

Revisions: 2009, 2014, 2021, 2022, 2023 Member approved 10/7/2023

SUNSET SHORES PROPERTY OWNERS ASSOCIATION CONSTITUTION AND BY-LAWS

ARTICLE I Name and Boundaries

Section A.

The name of this organization shall be the SUNSET SHORES PROPERTY OWNERS ASSOCIATION, of New Buffalo, Michigan.

Section B.

The Association shall consist of all physical property lying Northwesterly of the Amtrak Railroad line and extending to the shores of Lake Michigan and bordered by Warwick Shores Condominium Association to the West and by Oselka Marina and Dunewood Condominium Association to the East. Included in the aforementioned property is the Sunset Shores Community Park known as Schulz Memorial Park and located on Water Street; also included is the West Beach and Easement located near the westerly end of Shore Drive and behind Sunset Shores Number 3, Lot Number 1; also included is the East Beach and Easement located off of the westerly end of Lake Drive and behind the Oliver Englund Subdivision Lot Number 7 and behind the Sunset Shores Number 2, Lots Number 1, 2, 3 and 4 and including the easement to the East Beach located off of Shore Drive between Lot Number 24 and Lot Number 25.

ARTICLE II Objectives

The objectives of this Association are:

To promote better living conditions in Sunset Shores

To take an active interest in the civic, social, and moral welfare of the community.

To unite the members in the bonds of mutual understanding.

To provide a forum for the full and free discussion of all matters of mutual interest to the property owners and residents of Sunset Shores.

To maintain and improve park facilities on land donated for the use of all Sunset Shores residents, and owned by the Sunset Shores Property Owners Association. under the provisions specified by the deed.

To provide an active participating interest in maintaining the two designated deeded property owners' beaches commonly known as the West Beach and the East Beach, for the use by all residents of Sunset Shores.

ARTICLE III Membership

Section A.

Membership shall be open to all persons owning property within the physical boundaries of Sunset Shores Property Owners Association as described in Article I Section B.

Section B.

Membership shall be classified as active and honorary. Active members shall be property owners in Sunset Shores who are current in paying their dues. Honorary members shall be persons residing in Sunset Shores or elsewhere who have performed outstanding services for the Sunset Shores community and upon whom the Association may decide to confer special distinction. All past presidents are automatically lifetime honorary members. Honorary members shall be entitled to attend all meetings, enter into full discussion, make motions, second motions, and vote.

Section C.

Active membership dues shall be at the agreed amount, which is Seventy-Five Dollars (\$75.00) per address per year in 2021. Honorary membership-no charge. Changes in dues must be approved by a simple majority vote of the members present at a spring or fall membership meeting.

ARTICLE IV Treasury

Section A.

Money raised through dues obtained from active members will be collected for the general fund of the Association, to be used to pay the general operating costs of the Association. The fiscal year shall run from January 1 through December 31. The Board of Directors must agree and approve all expenditures. New capital expenditures at or above \$3500.00 must be approved by a vote of the general membership. Spending approvals must be documented in meeting minutes or other official communication.

Section B.

Money raised by donations or through fundraising drives will be earmarked for the activity for which it is intended. Money earmarked for special activities may not be borrowed for payment of bills incurred through other activities of the association.

ARTICLE V Officers

Section A.

The officers of this Association shall consist of a President, Vice-President, Recording Secretary and Treasurer. In addition, the immediate past President and standing committee chairs shall constitute the Board of Directors. A Board member may fill only one board position at a time; an Officer cannot also serve as a standing committee chair. No two members of the same property address can serve on the Board of Directors at the same time

Section B.

A simple majority of the Board of Directors shall constitute a quorum at any meeting of the Board of Directors.

ARTICLE VI Elections

Section A.

Election of officers shall be held annually at the fall meeting. The term of office for officers of this association shall be for two years. In odd numbered years the following shall be nominated for election: President and Secretary. In even numbered years the following shall be nominated for election: Vice President and Treasurer. Standing committee chairs shall be elected at the same time as the officers. The term of office for standing committee chairs shall be for one year.

Section B.

The President shall appoint a nominating committee at the spring meeting of each year for the purpose of submitting one name for each of the various offices. Nominations may also be made from the floor at the time of elections. The President will nominate a person for each of the standing committee chairs.

Section C.

The vote shall be conducted in-person at the fall meeting. A simple majority of all votes cast shall be necessary to elect. Active and honorary members are entitled to vote. The association will recognize one vote per active property address. The vote will be conducted by written ballot, unless a position is uncontested, in which case the vote for that position will be conducted by a simple raise of hands. The Secretary will record each vote and verify eligibility. The results will be confirmed by the chair of the nominating committee or a representative of the chair plus one additional person who is not running for office and is not a member of the current Board. **Proxy votes for members unable to attend will be recognized according to the stipulations set forth in Article X, Section A.**

ARTICLE VII Qualifications of Officers

Section A.

No person shall be eligible to hold office in this Association unless they are an active or honorary member in good standing for **one year** prior to the election. A candidate for officer must reside in the community either full or part time.

Section B.

No officer shall receive any compensation for any service rendered to the Association without the approval of the membership

ARTICLE VIII Duties of Officers

Section A.

The President shall be the Chief Executive Officer. He/she shall preside at all meetings and shall be Chairperson of the Board of Directors. He/she shall issue the call for regular and special board meetings. He/she shall nominate the standing committee chairs, who will stand for election at the fall meeting, and shall act as an ex-officio member of each of these committees. He/she shall call for regular committee reports. He/she shall create additional committees upon requirements and needs of the Association. He/she shall see that regular elections are held.

Section B.

If for any reason the President is unable to perform his/her duties, the Vice-President shall occupy his/her position and perform his/her duties, having the same authority as the President

Section C.

If for any reason the office of the President shall become vacant, the Vice-President shall succeed in office. In the event of a vacancy in any other office, the Board of Directors shall appoint a member to fill the unexpired term.

Section D.

The Treasurer shall keep a list of members showing their classifications, addresses, and telephone numbers. The Treasurer shall keep a detailed record of organization receipts and all funds collected and disbursed. The Treasurer shall then make all deposits to the Association-approved bank and pay out all monies in a manner approved by the membership and/or Board of Directors. The treasurer shall prepare and present to the Board and the regular membership financial reports and should make financial record available for review upon request.

Section E.

The Recording Secretary shall be under the supervision and direction of the President and the

Board of Directors. The Recording Secretary shall keep the general organization records including minutes of the organization, board meetings and committee appointments. The Secretary will oversee member communications and social media.

Section F.

An officer or standing committee chair who has been elected by SSPOA membership can be removed from office at any time, with or without cause, by the affirmative vote of a majority of the members entitled to vote in an election of officers. A special membership meeting may be called for this purpose if necessary.

A committee chair who has been appointed by the President or the Board of Directors can be removed from office, with or without cause, by the affirmative vote of a majority of the voting members of the Board of Directors.

Duties of the Board of Directors

The Board of Directors shall constitute the Executive Board and shall be responsible for the execution of the authorized policies of the Association.

It may authorize expenditures and shall not create any indebtedness beyond the income of the Association.

A majority vote of the Board of Directors shall govern in board meetings.

The Board of Directors shall have the power to overrule or modify the action of any officer of the Association.

The Board of Directors shall have the books and accounts audited at its discretion by an auditing committee selected from the membership by the President.

It shall have the authority to call any special meetings considered necessary and determine the time and place.

ARTICLE IX Committees

The standing permanent committees of the Association include Park Committee, the Beach Committee and the By-Laws Committee. Each committee shall have a Chair, a charter, a budget and actively support all matters central to Sunset Shores Property Owners Association.

Other regular committees include the Social Media committee, the Creek Committee and the Nominating Committee. Additional committees shall be created and appointed by the President upon requirements and needs of the Association.

ARTICLE X Meetings

Section A.

This Association shall hold two general membership meetings each year - one in the spring and one in the fall - at a time and place determined by the President, and such meetings shall constitute the regular meetings. **Regular meetings may be attended by active members who are current in paying their dues. Non-members may attend a meeting if they are invited by a board member.** Notification must be sent to members at least two weeks prior to a meeting.

Attendance of fifty-one (51) percent of the Board of Directors, plus regular non-Board members eligible to vote equal to the number of Board members present plus one, shall be necessary for a quorum at any general membership meeting of the Association. Votes at a regular meeting will require a simple majority of those members present and eligible to vote for approval.

Members who can't attend the meeting in person may assign their proxy to a member who will be in attendance. The absent member must send an email or a signed written note to the Secretary stating their proxy voter's identity no later than the day before the scheduled meeting.

Section B.

Special meetings may be called when considered necessary by the Board of Directors or the President. Notification must be sent to members at least two weeks prior to a special meeting. Attendance of fifty-one (51) percent of the Board of Directors, plus regular non-Board members eligible to vote equal to the number of Board members present plus one, shall be necessary for a quorum at any special membership meeting of the Association. Votes at a Special meeting will require approval of 2/3 of those members present and eligible to vote for approval. Electronic or mail in votes with proxy are acceptable for a special meeting and will be considered to be in attendance.

Section C.

Electronic/teleconference meetings may be held in an emergency or special situation. This applies to Board meetings as well as general membership meetings.

ARTICLE XI Parliamentary Procedures

In the absence of rules in this Constitution and By-Laws, the proceedings of the Association shall be conducted in accordance with Robert's Rules of Order.

ARTICLE XII Amendments

This Constitution and By-Laws may be amended at any spring or fall general membership regular meeting, at which there is a quorum, by a two-thirds vote of the members present and eligible to vote, provided the Board of Directors has previously considered the merits of the

amendment. The By-Laws should be reviewed annually by the By-Laws Committee.