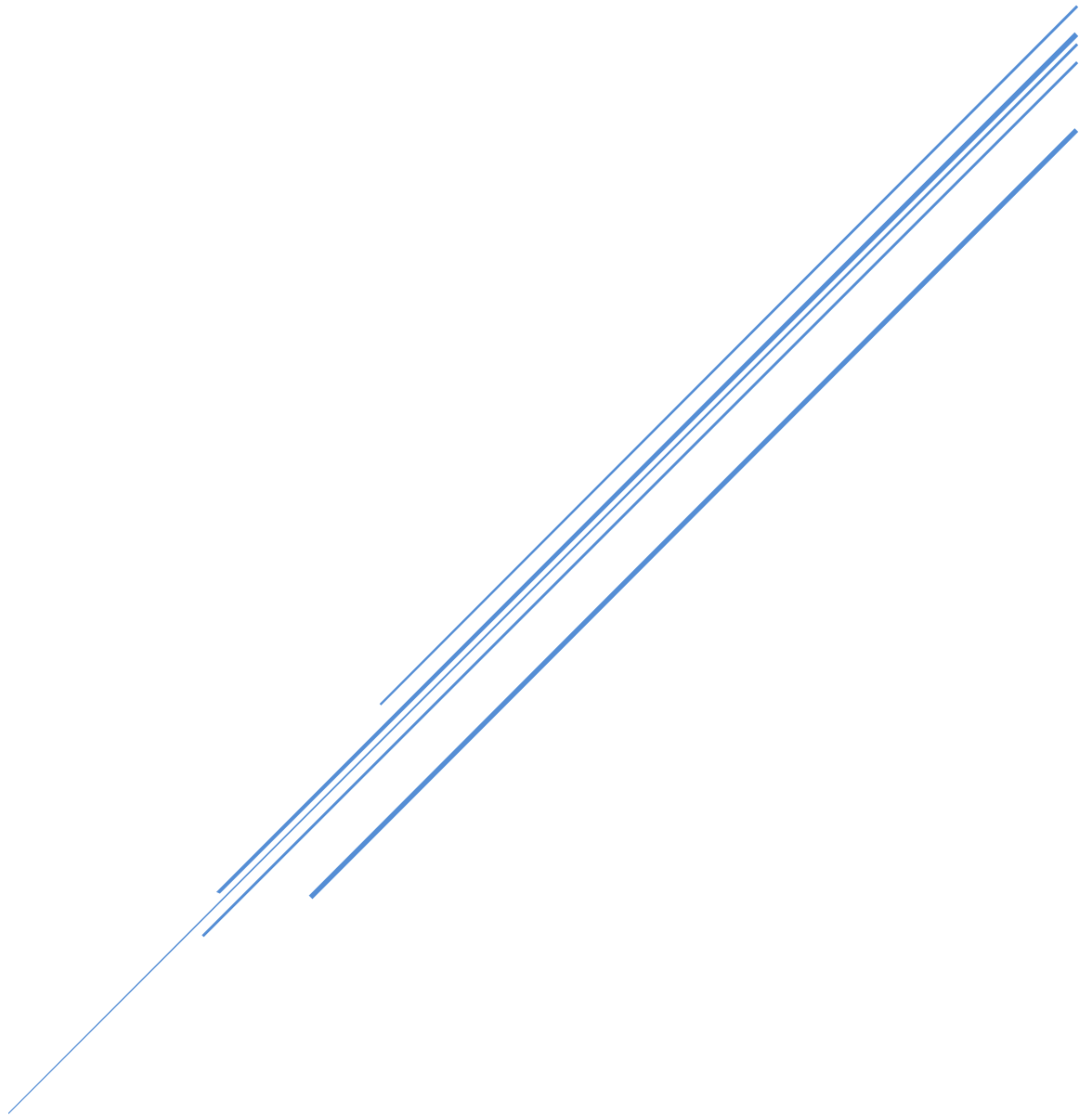


# THE CONSTITUTION OF THE GOLDEN MEADOWS STRATA/CITIZENS ASSOCIATION



GMS/CA Constitution  
November 2019

Table of Contents

Article 1: Introduction ..... 2

Article 2: Objectives ..... 2

Article 3: Membership ..... 2

Article 4: Executive Committee ..... 3

Article 5: Election of Officers and Delegates ..... 3

Article 6: Quorum ..... 4

Article 7: Golden Meadows Strata Corporation’s Assets ..... 4

Article 8: Unprofessional Conduct ..... 4

Article 9: Dissolving the GMS/CA ..... 5

Article 10: Amendments ..... 5

BYLAWS ..... 5

Section 1: Maintenance Fees ..... 5

Section 2: Duties of Officers ..... 5

    Paid Position /Block & Street Representatives/Sub-Committee: ..... 7

Section 3: General Meetings ..... 7

Section 4: Notification of Meetings ..... 8

Section 5: Maintenance of Records of the GMS/CA ..... 8

# Constitution

of the

Golden Meadows Strata/Citizens Association

## Article 1: Introduction

The Golden Meadows Community, formerly the Boone Hall Housing Scheme shall be known as the Golden Meadows Strata/Citizens Association, thereafter, referred to as *GMS/CA*.

The *GMS/CA*'s membership is made up of 236 units/homes, comprising 14 blocks (170 apartments) and 66 semi-detached homes.

## Article 2: Objectives

The objectives of the *GMS/CA* are to:

- A. lobby local, regional and international agencies/organizations on behalf of paid up members of the *GMS/CA*. This is to facilitate the improvements and maintenance of the social and physical infrastructures of our community; and assist in networking and linking of support among groups and other associations/communities,
- B. develop and maintain a transparent, accountable and credible maintenance fees collection system, as well as to ensure that all community members are registered and accounted for,
- C. empower community members through training of our leaders and sub-committees to enable them to serve more effectively and efficiently,
- D. establish a vibrant youth group that will build the second tier of leaders and maintain active engagements through social, spiritual and scholastic pursuits,
- E. conduct events (such as sports, socials and health fairs) that are beneficial to all members within our community,
- F. disseminate in a timely, cost effective and efficient manner, information pertinent to the development and management of the community,
- G. establish and maintain a system to address complaints by residents in a timely manner,
- H. establish and maintain safety and security systems for the protection of persons and properties of the *GMS/CA*.

## Article 3: Membership

- A. The owners and proxy-owners from all blocks and from all semi-detached homes named in *Article 1* are considered as members of the *GMS/CA*. A proxy-owner is anyone so designated by the owner to act on

his/her behalf. This proxy-owner designation should be given in writing by the owner and addressed to the President.

- B.** An active member is an owner or proxy-owner who is registered, and maintenance fees are paid up with not more than three months in arrears.

#### **Article 4: Executive Committee**

The officers of the GMS/CA shall be: 1) President, 2) Vice President, 3) Secretary, 4) Assistant Secretary, 5) Treasurer, 6) Assistant Treasurer, 7) Public Relations Officer (PRO), 8) Youth Leader, 9) Block Leader, 10) Semi-detached Home Leader, 11) The Special Projects Manager and 12) an Ex-Officio Officer (Legal/Paralegal Person). Other officers may be co-opted from the GMS/CA general membership to function in other capacities as is necessary to support the GMS/CA. All Executive Committee members possess voting rights, *except* the Ex-Officio Officer.

The Executive Committee shall be chaired by the President. In the absence of the President, the Vice President or the Special Projects Manager shall chair the Executive Committee. If the named positions are unavailable, the Executive team members who are present, should appoint a suitable person to chair the meeting (s).

The Executive Committee shall be empowered to act on emergencies arising between standing meetings or when time does not permit the calling of an extra ordinary decision-making meeting. Such actions shall be reported at the next general meeting. Each committee member is required to sign a list of duties, accepting the responsibilities and the tenure of service.

A committee member may apply to the Executive Committee for *Leave of Absence* in the event of medical/special family emergencies. During the *Leave of Absence*, another committee member will be appointed to carry out the responsibilities for not more than three (3) months. If the committee member who proceeded on leave does not return to the substantive post by the end of the leave, the committee shall decide the next course of action.

No person shall occupy the post of President for more than two (2) consecutive terms. However, if there is no other nominee on the day of election, such person may be nominated if approved by a no-objection vote of the members present.

#### **Article 5: Election of Officers and Delegates**

**Section 1: (The Election Process):** The Interim or Executive Committee shall appoint a Director of Elections (DE) to manage the GMS/CA election process. The DE shall be conversant with official electoral processes and with the Strata Corporation requirements for election of officers. The DE is responsible for all elections relating to the GMS/CA Executive Committee.

- The nomination process shall commence at least two (2) weeks before the GMS/CA General Elections.
- The DE should verify that there are nominees for Presidency from both Blocks and Semi-detached homes.
- A brief profile of each nominated person should be posted in the GMS/CA's public spaces (noticeboard/Website or at the homes/apartments) two weeks before the General Elections. The ¼ page profile should cover the nominees' a) name, b) nominated position, c) address, d) contact details, e) current job title, f) key competencies and g) the person's expressed availability to serve in the position.

- The position of President should be voted on first. All voted positions should be removed from any other nominated positions.
- If during a general election, no nomination exists for an executive position, the President shall appoint a suitable person to serve for a period of six (6) months until such position (s) is/are ratified at the next succeeding general election. The appointment of such executive position shall be done in consultation with a quorum of elected executive committee members.
- **NB:** All executive and all sub-committees' positions should be voted on separately from a list of paid up members. This requirement holds true where the information about the arrears has been communicated to him/her two weeks before the elections of officers. The position of the executive member becomes vacant if the member's maintenance fees are in arrears for at least three (3) months.

**Section 2:** All officers shall serve for a period of two (2) years from the date of the election.

**Section 3:** Elections of all officers will be done by secret ballot or by a simple show of hands at the General Elections. Elected persons will be based on a majority vote of those qualified members and **MUST** be present at the elections.

**Section 4:** In case of a vacancy caused by frequent (more than three (3) consecutive months) absences or resignation of an officer, the vacancy shall be filled at an Extra Ordinary general meeting as in Article 1, **Section 1** or by an interim appointment made by the Executive Committee. The interim appointment should be ratified at the next general meeting.

#### **Article 6: Quorum**

A quorum for Executive Committee meetings should not be less than 50%. For ½ yearly general meetings, there should be no less than seven (7) representatives from the Executive members present. The quorum for General Meeting is 1/3 of the community membership. If a General Meeting quorum is not possible, the meeting is to be scheduled for the next month with at least 1/5 of the membership. The decisions taken then, should be communicated to the general membership. One fifth (1/5) of 236 is 43 members at a minimum for a General Meeting.

#### **Article 7: Golden Meadows Strata Corporation's Assets**

- A.** No part of the GMS/CA's assets or net earnings shall inure to the benefit of, or be distributable to its members, trustees, directors, officers or other private persons *except* where the GMS/CA is authorized and empowered to pay reasonable compensations for services rendered and goods received.
- B.** Only active members as defined in **Article 3** shall derive Executive authorized benefits for services rendered from the GMS/CA's asset. Products/Services by persons/companies for payment, should be acquired through a competitive bidding process.
- C.** Signing on bank accounts shall be done as per Executive Committee Terms of Reference (ToR). See Executive Committee's ToR for the details.

#### **Article 8: Unprofessional Conduct**

The GMS/CA shall not conduct any propaganda activities for any concerns related to the objectives of the GMS/CA. The GMS/CA shall not engage in partisan politics nor participate/intervene in (including the publishing or distribution of statements) any political campaigns on behalf of any candidate for public office. The GMS/CA

shall not carry out any other activity not permitted by the National Housing Trust and or the laws and constitution of Jamaica.

### **Article 9: Dissolving the GMS/CA**

If for any reasons the GMS/CA is to be dissolved, the Executive Committee or properly constituted Interim Committee, shall be responsible for all expenses incurred to debtors in the lawful execution of the GMS/CA's duties.

### **Article 10: Amendments**

This Constitution may be altered or amended by a two third (2/3) majority vote of all the members present and voting at any General Meeting. This action is to be taken provided that the proposed amendment(s) shall have been read at a previous special General Meeting three (3) months prior. A written explanation of said amendment(s) shall have been emailed and published in the GMS/CA public spaces (website/noticeboard) at least three (3) months before the special general meeting. The matter must be discussed by the Executive Committee at least five (5) days prior to the meeting at which the action on same is to be taken.

## **BYLAWS**

### **Section 1: Maintenance Fees**

The monthly Maintenance Fees shall be determined by the Executive Committee and shall be paid by each Apartment Owner or Proxy Owner of the GMS/CA. The fees are to be paid to the Treasurer. A system to facilitate easy and secure payment of maintenance fees is to be developed and implemented by the Treasurer.

Each new member of the GMS/CA, upon taking residence shall receive from the secretary, the following:

- A copy of the Constitution and Bylaws
- A list of officers of the GMS/CA, including chairpersons of standing committees and delegates with their addresses and telephone numbers.

Any GMS/CA member in arrears for more than three (3) months shall be discussed by the Executive Committee. Such decisions/appropriate actions shall be determined by the Executive Committee, consistent with the Strata Corporation Act. Persons who are in arrears of maintenance fees are to be notified in writing and such notice is to be recorded. One of the options for dealing with arrears, is to develop a Payment Plan with the person responsible for the payments. Such payment plan is to be agreed on and signed by the Treasurer and President. If the persons responsible, refuses to pay, the relevant sections of the Strata Corporation Act is to be activated in consultation with the Strata Corporation Commission.

### **Section 2: Duties of Officers**

- A. The President** shall provide management and strategic leadership of the GMS/CA. He/She or the designated person, shall preside at all meetings of the GMS/CA. He/she shall appoint all heads of committees, unless otherwise directed by the GMS/CA and perform such other duties as usually devolved upon a presiding officer or are required of him/her by the GMS/CA and in accordance with the Strata Corporation Act. He/She shall represent the GMS/CA at all official functions. He/She must sign on all official correspondence of the GMS/CA. He/She is expected to ensure accountability in the GMS/CA.
- B. The Vice President** shall perform the duties of the president in his/her absence. The Vice President shall attend Executive meetings.

- C.** The **Secretary** shall record the proceedings of the GMS/CA and shall perform such other duties as pertained to the office. He/She shall be the custodian of an official copy of the Constitution and Bylaws, together with all amendments thereto. He/She shall at the expiration of the term of office, turn over to the successor or the sitting President, or other properly authorized person, all the records or other properties of the GMS/CA. The Secretary shall dispatch all minutes of meetings no later than five (5) working days of the convened meetings along with action notes. The meeting minutes should be approved by the meeting chair before dispatch. The Secretary shall provide all new Residents a copy of the GMS/CA Constitution and Bylaws as well as welcome letter signed by the President. The secretary shall handle the GMS/CA's correspondence under the direction of the President. The Secretary shall maintain a record of all Owners and Proxy-Owners. The Secretary shall attend Executive meetings and provide an admin report.
- D.** The **Treasurer** shall keep a list of GMS/CA members and collect all monies due to the GMS/CA, giving a receipt thereafter. He/she shall record the amount of all payments with the name and address of the person paying. He/she shall faithfully care for all monies entrusted to him/her. The Treasurer shall disburse funds, only with the approval of at least a quorum of the GMS/CA's Executive Committee and take a receipt thereafter. At the expiration of his/her term of office turn over to his/her successor or other properly authorized persons all records, money, or other properties of the GMS/CA that is in his/her possession. There must be proper documentation for all transactions. The Treasurer shall prepare ½ yearly financial statements. The Treasurer shall lodge all monies collected in the agreed bank within a five (5) days of collections. He/She should establish a system/mechanism for Fees to be paid to the Bank directly. Where residents make direct deposits to the bank, such evidence of bank payments should be provided to the Treasurer immediately after (within 2 days). The Treasurer shall attend Executive meetings and provide a financial report. He/She should establish a petty cash system with the approval of the Executive Committee.
- E.** The **Public Relations Officer (PRO)** shall disseminate all agreed bulletins, messages and notifications to residents of GMS/CA. The PRO will use the GMS/CA website, noticeboard and printed notices/fliers to communicate the agreed information to the GMS/CA's stakeholders. The agreed information should be approved by the President. The PRO will provide an interface between the GMS/CA and other public bodies and will represent the GMS/CA at events in the absence of the President/Vice President. The PRO shall attend Executive meetings and provide a PRO report.
- F.** The **Youth Leader** shall register all youth between ages of 16 and 35 years old as the GMS/CA's Youth Group and maintains that database. The database should be provided to the Executive of the GMS/CA. He/She will convene monthly meetings with the Youth and organize youth relevant events that are uplifting and socially appropriate. He/She shall develop a Youth Code of Conduct that will be approved by the GMS/CA's Executive Committee. The Youth Leader shall provide general guidance to the Youth consistent with the Strata Corporation Act. He/She shall be elected at the GMS/CA's general meeting. He/She shall attend GMS/CA's Executive meetings and provide a Youth Leader report.
- G.** The **Block Leader** shall meet with all Blocks separately to elect a Block Representative for each Block. The Block Leader should convene quarterly Block meetings. He/She should provide general guidance to each Block consistent with the Strata Corporation Act. He/She shall attend GMS/CA Executive Committee meetings and provide Block Leader report.
- H.** The **Semi-detached Home Leader** shall meet with all streets separately to elect a Street Representative for each Street. He/She should convene quarterly meetings and provide general guidance to the Semidetached Homes consistent with the Strata Corporation Act. He/She shall attend GMS/CA Executive Committee meetings and provide a report.
- I.** The **Special Projects Manager** shall lead the implementation of all Executive approved projects and report on the progress at each executive meeting. He/She shall develop a schedule for the execution for all projects. The project

entails 1) the project title, 2) budget, 3) implementation schedule/deliverables, 4) Workers/contractors, and 5) reports. The Special Projects Manager shall attend GMS/CA Executive Committee meetings and provide a brief Project report/plans.

- J. The **Ex- Officio Advisor**, preferably a legal person shall provide legal advice based on research or expert knowledge. The Ex- Officer Advisor shall attend GMS/CA Executive Committee meetings but does not possess a voting right.

#### **Paid Position /Block & Street Representatives/Sub-Committee:**

- K. **Property Manager** position shall be a paid selected position. He/She is responsible for the proper maintenance and the upkeep on the general areas of the GMS/CA. He/She shall attend Court in representing the GMS/CA for the enforcement of the proper maintenance of the general areas of the GMS/CA. This position shall maintain an official relationship with state agencies to advance and maintain the property. The Property Manager shall attend all Executive Committee meetings and provide a property maintenance report. The duties of the Property Manager will be guided by a ToR.
- L. The **Block Representative** is a voluntary position that helps with the day-to-day operations of his/her **Block**. He/She is elected by a majority vote at a **scheduled block meeting**. He/She is responsible to convene monthly meetings at an agreed time. The meeting minutes should be uploaded to the GMS/CA Website. The **Block Representative** is required to assist with the collection of maintenance fees and provide a receipt to the persons paying. He/She should turn over the fees within five (5) days to the Treasurer. He/She shall maintain a duplicate receipt book for quarterly auditing by the Treasurer. He/She shall report to the **Block Leader** on a quarterly basis.
- M. The **Street Representative** is a voluntary position that helps with the day-to-day operations of his/her **Street**. He/She is elected by a majority vote at a **scheduled street meeting**. He/She is responsible to convene monthly meetings at an agreed time. The meeting minutes should be uploaded to the GMS/CA Website. The **Street Representative** is required to assist with the collection of maintenance fees and provide a receipt to the persons paying. He/She should turn over the fees within five (5) days to the Treasurer. He/She shall maintain a duplicate receipt book for quarterly auditing by the Treasurer. He/She shall report to the **Semi-detached Home Leader** on a quarterly basis.

**NB:** Performance evaluation is to be conducted for each executive member every six (6) months. Committee members are to attend at least 60% of all scheduled meetings for each year.

### **Section 3: General Meetings**

- A. The GMS/CA General Meetings shall be held on the second Sunday, every 6 months, commencing at 4 pm a.m. at Block -I parking lot or any announced convenient location.
- B. Draft minutes and agenda are to be sent to the President for vetting a maximum of fourteen (14) days before the General Meeting. The President is to return same at least three (3) days after receiving. Final minutes and agenda are to be circulated to all members seven (7) days prior to the next General Meeting.
- C. A fine of \$500 will be charged if any Executive Member is more than thirty (30) minutes late after the start of the Executive Meeting and \$400 for being ten (10) minutes late for the General Meetings, without prior notification.
- D. The GMS/CA Executive Meetings will be held on the 1<sup>st</sup> Saturday of each month from 7:00 p.m. to 9:00 p.m. at a notified venue to be communicated prior to the Meeting. The PRO will communicate the meeting venue. If weather does not permit, a new date is to be announced shortly after.



- E. The Executive Committee becomes defunct if it fails to convene a general meeting for at least one (1) year. If/When it becomes defunct, an Interim Executive is to be established with a simple majority vote at a general meeting and within two (2) months appoint a new executive guided by *Article 4: Section 1* above.
- F. If for any reason, a scheduled general meeting is not possible, then notice is to be given for the meeting to take place one month later.

**Section 4: Notification of Meetings**

- A. The PRO. is to send the first (1<sup>st</sup>) text reminder four (4) days prior to the General Meeting with a final reminder text, one (1) day before General Meeting. He/she has the responsibility to communicate to the wider GMS/CA. If weather does not permit, a new date is to be announced shortly after.
- B. The Treasurer is to send telephone credit and other needed funds to the PRO. by the Monday before the next General Meeting to facilitate the reminder of persons for the meeting.
- C. The maximum amount to be expended for refreshments at the meetings are:
  - Executive Meetings - **\$5,000**
  - General Meeting - **\$50,000**

**Section 5: Maintenance of Records of the GMS/CA**

The Executive of the GMS/CA shall be responsible for the systematic maintenance of Executive, Sub-Committees and property records. The records to be maintained are:

- The names and contact information for persons who own and rent apartments/homes.
- Financial records for GMS/CA fees for each apartment/home.
- Projects and transaction records
- Meeting records for all Blocks, Semi-detached homes, Project Management and sub-committees.
- The records shall be maintained online (GMS/CA Website and Google drive) and a physical copy.
- The records should be accessible to Executive Committee members.
- The official email address for the GMS/CA is [goldenmeadows7@gmail.com](mailto:goldenmeadows7@gmail.com)
- The official Website for the GMS/CA is <http://www.goldenmeadows.org>
- All apartment owners and proxy-owners are required to register on the Website as the official means of communication, outside of the General Meetings.

Signed:

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President

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Vice President

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Secretary

Dated: November 12, 2019