

**BY-LAWS
OF
FOREST LAKES PARK COMMUNITY
ASSOCIATION, INC.
& ROAD TRUST**

RULE I: Name and Statement

The name of the organization is Forest Lakes Park Community Association, Inc., & Road Trust, hereinafter known as the “Association” and/or “Road Trust”.

The registered corporation governing the Association and Road Trust is a “not-for-profit”; however, there will be no paid employees. All participation, positions and involvement in the Association, Road Trust and subdivision activities will be voluntary; no owner will be monetarily compensated.

Due to the fact membership is made up of men, women and children, good decorum is expected of all participants at any meeting or activity held at the Community Center, on the grounds and property or on behalf of the Association and Road Trust; there shall be no consumption of alcoholic beverages, no use of recreational drugs, no profanity, no weapons or firearms and no combative behavior. Violators of this by-law will be subject to expulsion.

RULE II: Objective

Section 1 - The objective of the Association is to provide for the betterment of the community; to include but not limited to ownership and maintenance of the Community Center building and property, to encourage a harmonious relationship among the members and among the residents of Forest Lakes Park, and to conduct such projects and assume responsibilities as the Association feels is in the best interest of the subdivision and residents.

Section 2 - The objective of the Road Trust is to oversee the maintenance of the roads within Forest Lakes Park subdivision per Assignment on record from the developer; to include but not limited to maintenance of equipment, purchase of supplies and materials, safe storage of equipment and fuel.

RULE III: Membership

Section 1 - The membership is extended to any and all property owners in Forest Lakes Park. All residents whether owners or tenants may participate in Association, Road Trust and community functions; however, only owners in good standing, those having paid membership and road dues, will be allowed full voting privileges and be extended officer and committee positions.

Section 2 - Membership is on an annual basis running from July 1 through June 31 of any given year.

RULE IV: Dues

Section 1 - Association membership dues are not mandatory. Dues will be \$10.00 annually per property owner. This membership includes spouses, co-owners and family; there being only one membership per owner even if multiple properties are owned; only one vote per membership is allowed.

Section 2 - Road Trust dues are mandatory per Assignment on record from the developer, and are \$21.00 annually per owner. If an owner holds title to more than one parcel there is an additional fee of \$12.00 per parcel; an exception to the additional fee would be if the parcels adjoin. Special assessments and the dues structure may be changed by the Board of Directors as deemed necessary and voted into effect. Special assessments and changes to the dues structure are to be in effect prior to the scheduled billing in July.

Section 3 - Road Trust dues are billed on July 1 of a given year and become delinquent July 31; a late fee may be assessed at the rate of \$1.00 per month until the account becomes current; a delinquent account is subject to being encumbered by a lien recorded against the property after a 3 year period.

RULE V: Meetings

Section 1 - All meetings and all business done by the Association and Road Trust shall be governed by “Roberts Rules of Order”, copyright 2001, ISBN 1-5817-3480-8 where possible and as set forth herein.

Section 2 - General meetings will take place on the first Thursday of the month, starting at 7:00 PM and last no longer than an hour if possible; there are to be a minimum of 3 quarterly, general membership meetings per year. Special meetings may be called with notification of the meeting being posted on the board at the front of the Park; no business other than what the special meeting was called for shall be conducted. Meetings may be called, rescheduled or canceled at the discretion of the Executive Board.

Section 3 - Executive Board and Board of Directors meetings are to be held a minimum of twice annually; additional meetings may be called by the President at his discretion when necessary; all members are to be available for discussion by telephone and/or email upon request.

RULE VI: Voting Privileges

Section 1 - General meetings may be comprised of owners with membership, other owners, tenants, special guests, etc. Voting privileges only extend to owners in good standing (those having paid membership dues and road dues). A majority vote is required for an issue to pass.

Section 2 - Special meetings may be comprised of owners, tenants, special guests, etc. Depending on the nature of the business, voting privileges may extend to all present (examples being road paving, mail boxes, an issue directly impacting the subdivision as a whole). A majority vote with 51% of the participants (those in attendance) is required for an issue to pass. In the event written balloting is required, the same format would apply.

RULE VII: Executive Board

Section 1 - The Executive Board is comprised of the President, the Vice President, the Secretary and the Treasurer.

Section 2 - Executive Board members must be owners in good standing.

Section 3 - Executive Board members must be full time residents.

Section 4 - Executive Board members may be subject to a background check upon request.

Section 5 - All members of the Executive Board are nominated and voted on annually at a general meeting. At least one month before election of new officers, said election to be no later than a December general meeting, a nominating committee comprised of 3-5 owners in good standing (current Executive Board members are excluded from participation on the nominating committee) will be designated to recruit potential officers. Current Executive Board members may be re-nominated. One or more candidates may be nominated for each office; if more than one candidate is nominated for an office, a ballot vote is required; if only one candidate, a voice vote is in order. Executive Board members are to be available for discussion by telephone and/or email upon request; and are to attend at least 75% of the meetings.

Section 6 - Duties of the Officers:

- a. **President** - The duty of the president is to preside over all general membership meetings, Executive Board meetings, Board of Directors meetings and special meetings; oversee the work of other officers and committees; appoint committees; sign checks if needed. The President is to oversee all activities of the Association and Road Trust, as well as keeping an open line of communication available to other officers, board members and residents of the subdivision.
- b. **Vice President** - The duty of the vice president is to assist the president and preside over meetings in the president's absence.
- c. **Secretary** - The duty of the secretary is to record all proceedings at general membership meetings, special meetings, Executive Board meetings and Board of Directors meetings; to keep a record of the minutes of all meetings and read such minutes at meetings as requested by the presiding officer; to do any correspondence needed by the Association; read such correspondence at subsequent meetings if asked to do so.

- d. **Treasurer** - The duty of the treasurer is to account for all monies from membership dues and road dues, donations, money taken in from other sources; to pay approved bills; prepare a treasurer's report, assist in the preparation of an annual budget, keep the checkbook available for review.

Section 7 - Should an Executive Board member resign or become unable to fulfill the elected term of office, the vacancy will remain until the December general election. Duties of the vacated position will become the shared responsibility of the remaining officers at the direction of the presiding officer.

Section 8 - Should an Executive Board member be asked to step down for reasons of excessive absences, incompetency, misconduct, misrepresentation of the position or neglect of responsibilities and duties, the vacated position will be shared by the remaining officers at the direction of the presiding officer.

Section 9 - Should it become necessary to remove an Executive Board member for reasons cited in Section 8 above, a Special Meeting would be called to address the issue; the Executive Board, Board of Directors and Members would cast a written ballot with a majority rule.

RULE VIII: Board of Directors

Section 1 - The Board of Directors is comprised of the Executive Board, 5 directors and 2 alternate directors when possible for a total of 11; a minimum of 5 directors is mandatory. Should there be an even number on the Board of Directors, the President's vote would be reserved to break any ties.

Section 2 - The Board of Directors must be owners in good standing; must be in residence at least 7 months per year; ownership in the subdivision for at least 1 year.

Section 3 - Should a nominating committee be unable to secure the minimum number of recruits to fill open positions, then and only then, can an owner in good standing who is not a full time resident, having been an owner at least 1 year, be allowed to serve as a Board member on an interim,

emergency basis; any interim position is to be permanently filled as soon as possible by a majority rule vote.

Section 4 - All members of the Board of Directors are nominated and voted on annually in a general meeting by Association members only.

Section 5 - At least one month before election of new officers, said election to be no later than a December general meeting, a nominating committee comprised of 3-5 owners in good standing will be designated to recruit potential officers and directors (current Executive Board members are excluded from participation on the nominating committee). Current Board of Directors may participate on the nominating committee and may be re-nominated; however directors may not nominate themselves. One or more candidates may be nominated for an office; if more than one candidate is running for an office, a ballot vote is required; if only one candidate, a voice vote is in order with a majority rule.

Section 6 - Terms of office for Board of Directors are one and two year positions, alternates one year.

Section 7 - Duties of the Board of Directors are to encourage a harmonious relationship among the members and among the residents of Forest Lakes Park; voice a vote with regard to projects and expenditures; to chair and lead committees and events when asked to do so; attend at least 75% of the meetings called; be available for discussions by telephone and/or email upon request.

Section 8 - Should a Director be unable to fulfill an elected term of office, the vacancy will remain until the December general election.

Section 9 - Should it become necessary to remove a Director for reasons of excessive absences, incompetency, misconduct, misrepresentation of the position or neglect of responsibilities and duties, a Special Meeting would be called to allow Executive Board, Board of Directors and Members to cast a written ballot with a majority rule.

RULE IX: Committees

Section 1 - Committees are volunteer positions comprised of a minimum of 3 owners in good standing, held for the specific need of carrying out the

business and operation of the Association and Road Trust; designation of a chairperson for each committee will be chosen by committee members.

Section 2 - Types and purposes of committees:

- a. **Nominating** - preparation of a slate to be voted on for officers of the Executive Board and Board of Directors.
- b. **Road** - oversee the recruitment of volunteers to assist with road maintenance; purchase of material; co-ordination of maintenance (both road and equipment); check out and train volunteers on equipment; obtain Association and Road Trust applications to volunteer, liability waivers, copy of valid driver's licenses, proof of insurance.
- c. **House and Beautification** - oversee the use of the building; inspect for misuse of the structure; see that the facility remains in good condition; schedule regular Community clean-up activities; report unfavorable situations within the Community to the proper authority.
- d. **Entertainment and Recreation** - promote events and activities; designate a Committee person to oversee each event and activity.
- e. **Membership** - recruit new memberships in the Community Association from the property owners of the subdivision; encourage payment of road dues and membership dues.
- f. **Billing** - prepare, research and mail annual bills for road dues; collect and process incoming funds; prepare and monitor liens and satisfactions; report collections, ownership information, membership dues.
- g. **Miscellaneous** - others to be designated as necessary.

RULE X: Volunteers

Section 1 - Volunteers are needed with respect to every aspect of the Community.

Section 2 - Volunteers may be comprised of all residents of Forest Lakes Park (owners in good standing, seasonal owners, owners not in good standing, tenants or renters).

Section 3 - Volunteers who are seasonal owners, owners not in good standing, tenants or renters may participate in community and committee activities; however may not chair a committee, serve as an officer or board member and voting privileges will only be allowed as laid out in RULE VI: Section 2.

RULE XI: Disbursement of Funds

Section 1 - Recurring monthly and annual expenditures (i.e., electricity, fuel, tractor maintenance, insurance, recording fees) having already been budgeted and approved are to be paid by the Treasurer.

Section 2 - Incidental expenditures are to be presented to the President and Vice President for discussion and review; disbursement of funds is at their discretion if funds are available.

Section 3 - Additional expenditures over \$500.00 and up to \$1,000.00 are to be approved by the Executive Board and Board of Directors; if funds are available, the Executive Board and Board of Directors will decide the disbursement with a majority vote.

Section 4 - Expenditures over \$1,000.00 are to be presented to the Executive Board and Board of Directors; 1-3 bids and/or estimates are to be presented, together with proposed materials and/or service; if funds are available, the Executive Board and Board of Directors will decide the disbursement with a majority vote.

Section 5 - Petty Cash is not to exceed \$200.00. This account is for minimal, miscellaneous, out-of-pocket expenses (i.e., postage due, refreshments and supplies for a meeting or activity, screws, light bulbs, etc.) and is not to be depleted; a minimum balance of \$5.00 is to be maintained. Income into the fund is to be documented; receipts are required for disbursements.

Section 6 - A minimum balance of \$4,000.00 is to remain in the Forest Lakes Park Community Association, Inc. Road Trust Fund checking account; these funds are available for emergency use only; disbursed only by order of the Executive Board and Board of Directors with written majority vote to be maintained in the record keeping files for applicable calendar year.

RULE XI: Amendments to the Articles of Incorporation

Section 1 - Amendments to the Articles of Incorporation are required to be filed with the State of Florida Department of Corporations.

Section 2 - Issues being brought forward for change would require a majority vote of all owners in the subdivision. It is noted that amendments to the Articles of Incorporation incur expenses associated with legal documentation and advice and are subject to fees, those charged by the State of Florida and those charged for retaining an attorney.

RULE XII: Amendments to the By-Laws

Section 1 - Amendments to the By-laws may be brought forward by the Executive Board, Board of Directors, Association members, owners and/or residents. The Executive Board and Board of Directors would review suggested amendments and determine the cause and effect of the change. The Executive Board, Board of Directors and Association membership have voting privileges with a majority vote of 51% of the participants required for an amendment to pass.

RULE XIII: Record Keeping

Section 1 - Articles of Incorporation are filed with the State of Florida Department of Corporations. A hard copy of the certificate is to be maintained in the files perpetually.

Section 2 - An up-to-date copy of the By-Laws is to be maintained in the files perpetually; copies are to be made available to owners upon request.

Section 3 - Financial information to include but not limited to billing records, bank statements, utility statements, repairs, and miscellaneous receipts are to be maintained for a period of 7 years.

Section 4 - Corporation, Association and Road Trust documentation to include but not limited to certificates of incorporation, correspondence, minutes of meetings, officer's reports, and any miscellaneous records pertaining to the activities performed in a calendar year are to be maintained for a period of 5 years.