

GPHA BOARD MEMBER DUTIES

GLADSTONE PLACE HOMEOWNERS' ASSOCIATION

DECLARATION

This Declaration is made and entered into on this the 18th day of July 2011, by the Gladstone Place Homeowners Association to impose mutually beneficial restrictions. These Covenants include provisions for a method for administration, maintenance, preservation and enforcement of the common property and restrictions to protect the use, enjoyment, value and desirability of all property for the benefit of all Lot Owners.

BY-LAWS

ARTICLE II Board of Directors

Section 8. Powers and Duties. The Board shall have the following powers and duties:

- A. To elect and remove the Officers of the Association as hereinafter provided.
- B. To administer the affairs of the Association as hereinafter provided.
- C. To formulate policies for the administration, management and operation of the Property and the Common Elements.
- D. To adopt rules and regulations, with written notice to all Lot Owners governing the administration, management, operation and use of the Property and the Common Elements, and to amend such rules and regulations from time to time.
- E. To provide for the maintenance, repair, and replacement of the Common Elements and payments thereof.
- F. To provide for the designation, hiring and removal of personnel, including accountants and attorneys, and to engage or contract for the services of others, and to make purchases for the maintenance, repair, replacement, administration, management and operation of the Property and the Common Elements.
- G. To appoint Committees of the Board. Committee recommendations shall be considered by the Board for action.
- H. To determine the fiscal year of the Association and to change the fiscal year from time to time as the Board deems advisable.

- I. To estimate the amount of the annual budget, and to provide the manner of assessing and collecting it from the Lot Owners.
- J. To exercise any rights and authority granted it in the Declaration.

ARTICLE III Officers

Section I. Designation. At the first regular meeting of a new Board, the Directors present shall elect the following Officers of the Association from the Board by a majority vote:

- A. A President, who shall preside over the meetings of the Board and of the Lot Owners and who shall be the chief executive officer of the Association.
- B. A Secretary, who shall keep the minutes on all meetings of the Board and of the Lot Owners, and who shall, in general, perform all the duties incident to the office of Secretary.
- C. A Treasurer, who shall be responsible for financial records and books of account and the manner in which such records and books are kept and reported.
- D. Such additional Officers as the Board shall see fit to elect.

Section 2. Powers. The respective Officers shall have the general powers usually vested in such Officers, provided that the Board may delegate any specific powers to any other Officer or impose such limitations or restrictions upon the powers of any Officer as the Board may see fit.

President:

Prepare agenda for meetings, send them out to Board Members for additions/comments prior to meetings, and preside over Board Meetings using Robert's Rules of Order.

As chief executive, determine direction of the Board and its Officers.

Responsible for oversight of the Board's Officers.

Responsible for seeing that the Covenants and By-Laws are followed by all.

Serve as a second co-signer of payments ensuring documentation of the expense to be paid is present and that monies are spent only on necessary expenses as approved by the Board.

Serve as the chief face and voice of the Homeowner's Association (HOA).

Resolve issues as needed with homeowners and Board Members.

Secretary:

Prepare draft agenda for the President. Take Meeting Minutes and circulate them to Board Members for comments, and make changes as needed to Board Minutes. Minutes should include any handouts passed out by Board Members.

Ensure approved minutes are signed by both the President and Secretary and maintained in a file.

Keep record of Board Members and the term they are serving. This needs to be recorded correctly on the Homeowner's List. There should always be five Board Members, so they don't run into ties on a given vote. Board Members generally serve a three-year term, however, if a Board Member leaves early and the Board has appointed someone to fill the vacancy, their term is the same as the Board Member that left early. The same applies if there is more than one candidate to fill the position. The Secretary will hold an election in a manner approved by the board (i.e., mail, email, or telephone voting) within a specific voting timeframe and recorded by the Secretary.

Maintain written records for five years. When the sixth fiscal year (January 1 to December 31) is completed, the fifth year may be destroyed. Records to be passed on by the old Secretary to the new Secretary.

In the event the President is unavailable, co-sign checks ensuring documentation of the expense to be paid is present and monies are spent only on necessary expenses, as approved by the Board.

Note: There are 59 voting lots (one owner may own two lots and have two votes). During any given three-year period, two terms will expire one year, two terms expiring in another year and one term expiring in another year. This is done to keep some continuity on the Board. Board Members may choose to serve additional term(s) in their current or another position, if approved by the Board.

Treasurer:

Prepare a draft budget for the new Board. Present the new fiscal year budget which should show the previous year's budget, actual and difference figures, as well as, the proposed budget figures. Present the budget to the new Board for approval. Make approved changes.

Review Insurance Policy and grounds maintenance agreements each year. Get new bids/quotes as needed. Use Insurance companies recommended by Consumer Reports for highly rated customer service and payment of claims. Cheaper is not better, if service and payment histories are not highly rated. Insurance includes HOA liability, and Board Member liability; we have no equipment or employees. We do not insure funds as that is excessively expensive, and all policies will require the same safety measures that we have already implemented, two approvals of any given expense and annual audits conducted by a party with some accounting background. Mostly, we have been using previous Treasurers, as they have experienced the challenges that come with the position.

Arrange for and ensure new Board Members with check signing authority (President and Secretary) are on our Redstone Federal Credit Union (RFCU) banking accounts, sign proper documentation with RFCU and ensure old Board Members are dropped.

Ensure grounds contractor is properly licensed by the city and maintains Liability Insurance annually.

Prepare and sign checks/approves payment, ensuring proper documentation is prepared with the check/payment to be co-signed. Obtain co-signatures. Mail checks, approve electronic payment.

Maintain detailed files by fiscal year; the Internal Revenue Service (IRS) requires records be kept for seven years.

In February, have the annual dues post cards mailed out and post notice on our web site. Mid-April send emails to all homeowners who have not paid their dues, mail letters to individuals that have not provided us an email address. In early May send out email and written delinquent notices.

In June, try to make verbal contact with delinquent homeowners. Last resort is to notify delinquent owners of intent to place a lien on the property to include late fees dating back to 1 April, filing fees (both to file and release the lien) and any attorney fees. Place liens with the Madison County Courthouse which does not require a lawyer. Past liens should be in the Treasurers' files. Liens are good for three years but will need to be refiled with current data before they expire; they can also be used to foreclose on the property if needed – use a lawyer for this. Liens are easily collected, if the property is put up for sale. Notify the listing real estate agent of the lien and let closing companies know about the lien, when they ask for status of dues before the sale closes.

File 1099 NEC with the IRS reporting the total payments to the landscape company for the calendar year. This should be done in early January. We have not done this in the past as we didn't know we were supposed to.

File fiscal year annual Federal Income Tax prior to due date, 15 April.

Maintain comparative utility cost spreadsheet and alert the Groundskeeper of expense anomalies.

Maintain written financial records for the IRS; legally required period of seven years. When seventh fiscal year is completed, the eighth year may be destroyed. Records to be passed on by the old Treasurer to the new Treasurer.

Maintain a key to the HOA mailbox and check it regularly. Deposit checks and pay bills in a timely manner. When processing dues, record the house number it is paying dues for and the check number. If the check is someone other than the listed homeowner, record that information to include the address and phone number, in case there are any questions; also may be useful for collecting the next years dues. Homes may not be owned by the resident we have recorded. Legal ownership can be checked with the county tax office, if needed.

For example, homes can be owned by other family members or other individuals or legal entities such as Trusts or Corporations. File liens against the recorded owner of the property. Check with the Madison County Tax Office to ensure you have the correct owner.

Money in the Savings Account is the HOA “Reserve”. Move money in and out of checking to maximize interest income, keep enough in Checking to cover the next several months upcoming expenses.

If required to prepare a Balance Sheet, there is \$517.55 held by Huntsville Utilities as deposits for our meters.

Prepare records for audit and provide them to appointed Auditor in a timely manner.

Grounds Keeper:

Responsible for maintenance of our grounds. Directs the contracted landscaper as needed.

Set watering schedules on our four sprinkler systems.

Responsible to ensure utility bills are within budget - this is the one major expense that we have control over. Typically, the sprinkler system is maintained prior to the beginning of the watering season for necessary repairs. Typically, the sprinkler systems are to be turned on in May and turned off at the end of September (drought and rain to be considered). Sprinklers can be shut off during periods of heavy rain or adjustments made to watering schedules in times of drought.

Drive around the neighborhood regularly to observe grounds maintenance, watering, and water leaks, taking action as needed and/or working with the landscaper, Huntsville Grounds and Huntsville Utilities.

Pay special attention to our entrance to ensure a high level of maintenance, weeded, cleaned out, mulched, bushes trimmed and no trash.

Greeter and Events Coordinator:

Greet new owners and renters, give new homeowners a grocery gift card welcoming them to the neighborhood. Obtain contact (names, telephone number and email address) information for our Homeowner’s List, providing it to the Web Master and the Board. Provide them with the information to access our website and provide them with a paper or electronic copy of our Declaration and By-Laws to learn how our Association works and our rules.

Prepare/maintain a Declaration and By-Law summary for hand out - what they need to know.

Make arrangements for and set up our Annual Meeting in the beginning of the next calendar year and propose and conduct special events. In the past, we have had such events as the Holiday Decorations Contest, picnics, morning coffee and pastries, and yard sales. Other Board Members will help.

Web Master:

This is an appointed position.

Maintain the Association web pages.

Update the Homeowner's List to include Renter information.

Send Owners' emails advising posting of new information/documents and owner/renter list changes.