

Bulley Creek Farm Homeowners Association, Inc.

Constitution and Bylaws

ARTICLE I — NAME

Section 1. The name of this organization shall be the Bulley Creek Farm Homeowners Association, Incorporated. The business of such Association shall be conducted under the aforementioned name.

ARTICLE II — PURPOSE

Section 1. The purpose of this non-profit Association shall be to represent, to promote, and to protect the interests of the residents and homeowners; to foster civic pride; and to work for the common welfare and betterment of the neighborhood within its boundaries.

ARTICLE III. BOUNDARIES

Section 1 The boundaries of the Association are generally as follows: Highway 145 as the West boundary, Lay Lake as the East and South boundary and Ingram's Subdivision being the North boundary.

ARTICLE IV — MEMBERSHIP

Section 1. Eligibility is afforded to residents or homeowners and/or property owners within the boundaries of the Association; who have paid annual dues for the current year.

Section 2. Annual dues shall be determined by the Board of Directors and shall be for an amount deemed necessary to conduct the business of the Association as specified under Article II, Section 1 of this document.

Section 3. Voting shall be limited to one vote per member household or property owner.

Section 4. Privileges and Obligation.

a. Privileges

I Be eligible to hold office;

II. Have reasonable access to review the records and financial statements of
The Association;

III. Be eligible to attend and vote at all general and called membership meetings.

IV. Be eligible to attend all Board meetings and/or committee meetings as a

*PREPARED BY:
JAMES M. COZMICK
PRESIDENT H.O.A.*

Non-voting non-participating observer.

V. Be eligible to participate in all the activities and benefit from any of the special programs of the Association.

b. Obligations

I. Members shall pay dues as established by the Board of Directors based on the needs of the Association.

II. Membership in the Association is non-transferable.

III. Members shall have prior approval of the Board of Directors before Speaking at Board meetings or speaking for the Association.

IV. Members shall endeavor to support the Association by participating in the meetings and activities it sponsors.

V. Home Owner Association members who fail to pay HOA dues and have liens against their property will not have voting rights in the Association until Liens are satisfied.

Section 5. The Board of Directors may add other categories of non-voting membership which do not have the same eligibility, privileges or obligations listed in this Article.

Non-voting members may be individuals, businesses, or organizations. Non-voting members support the Association and are interested in Association activities but do not reside or own homes or property within the Association boundaries.

ARTICLE V — OFFICERS

Section 1. The elected officers of this Association shall be a President, a Vice President, a Secretary and a Treasurer. The term of office shall be Three (3) years. No elected officer shall serve more than two (2) consecutive terms in one office.

Section 2. Duties of the officers are:


a. The President shall be responsible for the following:

I. Presiding at all meetings of the Association and of the Board of Directors.

II. Appointing such special committees as he/she deems necessary.

III. Acting as the principal spokesperson to the public and governmental

officials on matters that affect the Association.


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b. The Vice President shall be responsible for the following:

- I. Coordinating scheduled events such as membership meetings, flag program, block party, and such other special events that the board schedules.
- II. Cooperating with the other officers of the Association to accomplish the goals and objectives which are in the best interest of the entire membership.
- III. Assisting the President as needed and called upon.
- IV. In the event of the President's absence or inability to serve, performing the duties of the President.

c. The Secretary shall be responsible for the following:

- I. Conducting such correspondence as needed and keeping minutes of all meetings of the Association.
- II. Establishing and maintaining effective means of communicating with the membership through mail, electronic, or other means.
- III. Producing and distributing the Association newsletter or selecting other individuals to provide such support.
- IV. Accepting nominations for elected offices in preparation for elections and providing the list of nominees for election to the membership.

D. The Treasurer Shall be responsible for the following:

- I. Handling all moneys of the Association. He/She shall deposit sums received by the Association in the name of the Association in such insured depositories as shall be approved by the Board of Directors.
- II. keeping accurate records of all receipts and expenditures.
- III. Paying all authorized expenditures of the Association by bank check

bearing the signature of the Treasurer or other electronic means.

IV. Providing a written treasurer's report at each meeting of the executive board and Association meeting.

V. Drafting an annual budget in consultation with the President for approval by the Board of Directors.

VI. The Treasurer may be bonded at the discretion of the Board of Directors.

ARTICLE VI — DIRECTORS

Section 1. The Officers will serve as Directors. There shall be one additional Director elected by members of the Association. The five (5) will constitute "The Board of Directors". The term of office shall be three (3) years. No individual shall serve more than two (2) consecutive terms as a Director.

Section 2. At least one (1) director shall serve as a member of special committees.

ARTICLE VII — BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the officers of the Association and one (1) additional Director and not more than Five (5).

Section 2. The President of the Association shall be the Chairman of the Board of Directors.

Section 3. The Board of Directors shall be the executive body of the Association. It shall hold regular meetings and keep minutes to be submitted to the Association for approval.

a. Action of the Board of Directors is subject to veto by a majority vote of members present at a regular or called Association meeting.

b. A quorum of the Board of Directors consists of three (3) members of the Board of Directors.

c. Any member of the Board of Directors missing three (3) consecutive meetings may be replaced by a vote of the Board of Directors and with prior notification of such action by correspondence or other means.

Section 4. Vacancies occurring during a term in office shall be filled by appointment by the Board of Directors to serve out the term or until the next scheduled general election.

ARTICLE V111 - ARCHITECTURAL REVIEW BOARD (ARB)

Section 1 .The Board of Directors shall appoint at least (3) members of the membership to serve on the Architectural Review Board (the "ARB"). Any member of the Board of Directors may also serve on the ARB provided the other members of the Board of Directors unanimously agree to such appointment.

- a. To determine what construction may be undertaken on or what changes, modifications, additions and improvements may be made to the Lots in the Subdivision.
- b. Plans for Dwellings and other Buildings shall be reviewed by the ARB prior to the commencement of construction of any dwelling or outbuilding to be located on any lot in the subdivision. Plans will be reviewed and approved in accordance with the restrictions set forth in the Declaration of Protective Covenants, Restrictions, Easements and Agreements for Bulley Creek Farm recorded in the office of the Judge of Probate of Shelby County, Alabama.
- c. The scope of review by the ARB shall include but not limited to appearance and square footage requirements. , and shall work to maintain consistent appearance within the neighborhood.

Section 2. The term of each member of the ARB shall be Three (3) years with no limitations on the number of years a member might serve.

Section 3. The affirmative vote of a majority of the ARB shall be required for approval.

ARTICLE IX — COMMITTEES

Section 1. The President may appoint such special committees as deemed necessary or which are requested to be appointed by action of the Association or the Board of Directors.

Section 2. Members of committees shall be appointed by the President.

Section 3. Chairs of each committee shall be elected by committee members where not specifically designated in these Bylaws.

ARTICLE X — MEETINGS

Section 1. General meetings shall be held at such place and time as the Association of Board of Directors may designate. The President may call a special meeting of the Association

- a. when requested to do so by a majority vote of the Board of Directors, or
- b. when requested to do so by written petition signed by thirty percent (30%) of the members stating the specific purpose of the meeting and action to be voted on at the meeting.

Section 2. The annual meeting of the Association shall be held on or before November 10 of each year.

Section 3. Notice of all special meetings shall be delivered to the membership no less than five days before the meeting. Delivery may be electronically or through other means.

Section 4. 51% of (current) voting members present shall constitute a quorum.

ARTICLE XI — ELECTIONS

Section 1. Elections shall be held at the Annual Meeting. Each household or property owner represented shall have one vote as defined in Article IV, Section 3. A majority vote shall determine the election of each office.

Section 2. The Secretary shall report nominations received before the Annual Meeting. Additional nominations will be accepted at the Annual Meeting. Individuals may nominate themselves or others, but all nominations must be with the consent of the individual being nominated.

Section 3. In the event that nominees for the Board of Directors are not forthcoming, membership present at the Annual Meeting shall select a date to reconvene and the membership shall be notified of such special meeting

Section 4. New officers and directors shall take office immediately after the Annual Meeting, or immediately after a reconvened special meeting for election of officers and directors. The first scheduled meeting of the newly elected Board of Directors shall be a transitional meeting to be attended by both outgoing and incoming Board members.

Section 5. Vacancies occurring during a term in office shall be filled by appointment by the Board of Directors to serve out the term or until the next scheduled election.

ARTICLE XII — PARLIAMENTARY AUTHORITY

Section 1. The parliamentary authority for this Association shall be Robert's Rules of Order .

ARTICLE XIII —AMENDMENTS

Section 1. The Constitution and By-laws of this Association may be amended by a 51% vote of (current) voting members present at a general meeting of the Association, provided that the proposed amendment shall have been submitted to the Secretary in writing and either read at a previous meeting or distributed to the membership ten days prior to the vote. Distribution may be electronically or through other means.

Section 2. Amendments to the Declaration of Protective Covenants, Restrictions, Easements and Agreements for Bulley Creek Farm Development, 1st Sector shall follow the same process as described in Section I of this article,(Article XII).

Adopted 6/2/11 *James Mc Cormick - President H.O.A*

Amended (#1) Date ___/___/___.

Amended(#2) Date ___/___/___.

Cynthia Cantree
6/28/2011