

MISSION ACRES ASSOCIATION
Saturday, August 31, 2002
Special Meeting Draft Minutes

Members Present:

Carol Conway	Kim (Driese)	Mike & Jan Dunn
Taffy Farrand	Jacqueline Frensley	Eileen Huntzicker
Joan Kroupa	Lanny & Mary Ann Leak	H.G. & Ellie Smith
Larry & Jeannine Thelen	Joe & Helen Verdoorn	Larry & Nancy Ward
Ellen Weber	Ray Weigel	Doris Wetters

President, Ellie Smith called the meeting to order at 9:20 am and asked for agenda items.

Ray asked if we are going to vote for officers at this meeting. Lanny Leak moved that we correct the minutes from the Annual meeting to state that we recessed the Annual Meeting until today. H.G. Smith seconded. Motion passed. There was a further motion to elect new officers which was seconded by Joan Kroupa. Motion passed.

The nominating committee presented their recommendations for a slate of officers: Joe Verdoorn for President, Carol Conway for Vice-President, and Larry Ward for Secretary-Treasurer. Mary Ann Leak was nominated from the floor for Secretary-Treasurer and Joan Kroupa was nominated from the floor for Vice-President.

Ray Weigel asked if he was allowed two votes because he owned 2 lots. After some discussion it was agreed that the constitution provides for only one vote for each owner.

Joe Verdoorn, Carol Conway, and Larry Ward were elected officers for the next two years.

Larry Ward presented a non-budgeted item to the membership for approval. Jack Weber spent 30 hours clearing some trees at the north end of the road and was asking for payment. This work was not authorized but was part of what the road committee had marked as possibly needing removal. Ray moved that Jack be paid. Dunn seconded. Motion passed.

Ray asked for clarification of the annual dues. Larry stated the dues were \$10 per lot owner, \$30 per season for cabin inspection (optional), \$125 per lot for road maintenance, and \$20 per share for snow removal (optional).

The constitution committee then gave their report and held an open discussion on the proposed draft of the constitution (attached). Below are some of the comments made on the most recent draft that the committee will take into consideration.

- Purpose:
 - We have wider interests than just the road
 - The purpose in the current constitution covers everything discussed
 - Alternate proposal handed out by Eileen Huntzicker:

- The purpose of this Association is to provide a forum for governance of the Mission Acres community. Such governance includes maintenance of the road and environmental resources as well as consideration of proposals that would enhance the safety and general welfare of its members.
- Don't like 'governance' – it implies the Association is telling me what to do
- Prefer the words 'cooperative interests' in defining the purpose
- Officers
 - Should record meetings
 - Minutes should reflect key issues and motions
 - President requirement to approve bills is restrictive
 - Need checks and balances
- Meetings
 - Fixed or floating date/time discussed
 - General preference for the third Saturday in July
- Voting
 - Proxy is currently allowed
 - Concern expressed about how the membership will appoint a nominating committee
 - Nominating committee accept all names interested
 - Nominating committee nominate a slate with nominations open from the floor
 - Include 'at the time of platting' on lot definition to clarify
 - Joe Verdoorn offered his list of lots/votes as alternative (attached)
- Dues
 - List those who haven't paid dues as part of treasurer's report
 - Discussed when dues should be paid
- By-Laws
 - Delete references to by-laws

(Comment: The above reflects some of the comments regarding the draft changes to the constitution. The committee will take this information into consideration in preparing their final draft proposal.)

Lanny Leak made a motion to allow proxy voting on the constitution at next year's meeting. Larry Ward pointed out that the Association felt proxy voting was allowed according to the minutes of the 1996 meeting. Ellie Smith discussed the option of ballot voting. In this discussion the issue of who would receive the ballots was discussed and agreed that the Secretary-Treasurer was responsible for such business. Ellie asked Lanny to clarify his motion. Lanny clarified by adding that the officers should do this in the most expedient and efficient manner. H. G. Smith seconded the motion. Motion carried.

The meeting was then adjourned.

Submitted by:

Larry Ward

Secretary-Treasurer

Mission Acres Association

MISSION ACRES ASSOCIATION
PROPOSED -- CONSTITUTION
DRAFT OF AUGUST 30, 2002

Article I – Name

This organization shall be known as the Mission Acres Association.

Article II – Purpose

The purpose of this organization is to maintain the common road that provides ingress and egress to the property owners and their invitees within the Mission Acres Subdivision located in Peninsula Township, Grand Traverse County, Michigan. Other objectives, without specificity, are to look to the future of the association and informal governing that relates to the health, safety, and welfare of the membership. Specific issues may be presented by the voting membership at the annual meetings.

Article III – Membership

Voting membership in the Association is limited to the owners of property in Mission Acres Subdivision who have paid current association dues and authorized assessments.

Article IV – Officers and Duties

President

- Presides at all of the official meetings of the Association.
- Can contract or negotiate for the Association for only items or services authorized by the membership.
- Approve bills submitted to the Association for payments authorized by the membership.
- The President may not incur indebtedness or allocate funds in excess of the moneys on hand without specific approval of the voting membership.

Vice-President/Secretary

- Is responsible for all the official correspondence of the Association.
- Records the minutes at the annual meetings.
- Distributes minutes of annual meetings within thirty days of the annual meeting.
- Acts for the President when the President is absent.
- Maintains the historical records of the Association.

Treasurer

- Shall represent the Association in all financial matters authorized by the membership.
- Pay bills approved by the President in a timely manner.
- Maintain the financial records and make an annual report to the membership. The annual report shall include a detailed Income and Expense Statement.
- Provide a Statement of dues for each member to be distributed at the annual meeting.
- The Treasurer may not incur indebtedness or allocate funds in excess of the moneys on hand without specific approval of the voting membership.

Comments

- This document does not give or imply any authority to the Officers beyond carrying out the activities authorized by the membership.
- Officers shall be elected by majority vote of the membership to serve two-year terms.
- The elections will be in the (odd/even) numbered years.
- The membership shall select a nominating committee of no less than four property owners to issue a slate of officers, no less than two for each office, in (odd/even) years.
- The nominating committee is responsible to accept nominations and organize the ballots.
- Should any officer become unable to serve during their term of office the remaining officers will appoint a person within the membership to serve out the remainder of the term of that office.

Article V – Meetings

- An annual meeting will be held on the last Saturday in July, unless another date is proposed and voted on by the membership at the annual meeting.
- A proposed agenda will be sent to all property owners at least one month prior to the annual meeting that list the known specific proposals that will come before the membership.
- It is the intent of the Association that all property owners have the right to vote.
- Property Owners that do not expect to attend the annual meeting may assign proxy-voting rights to another Property Owner of their choice. It is preferred that proxy-voting rights be in writing and signed by the Property Owner.
- Our subdivision is occupied year round. It may be necessary to conduct on-going business at times other than the annual meeting to resolve pressing issues; notice of which will be presented to the membership.
- Issues presented to the membership must pass by sixty-percent vote of the voting members to be approved. Property Owners that do not attend the annual meeting, and do not assign a proxy-vote will not be considered in determination of the sixty- percent majority.
- The membership may propose Ad Hoc committees at the annual meeting to assist the officers to carry out the approved activities. Minutes from the Ad Hoc committees will be provided to the Vice-President/Executive Secretary for distribution to the membership within thirty days of any meeting.
- Each buildable lot, as defined by Township ordinances, within the subdivision is entitled to two (2) votes on any issue properly brought before the membership. Owners of multiple buildable lots are entitled to all the votes associated with those lots. The Vice-President/Executive Secretary will maintain a current listing of buildable lots.

Article VI – Dues and Assessments

- Regular dues shall be ten dollars per buildable lot per year. Special assessments for general improvement of the subdivision or for other purposes, deemed necessary by the membership, may be voted on at the annual meeting.
- Dues are payable at the time of the annual meeting.
- Special assessments that are voted at the annual meeting are payable within thirty days of the annual meeting.

Article VII – Amendments

This constitution may be amended by a two-thirds vote of the membership. Amendments may be submitted by voting members to the President prior to the annual meeting. The proposed amendment should be forwarded to all voting members by the Executive Secretary at least thirty days prior to the annual meeting.

Article VIII – By-Laws

In lieu of any specific by-laws the Association agrees to be governed by the laws of the United States, the state of Michigan, the county of Grand Traverse, and the Peninsula Township.

Article IX – Intent

The members of this Association understand that our association is an informal governing organization without legal foundation. It is simply a way to conduct our annual meeting in an orderly manner, and to implement approved projects within the subdivision.

Current Owner	Lot	Vote	%	Resid	%	Bay Front	%	Road Front	%	Build Lots	Two Votes	% of votes	One Vote	% of votes
Ohnberger	1	1.0	3.7%	1	4.8%	100	3.6%	156	5.2%	1	2	4.0%	1	4.0%
Weber	2	1.0	3.7%	1	4.8%	100	3.6%	110	3.6%	1	2	4.0%	1	4.0%
Ward	3	1.0	3.7%	1	4.8%	100	3.6%	110	3.6%	1	2	4.0%	1	4.0%
Hartig	4	1.0	3.7%	1	4.8%	100	3.6%	110	3.6%	1	2	4.0%	1	4.0%
Verdoorn	5	1.0	3.7%	1	4.8%	100	3.6%	110	3.6%	1	2	4.0%	1	4.0%
Kroupa	6	1.0	3.7%	1	4.8%	100	3.6%	110	3.6%	1	2	4.0%	1	4.0%
Bradrowski	7	1.0	3.7%	1	4.8%	100	3.6%	100	3.3%	1	2	4.0%	1	4.0%
Smith	8	1.0	3.7%	1	4.8%	100	3.6%	100	3.3%	1	2	4.0%	1	4.0%
Frensley	9	1.0	3.7%	1	4.8%	100	3.6%	100	3.3%	1	2	4.0%	1	4.0%
Thelen	10	1.0	3.7%	1	4.8%	100	3.6%	100	3.3%	1	2	4.0%	1	4.0%
Dunn	11	1.0	3.7%	1	4.8%	100	3.6%	100	3.3%	1	2	4.0%	1	4.0%
Leak	12	1.5	5.6%	1	4.8%	150	5.4%	150	5.0%	1	2	4.0%	1	4.0%
Leak	1/2 13													
Murdy	1/2 13	1.5	5.6%		0.0%	150	5.4%	150	5.0%	1	2	4.0%	1	4.0%
Murdy	14													
Driese	15	2.0	7.4%	1	4.8%	200	7.2%	251	8.3%	2	4	8.0%	2	8.0%
Driese	16													
Styers	17	1.5	5.6%	1	4.8%	150	5.4%	185	6.1%	1	2	4.0%	1	4.0%
Styers	1/2 18													
Weigel	1/2 18	2.5	9.3%	1	4.8%	250	8.9%	292	9.6%	2	4	8.0%	2	8.0%
Weigel	19													
Weigel	20													
Farrand	21	1.0	3.7%	1	4.8%	110	3.9%	110	3.6%	1	2	4.0%	1	4.0%
Straub	22	1.0	3.7%	1	4.8%	110	3.9%	120	4.0%	1	2	4.0%	1	4.0%
Conway	23	1.0	3.7%	1	4.8%	110	3.9%	105	3.5%	1	2	4.0%	1	4.0%
Huntzicker	24	2.0	7.4%	1	4.8%	235	8.4%	240	7.9%	2	4	8.0%	2	8.0%
Huntzicker	25													
Groves	26	1.0	3.7%	1	4.8%	115	4.1%	110	3.6%	1	2	4.0%	1	4.0%
Wetters	27	1.0	3.7%	1	4.8%	115	4.1%	109	3.6%	1	2	4.0%	1	4.0%
Totals:	27	27.0		21		2795		3028		25	50		25	
60% of votes		17		13							30		15	

Why two votes per lot? Husbands and wives do not always agree on issues. Two votes per lot give spouses equal voice in the association without any change in the voting percent per lot.

Why Buildable Lots vs. any number of other methods? It's a simple way around vacant lots, multiple lots, and variations in lot size. It fairly reflects the economic value at risk of each property owner.