

SETTING LAKE COTTAGE OWNERS ASSOCIATION OPERATING PRACTICES

Preamble The Association was formed on April 19, 1986 to unite the cottage owners at Setting Lake as one entity. The Association acts on its own behalf as an extension of the Department of Northern Affairs to provide for the basic needs of the cottage owners, to be a contact for other agencies such as R.C.M.P., Manitoba Hydro, M.T.S., etc. and to represent the cottage owners as a single voice in matters of interest or concern to the membership.

TITLE

Title 1. These are the operating practices of the Setting Lake Cottage Owners Association.

Wherever the masculine gender appears in the operation practices, it shall also mean the feminine gender, unless the context requires otherwise.

INTERPRETATION

Definitions 2. In these operating practices:

a) "Association" means the Setting Lake Cottage Owners Association.

b) "Member" means any owner/joint owner and resident adult member of immediate family.

c) "Resident adult member of immediate family" means any spouse, son or daughter 18 years of age or older, residing as part of the Cottage Owners immediate family.

d) "Road Representative" means a member elected or appointed to the Executive to represent the interests of cottage owners on his particular road.

e) "Executive Member" means any member elected to the position of Road Representative or President of the Association and the immediate Past President.

f) "Practices" means rules governing the function of the Association.

g) "Ex Officio" means by virtue of his office and does not limit the rights, duties and capacity of any person who is ex officio.

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OBJECTIVES

Aims and
Purposes

3. The objectives of the Association are:
 - a) Finance: Administrate available funds to achieve the results desired, ensure sufficient funds are available to meet the needs of the Association and to be accountable to the cottage owners for the disposition of funds.
 - b) Services: Ensure necessary services are provided to meet the basic needs of cottage owners at the most reasonable costs (roads, dump, fire protection, etc.).
 - c) Liaison: Provide the necessary interface between the cottage owners and the Government and the private sector to deal with issues which concern and/or effect cottage owners.
 - d) Planning: Ensure that future requirements for expanded or new services are properly evaluated and planned so that implementation can be properly financed and take place when required to meet regulations and/or Association needs.

MEMBERSHIP

4. The membership of the Association shall consist of:
 - a) A registered owner or joint owner including any resident adult member if immediate family.
5.
 - a) A member is entitled to all privileges of membership including the right to vote at meetings of members.
 - b) A member is in full standing and is eligible to vote if all maintenance fees for the previous fiscal year are paid up-to-date.

MEETING OF MEMBERS

6.
 - a) An annual meeting of members shall be held in the month of May of each year at a time and place determined by the Executive.

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b) The President may call a special meeting of members at any time. He shall do so at the written request of members representing at least 15% of the cottages.

7. a) No new business may be transacted at meeting of members unless the Notice of Meeting (Agenda) states the nature of business to be discussed.

b) Any member may submit to the Association notice of any matter that they propose to raise and discuss at the annual meeting and notice of the proposal must be submitted in writing 60 days prior to the annual meeting. This matter will then be put on the meeting agenda.

8. Notice of the time and place of meeting of members shall be sent, not less than 15 days or more than 50 days before the meeting, to registered cottage owners.

9. a) At every meeting of members, each member is entitled to one vote on each question.

b) Voting at a meeting of members shall be by show of hands

c) Motions will be carried when passed by a simple majority of the members present at the meeting.

Quorum 10. Members personally present at the opening of a meeting representing 30 cottages shall constitute a quorum.

EXECUTIVE

Members of Executive 11. a) The Executive consists of two representatives from each of Road #1,2 and 3 and one representative from Road #4, the president and the immediate past president. All are to be elected to two-year terms, except the immediate past president who shall serve a one-year term, ex-officio.

b) The Executive will present a slate of nominees for vacancies on the executive at the annual meeting. Further nominations will be requested from the floor .

c) Members from all four roads are eligible to vote for the individual road representatives.

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12. The Executive of the Association shall consist of:
- a) A President - elected at large.
 - b) A Vice-President - elected from the Road Representatives by the Executive.
 - c) Seven Road Representatives - one of which shall be elected Vice-President.
 - d) The immediate past President - Ex Officio.
(A secretary, non-voting, may be selected from the membership at large.)
13. Executive members, other than the immediate past President who holds the office Ex -Officio, shall be elected at an annual meeting to hold office until the end of the second annual meeting following his election. One road representative will be elected for each road each year except for Road 4 where the representative shall be elected every second year .
14. a) The Association may by ordinary resolution, at a meeting of members called for the purpose, remove any executive(s) member from office.
- b) The Executive, or members in a meeting of members, may fill any vacancy among the executive by appointing a member to hold office for the unexpired term of the executive who he is replacing.
- Qualifi-
cation of
Executive
15. An executive member must be an Association member to qualify for office.
- Notice of
Executive
Meeting
16. a) Every executive member shall be given by letter, telephone or otherwise notice of every meeting of the executive.
- b) The Executive may at any meeting decide to hold regular meetings by adopting a resolution stating the day, hour, and place of regular meetings and no further notice of these meetings shall be required.
- c) The Executive shall hold a minimum of 6 meetings between annual membership meetings.

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Quorum 17. A majority of executive members constitutes a quorum at executive meetings.

COMMITTEES

Standing Committees 18. a) There shall be the following standing committees of the Executive:
i) Finance Committee,
ii) Road Committee,
iii) Dumps & Sewage Disposal Committee, and
iv) Fire Control Committee.

b) The duties of the Standing Committees shall be assigned to them by the Executive.

c) The standing committee chairman shall be appointed from among the Executive by the President but every appointment shall be subject to confirmation by the Executive.

Special Committees 19. The Executive may provide for special committees and assign duties to them.

Appointment of Special Committee Chairman & Members 20. a) The committee chairman shall be appointed from among the Executive by the President, but every appointment shall be subject to confirmation by the Executive.

b) The members of each committee shall be appointed from among the Executive and members by its chairman.

c) The number of members on a committee shall be determined by the chairman of the committee but all appointments shall be subject to confirmation by the Executive.

d) Committee members may meet, adjourn and otherwise regulate their meetings as they may determine.

EXECUTIVE AND THEIR DUTIES

Duties of Executive 21. a) The Executive shall manage the activities and affairs of the Association.

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b) Every executive member of the Association shall act honestly and in good faith with a view to the best interests of the Association and shall exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

c) Executive members considered to be in conflict of interest shall exclude themselves from decisions with respect to contractual arrangements with the Association.

Duties of President 22. a) The President shall be the chief officer of the Association and it shall be his duty to be vigilant and active in promoting the objectives of the Association.

b) The President shall preside at meetings of the Association and of the Executive.

Duties of Vice-President 23. The Vice-President shall assist the President in the performance of his duties and shall act in the absence or inability of the President.

FINANCIAL AFFAIRS

Fiscal Year 24. The fiscal year of the Association shall end on the 31st of March of each year.

Records 25. The Executive in conjunction with Northern Affairs shall verify that proper records and accounts of all transactions of the Association are kept.

Budgets 26. a) Each year a budget setting forth details of the estimated revenues and expenditures of the Association for the current fiscal year shall be prepared and presented at the annual meeting.

b) The Executive shall make a recommendation annually to Northern Affairs regarding the rate of the annual service levy.

Arrears 27. When a cottage owner/joint owner fails to pay the service levy on a timely basis the Executive shall request Northern Affairs to initiate collection through their legal process.

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- Financial Disclosure 28. a) The Executive shall place before the members at every annual meeting:
- i) Financial Statement for the year ended
 - ii) Any further information respecting the financial affairs of the Association.
- b) The Executive shall approve the financial statements provided by Northern Affairs Officials and shall evidence their approval by signature of two or more Executive members.
- c) No financial statement shall be released or circulated unless it has been approved by the Executive and Northern Affairs officials.
- d) The Association shall provide a financial statement of annual expenditures to any member upon request and make copies available at the annual meeting.
- Funds, etc. to be in the name of Association 29. a) All funds of the Association shall be deposited in the Northern Affairs Trust Fund in the name of the Association.
- b) Invoices for payment by Northern Affairs shall be approved by the Association and signed by a minimum of two executive members of the Association.
- c) Signing authority and sample signatures shall be submitted to Northern Affairs within 30 days of the election or appointment of new Executive members.
- Remuneration of Executive Members 30. No remuneration shall be paid to the Executive members other than compensation for travel and sustenance while on Association business at rates approved by the Executive.

AMENDMENT OF OPERATING PRACTICES

- Amendments 31. a) The Executive may, by resolution amend, repeal or create any operating practices that regulate the activities and affairs of the association.

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- b) The Executive shall submit any operating practices, or any amendment or repeal thereof to the next meeting of members and the members may, by ordinary resolution, confirm, reject or amend the operating practices amendment or appeal.
- c) Any operating practice, or an amendment or repeal thereof, except financial practices, is effective from the day of the resolution of the Executive until confirmed, confirmed as amended, or rejected by the members. Financial practices as stated in articles 24 through 30, inclusive, which shall require confirmation by the members prior to becoming effective.
- d) If any operating practice, or any amendment or repeal thereof is rejected by the members or is not submitted to the next meeting of members, the practice, amendment or repeal thereof ceases to be effective and no subsequent practice, amendment or repeal having substantially the same purpose or effect shall be effective until confirmed or confirmed as amended by members.
- e) Except in the case of first policies made by the Executive, every practice, amendment or repeal thereof shall state an effective date which shall not be more than 30 days from the day on which the policy, amendment or repeal is made.
- f) Every operating practice and every amendment or repeal thereof shall be communicated to the membership at the annual meeting.

Effective Date: These operating practices have been approved by the membership and shall be effective on the 13th day of May, 1992.

(Original signed by John Fulton), President, Setting Lake Cottage Owners Association