

BY-LAWS OF  
THE BEAR LAKE ASSOCIATION  
OF KALKASKA, MICHIGAN

May 2022

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## ARTICLE I MISSION

### SECTION 1 PURPOSE

- A. Bear Lake Association - Kalkaska ("Association") shall inform and promote the education of riparian property owners and other lake users about lake water issues and quality.
- B. This Association shall support and address issues which concern the welfare and conservation of the lake and maintain, and attempt to improve, the quality of water safe for swimming and conducive to the renewal of fish resources.
- C. This Association shall support the measurement and evaluation of hydrological data of the lake so that decisions and actions of the Association shall be in line with what is best for the lake.

## ARTICLE II MEMBERSHIP

### SECTION 1 CLASSIFICATION

The body of this Association shall consist of two (2) classifications:

- a. Active Member
- b. Affiliate Member

### SECTION 2 MEMBERSHIP DEFINITION

- A. Active members shall be persons who by title or deed are owners of land whose boundary abuts Bear Lake.
- B. Affiliate members shall be any persons either interested in the betterment of Bear Lake or deemed assets to the Association by recommendation of the Board of Directors. In consideration of receiving all correspondence and allowing a voice in all meeting discussions, an affiliate member shall be allowed to make a donation to the Association's account.

## ARTICLE III ASSESSMENT

### SECTION 1 ANNUAL ASSESSMENT

The Association is financially supported by the collection of the annual assessment from active membership. These assessments are collected through a Special Assessment District ("SAD"), which was established in November 2011 in the amount of \$50.00 per year per parcel of record owners of land abutting the lake and constituting more than fifty (50%) percent of the total land area approved this action. Assessments are billed by Bear Lake Township via the SAD fee on each winter tax bill and are payable to the Township. The Township clerk dispenses the funds the Board approves to address the herein before defined Association's purposes.

## ARTICLE IV VOTING

### SECTION 1 ELIGIBILITY

- A. Active members shall have one (1) vote per legal description of land.
- B. In the event said land is owned by other than an individual, such as husband and wife, firm, corporation, partnership, trust, or other legal entity, which is a co-owner, only one individual shall be designated as the person entitled to vote.

### SECTION 2 APPROVALS

- A. Record owners of land abutting the lake and constituting more than fifty (50%) percent of the total land area (as defined by the SAD) are necessary to pass:
  - a. Any revision to the terms or amount of more than \$50 of the annual assessment.
  - b. Amendments to the by-laws (see ARTICLE VI BY-LAWS)
- B. A majority of no less than two-thirds of active members present at the annual meeting shall be required to pass:
  - a. Any motion presented at the annual meeting or any special meetings
  - b. The election of members to the Board of Directors

## ARTICLE V MEETINGS

### SECTION 1 ANNUAL

An annual meeting shall be held once a calendar year (typically during the Memorial Day weekend) and shall be held at a time and place designated by the Board of Directors.

### SECTION 2 SPECIAL

Special meetings may be called at the discretion of the Board of Directors with proper membership notification.

### SECTION 3 BOARD OF DIRECTORS

The Board of Directors shall meet as necessary to address the herein before defined Association's purposes. The time and place shall be at the discretion of the Board.

### SECTION 4 NOTIFICATION

Notice of all annual or special meetings shall include the date, time and place of meeting. Notification of meetings shall be emailed or mailed no less than fourteen (14) and no more than thirty (30) days prior to meeting date to all active members.

## ARTICLE VI BY-LAWS

### SECTION 1 AMENDMENTS

- A. Any active member may submit a written proposal to the Board of Directors to alter these by-laws at any time stating reason and purpose of proposed revision.
- B. The Board of Directors shall review the proposal and, at their discretion, prepare the proposal and distribute it to all active members for approval.

### SECTION 2 ADOPTION

Record owners of land abutting the lake and constituting more than fifty (50%) percent of the total land area (as defined by the SAD) are necessary for proposal adoption and are to be effective on the date of approved vote.

## ARTICLE VII BOARD OF DIRECTORS

### SECTION 1 ORGANIZATION

The Board of Directors shall consist of five (5) active members - President, Vice President, Secretary, Treasurer and Member-at-Large.

### SECTION 2 ELECTION OF BOARD MEMBERS

- A. Regular rotation of Board members is important to ensure the future vitality of Bear Lake and maintain interest in its care. With these intents, one or two new active members shall be voted to the Board for a term of three (3) years at each annual meeting.
- B. Interested candidates shall submit their intention to any Board member no later than two weeks prior to the annual meeting. These candidates shall be presented at the annual meeting.
- C. A majority of no less than two-thirds of active members present at the annual meeting shall be required to elect the new Board members.

### SECTION 3 DUTIES

- A. The Board members shall oversee the management of the lake quality as it serves the herein before defined Association purposes.
- B. The President shall preside at all the meetings of the Association and all meetings of the Board of Directors. The President shall sign legal documents necessary to serve the Association purposes. If necessary, the President shall be authorized to dispense funds from the Association account with Board approval.

- C. The Vice President shall assist the President in the performance of the Presidential duties. In the absence or disability of the President, the Vice President shall assume any and all duties normally performed by the President.
- D. The Secretary shall be responsible for all Association correspondence and shall record, maintain and publish the minutes of all meetings and business conducted to active members. The Secretary shall keep and maintain a record of the membership through cooperation with the Township Board.
- E. The Treasurer shall keep an accurate record of all funds received and disbursed from both the SAD and Association accounts and shall give an oral report at each annual and Board of Directors meetings. The Treasurer shall be accountable for the Association account not related with SAD and shall sign all checks disbursed from said account.
- F. The Member-at-Large shall perform duties as deemed necessary by the Board.

#### SECTION 4 COMPENSATION

No member of the Board of Directors shall be compensated for services rendered.

#### ARTICLE VIII INDEMNIFICATION

- A. To the extent permitted by law, a volunteer director (as defined in section 110 of Act 162, Public Acts of 1982 as amended) of the organization shall not be personally liable to the organization or its members for monetary damages for breach of the director's fiduciary duty arising under any applicable law.
- B. To the extent permitted by law, the organization assumes all liability to any person other than the organization or its members for all acts or omissions of a volunteer director (as defined above) occurring or after the date on which the organization was founded and filings carried out with appropriate governmental agencies.
- C. Any repeal or modifications of this article shall not adversely affect any right or protection of any volunteer director of the corporation existing at the time of, or with respect to, any acts or omissions occurring before such appeal or modification.