

**BY-LAWS**  
**L.V. Manufactured Homeowners Association, Inc**  
**(commonly known as LV1 HOA)**

**ARTICLE 1**

**NAME, ADDRESS, REGISTERED AGENT. GOVERNING DOCUMENTS**

**Section 1. DESIGNATED NAME**

The name of the manufactured home park is LAMPLIGHTER VILLAGE owned by Cal-Am Properties, a California Corporation doing business in Florida as Lamplighter MHP Associates LC located at 500 Lantern Boulevard, Melbourne, Florida 32934. The owners will hereafter be referred to as the "Management." The park will hereafter be referred to as the "Community."

**Section 2. ORGANIZATION NAME**

The name of the corporation governed by these bylaws is L.V. Manufactured Homeowners Association, Inc., a Florida Not for Profit Corporation, commonly known as LV1 HOA. The name of the organization will hereafter be referred to as the "Association."

**Section 3. PRINCIPAL OFFICE**

The principal office of the Corporation in the State of Florida shall be located in the County of Brevard. The postal address shall be that of the current President.

**Section 4. OTHER OFFICES**

The Association may have such other offices, either within or without the County of Brevard, State of Florida, as the Board of Directors may determine or as the affairs of the Association may require from time to time.

**Section 5. REGISTERED AGENT AND REGISTERED OFFICE**

The name and address of the registered agent of this Association is:

Jeremy Anderson, Esquire  
1689 Mahan Centre Blvd, Suite D  
Tallahassee, FL 32308

**Section 6. GOVERNING DOCUMENTS**

The operation of this Association shall be governed as set forth in the Articles of Incorporation, State of Florida Statutes Chapter 617 (Not for Profit Corporations) as amended and Chapter 723 (The Florida Mobile Home Act) as amended and the Bylaws.

## **ARTICLE II PURPOSE**

The purpose of this Association is to serve the best interests of all residents of the community as follows:

- a. Act as representative and negotiator through an established liaison committee with Management in matters of common concern for all residents
- b. Work with Management and members to maintain standards of safety, security, functionality, and attractiveness of both common areas and private residences in order to maintain and enhance the value of member's investment.
- c. Represent members in matters of their concern and well being with all governmental agencies. A resident must be a member of the HOA, provided their written permission to the HOA in order for the HOA to be the liaison between management and resident. Florida Statue (FS) 723 matters.
- d. To contract, sue, or be sued with respect to the exercise or non-exercise of its powers. For these purposes, the powers of the association include, but not limited to, the maintenance, management, and operation of the park property.
- e. If Management offers the Community for sale, the Association has the power to file the right of first refusal to negotiate for, acquire and operate the Community on behalf of the residents as provided in applicable Statutes.
- f. Perform any other functions, which may be required to preserve or improve the quality of life for residents of the Association.

## **ARTICLE III MEMBERSHIP**

### **Section 1. DEFINITION**

Members of the Association must be bona fide homeowners, jointly or severally, of a manufactured home and whose name appears on the title to the home on rented lots located in the Community. Only homeowners who are members of the Association will be entitled to all of the benefits and representation of the Association. It is the responsibility of the Member to keep the Association advised of any changes to their mailing address.

VOTING: if a home is owned jointly, the owners of the home will be counted as one for the purpose of determining the number of members required for a majority. One vote per household will be counted. All membership dues must be paid current to be eligible to vote at any meeting for any reason.

### **Section 2. DUES/ASSESSMENTS**

Association membership is \$20.00 for the period of January 1 - December 31. New Members will be prorated on the following basis

- January 1 – August 31, full amount
- September 1 – November 30, One-Half Amount
- December 1 full amount, includes next year dues

### **Section 3      TERMINATION OF MEMBERSHIP**

Termination of membership shall occur if member no longer qualifies as a bona fide homeowner, was recalled as an Officer or Director from office, or for failure to pay membership dues/assessments.

Membership shall not be transferable. The Treasurer shall notify members who are one month in arrears and whose dues are not paid within thirty days (30) upon receipt of notification will be dropped from membership. Reinstatement of membership is by payment in full of the year's dues.

## **ARTICLE IV BOARD**

### **Section 1.      BOARD'S PURPOSE, DUTIES AND POWERS**

The elected officers and directors of the Association shall constitute the Board of Directors, hereafter referred to as the "Board." The affairs of the Association shall be managed by the Board whose duties are as follow:

- (a) The Board will develop and be responsible for implementing policies dealing with Management in regard to changes in either rents or services as specified in the prospectus, lease, and rules and regulations as they affect outside organizations and the general welfare of the homeowners.
- (b) The Board shall have general supervision of the affairs of the Association between its general meetings, By the date, hour and place of meetings, make recommendations to the Association, and perform such other duties as are specified in these Bylaws, and Chapters 617 and 723, Florida Statutes,
- (c) No member of the Board is authorized to approve or endorse, verbally or in writing, a management proposal or action, make a verbal agreement, or sign a written agreement with Management or any other agency without prior approval by a majority of the officers of the Board at a duly noticed meeting.
- (d) Members of the Board may not represent the Board in any matter unless given permission to do so by the Board.
- (f) The board members who hold the positions of president, vice president and treasurer may not serve on another board operating within the community.
- (g) All board members within 90 days of appointment, must sign an affidavit that they had read the current prospectus, rules and regulations, articles of incorporation, and the by-laws. The secretary will maintain the affidavits for as long as the board members serves.

## **Section 2      COMPOSITION**

The Board of Directors shall consist of no more than seven (7) and no less than five (5) Directors who will be governed by the Bylaws, and Chapters 617 and 723, Florida Statutes. The Board shall consist of the following officers, who are appointed annually by the Board: President, Vice-President, Secretary, Treasurer, Special Assistant to the President, Membership and Events Committee Directors. Such officers to have the authority to perform the duties prescribed. The Board may elect and designate other officers, such as Sergeant at Arms, and grant them duties it deems appropriate.

Only one member in a household may hold a position on the board.

### **PRESIDENT:**

Lead the Organization at all meetings, Prepare Agenda, Make sure notices are posted per FLORIDA STATUTES (F.S.), Head all Committees (not part of the quorum requirement), Write rules and regulations for all committees, update as needed, Appoint board members as chairperson of committees, Appoints all subcommittee chairs, Coordinate with website manager, Act as final say for the website content, Insure F.S. compliant, Board point of contact with the following relationships, Attorney, Head of the Liaison and Rent negotiation Committees, Cal-AM, FMO, Maintain Banking relationship with the Treasurer, Audits, Separate accounts for F.S. compliant (bingo), Review report before meetings, Maintain Calendar, Insurance due dates, help shop coverages, Taxes, Annual Corporate filing, Assign and oversee Special projects with the Special Assistant Board Director, Handle the HOA email box, Review content, Assign to proper committees, Follow up for completion, Store HOA file cabinet, Houses records for 7 years (except current years), Review previous records for value and retainability

### **VICE PRESIDENT:**

Act as President and perform all the president's functions when directed by the president, when the president is unavailable, Attends all HOA event functions, Act as official representative of the board of director, Chairperson of the annual meeting and election process, Coordinates with Special Assistance to the President, Insures F.S. is followed, Establishes a committee to assist through the annual meeting, Slate of candidates, Voting procedures, Absentee, In person, Proper notice, During member meetings, Handles microphone duties during Q&A, Assist volunteers as needed

### **TREASURER:**

Must have a financial background, Maintain bank accounts, Always two signatures (2nd is president), Checking, monthly bills, Money Market -short term, CD's -short and long term, Always a report at each member meeting (copies for all), Establishes accounting procedures for all events and committees, Create specific forms, Create specific reporting procedures and time lines, Contact all sponsors of events and heads of committees, Train on procedures, Follow up to make sure followed, Bingo accounting in separate account, 50/50 events, timely deposits, Donations to the HOA, timely deposits, Membership Dues, timely deposits, Establish electronic payments if possible, Submit books for an audit once a year, Preferred in January before the yearly meeting, Maintain Insurance Policy, Shop policy each year within 60 days of renewal, Present bids at meeting one month before expiration, File Yearly taxes, Work with president to file the taxes as a non for profit, Insure yearly corporate filings are made in a timely manner to the state



## **SECRETARY:**

Attends all member and executive board meetings, makes a written record of the meeting, provides copies of previous meeting minutes for all, Maintains approved minutes for 7 years,

Gives copy of approved minutes to website manager for posting, Ensures all meeting notices are posted, Puts out signs in community (at least 72 hours in advance), Make sure posted on website, Make sure meetings are added to the calendar, Coordinate with Cal-Am by the 5th of each month, Post on the board outside the computer lab, Make sure posted on social media, Band and any others established, Chairperson for the Social Media Committee, Appoints a vice chair to run the committee, Establishes positive places to advertise our community/events, Controls content, approved through Secretary and President, Appoints specialists for each site, Monitors for comments, Post board approved data, Maintains a list of all sites, Logins and passwords, Account manager, Secondary access, Back up access, Maintains written records of any committee meetings, Provides written report to chairperson for the member meetings, Site activity, Community image, Ensures any committee meetings are documented, Written report submitted to Committee chair, Presentation of report at every member meetings

## **SPECIAL ASSISTANT TO THE BOARD:**

Receives direction and assignments from the President, Special projects, Long- or short-term resolutions, Knowledgeable of: F.S. 617 and 723, Prospectus, Rules and regulations of the community, FMO, Local County officials and offices, Assistant President with all BY LAWS review, amendments, and posting, Presents to board for any Final approval needed, Submits to website for publishing, Assist Vice President for the annual meeting, Insures F.S. complaint, Establishes procedures for committees to follow, Provides assistance to the Liaison Committee as requested, Expert on state, county and local laws, acts as chairperson for any standing or special committees.

## **MEMBERSHIP COMMITTEE:**

Maintains active membership list (confidential), Maintains active members applications, Assist with all membership drive functions, Establish a 50/50 program for all events, Develops accounting procedures for membership fees, Develops renewal membership process, Maintain a list of all volunteers, Name, phone number, lot, Must be active member in HOA, List areas of assistance for recognition, Oversees website, Appoints website manager, Makes sure F.S. complaint documents are used on the Website, Maintains all account logins and passwords, Listed for access on all websites, Must have continued access for perpetuation, Appoints a manager for a Community Reach out Committee Manager will: Assist in developing programs to assist the residents, Shut ins/elderly/injured/Financial/Disabled, Community resources: Food banks, Social service, Medical, Minor home repairs, Transportation, Welfare visits, Weekly, monthly, quarterly, Identify if repairs issues exist, Make a plan of action to assist repairs, Education and training, Computers, On line ordering, Help with emergency planning, Contact numbers, Family member contacts, Develop a written plan of action, Update contact data, Consider birthday acknowledgements, Update and maintain a community emergency action plan, Maintain a list of community repair persons, Active members of HOA, specialties, Trusted and vetted contractors

## **EVENTS COMMITTEE**

Board of Director member is the chairperson, Oversees all HOA events, Maintains a list of all events in the community, Name of the event, point of contact, lot number, cell phone, HOA active, basic explanation, dates of activity, cost per member, Cal-Am contribution, availability to all residents,

Compliant with all state, county and local laws, Transparent accounting and inventory procedures, Runs Bingo: Establishes procedures, Game operation in compliance with local and state laws, Obtain all licenses and post in accordance with the law, Creates a detailed accounting document, Cash in, Cards sold, Numbers, Winner pay outs, Per game, Hot numbers, Money in, Added to carry over balance, Part of petty cash, Winners paid, Balance, Completed immediately after each event, Signed by head of the event that night, Submitted to treasurer with all cash deposits, Responsible for petty cash to operate game, 800.00 limit, Personally liable for the money, Maintained in a safe place when not at the game, Review other options to grow the event, Instance bingo (tip games), Sell concessions, Coordinate with kitchen manager, Maintains list of all volunteers, Verifies active members of HOA, Name, lot number, phone number, Establishes rules, How games are to operate, Bingo calling, Selling Instant bingo, How payouts are established, Excludes volunteers from gambling while working, Works with LV1 and LV 2 vice chairpersons to oversee all events, LV1 representative - Head of LV1 events- appointed by president LV1, LV2 representative – head of LV2 events -appointed by President LV 2, The event support departments are Kitchen, Bakery, Beverage, Decorations, entertainment, ticket sales, and social media committees, Established Written Events Procedures:, LV1 vice chairperson maintains the final approved checklist for all events, Sponsor of the event completes the initial request, Meets with LV1 or LV2 representative determined by the sponsor address, at least 180 days before schedule date, Goes over sponsors ideas, Determine needs for each department, Sponsor trained on process required to host, Verifies date is available, Cal -AM financial sponsorship, LV1 Vice Chair receives the initial request from the sponsor, Coordinates with all departments detailed below, Gets final menu budgeting from', Sets ticket pricing, Coordinates with sponsor for final approval, Sends information to social media and calendar coordinator

#### **SPECIAL DONATIONS COMMITTEE:**

Chaired by the Special Assistant to the President, includes Events Coordinator, LV1 and LV2 Vice Chairs of the events committee, and up to 3 other active members (need and odd number) appointed by the Special Assistant to the President, dedicated to making decisions on how any excess money generated by the HOA's is spent, with a primary mission of giving back to the residents of Lamplighter Villages. Outside special causes can be considered as well. The money must be spent by the last day of any Calander year.

#### **EVENT SUPPORT DEPARTMENTS**

Ticket Sales, Manager appointed by Vice Chair of LV1 and LV2, Manager, Establishes ticket sales procedures, Dates of sale, Sales outside of date, Togo Sales, How delivered, account for Food and beverage Tickets, maintain list of volunteers, Name, lot number, cell phone, Verifies volunteers are HOA active, Works with membership committee, 50/50 at each event, Creates an accounting of initial total sales (within 24 hours), Reports total to event vice chair for budgeting, Kitchen, bakery, beverage, entertainment, Turns money into treasurer of event, LV1 treasurer for LV1events, LV2 treasurer for LV2 events

### **Kitchen Department:**

Manager is appointed by the LV1 President, Manager:, Identifies and maintains a cooking, cleaning and food serving staff, Manager Trained in serve safe food handling, Certificate on display in carriage house, Trains volunteers who cook, Inspect Food storage, Before, during and after, Maintains a volunteer list verifies active HOA, Name, cell phone, lot number, Specialties (kitchen, server), Menu plans with sponsor and vice chair, Budget required, Service type, Food, dessert and Beverage choices, Purchases food and beverages for all events, Creates a plan for excessive servings

Delivered to shut ins within the community, Works with membership committee, Id resident, helps with delivery, appoints a server manager, Details amount of servers needed, Details cleaning procedure after event, serving areas, Main tables, oversees all concession events, appoints department head, Menu plans and pricing, purchasing food and beverages, Creates an accounting, All sales, All expenses, Turns all moneys and receipts to treasurer, within 12 hours after the event, Works with Cal-Am to maintain all kitchen equipment in good working order, Works with Cal-Am for pest control treatments.

### **Beverage Department**

Manager appointed by the kitchen manager, Manager Develops Staff, Maintains a list of volunteers, Name, lot number and cell phone, HOA active, Gets Beverages from Kitchen Manager, Sets up two stations, Alcohol and Non-Alcohol drinks, collect tickets, Puts out water coolers, Ice down drinks Accounts for inventory of all drinks, Report to Kitchen Manager, Beginning, Ending, Tickets collected, Stores excess at end of night, Verifies with kitchen manager

### **Bakery Department**

Manager appointed by LV 1 President, Manager, Coordinates with: Vice Chair of Events and Sponsor, determine desserts, Breads, rolls, Kitchen Manager, Menu Planning, Budgeting, Trained as a serve safe food handler, Certificate maintained on wall in carriage house

### **Entertainment Director**

Appointed by the LV 1 President, Director, Maintains a list of entertainers, Name, manager, cell phone, Cost, Playing set times, Completes a draft contract, Review with President, Best Type for each event, Cal-Am Contributing, President signs all contracts on behalf of HOA, Main point of contact, Identifies new bands, Handles inquiries, Goes to review in action

### **Decorations Director:**

LV1 President appoints the director Maintains list of volunteers, Name, lot, cell phone, HOA active, establishes written guidelines for volunteers, How and when to set up, how many people, take down and clean up after the event, Dispose, give aways, disposal, store, Director works with events vice chair, Determines sponsor needs, Sponsor handling or decorations committee, Budget, Theme, Disposal of decorations

### **Social Media Committee**

Works with vice chair to advertise event, Drive attendance, takes pictures during the event, Post all the good times within our social media channels.

### **Section 3 ELIGIBILITY**

All Officers must be a Bonafede owner of a home in this community and a member in good standing with the Association. The officers must reside in the community at least six (6) months of the year, it is suggested that the President be a full-time resident. All officers need to be available for all board activities either in person or by telephone.

### **Section 4. CLASSES OF BOARD MEMBERS AND TERM OF OFFICE**

As stated in Article IV, Section 2, there will be no more than seven (7) and no less than five (5) members of the Board.

- (a) All Directors will be elected to three (3) year terms. No Director shall hold more than one office at a time.
- (b) If any Director resigns or is recalled, the Board of Directors may appoint a member in good standing to fill the vacancy. The term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which Directors are elected.
- (C) The Directors will assume office immediately following their election at the Annual Meeting, at which time the Board of Directors will elect their Executive Board.

### **Section 5. REMOVAL/RECALL**

(a) Any Officer or Director of the Board may be recalled and removed from office with or without cause by the vote of or agreement in writing by a majority of all Association members. A special meeting of the members to recall a member or members of the Board of Directors may be called by ten (10%) percent of the members giving notice of the meeting as required for a meeting of the members, and the notice shall state the purpose of the meeting. The notice of a meeting of the members to recall a member or members of the Board of Directors shall state the specific Director(s) to be removed. A proposed removal of a Director at a meeting shall require a separate vote for each Board member sought to be removed. Proxies shall not be used in removing Directors or in electing Board members in elections to all vacancies caused by recall, removal or resignation. Any Director who resigns or is removed from office, shall turn over to the Board of Directors within forty-eight (48) hours any and all records of the Corporation in his/her possession.

(b) Any officer who fails to attend more than two (2) regular Board meetings in any year without excused absence may be removed from office.

### **Section 6 RESIGNATION/VACANCY**

(a) Any Officer or Director of the Board member may resign his/her office at any time by written notice delivered to the Secretary of the Board. Such resignation shall become effective immediately.

(b) Should a vacancy occur on the Board, a majority of the members of the Board may appoint a replacement to fill the vacancy. The term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which Directors are elected.

## **Section 7      COMPENSATION**

All elected Board members of the Association will serve without compensation for their services. However, any Board member may be reimbursed for actual expenses incurred in the performance of their duties upon presentation of documentation of said expense to the Treasurer. The Board may accept, on behalf of the Association, any contribution, gift, bequest, for the general or special purpose of Association.

## **Section 8.      FIDUCIARY DUTY**

The Officers, Directors, Committee Chairs and all volunteers of the association shall have a fiduciary relationship to the members and to all residents of the community.

## **Section 9.      INSURANCE & INDEMNIFICATION**

The Board will negotiate for insurance in order to obtain liability coverage for any Officer, Director, Committee Chairman or Committee member who might be joined in suits arising out of his/her activities on behalf of the Association.

The Association will not indemnify such individuals and will not be liable for any award greater than the coverage provided by the existing policy.

The Treasurer shall be responsible for annual renewal of said insurance policy and a copy of the insurance policy in effect will be maintained in the Secretary's file and may be inspected by members, or their representative, at reasonable times.

## **ARTICLE V MEETINGS**

### **Section 1.      ANNUAL MEMBERSHIP MEETING**

The Membership will hold its Annual Meeting on the last Sunday of February and, shall be for the purpose of electing Directors, receiving reports of officers and committees, and for any other business that may arise. Exact times TDA

### **Section 2.      MEMBERSHIP BOARD MEETINGS**

The regular meetings of the membership will be held as follows: Winter Schedule: October, December, January, March and April; Summer scheduled: July. This times and Dates will be decided two meeting in advance. These meeting are open to all residents, however, only active members may be allocated time to speak, bring items up to the board.

### **Section 3.      SPECIAL MEETINGS**

The President, the Board, or a petition signed by ten percent (10%) of the members may call a special meeting. Notice of a special meeting must be posted in a conspicuous place on the Community property at least five (5) days in advance of the meeting and must describe the business to be considered at that meeting. Business at a special meeting will be limited to the matter specified in the meeting call.



#### **Section 4. EXECUTIVE MEETINGS**

Executive meetings may be called by the President throughout the year. The meeting must be posted in the community prior to 48 hours before the meeting. The agenda will be posted. These meetings are designed to conduct the business of the board, and most will be held for personnel matters (including attorney discussions). Members might be allowed to attend (excluding meeting with the board's attorneys), however, their ability to participate and speak will be limited to the agenda items.

#### **Section 5. MEETINGS BY TELECOMMUNICATIONS**

The Board of Directors may permit any or all Directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

#### **Section 6. QUORUM**

At a Special Membership or Annual Membership Meeting, 30% of the membership shall constitute a quorum. At a Board of Directors Meeting or Workshop Meeting, a 30% of the Board shall constitute a quorum. If a quorum is not present, either in person or by proxy, the meeting shall be continued only for informational purposes. No business may be conducted. No motions may be made.

No votes may be taken.

#### **Section 7. PLACE OF MEETINGS**

All meetings of the Board and Committees will be held in the common areas of the Community or at any other place within the state of Florida that the Board of Directors or members may elect from time to time.

#### **Section 8. NOTIFICATION OF MEETINGS**

##### **(a) Annual Membership Meeting**

Unless waived per Section 9, the notice of the Annual Membership Meeting, along with a ballot, shall be sent by mail or hand-delivered to each member and this shall constitute notice. Notification of the annual membership meeting shall be made fourteen (14) days in advance.

##### **(b) All Types of the Board of Directors Meetings**

Notice of Board of Directors meetings shall be placed in a conspicuous place upon Community property, on the HOA's website, and social media channels dedicated to the community, and posted at least 48 hours in advance.

#### **Section 9. WAIVER OF NOTICE OF MEETINGS**

The right to receive written notice of membership meetings may be waived in writing by a member,



## **Section 10. AFFIRMATION OF NOTICE OF ANNUAL OR SPECIAL MEMBERSHIP MEETINGS**

Upon completion of the hand-delivery or mailing of notice of meeting, an officer of the Association will provide an affidavit affirming that the notices were mailed or hand-delivered in accordance with the provisions of F.S. 723 to each member at the address last furnished to the Association. A receipt from the U.S. Post Office shall be kept also.,

## **Section 11. CONDUCT**

All meetings of the Association and its committees shall be conducted in accordance with Robert's Rules of Order and the By-Laws of the Association. In the event there are questions as to procedure, the presiding Officer shall make the ruling. Unless authorized by the President, only members in good standing may address the chair.

## **Section 12. ORDER OF BUSINESS (AGENDA)**

The order of business (agenda) at all annual, regular, or special meetings shall be as follow

Call to Order

Opening Ceremonies (Salute to the Flag/Prayer)

Roll Call

Quorum Established to Conduct business

Proof of Notice of Meeting or Waiver of Notice Reading of Minutes of Previous Meeting Officers

Treasurer Reports

Committee Reports

Membership

Events

Appointment of Tellers (annual meeting) Election of Directors (annual meeting)

Unfinished Business

New Business

Adjournment

## **Section 13. MINUTES**

Minutes of all meetings of the Association and of the Board will be kept in a business-like manner and accurately reflect the events and decisions of the meeting.

Any member, or their representative, shall have the right to examine the minutes of the Association at a reasonable time and place. Once approved (ratified) by the membership, the minutes may not be altered

Established committee meeting will also be required to keep records of their meetings and submit a copy to the board of directors through the board representative.

The Association will retain these minutes for a period of not less than seven (7) years.

## **Section 14. AUDIO/VIDEO TAPE RECORDING OF MEETINGS**

The Secretary of the Association may audio/video tape meetings of the Association for transcription purposes. No other recordings will be permitted

## **ARTICLE VI ELECTIONS**

The election of the Board of Directors will take place at the annual membership meeting to be held on the last Sunday in the month of February of each year. After the election the Board will close the meeting. The newly elected Board of Directors will elect their officers immediately after this meeting.

### **Section 1. NOMINATION OF BOARD OF DIRECTORS**

A Nominating Committee appointed by the Vice President approximately sixty days (60) prior to the annual meeting shall make nominations for candidates to the Board.

### **Section 2. FLOOR NOMINATIONS**

Any member may nominate a member, including their self, to be a candidate for the Board from the floor. All nominations from the floor must be made at a duly noticed meeting of the members held at least 30 days before the annual meeting. The member should know beforehand if the nominee is both eligible and willing to serve.

### **Section 3. VOTING**

#### **(a) PROXIES**

A proxy is a power of attorney given by one person to another to vote in their stead; the term also designates the person who holds the power of attorney.

(1) Proxies shall in no event be used in electing the Board of Directors, either in general elections, or elections to fill vacancies caused by recall, removal or resignation.

(2) Any proxy given shall be effective only for the specific meeting for which originally given and any lawfully adjourned meetings thereof. In no event shall any proxy be valid for period longer than 90 days after the date of the first meeting for which it was given. Every proxy shall be revocable at any time at the pleasure of the member executing it.

(3) The solicitation of a proxy is prohibited and any proxy so obtained will be ruled invalid.

#### **(b) ABSENTEE VOTES**

Absentee votes may be used to vote at the Annual Membership meeting or at any other Association business that may be presented at regular or special meetings.

### **Section 4. QUORUM**

30% of the entire membership shall constitute a quorum at the Annual Membership Meeting.

The presence in person, by proxy or absentee ballot of a majority (30%) of the members entitled to vote shall constitute a quorum at those meetings requiring a quorum of members.

No action or other business requiring a vote of the members may be taken without the presence of a quorum.

## **Section 5. PROCEDURES**

All members are urged to vote in person for the election of Board Members at the Annual membership meeting. If unable to do so, the member may vote by absentee ballot as described in Section 3.

(a) Registration at door – The Election Chairman will appoint the appropriate amount of Tellers to insure an efficient flow of registrants. If two members of a household attend the meeting, only one will be registered and receive the right to vote (even if a vote must be taken by show of hands).

(b) Closing of polls – The President of the Board shall inquire if all eligible to vote have done so, and will declare the polls closed. If a member arrives after the polls have been closed, they may be reopened by a majority vote of the members in attendance.

(c) The Election Committee Chairman should not be a candidate for office. This person will oversee registration at the door and afterward at the Teller area. The Election Committee Chairman is only authorized to collect the tally sheets from the tellers. If a recount must be performed, they shall observe this procedure. They will then deliver the results of the vote to the Chairman of the Board who will announce the number of votes for the incumbents and the candidates

(d) Ballots – Ballots will be mailed or hand-delivered thirty (30) days prior with the notification of the Annual Membership meeting. If a member is voting by absentee ballot, said ballot shall be mailed to the Secretary by the date specified in notice of meeting or dropped in the ballot box, which will be located at the residence of two Board members that are not candidates for election.

(e) Voting Lists – The officer having charge of membership records of the Association shall provide a complete list of the members entitled to vote thirty (30) days in advance of the elections

## **ARTICLE VII COMMITTEES**

The President will establish all committees, Standing and Select.

The President shall appoint and shall be ex-officio member of all committees, except the Nominating Committee, which shall be appointed by the Vice President. The President as an ex-officio member has the same rights as the other committee members, but is not obligated to attend meetings of the committee and is not counted in determining the number required for a quorum or whether a quorum is present.

The Chairman or Vice Chairs of a committee will be on a voluntary basis or appointment by the President.

No more than one member of the same household may serve in any position of authority on any committee.

Any person who has been cleared by management to live within this community, and resides with a member of good standing of this HOA, may volunteer to work on any committee. They may not head the committee. They further agreed to perform according to our by-laws and are acting as a fiduciary person as well.

Standing and Select Committees (not established within these by-laws) shall include the Special Assistant to the President and Association members.

Committees or Committee Chairmen shall not involve the Association in any way or incur debts unless given authority, in writing, to do so by the Association. They only are allowed to make recommendations to the entire board of directors.

#### **Section 1. NOMINATING COMMITTEE**

The Vice President shall appoint the Nominating Committee approximately sixty days (60) prior to the Annual Membership Meeting.

The Nominating Committee shall consist of the Vice President and two (2) volunteers from the membership of the Association. The Committee should follow the guidelines set forth in "Nominating Committee Guidelines" Exhibits A, B and C (attached).

Members of the Nominating Committee should not be nominees for office.

Their appointment will end at the close of elections for the year. The Nominating Committee shall make as many nominations for election to the Board of Directors at its discretion, but not less than the number of vacancies that are to be filled.

The Nominating Committee shall submit its list of nominees to the Secretary forty-five days (45) prior to the Annual Membership meeting. Upon acceptance from the Board, the slate of nominees will be posted in a conspicuous area of the Community.

### **ARTICLE VIII FUNDS**

#### **Section 1. SOURCES**

Funds of the Association may be obtained from the following sources:

- (a) Dues – Membership dues will be paid in accordance with Article III, Section 2.

- (b) Contributions - The Association may accept contributions in money or in kind from members or nonmembers. Money from 50/50 activities is considered a donation from the members of the community, money received at the end of any HOA sponsored event is considered donations from the participating members of the community. Conditional contributions may be accepted only by a majority vote of members.
- (C) Loans – The Board may not obtain loans or other indebtedness for the Association, jointly or severally, unless authorized by a majority of members at a regular or special meeting, or by a majority of all members in writing.

## **Section 2      USE OF FUNDS**

Funds arising from dues, donations from members or HOA events and unrestricted contributions are Treasury Funds available for whatever purposes the Board or members vote.

## **Section 3.      ALLOCATIONS OF FUNDS**

- (a) All funds will be deposited in such banks, trust companies, or other depositories as designated by the Board.

The Board shall have the discretion to allocate the annual dues between reserves, i.e. legal funds, future expenses and current expenses. Legal expenses shall be such items as:

- Attorney fees and costs
- Litigation expenses
- Liability insurance premiums
- Expenses associated with statutory requirement.

- (b) To facilitate day-to-day business, the President may authorize any expenditure up to \$1000.00.
- (c) The disbursement of funds in excess of \$1000.00 or entering into contracts in excess of
- (d) \$1,000.00 must be with approval of the Board.
- (e) The Board shall determine whom, if anyone, in addition to the President and Treasurer shall be authorized to sign checks on behalf of the Association.

## **Section 4      FISCAL YEAR**

The Association's fiscal year shall begin January 1 and end December 31.

# **ARTICLE IX GRIEVANCE & DISCIPLINE PROCEDURES**

## **Section 1.      INDIVIDUAL GRIEVANCES**

Grievances of an individual member with Management pertaining to the rules and regulations will be resolved by the individual and Management. The HOA has no legal standing. The member may report/share the information to the HOA so that the HOA can continually review how the park rules and regulations are enforced. This is reported to the Liaison Committee.

If the grievance pertains to a possible violation of a 723 Florida Statute, the member may bring the issue to any member of the Liaison Committee. In all instances the member is aware their reported information may be used by the HOA as they determine the best for the entire community.

## **Section 2. ASSOCIATION DISCIPLINE**

All members of the Association and their guests will conduct themselves in accordance with Community rules and regulations and Association By-Laws. If members or their guests persist in not following the rules and regulations, established for the good and welfare of the Community, the Board may, following written notification, expel the member or members from the Association.

If a member becomes unruly at meetings, the Chair will call the member to order and ask the member to be seated. If the member refuses, the Chair will name the offender and instruct the Secretary to record the behavior or words. If the offender continues unruly behavior, the Chair will instruct the Sergeant at Arms to escort the offender out of the building.

## **ARTICLE X PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Association and the conduct of all meetings in all cases to which they are applicable and in which they are not inconsistent with these By-Laws, any standing or special rules of order the Association may adopt, and are in compliance with all Federal and State Statutes.

## **ARTICLE XI BY-LAW AMENDMENTS AND REVISIONS**

The initial By-Laws of a Corporation shall be adopted by its Board of Directors, per F.S. 617.0206.

The President and the Special Assistant, will review the by-laws on an annual basis. At the July meeting they will present the By-Laws to the Board who shall vote to approve the annual by-laws.

Changes of the By-Laws that are so extensive and general that they are scattered throughout the by-laws should be affected through the substitution of an entirely new set of By-Laws, which calls for a revision. These By-Laws shall not be revised or amended by reference to its number and title only.

### **Section 1. BY-LAW AMENDMENTS**

These By-Laws may be amended by majority vote of the Board of Directors or two thirds (2/3) of the membership of this Association at any duly noticed regular or special meeting. The notice of any meeting at which amendments of the By-Laws are to be considered shall contain a statement that amendments to the By-Laws shall be considered.

If it is determined that a revision is in order, the Board will review the recommendations of the By-law Committee and the final recommendations will be prepared to be reviewed by any member ten (10) days prior to the next regular meeting. At this meeting, the recommendations will be read, unless waived by a majority of members present, and if no amendments are proposed, voted upon by a majority of the Board.



## **ARTICLE XII DISSOLUTION**

- (a) The Board of Directors of the Corporation may propose dissolution for submission to the members.
- (b) The Corporation shall notify each member of record of the proposed meeting.
- (C) The members entitled to vote must approve the proposal to dissolve by majority vote.
- (d) Action to dissolve a corporation may be taken by the written consent of members with action of the Board.
- (e) The Board shall recommend to the members a plan of distribution of assets and shall be adopted by at least a majority of the votes, which the members present at such meeting or represented by absentee ballot or proxy are entitled to cast.

## **ARTICLE XIII CONFLICT OF INTEREST**

A. **CONFLICT OF INTEREST.** No contract or other transaction between the Association and one or more of its Directors, or between the Association and any other corporation, firm, association or other entity in which one or more of its Directors are directors or officers, or are financially interested, shall either be void or voidable for this reason alone or by reason alone that such director or directors are present at the meeting of the Board of Directors, or of a committee thereof which approves such contract or transaction, or that his or their votes are counted for such purposes if:

- 1 the fact of such common directorship, officer ship, or financial interest is disclosed or known to the Board or committee, and the Board or committee approves such contract or transaction by vote sufficient for such purpose without counting the vote or votes of such interested Director or Directors; or
2. such common directorship, officer ship, or financial interest is disclosed or known to the members entitled to vote thereon, and such contract or transaction is approved by vote of the members; or
- 3 The contract or transaction is fair and reasonable as to the Association at the time it is approved by the Board, a committee, or the members.

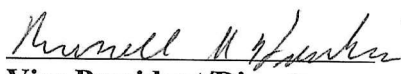
These By-Laws were revised and dully adopted this 29 day of Sept, 2024

  
**President/Director**

Carl E. Flickinger  
273 Westview Ct S  
Melbourne, FL 32934

  
**Events/Director**

Lisa Tucker  
359 Lamplighter Dr  
Melbourne, FL 32934

  
**Vice President/Director**

Russell Hawkins  
162 West Haven Ct  
Melbourne, FL 32934

  
**Membership/Director**

Tonilynn Schmidt  
272 Westview Ct S  
Melbourne, FL 32934

  
**Secretary/Director**

John Fatka  
315 Winsor Ct  
Melbourne, FL 329

  
**Treasurer/Director**

Connie Hinton  
207 Walton  
Melbourne, FL 32934

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**Special Assistant to the President/Director**

Mark French  
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