendar days to correct the violation unless the Board unanimously approves additional time.

**Section 3:** If the violation is not corrected within the specified timeframe, the Board shall cause an injunction to be filed against the violator. The violator will be responsible for reimbursing the Association for all costs associated with the filing, litigation costs and costs of imposition of declaratory judgment

## **ARTICLE 11: INDEMNIFICATION**

The Association shall indemnify a Board member or officer who may be a party to a proceeding as a result of the individual being or having been a Board member or officer to the fullest extent provided by the laws of the State of Louisiana now in effect or later amended.

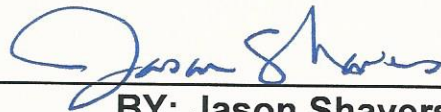
## **ARTICLE 12: ADOPTION AND AMENDMENT OF BYLAWS**

**Section 1:** These by-laws may be altered or amended or repealed by majority vote of the Board members. Any amendment proposed for adoption by vote of the Board shall be noticed to the Association

members by written communication, either by letter or email form, at least 20 days prior to consideration and vote by the Board.

**Section 2:** If any term or provision of these by-laws shall be invalid or unenforceable, the remainder of these by-laws or any other application of such term or provision shall not be affected.

THUS DONE AND ADOPTED THIS 20 DAY OF July, 2017



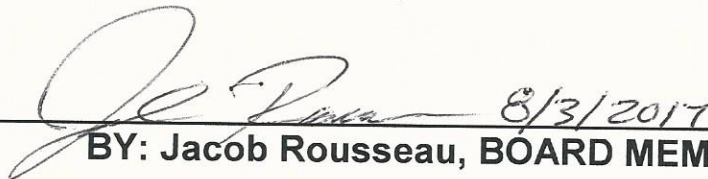
BY: Jason Shavers, BOARD MEMBER



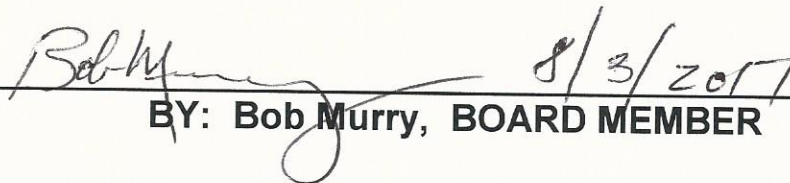
BY: Dora Gorey, BOARD MEMBER



BY: Tasha Brown, BOARD MEMBER

 8/3/2017

BY: Jacob Rousseau, BOARD MEMBER

 8/3/2017

BY: Bob Murry, BOARD MEMBER