

RULES AND REGULATIONS

Effective March 13, 2021

The rules and regulations act as guidelines for conducting SAPOA business and are not part of the Bylaws. They may be amended by the Board of Directors as they see appropriate.

SECTION I: BALLOT INSTRUCTIONS

Section 1.1:

Opening and Counting Ballots.

Ballots will be opened and counted within Ten (10) days following the ballot return deadline. Under the Supervision of the Election Committee for elections of Board of Directors and the SAPOA Board of Directors for all other ballot initiatives, the procedures are as follows:

1.1.1. The name and voters return address (required on the return envelope) is checked against the list of eligible voters provided by the Treasurer and verified by the Secretary.

1.1.2. The eligible voters are checked off on the list as having voted.

1.1.3. The inner envelope stamped "BALLOT" is removed from the return envelope.

1.1.4. The return envelopes are kept and counted to verify the number of votes cast. Return envelopes not containing a ballot shall be noted and retained accordingly.

1.1.5. The inner envelope is opened and the folded ballot is removed and placed, still folded, into a receptacle.

1.1.6. When all inner envelopes have been processed, the folded ballots are taken from the receptacle, unfolded and the votes are counted.

1.1.7. The number of total ballots must agree with the number of envelopes received. The ballots shall be tabulated by the Election Committee for elections of Board of Directors and Board of Directors for other ballot initiatives. Any member may observe this count.

1.1.8. Issue Ballots: Unless otherwise specified by the Bylaws, or applicable Restrictive Covenant, any issue(s) shall be approved providing that a simple majority of these ballots agree with the proposed action.

Section 1.2:

Directors Ballots.

The number of candidates (as determined by the number of vacancies) securing the greatest number of votes shall be declared elected and shall take office at the first January Board of Directors meeting.

1.2.1. In the case of a tie, the decision shall be made between candidates by the vote of the majority vote of Board Members not running for election. The loser shall be the first alternate for appointment to the Board of Directors should a vacancy occur before the next election. All ballots must be held for ninety (90) days after the election ballot count date.

SECTION II: BOARD OF DIRECTORS DUTIES

Section 2.1.

Duties of the President

- 2.1.1. Preside at the meetings of SAPOA and the Board of Directors
- 2.1.2. Present candidates for all committees to the Board of Directors for approval, except as otherwise provided in the Bylaws.
- 2.1.3. Be responsible for appointing committees and act as an ex-officio member thereon and perform all other duties that properly pertain to the office
- 2.1.4. May cast a vote to decide the outcome of any tie vote

Section 2.2.

Duties of the Vice-President

- 2.2.1. Preside as President in the absence of the President
- 2.2.2. Preside as Chairman of the Nominating Committee

Section 2.3

Duties of the Secretary

- 2.3.1. Take the minutes of all meetings
- 2.3.2. Make an accurate record of the proceedings in both written and electronic format. Electronic files shall be retained for two years from date recorded.
- 2.3.3. Maintain list of SAPOA members and provide labels electronically or at cost to members as requested
- 2.3.4. Conduct correspondence at the direction of the Board of Directors
- 2.3.5. Collect and record all bills before submitting them to the Treasurer
- 2.3.6. Make available to members current rules, regulations, fee schedules, etc.
- 2.3.7. Keep, maintain, retain, and transfer intact all official records, including computer stored data of SAPOA to his or her successor
- 2.3.8. Serve as chairperson of the Election Committee and other SAPOA ballot initiatives.
- 2.3.9. Check postmark date and voter eligibility per list provided by the Treasurer, using great care to maintain ballot envelopes in an unopened state.
- 2.3.10. Perform all duties that properly pertain to the office.

Section 2.4

Duties of Treasurer

- 2.4.1. Receive all SAPOA monies and deposit them to established SAPOA accounts maintained in a federally insured depository. The Treasurer shall further record and deposit donations specific to their intention received under Bylaws Article VIII, Section 8.4, together with any designated portion of annual dues.
- 2.4.2. Make all authorized disbursements
- 2.4.3. Keep accurate records of all transactions (using Generally Accepted Accounting Principles) and report the financial condition at each regular Board of Directors meeting and at each general membership meeting.

- 2.4.4 Maintain SAPOA's dues database and aging reports.
- 2.4.5. Prepare and file all reports as required by governmental agencies.
- 2.4.6. Keep, maintain, retain, and transfer intact, all official financial records and documents including computer stored data, to his or her successor.
- 2.4.7. Perform all other duties that properly pertain to the office.

Section 2.5

Duties of the Board of Directors:

- 2.5.1. Act on behalf of SAPOA in all legal and business matters.
- 2.5.2. Act in a judicial capacity on violations of SAPOA.
- 2.5.3. Protect SAPOA's interest and safeguard its welfare.
- 2.5.4. Submit its findings and recommendations to the membership.
- 2.5.5. Assemble the financial records to be audited and testified thereto annually.
- 2.5.6. Propose regulations deemed necessary and recommend their adoption by SAPOA.
- 2.5.7. Purchase SAPOA Common Property and Board of Directors liability insurance as required. Insurance policies shall be reviewed annually. A copy of the current policy shall be made available at cost to any member or property owner upon written request.
- 2.5.8. Seek written membership opinions and input regarding significant questions generated by members according to established Bylaws.
- 2.5.9. Provide the following service functions to SAPOA members
 - a. Communicate the existence of Sunshine Acres Bylaws and Plat covenants to new property owners.
 - b. Issue two (2) newsletters per annum and any other as needed.
 - c. Fill vacancies of Board of Directors less approval of the membership for the unexpired portion of any term.
- 2.5.10. Incur liabilities and secure funds in order to effectively carry out the business of SAPOA.
- 2.5.11. Provide the following service functions in support of plat architectural activities:
 - a. Conduct balloting for the election of Plat Architectural Representatives
 - b. Provide limited financial support to Architectural Representatives to cover expenses such as stationery supplies, postage, reproduction, etc., related to their function.
 - c. Conduct mail-in voting procedures set forth in Bylaws Article V, Section 5.1. to support Plats.
- 2.6.12. The Board of Directors shall not act on behalf of SAPOA to:
 - a. Amend the Articles of Incorporation
 - b. Take any action to terminate SAPOA
- 2.6.13. The Board of Directors shall not act independent of membership approval to determine the qualifications, powers, and duties, or terms of office of members of the Board of Directors.
- 2.6.14. The Board of Directors shall not delegate the powers of the Board of Directors or officers to other persons.

SECTION III: ANNUAL REPORTS

The Board of Directors shall provide an Annual Report including SAPOA's annual financial audit. This report will be presented for members approval at the fall annual meeting and be available for distribution within 30 days from the date of the meeting.

SECTION IV: PUBLIC RECORDS

4.1 The SAPOA Board of Directors shall, upon written request from Eligible Members provide reasonable access to SAPOA written and/or audio records except the following:

- a. Property owners' dues payments
- b. Phone numbers
- c. Property tax ID numbers
- d. Plat legal description as maintained by the SAPOA Board of Directors or its committees.
- e. Email addresses
- f. Board of Directors Executive Session discussions
- g. Any other private information as deemed confidential by the Board of Directors or in accordance with privacy laws.

4.2 Records shall be available for examination by all owners, holders of mortgages on lots, and their respective authorized agents upon reasonable advanced notice in writing to the SAPOA Secretary. Records will be made available at the record storage locker or at a jointly agreed upon site. SAPOA may impose and collect reasonable charges for copies and any costs incurred by SAPOA in providing access to records. Upon receiving the requested record/s the requester must sign an acceptance form to be filed with the SAPOA Secretary.