

Merry Hills Homeowners Association, Inc.

Constitution and Bylaws

ARTICLE I — NAME

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

ARTICLE II — PURPOSE

Section 1. The purpose of this 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.

Section 2. This Association shall be nonpartisan and nonsectarian.

ARTICLE III. BOUNDARIES

Section 1 The boundaries of the Association are generally as follows: North Druid Hills as the northeastern boundary, Briarcliff Road as the western boundary, and LaVista Road as the southern boundary.

ARTICLE IV — MEMBERSHIP

Section 1. Membership in the Association is voluntary. Eligibility is afforded to residents or homeowners 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.

Section 4. Privileges and Obligations

- 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 non-voting observer; and
 - 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 for the Association.
- iv. Members shall endeavor to support the Association by participating in the meetings and activities it sponsors.

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 within the Association boundaries.

ARTICLE V — OFFICERS

Section 1. The elected officers of this Association shall be a President, a Vice President, a Secretary, a Treasurer, and a Membership Coordinator. Appointed officers shall be a Zoning Coordinator and a Crime Prevention Coordinator, appointed by the Board of Directors. The term of office shall be two 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.
- 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. Maintenance of the Association's website or selecting an individual to provide such support.

- iv. Producing and distributing the Association newsletter or selecting other individuals to provide such support.
- v. Accepting nominations for elected offices in preparation for elections and providing the the list of nominees for election to the membership.
- vi. Chairing the Communications Committee.
- 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.
- e. The Membership Coordinator shall be responsible for the following:
 - i. maintaining and updating a list of members and all other residents in the Association neighborhood.
 - ii. retention and recruitment of members.
 - iii. sending a renewal notice to each of the Association members prior to the new calendar year.
 - iv. chairing the Welcome Committee.
- f. The Zoning Coordinator shall be responsible for the following:
 - i. alerting members to proposed zoning changes or similar governmental action that may impact the neighborhood.
 - ii. planning and executing appropriate action on behalf of the membership.
 - iii. representing the Association as necessary at public meetings concerning zoning and land use changes, or designating another individual to do so.
 - iv. serving as a representative to the Community Council or selecting another individual as a representative.
 - v. chairing the Zoning Committee.
- g. The Crime Prevention Coordinator shall be responsible for the following:
 - i. establishing programs to alert the neighborhood of safety concerns and criminal activities.
 - ii. acting as liaison to DeKalb police department officials concerning such programs.
 - iii. communicating with the neighborhood on safety concerns and criminal activities.

ARTICLE VI — DIRECTORS

Section 1. There shall be five (5) directors elected by the membership. The term of office shall be two years. No individual shall serve more than two (2) consecutive terms as a Director.

Section 2. Each director shall serve as a member of at least one standing committee.

ARTICLE VII — BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the officers of the Association and five (5) Directors.

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 five 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 VIII — 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. There shall be the following standing committees:

- a. Communications Committee
- b. Parks Committee
- c. Traffic and Pedestrian Safety
- d. Welcome Committee
- e. Zoning Committee

Section 3. Members of standing committees shall be appointed by the President.

Section 4. Chairs of each committee shall be elected by committee members where not specifically designated in these Bylaws.

ARTICLE IX — 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 25 percent (25%) 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 in November.

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. Ten members present shall constitute a quorum.

ARTICLE X — ELECTIONS

Section 1. Elections shall be held at the Annual Meeting. Each household represented shall have one vote as defined in Article III, Section 4. 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 XI — PARLIAMENTARY AUTHORITY

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

ARTICLE XII — AMENDMENTS

Section 1. The Constitution and By-laws of this Association may be amended by a two-thirds vote of 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.

Adopted May 9, 1996

Amended May 13, 1997; April 2000; November 14, 2001; May 23, 2004; November 14, 2006; November 6, 2007.