

# BY-LAWS

## ARTICLE I - Name and Purpose

**Section 1.** The name of this club shall be Blind Lake ATV Club

**Section 2.** The purposes of this club are:

- to stimulate and advance the general welfare and safety of ATViing;
- to provide a medium for the exchange of ATViing information;
- to develop a fraternal spirit among local ATViers and other recreational enthusiasts;
- to serve the interests of ATViing owners;
- to defend such owners against discriminatory legislation, regulations and burdensome taxation;
- to own or lease *personal (tractors?)* property for club uses.
- to perform all desirable and lawful functions for the successful operation of the club and in the general public interest.

## ARTICLE II - Membership

**Section 1.** Membership in the club shall consist of the following class(es):

a) Active Members

b) Associate and Honorary Members (optional), to be awarded by the majority vote of the board members

**Section 2.** Active membership is available to all ATV. owners and enthusiasts without regard to sex, race or religious beliefs. Active membership shall extend to all members under age 18 of a co-habiting family.

**Section 3.** Applications for membership shall be made in writing ~~addressed~~ *delivered* to the Secretary of the club on the appropriate form ~~containing an agreement by the applicant to abide by the required dues and purposes of the club.~~

**Section 4.** ~~Each active member shall also be registered as a member of the All Terrain Vehicle Association of Minnesota (ATVAM).~~ *The Blind Lake ATV Club supports the All-Terrain Vehicle Association of Minnesota, (ATVMN), but does not require membership in this organizations to be a member of this club. Club membership dues do not include membership in ATVMN. A minimum of one Executive Board Officer is required to be a member of ATVMN to maintain credentials as an ATVMN. Membership to ATVMN by club members is also strongly encouraged.*

**Section 5.** A member may resign from the club at any time upon written notice to the Secretary. *Or not pay the next year's dues. There will be no partial reimbursement*

**Section 6.** Membership in the club may be terminated by majority vote of the Board of Directors in the event of nonpayment of dues or other action not consistent with the By-laws of the club. Termination of any member shall not release said member from the obligation to pay all dues and other amounts owed to the period of membership.

**Section 7.** The Board of Directors may establish the qualifications and rights of Associate and Honorary Members

### **ARTICLE III - Dues**

**Section 1.** The amount of dues as well as the time for their payment shall be determined from time to time by action of the Board of Directors. *Any suggested increase in dues shall be brought up and voted on by the club at a membership meeting.*

~~**Section 2.** The dues payable to this club shall be sufficient to include membership in the ATVAM and the proper amount shall be forwarded to that organization at the appropriate~~

### **ARTICLE IV - Fiscal Year**

**Section 1.** The fiscal year of the club shall commence on the date of incorporation tentatively the first day of November and end on the thirty-first day of October.

### **ARTICLE V- Management**

**Section 1.** The management of the club is vested in the Board of Directors.

### **ARTICLE VI - Officers**

**Section 1.** The officers of the club shall be: President, Vice-President, Secretary, Treasurer, ~~ATVAM representative~~, and Two Board of Directors members. *Trail Administrator will be a member of the board that is not an elected position??*. These seven shall constitute the club's Board of Directors.

**Section 2.** The officers shall be elected from the membership by plurality vote who are in attendance at the membership meeting held in the month of October. Vacancies occurring between such elections shall be filled for the unexpired term by the Board of Directors at any Board meeting.

*Elections will occur as follows*

*Odd year President, Secretary, Board of Director #1*

*Even year Vice-President, Treasurer, Board of Director #2*

**Section 3.** All officers shall take office immediately upon election and hold office for a term of ~~one~~ **Two years** or until their successors ~~shall have been~~ **are** elected and qualified.

**Section 4.** The President shall preside at all meetings of the club and of its Board of Directors and shall oversee and coordinate such committees as are authorized by the Club. He or she shall be a member ex-officio of all such committees and shall carry on those other responsibilities assigned to him or her by these bylaws and the Board of Directors. The President shall appoint all standing committees and special committees of the club.

**Section 5.** The Vice-President, during the absence or temporary incapacity of the President, shall perform the duties and have the powers of the President. ***The President or Board of Directors may appoint in interim a position temporarily vacated until an annual or special election can be held or person resumes position.***

**Section 6.** The Secretary shall keep all club records, except financial records, including minutes of meetings, roster of members, list of committees and their members; shall send out notices of meetings, received applications for membership, and discharge all of the usual secretarial functions of the office required by these bylaws.

**Section 7.** The Treasurer shall keep all financial records of the club and have charge of its funds. He or she shall keep all of the funds in a bank approved by the Club and in the name of the club. The President's signature shall also be on the account signature card in the event of the absence or temporary incapacity of the Treasurer. ***In case of possible conflict such as husband and wife, the additional signature on the account shall be the Vice-President or the Secretary.*** The Treasurer shall disburse such funds of the club under direction of the Club. Withdrawals shall be made by check signed in such manner as may be approved from time to time by the Club. A Treasurer's report shall be prepared for each Board Meeting, and an annual audit shall be prepared and submitted at the March membership meeting,

**Section 8.** The Board of Directors shall be the governing body of the club except when meetings of the club are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the club not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the Board of Directors. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the Board of Directors shall be made to the membership at the next following meeting. A majority of the members of the Board of Directors shall be required for a quorum.

**Section 9.** ***Any member of the club may attend as an ATVMN representative to*** any meetings of the Board of Directors of ~~ATVAM~~ **ATVMN** and shall represent the interests of this club at those meetings.

**Section 10.** All officers shall have such other powers and duties as are required by law.

**Section 11.** Removal of officers - Any officer not doing their job under these bylaws may be removed by a majority vote of the Board of Directors, or at a regular scheduled meeting with 30 day notice of membership.

## **ARTICLE VII - General Membership Meetings**

**Section 1.** The Annual Meeting of the members of the club shall be held at the time and place designated by the Board of Directors. The Major business of this meeting shall be the election of the Board of Directors.

**Section 2.** Regular meetings of the members of the club shall be held monthly at the time and place fixed by resolution at the previous meeting or as designated by the President or by the Board of Directors.

**Section 3.** Special meetings of the club may be called by the Board of Directors, or by the President, by giving adequate notice of the time, place and purpose of such special meetings, or any group of 15 active members can request a special meeting with the Board of Directors by giving 10 days notice of the time, place and purpose the special meeting. *In case of an emergency, the 10 day notice can be waved.*

**Section 4.** Written notices of the time and place of the Annual and all other meetings of the membership shall be prepared and distributed to the membership by the Secretary.

**Section 5.** The active members present at any duly called meeting shall constitute a quorum. Any formal action taken at any meeting of the membership shall require a majority vote of these active members present.

**Section 6.** A "qualified vote" is limited to one per active individual membership and two per active family membership.

## **ARTICLE VIII - Election Procedures**

**Section 1.** A "qualified member" is an active individual member age 18 or older whose dues are paid or an active family member age 18 or older whose dues are paid.

**Section 2.** *Nominations for board positions will be presented at any regular meeting when nominations are opened. If needed,* a Nominating Committee of at least 3 persons shall be appointed by the Board of Directors from the qualified members.

**????Section 3.** The Nominating Committee shall place in nomination candidates for election to the Board of Directors for each prospective vacancy from among the names of the qualified members of the club.

**Section 4.** Nominations by the Nominating Committee shall be made at the regular or special meeting of the club held in October of each year. At least fifteen days advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be held at the October meeting ***nominations be held in previous meeting***

**Section 5.** To be eligible for office a member must be a qualified member.

**Section 6.** Officers and directors shall be elected by ~~secret ballot~~ **vote** and the balloting shall be so conducted as to afford to all qualified members a reasonable opportunity to vote. At least fifteen days advance notice shall be given the membership prior to the holding of the election. ***No absentee voting, must attend meeting to vote***

#### **ARTICLE IX - Miscellaneous Provisions**

**Section 1.** Roberts Rules of Order revised shall be the guide in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

#### **ARTICLE X - Amendments**

**Section 1.** These By-laws may be amended by the affirmative vote of a majority of the active members attending the Annual Meeting, or at any meeting of the club provided 30 days notice of intent to amend is published.

#### **ARTICLE XI - Dissolution**

**Section 1.** In the event that this club shall disband, all assets shall be disbursed to nonprofit organizations as determined by the Board of Directors. The foregoing bylaws were approved by a majority of the active members present at a meeting of the membership of the above organization.

Dated: 9-21-03

Rebecca Tuckenhagen

Secretary

## ARTICLE II - Membership Revision 5-15-2004

**Section 1.** Membership in the club shall consist of the following class(es):

- a) Active Individual Membership: Individual who is current with yearly dues and is age 18 or over or single parent with co-habitation family all under the age of 18.
- b) Active Family Membership: Married adults who are current with yearly dues and all co-habiting family members under the age of 18.
- c) Associate and Honorary Members (optional), to be awarded by the majority vote of the board members
- d) ~~Active~~ Lifetime Individual: Individual who is current with yearly dues and is age 18 or over or single parent with co-habitation family all under the age of 18. *Lifetime membership is eliminated. Original Lifetime memberships are grandfathered in.*
- b) ~~Active~~ Lifetime Family: Married adults who are current with yearly dues and all co-habiting family members under the age of 18. *Lifetime membership is eliminated. Original Lifetime memberships are grandfathered in.*

**Section 2.** Active membership is available to all AT V. owners and enthusiasts without regard to sex, race or religious beliefs.

*This below will be eliminated. Article II will be updated in the Article II section*

## ~~ARTICLE II - Membership - Revision 2-12-2010~~

~~**Section 4.** Each active member shall also be registered as a member of the All Terrain Vehicle Association of Minnesota (ATVAM).~~

**Changed to**

~~**Section 4.** Each active member is strongly encouraged to join All Terrain Vehicle Association of Minnesota (ATVAM-*ATVAMN*).~~

***“Bylaws - To receive a Minnesota state grant, clubs are now required to have Conflict of Interest Language in their Bylaws. Listed below are some new provisions regarding COI, which is recommended to be added to club bylaws under Article X, Section 2.”***

***Article X – Miscellaneous Provisions***

***Section 1 – Conflict of Interest***

***Grant Related: “If any member of the club believes a possible conflict of interest may exist (either for themselves or another person), they must notify both the grant sponsor and the DNR promptly. Financial decision-makers such as board members and officers are generally regarded to have a conflict of interest that is direct enough, they cannot bid to the club for services. Once notified, the sponsor will work together with the DNR to determine if there is an actual or potential conflict of interest as well as appropriate mitigating actions”.***

***Club Related : If any member of the Blind Lake ATV Club, its Board of Directors, which includes club officer positions of the President, Vice-President, Treasurer, Secretary, Trail Administrator, and 2 Board of Directors members #1 and #2, have a financial or personal interest, that may in any matter coming before the Board, shall disclose the nature of that interest prior to discussion or vote. The interested person shall not participate in the vote on the matter, and the remaining club and/or board members shall determine whether the transaction or arrangement is fair, reasonable, and in the best interest of Blind Lake ATV Club. The disclosure and action taken shall be recorded in the club meeting minutes.***