

**BY-LAWS OF THE
BLUFF OAKS
HOMEOWNERS ASSOCIATION**

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Created February 2003- Revised May 2010 pursuant to minutes of April 18, 2010 Annual Meeting

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DEPUTY CLERK
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Article I. General Purpose

A. The official name of the association shall be The Bluff Oaks Homeowners Association (hereinafter referred to "BOHA") incorporated as the non-profit organization The Bluff Oaks Homeowners Association Inc.

B. The purpose of BOHA shall be:

- To provide an avenue for homeowners to respectfully discuss and resolve issues that pertain to the neighborhood.
- To protect and maintain the intrinsic property value of the Bluff Oaks Subdivision through ownership and enforcement of the Bluff Oaks Neighborhood deed restrictions for all filings past, present and future.
- To manage funds for expenses related to the maintenance and beautification of the neighborhood and all common areas within.
- To provide formal representation of the neighborhood to outside entities including state and parish officials/organizations.
- To provide a governing body for the preservation of Bluff Oaks Subdivision and its assets.

C. BOHA is a not-for-profit association for the accomplishment of the foregoing objectives and which may appear conducive to, or expedient for, the interest and benefit of the members of BOHA.

D. BOHA operates on a fiscal year running from March 1st of every year to the last day of February of the next year.

Article II. Membership

A. All landowners/homeowners/residents (hereinafter referred to "households") of the subdivision who pay annual dues shall be members of BOHA, shall be listed on the official

membership roll, shall be eligible to vote, hold office, or serve on committees.

B. No membership may be transferred. It applies to the family to which it is issued for the period, until they discontinue residence or until the end of the fiscal year, for which membership was granted, whichever occurs first.

C. Annual dues for the operation of BOHA shall be \$360.00 per year, payable on or before April 1st of each year. Each household will be eligible for membership rights after dues have been received. Members who do not pay dues by May 31st forfeit their membership rights for that fiscal year including their right to hold office, participate on committees or vote. For new households who purchase property on before March 1st are eligible to join BOHA for the upcoming fiscal year at the standard fee. Those who purchase property after March 1st may participate as a member for the remainder of the year at the following prorated rates:

April 1 - May 31 90% of annual dues.

June 1 - Aug. 31 75% of annual dues.

Sept. 1 - Nov. 30 50% of annual dues.

Dec. 1 - Dec. 31 25% of annual dues.

Article III. Board OF Directors

A. Officers of the board shall be elected by majority vote at the April BOHA meeting. Nominations shall be made from the floor and approved by the membership in attendance. The new officers will assume office immediately following the election.

B. The Officers shall prepare an annual operating budget and program. Recommendations made by the Officers shall be presented at general membership meetings and approved by the membership in attendance As responsible party for the operating budget, Officers must approve the use of any and all financial institutions.

C. The Board of Directors will have the power in intervals between meetings to transact all business not otherwise provided for in the By-laws or delegated to special committees, except when modifying any action taken by the organization. All expenditures of more than \$100.00 must be approved by officers of BOHA via majority vote. Expenditures of more than \$2000.00 or 40% of unbudgeted monies (whichever is less) must be approved by member vote.

D. The Board of Directors will conduct quarterly Officers meeting. If a quorum is not present for an Officers meeting, The Officers may be polled individually by telephone or otherwise, in order to vote on necessary business. Decisions are reached via majority

vote.

E. Officers shall serve one-year terms (fiscal basis) and no person will serve the same office for more than four (4) consecutive years.

F. All Officers must be members of BOHA and in good standing at the time of their election or they will not be considered eligible to hold office.

G. In the event of a vacancy, a replacement will be recommended by the remaining Officers and approved in a special election by the general membership. Special election can be conducted by mail, telephone or meeting. The replacement will serve the remainder of the elected term.

H. Any officer may be removed by a majority vote of the Board of Directors and a separate majority vote by members at a general meeting of BOHA. This vacancy shall be filled in the manner defined in paragraph A. and G. above.

I. The Board of Directors are responsible protecting the assets of the BOHA. To this end, on unanimous vote of the officers, the board has the authority to:

1. Elect to purchase an insurance policy in the name of BOHA for the purposes of limiting the liability of BOHA.
2. Elect to retain an attorney, in good standings, for aid in the enforcement of deed restrictions, guidance and creation and filing of official documents, and protecting the BOHA from any legal recourse which may undermine or damage the stability of the BOHA.
3. Elect to retain the services of a CPA or other financial advisor to aid in financial decisions and taxation issues.

This edict supercedes the budgetary constraints of the board (Article III. Provision C) however under the provision J in Article V, members have the right to challenge the use of said authority.

J. BOHA Board of Directors shall have the following five (5) Officers;

1. The PRESIDENT shall:

- Preside over all meetings of BOHA and of the Officers;
- Sign, as president, instruments on direction of the Officers on behalf of BOHA;
- Serve as non-voting member of all committees.

2. The VICE PRESIDENT shall:

- Perform the duties of the President, in the absence of the President;
- Ensure the publication of the newsletter and such other documents as the President or Officers shall direct;
- Supervise distribution of flyers, notices, and Email
- Develop and maintain a communication network among the residents.

3. The SECRETARY shall:

- Record proceedings of all meetings of BOHA and the Officers;
- Perform such other duties as may be required of him/her by the Officers;
- Prepare and maintain a correct and updated list of names and addresses of the homeowners/landowners and member status.
- Conduct the correspondence of BOHA and keep a file of the correspondence received and copies of the correspondence sent out.

4. The TREASURER shall:

- Have custody and responsibility of all funds;
- Disburse such funds for the corporate purpose upon checks bearing his/her signature and countersigned by either the President or Vice President;
- Serve at the direction of the Board of Directors;
- Collect dues, provide receipts and maintain a membership roster;
- Maintain books according to generally accepted accounting methods;
- Submission of reports at all meetings and at the request of the officers.

5. The ARCHITECTURAL COMMITTEE CHAIRPERSON shall:

- Provide leadership of the Architectural Committee;
- Maintain notice of approval documents and/or plans submitted by homeowners.

- Submit homeowner request for variances and committee recommendations to the Board of Directors;
- Notify the Board of Directors about complaints of noncompliance;
- Appoint members of the Architectural Control Committee with the approval of the Board of Directors.

K. The Board of Officers as a group oversee general grounds maintenance, manage the operating budget, manage and enforce neighborhood deed restrictions, approve building variances, provide oversight & guidance for all sub-committees, and provide plans for capital expenditures to BOHA members.

Article IV. Committees

A. Only member of BOHA who are in good standing shall be appointed to a committee. Terms shall be for one year or until replacements are appointed or the committee is dissolved.

B. Committees may be created by the BOHA members as they deem necessary. The members shall approve committees and their chairperson.

C. The President shall serve as non-voting member of each committee.

D. At the first regular meeting each year, each committee shall develop and define its objectives, projects and goals for the year. A committee representative shall present these objectives, projects and goals to the Board of Officers along with any budgetary submissions. The committee's budgets shall be included in the general budget. Committee budgets of more than \$100 per year for administrative fees must be voted on at the general membership meetings.

E. BOHA currently has the following committees:

1. The ARCHITECTURAL CONTROL COMMITTEE shall:

- Consist of three (3) members including the Chairperson;
- Serve as a liaison between BOHA and builders/homeowners;
- Receive any complaints against any non-complying households, will send a complaint letter to the households in question and will file that complaint and a copy of the letter with the President and Secretary for record keeping purposes. The complaints will be presented to Board of Officers at their quarterly meetings;

- Ensure that grounds are landscaped and maintained;
- Ensure compliance with the deed restrictions.

Article V. Meetings

- A. The fiscal year shall commence on March 1 and end on the last day of February.
- B. The officers shall meet each quarter, if deemed necessary. Regular officers meetings shall be on the first Tuesday of March, June, September and December, time and location to be agreed upon. General membership is welcomed to attend officers meetings.
- C. The general membership shall meet twice a year the second Tuesday of April and October each year.
- D. Special BOHA meetings can be called at the discretion of the President at the written request of at least one-fourth (1/4) of BOHA members, provided the reason for the request is given in the written petition.
- E. The President shall preside over meetings. Robert's Rules of Order shall govern the proceedings of all meetings.
- F. At any meeting, a majority (greater than 50%) of the members present shall constitute a quorum for all purposes.
- G. All member households shall be entitled to one (1) vote at general membership meetings. This voting privilege is contingent on the member being in good status with respect to the BOHA dues. Ownership of multiple lots does not mean multiple votes. Owners of multiple lots still count as 1 household and will only receive 1 vote. In the same respect, owners of multiple lots are only required to pay dues as 1 household.
- H. Voting by proxy: There are no requirements to provide voting by proxy on any issued at a general membership meeting. The Board of Officers may however, at their discretion and unanimous vote, make provisions for proxy voting on issues of great magnitude to the BOHA. This requires physical mailings to each member in good standing no less than thirty (30) days prior to a vote on the issue.
- I. Any person wish to present an item at a general membership meeting shall inform the President of such intent prior to the start of the general meeting in order to be included in the agenda. Any person wishing to present an item at the Officers meeting shall notify the President in the same manner. This shall not apply to anyone appearing in response to a notice with reference to an agenda item.
- J. Members have the right to challenge the decisions of the Board of Directors under the following provisions:

- The challenge cannot be the same issue voted upon by the general membership within the past 12 months.
- Challenges must be in writing with a clear and specific reason(s) for the challenge.
- A written petition signed by at least forty-five percent (45%) of members in good standing must be presented to the President of the Board of Directors.

Upon satisfaction of these criteria, the President is bound by these by-laws to call a general meeting for the purposes of discussion and a general member vote within thirty (30) days of receipt of said petition.

K. The order of business at all meetings shall be as follows;

1. Call to order
2. Minutes
3. Committee reports
4. Old business- Review Action Items if Necessary
5. New business- Assign Items if Necessary
6. Adjournment

Article VI. Miscellaneous

A. All records of BOHA shall be open to members during normal waking hours. The Board of Directors and approved committees shall make full and complete disclosure of their activities at each general meeting.

B. The by-laws or deed restrictions may be changed by a vote of the members of BOHA as follows:

- All members in good standing as defined by part A under Article II have the opportunity to vote;
- A simple majority of those voting passes the referendum;
- The vote will take place at a general members meeting and is open to the households of the members in good standing. Only members present will be allowed to vote unless a unanimous vote by the Board of Directors has made provisions for voting by proxy;

- The proposed change must be delivered in writing to the households of the members in good standing at least 30 days prior to the vote.

C. The BOHA does not and will not discriminate against any individuals of ethnicity, gender, sexual orientation, and political or religious affiliation.

D. BOHA may be dissolved by a two-thirds (2/3) vote of the general membership at a meeting called for that purpose. The surplus assets, if any, shall be distributed equally to BOHA member households on the official roll as of the date of such action. Such disbursements shall be made within ten (10) days of the effective date of such actions. The effective date of dissolution shall be thirty (30) days after any such vote of dissolution. This however does not release households from the deed restrictions as filed at the clerk of court.

Bluff Oaks Homeowners Association

2010 Annual Meeting
April 18, 2010

AGENDA

- | | |
|--|----------------------------------|
| 1 – Year In Review | Kevin LaCour |
| 2 – Ascension Parish Update | Tommy Martinez, Parish President |
| 3 – Security Update – Sheriff’s Office
(Sheriff’s Office 621-8300) | Lt. David Martin |
| 4 – Financial Update <ul style="list-style-type: none">- BOHA financials- 2009 Dues Collection | Kendall Johnson / Sally Burch |
| 5 – Projects Update <ul style="list-style-type: none">- Street Signage- Landscaping- Pending Projects | David Ross |
| 6 – Architectural Update <ul style="list-style-type: none">- New Homes in 2010- Restrictions enforcement update- Parish yard enforcement (Terrence Irvin 621-5730)\- Bordering Property (North of Bluff Oaks)- Yard of the Month | Mike Young |
| 7 – BOHA Website (via Facebook) | Scott Saporito |

8 – Ascension Parish Website

Kevin LaCour

- Email – <http://www.ascensionparish.net>

9 – Treatment Plant Update (Wastewater Mgt)

Kevin LaCour

- Louisiana State Dept, Ascension Location – Contact, Mimi Benjamin (644-5916)

10 – General Discussion

All

- Animal Containment
- Neighborhood Socials
- Other

11- Election of 2011 Officers

All

- President _____
- Vice President _____
- Secretary/Treasurer _____
- Architectural Chair _____

12 - Adjournment

Meeting minutes – BOHA 2010 Annual Meeting, held 4/18/2010

1 – 2009/2010 Year In Review

Kevin LaCour called the 2010 meeting to order. The meeting agenda was summarized and reviewed with the residents.

For the year in review, the key item was the nomination, procedure, vote and affirmation of the revision of the homeowners dues, with 2009 actions as follows:

- Upon recommendation and review, it was the decision by the board in 2009 to pursue a dues increase for BOHA to provide sufficient monies to cover expenses and provide neighborhood improvement projects. Next, the BOHA Board unanimously voted to hold a vote of the residents. Per the bylaws, the approved plan gave the lot owners 30 days notice of a pending vote. The vote was held via proxy voting in writing per a prepared voting form. The vote was held affording the lot owners a prescribed period for voting. Let the minutes show that the proxy voting, per written affirmation of a majority of the lot owners, affirmed the raising of the dues to \$360 per year. The by-laws will be amended and filed to reflect the vote of the homeowners.

2 – Ascension Parish Update - Tommy Martinez, Parish President

The Parish President discussed a number of topics including the upkeep of the parish roads, the improvements to Bluff Rd, an update of the BR Loop and a pending parish wide wastewater treatment plant. Mosquito control has been increased. There is an ongoing study to understand the effects on Bayou Manchac.

Bluff Road has been upgraded.....asphalt overlay, signage improved and trash pickup increased. As Bluff road is a state road, the parish is aiding the state with these activities. DOTD in Brittany, LA is responsible for the road and we can contact Joey Tureau with any questions.

Should we have further questions about the parish roads then we can also contact our House Representative, Eddie Lambert, in Gonzales.

In May, there will be a Fest of Festivals held at Lamar Dixon and supported by a Vets Parade.

Mr. Martinez then took questions from the residents.

3 – Security Update – Sheriff's Office - Lt. David Martin

Lt Martin gave a brief update on security in the parish and advised on home security such as maintaining locks, alarm system and reporting unusual activity. Lt Martin took questions.

m/s

4 – Financial Update - Kendall Johnson

Kendall reported that we currently have \$12,000 in the BOHA account, as of 3/31/2010. Fiscal year 2008 ended with a balance of \$7,086.

For 2008, 100% of the dues were collected from full time residents, while in 2009 92% had paid some form of dues, whether \$120 or the newly voted \$360.

Dues collection began immediately for the 2010 Fiscal year with 4 residents paying on the spot, including 3 board members.

5 – Projects Update - David Ross

Street Signage has been installed and the landscaping was upgraded at the entrance. Pending Projects include cul-de-sac trees, installing bushes at the entrance and progressing with lighting of the entrance for safety.

6 – Architectural Update - Mike Young

New Homes in 2010 include one house on Woodville.

Restrictions enforcement update. Numerous residents voiced the need to vigorously enforce the restrictions in the areas of storing mobile homes/trailers. In addition it was suggested that the board pushes for better upkeep in those yards that are unsightly.

Parish yard enforcement is available for those overgrown lots via the parish department headed by Terrence Irvin. This service is \$100 and charged directly to the lot owner by the parish.

At this writing, there is limited activity of improvement on the bordering property north of Bluff Oaks.

Yard of the Month will be administered, starting in April 2010.

7 – BOHA Website - Mary Saporito

In order to better communicate with the homeowners, we are starting a Bluff Oaks Facebook page. This will be maintained by Scott Saporito.

8 – Reminder of the location of the Ascension Parish Website – <http://www.ascensionparish.net>

9 – Treatment Plant Update (Wastewater Mgt) - Kevin LaCour

4/5

The Louisiana State Dept of Health, located in Ascension parish, contact via Mimi Benjamin, aided BOHA in getting improvements to our treatment plant. The unit was serviced by the owning entity Ascension Wastewater. They backwashed, skimmed, installed safety grating, fixed the fence and installed a lock on the unit.

10 – General Discussion

The residents were encouraged to report stray and dangerous animals to Sheriff's office


11- Election of 2011 Officers

In line with the by laws a vote was held to elect officers for Fiscal year 2010. Nominations, seconds and a vote were held for each officer positions with the following results:


- President – Kevin LaCour
- Vice President – David Ross
- Secretary/Treasurer – Kendall Johnson
- Architectural Chair – Dennis Spring, Stephanie Lauve and Scott Saporito

12 – Meeting was adjourned until April 2011.

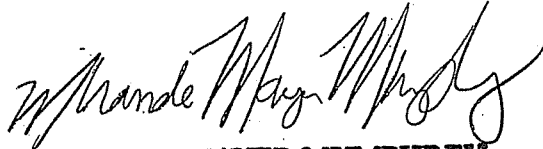
Agenda and confirming meeting minutes, submitted by:


Kevin LaCour, President of BOHA

Certification of Subdivision Meeting Minutes


Kendall Johnson, Secretary/Treasurer

5/1/2010


MIRANDA MAYER MUMPHREY
NOTARY PUBLIC / ATTORNEY
LA BAR ROLL # 32608
NOTARY PUBLIC ID # 89404
MY COMMISSION EXPIRES @ DEATH

5/5