

Lake Lotawana Association,
Incorporated

BYLAWS

Revised and Adopted April 9, 1991
Including Amendments Adopted to April 1, 2008

**10417 East Thompson Road
Lake Lotawana Missouri 64086**

By-Laws of the Lake Lotawana Association, Inc.

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Lake Lotawana Association, Inc. is a body politic and a Not-for-profit corporation organized under the laws of the state of Missouri, [Chapter 355 (Not for Profit)] hereinafter "Corporation or Association". The Association is bound by these By-Laws, the recorded "Deed Of Restrictions", the November 18, 1988 Order of the Jackson County Circuit Court (case number CV82-26304) and the agreements referenced in that order, which transferred ownership of and responsibility for the lake and common areas to this Association. The Rules and Regulations as promulgated from time-to-time by the Board of Directors further define the orderly conduct of Association business.

ARTICLE I: MEMBERSHIP

Section 1. All owners as recorded with the Recorder of Deeds of lots or tracts of land in the Lake Lotawana Subdivision shall be members of this Association, herein referred to as "Owner/Member". On payment of all maintenance assessed against all property owned by an Owner/Member in said Subdivision, such Owner/Member shall become an Active Owner/Member.

Only Active Owner/Members shall exercise the rights and powers of membership, which include but are not limited to the right to hold Directorship and/or the right to vote for the Director of the Section in which he or she is a Member.

In the event an Owner/Member owns more than one lot or tract of land, in the said Subdivision, he or she shall designate the lot or tract of land from which he or she is to be a Member.

In the event a lot or tract of land is owned by a minor or person under legal disability, the guardian of such person may designate one person to be the Member.

In the event a lot or tract of land is owned by a business entity, its Board of Directors may designate one person to be the Member.

In the event a lot or tract of land in said Subdivision is being purchased under 'Contract for Deed' or other installment contract where the legal and equitable title is severed then the recorded owner shall designate which is the Member.

In the event a lot or tract of land is held in trust, the Trustee of such trusts may designate one person to be the Member.

All designations for representation as members shall be submitted to the elected Secretary in writing between the time of purchase and the close of business on December 31. Such designations as required by this article must:

1) fully describe the ownership interest of each party and entity involved with the lot or tract, 2) contain authorized signatures of the parties or entities and 3) designate the Member.

Such designation shall remain on permanent record until such time as instructions are received in writing to change the designed.

Membership shall end when the Member does not own a lot or tract of land in said Subdivision.

ARTICLE II: MEMBERSHIP MEETING

Section 1. An Annual Meeting of the Owner/Members shall be held each year.

The purpose of such meeting shall be to inform the Membership of the accomplishments during the past year and the plans and goals for the next year; present a complete statement of the Association's financial condition; present any proposed changes to the By-Laws for vote by the Membership; conduct the election of Directors in the election years and permit the Membership to express their concerns and opinions to the Board of Directors.

Section 2. The annual meeting of the Owner/Members of the Association shall be held on the second Tuesday in the following March of each year and shall be called by notice in writing, mailed at least ten days prior to the date of the meeting, to each Member at his last known place of residence or business, unless a change of address is given by such Member to the Secretary of the Association, in which case such notice shall be sent to the address so given.

This meeting shall be held at a place designated by the Board of Directors.

Section 3. Special meetings of the Owner/Members shall be called by the Board of Directors in like manner after five days notice, but the call for any such special meeting shall designate the purpose of the meeting.

Section 4. Notices specified in this article for Owner/Members need to be given only to Owner/Members as such on the books of the Association as of the close of business on December 31 prior to the annual meeting and all said notices will be accompanied by an Owner/Member voting validation certificate to be used at such meetings to verify the right to vote as a Member representing a lot or tract of land.

Section 5. At any meeting of the Owner/Members, fifty (50) Owner/Members shall constitute a quorum for the transaction of business properly brought before it, and it will be necessary for a majority of the quorum to vote for any resolution or proposition before the same may be declared elected or adopted.

Section 6. If for want of a quorum or any other cause, the annual Owner/Member's meeting shall not be held on the day above named, or should the Owner/Member's fail to complete an election of Directors, or such other business as may be presented for their consideration, those present may adjourn from day-to-day until the same can be accomplished.

Section 7. At all Association Owner/Member' meetings, each Owner/Member must vote in person, by approved absentee ballot, or approved proxy as set forth by the Rules and Regulations.

In all proceedings of the Owner/members' meetings each Owner/Member shall have one vote.

The method of voting shall be by voice or hand count as determined by the presiding officer, unless the Owner/Members present, by a majority show of hands, request to vote by written ballot, roll call or any other method on any single issue.

ARTICLE III: BOARD OF DIRECTORS

Section 1. The corporate powers of this Association shall be vested in a Board of Directors, consisting of thirty-seven (37) elected Directors, one from each Section of the Subdivision, all of whom shall be active Owner/Members of the Association and be elected as provided herein. Members convicted of any felony or more serious crime shall not qualify to serve as Director.

Section 2. All Directors shall be elected by a ballot, as herein provided, to serve a period of two years starting the second Tuesday in April following the election.

However, reasonable assurance of continuity of programs, policies, etc., in progress at any given time, requires approximately one-half of the Board of Directors to be elected each year. Implementation of this change will commence at the 1992 Annual Meeting, which takes place on the second Tuesday in March 1993. At this time the Directors for all odd numbered Sections will be elected to serve a period of one (1) year and the Directors for all even numbered Sections will be elected to serve a period of two (2) years. Thereafter, beginning the second Tuesday in March 1994, the Directors of all odd numbered Sections will be elected for a period of two (2) years, and on the second Tuesday in March 1995,

the Directors for all the even numbered Sections will be elected for a period of two (2) years.

NOTE: The following schedule for electing Directors for the years 1991, 1992, 1993 and 1994 is included for information only.

The 1990 Annual Meeting takes place March 5, 1991, at which time all Sections elect Directors for a two (2) year term, to begin on the second Tuesday in April 1991, and end on the second Tuesday in April 1993.

The 1991 Annual Meeting, which takes place on the second Tuesday in March 1992, will not include an election of Directors.

The 1992 Annual Meeting, which takes place on the second Tuesday in March 1993, will include an election of Directors for odd numbered Sections to serve one (1) year, beginning the second Tuesday in April 1993 and ending in two (2) years, beginning the second Tuesday of April 1993 and ending the second Tuesday in April 1995.

The 1993 Annual Meeting, which takes place on the second Tuesday in March 1994, will include an election of Directors for even numbered Sections to serve for two (2) years, beginning the second Tuesday in April 1994 and ending the second Tuesday in April 1996.

The 1994 Annual Meeting, which takes place on the second Tuesday in March 1995, will include an election of Directors for odd numbered Sections to serve for two (2) years, beginning the second Tuesday in April 1995 and ending the second Tuesday in April 1997.

Section 3. Directors shall be elected in the following manner:

a. The Lake Lotawana Subdivision is divided into the following Sections, and each Section shall elect one Director to the Board of Directors:

- Section 1: Block A 6-45, A TR. A--F
- Section 2: Block A 1-5, A 46-51, B 1-16, B 43-51, B TR A
- Section 3: Block B 17-42, B TR. B & C, C 1-8, C 102-110
- Section 4: Block C 9-37, C 84-101
- Section 5: Block C 38-59, C 68-83, C TR. A--D
- Section 6: Block C 60-67, Blocks E and F, F TR. A1--3, F TR. B1--2, F TR. C
- Section 7: Block G 1-24, G 36-74, G TR. 1--5, G TR. 1-P, G TR. 5-P
- Section 8: Block G 25-35, G 75-79, I TR. A--F, Block J, I 1-8, I 31-37
- Section 9: Block H 1-5, H 96-101, H TR A, I 9-30, I 38-70
- Section 10: Block H 6-28, H 81-95, H 107-114
- Section 11: Block H 29-80, H 102-106
- Section 12: Block T 70-76, T 133, U, Wallace Reserve (WR)
- Section 13: Block T 50-69, T 77, T 134-150, T 151-182, T TR. A-B & E-F

Section 14: Block T 12-49, TL 4-18
 Section 15: Block T 1-11, T 93-132, TL 19-30
 Section 16: Block S 51-88, T 78-92, SA 11-12
 Section 17: Block S 7-50, SA 1--10, SG 5--8
 Section 18: Block S 1-6, SG 1--4, R 79-103
 Section 19: Block R 32-78, R 132--140, R 201--202, R TR. 1 & 3
 Section 20: Block R 1-31, R 104--121
 Section 21: Block K 1-21, K 22--24, K 25-32, L 1-17, L 116-122, L 129-131
 Section 22: Block L 18-46, L 123-128, L 132-143
 Section 23: Block L 47-82, L 144-154, L 200-217, L TR. A & C--F
 Section 24: Block L 83-115, L 218-237, L TR. B, M 1-4, M 74-76
 Section 25: Block M 5-39, M 77-126, M TR A & B
 Section 26: Block M 40-73, M 127-153
 Section 27: Block N 1-26, N 68-74
 Section 28: Block N 27-67, N 75-82, N TR. A & B
 Section 29: Block O, O TR. A & B, P 4-26, P 98-119, P TR. B--E
 Section 30: Block P 1-3, P 95-97, V 23-24, V 35-79, V TR. A
 Section 31: Block V 1-22, V 25-34, W 33-36, W 69-72
 Section 32: Block W 5-32, W 37-68, W TR. A--C
 Section 33: Block W 1-4, X 12-32, X 40-61, X TR A--E
 Section 34: Block X 1-11, X 33-39, Y 26-37, Y 68-80, Y TR. A & B
 Section 35: Block Y 1-25, Y 38-67, Z 45-68
 Section 36: Block Z 22-44, Z 69-93
 Section 37: Block Z 1-21, Z 94-107, Z TR. A--C

The above Sections shall include any tracts of land in the Subdivision immediately behind any section.

- b. The Membership books of the Association shall be closed as of the close of business on December 31 before the Annual Meeting for the purpose of compiling the list of active Owner/Members entitled to be included on the ballots for Directors and to vote such ballots.

Thirty (30) days before the Annual Meeting of the Association, held on the second Tuesday in March of each election year, the Secretary shall mail a ballot printed on suitable paper to each active Owner/Member of the Association in those Sections electing Directors and who are entitled to vote, consisting of a list of the active Owner/Members of the Association registered as such in the Section in which such active Owner/Members are registered as an Owner/Member of the Association entitled to be included on the ballot for Director, together with a return envelope [which envelope the active Owner/Member shall sign on the outside in a space provided for the purpose (1) his or her signature, (2) his or her mailing address, (3) the lot number from which he or she is an active Owner/Member], for the purpose of identifying the ballot as official, [and only ballots so enclosed in

envelopes so signed shall be received as official ballots], addressed to the Secretary.

Only active Owner/Members as of the close of business on December 31 before the Annual Meeting shall be entitled to vote or be included in the ballot.

Each active Owner/Member may vote for the Director to be elected in the Section from which such Owner/Member is so registered by marking an "X" on the ballot in front of the name of the active Owner/Member for whom he or she wishes to vote and mailing the ballot in such envelope to the Secretary.

All votes to be counted must be on such a ballot, placed in such envelope and must reach the Secretary before the close of business of the day preceding the said Annual Meeting.

Only ballots so received by that time shall be received as official ballots.

The Secretary shall place such returned envelopes in a secure place and the seal on such envelopes shall not be broken until the judges appointed at the Annual Meeting break such seals and open the envelopes.

At the Annual Meeting, the Board of Directors upon recommendation of the Nominating/Credentials Committee shall appoint eight judges of election.

The returned envelopes shall be separated into four (4) groups.

Each group of envelopes shall be opened at the Owner/Member Meeting by a team of two (2) judges who shall determine the validity of each ballot by comparing the name and address on each envelope with a list of qualified voters from that district.

Their judgment shall be final.

The judges shall count votes only from districts other than the district in which he or she is qualified to vote.

The ballots shall then be counted.

The Director to be elected from each Section must be registered from that Section.

The active Owner/Member receiving the largest number of votes for Director from each Section shall be elected the Director from that Section.

In the event of a tie vote in any Section, the Secretary shall send a notice of such tie to each active Owner/Member of the Association registered in such

Section, by letter deposited within five days after the election in the United States Mail in a properly stamped envelope addressed to such active Owner/Member at the address of the active Owner/Member shown on the books of the Association.

The active Owner/Member in that Section shall have fifteen (15) days after the mailing of such notice to nominate an active Owner/Member of that Section as the Director from such Section, by a petition signed by such active Owner/Member and delivered to the Secretary of the Association within that period.

The active Owner/Member so nominated, or in the event of more than one nominating petition, the active Owner/member who is nominated by a majority of active Owner/Member signing all such nominating petitions, shall be notified by the Secretary to attend the next meeting of the Board of Directors of the Association and the Board of Directors at such meeting shall designate such active Owner/Member as the Director for such Section for the balance of the term.

If no nominating petitions are received by the Secretary from the active Owner/Member of such Section within fifteen (15) days after the mailing of such notice, or no active Owner/Member receives a majority in the nominating petitions received, the Board of Directors at their next meeting, after receiving the recommendations of the Nominating and Credentials Committee, shall appoint an active Owner/Member from that Section as Director for the balance of the term.

Section 4. Vacancies in the Board of Directors shall be caused by resignation or death of a Director, by a Director ceasing to be a property owner in the Section from which the Director is elected, by a Director failing to qualify and serve as set forth in the By-Laws, by the failure of the Director elected to fulfill the requirements for becoming an active Owner/Member of the Association or by the failure of a Director to attend two consecutive meetings without an acceptable excuse presented to the Secretary prior to the second meeting missed.

Section 5. Vacancies in the Board of Directors of the Association caused as set forth above shall be filled at the next meeting of such Board by that Board appointing an active Owner/Member, after receiving the recommendation of the Nominating & Credentials Committee, to serve as Director from that Section for the balance of the term.

Section 6. A member of the Board of Directors will be subject to recall by referendum upon a petition signed by not less than 20% of the active Owner/Member of the Association in the Section from which such Director was elected and be recalled by a majority vote of all active Owner/Member of the Association in that Section.

Such vote shall be taken by ballots sent by mail from and to the Secretary.

Section 7. It shall be necessary for a Director when elected or appointed to attend one meeting of the Board of Directors by or before the third meeting of the Board of Directors held after he or she is elected or appointed, before he or she shall be considered qualified and serving.

Section 8. All ballots cast and petitions submitted during the election of Directors shall be placed in a locked box and retained at the office of the Association by the elected Secretary for a period of ninety days following said election.

Section 9. Any member who is elected to, or holds the office of any elected position of the City of Lake Lotawana, Missouri shall be disqualified from the office of Director of the Lake Lotawana Association, Inc. (added 2007)

ARTICLE IV: RESPONSIBILITIES AND DUTIES OF DIRECTORS

Section 1. The Directors shall conduct, manage and control the affairs and business of the corporation, and shall make all necessary rules and regulations, not inconsistent with the laws of the State of Missouri, for the guidance of its officers and the management of the affairs of the corporation.

They shall cause to be kept a complete record of all their minutes and acts, and of the proceedings of the Board of Directors, and they shall present a complete statement at the regular Annual Meeting of the Owner/Members, showing in detail the assets and liabilities of the corporation, and the condition in general of its affairs.

They shall appoint and remove at will all agents, servants and employees of the corporation, prescribe their responsibilities, fix their compensation, and require of them security and/or bonding for faithful service whenever they shall, in the exercise of their discretion, believe the same necessary.

The Directors shall have and exercise such other responsibilities as are set forth in these By-Laws.

Section 2. Additional Board Authority. The Board of Directors shall have the authority to:

- a. collect assessments as required;
- b. establish and collect use fees, such as boat licenses etc.;
- c. make rules and regulations covering 1) the operation of the lake and the common areas within the Subdivision, 2) the conduct of the Owner/Members on common areas, 3) the construction of dwellings, boathouses, seawalls, dock, and other common area improvements;
- d. process property waivers.

Section 3. The regular meeting of the Board of Directors shall be held on the second Tuesday of each month. In the event a meeting shall fall on a holiday or a day immediately preceding or following a holiday, said meeting shall be postponed one week.

The schedule of meeting dates shall be given to each Director by the Secretary upon election or appointment.

Section 4. The first meeting of the Board of Directors following the biennial election shall be held on the second Tuesday in April and the Secretary shall give notice of the time and place of such meeting by letter mailed to the Directors elected.

The Board of Directors at such meeting shall fill vacancies in the Board caused by ties in the voting at the election, and shall select the President, Vice-President, Secretary, Treasurer, Sergeant-At-Arms and Chairpersons of the following committees for the following year to wit: Ways and Means Committee, Rules and Regulations Committee, Roads Committee, and Environment and Water Quality Committee.

Section 5. The President or any three of the Directors may call a special meeting of the Directors at any time, and notice shall be given of such called meetings by depositing in the United States Post Office, a written or printed notice thereof, with the postage thereon prepaid, addressed to each Director at the last address left with the Secretary, at least two days before the time of the meeting or by serving personally such notice on each Director one day before such meeting.

Section 6. At any meeting of the Board of Directors, 15 of the Directors elected, qualified and serving shall constitute a quorum for the transaction of any business properly brought before it.

Section 7. At all Directors meetings, each Director must vote in person.

All voting shall be by voice or hand count as determined by the presiding officer, unless one third of the Directors present, by a majority show of hands, request to vote by roll call, written ballot or any other method on any single issue.

Matters of personnel, election of officers, and/or appointment of Directors to be by secret ballot, unless waived by unanimous consent.

ARTICLE V: OFFICERS

Section 1. The officers of the corporation shall be a President, Vice-President, Secretary, Treasurer and Sergeant-At-Arms, which officers shall be elected by and hold office at the will of the Board of Directors.

The tenure of office of all officers of the corporation shall be for one year, with the election of officers to be held at the regular meeting of the Board of Directors in April.

The President, Vice-President, Secretary, Treasurer, and Sergeant-At-Arms must be Directors.

Section 2. The President shall preside over all meetings of the Owner/Members and Directors, shall sign all instruments of writing to be executed by the corporation, and as may be directed by the Board of Directors, and he or she shall perform such other duties as are usually performed by the chief executive officer of a corporation, or as may be conferred upon him or her by the Board of Directors, but his or her authority shall be at all times subject to the control and direction of the Board of Directors.

Section 3. The President shall also receive the recommendations and instructions of the chairpersons of the various standing committees and shall transmit the same to the chairpersons of other standing committees or to the maintenance crews of the Association, as may be necessary, and shall to the best of his or her ability coordinate the instructions and work of the various committees and Association employees so as to obtain the greatest efficiency and economy in carrying on the business of the Association.

Section 4. The Vice-President shall have all the authority and perform all of the responsibilities of the President in case of death, acceptable absence as determined by the Board of Directors, or inability of the President to serve.

He or she shall supervise the judges at the biennial election of Directors.

Section 5. The Secretary shall keep a record of the proceedings of the Board of Directors meeting and of the Owner/Members meetings.

He or she shall keep the corporate seal and records of the corporation.

He or she shall serve all notices required either by law or by the By-Laws of the corporation, but in case of his or her absence, inability, refusal or failure to do so, then such notices may be served by any person so directed by the President or in his absence as stated in Section 4, the Vice-President of the corporation.

Section 6. The Treasurer shall be responsible for the proper handling of all moneys due and belonging to the Association and deposit such monies in a bank or banks as the Board of Directors may direct. The Treasurer shall be responsible for and make disbursements of all funds of the corporation subject to the check of such officers, as the Board of Directors shall designate.

The Treasurer shall report to the Board of Directors at all of its regular meetings in written form and at such other times as may be requested by the Board of Directors, the condition of the Associations finances and any other matter required by the Board of Directors.

The Treasurer will insure that the financial records of the Association are prepared in accordance with generally accepted accounting principals on a basis consistent with prior years.

The Treasurer shall be required to furnish a fidelity bond to the Association in such amount as shall from time to time be determined by the Board of Directors, the premium of which shall be paid out of the Association's treasury.

Section 7. The Sergeant-At-Arms shall maintain order and act as parliamentarian at all meetings, and shall rule on all procedural questions according to the current Roberts' Rules of Order. In the event of his or her absence he or she shall arrange for a substitute parliamentarian.

By virtue of his or her office he or she shall be a member of the Document Committee.

Section 8. Officers and committee Chairpersons shall not receive any salary or compensation for their services.

ARTICLE VI: EXECUTIVE COMMITTEE

Section 1. Basic responsibilities of the Executive Committee shall be (a) Prepare agenda for Board of Directors meetings; (b) Pay invoices as set forth in specific duties below; (c) Coordinate all activities concerning function of the Association.

Section 2. Members: The five (5) elective officers, together with the chairpersons of the standing committees, all of which shall be elected Directors, shall constitute the Executive Committee.

The election of officers and appointment of chairpersons of the four standing committees takes place the second Tuesday in April at the Board of directors meeting.

Their tenure of office is one year.

Section 3. Meetings: A minimum of one monthly meeting prior to the Board of Directors meeting plus any other meetings, all subject to call by the President.

Five (5) members will constitute a quorum.

Section 4. The Secretary shall keep minutes of the business transacted at the Executive Committee meeting and shall read the same for corrections and approval of those attending said meeting and, upon affirmation of correctness, should present such minutes to the Board of Directors for their action.

Section 5. Authority to pay bills shall be limited to bills carrying a discount for early payment, which would otherwise be forfeited if held for payment on approval at the Board of Directors meeting, and any other bills not exceeding the limit set by the Board of Directors from time to time.

Section 6. Settle all disputes between Owner/Members and chairpersons of the standing committees.

Section 7. Conduct such business as might rightfully come before it and consistent with the conduct, management and control of the affairs and business of the corporation, so long as any action taken shall meet the approval of the Board of Directors at the following regular meeting.

ARTICLE VII: STANDING COMMITTEES AND STANDING BOARDS

Section 1. The Association may establish Standing Committees and Standing Boards as the Board of Directors may deem advisable.

a. The Standing Committees hereby established are as follows:

1. Ways and Means Committee
2. Road Committee
3. Environment and Water Quality Committee
4. Rules and Regulations Committee

b. The Standing Boards hereby established are as follows:

1. Water Use Enforcement Board
2. Lake Improvement Board

c. The Board of Directors shall appoint all members of any Standing Committee or Standing Board. The Board of Directors may, upon majority vote, remove any member from any Standing Committee or Standing Board for any reason.

d. A committee member or board member shall automatically be removed, without further action, from serving on a Standing Committee or Standing Board in the event of any of the following:

1. Three or more unexcused absences from regular committee or board meetings, as allowed by the Committee or Board;
2. Institution of any litigation against the Association;
3. Termination of a member's membership in the Association;
4. Failure to keep current in Association dues.

(Section 1 added 2008)

Section 2. The Chairperson of the above-named committees shall automatically become members, during the current year, of the same committee of which they chaired the previous year, provided they are an elected Director.

Section 3. Ways and Means Committee: The basic responsibilities of the Ways and Means Committee shall be: (a) Supervise the finances of the Association; (b) Prepare and present to the Board of Directors a budget of expenditures for the forthcoming year; (c) Supervise the operation of the Association office; (d) Supervise procurement and maintenance of all equipment and supplies; (e) Review and submit recommendations concerning check writing procedures; (f) Periodically review and evaluate all insurance coverage and make necessary recommendations. The members shall consist of the Chairperson (Director), the Treasurer, the past year's Chairperson (if applicable), and the Accounting Committee Chairperson.

The Board of Directors shall appoint the Chairperson and committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the committee. The Annual Report shall be a brief summary of the year's activities and goals attained as well as suggestions and goal for next year's achievement, all in written form.

Section 4. Road Committee. The basic responsibilities of the Road Committee shall be the supervision of the maintenance and construction pertaining to the following: (a) All roads in the Subdivision; (b) Dam and spillway; (c) Launch ramp & gate entrances; (d) Repair & maintenance of equipment; (e) Lake related activities, such as, placement of cove markers,

removal and demolition of non-functional docks, removal of navigational hazards and shoreline debris.

The members shall consist of a Chairperson (Director), the past year's Chairperson (if applicable), one Director from the East Side (dam South through Block O), one Director from the North Side (dam West to Gate #3 at 7 Highway), one Director from the West Side (Gate #3 at 7 Highway to K-9), and one Director from the South Side (K-9 South through N Block).

The Board of Directors shall appoint the Chairperson and committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief Written minutes of such meetings shall be presented to the Board of Directors as the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the committee.

The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 5. Rules and Regulations Committee: The basic responsibilities of the Rules and Regulations Committee shall be: (a) Oversee all matters pertaining to the enforcement of the rules and regulations of the Association; (b) Supervise the issuance of all licenses, permits and privileges; (c) Submit to the Board of Directors for approval such rules and regulations deemed necessary for the guidance of the officers and employees; (d) Support the Water Use Board and Lake Improvement Board Activities; (e) Provide appropriate representation at court proceedings involving rules and regulation violations.

The members shall consist of the Chairperson, past year Chairperson (if applicable), the Document Committee Chairperson, the Legal Committee Chairperson, and the Water Patrol Chairperson.

The Board of Directors shall appoint the Chairperson and committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following the monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 6. Environment & Water Quality Committee: The basic responsibilities of the Environment & Water Quality Committee shall be to formulate and recommend solutions pertaining to the following: (a) Silt management control and removal; (b) Weed control measures (for example, grass carp and chemical); (c) Coordination of the monitoring of water contamination of the Lake in liaison with current responsible authority; (d) Parkway beautification, air and noise pollution within the Subdivision; (e) fisheries and water wildlife; (f) Develop plans, work with contractors, engineers or consultants as requested by the Board of Directors for projects related to the other responsibilities.

The members shall consist of Chairperson (Director), the past year's Chairperson (if applicable), plus two additional active Owner/Members.

The board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 7. Water Use Enforcement Board: This board shall be composed of five active Owner/Members of which at least two shall be Directors. Two alternate board members shall be appointed to serve in case of absences.

The Board of Directors shall appoint the Chairperson and Board Members at the May meeting of the Board of Directors and they shall serve for a term of two years, beginning and ending at the respective May meetings.

Successive terms may be served if appointed.

The basic responsibilities shall be: (a) To meet in accordance with the Rules of the Association; (b) To develop and recommend rules for approval of the Board of Directors; (c) To hear disputes concerning citations issued pursuant to the water use regulations; (d) Render decisions; (e) Notify owners of suspension.

A quorum shall be four (4) Members of this Board.

A minimum of seventy-five percent (75%) of the members present must cast a yes vote for any decision before this board to pass.

Appeals to the decisions of this Board may be requested in writing to the Board of Directors. The Board of Directors will then inform the applicant of the Board's decision to hear or not hear the appeal.

Section 8. Lake Improvement Board: This board shall be composed of five active Owner/Members of which at least two shall be Directors. Two alternate members shall be appointed to serve in case of absences.

The Board of Directors shall appoint the Chairperson and Board Members at the May meeting of the Board of Directors and they shall serve for a term of two years beginning and ending at the respective May meetings.

Successive terms may be served if appointed.

The basic responsibilities shall be: (a) To develop and recommend procedures for approval by the Board of Directors involving the basic responsibilities of this Board; (b) To hear appeals of rejected applications; (c) To supervise the issuance of permits to make or remove any improvements on the Lake, The common Areas or other properties owned by the Association as provided by Article IV Section 2C.3; (d) To render decisions; (e) To notify applicants of decisions.

A quorum shall be four (4) Members of this Board.

A minimum of seventy-five percent (75%) of the members present must cast a yes vote for any decision before this board to pass.

Appeals to the decisions of this Board may be requested in writing to the Board of Directors. The Board of Directors will then inform the applicant of the Board's decision to hear or not hear the appeal.

ARTICLE VIII: SUPPORT COMMITTEES

Section 1. The Supporting Committees and the Standing Committees which they shall augment are as follows:

Ways and Means Committee; Accounting Committee.

Road Committee; None.

Rules and Regulations Committee; Water Patrol Committee, Document Committee, Legal Committee.

Environment & Water Quality Committee, Fisheries and Wildlife.

Any member who is elected to, or holds the office of any elected position of the City of Lake Lotawana, Missouri shall be disqualified from sitting on any committee of the Lake Lotawana Association, Inc. (added 2007)

Section 2. Accounting Committee: Basic responsibilities are: (a) Provide support to the Treasurer and the Ways and Means Committee; (b) Supervise accounting procedures of all Association funds; (c) Arrange for an annual audit, and present results to the Board of Directors; (d) Review check writing procedures as needed.

The Board of Directors shall appoint the Chairperson and Committee at the April Meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 3. Water Patrol Committee: Basic responsibilities shall be: (a) Water Use Safety and Security; (b) Make recommendations for the control and enforcement of all boats and water craft launching to and from the Lake; (c) Interview and secure responsible Lake Patrol Officers to maintain and enforce all rules and regulations pertaining to water safety on the Lake, all subject to the approval of the Board of Directors.

The Members shall consist of a Chairperson (active Owner/Member), past year's Chairperson (if applicable), plus two Active Owner/Members.

The Board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 4. Document Committee: Basic responsibilities shall be to review and make recommendations for the update and renewal, as needed, of the following documents: (a) Deed Restrictions; (b) Bylaws.

The members shall consist of a Chairperson (active Owner/Member), past year's Chairperson (if applicable), Sergeant-At-Arms, and Chairperson of Legal Committee. The Board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

Section 5. Legal Committee: Basic responsibilities shall be to: (a) Research and advise on all legal matters which affect the operation of the Association; (b) Maintain status of any ongoing legal actions; (c) Support legal proceedings as necessary.

The members shall consist of a Chairperson (active Owner/Member), past year's Chairperson (if applicable), plus two additional Members.

The Board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

ARTICLE IX: SUPPORT COMMITTEE FOR EXECUTIVE COMMITTEE

Section 1. The Communications and Public Awareness Committee shall augment the Executive Committee.

Section 2. Communications and Public Awareness Committee: Basic responsibilities shall be to: (a) Research and make recommendations on communicating activities of the Association to the Owner/Members; (b) Set up a Telephone Committee to notify Directors of emergency meetings and/or cancellations and changes; (c) Conduct an ongoing awareness program of the relationship of City and Association.

The Board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meetings shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be prepared by the Committee. The Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

ARTICLE X: SUPPORT COMMITTEE FOR BOARD OF DIRECTORS

Section 1. Nominating and Credentials Committee shall augment the Board of Directors.

Section 2. Nominating and Credentials Committee: Basic responsibilities shall be to: (a) Determine eligibility of Owner/Members to vote, hold Directorship, and hold office; (b) Make appropriate search for qualified active Owner/Members to fill Director vacancies; (c) Present a slate of qualified and willing candidates for election of officers at April Board of Directors meeting; (d) Make recommendations for qualified and willing Chairpersons of various Committees and Boards; (e) Recommend qualified election judges for Board of Directors biennial election; (f) Make recommendations for awards and recognition for outstanding service.

The members shall consist of a Chairperson (Director), past year's Chairperson (if applicable), plus two active Owner/Members.

The Board of Directors shall appoint the Chairperson and Committee at the April meeting of the Board of Directors and they shall serve for a period of one year.

Meetings shall be held as required by the Chairperson to meet the needs of the Association.

Brief written minutes of such meeting shall be presented to the Board of Directors at the following monthly meeting and shall be retained by the Association Secretary and become a part of permanent file.

An Annual Report shall be a brief summary of year's activities and goals attained as well as suggestions and goals for next year's achievement, all in written form.

ARTICLE XI: SEAL

Section 1. The Corporation shall have a common seal, of which the following is correct impression.

ARTICLE XII: BY-LAW CHANGES

Section 1. These By-Laws may be repealed, or amended, or new By-Laws may be adopted, at any annual or special meeting of the Owner/Members, by a vote of two-thirds of the Members of the Association present at any such meetings, provided there is a quorum at the time of the vote.

Such proposed changes to these By-Laws shall only be properly brought before the Members by the majority vote of the Board of Directors qualified and serving at the time of the proposed change.

ARTICLE XIII

Section 1. Section 2 of this article may not be changed as it is included for reference only.

Section 2. As ordered by the Jackson County Circuit Court:

“2. An equitable assessment is imposed on each property and property owner at Lake Lotawana, for purposes of maintenance and improvement of the common areas at Lake Lotawana. The assessment will be set on an annual basis as follows:

(a) The Board of Directors of the Association will annually propose a budget to the general Membership at its October meeting. This budget will include an assessment per lot owner and per residence.

(b) A public meeting will after will after written notice to all lot owners, be held in November of each year to approve or reject the budget. Fifty lots will constitute a quorum; a majority of those lots present may approve any budget. Each lot is entitled to one vote. In the event a budget is not approved, the preceding year's budget will stay in effect until a new one is approved. Once approved, this assessment will constitute a legal obligation of each property owner, due January 1st or the following year (delinquent March 1st), that the Association may enforce by process of law. These assessments, however, will be subordinate to any mortgages or Deed of Trust on said property.

3. . . . [not relevant]

4. The assessment is for maintenance of the common areas. The Board of Directors may seek additional monies in addition to the annual assessment for purposes of capital improvement or emergencies as the Board deems necessary. In order to impose such assessment, the Board must first propose and adopt a budget for such additional expenditures. Subsequently, a public meeting, upon due notice as previously specified, will be held subject to the same quorum and voting requirements. Once approved at the public meeting, such special assessments may be enforced by process of law by the Association. These special assessments are subordinate to any mortgages or Deed of Trust on said property.
5. Assessments will be allocated on the basis of a flat fee per lot, plus an additional amount for residences. The initial ratio of charges for lots to improvements is 1 to 4, but this ratio may be adjusted by the Board and Association Membership via the assessment procedure described above.
6. Membership is open to any person who is a lot owner at Lake Lotawana.”

Section 3. Association Member accounts delinquent for a period of more than 60 days will be assessed an interest charge at a legal interest rate.

Section 4. The deadline for accepting absentee ballots at the Association Office will be at the close of business on the last regular business day before any Budget Assessment Meeting.