

****Update Dec 2022**

BYLAWS
OF
LAKE WA-CON-DA ASSOCIATION, INC.

ARTICLE I

Name

Section 1. The name of this organization is LAKE WA-CON-DA ASSOCIATION, INC., a on-profit Nebraska corporation, hereinafter referred to as the Association.

Section 2. The principal office for the transaction or business of this corporation is hereby fixed and located at the physical address of 2200 West Shore Drive, NE, 68455 and the mailing address of P.O. Box 81, Union, NE 68455.

ARTICLE II

Purpose and Policies

Section 1. The purpose of this corporation shall be as stated in its Articles of Incorporation.

Section 2. This corporation is tax exempt, and shall be nonprofit, nonsectarian, nondiscriminatory and nonpolitical in all its policies and activities.

ARTICLE III

Membership

Section 1. Each home shall be entitled to one voting membership in the Association, provided that all current and past lake dues are paid in full. In no event shall any home be represented by more than one individual. In the event the owners of said home cannot agree on a designated representative, then said home shall forfeit its voting privileges.

Section 2. Annual HOA Fees are set by the Board of Directors each year and are due in full on September 1st of each year. Each Parcel listed by the Cass County Assessor will be required to pay annual HOA Fees.

HOA Fees that are delinquent more than 120 days will have a Lien placed on their property until the HOA Fees are paid in full. The Lien will be equal to the dollar amount of the current year's HOA Fees. Plus, a \$50 processing fee.

While delinquent, the member will be deemed to be 'not in good standing'. Forfeiting their voting privileges, use of the lake and commons area. Once the HOA Fees and the Lien has been paid in full the member will have the above mentioned rights reinstated.

Section 3. The Annual Meeting of the Membership shall be held on the second Sunday in June of each year. Special meetings of members shall be held at such times and places as the President may designate in notices for such meetings.

Section 4. Notice of the Annual Membership Meeting or any Special Meeting, to each member of the Association, shall be delivered either personally, by mail or e-mail, shall set forth the time and place of such meeting and shall generally state the purpose of such meeting. Notices delivered by mail, shall be addressed to each member at his address as shown on the books of the Association, at least five days prior to any meeting. Members representing twenty (20) of the effective registered ownerships shall constitute a quorum at any annual membership meeting or any special meeting.

Section 5. A special membership meeting shall be called by the Board of Directors if requested by a petition signed by a majority of the voting members of the Association.

ARTICLE IV Governing Body

Section 1. The governing body of this Association shall be the Board of Directors, and Officers elected by the Board of Directors. Each Officer of the Association who is elected shall be entitled to vote as a member of the Board of Directors during such term as that person is an elected officer. If the officer elected, is a member of the Board of Directors, the current Board of Directors shall deem that Director's area vacant, and shall appoint a new member to the Board of Directors. The Officers shall be composed of the President, Vice-President, Secretary and Treasurer. This committee, in the event of an emergency, shall have the power of the Board between meetings of the Board. A majority of the committee shall constitute a quorum.

Section 2. The Board of Directors and Officers shall have the power to act for the Association between meetings of the membership. The Board shall be responsible for the general supervision of the Association.

Section 3. The Board of Directors shall hold office for a term of two (2) years, or until their successors are elected and assume office. They shall assume office at the close of the annual meeting in June, or at the time when elected by the Board to fill a vacancy. In the event of a vacancy on the Board of Directors, the remaining members of the Board shall elect a successor from the Association.

Section 4. Regular meetings of the Board shall be held on the second Sunday of the month unless otherwise directed by the Board. Only Board of Directors and Officers of the Association shall have a vote during these meetings.

Section 5. Special meetings of the Board may be called by the President. If a special meeting is called, all Board of Directors and Officers will be notified. A majority of the Board

shall constitute a quorum for purposes of convening a meeting of the Board of Directors.

Section 6. The budget committee, which is comprised of the Executive Committee (Current President, Immediate Past President, Vice-President, Secretary, & Treasurer) and two non-voting members, the Caretaker, and CPA, will meet in October of each year. They will prepare and propose a budget to be presented to the Board of Directors during Executive session.

Section 7. It shall be the duties of each lot director to:

- A. Attend meetings regularly (absence from 3 consecutive meetings without good cause may be cause for removal.)
- B. Communicating with homeowners in your area, including passing out the yearly directory.
- C. Introduce yourself to all new homeowners in your area and coordinate with the Welcome Committee for delivery of a welcome basket.
- D. Allow access to lake of any resident, provided they have appropriate identification on all watercraft prior to being launched.
- E. have a visible lot director sign posted in lot, near road at all times.

ARTICLE V

Nominations and Elections

Section 1. Board of Directors of the Association shall be elected at the annual meeting, held in June, for a term of two (2) years and shall continue in office until their successors are elected. Directors shall be numbered and one will be elected to serve each group of homes, by a vote of the members representing the respective lot numbers as follows:

Area Director #1 — Lot # 1 -- 22
Area Director #2 — Lot # 23 — 46 & BB
Area Director #3 — Lot # 55 — 83
Area Director #4 — Lot # 84 — 97, 371 — 379N & 379S
Area Director #5 — Lot # AA — 116, 51 — 54
Area Director #6 — Lot # 117 — 141
Area Director #7 — Lot # 200 — 227
Area Director #8 — Lot # 300 — 315
Area Director #9 — Lot # 316 — 326, 400 -- 401
Area Director #10 — Lot # 327 — 341
Area Director #11 — Lot # 342 — 356

Section 2. Odd numbered directors shall be elected in odd numbered years and even numbered directors shall be elected in even numbered years.

Section 3. In March, a Nominating Committee shall be appointed by the President. This Committee shall be composed of not less than four (4) Association members or more than eight (8).

Section 4. In April, the Nominating Committee shall submit names for election of Board of Directors to the Secretary, who will in turn e-mail or mail each Association member, entitled to vote, a ballot. The ballot shall be e-mailed or mailed no later than ten (10) days preceding the annual meeting. Members who choose not to vote by means of a mail in ballot, may vote in person at the annual membership meeting.

ARTICLE VI

Election of Officers

Section 1. The Officers of the Association shall be the President, Vice President, Secretary and Treasurer. The position of Secretary and Treasurer can be separate offices or a combined office at the option of the Board of Directors.

Section 2. In April, the Nominating Committee shall submit names for election of Officers to the Secretary. The Officers of the Association shall be elected by the Board of Directors at their annual meeting in June of each odd numbered year and shall hold their respective offices for a period of two (2) years or until their successors are elected.

Section 3. Each Officer of the Association who is elected and is not a member of the Board of Directors shall be entitled to vote as a member of the Board of Directors during such term as that person is an elected Officer.

Section 4. The Nominating Committee as appointed by the President in Article V. Section 3, shall also be responsible for submitting recommendations for Officers to the new Board of Directors at the June meeting of each odd-numbered year.

ARTICLE VII

Officers' Duties

Section 1. It shall be the duty of the President to:

- A. preside at all meetings of the members and directors,
- B. to sign the records thereof
- C. to maintain general supervision over the business of the Association and the duties of the other officers and employees thereof and to perform all such other duties as are necessary and usual to the office.
- D. work with and communicate effectively with the Lake WaConDa SID Board.
- E. The President and Vice President are given equal power to join with the Treasurer in the execution of all deeds, liens, endorsements or other instruments necessary to conduct the business of the Association, and to release mortgages or liens held by the Association upon real or personal property.
- F. serve as the head of the Executive Committee.
- G. serve as an exoficio member of all committees of the Association and Board of Directors, with the exception of the Nominating Committee.

Section 2. It shall be the duty of the Vice President to:

- A. to preside over the meetings of the membership and the Board of Directors and to perform the duties of the President in his/her absence.
- B. perform such other duties as the President may assign.

Section 3. It shall be the duty of the Secretary to:

- A. keep an accurate record of the membership meetings and the meetings of the Board of Directors,
- B. give all notices as required by law, these Bylaws, or as directed by the President or Board of Directors.
- C. keep accurate records of the identity and address of each member of the Association, its correspondence, and in general to perform all the duties necessary and usual to the office.

Section 4. It shall be the duties of the Treasurer to:

- A. see that proper and accurate books are kept of the account of the Association,
- B. receive, safely keep, and accurately account for all money and securities belonging to the Association or held by it.
- C. present detailed financial reports at the annual meeting of the membership and at meetings of the Board of Directors as directed by the President or Board of Directors.
- D. **Note: The Directors shall require a bond for the Treasurer in such amount as they deem necessary for the protection of the Association.

Section 5. All contracts for the sale and transfer of property except as hereinafter provided, shall be executed by the President, Vice President, or Treasurer and no action of the Board of Directors shall be deemed necessary to authorize or ratify the same. All deeds of real estate or instruments evidencing interest in real estate shall be executed and acknowledged by the President and Vice President and the Secretary or Treasurer and the action of the Board of Directors shall be necessary to authorize or ratify the same. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever, and deposit all such monies in the name of the Corporation in such banks, trust companies or other depositories. The President or Vice President shall have the authority to perform the same in the absence of the Treasurer.

Section 6. No salary shall be paid to any of the officers or directors of the Association, however the Board of Directors may authorize reimbursement of expenses of any of the officers or directors as they shall deem proper and in the best interests of the Association. The Board of Directors is authorized to make

payments for special services to any of the officers or directors, in the event such services are required in the best interests of the Association, and would otherwise have to be paid to an outside provider of said services.

Section 7. It is the responsibility of the Executive Committee, who shall be comprised of the immediate past President, current President, Vice-President, Secretary, and Treasurer, to:

A. Review and execute the contracts of the employees of the Association, this includes full-time position, part-time, sub-contractors, and other services as needed by the Association.

B. This committee shall pre-approve sub-contractors and other services that may be required from time to time for the management of the Association. C. have constant, effective communication within the Executive Committee.

ARTICLE VIII

Removal of Officers and Directors

Section 1. Any Officer or Director of the Association may be removed from office by a vote of a majority of the Board of Directors.

Section 2. Any Officer or Director whom the Board proposes to remove shall be given written notice of the intent to remove said person at least 10 days prior to the final vote on removal.

ARTICLE IX

Fiscal and Finance Policies

Section 1. The fiscal year of this Association shall be from January 1 through December 31.

Section 2. Annual membership fees shall be paid in accordance with Article III, Section 2.

ARTICLE X

Amendments to Bylaws

Section 1. The Bylaws of the Association may be amended by a vote of a majority of the Board of Directors.

Section 2. The proposed amendment/revision must be presented to the Board, at least twenty five (25) days prior to the final vote.

Section 3. The proposed amendment/revision shall be sent to all members of the Association not later than ten (10) days preceding the meeting of the Board, at which the final vote is to be taken via e-mail, USPS or posted on the Lake WaConDa website.

Recommended Board Calendar Changes:

***Not part of the By-Laws, only for viewing by the board for input/suggestions.

October: Budget proposed

November: Budget approved

December: Year end (12/31)

January: Pay increases

February:

March: Nominating committee appointed

April: Nominating committee submit names of nominees

May: Count ballots for election

June: Annual Meeting (1st meeting of new board)

September: Association fees due on September 1