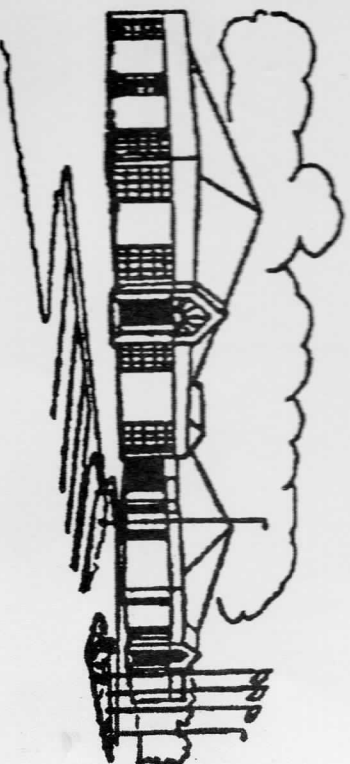


MARION OAKS CIVIC ASSOCIATION

Constitution & By-laws



MOCA

Established 1993

Revised: 1994, 1996, 1997, 1998, 2006

Marion Oaks Civic Association
294 Marion Oaks Lane
Ocala, Florida 34473

BY-LAWS OF
MARION OAKS CIVIC ASSOCIATION

ARTICLE I - NAME

The name of this organization shall be THE MARION OAKS CIVIC ASSOCIATION, INC. hereinafter referred to as the Association.

ARTICLE II - MISSIONS

* *The mission of this association, organized as a non-profit corporation, is to preserve, revitalize and develop the Marion Oaks community through broad-based community support including public/private partnership, business networking, and multicultural expression for the common welfare of its residents by providing leadership toward community improvements. Our vision is for Marion Oaks to be the economic, cultural and entertainment center in southwest Marion County providing a physically attractive thriving community for working, leisure, shopping and living. The association shall have no political affiliations and shall not practice nor condone prejudice or discrimination.*

ARTICLE III - MEMBERSHIP

* *Persons who are residents of Marion Oaks or who own property or a business in Marion Oaks and are at least 18 years of age, are eligible for membership.*

Section 1. Annual membership shall be on a calendar year basis.

Section 2. The membership roster shall be kept confidential and shall not be sold for commercial use.

Section 3. All members shall have the opportunity and privilege of engaging in any and all activities of the Association.

Section 4. Each member shall have one vote upon all matters presented for action to the members of this Association.

* *New amendments*

ARTICLE IV - OFFICERS

Section 1. * *The elected officers of the Association shall be a president, a vice-president, a recording secretary, a corresponding secretary, treasurer and six directors, one of which shall be appointed by the president. This person will be the chairperson or vice-chair of the deed restriction committee. This group is the Board of Directors.*

Section 2. * *Officers and directors shall be elected for a term of two years and may be re-elected for additional two year terms. Half of the directors shall be elected each year. In addition, the president and vice-president each shall be elected in alternate years. (Note: at the first election only, following acceptance of this amendment, the term of the vice-president will be for one year.)*

Section 3. * *If this office of president becomes vacant between elections, the vice-president shall succeed to that office for the remainder of that term. If a vacancy occurs in any other elective office the president, with the approval of the Board of Directors, shall appoint a successor for the balance of that term.*

Section 4. * *The immediate past president, if requested by the president, may serve on the Board of Directors in a non voting advisory capacity for one year.*

Section 5. The Board of Directors shall -

- A. Consider all matters that deal with the interest of the community and that are pertinent to the objectives of this Association as may be referred to it by the President or proposed by the general membership.
- B. Designate the fiduciary depository for the funds of the Association.
- C. Assure that all funds collected in the name of the Association are used to defray administrative costs, community improvement and all activities consistent with the objectives of the Association.
- D. Assure that the President, Vice President and Treasurer are bonded.

2.

continued

ARTICLE IV - OFFICERS - continued

E. Meet each month prior to the Association meeting. Time and date to be set by themselves. A majority of the Board shall constitute a quorum.

F. * *At its January Board of Directors meeting vote to appoint the civic association legal council for a term of one year.*

ARTICLE V - DUTIES OF OFFICERS

Section 1. * *PRESIDENT shall be the official spokesperson for the Association and may assign or delegate this duty. Shall preside at regular and special meetings of the membership and the Board of Directors. May appoint a Parliamentarian. Shall appoint committee chairpersons following consultation with the Board of Directors.*

Section 2. * *VICE-PRESIDENT shall act for the President in the event of his/her absence or disability and perform such other duties as assigned by the President.*

Section 3. **RECORDING SECRETARY** shall keep the minutes of the proceedings of all meetings - regular, special and board of directors; keep a file of all reports and records of the Association; and assist the President in preparing the agenda for meetings.

Section 4. **CORRESPONDING SECRETARY** shall be responsible for posting all notices of meetings and conduct general correspondence.

Section 5. * *TREASURER shall be custodian of all funds of the association, present a financial report at all regular and board meetings and an annual report at the end of the year. Shall pay all bills as authorized by the board. Shall issue checks when they are countersigned by the president or one other authorized officer. Shall maintain a petty cash fund of no more than \$100.00 as approved by the Board of Directors.*

3.

ARTICLE VI - MEETINGS

Section 1. Regular meetings shall be held on the second Tuesday of each month unless otherwise determined by the Board of Directors.

Section 2. Special meetings of the membership may be called by the President or Board of Directors, and shall be called upon the written petition of ten (10) members, provided that notice to that effect has been posted on the outside and inside of the Community Center bulletin boards at least one week prior to the meeting date.

Section 3. The regular meeting in November shall be the Annual Meeting. It shall be for the purpose of electing officers and directors, and such other business as is necessary.

Section 4. A quorum for the transaction of business shall be ten percent (10%) of the membership.

Section 5. * *The order of business shall generally follow the format below. But, may be modified as seen fit by the president (no changes in items A thru K.)*

- A. Establishment of quorum
- B. Call to order - Prayer - Pledge to flag
- C. Roll call of Directors
- D. Reading of minutes - Questions - Acceptance
- E. Treasurer's report - Questions - Approval to file for future audit.
- F. Report of President
- G. Report of Committees
- H. Unfinished Business
 - 1. New Business
- I. Program (may be earlier if appropriate)
- K. Adjournment

Section 6. * *A majority of the votes actually cast is needed to pass a motion. Proxy votes are not permitted.*

Section 7. Secret written votes will be taken if moved, seconded and approved by majority vote.

4.

ARTICLE VII - NOMINATIONS & ELECTIONS

Section 1. * *The President shall appoint a nominating committee of five (5) members at the January meeting to serve for a one year period. Those members shall elect their own chairperson.*

Section 2. The Nominating Committee shall make a report at the September meeting of the Board of Directors and at the regular meeting in September.

Section 3. Nominations from the floor shall be permitted at the September and October meetings.

Section 4. * *Elections shall be held at the annual meeting in November. The vote will be by secret ballot; write-in candidates are not permitted. A candidate may be elected by a plurality vote. If there is only one nominee for an office, the vote shall be by voice and the Secretary shall cast a unanimous vote. Only those members holding a current year membership are eligible to participate in the November elections. (see Article XI, sec. 4 as amended)*

Section 5. * *Installation of officers will take place at the December meeting and the term of office shall begin on January 1st.*

ARTICLE VIII - REMOVAL FROM OFFICE

Section 1. Any officer or director found guilty of misconduct or dereliction of duties, or whose actions are detrimental to the well-being of the Association may be removed from office.

Section 2. A grievance committee of at least three (3) members appointed by the Board of Directors will review the charges and make a recommendation to the membership.

Section 3. * *A two-thirds vote of the members, voting by secret ballot at a special meeting, will uphold the recommendation.*

Section 4. Any member of the Board of Directors shall be removed from office after three consecutive unexcused absences from any regular, special or Board of Directors meetings or any combination thereof. The Board of Directors shall determine by majority vote when such absences are unexcusable. That decision is final.

5.

ARTICLE IX - COMMITTEES

Section 1.

* **DEED RESTRICTION.** The committee shall consist of at least three (3) members. This committee shall see that deed restrictions are complied with by the residents; educate the community about the deed restrictions and use the services of the county building, code enforcement and zoning or any other county department applicable for assistance as necessary. Any committee member shall be removed by the chairperson of said committee if a member does not perform office or field work at least one time per month unless excused by the chairperson of the deed restriction committee.

Section 2.

* **COMMUNITY SERVICES COMMITTEE.** The committee shall consist of at least seven (7) members. It shall be concerned with legislative proposals locally and statewide including utility rate increases and other issues that may impact Marion Oaks residents. Organizes and assists residents to lobby on their own behalf and serves as liaison to the County officials concerning such things as street and stop signs, lighting needs, road maintenance, weed cutting, collection of litter, etc. Assigns monitors when needed at the county commission meetings and replies regularly to the Board of Directors and the membership.

Section 3.

MEMBERSHIP. The committee shall consist of at least five (5) members. It shall be responsible for increasing membership. It shall keep a file on the active members and their special talents and interests that can be utilized for the benefit of the Association. This committee also acts as welcoming hosts at membership meetings.

Section 4.

PROGRAM & ENTERTAINMENT. The committee shall consist of at least seven (7) members. Does advance planning of programs for monthly meetings and other community-wide activities for approval by the Board of Directors. Arranges and serves refreshments and cleans up after the event. If President is unable to attend, represents the Association at meetings of the Council of Organizations to assure coordination with other community activities. Coordinates and secures approval from the Community Center Facilities Director for proposed events.

ARTICLE IX - COMMITTEES - continued

Section 5.

* **BUDGET.** The committee shall consist of at least three (3) members including the treasurer. It shall prepare an annual budget for approval by the Board of Directors and by the membership and shall monitor the budget throughout the year. These three people shall be responsible for a line item for legal purposes for the deed restriction committee and for any other lawful association matters.

Section 6.

AUDITING (AD HOC). Three (3) members shall be elected at the October meeting to audit the financial records of the Association. These members shall elect their chairperson. No Officer nor Director will serve on this committee. They shall present their report to the membership at the January or February meeting.

Section 7.

* **AUDITING (AD HOC)**
Standing committee chairpersons are appointed by the president with the approval of the Board of Directors. Committee chairpersons shall select their committee members.

Section 8.

Additional committees may be created by act of the Board of Directors or by special request of the membership.

ARTICLE X - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the proceedings of this Association in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order the association may adopt.

ARTICLE XI - DUES

Section 1. * *Annual dues shall be set annually by the Board of Directors.*

Section 2. The membership year shall be the calendar year.

Section 3. * *Dues are payable by January 1st.*

Section 4. * *Persons joining the association between November 1st and December 31st shall receive membership cards for the ensuing year, but will be permitted all rights of membership for the remainder of the current year, except with regards to elections.*

ARTICLE XII - AMENDMENTS

Section 1. By-laws may be amended at any regular meeting of the Association by a two-thirds vote of the members present and in good standing, providing that notice of intent to amend was given at a previous meeting.

Section 2. Proposed amendments must be presented in writing by Board of Directors or by at least three (3) members of the Association in good standing.