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## By-Laws

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### LAKEPOINTE HOME OWNERS ASSOCIATION

(A Michigan Non-Profit Corporation)

#### BY-LAWS

##### ARTICLE I – MEMBERSHIP

###### Section 1 – Classes of Membership and Qualifications

Paragraph 1: Voting membership in this Association shall be open to, and limited to, any natural person having the consent of the board of directors, and other qualifications herein stated, and holding, either solely, jointly or in common, as home owner or prospective home owner for his or her own use as a private residence, legal title in fee, or vendee's interest in a building contract of land contract, to a lot within the area.

Paragraph 2: Non-Voting membership in this association shall be open to, and limited to:

- Any natural person having the consent of the board of directors and holding, either solely, jointly or in common, legal title in fee to a house within the area and who is a lessor thereof; and
- Any natural person having the consent of the board of directors who, either solely, jointly or in common, is a lessee, for his or her own use as a private residence, of a house within the area.

Paragraph 3: Joint and common owners, lessors and lessees shall each be entitled to membership, provided: that not more than two (2) voting memberships, or more than two (2) non-voting-lessee memberships, may be secured for each lot.

Section 2: Membership shall be granted and shall have the consent of the board of directors, to qualified persons upon application to the secretary and upon payment of full current-year's dues to the treasurer.

Section 3: Members whose dues are in arrears shall not be in a good standing and shall not hold any office or appointment or, if a voting member, have a vote. Notices shall not be required to be given to members not in good standing. Reinstatement to good standing shall only be accomplished by payment of full current year's dues and of all delinquent dues for prior years, provided: that delinquent dues in excess of the amount of the dues for the two (2) years prior to the year of reinstatement application need not be paid.

Section 4: Written notice of general meetings of members stating the time and place, shall be given to each member by the Secretary at least seven (7) days before the date of such meeting.

Section 5: - Voting and Quorum

Paragraph 1: Each voting member in good standing shall be entitled to one vote, in person or by proxy as herein below provided, on each question at meetings of members, except as specified in Art. VII, Sec. 1 and Art. IX, Sec. 2 hereof. No votee shall be valid except at meetings held in accordance with these By-Laws.

Paragraph 2: Twenty percent (20%) of the voting members in good standing if present or represented by proxy as herein below provided, shall constitute a quorum at any meeting of members for, and an affirmative vote of the majority of voting members in good standing present or represented by proxy as herein below provided shall be necessary for, the transaction of business.

Paragraph 3: The use of proxies at any meeting of members shall not be valid except that a voting member may appoint another voting member proxy to attend a specified meeting and to vote on specified matters, with any desired instructions on the exact votes to be cast on any particular matters, provided: that the appointment be made by a proper written instrument dated and signed by the appointer, that the appointee file the said instrument with the secretary of the meeting and that the appointer and appointee be members of the same household and Association members in good standing.

##### ARTICLE IV – FISCAL YEAR

The fiscal year of this Association shall end at midnight following the adjournment of the September semi-annual meeting.

##### ARTICLE V – BOARD OF DIRECTORS

Section 1: Within the limitations stated in these By-Laws the Board of Directors shall be the managing body of this Association by shall have the authority and power, except as otherwise provided in these By-Laws, to grant to committees and other agents, as it deems advisable, the authority to conduct specified activities and the affairs of a specified responsibility.

Section 2: The board of Directors, nine (9) in number, shall consist of the four (4) officers and the five (5) area directors. All officers and area directors shall serve without remuneration and shall be elected from the voting membership in good standing.

Section 3: The Board of Directors shall hold no less than ten (10) monthly meetings each year, at times and places determined by such Board. Board meetings to be held outside Plymouth Township shall have the consent of all nine (9) members of the Board. Five (5) days notice of each Board meeting shall be given to each member of the Board.

Section 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.

Section 5: Each Board member shall have one (1) vote on each question at Board meetings. Proxies, and action not taken at a meeting, shall not be valid. Five (5) Board members shall constitute a quorum at any Board meeting for, and an affirmative vote of the majority of those present shall be necessary for, the transaction of business.

##### ARTICLE VI – OFFICERS

Section 1: The officers of this Association shall be a President, a Vice-President, a Treasurer and a Secretary.

Section 2: -- Regular Term The officers of the Association shall serve during the fiscal year following their election or until their successors are elected and qualify, whichever is later.

Section 3: -- Partial Term In the case of a President's inability or unwillingness to complete a term, the Vice-President shall succeed to the Directors who will otherwise qualify as a director under these By-Laws shall succeed to the office of Vice-President. In the case of a Vice-President's, a Treasurer's or a Secretary's inability or unwillingness to complete a term, a non-Board-member appointee of the Board of Directors who will otherwise qualify as a director under these By-Laws, shall succeed to such vacated office.

Section 4: The President shall be the chief executive officer of the Association and shall preside at all meetings.

Section 5: The vice-President shall preside at meetings in the absence of the President and shall perform such other duties as may be assigned to him by the President.

Section 6: The Treasurer shall collect all dues and other receipts of the Association. He shall have custody of the funds of the Association, which shall be banked within the State of Michigan and only in a bank approved by the Board of Directors, and shall account for all receipts and disbursements. He shall maintain complete records for proper durations of time. Expenditures shall be made solely upon order of the Board of Directors and solely for expenses of the association and its purposes as outlined in Article II of the Articles of Incorporation. All disbursement requests are to be processed by the Treasurer before submission to the Board of Directors for approval. Expenditures shall not be netted against receipts in any instance. There shall be no petty cash funds. All checks paying out association funds shall be signed by the Treasurer and counter-signed by either the President or the Vice-President. At the close of each fiscal year the Treasurer then going out of office shall prepare and sign an annual financial report covering the fiscal year then ending and shall, within ten (10) days after the close of such fiscal year, submit such report to the Auditing Committee.

Section 7: The Secretary shall make and keep accurate records of actions taken at all meetings of members and directors, shall give a written report of the same at the next meeting, shall give two (2) copies of all minutes and notices to the Treasurer, shall give notices of elections and appointments, shall handle the correspondence of the Association and shall issue the notices of meetings. In the absence of the Secretary at any meeting a Secretary Pro Tem Shall be appointed by the presiding officer.

##### ARTICLE VII – AREA DIRECTORS

Section 1: The five (5) area directors, who may appoint assistants, shall represent, and shall be chosen from, the following areas:

Director – Northeast Area:

Director – Southeast Area:

Director – Middle Area:

Director – Northwest Area:

Director – Southwest Area:

The area boundaries may be changed by two-thirds (2/3) majority vote of the Board of Directors as population centers may dictate.

Section 2: -- Regular Term: The area directors shall serve during the year starting at midnight following the adjournment of the March semi-annual meeting at which elected and ending at midnight following the adjournment of the next March semi-annual meeting, or until their successors are elected and qualify whichever is later.

Section 3: -- Partial Term: In the case of an area director's inability or unwillingness to complete a term, a non-Board-member appointee of the Board of Directors shall succeed to such vacated office, provided: that the appointee is from the area affected.

Section 4: No area director shall be eligible to serve for more than two (2) successive terms.

##### ARTICLE VIII – AUDITING COMMITTEE

Section 1: The Auditing Committee of this Association shall consist of a chairman and tow other members.

Section 2: The Auditing Committee's term of office shall be during the twelve (12) months starting on the fifteenth day of October following the election at the September semi-annual meeting. In the case of a member's inability or unwillingness to complete such a term, an appointee of such committee shall succeed to the vacated office.

Section 3: The Auditing Committee shall be independent. It shall be elected by the general membership. No officer, director or other committee member shall, during such term of office, serve on the Auditing Committee. No person who has been Treasurer at any time during the previous twelve (12) months shall serve on the Auditing Committee. Any person serving on the Auditing Committee shall not be eligible for election or appointment to the office of Treasurer during the period of such audit services nor for twelve (12) months after its completion.

Section 4: Each Auditing Committee shall examine the annual financial report submitted for the fiscal year ending during its term of office and shall conduct such interim examinations as it deems advisable. Records shall be submitted to the Auditing Committee as required for its purposes. Association bank statements and cancelled checks shall be sent from the bank directly to the Chairman of the Auditing Committee and the Auditing Committee shall reconcile the said bank account promptly after receipt of such statements and checks.

Section 5: Each Auditing Committee shall attach its report to the annual financial report which it has examined and shall, by the fifteenth day of October, make a controlled mailing of copies of such combined reports to all the members of the Association, and in its discretion, to all other area residents.

Section 6: Annual financial reports shall be deemed ratified by the membership of the Association unless objection is made to the incumbent Auditing Committee prior to adjournment of the March semi-annual meeting.

##### ARTICLE IX – ELECTIONS

Section 1: At each September semi-annual meeting:

- A president, Vice-President, Treasurer and Secretary shall be elected by written ballot offering at least two nominees for each such office, and
- A chairman and tow additional members of the Auditing Committee shall be elected by written ballot offering at least two nominees for the office of chairman and at least four nominees of the other two offices combined.

Section 2: At each March semi-annual meeting five area directors shall be elected, by the members from the applicable areas, by written ballot offering at least two nominees for each office.

Section 3: The nominees receiving the largest number of votes shall be declared elected. In the event of a tie, an immediate run-off election shall be held as to the nominees thus tied unless there are appropriate resignations.

Section 4: Three inspectors of election shall be appointed by the presiding officer, with the concurrence of the membership, to conduct the election of officers, Auditing Committee members and directors. No person who is a nominee for office may serve as an inspector of election.

##### ARTICLE X – RECALL

The holder of any elective office, whether or not succeeding thereto by appointment or otherwise, may be removed from office at any meeting of the members after a ten days written notice of intention to remove is given to all members, upon an affirmative vote, by roll call, of the majority of the voting members entitled to vote on said office who are present or represented by proxy as hereinabove provided.

##### ARTICLE XI – COMMITTEES

Section 1: The President shall, with the concurrence of the Board of Directors, appoint a chairman and the members of each of the following standing committees.

- Restrictions Committee of five (5) members (restrictions enforcement and plan approvals).
- Social Committee of five (5) members.
- Youth Committee of three (3) members (Scouts, playgrounds).
- School Committee of three (3) members (information on public and parochial schools, school tax, school bus service).
- Public Utilities Committee of three (3) members (sewers, water, gas, electricity, telephone, transportation).
- Maintenance Committee of five (5) members (safety, sanitation, trash pickup, drainage, maintenance, beautification, roads).
- Civic Affairs Committee of three (3) members.
- Nominations Committee of five (5) members.
- Publications Committee of three (3) members.

In each of the above committees, the chairman shall be included in the number of members listed. The numbers listed above are minimum numbers.