**Background**

**The Bethune Beach Property Owners Association**

Since its very humble beginnings in Margaret Johnson’s backyard and its official organization in 1981, the Bethune Beach Property Owners Association members have worked diligently to nurture the development of Bethune Beach, while still protecting the beauty of the locale. Utilities were extended from New Smyrna, East/West Streets were renamed alphabetically for local fish, mail routes established. Erosion was impeded by the installation of rock revetments, the South Beach fire station was erected, sewers installed, City annexation was rejected, and the Mary McLeod Bethune County Park was developed on the site of George Engram’s casino. The association donated $1000 toward the development of the park, and it has also donated many items to the building that was erected and named the Clyde Mann Community Center, after our early representative. Money has been given for landscaping, a flagpole, a refrigerator, and air conditioning, as well as gifts to the fire station plus a plaque honoring George Engram**.**Before the current sidewalks were installed, members even weeded the gravel walkways. Members pushed for construction of restrooms on the river side and pitched in to paint them. Endless time and energy have been contributed to maintain the Park, and we continue to keep our eyes on it. Many individuals in the BPOA have invested much time over the years building our community by representing us as members of the MSD, volunteering as firemen, participating in beach clean-up, maintaining the vegetation and plants at the corner of South Atlantic Avenue and Turtlemound, serving on the Halifax Indian River Task Force, working for the survival of the turtle population, and speaking up to fight for issues that affect us all.

The **BBPOA** is regulated by its by-laws and has the following goals:

* To gather and disseminate information so that individual members can act in what they feel is their best interest
* To promote the mutual welfare of all residents and property owners of Bethune Beach
* To provide an opportunity for residents to socialize and become acquainted with one another

General membership meetings are held on the third Wednesday of each month at 7:00 PM in the Clyde Mann Community Center at Mary McLeod Bethune Park. They are structured to be functional and informative by providing relevant information to all members. The format includes reports from the elected officers and committee chairpersons as well as guest speakers bringing a wide range of subjects that might interest our members.

Our thanks to all who have made our community strong, safe, and beautiful. As new or long-term residents of Bethune Beach, please join us in the efforts to keep it this way.

**Standing Committees:**

* Social: Spring fish fry, fall cookout, holiday party, and pot-luck suppers
* Communications: Helps with annual president’s letter and liaison to publications
* Government Liaison:  Gathers and presents information from the County Council and relevant news to the Bethune Beach Community
* Beach and Lagoon: Gathers and presents information on the natural resources in the area.
* Beautification and Parks: Gathers and presents information concerning projects to maintain the quality of life and preserve the natural beauty of our community

**Special Committees**:

* Membership:   To welcome newcomers and increase membership
* Historian:  To keep a scrapbook and record of Association events
* Student Achievement Award:            Awarded to High School Seniors who are residents of Bethune Beach

**Association Address:**

            Bethune Beach Property Owners Association
            P.O.Box 1704
            New Smyrna Beach, FL 32170-1704

**By-Laws**

**ARTICLE I – NAME**

**Section 1.        NAME**

The name of this organization shall be the **Bethune Beach Property Owners Association, Inc.**

**Section 2.        BOUNDARY**

The boundaries being from the south property of the Sandpiper Condominium for the north boundary to the Canaveral National Seashore for the south boundary. Including all property from the Atlantic Ocean to the Indian River.

**ARTICLE II – OBJECTIVE**

**Section 1.        OBJECTIVE**

The primary objective of this association shall be to gather and disseminate information so that individual members can act in what they feel is their best interest in city/county council forums on an individual basis. Only after complying with the provisions of the BY-Laws may the BBPOA take a formal position on any matter.

**ARTICLE III – MEMBERSHIP CLASSES**

**Section 1.        REGULAR MEMBER**

Any owner of real property in Bethune Beach shall be eligible for a regular membership in this Association. When voting, a regular member shall be entitled to one vote per property ownership. Any individual owning more than one property may pay dues for each additional property and thus be entitled to one additional vote per property. Provided, however, that one individual owner may have no more than three (3) votes.

**Section 2.        ASSOCIATE MEMBER**

Any resident of Bethune Beach, who is not a property owner shall be eligible for an Associate Membership and entitled to seat and voice, but no vote, provided they have paid current dues.

**Section 3.        HONORARY MEMBER**

The Board of Directors may recognize anyone who has given extraordinary services to the Association or has made an extraordinary contribution to our community in pursuit of our Association’s objective by naming them: “Honorary Member” for the year Or the membership may designate a “Life-Time Honorary Member”. Honorary Members and Life-Time Honorary Members are entitled to seat and voice, but no vote.

**Section 4.        DUES**

The annual dues shall be $25.00 for a regular membership and $10.00 for an associate membership. Regular membership dues shall be waved for volunteer firemen who are residents of Bethune Beach. Dues are payable at anytime during the current year. When paid, the dues shall be applied to year from March 1 through the last day of February.

**Section 5.        MEMBERSHIP RECORDS**

The Registrar shall keep a permanent record of the name, address, and phone number and Bethune Beach property location of each member. When membership has been terminated, each fact shall be recorded together with date on which membership ceased.

**Section 6.        RESIGNATION**

All members shall have the right of withdrawing at nay time by giving notice in writing of resignation. Such notice shall be effective upon receipt.

**ARTICLE IV - OFFICERS**

**Section 1.        OFFICERS**

The officers shall be President, Vice-President, Secretary, Treasurer, and Registrar

**Section 2.        TERM**

All officers shall enter upon their official duties at the March meeting of each year and shall serve for a term of one year or until their successor shall be duly elected and installed. The first order of business of the March meeting will be the installation of new Officers.

**Section 3.        PRESIDENT**

The president shall be the executive officer of the Association and shall preside over all meetings of the Association and the Board of Directors. He or she shall be a member of all standing and special committees except the nominating committee, to act in an advisory capacity without voting privileges. He or she shall have the power to remove any committee chairperson. He or she shall perform such other duties as usually pertains to the office of the President.

**Section 4.        VICE PRESIDENT**

 The Vice-President, in the absence of, or inability of the President to act, shall perform the duties of the President. He or she shall also perform such other duties as usually pertains to that office, or as may be assigned to him/her by the President or the Board of Directors.

**Section 5.        TREASURER**

The Treasurer shall receive all monies accruing to the Association and shall deposit the same in the official depositories and disburse same on order of the Board of Directors. His/her accounts and books shall, at all times, be open to the inspection of the President, the Board of Directors, and any authorized auditors. He/she shall make a report at the Annual Meeting of the Association and at such other times as the President or the Board of Directors may require.

**Section 6.        SECRETARY**

The Secretary shall keep an accurate record of the proceedings of all meetings. He/she shall announce, read and certify all resolutions and carry on the official correspondence of the Association.

**Section 7.        REGISTRAR**

The Registrar shall receive and maintain membership applications which shall include the applicant’s name, mailing address, telephone numbers and Bethune Beach property location. The registrar shall provide each new member a copy of the current BY-Laws. The Registrar shall provide a 3 x 5 card or other voting credential at all meetings for each member to use when voting by a “show of hands” or for the receipt of a paper ballot (if such is required).

**Section 8.        VACANCY**

Any officer who does not attend three (3) consecutive meetings (of either the Board of Directors and/or membership meetings) without giving advance notice to the President and showing adequate reasons shall be declared unable to serve and the Board will automatically declare the office vacant.

All vacant offices, except the office of President, which shall be filled by the Vice-President, shall be filled by election at the next regular meeting following announcement of such vacancy. The officer elected to the vacancy shall hold office only for the remainder of the un-expired term of the vacated office.

**ARTICLE V – BOARD OF DIRECTORS**

**Section 1.        BOARD OF DIRECTORS**

The Board of Directorsshall determine the policies and activities of the Association, approve the budget, approve all bills, take council with committees and have general management of the Association. They may not expend monies in excess of $200.00 without approval of the members of the Association.

**Section 2.        MEETINGS OF BOARD OF DIRECTORS**

The Board of Directors shall meet regularly at least once a month and at the call of the President.

**Section 3.        MEMBERS**

The Board of Directors shall consist of the five (5) elected officers.

**ARTICLE VI – COMMITTEES**

**Section 1.        STANDING COMMITTEES**

There shall be five (5) standing committees:

            THE SOCIAL COMMITTEE

            THE COMMUNICATIONS COMMITTEE

            THE GOVERNMENT LIASON COMMITTEE

            THE BEACH AND LAGOON PRESERVATION COMMITTEE

            THE BEAUTIFICATION AND PARK COMMITTEE

1. The Social Committee shall be responsible for the planning and execution of the annual picnic and the annual Christmas Party
2. The Communications committee shall be responsible for the preparation of the newsletter – or other means of communicating with both the membership and the local media.
3. The Government Liaison Committee shall be responsible to receive and review in a timely fashion the published agendas of the County Commission, the County Planning and Zoning Board, the New Smyrna Beach City Commission, the Utilities Commission, and the local State Legislative delegation, etc. When issues affecting our community are under consideration by those outside entities, the Committee shall immediately inform the Board of Directors and report same to the general membership at the next General Membership Meeting.
4. Beach and Lagoon preservation Committee shall advise the Board and members about issues to the protection and enhancement of the natural resources associated with our beach and Mosquito Lagoon.
5. The Beautification and Park Committee shall advise the Board and members about issues relating to the protection and enhancement of the sightlines of our community and all the code enforcement situations. If the Board establishes a “Beautification Award”, this Committee would determine the recipient(s)

**Section 2.        SPECIAL COMMITTEES**

Special Committees may be appointed by the President and they shall perform such duties as may be defined in the creation.

**ARTICLE VII – MEETINGS**

**Section 1.       MEETINGS**

The Association shall hold regular monthly meetings on the third Wednesday at 7:00 PM unless otherwise approved by the Board.

**Section 2.        ANNUAL MEETING OF MEMBERS**

An annual meeting of the members shall be held each year on the third Wednesday of February at 7:00 PM. One of the purposes of which shall be the election of Officers.

**Section 3.        SPECIAL MEETING OF MEMBERS**

A special meeting of members may be called by a majority vote of the Board of Directors. Upon the request of five (5) voting members of the general membership, the President shall advise the Board and require that a vote of the Board of Directors be taken to determine whether to call a special meeting of the general membership.

**Section 4.        ADVERTISEMENT OF SPECIAL MEETING**

Special meeting may be advertised in a local newspaper having general circulation in the Bethune Beach area at least five (5) and not more than fifteen (15) days prior to such special meeting. Notices shall specify reason for such special and no other business is to be transacted.

**Section 5.        LIMITATIONS**

(A).      No member of the assembly shall speak more than twice on a question nor more than three (3) minutes on each question.

(B).      The presiding officer may not enter into debate without first yielding the chair to the Vice-President, or other Officer present, who will then retain the chair until discussion is concluded.

(C).      Anyone who is not a member may only speak if a member yields the floor to the individual, who then may only speak once and for no more than two (2) minutes. (Additional time of permission to speak again can only be granted by a majority vote of those present.)

**Section 6.         VOTING PROCEDURE**

            (A).      Each regular membership, whose current dues are paid, may vote.

(B).      The Presiding Officer, or five (5) members may call for a vote by a show of hands wherein everyone voting must display the voting credentials provided to each member upon arrival at the meeting by the Registrar.

(C).      Normally, a simple majority vote (50%+1 of the votes cast) is required for adoption: however at the request of any ten (10), or more, regular members any issue may be referred to the Executive Board – or a review committee to be appointed by the President – for study and reporting back to the membership at the next meeting, at which time a majority of the votes cast is required for adoption.

(D).      In the event of a tie, the President will cast the deciding vote.

(E).      Official Association Position – Any statement representing the official position of the BBPOA must be approved at a regular meeting of members by a majority of the voting members comprising a quorum consistent with the rules and regulations as set forth in the By-Laws.

(F).      Absentee Voting – At the request of ten (10) or more voting members or a majority of the voting members at a regular membership meeting, any question or proposal shall be mailed to all of the voting members (as certified by the Registrar) within seven (7) days of the meeting to permit all members an opportunity to vote on the question or proposal. The ballot shall be returned to the legal address of the organization not later than five (5) days prior to the next meeting of members. It shall be the obligation of the Secretary, President, and the Registrar to count the returned ballots and verify that the ballots have been submitted to a valid vote.

**ARTICLE VIII – QUORUM**

**Section 1.        QUORUM OF MEMBERS**

Presence in person of ten (10) voting members of the Association shall constitute a quorum at any meeting of the members.

**Section 2.        QUORUM OF DIRECTORS**

A majority of Directors shall constitute a quorum.

**ARTICLE IX – NOMINATION AND ELECTION OF OFFICERS**

**Section 1.        ELECTION**

The election of Officers shall be held at the **annual meeting** in February. They shall be formally installed at the regular meeting of the membership in March.

**Section 2.        NOMINATING COMMITTEE**

At the regular meeting of members in November prior to the date of the annual meeting, the President shall appoint a Nominating Committee. This committee shall make nominations from a list of regular members as submitted by the Registrar. The committee must have the consent of those nominated and prepare a ballot for the election of such officers.

**Section 3.        SLATE OF OFFICERS**

The nominating committee shall submit a slate of officers, one for each elective office, at the regular meeting of members in January. Nominations from the floor of this meeting may be made for any office. Only regular members may be nominated from the floor. The nomination so made together with the list submitted by the Nominating Committee shall then be the lsit submitted to the Association for an election in February.

**Section 4.        ELECTIONS**

A majority of all votes cast shall be necessary to determine the choices of each Officer to be elected. In the event that any ballot does not show a majority for any nominee for any particular office, the President shall immediately designate a time and place for further balloting for such office. Prior to the second ballot, the nominee having the lowest vote on the first ballot shall be dropped and the same procedure shall be followed until one (1) nominee shall have received majority of all votes cast.

**ARTICLE X – PARLIAMENTARY AUTHORITY**

**Section 1.        PROCEDURE**

“Roberts Rule of Order”, Revised, shall be the parliamentary authority for all matters of procedure not specifically covered by these By-Laws.

**ARTICLE XI – AMENDMENTS**

**Section 1.        AMENDMENTS**

Any amendment of these By-Laws shall be adopted by 51% of votes cast at any meeting of this Association, provided notice of the proposed amendment shall have been given at least thirty (30) days prior to the meeting.

**ARTICLE XII – ORDER OF BUSINESS**

**Section 1.        STANDARD ORDER**

The President has the right to modify the agenda of all meetings as needed; however, normally the following agenda outline will be followed:

1. Call to Order
2. Pledge of Allegiance
3. Quorum Check
4. Secretary’s Minutes
5. Treasurer’s Report
6. Program/Guest Speaker
7. Reading of Minutes of all Board Meetings held since last membership meeting
8. Report of all correspondence received/sent
9. President’s Report
10. Report of Standing Committees
11. Report of Special Committees
12. Old Business
13. New Business
14. Announcements
15. Adjournment