



**BY-LAWS**  
**of the**  
**DAVIES PLANTATION HOMEOWNERS ASSOCIATION**

**Article I: Name**

The name of the organization shall be Davies Plantation Homeowners Association, originally incorporated as Davies Plantation Estates Homeowners' Association on 31 March 1992.

**Article II: Purpose**

The purpose of the Association shall be:

- A. To help improve the quality of life and community atmosphere in the Davies Plantation Estates Development.
- B. To provide a forum for discussion of civil problems and for united action in promoting the improvement and betterment of the Davies Plantation Estates Development.
- C. To investigate, inform, recommend and/or report violations of the Bartlett City Codes as they relate to the neighborhood.
- D. To encourage adherence to agreements and restrictive covenants.
- E. To encourage and support Community Emergency Response Team (CERT) training and information dissemination for our neighborhood.

**Article III: Policy**

- A. The policy of this Association shall be non-profit, non-commercial, and non-partisan.
- B. The Association may engage in the raising and contribution of funds only if these funds are used for the maintenance of Association property, promotion of the Association, charitable purposes, or the benefit of the membership and its elected officials.

## **Article IV: Membership**

- A. Membership in the Association shall be on a family basis and shall be open to any resident within the following bounded area:
- On the North: Anderton Springs Drive, Davies Manor Drive, Clair Douwie Cove, including northern side lots' northern boundaries, and Hadley Drive to the Lakeland city boundary.
- On the East: Davies Manor Drive and associated coves.
- On the South: Hillman Way Drive.
- On the West: Brunswick Road, not including its western side, from Hillman Way to Davies Plantation Road, and Planters View Drive, and associated coves.
- B. Eligibility: All adult members of a dwelling (over age 21) shall be eligible to vote at any meeting of the membership.
- C. Membership in the Association shall terminate when a member ceases to reside in the area or fails to pay the annual dues.
- D. Dues are set at the Annual Meeting and are to be paid annually by the designated date.
- E. Any changes in the annual membership dues or any additional finances needed shall be recommended by the Board of Directors. The Board shall submit the matter to the membership for approval.
- F. Members may vote by proxy, designating in writing the person to so vote for them, but such proxy may be given only if such qualified voter is to be out of the city or is ill at the time of the meeting at which voting will occur.
- G. Honorary Membership may be granted by the Board when it is considered beneficial to the association. Honorary Members are non-voting and are not eligible for elected offices.

## **Article V: Officers and Area Representatives (Herein called the Board of Directors)**

- A. The Officers of the Association shall consist of a President, First Vice-President, Second Vice-President, Secretary, and Treasurer. The Board of Directors shall consist of these Officers and one Representative from each of the sixteen Areas.
- B. All Officers and Area Representatives must be individual members of the Association in good standing. The Area Representatives shall be residents of the area they represent. In the event no one residing in an Area stands for election to that position, a member in good standing residing outside that Area may be elected to represent the homeowners of that Area.
- C. Spouses of Board Members are encouraged to participate and attend Board meetings as though one member with one vote.

- D. The Board of Directors shall meet once each quarter, or as often as the affairs of the Association may require. It shall be permissible for a Board Member (with the permission of the President) to invite anyone to a Board meeting to offer advice and counsel.
- E. A simple majority of voting Board Members shall constitute a quorum for Board meetings. Proxy voting is permitted.
- F. The Executive Committee shall consist of the Officers of the Association.

## **Article VI: Election of Board Members; Terms of Office**

- A. The Executive Committee, and any other Board Members of their choosing, shall select a slate of nominees for Officers and Area Representatives to serve for the ensuing year. These shall be published in the newsletter prior to the June Annual Meeting, placed on the Web site, and sent out over the e-mail system. Additional nominees may be accepted from the general membership up to thirty (30) days prior to the Annual Meeting.
- B. The election of Board Members shall be by secret ballot, or by acclamation if there are no opposing candidates, at the Annual Meeting held in June.
- C. Nominees for positions must receive a plurality of votes of those present at an election.
- D. The Officers' terms shall be for one year and they may succeed themselves for two additional one-year terms. The terms of office will run from 1 July through 30 June.
- E. The Area Representatives' terms shall also be for one year (1 July through 30 June), and they may succeed themselves for two additional consecutive one-year terms. This limitation may be waived if no one else runs for that Area position.
- F. If a Board Member is unable to fulfill his or her term, notification of thirty (30) days shall be given the President. If a vacancy should occur, the President, with the approval of the Board, shall have the authority to appoint someone to fill the unexpired term.
- G. A Board position will be considered vacant if the person holding that position fails to maintain eligibility of membership in the Association.

## **Article VII: Duties of Officers**

- A. The President
  - 1. Shall preside at all meetings of the Association and the Board of Directors.
  - 2. Shall appoint committee chairpersons.
  - 3. Shall perform all other duties as from time to time may be assigned by the Board of Directors.
  - 4. Shall present an annual report at the Annual Meeting.
  - 5. Shall represent the Association as a member of the Greater Bartlett Council of Homeowners Associations.

B. The First Vice-President

1. Shall, in the absence of the President, perform the duties and exercise the powers of the President.
2. Shall perform such duties and have such other powers as may from time to time be assigned by the Board of Directors.
3. Shall represent the Association as a member of the Greater Bartlett Council of Homeowners Associations.

C. The Second Vice-President

1. Shall, in the absence of the President and First Vice-President, perform the duties and exercise the powers of the President.
2. Shall serve as Chairperson of membership and membership drives.
3. Shall perform all other duties as assigned by the Board of Directors.

D. The Secretary

1. Shall keep a true and accurate record of the proceedings of the business of each meeting.
2. Shall perform all other duties as assigned by the Board of Directors.

E. The Treasurer

1. Shall have custody of the Associations funds.
2. Shall keep full and accurate records.
3. Shall deposit all receipts in the name of and to the credit of the Association, in such a bank as may be designated by the Board.
4. Shall disburse the funds of the Association as authorized by the Association or its Officers as the authority is delegated.
5. Shall render to the President and to the Association, whenever required, an account of all transactions as Treasurer, and of the financial condition of the Association.
6. The Treasurer's accounts shall be subject to audit at the direction of the President and Board of Directors. The Audit Committee shall be appointed by the President and approved by the Board of Directors. The Audit will be conducted in May and the results will be reported to the Association at the Annual Meeting in June.
7. Shall keep a roll of paid membership.

F. The Board of Directors

1. Shall be responsible for the approval of the budget, schedule of Association events, membership, fiscal and corporate reporting, and all programs that have been approved by the general membership.
2. Shall act on all matters arising in the intervals between Regular (Annual) and Special meetings of the membership. Such actions will be reported at the next Special or Regular (Annual) Meeting of the membership.
3. Shall recommend and submit new policies and changes in the By-Laws for approval by the membership at the next meeting.

**Article VIII: Standing Committees and Special Assistants**

- A. The Executive Committee will consist of the Officers, i.e., the President, First Vice-President, Second Vice-President, Secretary, and Treasurer. The Executive Committee will meet as necessary to coordinate Board business and to prepare for Special or Annual Meetings.
- B. The Audit Committee will consist of the President and two other members of the Board of Directors. Audits will be conducted annually in May or as deemed necessary by the Executive Committee.
- C. The Membership Committee will be chaired by the First Vice-President along with two other members of the Board of Directors. They will be responsible for maintaining a master list of members, planning membership drives, and setting up a table for new members at each sponsored event.
- D. The Editor of the Davies Plantation Homeowners Association Newsletter will be a voluntary position as approved by the Board of Directors. The Editor shall take all necessary actions to publish a quarterly newsletter to keep the neighborhood informed on Association activities and other items of interest to the neighborhood.
- E. The Web Master for the Davies Plantation Homeowners Association Web Page will be a voluntary position as approved by the Board of Directors. The Web Master will maintain and update the information on the Web page in a timely manner and inform the Executive Committee of usage and interest in the Web page.
- F. The E-mail Coordinator is a voluntary position as approved by the Board of Directors. The Coordinator will maintain a master list of e-mails for members of the Association and associates (as directed by the Executive Committee) in order to provide timely information of interest to the neighborhood. The "Blind Copy To:" procedure will be used to protect the members from unwanted e-mails. The outgoing e-mails will not contain partisan political, religious or business advertising.

- G. The Neighborhood Welcome Coordinator is a voluntary position as approved by the Board of Directors. The Coordinator will track families moving into the neighborhood and provide that information to the Editor of the Newsletter and the Membership Chairman, and will prepare a Welcome Basket for delivery by the appropriate Area Representative.
- H. The Yard of the Month Program Coordinator is a voluntary position as approved by the Board of Directors. The Coordinator will ensure the program has sufficient volunteers to judge the neighborhood areas and provide the notifications to the monthly winners, the President, the Editor of the Newsletter, and the E-Mail Coordinator, and to ensure that the placement of the signs meets Bartlett City Code requirements.
- I. Event Coordinators will be assigned for each scheduled event as approved by the Board of Directors. They will be responsible for the assigned event.

### **Article IX: Meetings**

- A. The Annual Meeting shall be held in June.
- B. Special Meetings of the Association shall be held at such a time and place as selected by the Board. Notice for Special Meetings shall be given at least thirty (30) days in advance, if feasible. No business may be transacted at a Special Meeting unless notice of such business was included in the Newsletter, on the e-mail system, or in a flyer.
- C. Scheduled meetings (Annual or Special) will be conducted in accordance with the agenda provided prior to each meeting. Those members present shall constitute a quorum.

### **Article X: Amendments**

- A. These By-Laws may be amended at an Annual Meeting or at a Special Meeting called for that purpose. At least thirty (30) days' notice of all proposed amendments must be given to the membership.
- B. Approval of an amendment is by a vote of a majority of those members present at the meeting.

### **Article XI: Expenditures**

- A. The President shall have the authority to authorize any expenditure up to \$250 for any cause deemed in the best interest of the Association.
- B. The Board of Directors shall have the authority to authorize the expenditure of up to \$5,000 for any beneficial cause deemed in the best interest of the Association. Expenditures in excess of \$500 must be disclosed at the Annual Meeting to the membership and those above \$5,000 approved by the membership at the Annual Meeting or a Special Meeting.

## **AMENDMENTS**

Amendment One: Prohibition of Door-to-Door Solicitation.

(Passed at the Annual Meeting on 24 June 2003).

Door-to-door solicitation shall be prohibited within all sections of the Davies Plantation Neighborhood. This is in accordance with an opinion issued by the County Attorney, Donnie E. Wilson. Signs to this effect shall be posted in the appropriate locations.