

Golf Beach Shores Association

Bylaws change tracking sheet

Article	Section	Date	Add/Delete/Change description
-	-	Mar 19, 1985	Initial adoption
-	-	January 2022	Scanned document ported into electronically editable document. No changes to content
-	-	June 2022	Document rewritten to include amendments listed below with a June 2022 date in a single, coherent, document that can be distributed to, and easily understood by members.
II	6, 7, 8	June 2022	Removed section 6 (Declarant) because it is not relevant to By-Laws. Renumbered sections 7 and 8 to 6 and 7 respectively
III	1	June 2022	Added new section Member Rights and Obligations: to help people understand their role as a member.
III	2	June 2022	Added new section Member Duties: to call attention to each members duty to pay assessments, and adhere to the rules established by the association
III	4	June 2022	Notice of meetings updated to allow electronic notification when consented to by members. Notices must be issued at least 15 days before meeting, and not more than 60 days before.
III	6	June 2022	Restricted Proxies to an effective term of 11 months, after which they automatically cease.
III	7	June 2022	Quorum for member meetings has been increased from 1/10 (3.5 units) to 10 to ensure votes reflect a reasonable portion of the membership. Added that special assessment and updates to governing documents require 75% as set forth in the Declarations.
IV	1	June 2022	Added section 1 General Powers (of Board) to detail the high level, or overarching objectives of the Board of Directors
IV	2	June 2022	Added section 2 Duties, to enumerate the 4 essential duties of the Board of Directors so that it is clear to everybody what the Board is tasked to do.

Article	Section	Date	Add/Delete/Change description
IV	3	June 2022	Revised Number, Tenure and Qualifications to require: no less than 5, no more than 7 Directors, Directors do not need to be Members, so long as the majority number of directors are Members, Directors hold office for 2 years
IV	12	June 2022	Added section 12 (Delegation of Powers) to restrict a delegates ability to approve financial decisions. Any financial decision with a consequent fo \$1,000 more must reviewed and approved by the Board
V	1 - 4	June 2022	Officers shall be; President, Vice President, Secretary, Treasurer, and shall serve a 1 year term. Officers elected by Board of Directors
V	6	June 2022	Duties (of Officers) enumerated and specifically detailed to bring clarity and guidance to what is expected when serving in each of the four core officer positions.
V	8	June 2022	Change to allow Principal Officers to receive compensation for their services. This was added to allow a viable pathway to begin self-managed should external property management services become financially impractical.
VIII	-	June 2022	Added section Amendments, to define process for amending by-laws in the future.

EXHIBIT III
BYLAWS
OF
Golf Beach Shores Association, Inc.

ARTICLE I: NAME AND LOCATION

The name of the corporation is Golf Beach Shores Association, Inc., hereinafter referred to as the “Association.” The principal office of the corporation shall be located 3300 East Lake Road, in the Town of Canandaigua, Ontario County, New York, but meetings of the members and directors may be held at such other places within the State of New York as may be designated by the Board of Directors.

ARTICLE II: DEFINITIONS

Section 1.

“Association” shall mean and refer to Golf Beach Sores Association, Inc., its successors and assigns.

Section 2.

“Properties” shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3.

“Common Area” shall mean all real property owned by the Association for the common use and enjoyment of the Owners.

Section 4.

“Lot” shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area.

Section 5.

“Owner” shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interests merely as security for the performance of an obligation.

Section 6.

“Declarations” shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of the Clerk of the County of Ontario.

Section 7.

“Members” shall mean and refer to those persons entitled to membership as provided in the Declaration, who have the right and responsibility to contribute to the operation of the Association by serving, or nominating persons to serve on the Associations Board of Directors, and voting on the annual election of Board Members and all matters submitted to a vote at meetings of the Members.

ARTICLE III: MEMBERS

Section 1. Rights and Obligations

Members have the right and responsibility to participate in the governance of the Members Association by nominating candidates, which may include themselves, to serve on the Association’s Board of Directors by voting on the annual election of Directors, and by voting on the adoption of proposed amendments to the Declarations, these by-laws, or any special assessments proposed by the Board of Directors.

Section 2. Duties

- a) As more fully provided in the Declarations, each member is obligated to pay the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. One-twelfth (1/12) of the annual assessment is due on the first day of each month, unless payment for the total annual assessment has already been received.
- b) As more fully provided in the Declarations, ensure they, their family members, guests, or tenants, abide by the rules set forth by the Declarations and the Board of Directors.

Section 3. Annual Meeting

The annual meeting of the members shall be held on the third (3rd) Tuesday in April following the date of incorporation of the Association, for the purpose of electing Directors and for the transaction of such other business as may come before the meeting.

Section 4. Special Meetings

Special meetings of the members, for any purpose or purposes, may be called at any time by the Board of Directors, or upon written request of one-fourth (1/4) of the members who are entitled to vote.

Section 5. Notice of Meetings

Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 and not more than 60 days before the date of the meeting, either personally, by mail, or, if consented to by the member, electronic mail-

Section 6. Proxies

At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease after 11 months from the date of its execution or upon conveyance by the Member of the lot for which a vote is entitled.

Section 7. Quorum

The presence of 10 or more Members entitled to vote, or represented by their duly appointed proxy, shall constitute a quorum at a meeting of Members, except for special assessments and amendments to the Declaration which requires 75% as specified in the Declaration. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than the announcement at the meeting, until a quorum as aforementioned shall be present or represented.

ARTICLE IV: BOARD OF DIRECTORS

Section 1. General Powers

The daily operational and business affairs of the Association shall be managed under the direction of its Board of Directors, under the authority granted by the law of New York. In terms of a general overarching objective, the Board of Directors is tasked with upholding the Association's Declaration of Covenants, Conditions and Restrictions, and managing the Association's financial assets to ensure future common area property maintenance and improvements can be carried out without the need for special assessments.

The Board of Directors may engage the services of a manager, managing agent, or both, to assist with the fulfillment its obligation for common area property maintenance and other daily operational tasks pursuant to section 12 of this article.

Section 2. Duties

The Board of directors shall:

- a) Prepare an annual budget and a statement of income and expenditures that shall be delivered to members in accordance with these by-laws and presented at the Annual Meeting of Members.
- b) As more fully provided in the Declaration, fix the rate of assessment for each lot at least 30 days prior to each annual assessment, and provide written notice to all members of such assessment.
- c) As more fully provided in the Declarations, collect interest accrued and foreclose the lien against any property for which the assessment is overdue.
- d) Supervise all officers, agents and employees of the Association and ensure their duties are properly performed.

Section 3. Number, Qualification, Tenure

The affairs of this Association shall be managed by a Board comprised of no less than five (5) and no more than seven (7) directors. Directors shall be natural persons eighteen (18) years of age or older, who need not be members of the Association so long as at all times the majority number of directors are Members. Each Director shall hold office for a term of two (2) years.

Section 4. Nomination and Election

To preserve year-over-year continuity within the Board of Directors, Directorship terms have been structured such that each year approximately one-half (1/2) of the positions become vacant and are up for election at the Annual Meeting of Members. At least 30 days but not more than 60 days prior to the Annual Meeting of Members, the Board will issue a request for nominees identifying how many positions are open to all Members entitled to vote, following the afore stated protocol for notice of meetings. A listing of all nominations received shall be distributed to the Members prior to the Annual Meeting. Nominations may also be made from the floor at the Annual Meeting.

At the Annual Meeting, through a process of secret written ballot, members will vote on persons to fill the open director positions. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

Section 5. Resignation, Removal and Vacancies

A Director may resign by filing his or her resignation with the Secretary, to take effect as set forth in such resignation, which shall have the effect of creating a vacancy. Any director may be removed from the Board, with or without cause, by vote of seventy five percent (75%) of the Members, which shall have the effect of creating a vacancy. In the event of death, resignation or removal of a Director, a successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of the predecessor.

Section 6. Compensation

No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 7. Regular Meetings

Regular meetings of the Board of Directors shall be held monthly at such place and hour as may be fixed from time to time by resolution of the Board. Notice of said meeting shall be included in the minutes of the previous board meeting distributed to unit owners.

Section 8. Special Meetings

Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any two directors, after not less than three (3) days' notice to each director. Written or electronic waiver of notice or attendance at such meeting without protest by the Director shall be equivalent to the giving of such notice and cure any deficiency therein.

Section 9. Quorum

A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

Section 10. Action taken without a meeting

The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining written or electronic approval from all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

Section 11. Committees

The Board of Directors may appoint an Architectural Control Committee, comprised of three (3) or more members as provided in the Declaration, any other special committees as from time to time may be deemed appropriate to fulfilling the purpose of the Association.

Section 12. Delegation of Powers

The board may delegate the power to elect, appoint, and supervise the officers and employees carrying out the daily business and maintenance operations of the Association, however under no circumstances shall they delegate the power or responsibility to review and approve financial decisions with consequences greater than one thousand dollars (\$1,000)

ARTICLE V: OFFICERS

Section 1. Enumeration of Officers

The officers of this Association shall be a President, Vice President, Secretary, and Treasurer. Other officer positions may from time to time be created and duties defined, or dissolved by resolution of the Board of Directors.

Section 2. Election and Term

Officers shall be elected by vote of the Board of Directors at the first Board of Directors meeting following each Annual Meeting of Members. Each Officer shall hold office for a 1 year term, or until their death or resignation, or resignation or removal in the manner hereafter provided.

Section 4. Resignation and Removal

Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its' judgement the best interest of the Association would be served thereby. Any officer may resign at any time giving written notice to the Board of Directors, President, or Secretary specifying the effective date of such resignation. The Board of Directors acceptance of such resignation shall not be necessary to make it effective.

Section 5. Vacancies

A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the afore stated term.

Section 6. Duties

(a) President

Subject to the control of the Board of Directors, the president shall supervise and control all of the business affairs of the Association. He/She shall preside at all meetings of the Board of Directors and Members, shall see that orders and resolutions of the Board are carried out, and shall sign all leases, mortgages, deeds, and other written instruments.

(b) Vice-President

In the absence of the President or in the event of his/her death, inability or refusal to act, the Vice-president shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Vice-president shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

(c) Secretary

The secretary shall record the votes and keep the minutes of the Member's and Board of Director's meetings and see that all notices are duly given in accordance with the provisions of these by-laws. He/She shall keep a register of the post office address of each member as furnished by the member, and if authorized by the member, their email address, and shall perform such other duties as from time to time may be assigned by the President or Board of Directors.

(d) Treasurer

The treasurer shall have charge over, and be responsible for all funds and securities of the Association and shall keep regular books of all receipts and disbursements made on behalf of the Association. He/She shall cause an annual audit of the Association's books to be made by a public accountant at the completion of each fiscal year and shall ensure that an annual budget and a statement of income and expenditures is prepared and delivered to members in accordance with the provisions of these by-laws and the Declarations.

Section 7. Multiple Offices

The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to section 1 of this article.

Section 8. Compensation

The salaries of the principal officers shall be fixed from time to time by the Board of Directors. No officer shall be prevented from receiving his/her salary by reason of the fact that he/she is also a Director.

ARTICLE VII: BOOKS AND RECORDS

The books, records, and papers of the Association shall at all times, during the reasonable business hours be subject to inspection by any member. The Declaration, the Articles of Incorporation, and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association where copies may be purchased at a reasonable cost.

ARTICLE VIII: AMENDMENTS

These bylaws may be altered, amended, or repealed and new bylaws may be adopted by an instrument signed by seventy-five percent (75%) of Members, as fully described in Article XI of the Declarations.

First Name	Last Name	Lot	Signature of Approval
Estate of Evelyn Rumsey	Kim Currie (daughter)	1A	
Martin	Rundt	1B	
Stephen	Morin	1C	
Mary Jo	Polimeni	1D	
Sean	Gustafson	1E	
Danielle	Ohlson	1F	
Drinda	Lofton	2A	
Carrie	Spelman	2B	
Marilyn	<i>DeRuyter-Landlord</i>	3A	
Roy & Linda	Lafond	3B	
Nancy	Burson	3C	
Jeanne	Ohlson	3D	
Bill	Youhass	3E	
Philip	Tiller	3F	
Dallas & Gidge	Smith	4A	
Kristina	Cahoon	4B	
Estate of Ken & Marlene	Hansen	4C	
Kathy	Semmler	4D	
Peter	Depaolis	4E	
Carla	Demeco	4F	
Kathryn	Smith-Hanford	5A	
Nathan Cassandra	Brillian Schlenker	5B	
Kathleen	Gates	5C	
Brenda	Sidoran	5D	
Jamie	Seibold	5E	
Kurt	Ledgerwood	5F	
Terri	Fisher	6A	
Sadie	McKee	6B	
Judy	DiRaddo	6C	
Charlie	Cross	6D	
Roger	Egan	6E	
Robert Jing	Gear III Qian	6F	
Rosemary	Smith	7A	
James	Lindner	7B	
Mike	Pilarski	7C	