



## **HARVEY OAKS HOMEOWNERS ASSOCIATION**

# **Bylaws**

### **Article I – Name**

The name of the organization shall be the HARVEY OAKS HOMEOWNERS ASSOCIATION, also known as HOHA and hereafter referenced in these Bylaws as 'Association'.

### **Article II – Objectives**

The objectives of this organization:

1. To advance the welfare of the homeowners in all matters of mutual interest to the community.
2. To represent members of the Association publicly in matters of common concern.
3. To encourage the adherence to the Property Guidelines, located in the annual neighborhood directory and neighborhood website, applicable to Harvey Oaks subdivision, Omaha, Douglas County, Nebraska;.
4. To foster an environment in the subdivision that will be conducive to maintaining and improving the property values.

### **Article III – Membership, Dues & Voting**

1. Any resident or owner of property in Harvey Oaks subdivision shall be eligible for membership upon paying the required dues, which will make them a 'member in good standing'.
2. Dues shall be established annually by a majority of the Board present at the July meeting. Annual membership year is defined as January 1-December 31. Annual dues shall be paid by January 1st of each year. Notice of dues shall be given to all residents by the Membership committee at least 60 days before the due date.

3. Each property shall be entitled to cast one vote for each elective office and on each question or motion at a General or Special meeting. Members must be present to vote. In the case that the Homeowner and the rental occupant are both members in good standing and are present at a general or special membership meeting, only the Homeowner casts the vote. No absentee ballots shall be accepted.

## **Article IV – Membership Meetings**

### **Section 1: General Membership Meetings**

There shall be at least one (1) general membership meeting per month with the exception of the month of December, in which there will be no meeting. Notification shall be given by one or more of these methods apt to reach a majority of the members: mail, electronic mail, posted notices, telephone calls, or any other appropriate means of communication. Notification shall require one (1) week advance notice to all active members.

### **Section 2: Special Membership Meetings**

Special membership meetings shall be called by the President as deemed necessary. Notification shall require 14 days advance notice to all members in good standing. Notification shall be given by one or more of these methods apt to reach a majority of the members: mail, electronic mail, posted notices, telephone calls, or any other appropriate means of communication.

### **Section 3: Agenda**

The President shall prepare the agenda for general and special membership meetings. Any person may add an item to the agenda by (a) submitting the item in writing to the President at least seven (7) days in advance of the meeting or (b) making a motion at the meeting to add an item to the general or special agendas at those respective meetings. Adoption of that motion requires a second and majority vote.

### **Section 4: Quorum**

A quorum for any general or special membership meeting of the Association shall be the number of members in attendance with a minimum of at least seven (7). Unless otherwise specified in these Bylaws, decisions of the Association shall be made by a majority vote of those members present at any meeting.

### **Section 5: Participation**

Any general or special membership committee meeting is open to any person and all who may wish to be heard regarding any item on the agenda. Only members in good standing will be eligible to vote. All actions or recommendations of the general or special membership meetings shall be communicated to all affected parties.

## Article V – Organization

The affairs of the Association shall be managed by the Board, which will consist of a President, Vice President, Treasurer, Secretary; and appointed Area Representatives and Committee chairpersons.

The Board shall be responsible for all business coming before the Association and for assuring that members are informed of business that affects them through reasonable means of notification, acting in the best interest of the neighborhood.

### Section 1: Board Officers

- 1. President:** The President shall preside at all general and special membership meetings and shall perform such duties as the Board and the membership from time to time authorizes. The President has the authority to sign contracts or legal documents approved by the Board. The President shall represent the position of the Board and the interests of the Association. The President shall have the power to appoint committees as necessary.
- 2. Vice President:** The Vice President shall perform the duties of the President in the President's absence and as authorized by the Bylaws. The Vice President shall have the authority to periodically audit the Treasurer's books.
- 3. Treasurer:** The Treasurer shall have charge of all funds belonging to the Association and shall receive, deposit and disburse funds for the Association in a bank(s) or financial institution(s) in such manner as designated by the Board. The Treasurer will prepare and present a preliminary budget for the next fiscal year at the September general membership meeting; fiscal year begins October 1. The Treasurer shall make financial reports as directed by the Board. All money disbursements are to be made by check or electronic funds transfer (EFT). The Treasurer presents the financial statement during each General Membership meeting.
- 4. Secretary:** The Secretary shall record and maintain minutes of general and special membership meetings, assist the President with correspondence and maintain the non-financial files of the Association. The Secretary will maintain a list of Board members and their terms.

### Section 2: Board Members

- 1. Area Representatives:** There shall be one appointed Representative for each area of the subdivision as designated by the Board. It shall be the responsibility of Representatives to represent their constituents at general and special membership meetings, to inform their constituents of important matters, and perform responsibilities as designated by the Board.

2. **Committee Chairpersons and Members:** There may be standing and special committees as designated by the Board and established by the President. The President may appoint any members in good standing to serve on committees and designate a Chair as required from time to time. The authority and responsibilities of the committee shall be proposed by the President, and approved by the Board. The committee shall report at each general membership meeting and at other such times as required by the Board.

### **Section 3: Eligibility for Board Service**

All members of the Board shall be members in good standing of the Association.

### **Section 4: Terms of Office**

Board members shall serve a two (2) year term, with no limitations on future terms.

### **Section 5: Board Officer and Member Vacancies**

Any Officer or Member may be removed from office as a result of failure to fulfill the duties of said office or for conduct detrimental to the best interests of the Association. Notice of the proposed removal of an Officer or Representative shall be given to all members of the Board at least 14 days in advance of the removal vote. Members of the Board may be removed by a two-thirds vote of the Board. The President, with Board approval, may fill any vacancy on the Board. A member appointed to fill a vacancy shall serve the remainder of the un-expired term and until his or her successor is elected or appointed.

### **Section 6: Election of Board Officers**

Officers (President, Vice President, Secretary and Treasurer) shall be elected by a vote of the membership at the October meeting of the year that their term expires. The names of all candidates for the officers shall be placed in nomination by a nominating committee or by any member in good standing of the Association. Election requires a majority vote of the membership present.

### **Section 7: Duties**

The Board shall have these responsibilities and powers:

1. Manage the daily affairs of the Association.
2. Make decisions and represent the interests of the 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 meeting.
3. Approve committee appointments made by the President to perform the necessary functions and represent the Association on specified topics.
4. Establish a plan for maintaining and encouraging involvement in the Association.

5. The Board shall have full power to transact the ordinary and necessary business of the Association, which may arise and require action at any time.
6. The Board shall not have the power to make any transactions, which may require assessment of the membership, other than annual dues.

## **Article VI – Parliamentary Authority**

All matters of parliamentary procedure not specifically provided for herein shall be conducted in accordance with Robert's Rules of Order Newly Revised.

## **Article VII – Amendment of Bylaws**

1. These Bylaws may be amended at any General Membership meeting by two-thirds vote of the Board members present, provided all Board members have been notified in writing of the proposed changes at least 14 days in advance.
2. The amended Bylaws shall take effect immediately upon approval.
3. Bylaws shall be reviewed by a special committee appointed by the President every three (3) years.
4. Amended Bylaws will be announced in the neighborhood's newsletter, website and electronic mail.

**Revised:** April 2013

*Previous Revision: See May, 2000 By-Laws*