

**CONSTITUTION**  
**OF**  
**BUCKS LAKE HOMEOWNERS ASSOCIATION, INC.**

**PREAMBLE**

The Constitution and associated Bylaws for the Bucks Lake Homeowners Association, Inc. adopted July 2006 (and thereafter revised on July 2007 and on July 2010) are hereby amended and restated as of **September 13, 2020**, and this amendment shall replace any and all previous Constitutions and Bylaws of the Bucks Lake Homeowners Association, Inc.

**ARTICLE I**  
**Name**

The name of this Association shall be "**BUCKS LAKE HOMEOWNERS ASSOCIATION, INC.**" (hereinafter referred to as "BLHA" or "Association"). The BLHA shall not be conducted for gain or profit, and shall have no power to declare and pay dividends; but it will have the power to hold such real and personal estate as shall be necessary for its purpose and to receive real and personal property by purchase, gift, devise or bequest.

**ARTICLE II**  
**Purpose**

The object and purpose of this Association is solely for the mutual benefit of the organization, and it does not contemplate pecuniary gain or profit to the members thereof and is organized solely for nonprofit purposes.

**ARTICLE III**  
**Conditions**

The membership shall be composed of one BLHA dues paying owner or permit holder per lot within the Bucks Lake Special Use Tract in the Plumas National Forest, more particularly described in the office of the Plumas Forest Supervisor, or to such private land owners or permittee of the Pacific Gas & Electric Co. lands, or their assigns, located in the general area of Bucks Lake in the Plumas National Forest. Any person having an equitable interest in a lot/cabin located within the Bucks Lake Special Fire Tract in the Plumas National Forest, including but not limited to permittee, lessee, licensee, owner, trustee or a beneficiary of a trust agreement, may be designated in writing by owner or permit holder as the member representing said lot/cabin. The Bylaws under this Constitution may further provide conditions and requirements for membership fees, assessments, rights to vote and to hold office. Each lot owner or permittee shall be invoiced annually for Association dues and any such fees as the Association shall from time-to-time determine. Lot owners and permittees who do not pay the required dues and fees shall not be entitled to the services or benefits of this Association.

**ARTICLE IV**  
**Officers and Directors**

The officers of this Association shall be President, Vice President, and eight (8) Directors. The past president may serve as an ex-officio Director until replaced by the out-going President. The past president will normally serve for a maximum of two years. These ten officers shall constitute "The Board of Directors" and shall manage and conduct the business of the Association within the limits of the Bylaws under this Constitution. The Board of Directors shall appoint a Secretary/Treasurer or a Secretary and a Treasurer.

**ARTICLE V**  
**Meetings**

The meetings of this Association shall be held when called by the President, or Vice President, as may be permitted under the Bylaws, but there shall be at least one annual meeting of the members which shall be held not earlier than the first day of July and not later than the 15th day of September of each year. Notice of each annual meeting or general meeting of the members shall be provided by U.S. Mail, email, or fax to each member at least two weeks in advance of such meeting date, setting forth the time and place of such meeting. Board meetings may be called by the President or by three or more Board Members as required to conduct the Association business.

**ARTICLE VI**  
**Election of Officers**

The election of officers shall be by the members of this Association and they shall serve for a period of two (2) years. The qualifications, powers and duties of the officers and members of the Board of Directors shall be as herein described and further set forth in the Bylaws.

**ARTICLE VII**  
**Amendment to Bylaws**

Amendments to this Constitution and associated Bylaws may be submitted to the membership signed by two (2) members of the Board of Directors, and may be adopted by a two thirds (2/3) approval of the regular membership present or by a two thirds (2/3) approval of the ballots received if voting by mail.



**BYLAWS OF THE  
BUCKS LAKE HOMEOWNERS ASSOCIATION, INC.**

**ARTICLE 1  
Membership**

Section 1. For a member to be in good standing he/she must have their dues paid on or before the annual meeting. All members in good standing shall have all the privileges and responsibilities for the obligations of the Association and shall be entitled to vote and to hold office.

Section 2. Every membership shall be subject to cancellation by the Board of Directors whenever the holder thereof fails to pay the dues or assessments of this Association.

Section 3. All membership benefits secured from assessments or dues paid the Association by a regular member who transfers or relinquishes his/her permit, lease, or ownership to another shall accrue to the party to whom the permit, lease, or property is transferred or relinquished, but a member need not assign his/her membership without a consideration.

Section 4. A non-voluntary cancellation of a lease by the Forest Service or the Pacific Gas & Electric Co. or other entity will automatically cancel that membership in the Association.

Section 5. The members shall be responsible for keeping the Association advised of their correct contact information by notifying the Treasurer with a copy to the President. Any notice required to be given to any member under the Constitution and Bylaws of this Association shall be given via U. S. Mail, email, or fax. If the correct address of a member has not been provided to the Association, such member shall be deemed to have waived any notice provided for by these Bylaws.

Section 6. The members shall be limited to one vote per "Cabin", "Site" or "lot".

**ARTICLE 2  
Election of Officers and Directors**

Section 1. The Board of Directors is elected at the regular annual meeting of the Association and shall take office immediately after their election. Four (4) Directors will be elected on odd years and four (4) Directors will be elected on even years at the regular annual meeting according to the schedule in Article X, Section 2 below. The President and Vice President positions shall be elected at the regular annual meeting on odd years.

Section 2. The members of the Board of Directors shall be represented as follows:

- (a) Four (4) members, two each from the two Forest Service Tracts: Bucks Lake Tract and Haskins Valley Tract,
- (b) Two (2) members from the PG& E Permittee Lots, and
- (c) Two (2) members from the private property interest around Bucks Lake.

Should no members step forward for election from any of these areas, a member may be elected from any of the other areas. Positions not filled by election shall be appointed by the Board.

Section 3. Each Officer or Director shall be a member or designated representative (defined in Constitution Article III) of the Association in good standing.

Section 4. If an Officer or Director at any time after his/her election shall cease to have any of the qualifications herein provided for, his/her office shall become immediately vacant without action other than to read such fact upon the minutes of the Board.

Section 5. Vacancies in the Board of Directors may be filled by action of the remaining Board of Directors until the next general membership meeting at which time that or any other vacancy will be subject to election by the general members for the remaining period of that term.

Section 6. Six (6) or more Directors shall constitute a quorum of the Board sufficient for the transaction of all business of this Association, except where otherwise specifically prescribed by the Bylaws.

Section 7. Officers and Directors shall serve without compensation with the exception of the Secretary/Treasurer.

### **ARTICLE 3**

#### **Powers and Duties of Officers and Directors**

Section 1. The Board of Directors shall conduct, manage and control the business of the Association, make rules and regulations not to conflict with the laws of the federal, state or county in which this Association resides.

Section 2. The Board of Directors shall call a special meeting of the members when they deem it necessary or at any time upon written request of at least one-quarter (1/4) of the Association members.

Section 3. The Board of Directors shall appoint the secretary/treasurer (combined or separate positions), remove from or fill these positions, and fix compensation for these positions.

Section 4. The Board of Directors shall appoint or remove agents and employees, prescribe their duties, and fix compensation.

Section 5. The Board of Directors shall:

(a) Require the Treasurer to submit a proposed budget for the ensuing fiscal year at the Spring Board of Directors meeting. Upon acceptance of this budget they shall authorize the Treasurer to purchase, direct purchases, contract with individuals or firms for work and services all within the approved budget without further Board deliberation. The Treasurer is specifically authorized to vary line item expenditures up to \$500 without prior authorization of the Board provided that the total budget is not exceeded. (Revised July 21, 2007).

(b) Changes to the budget which in any way increase the total-budget expenditures must be reviewed and approved by the Board of Directors prior to the expenditure.

(c) Association expenditures will be made only by the Treasurer and within the constraints defined above. Duly authorized substitutes for incapacitated officials will be designated only through Board action.

Section 6. The Board of Directors shall select a bank or banks as depositories for all funds of the Association and cause all funds to be deposited therein and furnish said banks with the authorized signatures for withdrawals of said funds. This function may be delegated to the Treasurer.

Section 7. The Board of Directors shall have the power to propose dues and assessments to members in the amounts deemed sufficient to cover expenses. Dues and assessments must be approved by a majority of the general membership present or a majority of the ballots received if voting by mail. Any nonmember of the Association may receive the newsletter or other publication for a mailing fee set by the Board of Directors.



Section 8. The Board of Directors shall supervise all officers, agents and employees to see that their duties are properly performed.

Section 9. The Board of Directors shall meet at least once each year and keep a record of all meetings and proceedings which shall be reported at the next general meeting.

Section 10. The Board of Directors shall present a report showing the assets and liabilities of the Association at the annual meeting.

Section 11. Upon request from any member, the Board of Directors may name a public accountant or a committee of three members from the Association to audit any books and accounts of the Association.

Section 12. The duty of the President is to preside at all meetings. He/she will supervise the work of the Association, direct the work of its officers, and conduct said meetings under the "Robert's Rules of Order" as the parliamentary authority.

Section 13. The duty of the Vice President shall be the same duties of the President in the latter's absence or in the event of the President's inability to act. The Vice President will assume the chair of President when that office is vacant for any reason.

Section 14. The duty of the Secretary/Treasurer is to keep all records and accounts, collect the assessments and dues, and perform all the duties generally required of the Secretary/Treasurer. He or she shall submit a written report to the Association at its annual meeting giving a fiscal accounting of funds received and disbursed to 31 May of the preceding fiscal year. The Secretary/Treasurer books shall be open for inspection by any member in good standing of the Association. (Revised July 21, 2007)

Section 15. Notwithstanding any of the above statements of purpose and powers, this organization shall not, except to and insubstantial degree, engage in any activities or exercise any power that are not in furtherance of the specific purpose of this organization.

#### **ARTICLE 4**

##### **Performance Issues**

Should the membership become dissatisfied with the performance of any Board Member or other official appointed or hired by the Board, they may request the Board to call a special meeting as provided for in Article 3, Section 2 to resolve the issue.

## RECORD NOTES

### RECORD NOTE #1 July 15, 2006:

This 2006 issue of the Bucks Lake Homeowners Association Constitution and Bylaws has been approved by the membership at the July 2006 General Membership Meeting and is currently in effect.

### RECORD NOTE #2 - July 21, 2007 First Revision:

#### Bylaws:

1. ARTICLE 3, Section 6 changed to include Fire Chief.
2. ARTICLE 3, Section 15, last two sentences deleted.
3. Changes are to correct omission of Fire Chief in Section 6 and to remove ambiguity from Section 15.

### RECORD NOTE #3 - July 10, 2010 Second Revision:

1. Constitution and Bylaws revised to restore Vice President position in lieu of President Elect.
2. Director positions increased by one (1) to include a second private property director.

#### ITEMS AFFECTED:

**Constitution:** ARTICLE IV  
ARTICLE V

**Bylaws:** ARTICLE 2, Section 1  
ARTICLE 2, Section 2  
ARTICLE 3, Section 14  
ARTICLE 3, Section 15

### RECORD NOTE #4 – September 13, 2020 Third Revision:

1. Constitution and Bylaws revised to remove and separate Bucks Lake Fire Protection Plan Company and/or the Bucks Lake Fire Department and/or the Bucks Lake Fire Company from the governing body of the Bucks Lake Homeowners Association, Inc. All records and assets of the Bucks Lake Homeowners Association Fire Plan are transferred to the Bucks Lake Fire Department, Inc.

#### ITEMS AFFECTED:

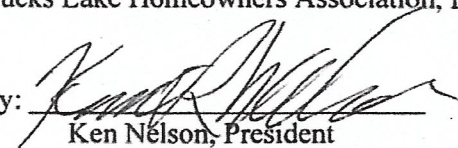
**Constitution:** ARTICLE IV  
ARTICLE VIII

**Bylaws:** ARTICLE 1, Section 7  
ARTICLE 2, Section 8  
ARTICLE 3, Section 3  
ARTICLE 3, Sections 6a, 6b, and 6d  
ARTICLE 3, Section 16

Dated: September 13, 2020

Bucks Lake Homeowners Association, Inc.

By:

  
Ken Nelson, President