

**BYLAWS  
OF THE  
LAKE ORION  
LAKE ASSOCIATION**



## **Bylaws Originally Approved - November 3, 1977**

The Lake Orion Lake Association on November 3, 1977 originally adopted the bylaws contained herein by a majority vote of the membership.

The bylaws were developed by committee and presented to and approved by the Board of Directors on September 27, 1977 (See Bylaws Committee report dated September 7, 1977).

The following persons originally reviewed and approved the bylaws:

President:	Mary Pergeau
Vice - President:	Howard Daenzer
Secretary:	Joanne Dowell
Treasurer:	Gloria Simpson
Directors:	Charlie Allen
	Donald Champayne
	George Fargher
	Richard Ingolia
	Larry Marlin
	Gerald Richards

## **Bylaws Amendment Incorporation:**

**April 15, 2008**

The following corrections and previously approved amendments have been incorporated into the Bylaws as of April 15, 2008.

1. The Bylaws were retyped and minor typos were corrected.
2. The following amendments have been incorporated -
  - a. **1978 - Amendments approved at the 1978 Annual General Membership Meeting:**
    - **Amend Article 8.2 as follows:**

8.2 The Board of Directors shall consist of six (6) directors and the five officers (President, President-Elect (President-Elect), Past-President, Secretary, and Treasurer).
    - **Amend Article 9.4 as follows:**

9.4 The officers of the association shall be the President, President - Elect, Past-President, Secretary and Treasurer.
    - **Amend Article 10.3 as follows:**

10.3 The President-Elect shall automatically become President of the Association one year after the commencement of the term of office as President-Elect, or upon the death, resignation or other incapacity of the President. The President-Elect shall preside at meetings in the absence of the President, and shall perform such other duties as may be assigned by the President.
    - **Add Article 10.6 as follows:**

10.6 The immediate Past-President of the Association shall preside at meetings in the absence of both the President and President-Elect and shall be an ex-officio member of the Election Committee.

**b. 1996 - Amendments approved at the 1996 Annual General Membership Meeting:**

- **Amend Article 3 - Purpose as follows:**

The Purpose of this association shall be to provide effective communication between its members and governmental agencies relating to all activities that may affect its members. To promote, advocate, and protect the best interests of the area through preservation of the natural beauty of the environment. To support all propositions that assists the orderly and proper development of our community in general and our immediate area in particular.

**c. 2004 - Amendment approved at the 2004 Annual General Membership Meeting:**

- **Amend Article 5 – Fiscal Year as follows:**

*The fiscal year of the association shall begin the first day of April of each year and shall end the 31<sup>st</sup> day of the following March.*

- **Amend Article 6 - Membership Meetings as follows:**

- 6.1 An annual meeting of the members of the association shall be held at the beginning of each fiscal year.
- 6.2 Monthly meeting of the Board of Directors and Officers shall comply with the intent of Article 8.3 and be scheduled as determined by the current board. These meetings shall be open to the general membership.

- **Amend Article 7 - Membership Dues as follows:**

- 7.1 A membership fee of up to twenty dollars (\$20.00) per member shall be paid upon joining the Association, which shall be in full payment of all dues for the remainder of that fiscal year. Annual dues shall be payable to the Treasurer by each member at or following the General Membership Meeting.
- 7.2 The dues are to provide funds for the expenses of the Association as determined by the Board of Directors. If and when the Association has unspent funds available, the Directors, may, without amendment to these Bylaws, fix annual dues at a lesser amount than twenty dollars (\$20.00) but may not increase the annual dues above such amount without an amendment to these Bylaws.

- **Amend Article 8 - Directors and Officers as follows:**

- 8.8 (Deleted) This article restricted eligibility of Directors to three successive terms (6 years).
- 8.9 (Deleted) This article restricted eligibility of Officers to three successive terms (3 years).

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# **BYLAWS of the LAKE ORION LAKE ASSOCIATION**

## **ARTICLE 1 - NAME AND LOCATION**

- 1.1 The name of this Association shall be LAKE ORION LAKE ASSOCIATION, hereinafter referred to as “Association.”
- 1.2 The principal office of the Association shall be the residence of the Secretary and the business address will be P.O. 446 Lake Orion.
- 1.3 The area which this Association will be primarily concerned with will be that area surrounding Lake Orion, comprised of residence and lot owners who have lakefront rights.

## **ARTICLE 2 - INCORPORATION**

- 2.1 The Association shall be incorporated as a non-profit corporation under the laws of the State of Michigan.
- 2.2 All the corporate powers of this Association not expressly reserved to the Association Members by law, or by the Bylaws, shall be vested in the Board of Directors.

## **ARTICLE 3 - PURPOSE**

The purpose of this Association shall be:

- To provide effective communication between its members and governmental agencies relating to all activities that may affect its members.
- To promote, advocate, and protect the best interests of the area through preservation of the natural beauty of the environment.
- To support all propositions that assist the orderly and proper development of our community in general and our immediate area in particular.

## **ARTICLE 4 - MEMBERSHIP**

- 4.1 There are three (3) levels of membership to the Association:
- 4.1.1 **Member** - A “Member” of the Association must be a lakefront landowner on Lake Orion. The Member shall be entitled to all rights of the Association including the right to one vote.
- 4.1.2 **Associate** - An “Associate” member of the Association is a person who does not qualify as a lakefront landowner on Lake Orion. The Associate shall be entitled to all rights of the Association except the right to vote.
- 4.1.3 **Easement Member** - An "Easement Member" is a group of people who collectively own lakefront land for access to Lake Orion. This does not include public accesses. The Easement Member shall be entitled to all the rights of the Association including the right to two (2) votes. The Easement Member must identify on the membership form those two (2) persons and their alternates who will act as the representatives to vote on the issues. Each person who has access rights to the easement would be an associate member.
- 4.2 If there are two (2) adults who jointly own a lakefront parcel on Lake Orion, they are both entitled to memberships.
- 4.3 There cannot be more than two (2) voting members per lakefront parcel on Lake Orion.
- 4.4 Those eligible shall become members of the Association upon payment of dues, together with any special assessments collected or to be collected for the year in which membership is applied for except as excluded in Article 7.7.
- 4.5 A lakefront landowner of Lake Orion cannot have more than one (1) membership even if more than one (1) lakefront parcel is owned on Lake Orion.
- 4.6 All votes must be cast in person except as required for approval of special assessments as stated in Article 7.5.2.
- 4.7 All applications for membership must be reviewed by the membership committee and approved by the Board of Directors before issuing a membership card.

## **ARTICLE 5 - FISCAL YEAR**

The fiscal year of the association shall begin the first day of April of each year and shall end the 31<sup>st</sup> day of the following March.

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## **ARTICLE 6 - MEMBERSHIP MEETINGS**

- 6.1 An annual meeting of the members of the association shall be held at the beginning of each fiscal year.
- 6.2 Monthly meeting of the Board of Directors and Officers shall comply with the intent of Article 8.3 and be scheduled as determined by the current board. These meetings shall be open to the general membership.
- 6.3 Special meetings of members may be called at any time by the President or by a majority of the Board of Directors. It shall be the duty of the President to call such meetings whenever required in writing by ten or more members of the Association.
- 6.4 Published notice of every special meeting of members, except monthly meetings, stating the time and place and the purpose thereof, shall be prepared and delivered by the Secretary to the Editor of local news media.
- 6.5 At all regular meetings of the association, the following order of business shall be observed
  1. Call to order by President
  2. Reading of minutes of the previous meeting.
  3. Treasurer's Report
  4. Standing Committee Reports
  5. Old Business
  6. New Business
  7. Announcements
  8. Adjournment
- 6.6 Roberts Rules of Order, most recently revised edition, shall be the authority for the conduct of all meetings of the Association.
- 6.7 The members of the Association shall constitute a quorum for the transaction of business at any meeting, unless expressly stated otherwise in these Bylaws. The use of proxies at any meeting is prohibited.
- 6.8 A majority vote of those present and entitled to vote, shall be required to carry all matters brought for vote, except as may otherwise be required by law or provided herein.
- 6.9 Any bylaws may be amended by a two-thirds (2/3) vote of those voting at a meeting following the meeting at which the amendment was proposed, provided that all members have been notified of the intention to vote on the amendment.

## **ARTICLE 7 - DUES**

- 7.1 A membership fee of up to twenty dollars (\$20.00) per member shall be paid upon joining the Association, which shall be in full payment of all dues for the remainder of that fiscal year. Annual dues shall be payable to the Treasurer by each member at or following the General Membership Meeting.
- 7.2 The dues are to provide funds for the expenses of the Association as determined by the Board of Directors. If and when the Association has unspent funds available, the Directors, may, without amendment to these Bylaws, fix annual dues at a lesser amount than twenty dollars (\$20.00) but may not increase the annual dues above such amount without an amendment to these Bylaws.
- 7.3 Members whose dues and/or special assessments of the current year are in arrears shall be considered not in good standing, and shall not have a vote in any meeting. Reinstatement may be accomplished by payment of dues and special assessments of the current year.
- 7.4 Assessments for special projects may be proposed by committee or by a two-thirds (2/3) majority of the members present at a meeting of the Association.
- 7.5 Special Assessments shall be approved in accordance with the following:
  - 7.5.1 For assessments less than ten dollars (\$10.00) or \$10.00 per foot of lake frontage approval would be by two-thirds (2/3) majority of the members present at the meeting following the meeting of the proposed assessment.
  - 7.5.2 For assessments greater than \$10.00 per foot of Lake Frontage, a two-thirds (2/3) majority of all members in good standing will be required. To obtain this approval mail votes will be permitted.
- 7.6 Special Assessments will only apply once per lakefront parcel.
- 7.7 Dues and assessments for that fiscal year will be waived if a new homeowner moves in after January 1.

## **ARTICLE 8 - DIRECTORS**

- 8.1 The business of the Association shall be the responsibility of the Board of Directors and they shall be the governing body of the Association.
- 8.2 The Board of Directors shall consist of six (6) directors and the five (5) officers (President, President-Elect (President-Elect), Past-President, Secretary, and Treasurer).
- 8.3 The members shall elect the Officers from its membership, at the first annual meeting each fiscal year. The Officers shall consist of President, President-Elect, Past-President, Secretary and Treasurer.
- 8.4 The President of the Association shall be the presiding officer of the Board of Directors, and the Secretary of the Association shall act as Secretary of the Board of Directors. The President has the power to vote in case of a tie vote of the directors.
- 8.5 All members of the Board of Directors must be members in good standing of the Association.
- 8.6 Each Director and Officer shall have one vote, and a quorum of the Board of Directors shall be four (4).

## **ARTICLE 9 - ELECTIONS**

- 9.1 At the annual meeting, three Directors will be elected for a two-year term; except that at the first annual meeting six Directors will be elected with the three candidates receiving the largest number of votes elected for a two-year term and the three candidates receiving the next highest number of votes elected for a one-year term.
- 9.2 An Election Committee shall be established and shall have the responsibility for the conduct of the election in accordance with these Bylaws.
- 9.3 Election Procedure.
- 9.3.1 Nominations for Directors and officers shall be held at the annual meeting.
- 9.3.2 The person nominated need not be present at the meeting, but written willingness to accept such nomination must be submitted, prior to the close of nominations, to the Election Committee otherwise said nominee will be deemed to have declined said nomination.
- 9.3.3 Those nominated will be afforded an opportunity to decline.
- 9.3.4 In the case where there is only one (1) nominee for the office, such nominee shall be declared elected. In all other cases, election shall be by secret ballot.
- 9.3.5 All members shall be entitled to one vote. Write-in votes or proxy votes shall not be valid in elections for Officers & Directors. Members must be present to vote.
- 9.4 The officers of the association shall be the President, President-Elect, Past-President, Secretary and Treasurer.

## **ARTICLE 10 - OFFICERS and DIRECTORS**

- 10.1 The Officers and Directors of the Association shall serve after their election until the next annual meeting. In the case of inability of any Director or officer, other than the President, to complete his elected term, the President may, with the consent of the Board of Directors, appoint an Association member in good standing to succeed such officer or Director who shall serve until the next annual meeting.
- 10.2 The president shall be the Chief Executive Officer of the Association, and shall preside at all meetings.
- 10.3 The President-Elect shall automatically become President of the Association one year after the commencement of the term of office as President-Elect, or upon the death, resignation or other

incapacity of the President. The President-Elect shall preside at meetings in the absence of the President, and shall perform such other duties as may be assigned by the President.

- 10.4 The Secretary shall make and keep accurate records of actions taken at all meetings of members and Directors, and give written report on the same at the next meeting and provide the Membership Coordination Chairman with a copy of the minutes of all Board of Directors meetings and Membership meetings, and shall perform all other services delegated to the Secretary by the President. The Secretary shall handle all correspondence of the Association, and shall issue the notices of meetings. In the absence of the Secretary at any meeting, a Secretary Pro-Temp may be appointed by the presiding officer.
- 10.5 The Treasurer shall be bonded and collect all dues and funds belonging to the Association. The Treasurer shall have custody of the funds of the Association and shall keep an accounting of all expenditures. Expenditures shall be upon authorization of the Board of Directors and solely for expenses and purposes of the Association. All checks paying out Association funds shall be signed by two Directors. The Treasurer shall prepare a signed report covering the fiscal year and shall submit such report to the Annual Meeting.
- 10.6 The immediate Past-President of the association shall preside at meetings in the absence of both the President and President-Elect and shall be an ex-officio member of the Election Committee.

## **ARTICLE 11 - COMMITTEES**

11.1 The **President**, within thirty (30) days after election, shall with the consent of the Board of Directors, appoint a chairman of each of the following committees:

**Membership Committee    Safety Coordination Committee    Public Affairs Committee**  
**Finance Committee        Election Committee            Lake Study Committee**

In each of the above-mentioned committees, the Chairman shall be included in the number of members listed. The Chairman may select the members of his (or her) committee, subject to the approval of the Board of Directors.

11.2 Additional committees may be provided for from time to time by the Board of Directors. In such cases, the President shall appoint the Chairman and the members of such committees, with the consent of the Board of Directors.

11.3 All committees shall meet upon call of the Chairman or President, with such regularity as required to properly perform their functions.

11.4 Committee Chairmen shall make reports in writing at the Annual Meeting and at such time as directed by the President or President – Elect..

11.5 Duties of Committees.

11.5.1 **Membership** - Chairman shall be responsible to insure that each new homeowner, upon moving into the area, shall be advised of the existence of the Association and its purpose and be invited to become members. The Chairman shall keep an up-to-date record of all members and their addresses.

11.5.2 **Public Affairs** - Chairman shall be responsible for newsletters and flyers, coordination with news media for promotion and solicitation and assurance that members are kept informed of all activities that could affect the area.

11.5.3 **Election** - Chairman and committee will be responsible for conducting an election of the Officers and three (3) Directors at each and every annual meeting. This shall include the function of pre-selection of nominees for each of the offices and assurance that each of the pre-selected persons has submitted a letter of acceptance to the Election Committee. The election committee shall also conduct the nomination proceedings at the annual meeting. The Election Committee will also be responsible to count the votes. Any person and their spouse serving on the Election Committee and nominated for an office must not participate in the counting of the votes.

- 11.5.4 **Safety Coordination** - Chairman shall be responsible for advising the President of any proposed or approved laws or ordinances which the membership should be aware of. The chairman should also be active as the Association's representative at local governmental, related meetings.
- 11.5.5 **Finance** - The chairman shall coordinate with the treasurer to ensure that all members are in good standing for dues and assessments. The Finance Committee shall be advised by the Directors when a special assessment is required. The Finance Committee shall ensure that sufficient information is available for publication to the members regarding the assessment before voting or approval is obtained.
- 11.5.6 **Lake Study** - The Chairman shall coordinate activities of all the sub-committees of Lake Study to prevent a duplication of effort of any one committee. Sub-committees shall be assigned for each area of concern such as:
- Weed Control, Water Management and Water Analysis

## **ARTICLE 12 - POLITICAL ACTIVITIES**

The Association shall not engage in partisan politics. Its elected Officers and Directors may, however, appear and represent it before the various boards and commissions of the Village of Lake Orion, Orion Township and the Lake Orion School District on matters directly affecting the common interests of the Association. If deemed necessary by the Board of Directors, a poll of the membership shall be taken before any such appearances are made. No petitions shall be circulated under the auspices of the Association or positions stated without prior approval of the Board of Directors.

## **ARTICLE 13 - CONTRACTS**

No officer, member or committee of the Association shall have authority to make any contract for the Association or commit the Association to any course of action without the express, prior authority of the Board of Directors, and in no event shall any contract be made binding upon this Association for longer than two (2) years. All contracts by the Association shall be signed by two of the following, the President, President-Elect or the Secretary.

## **ARTICLE 14 - SEAL**

No formal Corporate Seal need be adopted by this Association.

## **ARTICLE 15 - AMENDMENT OF BYLAWS**

The Bylaws may be amended or repealed at any meeting after a 30-day written notice of intention to amend is sent to all members, upon an affirmative vote of the majority of the members present. A quorum at such a meeting shall be two-thirds (2/3) of the members present. A proposal to amend or repeal these Bylaws may be submitted by a majority of the Board of Directors or by ten members in good standing.

**ARTICLE 16 - LIST OF CHARTER MEMBERS**

The following persons are Charter members to the Lake Orion Lake Association:

Jacquelin N. Belanger  
Joseph Pat Belanger  
Donald J. Champagne  
Georgia Champagne  
Howard J. Daenzer  
Lucille Joyce Daenzer  
Joan M. Dowell  
Ralph D. Dowell  
John Dumala, Jr.  
Ellen Gillis  
Jerry S. Gortat

Philip J. Green  
Betty Grube  
William L. Grube  
Fred F. Hannan  
Rod C. Nackerman  
Ruth A. Nackerman  
James L. Pergeau  
Mary M. Pergeau  
John Petz  
Deborah L. Richards  
Gerald W. Richards

Anne Starrs  
Charlie Starrs  
Earle Stevens  
Shirley J. Stevens  
Garrett F. Thomas  
Stephanie F. Thomas  
William Ken Thomas  
Delphine L. Waldecker  
Henry E. Waldecker

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