

## **BY-LAWS**

### **JOINT ACCESS COMMITTEE**

The Joint Access Committee (JAC) has been formed by resolution of the Boards of the Strawberry Point Bluffs Subdivision Homeowners Association and the Strawberry Hill Estates Homeowners Association this \_\_\_\_\_ day of \_\_\_\_\_, 2017, as a joint committee acting on behalf of both Boards and subject to the following rules and procedures.

#### **ARTICLE I**

##### **Organization**

- Section 1. There will be up to eight members of the JAC. Up to four JAC members must be members of the Strawberry Point Bluffs Subdivision Homeowners Association and up to four JAC members must be members of the Strawberry Hill Estates Homeowners Association. The Board for each association shall determine its own method for appointing its representative members, the qualifications for membership and the length of term, in accordance with the each association's by-laws and/or articles of incorporation, provided that at least one Director from each Board will be appointed. Any new appointments for each year will be made by each Board before the first designated meeting of the year for the JAC, or as soon thereafter as is practicable. If a JAC member resigns or is terminated prior to the end of his or her term, his or her appointing Board will promptly appoint a replacement member.
- Section 2. Each member shall serve on the JAC at the will of his or her appointing Board and may be removed from the JAC by his or her appointing Board at any time with or without cause and with or without prior notice.
- Section 3. At the first designated JAC meeting of each year, the members of the JAC will elect a President, Vice-President, Secretary and Treasurer who shall serve until the election of new officers at the first meeting of the following year, provided that the Director from each Board will hold the positions of President and Vice-President. Upon the resignation or termination of an officer prior to the first meeting of the year, the remaining JAC members shall elect a JAC member to fill the position for the remainder of the term. Immediately after the election of officers of the JAC, or upon a change in officers or members thereafter, the Secretary of the JAC will provide a list to the President of each Board listing the officers and members of the JAC, and the address and telephone number of each of them.
- Section 4. The President of the JAC shall be responsible for running the JAC meetings and providing periodic reports to each Board. The Vice-President of the JAC shall be responsible for the duties of the President in his or her absence. The Secretary of the JAC shall be responsible for publicizing meetings, taking minutes for each

meeting, and keeping copies of all correspondence sent and/or received by the JAC. The Treasurer of the JAC shall be responsible for maintaining the financial records of the JAC, including accurately recording and itemizing all income and expenditures.

Section 5. When a decision is to be made by the JAC by vote, each JAC member shall be entitled to one vote. A quorum of at least four members is required for voting.

Section 6. Members of the JAC are volunteers and will receive no compensation for work performed by them. If written approval is obtained in advance by both Boards, in the Annual Budget or otherwise, JAC members will be reimbursed for reasonable and necessary expenses incurred by them in fulfilling their duties as members of the JAC.

## **ARTICLE II**

### **Powers and Duties**

The JAC shall have the following powers and duties delegated to the JAC by the Boards of the Strawberry Point Bluffs Subdivision Homeowners Association and Strawberry Hill Estates Homeowners Association.

Section 1. Plan, organize and publicize a fall and spring clean-up of the Joint Access Park (Park), owned jointly by the Strawberry Point Bluffs Subdivision Homeowners Association and Strawberry Hill Estates Homeowners Association, with the goal of maximizing the participation of members of both subdivisions in the clean-up.

Section 2. Arrange for temporary toilet facilities, garbage pickup, and such other services that are necessary and incidental to the general upkeep of the Park, subject to approval by each Board as part of the Annual Budget.

Section 3. Plan, organize and publicize social events for the benefit of the combined membership of both subdivisions, provided that funds to be expended for the social events have been approved by both Boards as part of the Annual Budget or otherwise.

Section 4. Designate a JAC member to schedule group uses of the Park to prevent two or more large groups from attempting to use the Park at the same time. Scheduled group uses of the Park shall not preclude individual members of either subdivision association from using the Park at the same time.

Section 5. Make recommendations to each Board as to possible beneficial capital improvements for the Park.

Section 6. Notify both Boards and make recommendations as to any needed repairs and/or replacements for Park furnishings and equipment. Upon request by either Board,

obtain pricing or bids on possible capital improvements, repairs, furnishings and/or equipment.

- Section 7. Allocate on an annual basis among members of both subdivisions the twelve spots for boats at the Park. If more than twelve members apply for the twelve available spots, a lottery in a form that meets the approval of both Boards shall be held to determine the allocation of spots to members of the subdivisions. Notice requirements will be set forth in the pontoon lottery rules adopted by the Boards.
- Section 8. Designate the JAC Treasurer to be the official keeper of the keys to the Park. This member will be responsible for obtaining and making replacement keys available to members of both subdivisions at a cost of \$25. The member shall also notify the appropriate Board upon learning that a member of one of the subdivisions has sold his or her house and has not turned over the Park key to the new owners. The member shall keep a list of all recipients who are provided replacement keys with the date the key was provided.
- Section 9. Take all other actions necessary or incidental to the upkeep and improvement of the Park for the benefit of members of both subdivisions as directed from time to time by both Boards.
- Section 10. The JAC has no authority to hire or contract with any person or entity or enter into any obligation on behalf of the JAC, the Strawberry Point Bluffs Subdivision Homeowners Association, the Strawberry Hill Estates Homeowners Association or their respective Boards without the express written authorization of both Boards. Any such authority once granted shall be limited to the scope of the written authorization and the purpose for which it was given.
- Section 11. No changes and/or improvements will be made to the real property, or any fixtures thereto, of the Park or to any equipment or furnishings of the Park without the written approval of both Boards, either in approving the Annual Budget or otherwise.
- Section 12. The JAC shall have no authority to act on behalf of the Boards or either subdivision association except as expressly set forth in these By-laws. All money, documents and records that are now in the possession of or hereafter come into the possession of the JAC belong to both subdivision associations equally.

### **ARTICLE III**

#### **Meetings**

- Section 1. The JAC will create an annual schedule for periodic meetings and provide the schedule to both Boards. The schedule will be posted, either on the website, on the sign, or whatever other means that may be effective. Meetings will also be publicized to the members of both subdivisions by posting a notice on the sign at

least three days prior to the meeting. JAC meetings will be open to all members of both subdivisions. Nothing contained herein will prevent the JAC from meeting more frequently if so needed, provided that at least three days advance notice is provided to the members of the subdivision by the posting of a sign and to the President of each Board. The President of either Board may also call a meeting at any time, with or without prior notice.

Section 2. Minutes for each JAC meeting shall be recorded by the JAC Secretary. Minutes shall be read and approved by the JAC at its next scheduled meeting. Copies of the meeting minutes, either in draft or final form, shall be provided to either (or both) Board(s) upon request.

#### **ARTICLE IV**

##### **Expenditures and Annual Budget**

Section 1. The JAC shall maintain a checking account that requires two signatures for a check to be negotiable for any expenditure over \$150. The JAC Treasurer and President together shall be authorized to sign checks for the JAC.

Section 2. By March 1st of each year, the JAC shall prepare and provide to each Board an Annual Budget and treasury report for that year. The Annual Budget shall provide a statement as to the current account balance, expected income, expected expenses, and expected account balance at the end of the year.

Section 3. Upon receiving written approval of the Annual Budget by each Board, with all changes and/or corrections that are deemed necessary and/or desirable by both Boards, the JAC will have authority to receive the income and make the expenditures as set forth in the Annual Budget without further approvals from the Boards. The Annual Budget, however, may be changed, amended, and/or modified at any time thereafter by resolution of both Boards, and notice of any such changes, amendments and/or modifications to the Annual Budget will be provided to the President of the JAC. No expenditure may be made by the JAC that has not been approved in the Annual Budget or otherwise approved in writing by both Boards. The written approval by the Boards for expenditures, including approval of the Annual budget, must be signed by the President of each Board certifying that the expenditure has been duly authorized by the Board.

Section 4. By March 1st of each year, the Treasurer of the JAC will provide to the President of each Board copies of the check register(s) and bank statements for the JAC bank account(s) for the prior year, along with an accounting for any JAC funds that are not in a JAC bank account. Upon request, the Treasurer of the JAC will also provide copies of any or all receipts, bills, invoices, and similar documents for the preceding year.

#### **ARTICLE V**

## **Amendments**

- Section 1. These By-laws may only be amended, changed, and/or modified by a duly enacted resolution by each Board, and neither Board may unilaterally amend, change, and/or modify these By-laws. Any amendment, change, and/or modification to these By-laws may take place without notice to any other person or entity. If amended, changed, and/or modified, a copy of the amended, changed and/or modified By-laws will be promptly provided to the President of the JAC.
- Section 2. The JAC shall have no authority to modify, change or amend any of the provisions in these By-laws, or to take any other act that enlarges or diminishes the scope of the powers, duties and/or responsibilities set forth herein.

## **ARTICLE VI**

### **Dissolution**

- Section 1. The JAC may be dissolved as a committee by either Board in accordance with the regular voting procedures for that Board. If either Board approves dissolution of the JAC, the JAC shall cease to exist as a committee and shall have no further power to take any action under these By-laws or otherwise. Upon dissolution, the Secretary and Treasurer of the JAC will immediately turn over all JAC documents and records, including financial records, to the President of either Board and shall provide notice to the President of the other Board that the records and documents have been provided. The members of the JAC will also cooperate and provide assistance in transferring and/or closing JAC bank accounts and provide such other reasonable assistance as is necessary in transferring and/or closing the affairs of the JAC.
- Section 2. Except as expressly allowed in these By-laws, at no time, either upon the dissolution of the JAC or before, shall either subdivision association or the Board for either subdivision association withdraw funds from or otherwise utilize money in a JAC account or collected by the JAC without the express written permission of the other Board. If one subdivision association or the Board for that subdivision association obtains records from the JAC that the other subdivision association or Board for the other subdivision association does not have, that subdivision association or Board for that subdivision association shall make copies of those records available to the Board for the other subdivision association.

Adopted by:

Strawberry Point Bluffs  
Subdivision Homeowners Association

By: \_\_\_\_\_  
Its: President

Dated: \_\_\_\_\_

Strawberry Hill Estates  
Homeowners Association

By: \_\_\_\_\_  
Its: President

Dated: \_\_\_\_\_