



# KIMBERLY OAKS ESTATES

Constitution and Bylaws

Established 1991

# Kimberly Oaks Civic Association Constitution and Bylaws

## Article 1

### Title

**Section 1.** The name of this organization is to be KIMBERLY OAKS CIVIC ASSOCIATION.

**Section 2.** This organization shall incorporate under Act 327, Public Acts of Michigan of 1931.

**Section 3.** The principal office or place of business shall be in Kimberly Oaks Estates Subdivision, City of Livonia, County of Wayne, State of Michigan, the particular address as reported in the Corporation Annual Report.

## Article II

### Objectives

**Section 1.** The objectives for which this corporation has been founded are as follows:

- A. To promote the interests and welfare of the residents of Kimberly Oaks Estates Subdivision. This would include reviewing action proposed or taken by the City involving any land, structure or business establishment in the immediate vicinity of the Subdivision as well as lending support to other Subdivisions whose property is being jeopardized by civic action.
- B. To provide a means by which the residents of the subject Subdivision may be united in an effort toward peace, charity, equity, increased social activity and a higher civilization.
- C. To exercise all the powers set forth in the Articles of Incorporation and Securities Commission. (As of 28 November 1961, these powers are the same as what is in Article II, Section 1.B. of the Bylaws.)

## Article III

### Membership

**Section 1.** The membership of this Association shall be limited to home owners of the Kimberly Oaks Estates Subdivision or such other area as the Board of Trustees may extend the option of membership. Each household shall be considered one membership. It is assumed that the home owner has relinquished his/her right to membership to the lessee where the premises are leased and the lessor has established permanent residence in another area. The lessor may also continue her/his membership if so desired.

**Section 2.** Any home owner or lessee may become a member by submitting one year's dues.

**Section 3.** Each active membership shall have two (2) votes, which represents two (2) members. Husband and spouse, or co-owners, shall be entitled to cast one (1) vote each in person at all meetings

of members and election. No member shall be eligible to vote at any meeting of the Association unless current dues have been paid.

#### **Article IV**

##### **Officers, Trustees, and Board of Trustees**

**Section 1.** The officers of this Association shall consist of a President, Vice-President, Treasurer, and Corresponding/Recording Secretary.

**Section 2.** The Trustees should consist of at least six (6) members elected by the membership.

**Section 3.** The Board of Trustees shall consist of the four (4) officers and the six (6) or more trustees, all of which are entitled to a single vote on all issues presented at regular, general, or special membership meetings.

**Section 4.** The past President shall be the Chairman of the Trustees for the following year. In the event that he or she for any reason cannot serve in this capacity, then the Chairman of the Trustees shall be elected by the Board of Trustees with any Trustee being eligible to be elected. The Chairman of the Trustees can also be a Trustee or Officer.

#### **Article V**

##### **Duties and Powers of Officers and Trustees**

**Section 1.** The President shall preside at all meetings of the Association and the Board of Trustees. It shall be her/his duty to carry out the will of the Association as expressed at regular and special meetings and, in general, to conduct the affairs of the Association in a manner consistent with the authority and responsibility pertaining to her/his office.

**Section 2.** In the absence of the President, the Vice-President shall discharge the duties of the President. The Vice-President shall also assist the President in accordance with her/his direction. In the event the President should resign or be removed from office, the VP shall assume the office of President and office of VP with its associated Board position shall remain vacant. In the event the offices of the President and VP both become vacated, the Corresponding/Recording Secretary shall carry out the duties of President or someone chosen by the Board of Trustees.

The VP shall be in charge of the annual Social Event, the Santa Run. If the Office of VP is vacant this responsibility shall be voted upon at the next regular meeting.

**Section 3.** The Treasurer shall keep account of all monies received by and expended for the use of the Association. In the absence of the Treasurer, the Board of Trustees will authorize one of the remaining officers who does not presently have power to sign checks to perform such duties of the Treasurer as may be necessary.

- A. Funds: All monies of the Association shall be deposited in a bank approved by the Board. The Treasurer's account shall be audited annually, or at any other time prescribed by a simple majority vote of the remaining members of the Board, by an auditor selected by the Board.
- B. All disbursements of Association funds shall be made by check. Each check shall have two authorized signatures. Authorized signatories shall be the President, Corresponding/Recording Secretary, and the Treasurer. All disbursements shall be made only as authorized by the Board.
- C. It shall be the duty of the Treasurer to prepare and file all forms, reports, etc which may be required by law, by State, Federal, or other Governmental Agency.
- D. The Treasurer shall determine whether a quorum under Article VIII, Section 4 has been achieved and what a majority of the membership is for voting at all meetings of the Association.

**Section 4.** The Corresponding/Recording Secretary shall attend all Association and Board of Trustees' meetings and keep a true and accurate record of their proceedings.

The Secretary shall enroll a complete list of all members and their addresses in regard to membership, the Board of Trustees, and of the respective committees. The membership list shall be received from the Membership Committee Chairperson.

The Secretary shall give notices of all regular meetings of the Association and the Board of Trustees at least two (2) weeks in advance of the date of meeting.

The Secretary shall handle the correspondence of the Association and perform such other duties as instructed by the Board or by the President.

**Section 5.** It shall be the duty of the Board of Trustees to care for the property and interests of the Association and to determine policies for the conduct of its affairs.

The Board of Trustees shall have the power to expend funds to promote the welfare of the Association and to employ all such means, not in conflict with this Constitution and Bylaws or with the laws of this State, as it may deem proper and expedient to secure the objectives for which the Association is organized.

The Board of Trustees shall arrange for the Treasurer to be bonded for an amount to be determined by them through an accredited bonding company.

## **Article VI**

### **Election and Term of Officers and Trustees**

**Section 1.** The Officers and Trustees shall be elected from the general membership at the Annual Meeting which will be held annually during the month of October.

**Section 2.** The Officers shall hold their respective offices for the term of one (1) year following their election and until successors take office.

**Section 3.** In the event a vacancy shall occur in any of the elected offices, except as stated in Article V, Section 2, the vacancy shall be filled by the remaining members of the Board of Trustees for the balance of the unexpired term. All vacancies filled by the Board of Trustees shall have the approval of the majority of Trustees present at the meeting.

**Section 4.** The officers and Trustees should attend every Board Meeting. If an Officer or Trustee misses three (3) times in a row (special and regular) he/she shall be removed from the Board.

## **Article VIII**

### **Meeting of Members**

**Section 1.** The Annual Meeting of the members of the Association for the election of officers and trustees shall be held during the month of October and the date of this meeting shall be considered the last meeting of the fiscal year.

**Section 2.** Special meetings of members may be called at any time by a majority of the Board of Trustees, upon their own initiative or upon the request in writing of 10% of the active members. A notice of every special meeting, stating the time, place and object thereof shall be given to the members of the Association at least ten (10) days before such meetings. No business other than that for which the special meeting was called shall be transacted. To transact any business a quorum must be present.

**Section 3.** Regular meetings will be held from August through May- three to four from August through November and four to five from January through May.

**Section 4.** Quorums:

- A. Annual Meeting-Any number of active members present at this meeting shall constitute a quorum.
- B. Special Meeting-Any member who after receiving proper notice as set forth in Section 2 of this Article, does not appear at this meeting, shall by the act of being absent, assign to those present as his agent, authority for them to act for him for the purposes of the Special Meeting.
- C. Regular Board Meeting-Any number of Board Members present at the meeting shall constitute a quorum.

**Section 5.** Voting:

A 2/3 vote is required for any voting at any meeting.

## **Article IX**

### **Dues**

Proposed. The dues for membership in the Association shall be an amount determined by the Board of Trustees to be fair, equitable and which would represent the best interests of the entire membership. The dues shall remain the same during the fiscal year of the Association and shall constitute active membership for the year terminating at the beginning of the next annual meeting.

## **Article X**

### **Committees**

**Section 1.** The following shall be standing committees:

- A. Membership Committee-This Committee is organized to promote interest in the Civic Association among the residents and to obtain new members for the Association. The Committee shall be sufficiently informed about the operation of the Association to answer questions posed by members and prospective members. All membership dues collected by the Membership Committee shall be forwarded to the Treasurer. Membership card shall constitute receipt. The Chairman shall make a membership roll.
- B. Beautification Committee-This Committee is organized to ensure the maintenance of common properties of Kimberly Oaks Estates Subdivision.
- C. Activities Committee-This Committee is organized to promote, organize, and hold social functions for the benefit of the Association members and their families. The Committee will handle all details and arrangements required, including the obtaining of building facilities and notification of the individual members. This committee is responsible for all social functions except The Santa Run.  
This Chairman is required to submit her/his plans and estimated budget for any social function in writing to the Board of Trustees for approval.
- D. Publicity Committee-This Committee is organized to insure the notification of the membership and the local press of all Association matters of interest to the membership.  
The Committee has the responsibility of obtaining information pertaining to the activities of all other committees in the Association and publishing this information in a newsletter. The Committee is also responsible for the distribution of the local newsletter on any action or events considered of general interest by the Committee Chairman. All releases and publications by the Committee require the prior approval of the President.
- E. Special Committees-Special committees will be voted on by the Board at regular Board Meetings.

## **Article XI**

### **Political Activity**

The Association shall be non-partisan. No members shall in any way commit the Association to support any candidate, or political party for elective office.

Skh  
16 September 1991

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17 April 2018