

# Proposal #1 – Membership Meeting

Type of Change: Timing and frequency

Recommendation:

- Meetings of the general members shall be held at a minimum of once per quarter with 30 days notice

<p>Constitution Article 5</p>	<p>There shall be a minimum of two annual meetings of the Association. <b>The meetings of the general members of the corporation shall be held at a minimum of once per quarter with 30 days notice in the County of Oakland, Michigan.</b> The one in May <b>Q2</b> or as soon thereafter as may be held for the annual budget, and another in <b>Q3</b> (September) for election of the board of trustees as described in the Bylaws. The President shall adjourn any meeting when he/she deems it advisable. This Association shall be governed by the provisions of this Constitution and such by-laws as are adopted by a vote of the Board of Trustees and Officers.</p>
<p>Articles of Incorporation Article 9</p>	<p><del>Section 1: An annual meeting of the association shall be held each year for the purpose of conducting general business and setting annual maintenance fees according to article 4, section 2 of this constitution. This meeting shall be held the first Sunday in May at 2 pm at the community center this meeting shall be postponed by the executive board due to holidays or such other reasons as the board deems necessary however the general meetings must be held by June 30th of every year.</del> <b>The meetings of the general members of the corporation shall be held at a minimum of once per quarter with 30 days notice in the County of Oakland, Michigan.</b></p>
<p>Bylaws Article 7</p>	<p><del>Section 1: The meetings of the general members of the corporation shall be held monthly</del> <b>at a minimum of once per quarter with 30 days notice</b> in the County of Oakland, Michigan. <del>beginning the third Wednesday in April each year and continuing through October.</del></p>

## Proposal #2 – Voting & Notification of Members

Type of Change: Notification timing and approval outside of budget

Recommendation:

- For any changes to the Constitution, Articles of Incorporation and/or Bylaws the Board will notify with details not less than 30 days and no more than 60 days prior to the meeting
- Majority membership approval at the membership meeting required for expenses over \$2500 not already approved in the budget

<p>Constitution Article 4</p>	<p><u>Section 3:</u> Subject matter jurisdiction - A majority vote of the general membership present at a general meeting or special meeting called for the purpose, <del>with 5 day's notice</del> <b>board will notify with details not less than 30 days and no more than 60 days prior to the meeting</b> by newsletter, posting, email, <b>website</b> or post office delivery, shall be required for the following subjects:</p> <ul style="list-style-type: none"> <li>a. amendments to the constitution, <b>article of incorporation and/or bylaws</b></li> <li>b. increase or decrease in maintenance fees</li> <li>c. special assessments</li> <li>d. approval, disapproval or amendments to the annual budget</li> <li>e. election of members to the Board of Trustees and Officers</li> </ul> <p>All other decisions regarding the business and management of the association and its properties, except as stated in Article 4, Section 3 of this Constitution, shall be made by a majority vote of the Board. <del>of Trustees.</del> The Board may delegate authority to a committee, vendor or management company. The Board may request input from the general membership at its discretion. <b>Majority membership approval at the membership meeting required for non-emergency expenses over \$2500 not already approved in the budget.</b></p>
<p>Articles of Incorporation Article 5</p>	<p><u>Section 2:</u> During voting to change the constitution, <b>articles of incorporation and/or bylaws</b> or any other non-financial matter, each member shall be entitled to one (1) vote, regardless of how many lots are held his, hers or their names. The constitution, <b>articles of incorporation and/or bylaws</b> cannot be changed without approval of a majority of members at the general meeting or meeting called for such purpose.</p>

## Proposal #3 – Officers

Type of Change: Update term, add rotation and define eligibility

Recommendation:

- Change term from 1 year to 2 years (effective with the 2023 election - board to define the roles to rotate and when during transition year)
- Add rotation so half the board stays in each year to retain knowledge (effective with the 2024 election)
- Board members cannot be in the same household *I.e. Cannot live at the same physical address*

Bylaws Article 3	<p><u>Section 1:</u> The General Membership shall elect a President, Secretary, Treasurer, and one or more Vice Presidents. The term of office shall be for <del>one (1)</del> <b>two (2)</b> years. <b>Executive Board Members (Officers) rotate each year (2 one year and 3 the next).</b></p> <p><u>Section 2:</u> The General Membership shall also elect a Board of Trustees. The Board of Trustees shall consist of eight (8) members and one (1) alternate whose terms shall run for <del>one</del> <b>two (2)</b> years. The alternate shall act for a trustee in their temporary absence or as a permanent replacement in the event that a trustee resigns or is deemed inactive by the majority of the remaining Board of Trustees. <b>Trustees (Officers) rotate each year (4 one year and 5 the next).</b></p> <p><u>Section 5:</u> <b>Board members cannot be in the same household I.e. Household defied as same physical address.</b></p>
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## Proposal #4 – **Duties of Trustees (Officers)** & Meetings of Trustees

Type of Change: Remove and update

Recommendation:

- Sections 2 and 3 – Remove *Note: Officers and Trustees meet together as a complete board*
- Re-title Article name from Trustee & Trustee Meetings to Duties of Trustees (Officers)
- Define majority vote of the quorum as 7 board members (excludes the President)

Bylaws Article 6	<p><del>Section 2: The Trustees may hold their meetings in such place or places as a majority of the Board of Trustees may from time to time determine.</del></p> <p><del>Section 3: Special meetings of the Board of Trustees may be called at any time by the President, or by a majority of the Board of Trustees and noted to the President. Trustees shall be notified of the time and place and purpose of all special meetings of the Board. Regular meetings of the Board of Trustees shall be held monthly as determined by the current officers and trustees.</del></p> <p>Section 4: A majority of the Board of Trustees in office shall constitute a quorum <b>(7 board members (officers) excluding the President)</b> for the transaction of business. All decisions are based on a majority vote of the quorum. In the event of a tie, the President, or in his absence, the Vice President, shall cast the tie-breaking vote.</p>
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## Proposal #5 – Appointment of Auditing Committee

Type of Change: Update responsible party

Recommendation:

- Change from President to appoint the auditing committee to ask for volunteers at a general membership meeting *Note: If there are no volunteers then the board will work with the membership to identify member(s) or consult with an outside vendor.*

Bylaws Article 5	Section 1: It shall be the duty of the President <b>membership</b> to appoint <b>volunteer during a Q2 general membership meeting to participate on</b> an Auditing Committee of three (3) subject to the approval of the Board of Trustees. The duty of the Auditing Committee shall be to inspect the books of the Treasurer annually and make a report to the General Membership Meeting.
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## Proposal #6 – Penalties

Type of Change: Removal

Recommendation:

- Remove Penalties verbiage

Bylaws Article -	Act 137 P.A. 1929, Section 14 <del>Any person who violates any such By-Laws shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding twenty-five dollars (\$25.00) or possible imprisonment in the county jail not to exceed thirty (30) days or by both fine and imprisonment.</del>
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## Proposal #7 – Term of Corporation

Type of Change: Update

Recommendation:

- Add timing; State of MI website indicates we have to update every 30 years *NOTE: State of MI website shows documents were last filed in 2007. Update required to be submitted to the State of MI*

Constitution Article 6	The term of this corporation shall continue indefinitely or until otherwise defined by vote of the membership and Executive Board. <b>State of Michigan requires updates to be provided every 30 years.</b>
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## Proposal #8 – Amendments

Type of Change: Update

Recommendation:

- Add to all governing documents (Constitution, Articles of Incorporation, Bylaws)

Constitution Article -	<b>The Constitution may be altered, amended, added to or repealed in accordance with the provisions of Act 137. Should any of the Constitution be deemed unconstitutional, the remainder shall remain in effect.</b>
Articles of Incorporation Article -	<b>These Articles of Incorporation may be altered, amended, added to or repealed in accordance with the provisions of Act 137. Should any of these Articles of Incorporation be deemed unconstitutional, the remainder shall remain in effect.</b>
Bylaws Article 8	These By-Laws may be altered, amended, added to or repealed in accordance with the provisions of Act 137. Should any of these by-laws be deemed unconstitutional, the remainder shall remain in effect.

# Proposal #9 – Dues Penalties

Type of Change: Update

Recommendation:

- Update late fee penalty to 25% of annual dues

<p>Constitution Article 3</p>	<p><u>Section 1:</u> Maintenance fees, special assessments and penalties shall be collected from each property owner in each subdivision, to be used for maintaining all subdivision roads, parkways, beaches, and such property owned by the Association and for expenses incurred in carrying on the work. Fees are based upon sidwell. <b>Every member will receive their initial balance statement each January of the calendar year. An additional statement reminder will be sent to all at that time unpaid memberships by mid-May of the respective year.</b> Fees must be paid by June 1. If not paid by June 1 a penalty of <del>\$25</del> <b>25% of the annual dues</b> will be assessed for each year the fees remain unpaid.</p>
<p>Bylaws Article 9</p>	<p><u>Section 5:</u> Maintenance fees shall be payable on <del>or before the first</del> <b>the day of June 1</b> in each year. All maintenance fees or special assessments shall be subject to a <b>25% of the annual dues</b> <del>\$30.00 (thirty dollars)</del> penalty for non-payment for each <del>two</del> <b>one</b> year period in which they remain unpaid. Penalty for non-payment of annual assessments shall be forfeiture of all rights and privileges in the use of all common property and a lien applied to the property in question. The lien will be renewed each two-year period with additional penalties applied.</p>

# Proposal #10 – Outlots – Decision Making and Usage

Type of Change: Update

Recommendation:

- Remove “bathing” from opening statement
- Section 1 – Add all decisions regarding their use require a majority vote of the membership at the general membership meeting (*Example: If someone recommends a clubhouse be added to an outlot it would require membership approval*)
- Section 2 – Update to show identification instead of having to show a membership card
- Section 4 – Add no glass of any kind allowed on Outlots

<p>Bylaws Article 10</p>	<p>“THE OUTLOTS, LAKE FRONTAGES, PARKS, BOAT LAUNCHES AND ROADWAYS ARE RESERVED FOR THE BENEFIT OF ASSOCIATION MEMBERS FOR BOATING, BATHING AND ACCESS TO AND FROM THE LAKE” (Language from old Beaumont deeds.)</p> <p><u>Section 1:</u> The out-lots, parks and lots owned by the association are maintained by the Board of Trustees and all decisions regarding their use and landscaping are in the sole discretion of the <del>Board of Trustees</del> <b>membership. All decisions regarding their use require a majority vote of the membership at a general membership or special meeting.</b> No member shall perform any landscaping or plant any trees, shrubs or flowers or place any ornamental materials upon any of the Association property without the prior written approval of the Board of Trustees. No trees or vegetation may be removed from the Association property without the prior approval of the Association. No outlot may be used for the benefit of any adjacent lot owner for a use that is not social or recreational or that is for construction or landscaping of the adjacent property without the specific written request of and permission granted by the Board of Trustees.</p> <p><u>Section 2:</u> Trespassing on out-lots is not permitted. A person will be considered a trespasser if unable to produce identification <del>as an Association Member with current membership card</del> or as a properly authorized guest of such a member.</p> <p><u>Section 4:</u> The hours during which outlots may be used is dawn to dusk. Any person creating undue disturbance at any hour will be required to leave the outlot property. Drinking of alcoholic beverages any of the Association properties is not permitted. <b>Glass of any kind is not permitted.</b></p>
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# Proposal #11 – Fences and Yards

Type of Change: Update and add board review

Recommendation:

- Align to Highland Township Ordinance
- Add board inclusion & review of fence/yard changes prior to pulling permits

Bylaws Article 12	<p><del>Section 1: That portion of any parcel lying in front of the building line shall be used only for ornamental purposes and nothing shall be placed in front of the building line or planted thereon other than trees or shrubs of aesthetic character and of such a nature as not to obstruct the view.</del></p> <p><del>Section 2: No fence, construction, shrubbery or plant similar to a fence in nature, shall be placed in front of the building line, and no fence, construction, shrubbery or plant similar in nature to a fence placed upon any portion of any lot shall be more than four (4) feet in height. No fence or similar construction shall be composed of material to obstruct the view.</del></p> <p><b>Section 1: Follow Highland Township code of ordinances for fences and yards</b></p> <p><b>Section 2: Review any changes to yards with the Board prior to pulling permits</b></p>
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## Proposal #12 – Garbage and Refuse

Type of Change: Addition

Recommendation:

- Add new section to align to Highland Township Ordinance

Bylaws Article 13	<b>Section 2: Follow Highland Township code of ordinances for garbage and rubbish</b>
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## Proposal #13 – Pets and Other Animals

Type of Change: Update

Recommendation:

- Remove leashed if not penned
- Add invisible fences are permissible to keep dogs on premise as long as they are in working order
- Add clean up after your pets
- Add pets not allowed on North and South beaches

Bylaws Article 14	<u>Section 1:</u> Pets must be kept on premises <b>(invisible fences are permissible)</b> , and leashed if not penned. If because of the manner of its keeping or its actions (barking, howling, threatening demeanor) constitutes a nuisance or danger in the sole judgment and discretion of the Board of the Association or such committee as they may designate to enforce this provision. The owner is subject to punitive action if due notice is ignored. No poultry, cattle, horses, fowl, or swine shall be kept within the Association as pets or for livestock purposes. <b>Clean up after your pets off premise.</b>
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## Proposal #14 – Commercial Vehicles

Type of Change: Update

Recommendation:

- Change to must be parked in driveway and remove timing limitations

Bylaws Article 15	<del>Section 1: No Commercial vehicles larger than passenger vehicles shall be placed on driveways, or lots longer than forty eight (48) hours.</del> <b>only</b> be placed <b>parked</b> on
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## Proposal #15 – Parking on Residential Roads

Type of Change: Addition

Recommendation:

- Add a new bylaw to address street and bridge parking and obstructions of any kind.

Bylaws Article -	<b>Parking or any type of usage of our residential roads within 7 Harbors Duck and White Lake cannot block or obstruct emergency vehicles or residential driveways at any time. Parking on either side of the road at the main bridge on Beaumont Drive is not permitted within 25 feet of the bridge. If the owner cannot be contacted or refuses to move the vehicle or the obstruction after being notified within 30 minutes the HOA reserves the right to engage a towing/moving company to remove obstructing vehicles and items at the owner's expense.</b>
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