

BY-LAWS OF THE BUTTERFIELD HOMEOWNER'S ASSOCIATION

This declaration made this 17th day of December, 2009, by the Butterfield Homeowners Association, a corporation, organized under the General Not-For-Profit Act of the State of Illinois, supersedes the declaration made on the 21st day of December, 2006 and shall be considered the rules and regulations governing the actions of the Association.

PURPOSE: The purposes for which the corporation is organized are:

- (a) As an effective body to acquaint homeowners and members in matters which could affect their land value, tax rates, ownership and general welfare.
- (b) To accumulate and disseminate to its members any information concerning the activities or plans of any municipality or municipal planning group, which could affect their economic and social welfare.
- (c) To take an active part in informing its members and encouraging them to exercise their privilege to vote on all non-political issues that may go to ballot. It is expressly understood said corporation is not a political party and will refrain from exercising any influence or disseminating any information to its members constituting an endorsement or the underwriting of any political candidate for any and all offices.

ARTICLE I ORGANIZATION

Section 1. NAME

The organization shall be known as the Butterfield Homeowners Association, hereafter, referred to as the Association.

Section 2. PRINCIPAL OFFICE

The principal office of the Association shall be located at the home of the Registered Agent as registered with the State of Illinois.

Section 3. BOOKS AND RECORDS

The Association shall keep correct and complete financial records and shall also keep minutes of the meetings of its members. Any member, or his agent, or his attorney may inspect all books and records of the Association, for any purpose.

Section 4. FISCAL YEAR

The fiscal year shall commence on the first day of January each year, and shall be the same for all record keeping purposed, including the accrual and collection of dues and the budget of the Association.

ARTICLE II

MEMBERSHIP QUALIFICATIONS

Section 1. MEMBERSHIP

Membership in the Association shall be available only to adult residents and/or owners of homes situated in the subdivision designated as Butterfield, located on the plat of survey of DuPage County, as recorded in the County Recorder's Office.

Section 2 MEMBERSHIP IN GOOD STANDING

Membership in good standing in the Association is contingent upon the payment of dues each fiscal year. Such membership shall consist of owners, or as tenants of such home. Owners of homes within the subdivision, but residing elsewhere, shall also be entitled to membership. No more than two persons at one home may hold membership by payment of the annual dues.

Section 3. TRANSFER OF MEMBERSHIP

Membership in good standing is contingent upon Sections 1 and 2 of Article II and is not transferable.

Section 4. QUALIFICATIONS

Membership qualifications should include the completion of an application form as approved by the Association.

ARTICLE III DUES & PRIVILEGES

Section 1. DUES

The annual dues to the Association for each fiscal year for membership in good standing shall be an amount determined by the Executive Board. That amount should then be presented at the next meeting and brought to a vote by the members and passed with a majority.

Section 2. PRIVILEGES

Voting privileges at annual, regular, and special meetings shall be extended to all members in good standings.

ARTICLE IV RESPONSIBILITIES

Section 1. RESPONSIBILITIES

Members are encouraged to cooperate with the Executive Board and accept responsibilities whenever delegated.

ARTICLE V VOTING

Section 1. RIGHT TO VOTE

All members in good standing shall have the right to vote at annual, regular and special meetings.

Section 2 NORMAL VOTING

Normal voting shall be by voice vote, or by a showing of hands, or in writing.

Section 3. SPECIAL VOTING

- (a) BALLOT VOTING.** The Board may approve a ballot vote on justifiable issues. A ballot vote may be called for by any member from the floor at any time by a special motion which must be approved by two-thirds of the members in attendance and voting.
- (b) MAIL BALLOTS.** A mail ballot may be approved by two thirds of the members present and voting at any meeting. Conditions of the balloting will be included in the motion for mail ballot. Each member in good standing will receive a ballot.

Section 4. ABSENTEE VOTING.

Absentee voting will be allowed only in cases of ballot voting on issues presented in the form of a motion at a previous meeting. Absentee ballots will be procured from the Board and returned to a member of the Board in a sealed enveloped prior to the meeting at which balloting will take place, and will be counted at the time of regular voting.

Section 5. PROXY VOTING

There shall be no proxy voting.

Section 6. INTERNET VOTING

There shall be no internet voting.

Section 7. COUNTING OF VOTES

A voice vote shall be decided by the chair. A show of hands and/or ballot voting shall be counted by tellers appointed by the chair.

Section 8. QUORUM

No issue shall be decided at any meeting unless a quorum is present or as described below in Article VI, Section 1.

**ARTICLE VI
MEETINGS**

Section 1. The presence of 20 members in good standing shall constitute a quorum. If less than 20 members in good standing are present any order of business may be approved or rejected if two-thirds of those members in attendance are in agreement.

Section 2. ANNUAL MEETING

The annual meeting of the Association shall be held during the Regular meeting in March of each year for the purpose of electing officers and for the transaction of such other business as may come before the meeting.

Section 3. REGULAR MEETINGS

Commencing with the annual meeting in March, regular meetings will be held at the discretion of the Executive Board, with a minimum of two meetings per year.

Section 4. SPECIAL MEETINGS

Special meetings may be called by the Executive Board when deemed justifiable. Special meetings may be call upon the request of ten percent of the members in good standing.

Section 5. NOTICE OF MEETINGS

Written or printed notice stating the place, day, and hour of any meeting of the members shall be delivered either personally, by mail, e-mail, or through the website, not less than three nor more than forty-five days before the day of such meeting. Printed notice of the meeting can be posted at the entrance of the subdivision. In case of a special meeting, or when required by statute or by these laws, the purpose for which the meeting is called shall be stated in the notice. The notice of the meeting shall be deemed delivered when deposited in the U. S. mail.

Section 6. TIME AND PLACE OF MEETING

The Executive Board may designate any place for the meetings within a reasonable distance from the area represented by the Association. All meetings will commence at 7:30 unless due notice is given to the contrary.

Section 7. AGENDA

An Agenda shall be prepared by the Executive Board. The Order of Business at all meetings except Special Meetings will be as follows:

- Call to Order
- Reading of Minutes
- Treasurer's Report
- Bills
- Correspondence
- Reports of the Executive Board
- Announcements
- Unfinished Business
- New Business
- Adjournment

Section 8. NON-MEMBERS

Non-members shall not be excluded from attendance at meetings, but shall not be entitled to make motions for the floor, nor vote on any issue; however, they have the privilege of discussion.

ARTICLE VII ORGANIZATION

Section 1. OFFICERS

The officers of the Association shall consist of a President, Vice-President, Treasurer and Secretary.

Section 2. DUTIES

- (a) PRESIDENT:** The duties of the President in general shall be as follows: To open the meeting at the designated time; To announce the business before the assembly in the order in which it is to be acted upon; To recognize members entitled to the floor and non-members for discussion; To state and to put to vote all questions which are regularly moved or necessarily arise in the course of the proceedings and to announce the results of the vote; To protect the assembly from any annoyance or foolish or dilatory motions by refusing to recognize them; to appoint all committees except the nominating committee; To carry out all other duties as outlined in Article 10, paragraph 58 of Roberts Rules of Order. The President shall be an ex-officio member of all committees except the nominating committee.
- (b) VICE-PRESIDENT:** The vice president shall assume the duties of the President in the event of the President's absence and shall conduct the meeting as outlined under the duties of the President. In the event of the resignation of the President, the Vice President shall assume the responsibilities for the unexpired term of the President's Office. The Vice-President is also responsible for all duties which relate to the collection of annual dues of the Association
- (c) CORPORATE SECRETARY:** The Corporate Secretary is responsible for the records of the Association with the exception of the treasures books, and the minutes of the meetings. In addition, the Secretary is responsible for all other duties as outlined in Article 10, paragraph 59 of Roberts Rules of Order pertaining to this office. Other responsibilities are for all printed notices of meetings and any other printed matter as prescribed by the Association of the Executive Board. Furthermore, the duties of the Secretary office shall be to conduct correspondence of the Association unless otherwise assigned.
- (d) TREASURER:** The Treasurer will maintain records of funds received, deposited, and disbursed. The treasure shall submit a financial report at each regular Association meeting. This report shall be submitted in a spreadsheet showing a month to month transactions and available at each regular meeting as well as the Newsletter The records of the

Treasurer shall be made available as outlined in Section 4, Article 1. The Treasurer shall be bonded.

- (e) **EXECUTIVE BOARD:** In addition to the specific duties described in the By-Laws, each member of the Executive Board shall have the responsibility to be well informed on all activities of the Association; and to be prepared to assume such other duties as may be required by circumstances and assigned by the President.
- (f) **DIRECTORS:** In addition to other duties, the President, Vice-President, Treasurer, Secretary and past President shall serve as Directors of the Association.

Section 3. ELECTION: QUALIFICATION AND TERM OF OFFICE.

(a) The officers of the association shall be resident members and shall be elected annually by the membership at its annual meeting. The President shall fill vacancies by appointment, subject to approval by the Association at the next regular meeting. Each officer shall hold office for one year, or with a maximum of three years, or until his successor is elected and installed at the first regular meeting subsequent to the election, In the event that the office of President and Vice President become vacant, the remaining Board members will appoint a President. This action must be approved by the membership at the next regular meeting.

(b) The Executive Board shall submit a budget of projected receipts and expenditures for the upcoming fiscal year at the first meeting of the year for consideration and approval of the members of the Association. The budget shall be included in the Newsletter published prior to the meeting. No non-budget expenditure shall be made by the Executive Board without the approval of the Association members.

Section 4. EXECUTIVE BOARD

The Executive Board shall consist of the elected officers for the current year President, Vice President, Treasurer, Secretary and the immediate past-President

Section 5. STANDING COMMITTEE

Standing committees may be appointed by the President when necessary.

Section 6. SPECIAL COMMITTEES

Special committees may be appointed by the President during the course of the normal transaction of business, or when so directed by the Association.

Section 6. NOMINATING COMMITTEES

The Nominating Committee shall consist of three members appointed by the Executive Board and announced by the President at the January meeting. The chairman of the Nominating Committee shall be a current

member. The duties of this committee shall be to submit at the March meeting the qualified candidates.

ARTICLE VIII CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. CONTRACTS

The Executive Board of the Association must authorize any officer or officers, agent or agents of the Association to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association provided that any authority given to any agent or agents be given in writing for specific instances or by approval of the general membership at a meeting.

Section 2. CHECKS, DRAFTS, ETC.

Any checks, drafts or other orders for non budget expenses, for the payment of money notes or other evidence of indebtedness issued in the name of the Association shall be signed by the Treasurer and any two or three members of the Executive Board to be designated by the Board.

Section 3. DEPOSITS

All funds of the Association shall be deposited to the credit of the Association in such banks, trust companies or other depositories selected and approved by the Executive Board.

Section 4. GIFTS

The officers may accept on behalf of the Association any contribution, gift, bequest for the general purposes or for any special purpose of the Association.

Section 5. DONATIONS;

No member shall make any donations, contribution, or gifts to any person or organization unless approved by the membership at a meeting.

Section 6. FUND RAISING

The Association shall not embark upon any program of fund raising from means other than by dues unless the program or endeavor is approved by the membership at a meeting where the notice is sent to the members indicating that the particular fund raising plan was to be submitted to a vote.

Section 7. AUDITING

The annual audit of the books and records of the Association shall be made by an auditing committee consisting of at least two members. The audit shall take place prior to the first meeting of the year, with a complete report published in a Newsletter prior to that meeting. The members of

this committee are to be solicited from the floor at the fall meeting. (If more than two volunteers, the chair does in fact both select and appoint the committee.)

**ARTICLE IX
AMENDMENTS TO BY-LAWS**

The By-Laws may be altered, amended, or repealed and new BY-Laws may be adopted by a two-thirds vote of the members voting on the alteration amendment or repeal, provided that written notice (in accordance with Section 1, Article IX) is given of the intention to alter, amend or repeal, or to adopt new By-laws at such meeting.

Section 1. PROCEDURES

The procedure for submitting an amendment shall be:

- (a) Any proposed amendment must be submitted in writing to the secretary at the time a motion is made.**
- (b) Notice of the meeting at which the proposed amendment is to be voted upon must include the proposed amendment and, if applicable, the Article or Section which it is intended to amend.**

The Butterfield Homeowners Association shall be subject to these By-Laws as presented and amended. Any points not covered herein shall be covered by Roberts Rules or Order or prior precedents.

**Signed and Sealed this 17th day of
December, 2009**

(President)

Witness:

Vice-President

Recording Secretary

Approved by Unanimous Vote