

SOUTH BLOOMFIELD HIGHLANDS  
IMPROVEMENT ASSOCIATION

BYLAWS

Bylaws Amended:

June 15, 1993

June 21, 1994

June 20, 1995

June 20, 2000

June 19, 2003

Bylaws Revised:

August 27, 1995

## **PREFACE**

### **Election of Officers Prior to Incorporation**

On October 6, 1992 an election was held to elect an entire Board of Directors to do the business of the South Bloomfield Highlands Subdivision. Nine Directors were elected. The Directors were elected for terms of: Three for 3-years, three for 2-years and three for 1-year.

The Board was formed as described here:

**Section 1** The Officers shall consist of:

President  
Vice President  
Secretary  
Treasurer

**Section 2** The terms of office shall be 1-year.

**Section 3** The Officers shall be elected by a majority vote of the Directors.

**Section 4** Committees  
There shall be five (5) committee Chairpersons nominated by the President and approved by a majority of the Board.

These committees will be:

Water & Wells  
Deeds & Restrictions  
Street Signs & Lights  
Social  
Communications

One of the duties of this initial Board was to write Bylaws for this Corporation.

## **Article 1 – Purpose**

The South Bloomfield Highlands Improvement Association, A Michigan Non-profit Corporation, incorporated on October 14, 1992, will adhere and abide by all Bloomfield Township, Oakland County, State of Michigan, and Federal Laws and Ordinances and whose purpose is as follows:

1. To provide its Members with water from 2 community wells.
2. To maintain the wells and equipment to comply with Bloomfield Township, Oakland County, the State of Michigan, and Federal Standards and Regulations.
3. To maintain Association property and fulfill contractual obligations to maintain street lights.
4. To act as a liaison with the Township on Association business.

## **Article II – Membership**

Membership in the Association is limited to:

1. The legal owner of a house located within the boundaries of the South Bloomfield Highlands subdivision.
2. Upon payment of their first Association dues.

## **Article III – Dues**

### **Section 1 Application of dues**

- A. The dues for the members of the Association shall be:
  1. Levied on a uniform basis.
  2. Billed quarterly.
  3. Payable within 30-days of receiving the bill.
- B. The dues shall be determined by the Board of Directors to fulfill the obligations set forth in Article I of these Bylaws.
- C. Any change in the dues will require notification to the membership 60 days prior to implementation.

### **Section 2 Delinquency of Dues**

*(Amended June 21, 1994, October 20, 1998 & June 19, 2003)*

A. **Definition**

Dues will be considered delinquent if payment is not received within 30 days of billing.

B. **Late Fees**

A one time late fee of \$5.00 per quarter will be added to the dues in arrears.

C. **Notification of pending Action**

If the outstanding dues and late fees are delinquent for more than six (6) months, a certified letter will be sent requesting payment. If payment is not received within 10 days of certified mailing, a claim may be filed in Small Claims Court, and/or a lien may be filed against the property, and/or water service may be terminated. Prior to water termination, an attempt to serve a notice will be made by a Board Member or designated party.

D. **Rental Property**

In the case of rental Property, the member (owner) is responsible for the dues and late fees and will be the party pursued for payment.

E. **Reconnection Fee**

A \$100.00 fee plus payment for all costs incurred by SBHIA for disconnection and reconnection of water must be paid in full prior to water being reconnected.

### **Section 3 Water Connection**

A. Fee

A fee of \$85.00 will be levied by the Association for each newly constructed house within the boundaries of the South Bloomfield Highlands Subdivision as a Water Connection Fee.

B. Payment

Payment of this fee is to be made prior to connection to the well system for water service.

**C. Deny Service**

The Association reserves the right to withhold water service until fees have been paid.

**Article IV – Meetings**  
*(Amended June 19, 2003)*

**Section 1 Notification**

Notification of the Annual Meeting will be no less than ten (10) days prior to the date of the meeting and accompanied by the agenda for the meeting, the Financial Report, a Newsletter and the meeting location.

**Section 2 Meeting Schedule**

- A. The Annual Meeting will be held at 7:00 PM on the third Tuesday of June each year at St. Paul United Methodist Church, 165 E. Square Lake Rd, pending Church availability.
- B. Board Meetings will be held at 7:00 PM on the second Tuesday of each month. The membership is invited to attend, however these dates and times may change, pending the schedules and availability of the board members.
- C. A Special Meeting of the Members may be called at any time by the President or two Directors. The Secretary shall send by mail or personal service a notice of such a call to each Member no later than ten (10) days before the meeting and clearly stating the reason, the day, the time and the location for the Special Meeting.
- D. Other Meetings will be held as deemed necessary by the Board of Directors and Committees to perform their functions.

**Section 3 Annual Meeting and Special Meetings**

- A. A Quorum for the Annual Meeting and Special Meetings will consist of all of the Members in attendance.
- B. Voting at the Annual Meeting or a Special Meeting will be determined by an absolute *Majority for Motions* brought before the membership (fifty percent (50%) of those Members present plus (1).
- C. After the Annual Meeting and the Boards meeting that follows, the records for the previous 12 months will be made available for open review by the membership. These records will be:
  - 1. The minutes for all meetings.
  - 2. The financial reports.
  - 3. All documents pertaining to the business of the Association.

#### **Section 4      Conduct of Meetings**

Meetings will be in accordance with Robert's Rules of Order.

### **Article V – Election of the Board of Directors**

**Section 1**      The Board of Directors will consist of nine (9) members.

**Section 2**      There shall be three (3) new Directors elected every year, each for a term of three (3) years. The newly elected officers shall assume their duties during the Board Meeting following the Annual meeting.

#### **Section 3      Election of Directors**

- A. The election will be held at the Annual Meeting.
- B. The Nomination/Election Committee shall consist of three (3) members of the Association.
  - 1. Nominations will be open at the April Meeting of the Board of Directors.

2. Nominations will be closed three (3) weeks prior to the June Annual Meeting.
3. The Nomination/Election Committee will be responsible for the preparation of the Ballot.
4. The Nomination/Election Committee will include the Ballot in the Meeting notification in accordance with Article IV Section 1.
5. The election will be listed on the agenda.

C. Voting

1. Voting shall be by Secret Ballot.
2. There shall be one (1) vote per member.
3. Voting may be done:
  - a. in person at the Annual Meeting or
  - b. by Proxy.

**Section 4 Vacancies in Office**

- A. The vacancy will be offered to the first, and then subsequent runners-up from the election at the previous Annual Meeting.
- B. If the vacancy is not filled by a candidate from the previous election, then the Board may, by a majority vote, designate a Member to serve the remainder of the term vacated.

**Section 5 Election of the Board of Directors Emeritus  
(Amended June 15, 1993)**

Any Director of the Association who has served for twenty five (25) or more years consecutively and has attained the age of 70-years, shall be Honored with the position of Director Emeritus for life. The Director Emeritus will vote only in the event of a tie.

This position will enable the Association to benefit from the Director Emeritus' knowledge and experience while permitting others to run for the position of Director.

This Amendment is to be called the "Doyle Jones Amendment" and he is to be the first Director Emeritus in honor of his 38 years of service to the Association as a Director and as Water Commissioner.

## **Article VI – Officers and Committees**

### **Section 1 The Officers shall consist of:**

President  
Vice-President  
Secretary  
Treasurer

**Section 2** The terms of office shall be one year.

**Section 3** The Officers shall be elected by a majority vote of the Directors.

### **Section 4 Committees:**

There shall be five (5) committee Chairpersons nominated by the President and approved by a majority of the Board.

These Committees will be:

Water and Wells  
Deeds and Restrictions  
Street Signs and Lights  
Social  
Communications

**Section 5** A quorum of the Board shall consist of any five (5) current Directors of the Board.

## **Article VII – Recall of a Director**

**Section 1** A Director may be removed from the Board by this Procedure.

A. A petition of Members presented to the Board.



- B. The petition must clearly state the reason for removal.
- C. The petition must be signed by ten percent (10%) of the Membership.
- D. The Board will inform the Director named in the petition.

## **Section 2 A Special meeting will be called by the Board**

- A. Notification will be as in Article IV Section 1 of these Bylaws including the Director in question and the reason for this action.
- B. No other business shall be conducted at this Meeting.
- C. The Director designated in the petition will have the opportunity to address the reason for removal as stated in the petition.
- D. A majority of the Members present is required to remove the Director from the Board.
- E. The vacancy is subject to Article V Section 4 of these Bylaws.

## **Article VIII – Amending these Bylaws**

These Bylaws may be amended, altered and added to by the approval of a majority vote of the Members present at the Annual Meeting. The amendment must show on the Agenda distributed in accordance with Article IV, Section 1.

## **Article IX – Transfer of Membership**

When a Member sells or relinquishes ownership of the property defining Membership in the South Bloomfield Highlands Improvement Association, the Membership and responsibility for payment of dues

to the Association is transferred to the new owner whether the ownership of the property is transacted by the transfer of a warranty deed, quit claim deed or otherwise.