

Dunham Lake *in Michigan*

DLPOA BYLAWS AS OF 10/14/2003

DUNHAM LAKE- PROPERTY OWNERS ASSOCIATION

P. O. Box 304, Highland, Michigan 48357

DLPOA BY-LAWS

October 14, 2003

ARTICLE I

Name and Area

Section 1

The name of this association shall be known as the Dunham Lake Property Owners Association hereafter called the DLPOA in this document.

Section 2



The area of jurisdiction of the DLPOA shall be all property within the subdivision known as Dunham Lake Estates and Dunham Lake Estates No. 1, Oakland County, Michigan and Dunham Lake Estates, Dunham Lake Estates South and Dunham Lake Estates Center, Livingston County, Michigan, as described in the plats, and hereafter called the DLPOA Area in this document.

ARTICLE II

Purpose

Section 1

The purpose of this association shall be:

- a). To manage and protect the common property of the DLPOA.
- b). To promote the best interests of the property owners and residents within the DLPOA Area.
- c). To encourage propositions that are deemed helpful to the development of the DLPOA Area and to discourage and oppose propositions that may be detrimental to the residents and property owners of the Area in regards to township, county and state government actions. 
- d). To foster a community relationship among property owners and residents within the DLPOA Area. 
- e). To adopt and enforce rules and regulations to effectuate the purpose of the association.


ARTICLE III

Membership

Section 1

Voting membership in the DLPOA shall consist of property owners of the DLPOA Area.

Section 2

Residents of the DLPOA Area who are not property owners in the DLPOA Area are non-voting members of the DLPOA. 

ARTICLE IV

Organization and Officers of the DLPOA

Board of Directors

Board of Directors Duties

Section 1

The business, common property and affairs of the DLPOA and the DLPOA Area shall be managed and controlled by the Board of Directors of the DLPOA, hereafter referred to as the “Board of Directors”, except as these By-Laws specifically require action by the DLPOA members and except as otherwise specified in the Declaration of Restrictions and Easements covering the DLPOA Area.


Notice and Term of Office of the Board of Directors

Section 2A

The Board of Directors shall be comprised of eleven (11) members of the DLPOA. The term of office is two (2) years. In alternating years at the Annual Meeting, the voting members present elect either six (6) or five (5) members.

Election of Board Officers

Section 2B



1. At the First Board Meeting, which shall be held not later than ten (10) days following the Annual Meeting, the Board of Directors shall elect a President, Vice President, and a Secretary, who shall hold the term of office for the term of one (1) year.
2. The Treasurer of the Dunham Lake Civic Committee hereafter referred to as the “Civic Committee” shall serve as the Treasurer of the DLPOA. 
3. The Treasurer is a non-voting member of the Board Of Directors.

President

Section 3


1. The President shall be the chief officer of the DLPOA.
2. The President shall set the agenda and preside over all the meetings of the Board of

Directors.

3. The President shall have general and active management of the business of the DLPOA and shall see that all orders and rules and regulations of the Board of Directors are carried into effect.
4. The President shall be ex-officio a member of all meetings and standing committees, except the nomination committee, and shall have the general power and duties of supervision and management usually vested in the office of President of an association.
5. The President shall attend all Civic Committee meetings.
6. The President shall nominate members to the Civic Committee at the November Board of Directors meeting with the appointment subject to ratification by two-thirds (2/3) of the Board of Directors. 
7. The President shall nominate any staff members subject to ratification by two-thirds (2/3) vote of the Board of Directors.
8. The President shall nominate a member of the DLPOA to preside over the Annual Meeting, with the appointment subject to ratification by a majority of the Board of Directors. 

Vice President

Section 4

1. The Vice President shall perform the duties and exercise the power during the absence of the President. 

Secretary of the Board of Directors

Section 5

1. The Secretary shall keep the minutes of all DLPOA meetings in books provided for that purpose.
2. The Secretary shall keep a record of the names and addresses of all members of the DLPOA.
3. The Secretary shall be custodian of the Charter and all DLPOA legal documents.

Administrative Assistant

Section 6

1. The Administrative Assistant shall perform clerical duties of the DLPOA under the supervision of the President of the DLPOA.
2. The Administrative Assistant shall be the recording secretary for the Civic Committee and perform various other clerical duties.
3. The Administrative Assistant shall attend to the giving and receiving of all notices of the DLPOA.

4. The Administrative Assistant shall be a paid staff position and as such is not a Board of Directors member and does not have voting rights.

Civic Committee Civic Committee Duties

Section 7

The Civic Committee is legally responsible for enforcing the Declaration of Restrictions and Easements and acts as the fiscal agent of the DLPOA. Prior to actually commencing litigation actions, the Civic Committee shall obtain authorization from a majority of the Board of Directors after a vote at a duly scheduled meeting.

Number and Term of Office of the Civic Committee

Section 8

The Civic Committee shall be comprised of five (5) members of the DLPOA who have been appointed by the Board of Directors to rotating five (5) year terms. The Civic Committee must have at least one member from each of Livingston and Oakland counties.

Qualifications for Civic Committee Appointees


Section 9

Qualifications of Civic Committee appointees: 

1. A resident of the DLPOA Area for at least five (5) years preceding the appointment.
2. A DLPOA member in good standing.
3. A past or present DLPOA Board member.

Civic Committee Officers

Section 10

1. At the First Civic Committee Meeting, which shall be held in January of each year, the Civic Committee members elect the Chairman and the Treasurer of the Civic Committee, who shall hold office for the term of one (1) year.
2. The Treasurer of the Civic Committee shall serve as the Treasurer of the DLPOA.
3. The Administrative Assistant shall record the minutes of the Civic Committee meetings. 




Civic Committee Chairman

Section 11

1. The Chairman of the Civic Committee shall call, set the agenda for, and preside over the Civic Committee meetings

Treasurer of the DLPOA

Section 12

1. The Treasurer shall have custody of all DLPOA funds and securities and shall keep in books belonging to the DLPOA, full and accurate accounts of all receipts and disbursements.
2. The Treasurer shall deposit all money, securities, and other valuable effects in the name of the DLPOA in depositories that are designated for that purpose by the Board of Directors.
3. The Treasurer shall disburse the funds of the DLPOA as may be ordered by the Board of Directors, taking vouchers for such disbursements.
4. The Treasurer shall render to the President and Board of Directors at the regular meeting of the Board of Directors, and whenever requested by them, an account of all his/her transactions as Treasurer and of the financial condition of the DLPOA.
5. The Treasurer shall render to the Civic Committee at the regular meeting of the Civic Committee, and whenever requested by them, an account of all his/her transactions as Treasurer and of the financial condition of the DLPOA.
6. The Treasurer shall sign all checks. In the event of his/her absence the President or Civic Committee Chairman shall have authority to sign checks on the DLPOA account.
7. The DLPOA shall obtain and keep in force, a bond in form paid with funds from the DLPOA, surety or sureties satisfactory to the Board of Directors, conditioned for faithful performance of the duties of his office, and for the restoration to the DLPOA in cases of his/her death, resignation, retirement or removal from office, of all books, paper, vouchers, money and property of whatever kind in his/her possession or under his/her control, belonging to the DLPOA. 
8. The President shall annually appoint a committee of three (3) members of the DLPOA to audit the Treasurer's books. 
9. Any three members of the Board of Directors may demand upon thirty (30) days notice in writing, not more than once a year, an independent audit of all DLPOA accounts. The cost of such audit shall be borne by the DLPOA. 


ARTICLE V

Meetings

Types of Meetings

Section 1

1. There shall be an Annual Meeting of the DLPOA during the month of October, at a place, date, and time designated by the Board of Directors.
2. There shall be monthly Meetings of the Board of Directors.

3. There shall be quarterly Meetings of the DLPOA Civic Committee.
4. There shall be group Committee Meetings. 
5. Special Meetings of the DLPOA may be called at any time by the President, or by a majority of the Board of Directors, or by petition to the President, signed by thirty (30) members of the DLPOA.

Annual Meeting of the DLPOA

Purpose

Section 2A

The Annual Meeting of the DLPOA shall be for the purpose of:

1. Electing Directors.
2. Approve the proposed budget
3. Voting on by-laws

Annual Meeting Facilitator

Section 2B

The President of the Board of Directors shall designate a facilitator to conduct and preside over the Annual Meeting. The facilitator should be:

1. A member of the DLPOA
2. Experienced in conducting meetings
3. Knowledgeable in Robert's Rules of Order.

Order Of Business

Section 2C

The order of business at the Annual Meeting shall be as follows:

1. Approval of the minutes of the previous Annual Meeting.
2. Report of Officers.
3. Report of Committees.
4. Presentation of candidates and nominations and election of Officers
5. Presentation and voting to approve proposed budget.
6. By-law changes to be voted on by the membership.

Attendance at the Annual Meeting

Section 2D

DLPOA members are requested to attend; the Board of Directors, Civic Committee members, the administrative assistant, and DLPOA staff are required to attend.

Quorum

Section 2E

Presence in person of thirty (30) members with voting rights in the DLPOA shall constitute a quorum at the Annual Meeting.

Voting

Section 2F

A majority of votes of those members present and constituting a quorum is required to elect the directors and to approve the budget. A two-thirds (2/3) vote of those members present and constituting a quorum is required to approve these by-laws,. Voting shall be done by secret ballot. No vote shall be made by proxy.

Section 2G

Each voting member in the DLPOA shall be entitled to cast no more than one (1) ballot on any question in any single election, regardless of the number of lots owned. Joint owners of lots shall be entitled to one (1) vote only. Only memberships that have paid all past and present assessments shall be qualified to vote.

Notice

Section 2H

At least thirty (30) days prior to the date of the Annual Meeting, written notice of the time, place, and location of such meeting shall be mailed to each DLPOA property owner. The notice of the Annual Meeting shall be published in the newsletter, the *Dunham Laker*, and posted on the DLPOA website, www.dunhamlake.org.

Monthly Meeting of the Board of Directors

Purpose

Section 3A

The purpose of the meeting is to report, to review, and to discuss the business of the DLPOA, and also to propose new business.

Schedule of Meetings

Section 3B

The Board of Directors meetings will be scheduled at the first meeting following the Annual Meeting.

Attendance

Section 3C

All Board of Directors meetings are open to all members of the DLPOA.

Quorum

Section 3D

A majority of members of the Board of Directors must be present to constitute a quorum for the transaction of business. No member of the Board of Directors member shall vote by proxy.

Notice

Section 3E

- 1) The Board of Directors shall fix the time and place for its meetings.
- 2) The notice of Board of Directors meetings shall be published in the newsletter, the *Dunham Laker*, and posted on the DLPOA website, <http://www.dunhamlake.org>.

Quarterly Civic Committee Meeting

Purpose

Section 4A

The purpose the Quarterly Civic Committee Meeting is to report, receive and review the current state of affairs relating to its responsibilities as described in the Declarations of Restrictions and Easements.

Schedule of Meetings

Section 4B

The quarterly meetings will be scheduled in January at the first Civic Committee Meeting of the year.

Attendance

Section 4C

All Quarterly Civic Committee Meetings are open to all members of the DLPOA.

Quorum

Section 4D

A majority of the Civic Committee members shall constitute a quorum for the transaction of business. No Civic Committee member shall vote by proxy.

Notice

Section 4E

1. The Civic Committee shall fix the time and place for its meetings at the January meeting.
2. The notice of Civic Committee meetings shall be published in the newsletter, the

Dunham Laker, and posted on the DLPOA website, <http://www.dunhamlake.org>.

Group Committee Meeting

Section 5

1. Group Committee meetings shall be working meetings relevant to specific projects in the context of the purposes described in Article II.
2. Group Committees can be formed and disbanded as needed by the Board of Directors or the Civic Committee.

Special Meeting of the DLPOA

Section 6A

A special meeting of the DLPOA may be called at any time by the President, or by a majority of the Board of Directors, or by petition to the President, signed by thirty (30) DLPOA memberships.

Notice

Section 6B

At least thirty (30) days prior to the date of the Special Meeting of the DLPOA, written notice of the time, date, location, and purpose of such meeting shall be mailed to each DLPOA property owner. The time, date, location, and purpose of the Special Meeting of the DLPOA shall be published in the newsletter, the *Dunham Laker* if timely, and posted on the DLPOA website, www.dunhamlake.org. Only those matters designated as the purpose for calling the said meeting shall be discussed.

Meeting Minutes

Section 7

The minutes of all meetings shall be made available through the Administrative Assistant, and published in the newsletter, the *Dunham Laker* and posted on the DLPOA web site, www.dunhamlake.org.

ARTICLE VI

Vacancies and Removal

Vacancies on the Board of Directors

Section 1

If the office of any Director or Officer becomes vacant, the remaining Board of Directors shall, at a Board of Directors meeting with a quorum, by majority vote, appoint a successor who shall hold office until the next election.

Vacancies on the Civic Committee

Section 2

If the office of any Civic Committee member becomes vacant, the President shall appoint a successor who shall hold office for the remainder of the term, subject to ratification by two-thirds (2/3) of the Board of Directors.

Removal

Removal of Board Members


Section 3

1. The Board of Directors may for good cause and after a hearing, remove any officer or director by a two-thirds (2/3) vote of a duly constituted quorum of the Board of Directors.
2. This is provided that the officer or director in question shall have been sent, by the Secretary of the DLPOA via registered mail, a notice of the date time and place the hearing is to be held, as well as the charges against him/her.
3. Such notice shall be postmarked at least thirty (30) days prior to the hearing.
4. Notice of the hearing shall also be sent to the Board of Directors via regular mail and postmarked at least thirty (30) days prior to the hearing.
5. The charges shall have been initiated by a member of the Board of Directors and confirmed by a majority vote of a duly constituted quorum of the Board of Directors.

Removal of Civic Committee Members

Section 4

The process to remove a Civic Committee member is as follows:

1. A petition form stating the cause for removal with supporting documentation shall be submitted. The petition must be signed by ten (10) voting memberships and presented to the Secretary of the Board of Directors. 
2. The Board of Directors shall have a hearing. This is provided that the Civic Committee member in question shall have been sent, by the Secretary of the DLPOA via registered mail, a notice of the date time and place the hearing is to be held, as well as the charges against him/her.
3. Such notice shall be postmarked at least thirty (30) days prior to the hearing.
4. Notice of the hearing shall also be sent to the Board of Directors via regular mail and postmarked at least thirty (30) days prior to the hearing.
5. The Board of Directors shall vote with majority rule of a duly constituted quorum whether to authorize the Secretary to circulate a formal ballot to the property owners

of record in the DLPOA Area to remove the Civic Committee member.

6. In order to remove the Civic Committee member, a majority of the voting memberships in the DLPOA must vote for removal. (See Declaration of Restriction and Easements for Oakland and Livingston Counties, Article B: Dunham Lake Civic Committee, Section 1)

ARTICLE VII

Nomination and Election of Officers

Nomination Committee

Section 1

The President of the Board of Directors shall appoint three (3) members of the DLPOA to form a committee for the purpose of nominating candidates for the Board of Directors. These committee appointments are subject to ratification of the Board of Directors.

Nominations by Members

Section 2A

The Nomination Committee shall present a slate of candidates for the positions of Directors of the DLPOA at the Annual Meeting prior to the election.

Section 2B

Nominations are also accepted from the floor at the Annual Meeting.

Method of Voting

Section 3

Voting shall be done in person at the meeting, by secret ballot. No vote shall be counted except those votes cast personally by members entitled to vote. No vote shall be made by proxy.

Voting Qualifications

Section 4

Each voting membership in the DLPOA shall be entitled to cast no more than one (1) ballot on any question in any single election, regardless of the number of lots owned. Only memberships that have paid all past and present assessments shall be qualified to vote. Joint owners of a lot shall be entitled to one (1) vote only.

Conduct of Elections

Section 5

Elections at Annual and Special meetings shall be conducted as follows:

1. The Secretary of the Board shall preside over the election.
2. The Secretary shall designate two (2) tellers to manage the voting.
3. Unmarked ballots shall be distributed prior to the voting.
4. Voting shall be done in secret.
5. Marked ballots will be presented to the teller and a poll list will be marked indicating that the membership has voted.
6. The tellers shall count the ballots and hand the tabulation of the result to the Meeting Facilitator who shall announce the results.
7. Any DLPOA member shall have the right to observe the voting in progress and the tally.

ARTICLE VIII

Delegation of Authority

Section 1

The Civic Committee is responsible for providing funds to support the activities of the DLPOA found in Article II. (See Declaration of Restriction and Easements for Oakland and Livingston Counties, Article D: Park and Lake Privileges, Section 4)

Section 2


The Board of Directors shall have the power to appoint such other officers and agents as they may deem necessary for transaction of the business of the association, together with the rights to remove such officers, or agents, whenever, in the judgment of the Board of Directors, the business interests of the DLPOA will be served thereby.

ARTICLE IX

Authority

Parliamentary Authority

Section 1

Robert's Rules of Order Newly Revised shall be the parliamentary authority for all matters of procedure not specifically covered by the by-laws of this association. 

Rules and Regulations

Section 2

1. The Board of Directors shall have the authority to make such reasonable rules and regulations as it deems necessary for the care of the picnic, beach, and park area, and conduct of the members' immediate family and guests on said property. Any new rules or regulations passed by the Board of Directors covering the action of the

members, members' families or their guests shall not become effective until the members of the DLPOA are notified by mail.

2. Lot owners are responsible for the actions members, members' families or their guests. The Board of Directors shall have a written policy and procedure regarding the infraction.
3. The Civic Committee may impose assessments against lot owners for certain rules violations, vandalism, misuse of property, damages to DLPOA property.
4. The Board of Directors shall have the authority to adopt and enforce rules and regulations to effectuate the purpose of the association.

Execution of Documents

Section 3

1. All contracts in the corporate name of the DLPOA shall be signed by the President and the Secretary.
2. Deeds, notes, legal proceedings or any documents requiring formal execution in the corporate name of the DLPOA shall be the responsibility of the Civic Committee. (See Declaration of Restriction and Easements for Oakland and Livingston Counties, Article A: Residential Area Requirements; Article C: Protection of Wild Life; Article D: Park and Lake Privileges)

Member Default

Section 4

1. Any expenses, including interest, cost and attorney fees, incurred in collecting unpaid assessments, shall be chargeable to the association member in default until paid in full and may be secured by a lien on his/her real property. A member in default shall not be entitled to vote at any meeting of the DLPOA so long as such default continues.
2. The Civic Committee, with the approval of a majority of the Board of Directors, may adopt a schedule of fines for violations of the Declarations of Restrictions and Easements, and these bylaws. These fines shall be considered part of the assessment of the defaulting member and shall be secured by a lien on his/her property.

Dispute Resolution


Section 3

Any disputes as to these by-laws shall be first presented to the Board of Directors of the DLPOA for resolution prior to the commencement of litigation. Any complainant who is a member of the Board of Directors shall not vote on any decisions resolving the dispute.

Article X

Revenues, Finance and Accounting

Section 1

Revenues of the DLPOA are derived from the Civic Committee assessment of dues, collected from property owners in the DLPOA Area. 

Section 2

The fiscal year of the DLPOA shall begin January 1.


Section 3

The Board of Directors shall adopt an annual budget making appropriations therein for each fiscal year. Each budget shall specify the purpose and amount of each appropriation and shall include a statement of estimated revenues. Each budget item over \$100.00 shall be itemized.

Section 4

Upon expiration of the term of office, or at such times as the Treasurer steps down or is removed, the Treasurer shall turn over all financial records of the DLPOA in his/her possession to the Civic Committee Chairman.

Section 5

A Board Meeting with focus on proposing a budget shall occur no less than 60 days prior to the Annual Meeting. The membership of the DLPOA will be notified of the time and location of this meeting. 

Section 6

A financial statement of the DLPOA for the previous calendar year, a proposed budget for the current calendar year and any other statements deemed necessary by the Board of Directors regarding the financial condition of the DLPOA shall be attached to each such notice for the Annual Meeting.

ARTICLE XI

Changes in By-Laws

Section 1

1. A petition form to make proposed changes to the By-Laws must be filed with the Secretary on or before sixty (60) days prior to when they are to be voted upon at the Annual Meeting. The petition form must be signed by at least five (5) members of the DLPOA.
2. Proposed changes to the By-Laws must be mailed to the property owners in the DLPOA Area, and posted on the DLPOA website, www.dunhamlake.org, at least

(60) days prior to the meeting.

3. The By-Laws may be voted on at the Annual Meeting or Special Meeting of the DLPOA in which there is a quorum of thirty (30) members with voting rights in the DLPOA.
4. Changes to the by-laws requires a two-thirds (2/3) majority of the votes cast by the voting membership with a quorum present.

ARTICLE XII

These By-Laws are to take effect October 14, 2003 at which time all other by-laws governing the conduct of the affairs of the Association are automatically repealed and cancelled.

DUNHAM LAKE IN MICHIGAN
One of America's Great Neighborhoods

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