

**Lyon Lake Improvement Board
Natural Resources and Environmental Protection Act
Michigan Public Act 451 of 1994
Part 309 - Inland Lake Improvements**

Article I: Name, Address, and Purpose

- Section 1: **Name.** The name of this body is the Lyon Lake Improvement Board, formed under the provisions of Public Act 451 of 1994, Part 309, Inland Lake Improvements as established by Fredonia Township on August 18, 2025.
- Section 2: **Address.** The Lyon Lake Improvement Board's legal address is PO Box 101, Marshall, Michigan 49068. Records Retention Site: Calhoun County Water Resources, 315 West Green Street, Marshall, Michigan 49068.
- Section 3: **Purpose.** The purpose of the board is to provide for the improvement of Lyon Lake and its adjacent wetlands, as outlined in Part 309, for the protection of public health, welfare, safety, and the conservation of natural resources. These bylaws are adopted by the Lyon Lake Improvement Board to establish clear procedures for the Lyon Lake Improvement Board's operations and to facilitate the performance of its duties.
- Section 4: **Strategic Plan and Project Review.** The Lyon Lake Improvement Board shall develop and administer a strategic plan to meet its purpose with a project review at least every five years.

Article II: Membership

- Section 1: **Composition.** The Lyon Lake Improvement Board's composition and method of appointment shall be in accordance with MCL 324.30903 of Part 309, and shall consist of the following:
 - One member of the Calhoun County Board of Commissioners appointed by the chairperson of the County Board.
 - Two (2) members appointed by the Fredonia Township Board.
 - The Calhoun County Water Resources Commissioner and/or its designee.

- One member elected by the Lyon Lake Improvement Board selected from three names provided by the Lyon Lake Association who are eligible based upon holding a record interest in title to land abutting Lyon Lake (riparian rights owner). If the Lyon Lake Association provides less than three names, the Lyon Lake Improvement Board, at its discretion, may select a qualifying Lyon Lake resident to fill the vacancy as it deems appropriate.
- Section 2: **Terms of Office.** Terms of office for members shall be consistent with statutory requirements and the appointing authority's resolution, except the Lyon Lake Improvement Board's elected member shall serve a four-year term.
- Section 3: **Oath of Office.** Upon election to the Lyon Lake Improvement Board, the newly elected/appointed members shall qualify by taking the following oath before a competent authority. "I do solemnly swear I will support the Constitution of the United States of America, the Constitution of the State of Michigan, the laws of the County of Calhoun, rules and regulations of the Natural Resources and Environmental Protection Act, the Bylaws of the Board, and to the best of my ability perform the duties as a member of the Lyon Lake Improvement Board."
- Section 4: **Removal.** Lyon Lake Improvement Board members may be removed voluntarily or involuntarily.
 - **Voluntary resignation.** Written resignation accepted by the Board when a person steps down from their position for personal reasons effective upon receipt or subsequent date indicated in the written resignation.
 - **Violations/Misconduct.** Members may be removed for cause by the appointing and/or electing authority, or upon a majority vote of the Lyon Lake Improvement Board with thirty (30) days' notice to the member and to the appointing authority for that member. Removal for cause may include misfeasance (performance of a lawful act in an illegal or improper manner); malfeasance (performance of an unlawful act carried out by a public official); nonfeasance (failure to perform a required official duty or legally required act); lack of attendance, violation of policies; conflicts of interest; or conduct

detrimental to the integrity and reputation of the Lyon Lake Improvement Board.

- **Loss of eligibility.** The Board member no longer meets the criteria of their position such as no longer a Calhoun County Commissioner, Water Resources Commissioner, or selling waterfront property.
- Section 5: **Vacancy.** Appointing/electing authority shall appoint a replacement member to fill vacancy within 30 days. If the position elected by the Lyon Lake Improvement Board is vacant, the Lyon Lake Improvement Board will fill the vacancy for the remainder of the four-year term with an eligible replacement.

Article III: Officers

- Section 1: **Election of Officers.** The Lyon Lake Improvement Board shall elect a chairperson, treasurer, and secretary from its membership. The Lyon Lake Improvement Board may also elect a non-board member recording secretary and/or a non-board member financial officer at their discretion who shall have no voting authority.
- Section 2: **Vacancy.** Lyon Lake Improvement Board shall elect a replacement officer to fill any officer vacancy for the remainder of the term within 30 days of the vacancy.
- Section 3: **Term of Office.** The term of office for all officers shall be one (1) year or until their successors are selected and assume office.
- Section 4: **Duties of Officers.**
 - **Chairperson:** Acts as the Chief Executive Officer of the Lyon Lake Improvement Board including having general and active supervisory management of the business of the Lyon Lake Improvement Board; oversees pick-up of mail from post office; guides the Board in defining goals and offers strategic guidance to ensure the annual budget reflects the Board's strategic goals and priorities for the upcoming year, such as major dredging projects vs. routine weed maintenance; presides over all Lyon Lake Improvement Board meetings; sets meeting agendas; oversees all orders and resolutions of the Board are carried out; oversees the Special Assessment

District(s); acts as liaison to Fredonia Township Board and the Lyon Lake community; assists in preparing the annual budget; oversees timely responses to requests made under Michigan Act 442 of 1976, the Freedom of Information Act (FOIA); signs official documents, contracts and financial instruments as authorized by Board resolution; oversees legal and financial compliance, ensuring the Board meets all statutory requirements under Michigan law; ensures meetings are conducted in an orderly and efficient manner pursuant to Robert's Rules of Order.

- **Treasurer:** Oversees and monitors Board financial condition; prepares a detailed initial draft of the annual budget, including revenue projections from assessments and estimated expenses for projects, administration, legal fees and contingencies; deposits funds and ensures financial records are properly maintained; tracks the Board's finances against the approved annual budget and reports and significant variances or overspending to the Board; upholds financial integrity and transparency; delivers annual special assessment district billings to Fredonia Township no later than November 15th of each year; and performs all duties of the Financial Officer (if none is elected).
- **Financial Officer** (if elected): Manages the Lyon Lake Improvement Board's finances; ensures financial records are updated and accounts are balanced monthly; prepares and dispenses monthly and annual financial reports; facilitates payment of Lyon Lake Improvement Board obligations; disburses funds in such a manner as approved by the Board within ten (10) days of Board approval; notifies Board members of outstanding balances between meetings and coordinates approval of same; receives and ensures crediting of payments to Lyon Lake Improvement Board; prepares deposits and records depository receipts; maintains custody of Lyon Lake Improvement Board financial data; and prepares data as necessary for preparation of the annual budget.
- **Secretary:** Oversees accurate records of all board proceedings; ensures minutes and Lyon Lake Improvement Board records are

publicly available; oversees notice and publication requirements for Board meetings and public hearings comply with the Michigan Open Meetings Act; performs other duties as delegated by the board including presiding over meetings in the absence of the Chairperson; and performs all duties of Recording Secretary (if none is elected).

- **Recording Secretary** (if elected): Acts as recording officer of the Lyon Lake Improvement Board; attends all meetings; keeps and prepares minutes of each meeting including any designated committee meetings; manages correspondence including drafting, sending and responding to official Board correspondence; prepares and disseminates meeting agendas and Board packets prior to each meeting; maintains Board records including minutes, attendance, discussion topics, tabled issues, legal documents, resolutions, and other official correspondence; ensures both current and historical documents are properly filed and stored for long-term access, transmits records to the Fredonia Township Clerk who is responsible for permanent maintenance of Board records.

Article IV: Meetings

- Section 1: **Regular Meetings**. The board shall establish a schedule for regular meetings to be held at least quarterly. Meeting times and locations shall be posted in a public place consistent with the Open Meetings Act.
- Section 2: **Special Meetings**. Special meetings may be called by the chairperson or upon written request of a majority of the Board members. The purpose of the special meeting shall be stated in the meeting notice.
- Section 3: **Quorum**. A majority of the members of the Board shall constitute a quorum for the transaction of business.
- Section 4: **Decision Making**. Each Board member shall have one vote, and all decisions shall be made by concurrence of the majority of Lyon Lake Improvement Board members in attendance. Any Board member may motion to table an agenda item for the purpose of attaining additional information that will assist the Lyon Lake Improvement Board in making the best possible decision for the Lyon Lake community.

- Section 5: **Public Comment.** The public shall be given an opportunity to comment at each regular and special meeting, consistent with the Open Meetings Act with each person being limited to three (3) minutes.
- Section 6: **Order of Business/Agenda.** The Chairperson shall determine agenda items and provide same to Recording Secretary (or Secretary if no Recording Secretary) for agenda preparation at least three (3) days prior to each meeting. The order of business shall be as follows:
 - Call to Order
 - Roll Call
 - Approval of Agenda
 - Approval of Minutes
 - Treasurer/Financial Officer's Report
 - Committee Reports (if applicable)
 - Old Business/Tabled Items
 - New Business
 - Public Comment
 - Board Comment
 - Adjournment

Article V: Projects and Assessments

- Section 1: Project Initiation. A project may be initiated by the board or in response to a petition from lake property owners, consistent with the requirements of Part 309.
- Section 2: Feasibility Study. The board shall conduct or commission an engineering feasibility report and economic study for all proposed projects.
- Section 3: Special Assessment Districts. The board shall establish Special Assessment Districts (SADs) in accordance with the law to finance projects. Special assessments and any unpaid or delinquent assessments including interest and penalties thereon shall be collected in accordance with Michigan Public Act 451 of 1994, Part 309 – Inland Lake Improvements.
- Section 4: Public Hearings. The board shall hold all required public hearings regarding the proposed project and special assessment roll.
- Section 5: Budget and Finances. The treasurer, in consultation with the board, shall prepare an annual budget for administrative and project costs.

Article VI: Fiscal Year

- Section 1: **Fiscal Year.** The Lyon Lake Improvement Board fiscal year shall begin January 1st and end on December 31st of each year. The Lyon Lake Improvement Board shall approve an annual budget for the following year no later than October 15th.

Article VII: Committees

- Section 1: **Establishment.** The Lyon Lake Improvement Board shall have the power to appoint committees as it deems necessary for the performance of certain Board functions, provided however, a committee's authority to act must be authorized by the Board. Any action taken by any such committee shall be presented for ratification by the Board.

Article VIII: Official Records

- Section 1: **Reports/Official Documents.** All reports and official documents of the Lyon Lake Improvement Board, including Board financial records, shall be kept at Calhoun County Water Resources, 315 West Green Street, Marshall, Michigan 49068 and be overseen by the Water Resources Commissioner, working with the Secretary of the Lake Board.
- Section 2: **Public Availability.** All meetings, minutes, records, documents, correspondence, and other materials of the Lyon Lake Improvement Board shall be open to public inspection in accordance with the Michigan Open Meetings Act and Michigan Freedom of Information Act, except as otherwise provided by law.

Article IX: Indemnification

- Section 1: **Policy.** If a claim is made or any civil action is commenced against any officer, volunteer, or employee of the Lyon Lake Improvement Board for injuries to persons or property caused by the negligence of an officer, volunteer, or employee while in the course of employment with or acting on behalf of the Lyon Lake Improvement Board and while acting within the scope of the person's authority, the Lyon Lake Improvement Board may pay for, engage, or furnish the services of an attorney to advise the officer, employee, or volunteer as to the claim and to appear for and represent the officer, employee, or volunteer in the action. The Lyon Lake Improvement Board may compromise, settle, and pay the claim before or

after commencement of civil action, pursuant to Act No. 170 of the Michigan Public Acts of 1964, being Sections 691.1401 et seq., of the Michigan Compiled Laws, as amended. Whenever a judgment for damages is awarded against an officer, employee, or volunteer of the Lyon Lake Improvement Board as a result of civil action for personal injuries or property damage caused by an officer, employee, or volunteer while in the course of employment with or while acting within the scope of the person's authority, the Lyon Lake Improvement Board may indemnify the officer, employee, or volunteer or pay, settle, or compromise the judgment.

- Section 2: **Procedure.** Any indemnification under Section 1 shall be made by the Lyon Lake Improvement Board only as authorized in the specific case upon determination that indemnification of the officer, employee, or volunteer is proper in the circumstances because the person has met the applicable criteria set forth in Section 1. Such determination shall be made in either of the following ways:
 - By the Lyon Lake Improvement Board by a majority vote of a quorum consisting of members of the Lyon Lake Improvement Board who were not parties to such action, suit, or proceeding; or
 - If a quorum is not obtainable, by recommendation of independent legal counsel in a written opinion.
- Section 3: **Insurance.** The Lyon Lake Improvement Board may, in the exercise of its discretion, from time to time authorized by resolutions or motions duly adopted, purchase and maintain liability insurance to indemnify and protect the Lyon Lake Improvement Board against loss or to protect the Lyon Lake Improvement Board and officer, employee, or volunteer of the Lyon Lake Improvement Board against loss on account of an adverse judgment arising from a claim for personal injury or property damage caused by the Lyon Lake Improvement Board or its officer, employee, or volunteer. The Lyon Lake Improvement Board may pay premiums for the insurance authorized by this section out of current or available funds.
- Section 4: **No Liability.** These Sections 1 through 4 do not impose liability on the Lyon Lake Improvement Board. The existence of an insurance policy indemnifying the Lyon Lake Improvement Board against liability for

damages is not a waiver of a defense otherwise available to the Lyon Lake Improvement Board in a defense claim.

Article X: Disclosure

- Section 1: **Disclosure of Interest.** Any Lyon Lake Improvement Board member who has a conflict of interest regarding any matter pending before the Lyon Lake Improvement Board shall disclose that interest prior to the Lyon Lake Improvement Board taking any action with respect to the matter.
- Section 2: **Participation Suspended.** Any member disclosing an interest in a matter pending before the Lyon Lake Improvement Board shall refrain from participating in the Board's decision-making process and shall refrain from voting on said action.

Article XI: Non-Discrimination

- Section 1: **Policy.** The Lyon Lake Improvement Board prohibits discrimination in membership, employment, and activities based on race, national origin, color, creed, religion, sex, age, disability, height, weight, familial, marital, or veteran status, or any other status as required by law.

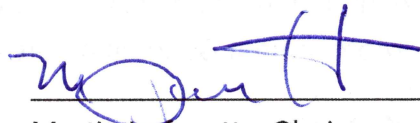
Article XII: Dissolution

- Section 1: **Dissolution Procedure.** The board may be dissolved in accordance with the procedures outlined in Part 309, which includes a public hearing and payment of all outstanding debts.

Article XIII: Bylaw Adoption and Amendments

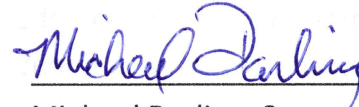
- Section 1: **Bylaw Adoption.** These Bylaws shall take effect when adopted by a majority vote of the Lyon Lake Improvement Board. A copy of the Bylaws shall be distributed to each Lyon Lake Improvement Board Member, Officer, and to Fredonia Township.
- Section 2: **Amendments.** These Bylaws may be amended by a majority vote of the board members at a regular or special meeting, provided notice of the proposed amendment was given to all members of the Lyon Lake Improvement Board at least ten (10) days before the meeting at which such amendment is to be considered and provided such amendment conforms with applicable law, including but not limited to Part 309 of NREPA or the Open Meetings Act.

Date: 10/22/2025



Martin Lafayette, Chairperson

Date: 10/22/2025



Michael Darling, Secretary