

LAKWOOD VILLAGE  
HOMEOWNERS ASSOCIATION, INC.

5601 Duncan Road  
Punta Gorda, Florida, 33982

**BYLAWS**

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And

Standing Rules and Procedures

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**LAKEWOOD VILLAGE HOMEOWNERS ASSOCIATION  
PUNTA GORDA, FLORIDA 33982**

**BYLAWS**

**ARTICLE I  
PURPOSE and MEMBERSHIP**

**SECTION 1. Purpose**

As stated in the Articles of Incorporation Article III, dated March 7, 1994 "the purpose for which this corporation (Association) is organized is to provide for social and recreational activities for the benefit of its members and this Association shall possibly have the right to request and consider and thereafter purchase the foundation/ basic lands and other assets of the mobile home park within which its members reside, if and when the owners of such land should decide to sell same. This corporation (Association) shall further have the right to obtain contributions from its members for the purchase of the lands and other assets of the mobile home park in which they reside, should said lands and assets become available for sale, the right to acquire, hold, or sell or otherwise dispose of real property, to erect, furnishing, equip and maintain buildings, to acquire, hold, sell or dispose of personal property, to receive donations, bequests and endowments, to borrow or loan money and to mortgage or encumber its' property, and to bargain any contract" (See Article III, Articles of Incorporation). (See also FL Statute 723.071; Sale of Mobile Home Parks)

This organization shall also act as liaison between all lessee residents and Park Management. (Reference: FL Mobile Home Act Chapter 723.075 ¶1.) (See Article V Section 2 Standing Committees.)

**SECTION 2. Membership**

This Association shall have one class of members only. All rights and privileges of each member shall be equal. The rights and privileges of members, their liability for dues and assessments shall be:

- A. Rights: All lessee residents are entitled to membership in the Association.

Each Lessee Association Member holding a Prospectus is entitled to cast a single vote related to each Prospectus held on all matters pertaining to issues set forth in Article I, Section 1. Purpose. (For voting purposes, a Lessee Association Member is a single, not joint, entity.) (Reference: FL Administrative Code, Mobile Home Administrative Rules, Chapter 61B-32.003 ¶2.)

- B. Privileges: In keeping with the spirit and intent of Article I, Section 1. Purpose, Association sponsored, organized or hosted social and/or recreational activity(ies) on or off site are open to all residents.

Guests of all residents may participate in selected social and/or recreational activity(ies).

It is understood a per person Event Fee may be assessed for any and/or all social and/or recreational activity(ies). All such fees are specific to help offset the cost of such activity(ies). Any excess event funds are to be credited to the Association General Fund.

- C. Dues: Each consenting Lessee household shall pay an Annual Dues set by the Board of Directors of the Association and approved by the Membership at a regular or special meeting. Such Annual Dues are to be paid in full by 4:00 pm on the day prior to that years' Annual Meeting. All such Dues are to be credited to the Association General Fund.
- D. After June 1 of any year, non-member lessee prospectus holders may join the Homeowners Association on a prorated dues schedule as determined by the Board of Directors. In order for the lessee member to cast a vote at any Membership meeting held after June 1, prorated dues must be paid no later than 4:00 P.M. the day prior to that meeting.
- E. New lessee prospectus holder(s) who purchase a home in Lakewood Village after September 1 of any year and who wish to join the Association, shall pay the current, full, non-prorated dues amount. This amount, paid after September 1, will entitle the new lessee prospectus holder(s) to paid membership in the Association thru December 31 of the following year.

**ARTICLE II  
OFFICERS and DIRECTORS**

**SECTION 1. Officers and Directors**

The board of directors shall be composed of nine members, all of whom shall serve without compensation. The board of directors shall elect a president, vice president, secretary, and treasurer who shall perform the duties of those offices customarily performed by officers of corporations, and these officers shall serve without compensation and at the pleasure of the board of directors. The board of directors may elect and designate other officers and grant them those duties it deems appropriate. FL Statute 723.078 ¶ (2)(a). The officers and directors of the association have a fiduciary relationship to the members. (Ref: FL Statute 723.078 ¶(c) [8.a] )

**SECTION 2. Duties of Officers/Directors**

Officers and Directors shall perform the following duties:

**PRESIDENT:**

1. Shall preside at all duly-called and convened meetings of the Board of Directors and at meetings of the membership of the Association.
2. Shall appoint an Election Committee Chairperson at least thirty (30) days prior to the January Annual Meeting (See Article IV, Section 4).
3. Shall appoint two (2) members, none of whom shall be members of the Board of Directors, who shall perform an audit of the financial books and records of the Association for the fiscal year ending December 31. Upon completion of this review, an audit report shall be submitted to the membership at the Annual Membership meeting, which shall adopt this report as part of the minutes.
4. May have a voice but not a vote at each Standing Committee meeting.
5. If absent and unable to preside the Vice President will preside and if the Vice President is absent, the Secretary will preside.

**VICE PRESIDENT**

1. Shall perform duties as may be prescribed by the Board of Directors at a duly-called and convened meeting.
2. May have a voice but not a vote at each Standing Committee Meeting.
3. Upon the absence of the President shall preside and discharge all of the above duties of the President during that absence.

**SECRETARY:**

1. Shall be responsible for proper and timely notification of all duly-called meetings of the Board of Directors and Membership (see Article VI, Section 11).
2. Shall keep a record (minutes) of all proceedings of the organization and keep on file all committee reports.
3. Shall receive from the Treasurer and keep an official Membership roll and call the roll if required.
4. Shall make the minutes and records available to the members on request at a reasonable time and place.
5. Shall, in the absence of the President and Vice President, call the meeting to order and preside.
6. Shall maintain the books and records of the Association including minutes of all meetings of the Board of Directors and of the Membership, quarterly financial reports and all Association correspondence.
7. Shall cause the Corporate Seal of the Corporation/Association to be affixed to all documents generated by the Association. (Bylaws and Standing Procedures and Rules issued to each lessee shall have the Association Corporate Seal affixed.)
8. Shall store the books and records in a secure and locked place in the Clubhouse of Lakewood Village. The Secretary and Treasurer (who are responsible for these materials, shall have the key or combination.
9. Shall cause the books and records to be retained for not less than seven (7) years. (The first year 1993/1994 books and records are packaged to be kept as the History of Lakewood Village.)
10. Upon request, the Secretary shall electronically transmit the most recently approved Board minutes and or Treasurer's report to a current Association member(s). (Reference: FL Statute 723.076 ¶(1).)
11. Shall provide Association members with meeting agendas (one per household) upon sign-in at a membership or annual meeting.

12. Shall post meeting agendas no later than 24 hours prior to a membership or annual meeting on both the clubhouse bulletin board and on the association website. Agendas may be transmitted electronically to current association members upon request.

#### **TREASURER:**

1. Shall have charge of, and be responsible for all funds, receipts and disbursements of the Association and shall maintain records of same.
2. Shall deposit, or cause to be deposited in the name of the Association, all money or other valuable effects in such banks or other depositories, which have been selected by the Board of Directors, and shall maintain records of same.
3. Shall prepare a proposed balanced Annual Budget pursuant to Article I, Section 1. for the coming fiscal year. This proposed annual budget shall be posted on the Clubhouse bulletin board for review by the Membership at least thirty days prior to the January Annual Meeting. Additionally, not less than 30 days prior to the annual meeting, each member of the Association shall be provided a copy of the annual budget or a written notice that a copy of the budget is available upon request at no charge to the member. At that January Annual Meeting, the proposed budget shall be considered (and/or amended), voted upon and approved. This approval requires expenditures of the Association to remain within the confines of that budget.
4. Shall prepare and present at the January Annual Meeting a full and correct statement(s) of the financial affairs of the Association, including, but not limited to: a Balance Sheet and Financial Statement covering operations for the preceding fiscal year. Each member shall be provided with a copy of the annual financial report or provided written notice that a copy of the financial report is available upon request at no charge to the member within 10 days thereafter.
5. Shall prepare and maintain a list of current Members. A copy shall be made available to the Secretary.
6. Shall maintain a comprehensive and accurate inventory of all property owned by the Association.
7. Shall open financial records to the Audit Committee for the annual review of the Association's records. (Monthly financial records are available to Association Members upon request.) At the end of the fiscal year the records and books shall be placed in a secured and locked place in the Clubhouse of Lakewood Village.
8. May have an assistant who, in the absence of the Treasurer, will receive monies, maintain a receipt book and make necessary and timely bank deposits. The assistant does not have signing authority or a vote on Board matters.
9. Shall cause the financial books and records of the Association to be retained for a period of not less than seven (7) years with the exception of the 1993/1994 records which are bound together as a History of Lakewood Village.

#### **MEMBERS OF THE BOARD OF DIRECTORS**

1. Shall represent the membership on the Board of Directors, and shall attend all duly-called and convened meetings of the Board of Directors and of the membership of the Association unless good cause prevents.
2. Each Director shall serve on at least one (1) Standing committee and will have a voice but no vote on that committee. No Standing Committee shall have more than one (1) Director as a member.

#### **SECTION 3: Terms of Office/Term Limits/Elections**

Terms of Office shall be as follows: President, Vice President, Secretary and Treasurer shall be elected by the Board of Directors at the Transition Meeting held following the Annual Meeting of the Association. Members of the Board of Directors shall serve a term of three (3) years or until their successors are elected.

#### **SECTION 4: Recall of Board Members**

Any officer or member of the Board of Directors may be recalled and removed from office with cause by the vote of, or agreement in writing by, a majority of all members. A special meeting of the members to recall an officer or a member or members of the Board of Directors may be called by ten (10) percent of the members giving notice of the meeting as required for meeting of members, said notice shall state the purpose of the meeting. Electronic transmission may not be used as a method of giving notice of a meeting called in whole or in part for this purpose. All recall proceedings will be held in accordance with and as detailed in FL Statute 723.078 ¶ 2(i).

### **SECTION 5: Vacancy**

When an Officer or Director is unable or unwilling to continue serving, he/she shall promptly submit written notice of resignation to the board of directors. A vacancy occurring on the board of directors may be filled by the affirmative vote of the majority of remaining directors, even though the remaining directors constitute less than a quorum, in accordance with FL Statute 723.078 ¶ 5. The term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which directors are elected. A directorship to be filled by reason of an increase in the number of directors may be filled by the board of directors, but only for the term of office continuing until the next election of directors by the members.

### **SECTION 6: Training**

Within 90 days after being elected or appointed to the board, a newly-elected or appointed director shall certify by affidavit in writing to the secretary of the association that he or she has read the associations current articles of incorporation, bylaws, and the mobile home park's prospectus, rental agreement, rules, regulations, and written policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. In lieu of which written certification, within 90 days after being elected or appointed to the board, the newly elected or appointed director may submit a certificate of having satisfactorily completed the educational curriculum approved by the Department of Business and Professional Regulation of the State of Florida within one year before or 90 days after the date of election or appointment which certificate remains valid and does not have to be resubmitted as long as the director serves on the board without interruption. A director who fails to timely file the written certification or educational certificate is suspended from service on the board until he or she complies with this section. FL Statute 723.0781.

## **ARTICLE III BOARD of DIRECTORS**

### **SECTION 1. Authority**

Pursuant to Article I, Section 1. Purpose, the business affairs of the Association shall be managed by its' Board of Directors according to these Bylaws. The Board may, upon approval of a majority of board members, recommend to the membership approval or disapproval of specific business or committee affairs that are not otherwise addressed in these Bylaws.

In the event of an extraordinary or emergency situation or condition, and when it is not practical or possible to call for a special meeting of the Membership, the Board of Directors may, upon approval of a majority of its members, take what action(s) or expenditure(s) deemed necessary to resolve any such situation or condition.

### **SECTION 2. Members**

The Board of Directors shall consist of the duly-elected Directors, as defined above in Article II, Section 1.

### **SECTION 3. Meeting Frequency**

The Board of Directors shall convene at least once monthly, with no less than forty eight (48) hours' notice of such meeting posted on the bulletin Board of the Lakewood Village Clubhouse except in an emergency. Meetings of the Board of Directors shall be open to all members (Reference: FL Statute 723.078 ¶2 (c)).

### **SECTION 4. Standing Committee Chairs**

The Board of Directors shall appoint Chairpersons of Standing Committees at a duly called and convened meeting.

### **SECTION 5. Additional Committees**

The Board of Directors may appoint additional committees and respective chairpersons as deemed appropriate.

### **SECTION 6. Interim Officers and/or Directors**

The Board of Directors shall appoint interim officers and/or directors when necessary. (See Art. II, Sect 5: Vacancy)

## **ARTICLE IV ELECTIONS**

### **SECTION 1. Nominating Committee**

At least ninety (90) days prior to the January Annual Meeting, the President shall select a Chairperson for the Nominating Committee. The Committee shall consist of the Chairperson, one (1) Director, and three (3) other members selected by the Chairperson.

### **SECTION 2. Slate of Candidates**

The Nominating Committee shall submit to the Board of Directors, at least sixty (60) days prior to the January Annual Meeting, a slate of at least one (1) candidate for each vacant office. This slate of candidates shall be posted on the Bulletin Board of the Clubhouse for a period of sixty (60) days prior to the January Annual Meeting. The Nominating Committee shall have contacted all persons who may be interested in being nominated to serve as Directors. The purpose of this contact is to assure the membership that all nominees are willing to serve in the position for which they may be nominated.

### **SECTION 3. Floor Nominations**

Nominations may be made by association members from the floor at the November Membership Meeting or December Board of Directors meeting. Any person nominated from the floor must have expressed a willingness to be nominated and to serve if elected. There shall be no limit to the number of candidates nominated from the floor.

### **SECTION 4. Election Committee**

At least thirty (30) days prior to the January Annual Meeting at which an election shall occur, the President shall appoint an Election Committee Chairperson. The Chairperson shall select not less than two (2) additional members to serve on the Election Committee. The Election Committee shall convene until candidates for all vacancies have been filled.

If a person on the Election Committee is nominated and accepts that nomination, that person shall immediately be replaced on the Election Committee.

The Committee shall prepare a sufficient number of ballots and appoint a sufficient number of tellers. The Chairperson of the Election Committee shall preside over the election process during the Annual Meeting.

### **SECTION 5. Ballots**

The Secretary shall provide the Chairperson of the Election Committee with a list of association members. Ballots shall be issued to eligible voters and a record shall be maintained of all members receiving ballots.

Ballots will contain names of all persons who have agreed to be candidates.

### **SECTION 6. Multiple Candidates**

In the case of multiple candidates for any one (1) office a majority of the votes cast shall elect. Upon tabulation and verification, the names and vote count of the elected candidates will be reported to the membership.

Challenges to any election shall be made in writing to the Election Committee Chairperson within twenty-four (24) hours following said election. Any such unresolved challenge shall be forwarded to the Board for resolution.

The Secretary shall hold all records of the vote. Such records shall be destroyed ten (10) days after the election.

### **SECTION 7. Transition Periods**

Within ten (10) days after the election of the Board of Directors, the newly-elected Board shall meet with the outgoing Board Members to facilitate a smooth transition.

### **SECTION 8. Management Notification of Officers/Directors**

1. Following the annual meeting and/or an election and subsequent transition meeting, or any time a new President is elected or a new Registered Agent is named, and prior to any subsequent Board meeting, the Secretary shall notify Management in writing by certified mail, return receipt requested,



of any change of the name and address of the Association President, the names and addresses of all of the officers, names and addresses of all the directors, and name and address of the Registered Agent of the Association. (Reference: FL Statute 723.076(1)).

2. In those years having no Board/Officer/Registered Agent changes, the Secretary shall notify Management in writing of the names and address of all of the officers and all the directors, including the name and address of the current President and Registered Agent of the Association. The secretary shall provide this notification by hand-delivery to the Management office, requesting a signed receipt as proof of notification.

## **ARTICLE V COMMITTEES**

### **SECTION 1. Committees**

There shall be Standing and Special Committees. Each Standing Committee shall consist of a Chairperson appointed to serve at the pleasure of the Board, Director who may have a voice but no vote and no less than three (3) additional members of the Association. Except for the Nominating Committee, any other Special Committee shall have as many members as the Board of Directors deems necessary to carry out the assignment given.

### **SECTION 2. Standing Committees**

Chairpersons of all Standing Committees shall report to the Board of Directors at its monthly meeting.

**Activities:** Shall organize and oversee Association social and/or recreational activity(ies). It is acknowledged and accepted a variety of on-going social and/or recreational activities (such as card games, bingo, bocce ball, golf, pot-luck dinners, shuffle board, tennis, etc.) occur on an ad hoc basis. Such activities may choose to appoint a Chairperson/coordinator.

It is also understood and accepted that from time-to-time private party events open to all residents or by invitation only may be scheduled, organized and hosted by a Lessee(s). All such private party events shall first have the event date(s) and function approved by the Activities Committee or appropriate sub-committee.

It is recognized that from time-to-time the Association Board (through an established or named committee) may schedule, organize and/or host an event(s) to provide funding pursuant to Article I, Section 1. Purpose.

**Building:** Shall be responsible for set-up for membership meetings: Shall periodically inspect furnishings, equipment and sound system, both inside and outside, belonging to the Association.

**Bylaws:** shall review the appropriateness of the Bylaws and Standing Procedures and Rules for the needs of the Association at any given time, but no less than once yearly. (See Article VIII, Section 1). Pursuant to Article I, Section 1, amendments and/or revisions proposed shall be deemed most beneficial to the membership.

**Communication:** The Communication Committee shall encompass Hospitality, Newsletter and Web-site activities. Separate Chairpersons may be appointed to oversee each of these activities.

**Liaison:** Shall regularly communicate with the Board of Directors on matters of interest and/or concern to lessee residents. The Board of Directors (or a subcommittee of members of the Board), plus a representative of the Liaison Committee, will regularly meet with Park Management in an attempt to resolve lessee concerns and will make reports at all monthly scheduled meetings of the Board of Directors and at all Membership meetings.

**Safety:** Shall regularly review the condition of the common grounds with respect to the safety and welfare of the residents, and consider and organize efforts to improve these as needed. The Committee shall work in concert with any established Lakewood Village Neighborhood Watch Committee.

### **SECTION 3. Special Committees**

**Special Committees:** Audit Committee (see Article II, Section 2, President ¶3.)  
Election Committee (see Article IV, Section 4.)  
Nominating Committee (see Article IV, Section 1.)

Special Committees (defined as one appointed for a specific purpose) cease to exist as soon as the Committees' final report is given. (Reference: *RONR (11th ed.)*, P 502 26-29.

## **ARTICLE VI MEETINGS**

### **SECTION 1. Place of Meetings**

All Membership and Board of Director's meetings, Committees, etc., shall be held at the Lakewood Village Clubhouse. (Committee meetings may be held at mutually agreeable sites.) At such time that the membership exceeds the Clubhouse capacity allowed by local fire and safety regulations, meetings may be held at a location away from, but within a reasonable distance of Lakewood Village.

### **SECTION 2. Openness of Meetings**

All meetings of members, Board of Directors, Committees, etc., shall be open to all Association Members.

### **SECTION 3. Majority**

For the purpose of these Bylaws, majority is defined as 50% plus one (1), unless otherwise required by Florida Law.

### **SECTION 4. Quorum**

A majority of the voting members shall constitute a quorum for all annual, quarterly and special meetings and all Board of Directors Meetings. Decisions shall be made by a majority of members represented at a meeting at which a quorum is present. (Reference: FL Statute 723.078 ¶ 2 (b). No vote shall be taken on any matters when a quorum is not present and when a larger quorum is required by Florida Statute or by these Bylaws. In the absence of a quorum (in person or by proxy as applies to annual and special meetings), the President shall convene the meeting, announce the absence of the quorum by number and immediately adjourn the meeting.

### **SECTION 5. Proxies / Absentee Ballots**

**Absentee Ballots.** At all meetings, a duly-qualified member may vote in person or by absentee ballot which is executed in writing on a pre-printed form provided by the Secretary. Such absentee ballot shall be filed with the Secretary of the Association by 4:00 p.m. on the day prior to the date of the meeting. A member is not required to vote. Absentee ballots will contain the name(s) of all candidates who have been contacted by the Nominating Committee and who have agreed to serve, and also the names of those persons who were nominated and who accepted nominations from the floor made at a duly noticed meeting of the members held at least 30 days before the annual meeting. (Reference: FL Statute 723.078 ¶ (d) (1) )

**Proxies.** A member may not vote by general proxy but may vote by limited proxies substantially conforming to a limited proxy form adopted by the division. Limited and general proxies may be used to establish a quorum. Limited proxies may be used for votes taken to amend the articles of incorporation or bylaws pursuant to Statute 723.078 ¶ (2), and any other matters for which Statute 723 requires or permits a vote of members, except that no proxy, limited or general, may be used in the election of board members. Notwithstanding the provisions of Statute 723, members may vote in person at member meetings.

Any proxy given shall be effective only for the specific meeting for which originally given and any lawfully adjourned meetings thereof. No proxy shall be valid for a period longer than ninety (90) days from the date of the first meeting for which it was given. Such proxies shall be assigned only to members of the Association. Every proxy shall be revocable ~~in writing~~ at any time at the pleasure of the member executing it.

In order to determine the will of the member executing the proxy, proxies will contain the following language:

a) Vote as directed by Member; b) Vote as cast by Proxy Holder; or c) No vote.

### **SECTION 6. Votes Required**

A Lessee receiving a ballot shall also receive a voting device. Votes shall be tabulated according to procedures set forth in the latest edition of Robert's Rules of Order [*RONR (11th ed.)*, P 411 23-33.

A majority of the votes cast at any duly-called and convened meeting of the members shall be sufficient to take or authorize action upon any matter which may properly come before the meeting, unless otherwise required by Florida Statute or Robert's Rules of Order, newly revised edition.

#### **SECTION 7. Annual Meeting**

Membership meetings shall convene at 7:00 pm on the fourth Tuesday of January in each calendar year or at a date and time at the discretion of the Board. Election of members of the board of directors shall be held at the January Annual Meeting.

#### **SECTION 8. Additional Meetings**

Membership meetings shall convene at 7:00 pm or at a later time at the discretion of the Board on the fourth Tuesday of March and the third Tuesday of November, or at a date and time at the discretion of the Board.

#### **SECTION 9. Special Meetings**

Special meetings of the Membership may be called by the President or a majority of the Board of Directors and/or by written request of at least ten (10) percent of the Membership. A special meeting of the Membership for the purpose of recall and removal from office shall be in accordance with Article II, Section 4.

#### **SECTION 10. Board of Directors Meetings (see Article III, Section 3)**

The Board of Directors of the Association shall meet at least monthly. Special meetings of the Board of Directors may be called by the President, majority of the Board of Directors and/or by written request of at least ten (10) percent of the Membership. Notice of the Board of directors Meetings shall be posted on the Clubhouse Bulletin Board no less than forty-eight (48) hours prior to the meeting.

#### **SECTION 11. Notice of Meetings**

At least fourteen (14) days' written notice will be provided to each member in advance of a Membership meeting. Such notification shall include minutes of the most recent Membership meeting and proxy form(s).

Such notice shall also be posted on the bulletin board in the Lakewood Village Clubhouse at least fourteen (14) days prior to a Membership meeting.

Member(s) shall have the right to direct in writing how he/she wishes to receive notification of meetings, reports, budgets, agendas, annual reports, etc. Choices shall include: 1) in writing delivered by US mail; 2) electronically to the member-provided e-mail address; 3) placed in the member's Clubhouse inside personal mailbox, 4) hand delivered, or 5) "no notification". Unless directed, notice of the meetings, reports, budgets, agendas, annual reports, etc., shall be sent by U.S. mail, electronically transmitted or hand delivered to each member and shall constitute notice. An officer of the Association shall provide an affidavit affirming that the notices were mailed, emailed, or hand delivered in accordance with the provisions of statute 723.078 ¶ (d) (1) to each member at the address last furnished to the Association. (Reference: FL Statute Chapter 723.078 ¶(d).

### **ARTICLE VII PARLIAMENTARY AUTHORITY**

#### **SECTION 1. Parliamentary Authority**

Directors and Officers shall perform the duties as prescribed by these Bylaws and by the adopted parliamentary authority (Robert's Rules of Order, most recent revision). The rules contained in Robert's Rules of Order, most recent revision, shall govern the conduct of the meetings of the Association in all cases except as are covered by these Bylaws. In all cases Florida Statutes shall apply.

The Board shall seek out and appoint a Parliamentarian to serve at the Board's pleasure as an ex-officio member of the Board. With reference to the most recent edition of Robert's Rules of Order, the Parliamentarian shall be the final authority on all parliamentary issues that may arise at Membership meetings.

### **ARTICLE VIII BYLAWS / STANDING RULES**

#### **SECTION 1. Definition**

The Bylaws shall govern all members, Officers and Directors of the Association, and shall not be in conflict with any applicable Florida Statute. Notwithstanding any other provisions of these bylaws, if an amendment to the articles of incorporation or the bylaws is required by any action of any federal, state, or local governmental authority or agency, or any law, ordinance, or rule thereof, the board of directors may, by majority vote of the board, at a duly noticed meeting of the board, amend the articles of incorporation or bylaws without a vote of the membership. (Florida Statute 723.078 ¶ h) (2). All non-governmental changes to the bylaws or articles of incorporation will be brought to the membership for vote.

### **SECTION 2. Amendment of Bylaws**

The Bylaws may be revised, altered, amended or added to, at any duly called and convened meeting of the Members by a majority vote of eligible voters. (See Article I, Section 2. Membership, A. Rights). This vote may occur only if: (1) The proposed amendment(s) or addition(s) shall have been placed into the minutes of the previous duly called and convened meeting, and (2) the proposed amendment or addition shall have been posted on the bulletin board of the Lakewood Village Clubhouse along with the notice of the current meeting.

### **SECTION 3. Adoption / Amendment / Rescission of Standing Rules**

Standing Rules, defined as a rule related to the details of administration of a society, (i.e., setting the hour at which meetings are to begin, or one relating to the maintenance of a guest register), may be proposed by any member of the Association, the Board of Directors, and/or the Bylaws Committee and presented to the membership at any membership meeting. A standing rule may be adopted in accordance with Roberts Rules of Order, Newly Revised, 11<sup>th</sup> Edition: "A standing rule can be adopted by a majority vote without previous notice, provided that it does not conflict with or amend any existing rule or act of the society. A standing rule remains in effect until rescinded or amended by a majority vote." [RONR (11<sup>th</sup> ed.) P 18,16-23].

## **ARTICLE IX GENERAL**

### **SECTION 1. Checks, Drafts, etc.**

All checks, drafts or other order for the payment of money, notes or other indebtedness (issued in the name of the Association) of \$1,000.00 or more shall be signed by any two (2) of the Officers pre-authorized by the Board of Directors to sign checks on the bank account signature card.

### **SECTION 2. Limitation on Expenditures**

- A. Pursuant to Article I, Section 1, any total financial expense or commitment exceeding \$250.00 must be approved by the Board of Directors. Any total financial expense or commitment exceeding \$1,000.00 or more must be approved by the Association Membership at a duly convened meeting.
- B. A \$3,000 Contingency Fund shall be maintained for emergency purposes. (See Article III, Section 1).

### **SECTION 3. Indemnification**

To the extent permitted by law, the Association shall indemnify and hold harmless each Officer and Director of the Association from any liability, loss, claim, action or suit. This indemnification shall include, but is not limited to, attorneys' fees and cost arising from or by virtue of such action, except as results from: (1) willful or gross malfeasance, and (2) taking or failure to take any action relative to their service as an Officer and/or Director.

## **ARTICLE X ACQUISITION**

### **SECTION 1. Residential Acquisition Team**

A Residential Acquisition Team was established in 2003 to establish procedures for responding to any formal notice with respect to a sale of Lakewood Village. The team investigated the following issues: legalities, financing, identification of spokesperson and other pertinent issues. The Team's report was forwarded to the Board of Directors, which placed the report on file as of August, 2003 to be utilized as needed.

### **Bylaws Reviewed/Revised:**

- Original: 1994
- Revision I: December 7, 1998
- Revision II: November 13, 2001

Revision III: July 8, 2003  
Revision IV: November 8, 2005  
Revision V: January 12, 2010  
Reviewed: February 19, 2010  
Reviewed: March 8, 2011  
Reviewed: January 8, 2013  
Revision VI: April 10, 2013  
Revision VII: January 26, 2016  
Revision VIII: March 28, 2017

**LAKWOOD VILLAGE HOMEOWNERS ASSOCIATION**  
**Punta Gorda, Florida 33982**  
**STANDING RULES AND PROCEDURES**  
**EFFECTIVE MARCH 24, 2015**

1. MEMBERSHIP / MEETINGS

- a. Lakewood Village lessees are entitled and encouraged to attend and have a voice in all Homeowners Association (HOA) membership meetings provided they are current in their due's payment. A lessee is considered current if their dues are paid no later than 4:00 p.m. on the day prior to any such meeting.
- b. The Treasurer maintains an up-to-date list of all Lakewood Village lessee residents, their telephone numbers and any applicable e-mail addresses. Additionally, the Treasurer maintains an up-to-date list of all lessee residents having current membership in the HOA. Upon request, the Treasurer will provide a current copy of these lists to a resident for their private use; these lists may not be used for commercial purposes.

2. ACTIVITIES / EXPENDITURES / REIMBURSEMENTS

- a. The Chairperson of any committee planning an event requiring cash expenditures shall request a cash advance from the Treasurer in accordance with Bylaws Article IX - General. Receipts for all purchases shall be promptly turned over to the Treasurer for reconciliation and payment.
- b. The HOA maintains a Sam's Club membership for Association-related purchases. Membership cards are held by the treasurer and available for use by the Building Committee Chairperson and/or other committee chairpersons.
- c. An Activity Expense form can be obtained from the Treasurer's Clubhouse file folder and is to be promptly given to the Treasurer listing any fees collected for a given activity along with all receipts documenting related expenditures. Net proceeds are to be credited to the General Fund.

3. GIFTS / DONATIONS / ENDOWMENTS

- a. Undesignated gifts/donations/endowments of \$500 or more are to be presented to the membership at the next scheduled membership meeting following receipt of any such gift/donation/endowment. The Board of Directors shall entertain a motion(s) from members present for the use of any such funds.
- b. The Board of Directors has the authority for disbursement/use of gifts/donations/ endowments of a lesser amount.

4. WEEKLY "COFFEE HOURS"

- a. An informal "coffee hour" is routinely scheduled Friday mornings in the Clubhouse. Announcements can be made by the president or his/her designee, or by members present. However, other than an announcement of an upcoming board or membership meeting, HOA business is not to be conducted at the "Coffee Hours"
- b. Speakers may be invited from time to time to present relevant information.
- c. Refreshments may be available at a nominal fee. Any net proceeds collected shall be credited to the General Fund.

## 5. COMMUNICATIONS

- a. A periodic Lakewood Village Newsletter and monthly events calendar will be posted on the Lakewood Village website ([www.lakewoodvillagehoa.com](http://www.lakewoodvillagehoa.com)) and on the clubhouse bulletin board. See the newsletter for information regarding submission of articles.
- b. Interior clubhouse bulletin boards have designated sections for Activities, HOA matters, Master Calendar, Residential, and Commercial notices.
- c. A locked exterior bulletin board is reserved for HOA and activity announcements. The key is located on the kitchen bulletin board.
- d. A Communications Committee designee has responsibility for maintaining all bulletin boards and for removing out-of-date postings.

## 6. RECREATIONAL ACTIVITIES / EQUIPMENT / SUPPLIES

- a. The HOA maintains shuffleboard, tennis and pool room equipment. Shuffle cues and discs for general use are stored in the clubhouse exercise room. Team shuffle equipment is stored in a locked cabinet in the pool room; keys to the cabinet are held by shuffleboard captains.
- b. Unaccompanied children under age 16 are not permitted to use the pool table.**
- c. The HOA owns and maintains all equipment and supplies within the clubhouse, swimming pool, porch and patio areas and other recreational equipment. Supplies for games and clubhouse activities (except tennis balls) are provided by the HOA.

## 7. KITCHEN STOREROOM

- a. Some HOA kitchen supplies are stored in the locked storeroom opposite the kitchen. A list of storeroom key holders is posted on the kitchen bulletin board.

## 8. PERSONAL USE / BORROWING OF HOA EQUIPMENT AND SUPPLIES

- a. Residents may borrow tables and other tools stored in the outside storage area. A mandatory sign-out/sign-in sheet is posted on the clubhouse bulletin board.
- b. Books, games and DVD/videos are available in the clubhouse library and may be borrowed.
- c. **No tables, chairs, or kitchen supplies/equipment may be borrowed from inside the clubhouse or the clubhouse kitchen.**

## 9. MISCELLANEOUS

- a. Lakewood Village automobile ID stickers are available at a nominal cost.
- b. Safety and/or Committee Chairpersons are responsible for locking all clubhouse doors following evening activities.
- c. All clubhouse doors are to be locked on weekends.
- d. Exterior restroom doors must remain unlocked during posted pool hours.

Revised: March 24, 2015