

SEVENTH AMENDMENT TO THE:
TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.
BYLAWS

ARTICLE I
DEFINITIONS

SECTION 1. "Association" is the Tahitian Village Property Owners' Association, Inc., a nonprofit corporation in Bastrop County of the State of Texas.

SECTION 2. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

SECTION 3. Deleted. [See original TVPOA Bylaws](#)

SECTION 4. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

SECTION 5.

(a) "Member" refers to any person who owns one or more lots, in whole or in part, in Tahitian Village

(b) "Member in Good Standing" refers to any Member who is current in payment of all monies assessed, and in compliance with all Covenants, Conditions and Restrictions. The term does not include an "Entity" as defined below.

SECTION 6. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

SECTION 7. "Fiscal Year" is defined as the Association's and the TVACC's financial accounting period of one year, January 1 through December 31.

SECTION 8. "Director Place" is defined as the assigned Director position designated by numbers one through six as set forth in Article VII Section 2.

SECTION 9. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

SECTION 10. "Board" is the Board of Directors of the Tahitian Village Property Owners' Association.

SECTION 11. "TVACC" is the Tahitian Village Architectural Control Committee.

SECTION 12. "Tribunal" is any person or institution with authority to judge, adjudicate or determine claims, challenges, or disputes and/or appeals surrounding elections. The Tribunal may also serve as a resource should the Election Committee have questions or concerns while completing their duties.

SECTION 13. "Cumulative Voting" is a system of voting in an election in which each voter is allowed as many votes as there are candidates and may give all to one candidate or varying numbers to several.

SECTION 14. "Books, Records and Papers" are all files, documents, instruments, papers, books and records relating to the condition and stability of the Association, including financial statements, budgets, tax returns and related work papers and letters from accountants as well as records of meeting minutes, motions and amendments approved by the Association.

SECTION 15. "CCRs" refers to the Amended Agreement of Covenants, Conditions and Restrictions for Tahitian Village, Units I through V.

SECTION 16. "Entity" means a corporation, limited liability company, partnership, limited partnership, and any other commercial enterprise, regardless of how organized, and whether foreign or domestic, profit or not for profit. The term also includes any governmental district, county, city, state, U.S and foreign governments.

SECTION 17. "Eligible Voter", for Board elections, is a Member in Good Standing as defined, that is not an entity; for TVACC elections is a lot-owner.

SECTION 18. "Special Meeting" is an open meeting of the Membership to conduct special business, called and conducted as instructed in Article XII of these Bylaws. Members may attend and vote either in person, virtually or by phone, but must be clearly identifiable and must be a Member in Good Standing.

ARTICLE II
LOCATION

SECTION 1. The street address of the office of the Association shall be 106 Conference Drive, Bastrop, Texas, 78602, until changed by the Board. The mailing address of the Association shall be P.O. Box 636, Bastrop, Texas, 78602, until changed by the Board.

ARTICLE III
MEMBERSHIP

SECTION 1. The Membership shall be as set forth in Article FIVE of the Amended Certificate of Formation.

ARTICLE IV
VOTING RIGHTS

SECTION 1. Only a Member in Good Standing is eligible to vote in elections and business before the Association on which votes are to be taken, except TVACC elections where voting rights are based on lot ownership.

SECTION 2. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

SECTION 3. Deleted. [See 6th Amendment to the TVPOA Bylaws](#)

ARTICLE V
Deleted. [See 5th Amendment to the TVPOA Bylaws](#)

ARTICLE VI
ASSOCIATION PURPOSES AND POWERS

SECTION 1. The Association shall have the powers as set forth in the Amended Certificate of Formation.

SECTION 2. The TVACC works in cooperation with the TVPOA to ensure that building guidelines are met with the intent of maintaining property values per the "Amended Agreement of Covenants, Conditions and Restrictions for Tahitian Village" Revised 1998.

ARTICLE VII
BOARD OF DIRECTORS

SECTION 1. The Association shall be governed by a Board as provided in the Amended Certificate of Formation and these Bylaws.

SECTION 2. Each Director Place is for a two-year term that begins at the next regularly scheduled meeting following the Annual or Special Membership meeting.

SECTION 3. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 4. Deleted. [See 5th Amendment to the TVPOA Bylaws](#)

SECTION 5. A Director or TVACC Member may serve up to two full consecutive terms. Once the Director or TVACC Member completes these terms, that person cannot seek (re)election or be appointed to the Board or TVACC for one year.

SECTION 6. Members in Good Standing may seek the removal of any TVPOA Director. A recall election of a Director is initiated by petition, signed by no fewer than 5% of those eligible to vote in the previous year's election. The recall election shall be conducted by confidential ballot. To receive a recall election ballot for a Director, Members must be in Good Standing as of the date the petition is filed with the Association.

Lot owners may seek the removal of a member of the TVACC by a recall election. A recall petition of a member of the TVACC is initiated by petition, signed by no fewer than 30 lot owners. The election shall be conducted by confidential ballot. For a TVACC Member recall election, the ballots shall be delivered to all lot owners.

The petitions should state, in reasonable detail, the grounds for the recall and should only include one Director or ACC Member, but multiple petitions may be submitted for a recall election. Recall elections cannot occur less than nine months from the most recent election/appointment or reelection.

Ballots shall be included in a ballot packet. In addition to the ballot, the packet must include instructions and an envelope to be used to return the ballot to the Association. TVPOA shall supervise the recall election of a member of the Board; TVACC shall supervise the recall election of a member of the TVACC.

SECTION 7. If a Director or TVACC Member resigns or is otherwise unable to finish their term, the Board or TVACC, may choose to take no action or appoint a replacement to complete an unexpired term. For Director and TVACC vacancies, the notice must state whether the TVACC or Board plans to fill a vacancy by appointment in which case notice shall be given at or before the next regularly scheduled board meeting. If the Board or TVACC intends to appoint, members shall be given no less than 14 days to submit nominations. Candidates applying to fill an open seat must follow the process in Article VIII, Section 3. If more than nine months are left on the term of the vacated position, the Board or TVACC must fill the seat no later than the second meeting following the resignation.

SECTION 8. No more than 50% of the Board or TVACC members can be removed in any recall election to maintain stability of operational governance.

ARTICLE VIII
ELECTIONS

SECTION 1. Elections Generally. The elections of the Board and TVACC Members, and the appointment of an Election Committee. The appointment of an Election Judge shall occur annually as needed. The election shall be by confidential ballot as provided in Section 5 of this Article. In these elections, cumulative voting is not allowed. A FBI IdHSC report must be rerun for all Directors and TVACC Members annually at the Association's expense. Should a current sitting Director or TVACC Member be found to have been convicted of a crime listed in Section 3 of this Article the Board or Committee shall take action to remove the individual. This individual may appeal to the Tribunal.

Three TVPOA Director places are vacant each year. The terms of the TVACC Members rotate every two years with two Members' terms expiring the first year, and three the second year, after which this process repeats.

Places for both the Board and TVACC shall be filled in ascending order by the corresponding number of votes each candidate receives.

SECTION 2. Election Committee. The Board shall appoint an Election Committee for Board elections and for TVACC elections. If both elections are held at the same time, the same Election Committee will serve both. The Election Committee shall have at least three but not more than five Members in Good Standing. A Director of the TVPOA, whose term is not expiring shall serve on the Election Committee on even years and an TVACC Member whose term is not expiring shall serve on the Election Committee on odd years. The Election Committee shall select one of its members to be the Election Chair; however, neither the Director nor TVACC Member shall serve as Chair of the Election Committee.

A candidate in an election for Director or TVACC Member may not be appointed to or remain on the Election Committee. The Association shall provide notice that the Membership may submit suggestions for appointees to the Election Committee. These suggestions must be submitted no less than 14 calendar days before the date that the Annual Meeting is scheduled. The Board shall select the deadline for fulfilling the requirements to be a candidate. The names of the Election Committee and the deadline for fulfilling requirements shall be announced promptly to the Members.

It shall be the duty of the Election Committee to:

- a) Obtain a list of all Members in Good Standing as of November 30 for Director elections or a list of lot owners as of November 30 for TVACC elections, verified by the Association Secretary and/or Association Staff prior to reviewing the eligibility of such Member's petition for candidacy. Once this process is completed, the list will be used by the Election Judge in fulfilling his or her duties.
- b) At least twice each week, the Election Chair shall retrieve any candidate packets that are hand-delivered or mailed to the Association and make a final collection of packets at the close of business on the deadline stated on the candidate packet.
- c) If the packet is found by the Election Committee to be incomplete or incorrect, the Election Committee Chair shall notify the Candidate by the next business day from the date reviewed, if reasonably possible. The candidate may submit a complete or corrected packet once for reconsideration so long as it is received prior to the deadline.
- d) In Board elections, verify that the signers on the Candidate's Petition for Support are Members in Good Standing. For TVACC elections, verify that the signers of the Petitions are lot owners in Tahitian Village.

- e) Confirm that there are more candidates than positions to be filled on the Board or TVACC. If there are not enough eligible candidates to fill the Place(s), the Election Committee shall promptly inform the Board or TVACC that an election is not necessary. If there is only one eligible candidate per place, the candidate will be deemed elected when the Board or TVACC is notified at the Annual or any special meeting.
- f) If concerns or questions are raised during a meeting of the Election Committee regarding any issue(s) within a candidate's packet, the Committee Chair shall direct those concerns or questions to the Tribunal for resolution.
- g) Randomly draw the candidates' names and place them on the ballot in the order drawn.
- h) Coordinate with the Association Staff to either deliver the locked ballot box to the Election Judge or have the Election Judge securely collect the ballots from the Association office.
- i) Once nomination results are final, deliver packets for any eligible candidates to Association Staff for record keeping; destroy all packets for those found ineligible if not retrieved by the nominee within 30 days. Candidate packets for those eligible to run, who are not elected, are kept for 60 days or until the Election Judge's duties have been completed.
- j) The Election Committee Chair shall make a report to the Tribunal, identifying whether any issues with the candidate nomination packets were found that need to be resolved.
- k) The Election Committee Chair shall be included in the communication to the Board seeking final approval of the mailout package before it is sent to the printer.
- l) Assist Association Staff, if necessary, with preparations of the ballot package for mailing. For Director elections, verify that ballots have been mailed by Association Staff to all Members in Good Standing no less than 20 days before the election. For TVACC elections, verify that ballots have been mailed to all lot owners at least 20 days before the election.
- m) A member of the Election Committee shall receive the election results in a sealed envelope from the Election Judge and deliver it to either the President of the Board or the TVACC, or their designee at the meeting.

Each Member of the Election Committee must sign a Non-Disclosure Agreement concerning the contents of all candidates' packets received by the Committee.

SECTION 3. Candidates. All Members in Good Standing are eligible to be candidates for election to the Board and all lot owners are eligible to be candidates for election to the TVACC upon presentation of the following to the Election Committee on or before the stated deadlines:

- a) A completed [Candidate Nomination Packet](#) to include:
 - 1. Candidate Member Profile form obtained from the Association or Association's website.
 - 2. A Candidate's Petition for Support, signed by hand or digitally, by at least ten individual Members in Good Standing (not including the candidate) for Board elections and ten individual lot owners for TVACC elections (not including the candidate). Association Staff may not sign a petition for support. Petitions submitted with strikethroughs are allowed, but corrected text may not be written on top of the error and the strike-through must be initialed.
 - 3. The Petition for Support must include:
 - i. First and last name, legibly printed, which matches the name on the deed or trust. Middle name or initial, inclusion or exclusion, is not considered. Documentation must be submitted prior to November 30 for any name changes to existing owners for it to take effect in the current year.
 - ii. Legal and street address of the candidate's property

- iii. Telephone number (cell or landline) for use by Election Committee
- iv. Email address for use by Election Committee (optional)
- v. Legal signature
- b) Deleted. [See 6th Amendment of the TVPOA Bylaws](#)
- c) Deleted. [See 6th Amendment of the TVPOA Bylaws](#)
- d) Proof of ownership in Tahitian Village by Warranty Deed or Certificate of Trust.
- e) A brief biography, 250 words or less.
- f) Texas DPS Criminal History Record report.

The Board may not make any motions or proposed rule changes regarding qualifying a candidate unless and until these Bylaws are amended.

A person is ineligible to serve in any officer position or hold signatory duties, if that person has been convicted of or plead nolo contendere to any offense involving burglary, theft, larceny, embezzlement, fraudulent conversion or misappropriation of property.

Any individual with a felony conviction is ineligible to serve on the Board or ACC. Two or more misdemeanor convictions, within 10 years prior to nomination deadline, is ineligible to serve on the Board or ACC. A person deemed ineligible to serve under this section may request that the Tribunal reconsider that determination for good cause shown.

A person is ineligible to serve in any capacity at any time on the ACC, the Board or any Association committee if he or she has been convicted of or plead nolo contendere to any violent or sexual crime. No reconsideration shall be allowed absent proof of mistaken identity or that there was no conviction or nolo contendere plea.

The documents required for a candidate's nomination must be delivered by the stated deadline to the Association using one of the three methods listed below. The Association will transfer the candidate packet to the Election Committee. Candidate packets may be delivered by:

- a) Email to address on the Candidate's Nomination Packet (to be received by Election Committee Chair only); or
- b) Hand delivery to the Association office in a sealed envelope; or
- c) U.S. Postal Service

SECTION 4. Election Judge. The Board shall, on or before December 30th of each fiscal year and before the mailing of election ballots, select an Election Judge, who does not live within Tahitian Village nor have any personal or professional relationships to the Association. The Election Judge shall fulfill the following duties:

- a) Receive the key to the ballot box after signing the [Guidelines for Election Authorities](#). The key shall be returned with the election results at the Annual Meeting.
- b) Obtain a list of Members in Good Standing from Association Staff for Board elections or a list of lot owners for TVACC elections.
- c) Coordinate with Election Committee Chair and/or Association Staff to collect ballots. Under observation from the ballot box transporter, the Election Judge shall open the ballot box and count the number of ballots contained within. That number shall be written on a delivery log and initialed by both the Election Judge and the transporter/observer.
- d) Secure all ballots to maintain the confidentiality of the voters' identities.

- e) Set aside ballots that are opened, not timely, or that otherwise may be deemed to be ineligible due to:
 - 1. The envelope containing the ballot is missing a printed name and/or signature.
 - 2. Votes from members not in good standing for Director elections and votes from non-property owners for TVACC elections.
 - 3. Ineligible or incorrectly cast votes
 - 4. Ballots postmarked or hand-delivered after the deadline to vote
 - 5. Ballots with excess votes (no candidate may receive more votes than the number of lots shown on the ballot)
- f) Tally all eligible votes.
- g) Complete the Election Results Report provided with the [Guidelines for Election Authorities](#). The report shall include:
 - 1. Total number of eligible voters as reported by the Association Secretary or Association Staff
 - 2. Total number of ballots received
 - 3. Number of ballots and/or eligible votes disqualified, and the reason(s) for each disqualification
 - 4. The number of eligible votes cast for each Director Candidate in descending order and the number of eligible votes cast for each TVACC Candidate in descending order
 - 5. A statement certifying the results of the election
- h) Place the report in a sealed envelope and deliver it to the Chair of the Election Committee or the Chair's designee. The results shall not be disclosed until the agenda item for election results is called at the meeting.
- i) After the election, secure all ballots to preserve confidentiality until the Association Secretary informs the Election Judge, in writing, when a period of 60 days has occurred with no filed or unresolved protests at which time the ballots shall be destroyed by shredding. The Election Judge shall then certify, in writing, that all ballots were destroyed by shredding, providing the name of the person or business entity who shredded the ballots and the date on which the shredding occurred.
- j) The Association Secretary shall inform the Election Judge in writing if a protest is filed with the Association Secretary or Association Staff in which case the ballots shall not be destroyed but will be secured until such time as the protest is resolved. Contested or challenged elections shall be determined by the Tribunal in accordance with Article XV of these Bylaws.

The Election Judge must sign a Non-Disclosure Agreement concerning all of the documents and information reviewed in the course of performing the duties of an Election Judge. The Election Judge may be a Certified Public Accountant or Attorney licensed to practice in the State of Texas, or a Notary Public whose commission does not expire prior to the election. The individual or firm selected may not have a professional or personal relationship with any person seeking to be a candidate in the election.

SECTION 5. Ballots. All written or digital votes cast for elections to the Board and TVACC shall be made only on ballots made available by the Association. The ballots shall:

- a) Describe the Place vacancies in numerical order to be filled
- b) List the candidates' names for places on the Board or TVACC in the order previously determined by random drawing.
- c) Deleted. [See original TVPOA Bylaws](#)

- d) Have a designated location to include the Member's number of lots which is the number of votes that the Member may cast for each vacant Place.
- e) The ballots shall not contain any information by which the voter can be identified.

SECTION 5.1. For Director and TVACC elections, a member of the Board, not up for reelection, shall review the final documents for approval before authorization to finalize is given to further ensure accuracy and that all requirements are met. The approval shall be conveyed to the Election Committee directly. The ballot package shall be prepared for mailing by the Association Staff with assistance, should it be needed, by only the Election Committee. For Director elections, the ballot package shall be sent via the United States Postal Service to all Members in Good Standing; for TVACC elections, the ballot package shall be sent to all lot owners. Any concerns will be directed to the Election Committee Chair to be communicated to the Association Staff and the Tribunal. The Association may provide a date where members may choose to retrieve their ballots directly from the Association office. This date may not be on or after the required mailing deadline.

The package shall include the following:

- a) Biographies provided by the candidates, who are on the ballot
- b) Proposed agenda of the Annual Membership Meeting as set by the Directors
- c) A plain pre-addressed envelope clearly marked "BALLOT", that includes lines for the printed name and signature of the Member.
- d) Voting instructions, including the last date the ballot may be postmarked and the last date it can be personally delivered by the voter to the Association's street-address
- e) The Election ballot and voting instructions
- f) Deleted. [See 5th Amendment of the TVPOA Bylaws](#)

SECTION 5.2. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 6. The Secretary of the Board or the Association Manager shall prepare a list of all eligible voters. For Director elections, the list will show all Members in Good Standing eligible as of November 30; for TVACC elections, the list will show all lot owners as of November 30. The Secretary or Association Manager shall mail, or hand deliver one copy of the appropriate list to the Election Judge on or before the last date to receive ballots from voting Members.

SECTION 7. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 8. An election tie shall be broken by a simple majority vote of eligible voting Members present at the Annual Membership Meeting. The vote shall be by secret, written ballot.

SECTION 9. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 10. Contested elections shall be determined by Tribunal in accordance with Article XV of these Bylaws.

ARTICLE IX
POWERS AND DUTIES OF
THE BOARD OF DIRECTORS

SECTION 1. The Board shall have the power to:

- (a) Call special meetings of the Members whenever it deems necessary.

- (b) Appoint or remove for cause all Directors, committee members, agents, and employees of the Association, prescribe their duties, fix their compensation, and require of them security or fidelity bond as it may deem expedient. Immediate family members of those elected/appointed to the Board or TVACC shall not be employed by the Association.
- (c) In conjunction with the TVACC, adopt a Code of Conduct and receive and investigate complaints of alleged violations of the [Code of Conduct](#).
- (d) Establish and collect an assessment as is necessary to maintain the powers, duties, and authority of the Association.
- (e) Exercise all powers, duties, and authority authorized by the Amended Certificate of Formation, these Bylaws, the CCRs along with applicable Codes and laws.
- (f) Hear appeals from decisions of the TVACC, including but not limited to those instances in which TVACC desires to ask the attorney to send a notice letter advising that a lawsuit may be filed.
- (g) Remove any Director if he or she is absent at three consecutive regular meetings. The remaining Directors may choose to appoint a replacement via the nominations process to complete the term for the vacancy or to take no action until the next election cycle.
- (h) Review for approval or direct the development of rules and regulations of committees of the Association except for those pertaining to the authority delegated to the TVACC in Article VI of the CCRs.

SECTION 2. It shall be the duty of the Board to:

- a) Keep complete records of all its acts and corporate affairs and to present a summary of such acts and affairs to the members at the Annual Membership Meeting or at any special meeting when appropriate.
- b) Supervise committee members, agents and employees of this Association in the performance of their duties.
- c) Prepare and maintain a database of any outstanding charges and/or assessments applicable. It shall be kept in the offices of the Association.
 - 1. Deleted. [See 5th Amendment to the TVPOA Bylaws](#)
 - 2. Deleted. [See 5th Amendment to the TVPOA Bylaws](#)
- d) Deleted. [See 6th Amendment to the TVPOA Bylaws](#)
- e) Collect any unpaid assessment or fees as allowed by law.
- f) Call a special meeting at any time upon written request of members eligible to vote that comprise 5% or more of the total Members in Good Standing as defined in Article I. Special Elections must follow the same procedures required for regular annual elections.

SECTION 3. The Board shall ensure that proper books of account are kept for the Association. The Association shall also ensure that the books of account are professionally audited once every three to five years, to begin in tax year 2021, and that a professional review is conducted every year excluding the years the books are audited. A report provided from the professional who conducted the review or audit shall be presented to the Membership at the Annual Membership Meeting or at any special meeting if appropriate.

SECTION 4. The Board shall prepare and adopt before the beginning of a fiscal year, a budget for the upcoming fiscal year and present it to the Membership at the Annual Membership Meeting.

ARTICLE X
BOARD MEETINGS

SECTION 1. A regular meeting of the Board shall be held on the third Tuesday of each month at 7:00 P.M. A quorum is required to conduct any business of the Association. A quorum is a majority of the Directors on the Board.

- a) In the event of circumstances beyond the control of the Association, the Board may, by motion and simple majority vote, permanently or temporarily change the day, time, and place of regular in-person or virtual meetings.
- b) The Board shall take any expedient and cost-effective methods to notify the membership in a timely manner of any such changes, including digital emails, social media posts and/or newsletter announcements.

SECTION 2. Deleted. [See Original TVPOA Bylaws](#)

SECTION 3. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 4. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 5. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

ARTICLE XI
ASSOCIATION OFFICERS

SECTION 1. The officers shall be a President, Vice President, Secretary and Treasurer. Officers shall be the only persons with signing authority for the Association. All officers of the Board shall be bonded for a sum sufficient to protect the Association from loss.

SECTION 2. The officers shall be appointed for one year by majority vote of the Directors on the Board.

SECTION 3. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 4. The President shall preside at all meetings of the Board and see that orders and resolutions of the Board are implemented. The President is permitted to make motions, second motions and cast the deciding vote in tie-breaking situations (see Roberts Rules which are incorporated by reference, specifically, Article 4 Section 56).

SECTION 5. The Vice President shall perform all the duties of the President in the President's absence.

SECTION 6. The Secretary of the Association shall keep the minutes of all proceedings indefinitely in an electronic format and maintain the records of the Association and Members.

SECTION 7. The Treasurer of the Association is entrusted with the custody of the Association's funds. The Treasurer must make a full financial report annually and such interim reports as the Board may direct.

ARTICLE XII
SPECIAL & ANNUAL MEETINGS OF MEMBERS

SECTION 1. The regular Annual Membership Meeting shall be determined prior to January 1st of each year. The Annual Membership Meeting shall be held no later than February 15 of each year. The date

and time shall be as determined by the Board. Special meetings for any purpose may be called by the Board or as stated in Article IX, Section 2(f) of these Bylaws.

SECTION 2. For any special meeting, notice shall be given to all Members and shall include the agenda for the meeting. The notice also must include the deadline by which additional agenda items may be requested; however, the Board generally will include only those additional agenda items which it determines are related to the items on the original agenda.

SECTION 3. Notice of a meeting shall be sent no less than 20 nor more than 50 days in advance of the meeting. Notice may be provided by means other than traditional methods of communication in conjunction with or in place of this traditional method, such as social media and email notifications (if the Member has opted into this method) as well as on the Association's website.

SECTION 4. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 5. Deleted. [See 6th Amendment of the TVPOA Bylaws](#)

SECTION 6. The Association shall maintain a database of all Members in Good Standing and a second data base of all lot owners which shall include the number of votes each Member in Good Standing or lot owner is allowed to cast.

ARTICLE XIII

Deleted. [See Original TVPOA Bylaws](#)

ARTICLE XIV

BOOKS AND PAPERS

SECTION 1. The books, records and papers of the Association shall be made available for inspection by any lot owner. For large data requests, an appointment must be scheduled with the Association Staff. The data review process shall not extend past four hours per business day, not to exceed ten total business days or a maximum of 40 hours. If the request for inspection causes the Association to incur any costs other than staff time such costs must be reimbursed by the requestor.

SECTION 2. The following are considered confidential and are not subject to review by the membership outside of designated committee tasks.

- a) Personal information of the members, including addresses and telephone numbers
- b) Personal background related materials held by the Association
- c) Legal correspondence to/from the TVPOA, its committees or the TVACC
- d) Account numbers and passwords and other such credentials
- e) Personal staff information
- f) Building plans submitted by lot owners or their agents
- g) Attorney communications to or from the Association, TVACC or staff that are intended to be confidential

ARTICLE XV

THE TRIBUNAL

SECTION 1. Election challenges shall use the tribunal process for adjudication. The Tribunal may also serve as a resource to the Election Committee.

SECTION 2. The Tribunal shall consist of the previous year's Election Committee. Should any former committee member be unavailable to serve or be currently running for Board or Committee position, the Board shall select a replacement, like for like. At any Election Committee meeting, the Tribunal may serve as a resource should the Election Committee have questions or concerns about candidate eligibility. This resource may only be utilized during these meetings. All decisions are considered final once the meeting concludes.

SECTION 3. Contesting party is required to list specifically whether it is a contest of the TVPOA election or the TVACC election along with the reason for the challenge notated on each page of petition signatures. Any documents or information that supports the claims must be submitted with petition signatures.

SECTION 4. All TVPOA and TVACC activities regarding the protested issue(s) must be halted until a tribunal decision is announced to the Membership. No challenges will be reviewed or considered in the ten days leading up to the mailing of election ballots. They will be considered within 10 days following the election.

SECTION 5. Subject to Section 4 of this Article the Tribunal shall meet within ten days from the date the member's petition is submitted, review any documents that pertain to the challenge and submit its final decision(s) to the Board or TVACC which is the subject of the protest.

SECTION 6. The Tribunal's final decision will be considered the final decision of TVPOA or TVACC.

ARTICLE XVI
CORPORATE SEAL

SECTION 1. The Association shall have a seal in circular form having within its circumference the words, Tahitian Village Property Owners' Association, Inc., a Texas non-profit corporation incorporated 1972.

ARTICLE XVII
AMENDMENTS

SECTION 1. These Bylaws may be amended by a majority of votes cast by Members in Good Standing present in person or virtually at the Annual Membership Meeting or any special meeting.

SECTION 2. Notice of a proposal to amend these Bylaws and a copy of the proposed amendment(s) must accompany the notice of the meeting required by Article XII, Section 3, of these Bylaws.

ARTICLE XVIII
PARLIMENTARY AUTHORITY

SECTION 1. The rules contained in the current *Robert's Rules of Order Newly Revised* may govern the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Association may adopt.

"RESOLUTION"

We, the undersigned Directors of Tahitian Village Property Owners' Association, Inc., do hereby certify that the foregoing Seventh Amendment to the Bylaws is correct and that the same have been duly adopted by said Association at a meeting of the Membership of this Association held in Bastrop County, Texas at 1:00 pm on the 9th day of October 2021.

Janet Schwindt
Stacy Savage

David Carter
Mary Jo Creamer

Erika McDonald
Jan Kuchel

PO Box 636
Bastrop, TX 78602

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, _____.

Janet Schwindt

David Carter

Erika McDonald

Stacy Savage

Mary Jo Creamer

Jan Kuchel

THE STATE OF TEXAS:
COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared NAMES, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.

Notary Public in and for Bastrop County, Texas

THE STATE OF TEXAS:
COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared NAMES, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.

Notary Public in and for Bastrop County, Texas

THE STATE OF TEXAS:

COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared NAMES, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.

Notary Public in and for Bastrop County, Texas

THE STATE OF TEXAS:

COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared NAMES, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.

Notary Public in and for Bastrop County, Texas

THE STATE OF TEXAS:

COUNTY OF BASTROP:

Before me, the undersigned Notary Public, on this day personally appeared NAMES, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing documents as an incorporator and that the statements therein confirmed are true.

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SWORN TO AND SUBSCRIBED before me this ____ day of _____, _____.

Notary Public in and for Bastrop County, Texas