

**BY-LAWS
OF
LAUREL RIDGE HOMEOWNER'S ASSOCIATION, INC.
TABLE OF CONTENTS**

I.	The Corporation	2	VIII.	Duties of Officers and Directors	9
	1. Name	2		1. President	9
	2. Objectives	2		2. Vice-President	9
II.	Membership	2		3. Treasurer	9
	1. Members	2		4. Secretary	9
	2. Vote	2		5. Member-at-Large	9
III.	Notices	2	IX.	Powers of Board of Directors	9
	1. Notices	2		1. General	9
	2. Notice Materials	2		2. Assessments	10
IV.	Assessments	2		3. Capital Improvements	10
	1. Annual Assessment	2		4. Covenants and Restrictions	10
	2. Special Assessments	2		5. Rules of Conduct	10
	3. Default	3		6. Meeting Times and Dates	10
	4. Delinquency	3	X.	Committees	11
V.	Establishment of Officers and Board of Directors	3		1. Standing Committees	11
	1. Officers	3		2. Other Committees	12
	2. Officers as Directors	3	XI.	Complaints and Appeals	13
	3. Member-at-Large	3		1. Who May File	13
VI.	Meetings	3		2. Processing	13
	1. Specific Location	3		3. Appeals	13
	2. Rules for Conducting	3		4. Special Case: Parking	13
	3. Annual Meeting	3/4	XII.	Compensation for Service	14
	4. Special Meetings	4	XIII.	Liability of Officers	14
	5. Session Limitation	4	XIV.	Corporate Business Records	14
	6. Quorum	4	XV.	Amendments to By-laws	15
	7. Lack of a Quorum	4			
	8. Proxy	5			
VII.	Election of Officers and Directors	5			
	1. Nomination/Election Committee	5			
	2. Nomination of Candidates	6			
	3. Ballots	6			
	4. Election	6/7			
	5. Term of Office	8			
	6. Vacancies	8			
	7. Removal	8			

**BY-LAWS
OF LAUREL RIDGE HOMEOWNER'S ASSOCIATION, INC.**

**ARTICLE I
THE CORPORATION**

Section 1. **NAME** This Corporation shall be known as the "Laurel Ridge Homeowner's Association, Inc.", hereinafter the "Association".

Section 2. **OBJECTIVES** Article III of the Articles of Incorporation of Laurel Ridge Homeowner's Association, Inc., hereinafter called "the Articles of Incorporation", specifies the objectives of the Association.

**ARTICLE II
MEMBERSHIP**

Section 1. **MEMBERS** Each owner of a lot in Laurel Ridge Subdivision, whether individual, joint or common owner, shall be a member of the Association.

Section 2. **VOTE** As provided in Article VIII of the Articles of Incorporation, each lot in Laurel Ridge Subdivision, whether owned individually, jointly or in common, shall have one vote, in person or by proxy, at any meeting of the Association. In these By-laws, the term "voter" shall refer to a lot within the Laurel Ridge Subdivision regardless of the number of owners of that lot.

**ARTICLE III
NOTICES**

Section 1. **NOTICES** The notices for all meetings of the Association shall state the time, place and agenda of the meeting. All notices to members shall be mailed to the current addresses as recorded on the books of the Association, at least fifteen (15) days prior to the meeting date. That mailing shall constitute presumptive evidence of notice, as provided in Article IX, Section 2 of the Covenants and Restrictions.

Section 2. **NOTICE MATERIALS** Notice materials for annual meetings shall include all business items listed in Article VI, Section 3b of these By-laws. A proxy form for use as described in Article VI, Section 8 of these By-laws and absentee ballot(s) as described in Article VII, Section 3b shall be provided in each notice. If an election is being held, separate absentee ballots shall be provided for the election and for votes on other issues. Two envelopes shall be provided with these materials. One shall be unmarked and shall be sized to fit inside the second envelope. The second envelope shall be addressed to the chair of the Nominating/Election Committee, if the meeting includes and election, otherwise to the secretary. The voter's mailing address shall be the return address on this envelope.

**ARTICLE IV
ASSESSMENTS**

Section 1. **ANNUAL ASSESSMENT** The owner(s) of each lot shall pay to the Association an annual assessment in accordance with the provisions of Article V, Sections 1 and 5 of the Declaration of Covenants and Restrictions of Laurel Ridge Homeowner's Association, Inc., hereinafter referred to as the "Covenants and Restrictions".

Section 2. **SPECIAL ASSESSMENTS** The Association may levy a special assessment in any assessment year in accordance with Article V, Section 8 of the Covenants and Restrictions.

ARTICLE IV – ASSESSMENTS (Continued)

Section 3. **DEFAULT** If the annual assessment on a lot has not been paid by January 1 of the year in which it is due, the owner(s) of that lot shall be in default. If a special assessment is not paid within forty-five (45) days of the notice of the special assessment being mailed, the owner(s) of that lot shall be in default. Any homeowner who is in default shall not be eligible to cast a vote at any Association meeting. The Association may impose a late fee in accordance with Article V, Section 2 of the Covenants and Restrictions on any homeowner in default.

Section 4. **DELINQUENCY** If the annual assessment on a lot remains in default on February 1 of the year in which the annual assessment is due, the owner(s) of that lot shall be delinquent. If a special assessment on a lot remains in default sixty (60) days after the notice of a special assessment was mailed, the owner(s) of that lot shall be delinquent. Any homeowner who is delinquent shall not be eligible to cast a vote at any Association meeting. Additionally, the unpaid annual and/or special assessment, together with expenses and interest, shall become a lien upon the property as provided in Article V, Sections 2 and 6 of the Covenants and Restrictions. To remove a lien from a property, the homeowner shall satisfy the original lien and pay an administration fee equal to the cost of recording documents related to the lien, plus a fine of twenty-five dollars (\$25.00), as adjusted in accordance with Article IX, Section 1(b).

ARTICLE V **ESTABLISHMENT OF OFFICERS AND BOARD OF DIRECTORS**

Section 1. **OFFICERS** The officers of the Association shall consist of president, vice-president, treasurer and secretary.

Section 2. **OFFICERS AS DIRECTORS** The officers of the corporation shall also serve as four (4) of the five (5) members of the Board of Directors.

Section 3. **MEMBER-AT-LARGE** The fifth member of the Board of Directors shall be called the "Member-at-Large".

ARTICLE VI **MEETINGS**

Section 1. **SPECIFIC LOCATION** Meetings of the Association shall be held at a suitable place convenient to the members and such place shall be specified in the notice of the meeting.

Section 2. **RULES OF CONDUCT AT ALL ASSOCIATION MEETINGS** *Robert's Rules of Order Newly Revised* (10th Ed.) shall govern the conduct of the Association meetings when not in conflict with these By-laws.

Section 3. **ANNUAL MEETING** The Association's annual meeting shall be held on the second Monday of January in each year or at such other date as selected by the membership at a previous annual meeting.

a. **Order of Business** At all annual meetings of the Association, the order of business shall be:

- (1) Reading of Minutes of previous meeting for information and approval
- (2) Election of Officers and Directors
- (3) Unfinished Business
- (4) New Business
- (5) Reports of Officers
- (6) Reports of Committees

ARTICLE VI – MEETINGS (Continued)

- b. **New Business** Each annual meeting shall include but not be limited to (1) approval of the annual budget; (2) announcement of the annual assessment; (3) discussion and approval of special assessments, if any; and (4) discussion and approval of amendments to the Covenants and Restrictions or these By-laws, if any. A motion regarding new business issues may be discussed and debated, but an issue may be voted on only if it appears on the agenda for the meeting. Otherwise, voting shall be deferred to the next meeting.

Section 4. **SPECIAL MEETINGS** Special meetings of the Association may be called by the president, by direction to the president from a majority of the Board of Directors, or upon written petition to the president signed by a sufficient number of Association voters as described in a. and b. below. In the latter case, the petition shall first be submitted to the president, describing the issue(s) to be addressed at the special meeting. This description shall appear at the top of every page on which Association member signatures will appear. The following statement shall be provided at the bottom of every page. "The signature below of the president of the Laurel Ridge Homeowner's Association certifies that s/he has read this petition, but it does not imply the president's agreement or disagreement." This statement shall be signed and dated by the president on each page and returned to the petitioner not later than seven (7) days after its presentation. The petition may then be circulated to the membership to obtain signatures as specified immediately below. Homeowner signatures on any page that does not contain the president's signature, or on which the president's signature has been reproduced, shall not be counted for the purpose of meeting the number required. At any special meeting, only the business specified in the notice of meeting shall be considered.

- a. **First Special Meeting on Petition Issue(s)** For the first special meeting to address the issue(s) described in a petition, at least ten (10) signatures of Association voters who are not in default or delinquent shall be sufficient to require the president to call a special meeting.
- b. **Subsequent Special Meeting(s) on Previously Petitioned Issue(s)** In the event that a previous special meeting was adjourned for lack of a quorum, a petition identical the first, with a new date and presidential signature on each page, signed by twenty percent (20%) of the Association's eligible voters (WV Code 36B-3-108) not in default or delinquent shall be sufficient to require the president to call a subsequent special meeting to address the same issue(s).

If the required number of signatures are presented, the president shall schedule the special meeting to be held no earlier than fifteen (15) days, nor later than forty-five (45) days following receipt of the petition.

Section 5. **SESSION LIMITATION** No meeting may be continued to another session at a later time. If business cannot be completed at a meeting, the presiding officer shall adjourn the meeting and call a special meeting in accordance with Article V, Section 2 of these By-laws to complete the unfinished business.

Section 6. **QUORUM** In accordance with Article XI of the Articles of Incorporation, the quorum required to conduct business at any meeting of the Association, whether annual or special, shall consist of at least sixty percent (60%) of the eligible voters, represented either in person or by proxy. However, West Virginia law (WV Code 36B-3-103(c)) specifies that unless a majority of all voters reject an annual budget, the budget is ratified whether or not a quorum is present for the meeting. If a proposed budget is rejected, then the last approved budget shall continue until a new budget is approved.

Section 7. **LACK OF A QUORUM** In accordance with Article XI of the Articles of Incorporation, if a quorum is not present, the presiding officer may adjourn the meeting and call a new meeting for another day and hour, no earlier than fifteen (15) days, nor later than forty-five (45) days after the scheduled meeting. All absentee ballots related to an election shall be secured and retained unopened by the chair of the Nominating/Election Committee. All absentee ballots relating to business other than elections shall be secured and retained unopened by the Board of Directors. The required quorum for any subsequent meeting called by the presiding officer and related to the same subject as the previous meeting shall be one-half (1/2) of the required quorum at the previous meeting. The voters present at a duly called meeting at which a quorum was once present may continue to do business at the meeting, even if enough voters leave, that a quorum no longer exists (WV Code 36B-3-109).

ARTICLE VI – MEETINGS (Continued)

Section 8. **PROXY** These By-laws define a proxy as a document signed by one Laurel Ridge homeowner giving another Laurel Ridge homeowner the authority to perform either of the actions described in a. and b. below. A homeowner may not be designated on more than one proxy at a time. Also, if more than one proxy is received from the same lot within the Laurel Ridge Subdivision, the first proxy received shall be accepted and all other proxies from that lot shall be marked as “not accepted due to duplication”. A proxy shall be designated only on a form provided by the Association along with the notice of meeting described in Article III of these By-laws. The form may also be obtained on the Association web site (laurelridge.hoa.coventrygrp.com), or by contacting a member of the Board of Directors. It shall be either mailed by the homeowner or delivered in person by the proxy holder to the chair of the Nominating/Election Committee, if an election is being held; otherwise to the secretary, for verification before any meeting in which it is to be used. In accordance with (WV Code 36B-3-110), the proxy is not valid if it is not dated, and it terminates one year after the date it was signed, unless the homeowner specifies a shorter term. A proxy may be used only for one of the following purposes:

- a. **Carry the Homeowner's Vote** To vote by proxy, the voter must first indicate choices for candidates and/or issues on the absentee ballot(s) provided with the notice of meeting. The ballot(s) must be sealed in the unmarked envelope provided with the notice of meeting. The voter must then designate the proxy holder by filling out the proxy form provided with the notice of meeting.
 - (1.) If the voter wishes to have the proxy holder deliver the ballot(s) to the meeting, the voter must seal the unmarked envelope inside the envelope that has the voter's lot address in the return address space, and give the envelope *and the proxy form* to the proxy holder.
 - (2.) If the voter wishes to vote by mail, the chair of the Nominating/Election Committee must be designated as the proxy if an election is being conducted, otherwise the secretary as the proxy. The voter must seal the unmarked envelope with the ballot(s) *and the proxy form* inside the envelope with the voter's home address in the return address space. This envelope must then be mailed to the Association with required postage.
- b. **Establish a Quorum** The homeowner may designate a proxy simply to help provide the number of attendees necessary to establish a quorum. In this case, the homeowner shall check the appropriate line on the proxy form and deliver it to the proxy holder, or mail it to the committee chair, if an election is being held, otherwise to the secretary.

ARTICLE VII **ELECTION OF OFFICERS AND DIRECTOS**

Section 1. **NOMINATING/ELECTION COMMITTEE** At least four (4) months before the annual meeting, the Board of Directors shall appoint a Nominating/Election Committee of at least three (3) members of the Association not currently serving as a Director. The Nominating/Election Committee shall elect one of its members to chair the committee. The chair may recruit or accept additional members as needed. The first committee appointed after adoption of these By-laws shall establish a United States Postal Service (USPS) mailbox separate from the Association's regular mailbox to receive election materials mailed by voters. This mailbox shall be accessible only to the members of the Nominating/Election Committee. Both the chair and at least one other member of the committee shall be present each time materials are retrieved from this mailbox.

ARTICLE VII – ELECTION OF OFFICERS AND DIRECTORS (Continued)

Section 2. **NOMINATION OF CANDIDATES** The Nominating/Election Committee shall call for nominations of candidates in a notice mailed to each lot address. Any person may nominate himself/herself or any other person to candidacy for any position. Nominating forms should be accompanied by a statement of 50 words or less describing the nominee's qualifications. No person may be nominated to candidacy for any position if in default or delinquent, as defined in Article IV, Sections 3 and 4 of these By-laws. Nominations need not be seconded. The committee shall contact each nominee to verify willingness to serve in the position if elected. No person may be nominated to candidacy for more than one position at a time. If the same person is nominated for more than one position despite this provision, the committee shall ascertain which of the positions the nominee would prefer to hold if elected. If a member of the committee is nominated, that member shall resign, and the chair shall appoint a replacement.

- a. When all candidates are running unopposed, they will automatically be elected. This will negate holding the election.
- b. Only one homeowner from the same household will be eligible to serve on the Board.

Section 3. **BALLOTS** Two forms of ballots will be prepared for each annual election:

- a. The committee shall prepare an election ballot containing the names of all candidates, arranged in alphabetical order for each position. This election ballot shall be clearly marked for use only by attendees at the annual meeting. This ballot shall not be made available to any voter until the election is conducted.
- b. The committee shall also prepare an absentee ballot containing the names of all candidates, arranged in alphabetical order for each position. This absentee ballot shall be clearly marked for use only, if the voter will not attend the election meeting, and shall be accompanied by instructions to ensure that it will be prepared in accordance with Article VI, Section 8 of these By-laws. The absentee ballot shall be sent together with candidate statements and other materials described in Article III of these By-laws to all members at the current addresses recorded on the books of the Association at least fifteen (15) days prior to the meeting.

Section 4. **ELECTION** Officers and directors shall be elected by a majority of the votes cast in person or by proxy. Newly elected officers and directors shall assume the powers and duties of the position at the next Board of Directors' meeting, or thirty-one (31) days after the election, whichever occurs first.

- a. **Mailed Absentee Votes** If a voter wishes to vote by mail, the absentee ballot must be received at the special USPS mailbox not later than 5:00 p.m. on the day of the election. Ballots received after that time shall be marked as "not eligible for counting due to late arrival" and shall not be counted. At 5:00 p.m. on election day, the chair and at least one other member of the Nominating/Election Committee shall pick up all mailed voting materials from the mailbox. The envelopes shall be counted by both members and carried unopened by the chair to the meeting location prior to the election meeting, where the count of envelopes shall be verified.
- b. **Verification of Mailed Absentee Ballots** For each absentee ballot, the voter's name shall be validated prior to counting by referring to a list of eligible voters and marking the voter list appropriately. Absentee ballots submitted by ineligible voters shall be noted on the voter list and marked as "ineligible voter" and shall not be counted. Valid ballots shall be retained for subsequent counting.

ARTICLE VII – ELECTION OF OFFICERS AND DIRECTORS (Continued)

- c. **Verification of In Person Voter Eligibility** As Association members arrive for the meeting, the Nominating/Election Committee members shall verify eligibility of the members against the list of eligible voters. Any member may attend the meeting, whether eligible or ineligible to vote. If the member has not submitted a proxy, the lot address shall be marked present, and if eligible, the member shall receive a ballot marked “Election Ballot” to distinguish it from an absentee ballot, subject to the restriction of one vote per lot in the Subdivision. If the eligibility list indicates that a member has submitted an absentee ballot either by mail or by proxy holder delivery, the member shall have the option to revoke the absentee ballot and/or proxy and cast a vote in person. If this option is taken, the committee member shall locate the appropriate proxy envelope and mark it as “revoked by voter” in the presence of the voter. In addition to establishing their own eligibility, proxy holders shall present their proxy designations and deliver the absentee ballot(s), the proxy designator’s lot address shall be marked as present and the absentee vote set aside for later counting. If the lot address is already marked present, the member shall be located and given the option to revoke the absentee ballot and/or proxy. If the member does not revoke the proxy, the member shall be asked to surrender the Election Ballot. If the member declines to surrender the Election Ballot, the absentee ballot shall be marked as “not eligible for counting because voter is present and voting” and shall not be counted.
- d. **Verification of Quorum** After all members have checked in and received ballots, the Nominating/Election Committee chair and at least one other member of the committee shall calculate the total number of voters in person, by mailed absentee ballot, and by delivered proxy to determine whether a quorum has been achieved. If a quorum is not present, the chair shall inform the presiding officer, who shall proceed in accordance with Article VI, Section 7 of these By-laws. If a quorum is present, the presiding officer shall announce this fact and that the election may proceed.
- e. **Conduct of the Election** The members voting in person shall mark their ballots and deposit them in marked ballot boxes. Once voting is completed, the presiding officer shall continue with the meeting’s agenda while the Nominating/Election Committee counts the votes.
- f. **Preparation for Counting** Prior to counting the votes, the chair of the Nominating/Election Committee, observed by at least one other member of the committee, shall open each sealed outer envelope and remove and set aside the sealed inner envelope. The outer envelope shall be retained in case of a recount. Counting shall not begin until each inner envelope has been removed from its outer envelope. Homeowners may observe these preparations at the discretion of the committee chair.
- g. **Counting of Votes** The Nominating/Election Committee shall provide three tellers to count and record votes. The order of counting shall be those votes: (1) cast by voters in person; (2) delivered in person by a proxy holder; and (3) cast by mailed absentee ballot. Ballots of each category shall be kept physically separated from the others.
- (1.) Each ballot cast by members in person shall be examined by two tellers and the results announced by one of them. The third teller shall repeat the announced name voted for and record the vote on separate recording sheets for in-person, proxy and mailed absentee ballots. If a ballot is not marked for a particular position, the teller shall record an abstention for that position.
- (2.) For absentee ballots, one of the first two tellers shall open the sealed inner envelope and verify that there is only one absentee ballot. If more than one marked ballot is found, the ballots shall be marked as “not eligible for counting because two ballots submitted” and set aside. If a marked ballot and one or more blank ballots are found, the blank ballot(s) shall be discarded and the marked ballot retained for counting. If a ballot on other business is included, it shall be set-aside for the secretary, subject to the above provisions regarding multiple ballots. The counting process shall then be the same as for the in-person votes.

ARTICLE VII – ELECTION OF OFFICERS AND DIRECTORS (Continued)

- (3.) Association members may be allowed to observe the counting process at the Nominating/Election Committee chair's discretion. All ballots, eligible and not eligible, shall be retained until duly elected directors have assumed their duties.
- h. **Verification of Results** After all votes have been cast, the Nominating/Election Committee shall verify that the total number of votes cast and abstentions for each position is equal to the total number of members present in person, by delivered proxy, and by mailed absentee ballot. If a discrepancy is large enough to have affected the outcome of the election, the committee shall first recount all absentee ballots, and if this does not reduce the discrepancy to insignificance, the committee shall recount all votes cast by members voting in person. If the discrepancy still cannot be resolved, the voters present and voting in person shall be required to vote again, using new ballots. Counting of these ballots shall be performed as described above. Once the votes are counted, the committee shall prepare a tellers report in accordance with *Robert's Rules of Order, New Revised* (10th Ed.), page 403.
- i. **Failure of Majority Vote** If no candidate receives a majority (at least 1 vote more than half) of the votes cast for one or more positions, the presiding officer shall call a special meeting for a run-off election no earlier than fifteen days (15) nor later than forty-five (45) days following the election. Only the two candidates receiving the most votes shall be eligible for the run-off election. If one candidate with less than a majority has the highest number of votes, but two or more candidates have the same lower number of votes, those candidates shall all be listed on the ballot for the run-off election. If a candidate withdraws prior to the run-off election, the person with the third highest number of votes at the annual election shall replace that candidate on the run-off ballot. If no third candidate were on the ballot for the run-off election, the remaining candidate shall be declared the winner for that position.

Section 5. **TERM OF OFFICE** At the first annual meeting after the approval of these amended By-laws, the president, treasurer, and member-at-large shall be elected for a term of two (2) years, regardless of their status at the time of the election. The vice-president and secretary shall be elected for a term of one (1) year, regardless of their status at the time of the election. Thereafter, the term of all five (5) members of the Board of Directors shall be two (2) years. No officer or director shall be limited in the number of terms or positions in which to serve, so long as that individual receives a majority of votes cast at a duly called election and serves in only one position at a time.

Section 6. **VACANCIES** If a vacancy occurs among the officers or directors, the sitting members of the Board of Directors shall fill the vacancy for the remainder of the officer's or director's term. If the vacancy occurs in the president's office, the vice-president shall have first right of refusal to succeed the outgoing president. If the vice-president elects to take the office, the Board of Directors shall fill the vice-president's position. If a sitting member of the Board of Directors is appointed to fill a vacancy, the member shall resign the current position, and the Board of Directors shall then fill the new vacancy.

Section 7. **REMOVAL** Any officer or director may be removed from office by a vote of a majority of the eligible voters represented in person or by proxy at a special meeting called for that purpose. If an officer or director is removed, the vacancy shall be filled in accordance with Section 6 of this Article. If a petition is filed to remove the president, and ten signatures are collected and approved by the Board of Directors to remove the president, then the vice-president shall take over the duties of the president until a decision is made in the special meeting to remove the president.

ARTICLE VIII DUTIES OF OFFICERS AND DIRECTORS

Section 1. **PRESIDENT** The president of the Association shall: (1) chair the Board of Directors and preside at all meetings of the Board and the Association; (2) perform such other duties as may be prescribed in these By-laws or assigned by the Association; (3) be a member of all committees except the Nominating/Election Committee; (4) appoint members of committees in coordination with the other directors; (5) coordinate the work of the officers and committees of the Association; and (6) upon direction by the Association through its Board of Directors, sign all leases, contracts or other instruments in writing on behalf of the Association, provided, however, that these powers are subject to the provisions of the Articles of Incorporation.

Section 2. **VICE-PRESIDENT** The vice-president shall (1) act as an aide to the president; (2) perform duties assigned by the Board of Directors; and (3) perform the duties of the president in the absence or incapacity of the president.

Section 3. **TREASURER** The treasurer shall (1) have charge of all receipts and monies of the Association; (2) deposit them in accounts established by the Association; (3) disburse funds as ordered by the Board of Directors, checks to be signed by the treasurer and president or vice president; (4) keep account of all receipts and disbursements in accordance with accepted accounting practices; (5) present itemized statements of receipts and expenditures at annual meetings of the Association or upon request of any member; (6) with either the president or vice president, sign all checks and withdrawal slips; (7) be a member of the Budget and Finance Committee; and (8) perform the duties of the president in the absence of both the president and the vice-president; (9) no debit/credit card shall be issued to any Board member.

Section 4. **SECRETARY** The secretary shall: (1) except for elections, prepare a proxy form and absentee ballot listing any issue(s) to be voted upon at meetings of the Association; (2) except for elections, mail all notices and required materials for meetings of the Association; (3) present minutes of previous meetings for approval; (4) record all meetings of the Association; (5) keep the minutes of all meetings of the Association in accordance with *Robert's Rules of Order Newly Revised* (10th Ed.) pp. 451-454; and (6) perform such other duties as may be required by the Board of Directors.

Section 5. **MEMBER-AT-LARGE** The member-at-large shall perform such duties as are required by the Board of Directors.

ARTICLE IX POWERS OF BOARD OF DIRECTORS

Section 1. **GENERAL** The Board of Directors shall have general charge and management of affairs, funds and property of the Association, and shall carry out the purposes of the Association, according to the West Virginia law, and the Association's Articles of Incorporation, Covenants and Restrictions and these By-laws.

a. **Appeals** The Board of Directors shall have the final decision on all appeals from homeowners and shall notify affected homeowners and/or committees of its finding regarding any appeal. The Board of Directors shall respond within forty-five (45) days of receiving any appeal. If circumstances prevent a response within the required time, the Board of Directors shall notify the homeowner in writing of the reason for the delay and the length of the extension needed to complete evaluation of the appeal. Failure to meet the original or extended timeliness requirement shall constitute approval of the appeal, and shall be reported to the appealing homeowner and to the membership at the next Association meeting.

b. **Fines, Administration Fees and other Fees** Amounts of fines, administration fees and other fees may be adjusted by a majority vote of the Board of Directors to keep pace with prevailing economic conditions in accordance with (WV 36B-1-114). If a fine or fee is not paid within forty-five (45) days, the homeowner shall be in default. If not paid within sixty (60) days, the homeowner shall be delinquent. In such cases, the provisions of Article IV, Sections 3 and 4 of these By-laws shall apply.

ARTICLE IX – POWERS OF BOARD OF DIRECTORS (Continued)

c. **Liens** If a lien is not satisfied within two (2) years, that lien and any and all additional liens filed subsequently against the property shall be subject to legal action appropriate to satisfy the lien(s) and recover all costs associated with this action.

Section 2. **ASSESSMENTS** The Board of Directors shall have the power and responsibility to collect the annual and special assessments in accordance with the provisions of the Covenants and Restrictions and these By-laws, and impose and enforce any lien or encumbrance provided for in those documents.

Section 3. **CAPITAL IMPROVEMENTS** Within 90 days of approval of these By-laws, the Board of Directors shall begin development of a ten (10) year plan for capital improvements. This plan shall include a long-range forecast of costs for capital improvements within the Laurel Ridge Subdivision. The plan shall be updated at least every five (5) years to account for inflation. In accordance with Article V, Sections 3, 4 and 5 of the Covenants and Restrictions, an interest-bearing account separate from the general fund shall be established for capital improvements. Capital improvement funds shall not be used for any purpose other than those specified in the long-range plan.

Section 4. **COVENANTS AND RESTRICTIONS** The Board of Directors shall have the power and direct responsibility to enforce provisions of Article V and of the following sections of Article VIII of the Covenants and Restrictions:

- Section 7 – Exterior maintenance (corrective action if required)
- Section 9 – Sale and use of property restricted
- Section 12b – Junk, unregistered or inoperative motor vehicles
- Section 12c – Prohibited vehicles
- Section 12d – Parking restrictions
- Section 16 – Sales of alcoholic beverages, beer and wine prohibited
- Section 19 – Recreational vehicles, motorcycles, etc.
- Section 20 – Rental (for transient or hotel purposes)
- Section 23 – Owner's roster
- Section 28 – Discharge of firearms
- Section 29 – Ponds and lakes

The Board of Directors shall also have the power and responsibility to enforce the remaining sections of Article VIII of the Covenants and Restrictions, but shall do so through the Architecture Review Committee and the External Maintenance Review Committee, as described in Article X, Sections 1(b) and 1(c). Exceptions to the provisions of the Covenants and Restrictions shall be approved only by a majority of the Board of Directors, as provided in Article VII, Section 4 of the Covenants and Restrictions. Any such exceptions shall be reported to the Association in the Quarterly Newsletter. In accordance with Article IX, Section 4 of the Covenants and Restrictions, this provision shall not be construed as a waiver of the Association's right to enforce any of the Covenants and Restrictions.

Section 5. **RULES OF CONDUCT** The Board of Directors may make reasonable rules for the conduct of the members and their guests in the use of Association property and facilities not provided for in the Articles of Incorporation, Declaration of Covenants and Restrictions or these By-laws.

Section 6. **MEETING TIMES AND DATES** The Board of Director, at their discretion, shall set times and dates for meetings of the Board as agreed by a majority of the Board.

ARTICLE X
COMMITTEES

Section 1. **STANDING COMMITTEES** Three standing committees shall be appointed by the president upon adoption of these By-laws: a Budget and Finance Committee, an Architecture Review Committee and an Exterior Maintenance Review Committee.

a. **Budget and Finance Committee** The Budget and Finance Committee shall assist the Board of Directors to develop a yearly operating budget and develop contractual specifications as needed for the operation and maintenance of the Laurel Ridge Subdivision. The committee shall review Requests for Proposals (RFPs) before released to bidders, and review and make recommendations to the Board regarding proposals from bidders. The committee shall monitor execution of the budget and compliance with contractual agreements.

b. **Architecture Review Committee** The Architecture Review Committee shall be responsible for the following sections of Article VIII of the Covenants and Restrictions:

Section 1 – Residential use
Section 2 – Restriction against business use
Section 3 – Restrictions as to types of construction, prohibiting mobile homes and modular homes
Section 4 – Approval of plans and specifications required
Section 5 – Setback restrictions
Section 7 – Exterior maintenance (review and recommend only)
Section 8a – Maintenance of drainage easements
Section 8b – Radio or television aerials, antennas, towers, supports
Section 13 – Fences
Section 14 – Air conditioning units
Section 15 – Storage receptacles
Section 17 – Swimming pools
Section 18 – Contractors
Section 24 – Garages (conversion)
Section 26 – Tree removal
Section 30 – Catch basins and drainage areas
Section 34 – Signs, lettering and mailboxes
Section 38 – Outbuildings, storage buildings and storage barns

c. **Exterior Maintenance Review Committee** The Exterior and Maintenance Review Committee shall be responsible for the following sections of Article VIII of the Covenants and Restrictions:

Section 10 – Signs and advertising regulated
Section 12 – Nuisances: unclean, unsightly, unkempt conditions of building or grounds
Section 12a – Noxious or offensive activity
Section 21 – Trash and garbage
Section 22 – Clothing, sheets, blankets or laundry
Section 27 – Exterior burning
Section 31 – Landscaping at street intersections
Section 32 – Outdoor Lighting
Section 33 – Construction debris
Section 35 – Garden and yard statuary, ornaments and birdfeeders
Section 36 – Interior window treatments
Section 37 – Vegetable gardens

ARTICLE X – COMMITTEES (Continued)

Each standing committee shall review all changes to architectural or other features within its purview that are proposed by members of the Association. Each standing committees shall also review homeowner complaints regarding violations to ensure that the standards and requirements set forth in the Covenants and Restrictions are observed. Additionally, each standing committee shall conduct a walking inspection of the Laurel Ridge Subdivision each spring and fall to identify violations of the Covenants and Restrictions. Committee members shall not encroach upon any lot during these inspections unless given explicit permission by the lot owner(s). Identified violations shall be handled according to procedures described below. Inspections shall be announced in the Association's quarterly newsletter at least thirty (30) days prior to the inspection.

- d. Proposals to alter any feature of a lot covered by the above-listed sections of the Covenants and Restrictions shall be dated when received by the committee. The committee shall review the proposal and mail a notice to the homeowner with a copy to the Board of Directors with the committee's decision within thirty (30) days of the date received. When necessary, the committee may extend the 30-day deadline in a notice mailed to the homeowner with a postmark earlier than the deadline. A notice that a proposal has been rejected shall include the specific article and section of Covenants and Restrictions that prohibits the proposed alteration. Rejected proposals may be appealed to the Board of Directors, as provided in Article XI, Sections 1 and 3 of these By-laws.
- e. A violation of the Covenants and Restrictions may be identified through a complaint from any homeowner. Complaint forms shall be made available on the Association's web site or by members of the Board of Directors. Complaints shall be dated when received. The committee shall review the complaint to determine whether a violation of the Covenants and Restrictions has occurred. The committee shall mail a notice regarding the complaint to the affected homeowner within thirty (30) days of receiving the complaint with a copy to the Board of Directors. When necessary, the committee may extend the 30-day deadline in a notice mailed to the homeowner with a copy to the Board of Directors. If the complaint is found to be valid, a notice shall be mailed to the homeowner in violation, specifying the article and section of the Covenants and Restrictions violated, actions required to correct the violation, and a time limit for completion of corrective action. A committee finding of a violation may be appealed to the Board of Directors, as provided in Article XI, Sections 1 and 3 of these By-laws.
 - (1.) If the homeowner fails to correct the violation by the deadline stipulated in the committee's or Board of Directors' notice, and the homeowner does not request and receive approval of an extension of this deadline, a fine shall be levied on the homeowner. This fine shall be five dollars (\$5.00) per day until the violation is corrected. For repeat violations of the same or a related article and section within a twelve (12) month period, the fine shall be twenty-five dollars (\$25.00) for each repeated violation, and then ten dollars (\$10.00) per day for each day past the deadline for correcting each violation. If the total amount of the accumulated fine reaches two-hundred fifty dollars (\$250.00), the Board of Directors shall file a lien against the property. See Article IV, Section 4 of these By-laws for removing a lien.
 - (1) If the complaint is found to be unjustified, the committee shall mail a notice to the complaining homeowner, stating that fact. A homeowner may appeal the committee's decision on his/her complaint to the Board of Directors, who shall have the final decision.

Section 2. **OTHER COMMITTEES** From time to time, as need arises, other committees may be established by the Board of Directors. They may be created for a specific purpose and disbanded when that purpose has been served, or they may be created periodically for a limited time. An example is a Public Works Committee to support the Board of Directors' efforts for capital improvements and/or maintenance of Association common properties.

ARTICLE XI
COMPLAINTS AND APPEALS

Section 2. **WHO MAY FILE A COMPLAINT OR APPEAL** Any homeowner may file a complaint with the Board of Directors or with the Architecture Review or Exterior Maintenance Review Committees. Complaint forms will be available for this purpose on the Association's web site or from any member of the Board of Directors. Because the Homeowner's Association deals only with homeowners, renters must file complaints through the owner(s) of the rental property in which they reside. All complaints must be submitted on a complaint form and signed by the homeowner. Any homeowner may appeal a decision by the Board of Directors, or any committee, as described in Section 2(e) of this Article. If the appeal to the Board of Directors is rejected, the homeowner may exercise the right to call a special meeting by satisfying the requirements in Article VI, Section 4 of these By-laws.

Section 2. **PROCESSING OF COMPLAINTS** The homeowner may deliver a complaint to any member of the Board of Directors or appropriate committee, or mail it to the Association Post Office Box.

- a. The receiving Board of Directors or committee member shall sign and date the complaint. The confidentiality of complaints shall be preserved; no member of the Board of Directors or any committee shall reveal to anyone the name of any person who files a complaint.
- b. The Board of Directors may direct a complaint concerning violations to the appropriate committee, or retain it for action as described below. For any other complaint, the president shall assign a member of the Board of Directors not involved in the complaint to investigate it. If the complaint involves the president, the vice-president shall assign an uninvolved member to investigate it. The member assigned to the complaint shall report back to the Board of Directors within seven (7) days, and the following notices shall be sent no later than fifteen (15) days after the report.
- c. If the complaint is found to be valid, the Board of Directors shall send a notice over the president's or vice-president's signature to the subject of the complaint:
 - (1.) stating the findings of the investigation and citing the article(s) and section(s) violated,
 - (2.) specifying appropriate corrective action(s) to be taken,
 - (3.) setting a deadline for resolving the issue,
 - (4.) describing the subject of the complaint's rights of appeal as described in these B-laws.
 - (5.) providing contact information of a member who can answer questions regarding the complaint.

This notice shall not mention or provide any clues to the identity of the complaining person, referring to the person merely as "a homeowner" or "an Association member".

- d. The Board of Directors shall send a notice over the president's or vice-president's signature to the originator of the complaint:
 - (1.) stating the findings of the investigation,
 - (2.) describing actions to be taken or already taken by the subject of the complaint if the violation is found to be valid.

Section 3. **APPEALS** If a homeowner wishes to protest or otherwise discuss a complaint with the Board of Directors, s/he may request a meeting for that purpose. The Board of Directors shall honor this request at its next meeting, or notify the homeowner of the reason for the delay and provide a specific date for taking up the issue.

Section 4. **SPECIAL CASE: PARKING VIOLATIONS** Article VIII, Sections 12 (c) and 12(d) of the Covenants and Restrictions prohibit parking any vehicle on or along the streets or roadways of the subdivision. Violating these restrictions constitutes a special concern because of safety issues. Therefore, any parking violation shall be processed as follows:

ARTICLE XI – COMPLAINTS AND APPEALS (Continued)

- a. A notice will be placed on any vehicle parked on any street, roadway or unpaved area, asking the owner to remove the vehicle within 24 hours, or it will be towed at owner's expense.
- b. If said violation occurs again within six (6) months, it will be towed immediately.
- c. Any vehicle shall be towed immediately at the owner's expense in the event that it:
 1. is parked on the street or roadway in a manner that impedes snow plowing.
 2. blocks access to a street or building during an emergency.
 3. blocks access to a fire hydrant.
 4. impedes visibility of a stop sign.

To avoid parking citations for guests, the homeowner must notify the Board of Directors, in advance of the date and times that guests will be parking in the street.

ARTICLE XII COMPENSATION FOR SERVICE

Section 1. **COMPENSATION** Neither the officers, directors, nor committee members shall receive any salary or other compensation for services rendered to the Association.

ARTICLE XIII LIABILITY OF OFFICERS

Section 1. **LIABILITY** The officers and directors of the Association shall not be liable to the members of the Association for any mistake of judgment, negligent or otherwise, except for their own willful misconduct or bad faith. The members of the Association shall indemnify and hold harmless each of the officers and directors against any contractual liability to others arising out of contracts made by the officers and directors on behalf of the Association, unless such contract shall have been made in bad faith or contrary to the provisions of the Articles of Incorporation or of these By-laws. It is intended that:

- a. the officers and directors shall have no personal liability with respect to any contract made by them on behalf of the Association.
- b. any liability of the Association arising out of any contract made by the officers or directors shall be shared by the entire membership of the Association.

ARTICLE XIV CORPORATE BUSINESS RECORDS

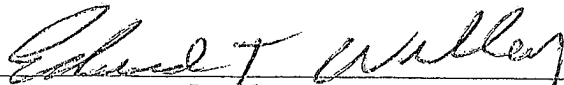
Section 1. **RECORDS** The corporate business records of the Association shall at all times, during reasonable business hours, be subject to the inspection of any members.

ARTICLE XV
AMENDMENTS TO BY-LAWS

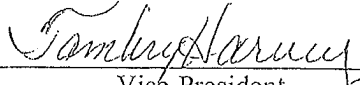
Section 1. **PROPOSAL** Amendments to these By-laws may be proposed by a majority of the voters represented in person or by proxy at an Association meeting. Amendments may also be proposed in a petition signed by at least twenty percent (20%) of the eligible voters of the Association, or by a committee or individual appointed by the president for that purpose.

Section 2. **ADOPTION** Adoption of Amendments to these By-laws shall require a majority of votes cast at a meeting of the Association provided that the proposed amendment(s) have been stated in the notice for the meeting.


We, the below-signed officers and directors of Laurel Ridge Homeowner's Association, Inc., do hereby confirm that these amended By-laws of the Corporation were adopted by a greater than two-thirds majority of votes cast this 21st day of January 2013.




President



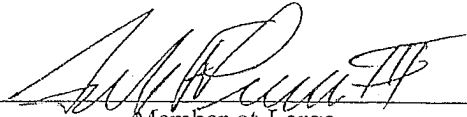
Vice-President



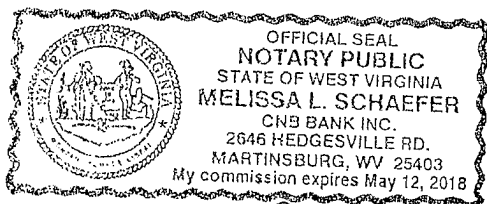
Treasurer

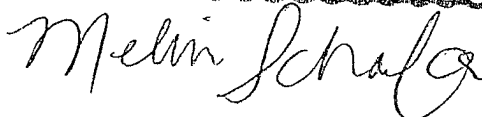


Secretary



Member-at-Large





AMENDMENT

1996

There needs to be an amendment to the By-laws – Article XI, Section 4: SPECIAL CASE: PARKING VIOLATION

This is in conflict with the Covenants and Restrictions. It was deleted in the revision of the By-laws, but was left in error. The amended section should read:

ARTICLE XI – COMPLAINTS AND APPEALS (Continued)

See page 20, Article 8, Section 12(D) in the Covenants and Restrictions.

1. A. Vehicles permitted within the subdivision shall either be traveling on the subdivision streets or roadways or parked on the paved driveway of the garage of a lot improved by a residence. No vehicle shall be parked along or upon the streets or roadways of the subdivision or in the yard or any unpaved area of any lot. This provision shall not apply to lots while homes are in the process of construction on set lots and not yet occupied.

Any vehicle towed will be at the vehicle owner's expense.

Signed:

Betty DeHaven

Betty DeHaven
Chairperson, By-laws Committee
Laurel Ridge Homeowner's Association

John W Small Jr
BERKELEY County 10:33:25 AM
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Date Recorded 01/13/2014
Document Type COVR
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Book-Page 1057-364
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Additional \$6.00

Edward T Willey

Edward T. Willey
President
Laurel Ridge Homeowner's Association

Lori Brown
Berkeley County WV
Exp 2-15-22
Lori Brown

