

**LAKE JOHN ASSOCIATION**  
**CONSTITUTION AND BY-LAWS**  
**As Amended July 2020**

**ARTICLE ONE:** Name

The name of this association shall be: LAKE JOHN ASSOCIATION

**ARTICLE TWO:** Objectives, purpose and goals

The objectives of this association shall be: to promote the care and betterment of Lake John; assist in the conservation and preservation of the natural resources of Lake John; and, to promote the general welfare of the members of this association as it pertains to their personal and property interests related to Lake John.

The purpose of this association shall be: to provide a means for all members and other interested persons, to join together, for their common good, in public meetings; to present and discuss topics and problems of general interest and concern; and to work out reasonable and equitable solutions that will fulfill the above named objectives and below named goals of this association.

The goals of this association shall be: to have a clean lake, free of pollution, litter-bug refuse, excessive weeds, and the green scum of algae; to have better fishing by means of proper stocking, removal of “rough fish” and providing suitable spawning areas wherever possible; to have a safe lake where boating, fishing, swimming and other water sports can be enjoyed by all; and to have improved roads and road maintenance during all seasons of the year.

**ARTICLE THREE:** Membership and dues

Section One: Regular members shall be owners of property adjoining the waters of Lake John or having access rights thereto. Each household may only cast one vote in all association activities.

Section Two: Current annual dues must be payable on or before the annual meeting. Dues for the forthcoming year will be voted on at the association meeting if the amount is changed. Nothing in this section shall prohibit the solicitation or donation, from any source, of voluntary nonrestrictive contributions to this association.

Section Three: Any member who is in arrears with his dues shall have no voice or vote in the proceedings of this association.

Section Four: Any member disturbing the harmony of this association may have his membership revoked by a two-thirds vote of members attending any regular meeting, after thorough investigation by a committee appointed for that purpose, at the preceding meeting.

Section Five: It is understood that this association is non-sectarian, non-political and is not operated for profit.

Section Six: The power to adopt, amend, or repeal the bylaws is vested in the Board of Directors, subject to the power of the members with voting rights to adopt, amend, or repeal bylaws adopted, amended, or repealed by the Board. Bylaws may be adopted, amended or repealed by the Board of Directors by 2/3 majority vote of the Directors. The power of the members with voting rights to adopt, amend, or repeal

bylaws adopted, amended, or repealed by the Board of Directors may be exercised by 2/3 majority vote of the members present at an annual meeting. The Board of Directors has the power to adopt, amend or repeal provisions in the bylaws: fixing a quorum for meetings of members; prescribing procedures for removing directors or filling vacancies in the board; fixing the number of directors or their classifications, qualifications, or terms of office prescribing procedures for removing or adding members; and increasing or decreasing the vote required for a member action, subject to the power of the members to adopt, amend, or repeal bylaws adopted, amended, or repealed by the board.

#### **ARTICLE FOUR: Officers, Duties and Terms of Office**

Section One: The elected officers of this association shall be a President, Vice President, a Secretary, a Treasurer and six (6) representatives, one from each of the 6 sections. Sections to be determined by the Board of Directors. Representatives must reside in the section they represent. Together these 10 individuals shall consist of the Governing Board of this Association. Officers & representatives will be anyone in good standing (paid membership) with the association.

Section Two: The officers and representatives shall be elected at the annual meeting of the association. Immediate Past President will be a member of the Board with a vote for a period not to exceed one (1) year.

Elections will be held annually. President, Vice President, Secretary and Treasurer and Representatives will be no more than two (2) consecutive terms in their respective office. President, Treasurer and Representatives of Section 2, 4 and 6 will be elected in even years. Vice President, Secretary and Representatives of Section 1, 3 and 5 will be elected in odd years. All are limited to a two (2) year term in office unless there are vacancies. Each Section's membership will act (solely) on their respective Representative. At least 50% of the Section's membership, in attendance, is required to elect a Section representative. Any ties will be broken by re-vote.

Section Three: The President shall preside at all meetings of the association, enforce order and observance of the By-Laws, appoint committees and perform other duties as the association deems fit.

The President shall preside at all meetings of the Governing Board, but shall have no vote except to break a tie vote.

No member may hold the same office for more than two (2) consecutive terms.

Section Four: The Vice President shall perform all the duties of the President, in case of his absence or inability to attend the duties of his office. In case a vacancy occurs in the office of President, the Vice President shall automatically become President, and a new Vice President shall be elected at the next regular meeting.

Section Five: The Treasurer shall collect all dues and assessments and receive all contributions to the association, and pay all bills of the association, keeping accurate accounts thereof, and shall report all financial transactions, for the preceding period, at each meeting of the association. Treasurer report will also be given on transactions from January to annual meeting.

All disbursements of association funds shall be made by check, imprinted with the association name, and signed by the Treasurer or the President.

All disbursements of association funds shall be authorized only as follows:

- a) Amounts under \$200 may be paid out by the Treasurer.
- b) Amounts over \$200 but less than \$500 must receive approval from the President.
- c) Amounts over \$500 but less than \$2,000 must have approval from the Board of Directors.
- d) Amounts over \$2,000 or more must be approved for payment by a majority of the members of the association in attendance at a regular meeting or by a majority of ballots mailed or

emailed to the association on issues raised by the Board of Directors other than at a regular meeting, only if the funds come out of the General Fund.

e) All funds to the association designated for a specific purpose may be expended, but only for that purpose, with the approval of the Board of Directors.

f) No officer, representative or member of this association shall incur indebtedness or cause an indebtedness to be incurred in the name of the association without prior approval thereof for payment or authorized in advance as outlined above in sub-sections a, b, and c. Any violations of this rule shall be grounds for impeachment and loss of membership, and the individual so violating will be solely responsible for personal payment of the indebtedness so caused or incurred.

g) The President will appoint 2 members as auditors to review the books prior to the annual meeting and report to the Board their findings.

h) The Secretary shall keep the minutes of all meetings of the association and all board meetings. At each meeting, the minutes of the preceding meeting shall be distributed and offered for correction and/or approval by the Board. Whenever an email vote is taken by the Board, the Secretary shall include the results in the next minutes and the date email vote was taken.

Section Six: The Governing Board shall meet on the 2<sup>nd</sup>. Monday in May, June, July and September, unless the second Monday falls on a holiday. Then the meeting would be held on the 1<sup>st</sup>. Tuesday following the 2<sup>nd</sup>. Monday. An agenda shall be distributed to board members 5 days prior to the board meeting. The purpose is to conduct the business to the association and report all the transactions for the approval of the association.

#### **ARTICLE FIVE:** Meetings

Section One: The annual meeting of this association shall be held on the 3<sup>rd</sup>. or 4<sup>th</sup> Saturday of June. If the date changes, notice will be made 7 days prior to the annual meeting.

Section Two: All public meetings to be governed and conducted by Robert's Rules of Order.

Section Three: Newly elected officers and representatives shall assume the duties of their offices after the close of the annual meeting each June.

#### **ARTICLE SIX:** Conflict of interest

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization. Yearly signatures are required to affirm each person has received a copy of the conflicts of interest policy and understands the organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes. All board members are asked to sign the form at their July board meeting yearly.

COMMITTEES: Chairperson shall be appointed by the President with the approval of the Board.