

# **Lake View Park By-Laws**

*Adopted August 1983 and Amended October 1999*

## **Article I - Purpose**

Section 1. Purpose: The purpose of the Lake View Park Commission is to enhance and preserve the beauty and quality of the Lake View Park Subdivision as herein expressed and as set forth in the original deeds of conveyance relative to Lake View Park.

## **Article II - Geographic Area**

Section 1. Geographic Area: All area located in the geographical section of Buncombe County-known as Lake View Park and as reflected on a recorded plat of the property of Lake View Park as the same appears in the Buncombe County Public Registry, shall be deemed the geographic area within which the Lake View Park Commission shall exercise its authority as hereinafter set forth.

## **Article III - The Commissioners**

Section 1. Commission: A Commission composed of five (5) Lake View Park lot owners shall carry out the duties and functions enumerated in the Covenants of the original deeds of conveyance noted in Article I.

Section 2. The Commission shall consist of a Chairman, a Secretary, a Treasurer, a Commissioner of Grounds and Maintenance, and a Commissioner of Fishing and Boating.

Section 3. The Commissioners shall be elected for a term of one (1) year at the Annual Meeting of the Lake View Park property owners.

Section 4. There shall be no limit on the number of successive terms a Commissioner may serve.

Section 5. Any vacancy on the Commission shall be filled by appointment by the remaining Commissioners until the next Annual Meeting.

## **Article IV - Basic Duties of the Commissioners**

Section 1. Chairman: To approve all zoning of new construction and building permits, handle legal matters, including insurance (liability, fire and theft); coordinate the administrative operations of the Commission, preside at all meetings, establish meeting dates for the Commission, assign responsibilities.

Section 2. Secretary: Responsible for Commissioner's correspondence, meeting announcements, meeting minutes, send condolences to deceased members' family, keep up-to-date on property title changes and correct mailing list.

Section 3. Treasurer: Receive and account for all assessment sums collected; pursue delinquent accounts; receive and disburse payment for bills after approval by Commissioner responsible, or by Commission if amount is greater than \$1000.00. Prepare and mail annual assessment statements. Maintain checking account and other reserve accounts. Prepare and present financial statement at annual meeting. Prepare an annual budget for Commission approval. Treasurer's position shall receive compensation as determined by the Commission.

Section 4. Commissioner of Grounds and Maintenance: Responsible for all mowing, trimming, brush removal, trash and litter disposal, tree removal (through city or Carolina Power & Light-when possible), tree replacement on Commission property, maintaining equipment and buildings, supervising one full time (April - October) hired person and engaging extra help as required to discharge above duties within budget allowances; coordinating and resolving problems with City involving sewers, water supply, streets and traffic.

Section 5. Commissioner of Fishing and Boating: Responsible for the sale of resident and non-resident fishing and boating permits for Beaver Lake; engage and supervise a warden (whose salary shall be-determined by the Commission); coordinate the boat docking and auto parking areas; account for all sales and receipts associated with permit transactions, and stock Beaver Lake with fish as required. Responsible for maintenance and operation of the flood warning system at the dam, to include contracting with a local communications agency to maintain the transmitter and receiver at the county emergency center.

Section 6. Commissioners' Expenses: Except as herein provided, the Commissioners shall not receive a salary but shall be entitled to reimbursement for their reasonable out-of-pocket expenses incurred in furtherance of their responsibilities as Commissioners.

#### **Article V - Committees**

Section 1. Nominating: A Nominating Committee, to be appointed by the Chairman, shall consist of three (3) property owners, one of whom is designated as Chairman. The duty of this Committee is to present a slate of nominees for Commissioners to be elected at the annual meeting. When voting is by paper ballot, the Committee shall distribute the ballots and, after the voting, collect the ballots and tally the results.

Section 2. Hospitality: This Committee shall consist of a Chairman plus three others appointed by the Chairman of the Commission. This Committee shall call on new residents who move into Lake View Park, and shall be responsible for refreshments at the L.V.P. property owners meetings.

Section 3. Recreation: This Committee shall consist of a Chairman and four other members appointed by the Chairman of the Commission. It shall be responsible for planning social indoor or outdoor programs for the residents of Lake View Park and foster a feeling of community and neighborhood among the residents of Lake View Park.

Section 4. The Chairman of the Commission may-appoint such other committees as may be deemed appropriate by the Commission.

#### **Article VI - Meetings**

Section 1. An Annual Meeting of the property owners in Lake View Park shall be held during the month of October at 7:30 p.m. at such place and date as the Commission may determine for the purpose of hearing a report of the Commissioners, the election of Commissioners, and such other business as may be appropriate. The Secretary shall notify all property owners by mail thirty days before the meeting of the date and place thereof and of any other anticipated important business to be acted upon. Election of Commissioners shall be by majority of LVP property owners present. Property owners holding title as tenants by entirety, tenants in common, or joint tenants with right of survivorship shall be deemed to have one (1) vote between or among such owners.

Section 2. Special meetings of the LVP property owners may be called by the Commission as it may deem desirable, provided reasonable notice of the meeting, stating its purpose, shall be given to each property owner.

Section 3. The Commissioners, along with Committee Chairmen as may be appropriate, shall meet once each month at a time and place designated by the Chairman, and at such other times and places as may be necessary to carry on the business of the Commission.

Section 4. All meetings shall be conducted under Robert's Rules of Parliamentary Procedure.

Section 5. The Commission may, when judged desirable, submit matters to a vote of the LVP property owners by mail. Adoption of the proposition submitted shall be by majority vote of the ballots returned.

#### **Article VII - Liability**

Section 1. Liability: No indebtedness or liabilities shall be incurred on behalf of the property owners by the Commission in excess of available funds.

#### **Article VIII - Assessments**

Section 1. Assessments: The Commission shall have the authority to levy and collect assessments on the property owners within Lake View Park as defined in Article II above, and in accord with the Covenants of the original deeds of record and applicable North Carolina law.

#### **Article IX - Amendments**

Section 1. Amendments: These Rules and Regulations may be amended by the affirmative vote of two thirds (2/3) of the property owners present at any Annual Meeting, provided notice of the proposed amendment(s) is given in the notice of the meeting.