

# Constitutional Property Owners Association

Idaho Chapter Headquarters P.O. Box 2152, Boise, Idaho 83701



## **By-Laws of Constitutional Property Owners Association (U2583)**

Established, April 26, 2012

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### **Article I. Name**

The name of the association shall be Constitutional Property Owners Association and shall also be known DBA as C.P.O.A.

### **Article II. Purpose**

The purpose of the Association shall be to promote a better community for residents through group action. We aim to protect and serve and educate our community, serve and educate our members in the prevention of government intrusion by City ordinances, County ordinances and State statutes, by working cooperatively while improving neighborhoods and community relationships protected by state of Idaho Constitution.

### **Article III. Boundaries**

The Association shall serve the people domiciled within the state of Idaho, that live within these boundaries:

Beginning at a point in the middle channel of the Snake river where the northern boundary of Oregon intersects the same; then follow down the channel of Snake river to a point opposite the mouth of the Kooskooskia or Clearwater river; thence due north to the forty-ninth parallel of latitude; thence east along that parallel to the thirty-ninth degree of longitude west of Washington; thence south along that degree of longitude to the crest of the Bitter Root mountains; thence southward along the crest of the Bitter Root mountains till its intersection with the Rocky mountains; thence southward along the crest of the Rocky mountains to the thirty-fourth degree of longitude west of Washington; thence south along that degree of longitude to the forty-second degree of north latitude; thence west along that parallel to the eastern boundary of the state of Oregon; thence north along that boundary to the place of beginning.

### **Article IV. Membership**

**Section 1: Who Can Join:** Membership is open to any and all persons domiciled in, owning property in, promoting business in or supporting those Citizens domiciled within the boundaries listed in Article III of these by laws.

**Section 2: Voting Membership:** Only persons who have paid the annual dues in full may vote on Association business. Each adult living within the boundaries listed in Article III of these by laws must pay dues in order to vote. Each address may have no more than one paid dues paying member. Voting members must be at least 18 years of age or older.

**Section 3: Member in Good Standing:** All persons who have requested to join the Association, adhered to the Associations regulations and have paid their dues in full will be considered members in good standing.

### **Article V. Dues**

**Section 1: Why Collect Dues:** All members will be asked to donate dues annually of \$100.00 per each property. Dues are voluntary, however, only members in good standing may vote on Association business. Dues are collected for the sole purpose of carrying out the mission of the Association.

**Section 2: Amount of Dues:** Dues will be kept low so as to encourage as many members as possible. The amount of the dues will be determined annually and announced at the annual meeting to be held in June of each year. The Executive Committee will make a recommendation to the membership at the annual meeting as to the amount of the yearly dues followed by a vote of the membership.

**Section 3: Payment of Dues:** Annual dues are to be paid within 90 days before the annual meeting. New members will be asked to pay for the full year in which they join, regardless of when they join. If this causes a hardship on the member, dues may be prorated by voting members.

**Section 4: Other Monetary Donations to the Organization:** Periodically, members may be asked to donate to other projects proposed and voted on by the Association. These are voluntary payments and are not considered dues.

**Section 5: Who Pays Dues:** Dues are collected from all members who are 18 years of age or older. Each adult domiciled within the boundaries or neighborhood supporter may pay dues and therefore be able to vote on Association business. Each address may have no more than one member.

## **Article VI. Meetings**

**Section 1: Time and Place of Meetings:** The County & State Association will meet regularly at a time and place that is convenient to the largest number of members at a county level to a state level. Meeting dates and times should be consistent and moved or rescheduled only as a last resort. When circumstances allow, members shall be notified at least 7 days in advance of all cancelled meetings.

**Section 2: Special Meetings:** Special Meetings of the membership may be called by the County & State Executive Committee with a 7-day notice.

**Section 3: Committee Meetings:** The County & State Executive Committee and/or other committees of the Association may meet at other times to conduct the business of the Association and always open to the members in good standing.

**Section 4: Annual Meeting:** The County & State Association will hold an annual meeting in June of each year. The officers will be elected at that meeting. The amount of annual dues will be voted on at that meeting. Anyone is allowed to attend this meeting but only members in good standing (see Article IV) are allowed to vote at this meeting. The annual budget will be voted on at the annual meeting and the Audit Committee (see Article X, Section 4) will make their report.

**Section 5: Nominations:** County & State Nominations will be accepted from the floor at the Annual meeting.

## **Article VII. Officers**

**Section 1: Officers:** The officers shall be State President, State Vice President, State Secretary, State Treasurer, County President, County Vice President, County Secretary, County Treasurer and any other officers agreed upon and voted on by the membership.

**Section 2: Elections:** These offices shall be elected by a majority vote at the annual meeting. A roll call, voice or secret ballot election may be used. If the officers are not elected at the annual meeting the current officers hold office until an election can be held. All officers must be members in good standing and are expected to remain current on their dues throughout their term.

**Section 3: Terms:** The terms for all offices shall be from the first day of July or at the end of the meeting when elections took place, whichever is the later, to the end of that election year.

**Section 4: Terms Limits:** Officers can be elected to their office for no more than 3 consecutive terms. After that, they must sit out for 1 term before running for the same office again.

**Section 5: Vacancies:** A vacancy in any office because of death, resignation, or otherwise is to be filled by a person suggested by the Executive Committee of the State and County and voted on by the membership body at an emergency meeting or a special meeting called by the Executive Committee.

## **Articles VIII: Officers Duties**

**Section 1: State President:** The State President shall be the principal executive officer of the Association and shall generally supervise the business and affairs of the Association. He/She shall preside over all Executive Committee meetings and shall be considered a non-voting unless a tie is presented, voluntary member of all other standing and ad-hoc committees. He/She presides over the annual and regularly scheduled meetings of the Association. The State President may represent the Association at other meetings in the community as needed.

**Section 2: State Vice President:** The State Vice President shall assist the President when necessary, by attending committee meetings or other community meetings on behalf of the Association. The State Vice President performs the duties of the State President in the event the State President is unable to fulfill his/her responsibilities. He/She presides over meetings if the State President is unable to attend. The State Vice President is responsible for always having a copy of the most up to date by-laws and any other Association policies and procedures at all meetings and to clarify questions about these

documents if they arise. The State Vice President may also be called upon to assist the other officers in their duties, such as assuring association records are filed and organized.

**Section 3: State Secretary:** The State Secretary shall keep the minutes of all regularly scheduled meetings as well as all Executive Committee meetings. The State Secretary shall also be responsible for keeping accurate records of all Association business, including but not limited to, all minutes, meeting notices, correspondence, copies of financial reports, copies of up to date by-laws, articles of incorporation paperwork, copies of all newsletters, copies of all requests for funds generated by the Association and any other historical document that pertains to the ongoing business of the Association. The State Secretary will pass this information on to the next State Secretary at the end of his/her term.

**Section 4: State Treasurer:** The State Treasurer shall be responsible for all funds of the Association. He/She shall receive and issue receipts for monies due and payable to the Association from any source and deposit all monies in the name of the Association in the financial institution selected by the Executive Committee. The State Treasurer will prepare accurate and timely financial reports to be presented to all members at every regularly scheduled membership meeting and Executive Committee meetings. The State Treasurer is responsible for assuring all bank statements and other Association records are kept neatly filed and safe. The State Treasurer is responsible for assuring all members are aware of the amount of the annual dues. The State Treasurer is accountable for all expenditures of the Association and must keep good records, including receipts, to back up every transaction. Each check of the Association shall be signed by two signatures. The State Treasurer shall prepare the check for signatures, and two other officers will sign the checks. The State Treasurer shall sign checks as a last resort.

**Section 5: County President:** The County President shall be the principal executive officer of the County Association and shall generally supervise the business and affairs of the Association. He/She shall preside over all Executive Committee meetings and shall be considered a non-voting unless a tie is presented, voluntary member of all other standing and ad-hoc committees. He/She presides over the annual and regularly scheduled meetings of the Association. The County President may represent the Association at other meetings in the community as needed.

**Section 6: County Vice President:** The County Vice President shall assist the County President when necessary, by attending committee meetings or other community meetings on behalf of the Association. The County Vice President performs the duties of the County President in the event the County President is unable to fulfill his/her responsibilities. He/She presides over meetings if the County President is unable to attend. The County Vice President is responsible for always having a copy of the most up to date by-laws and any other State & County Association policies and procedures at all meetings and to clarify questions about these documents if they arise. The County Vice President may also be called upon to assist the other officers in their duties, such as assuring association records are filed and organized.

**Section 7: County Secretary:** The County Secretary shall keep the minutes of all regularly scheduled meetings as well as all Executive Committee meetings. The County Secretary shall also be responsible for keeping accurate records of all County Association business, including but not limited to, all minutes, meeting notices, correspondence, copies of financial reports, copies of up to date by-laws, articles of incorporation paperwork, copies of all newsletters, copies of all requests for funds generated by the Association and any other historical document that pertains to the ongoing business of the Association. The County Secretary will pass this information on to the next County Secretary at the end of his/her term.

**Section 8: County Treasurer:** The County Treasurer shall be responsible for all funds of the County Association to the State Association. He/She shall receive and issue receipts for monies due and payable to the Association from any source and deposit all monies in the name of the Association in the financial institution selected by the State and County Executive Committee. The County Treasurer will prepare accurate and timely financial reports to be presented to all members at every regularly scheduled membership meeting and Executive Committee meetings. The County Treasurer is responsible for assuring all bank statements and other Association records are kept neatly filed and safe. The County Treasurer is responsible for assuring all members are aware of the amount of the annual dues. The Treasurer is accountable for all expenditures of the Association and must keep good records, including receipts, to back up every transaction. Each check of the Association shall be signed by two signatures. County Treasurer shall prepare the check for signatures, and two other County officers will sign the checks. The County Treasurer shall sign checks as a last resort.

## **Article IX. Executive Committee**

**Section 1: State Executive Committee Membership:** The State President, State Vice President, State Secretary and State Treasurer make up the members of the State Executive Committee.

**Section 2: State Executive Committee Responsibilities:** The Executive committee shall manage the day-to-day operations of the association. The Executive Committee is responsible for setting the agenda of the regularly scheduled meetings, arranging the annual meeting, establishing committees and appointing county committee chairs. They also make a recommendation to the membership at the annual meeting as to the amount of yearly dues.

**Section 3: State Executive Committee Meetings:** Executive Committee members may meet outside of regular Association meeting times. The Executive Committee should hold regularly scheduled meetings.

**Section 4: State Executive Committee Quorum:** There must be at least 3 of the 4 Executive Committee members physically present in order for the Executive Committee to conduct any business in real time.

**Section 5: County Executive Committee Membership:** The County President, County Vice President, County Secretary and County Treasurer make up the members of the County Executive Committee.

**Section 6: County Executive Committee Responsibilities:** The County Executive committee shall manage the day-to-day operations of the Association. The County Executive Committee is responsible for setting the agenda of the regularly scheduled meetings, arranging the annual meeting, establishing committees and appointing county committee chairs. They also make a recommendation to the membership at the annual meeting as to the amount of yearly dues.

**Section 7: County Executive Committee Meetings:** County Executive Committee members may meet outside of regular Association meeting times. The County Executive Committee should hold regularly scheduled meetings.

**Section 8: County Executive Committee Quorum:** There must be at least 3 of the 4 County Executive Committee members physically present in order for the County Executive Committee to conduct any business in real time.

## **Article X Committees**

**Section 1: Committee Chairs:** State President assigns the County Committee Chairs as needed.

**Section 2: Committee Members:** County Committee Chairs are responsible for assigning members to their respective committees.

**Section 3: Standing Committee and Ad Hoc (as needed) Committees:** Both Standing and Ad Hoc Committees may be utilized to address County and State business.

**Section 4: Audit Committee:** One of the Ad Hoc Committees will be an Audit Committee.

a.) This committee will be made up of 3 members at large. These committee members will be selected by Citizens of Idaho (U1777) and voted on by the members at a regularly scheduled meeting.

b.) Each County Audit Committee will review all the checks, bank statements, check signatures, receipts, deposits, etc. for the entire fiscal year verified by the State Audit Committee.

c.) County or State Audit Committee will make a report of their findings at the Annual Meeting.

## **Article XI. Voting**

**Section 1: Majority Vote Rules:** All County or State Association business is transacted using a voting system called Majority Vote, which means the winning candidate or resolution received at least one more vote than the next candidate or resolution on the ballot.

**Section 2: Must be Paid Member:** In order to vote on Association business you must be a dues paying member in good standing.

## **Article XII: Quorum**

**Section 1: Definition of Quorum:** A quorum is the minimum number of persons required to be present before Association business can be voted on.

**Section 2: Quorum at Membership Meetings.** The Association requires that at least 10 members who are in good standing with the Association be present at any regularly scheduled or annual meeting in order for votes to take place or business to transact.

**Section 3: Quorum at Executive Committee Meetings:** The Association requires that at least 3 of the 4 Executive Committee members be present at an Executive Committee meeting in order to transact committee business.

**Section 4: Quorum for Other Committees:** There is no quorum responsibility for other Association committees.

## **Article XIII. By-Law Amendments / Alterations and Rules of Assembly**

These by-laws may be altered or amended by an affirmative vote of 75% of the membership present at any regular or special membership meeting provided that notice to amend was given at least 30 days prior to the meeting and the intent to vote on by-laws is placed on the notice. Outside of these by-laws, Roberts Rules of Order Newly Revised is the standard by which this Association transacts business.

By-laws approved: April 26, 2012

M. Esquibel, C.P.O.A. State President



# Constitutional Property Owners Association

## State of Idaho / County

### Membership Form

|                                |  |
|--------------------------------|--|
| <b>Name “example John Doe”</b> |  |
| Address                        |  |
| City / County / Zip Code       |  |
| Phone Number                   | Home <span style="margin-left: 100px;">cell</span> |
| email address                  |  |

| Concerns / Problems “brief description” |
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We hold these truths to be sacred & undeniable; that all men are created equal and independent, that from that equal creation they derive rights inherent and inalienable, among which are the preservation of life, & liberty, & the pursuit of happiness; that to secure these ends, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government shall become destructive of these ends, it is the right of the people to alter or to abolish it, & to institute new government laying it's foundation on such principles and organizing it's powers in such forms, as to them shall seem most likely to effect their safety and happiness.



"The true foundation of republican government is the equal *right* of every Citizen in his person and *property* and in their management." ... *Thomas Jefferson*