

# INDIAN LAKE OWNERS ASSOCIATION

## ASSOCIATION BY-LAWS

(As Amended July 28, 2018)

### ARTICLE ONE – MEMBERSHIP

**SECTION 1.** Each owner of one or more lots in any section or sections of Indian Lake subdivision shall be designated as a member of Indian Lake Owners Association, a non-profit organization, and is entitled to one (1) vote in the Annual Indian Lake Owners Association meeting, or any emergency meeting called by the Board of Directors. Voting privileges will be limited to one owner-member, either in person or by proxy, eligibility being contingent on a paid maintenance assessment, as HOA determines reasonably necessary with 2/3 member vote at annual meeting, payable the first of each calendar year, as set forth in the Property Restrictions, and any other assessments or accounts due Indian Lake Owners Association.

**SECTION 2.** All members and their families and guests shall have the right to use all of the Association's facilities, including its swimming pool, boat ramp, parks and recreation areas, to the extent permitted by Association's rules which may from time to time be established by its Board of Directors. Pertaining to membership held by other than a single individual; i.e. a membership by two or more persons, by a corporation, firm or partnership, the use of the Association's facilities shall be only by an individual person and the family of such individual person so designated by any of the above listed joint owners. This individual will also be the only eligible member to vote at any meeting of owner-members, such eligibility being contingent as outlined in Section 1.

**SECTION 3.** A renter may become an Association Member of Indian Lake Owners Association by the property owner submitting in writing to Indian Lake Owners Association stating owner relinquishes his/her membership to authorize renter membership.

**SECTION 4.** Membership shall be evidenced by such card, certificate or other writing as the Board of Directors shall authorize.

**SECTION 5.** Upon termination of membership by a member disposing of his or her property, all rights and interests of the member and his family in the privileges, rights, properties, funds or assets of Indian Lake Owners Association shall cease. In addition, failure of member to pay Indian Lake Owners Association dues and/or fees as outlined in Section 1 shall prohibit a member and his family of participation in the above privileges

### ARTICLE TWO - ASSESSMENT OF DUES

**SECTION 1.** There shall be no initiation fees. The Board of Directors, by unanimous vote of the entire Board, plus the approval of at least two-thirds of the members present, in person or by proxy, in Annual Business sessions called by the Board of Directors, may from time to time assess additional dues and assessments as dictated by a contingency development.

**SECTION 2.** Annual membership dues are assessed for the calendar year beginning January 1 and ending December 31 of each year. Dues are billed to members in early January and are payable within thirty days. Each household shall receive two (2) membership cards, additional cards will cost \$5.00 each.

### **ARTICLE THREE - BOARD OF DIRECTORS**

**SECTION 1.** The affairs and management of Indian Lake Owners Association shall be conducted by a Board of Directors consisting of seven members as provided in Section 2 of the Article Three, which Board shall have the full power and authority to carry out the purposes of the Association and to do all lawful acts necessary or proper thereto.

**SECTION 2.** Directors shall serve a term of three years and thereafter until their successors are elected and qualified. Any Director may succeed himself and serve as many consecutive terms as he may be elected. Directors must be members of the Association.

**SECTION 3.** The President of the Board of Directors, at the April Directors meeting, shall appoint a nominating committee comprised of a total of not less than three Association members and Board members, which committee shall nominate one nominee for each Directorship to be filled. The Nominating Committee will then report the nominees to the Board of Directors at the June Meeting of the Board for approval as regards the following:

1. Being of good morals and congenial nature.
2. Eligibility by financial status in relationship to Indian Lake Owners Association: i.e., all dues and assessments paid to current date.
3. Concerned interest in affairs regarding Association business and will plan or attend a majority of Board of Directors business meetings while serving as a member.

The names of these nominees will then be proposed in the Annual business meeting of the Indian Lake Owners Association conducted the FOURTH SATURDAY in July, to be balloted on by those members present in person or by proxy vote. Nominations from the floor by members will be accepted. Each nominee having previously agreed to serve if elected.

**SECTION 4.** The Board of Directors shall meet the last Saturday of each even month; to wit, February, April, June, August, October and December; June and August meeting begin at 8:00 a.m., February, April, October and December begin at 10:00 a.m. and continue until all business is accomplished. The President shall send or cause to have sent, a written notice to each Board Member at least ten (10) days in advance of each meeting, stating the meeting place, the date, the time, and new business to be covered. All meetings to be conducted at Indian Lake Subdivision or the immediate environs thereto. A majority of the Directors shall constitute a quorum at any meeting. Meeting dates of June, August, and December only may be altered or cancelled by a majority vote of the Board, with no other dates affected. The President or a quorum of Directors may call an emergency meeting between regularly scheduled meetings. Emergency Board meetings may be permitted by telephone and or email communication.

**SECTION 5.** A Director unable to fill his term of office for any reason shall be replaced by recommendation of the President and approved by a majority vote of the Board members. Name of the replacement Board member will then be submitted to Association members for final vote of approval during the next Annual business meeting to fill an unexpired term. A Director that is found to be unsuited to serve on the Board for reasons given in Section 3, and listed under items 1, 2, or 3, will be required to resign by recommendation of the President and/or Board members and approved by AYE vote of a majority of Board members. His vacancy to be filled as outlined above. President of the board may appoint a replacement to fill a seat after three unauthorized absences, following the above formula.

**SECTION 6.** No Board member shall receive remuneration for services rendered to Indian Lake Owners Association while a member of the Board of Directors

#### **ARTICLE FOUR - OFFICERS**

**SECTION 1.** The Officers of the Board of Directors shall be one President, one Vice President, one Secretary, one Treasurer, Pool Committee Chairman, Parks and Roads Committee Chairman, Lakes and Fish Committee Chairman, and Architectural Committee Chairman, all elected by the Board of Directors. A term of office shall be from Annual Meeting to Annual Meeting of the Association, the fourth Saturday in July. On the same day the Board of Directors shall meet to elect new officers for the ensuing year. All officers shall be qualified members of the Board of Directors and Indian Lake Owners Association.

**SECTION 2.** The President shall be the chief executive officer of Indian Lake Owners Association and shall preside over the member's Annual business meeting and shall, during his term, conduct all business matters for the Association with its best interest foremost. All such action must first receive an approval vote of the majority of the Board of Directors. He shall also preside over the Board of Directors in their regularly scheduled business sessions as well as any called emergency sessions. No action may be taken by the President until an approval vote by a majority of Board members is received.

**SECTION 3.** The Vice President shall exercise the functions of the President in his absence and shall perform such other duties as the Board of Directors may prescribe.

**SECTION 4.** The Secretary (see section 6 below) shall keep or cause to be kept, the minutes of all meetings, a complete list of all members and their addresses, updating said list throughout the year as required, shall mail such notices as required therein, and shall perform all duties required as a Secretary.

**SECTION 5.** The Treasurer (see section 6 below) shall be responsible for the collection of all fees, dues, and charges, and the handling and disbursing of all money. He shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper reports on financial matters and such other reports as may be specified by the Board of Directors.

**SECTION 6.** In lieu of Section 4 and 5 above, and approval vote of all members of the Board of Directors, a professional secretary/bookkeeper may be hired, preferably from the Smithville area. Equitable Remuneration shall be established between the person so elected and all members of the Board of Directors. Duties of the Secretary/Bookkeeper shall include all those outlined in Section 4 and 5 above and he shall be responsible for the Minutes and Financial

Report to the Annual Association business meeting, the Minutes of which shall be read at the first regularly scheduled business meeting of the Board of Directors.

**SECTION 7.** Pool Committee Chairman shall (1) be responsible for maintaining buildings and grounds in a safe and attractive condition, i.e. Pool, Pavilion, and Playgrounds; (2) hire employees and assign their duties and be responsible for same; (3) assign opening and closing dates and times for pool and restrooms. Monitors will check for current ILOA passes.

**SECTION 8.** Lakes and Fish Committee Chairman shall (1) be responsible for stocking of fish in lake; (2) checking for vegetation in lake and need for fertilization; (3) maintenance of dam and spillway, fishing dock and boat ramp; (4) patrolling for trespassers on lake, checking for current ILOA passes; and (5) observation and maintenance of lower pond.

**SECTION 9.** Parks and Roads Committee Chairman shall (1) check with Bastrop County for repair and maintenance of all roads except “dead-ends” and “cul-de-sacs”, including mowing of grass along said roads; (2) hire person(s) to mow front entrance area, lower pond park, burn area and boat ramp area; (3) check for replacement of County and all other road signs within the subdivision.

**SECTION 10.** Architectural Committee Chairman shall enforce deed restrictions and by-laws for Sections I, II, III, and IV.

**SECTION 11.** All records shall be audited annually. The incoming President will appoint an Audit Team consisting of three (3) Association members in good standing to perform an audit and report to the Board of Directors in regular business session. Should a further audit be required, the Audit Team shall recommend to the Directors that a professional Audit be obtained.

**SECTION 12.** All Funds belonging to Indian Lake Owners Association shall be maintained in a banking institution and/or Savings and Loan Association approved by the Board of Directors. Financial disbursement or fund transfer shall require signatures of both the Treasurer and President, or whom he appoints from the Board of Directors. Co-signers of any financial institution will require that each individual be bonded in the amount of \$10,000.00.

**SECTION 13.** All records of Indian Lake Owners Association shall be made available for inspection by any member, in good standing with the Association, at the Office of the Secretary by appointment.

## **ARTICLE FIVE - COMMITTEES**

**SECTION 1.** The Board of Directors and/or the President may appoint certain committees from time to time and delegate each committee such duties as the Directors and the President may deem proper.

**SECTION 2.** The appointment of the nominating committee shall be made by the President as provided in Article Three-Section 3.

## **ARTICLE SIX - MEETINGS**

**SECTION 1.** An Annual Meeting of Indian Lake Owners Association shall be conducted at Indian Lake Subdivision or the environs thereto each Fourth Saturday of July, commencing at 10:00 A.M. The President of the Board of Directors for the current year shall preside. With the President will also be Board Members acting in their official capacity, the official Secretary and Treasurer, or a representative, to keep Minutes and give required reports, and a parliamentarian who will judge on parliamentary procedures based on Roberts Rules of Order. A special emergency meeting may be called by the President or a majority of the Board of Directors.

**SECTION 2.** The vote of a majority of the total votes cast by qualified voting members present in person or by signed proxies, shall decide any questions brought before such meeting, with the respective members to have such votes as described in ARTICLE ONE.

**SECTION 3.** Meetings of the Board of Directors shall be as provided in Article three, Section 4.

**SECTION 4.** A written notice shall be mailed at least fifteen days prior to the Annual Association business meeting to all members stating date, time and pertinent business matters to be presented. A written notice shall be mailed at least ten days prior to the meeting of the Board of Directors, stating date, time, place and pertinent business matters to be covered. Emergency Board meetings may be permitted by telephone communication.

## **ARTICLE SEVEN - AMENDMENTS**

**SECTION 1.** These By-Laws or any part, thereof may be amended, modified or repealed only by the unanimous vote of all members of the Board of Directors plus two thirds (2/3) of the members present and voting in an Annual membership meeting.

**SECTION 2.** The Association shall not enter into any contract to pay, and shall not pay, any salary or other remuneration to any officer, Director or Committee members of the Association for their services as such nor in any capacity regardless of the capacity in which they act.

## **ARTICLE EIGHT - LIABILITY**

**SECTION 1.** Members of the Indian Lake Owners Association Board of Directors, either severally or collectively, are to be absolved of any liability or lawsuit that may arise during their tenure of office as a result of any action he, she, or they may have taken in the performance of their respective duties as Board Members.

**SECTION 2.** The Secretary of Indian Lake Owners Association is hereby designated as the registered agent to receive legal correspondence. Secretary may change from time to time and By-Laws will be updated to reflect these changes. At present, Secretary is Virginia Gicklhorn, located at P.O. Box 808, Smithville, TX78957.

## **ARTICLE NINE - POLICY STATEMENT**

**SECTION 1.** Each household shall have no more than three (3) dogs and three (3) cats. Dogs must be kept within the boundary of owner's property. When walking dogs they must be on a leash. No dogs or cats allowed in the pool area.

**Section 2.** Boat Docks must not exceed thirty (30) feet from normal water line when lake is full.

**SECTION 3.** A 25 MPH Speed limit or posted speed limit will be enforced on all streets in the subdivision.

**SECTION 4.** All vehicles must have a current registration and safety inspection sticker to be parked in the subdivision.

**SECTION 5.** Houses, mobile homes, campers, travel trailers, and storage buildings; must be kept in an attractive exterior condition.

**SECTION 6.** Lot or lots with any of the following; house, mobile home, campers, travel trailers, and storage buildings; must be kept clean of trash, brush, high weeds, and grass must be mowed.

**SECTION 7.** Trespassers on properties of Indian Lake Owners are liable to prosecution.

**SECTION 8.** Trotlines, jug lines, unattended fishing lines, bow hunting, spears and gigs are not allowed in the lake. State of Texas Parks and Wildlife Department Fishing Laws will be observed on length and number of fish in possession. No motor larger than 10HP will be allowed to power any type water craft on the lake. No water skiing or jet skiing allowed. No gas powered motors, bright lights or spot-lights, gear motors or generators are permitted on the lake from one hour after sunset until sunrise.

**SECTION 9.** Motorized vehicles prohibited on dam, in park, and in pool area.

**SECTION 10.** No Firearms will be discharged in Indian Lake Subdivision except for home protection.

**SECTION 11.** Nuisance noise, including loud music, barking dogs, and loud parties are prohibited and subject to county ordinance and possible lawsuits.