



## **FORSYTH SNOWMOBILE AND ATV CLUB**

P.O. Box 444  
Gwinn, Michigan 49841

### **BY-LAWS**

Adopted September 3, 2019

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# **FORSYTH SNOWMOBILE AND ATV CLUB BY-LAWS**

## **CHAPTER 1 DESIGNATION**

The title of the corporation shall be Forsyth Snowmobile and ATV Club. The club shall be known as and referred to as **Forsyth Snowmobile and ATV Club**.

For the purpose of simplicity and brevity of this document and during general discussions, the terms “Club” and/or “the Club” refers directly to the “Forsyth Snowmobile and ATV Club”.

## **CHAPTER 2 SCOPE**

**PURPOSE:** Forsyth Snowmobile and ATV Club is a non-profit corporation and shall be operated for educational purposes, in support of community activities, and for charitable purposes within the definitions of section 501 (c)(3) of the Internal Revenue Code of 1986 or the corresponding section of any future Federal Tax Code.

**POWERS:** The corporation shall have the power, directly or indirectly, alone or in conjunction or cooperation with others, to do any and all lawful acts which the corporation is organized, and to aid or assist other organizations or persons whose activities further accomplish, foster, or attain such purposes. The powers of the corporation may include, but not limited to, the acceptance of contributions from the public and private sectors, whether financial or in-kind contributions.

**NON-PROFIT LEGAL STATUS:** Forsyth Snowmobile and ATV Club is a Michigan non-profit benefit corporation, recognized as tax exempt under 501 (c)(3) of the United States Internal Revenue Code.

**EXEMPT ACTIVITIES LIMITATION:** No part of the net earnings of the corporation shall inure to the benefit or be distributable to any director, officer, or member.

**DISTRIBUTION UPON DISSOLUTION:** Upon termination or dissolution of the Forsyth Snowmobile and ATV Club, any assets lawfully available for distribution shall be distributed to one or more qualifying organizations described in section 501 (c)(3) of the 1986 Internal Revenue Code, which at least generally; includes a purpose similar to the terminating dissolving corporation.

## **CHAPTER 3 MEMBERSHIP**

The various types of membership shall be as follows:

1. **MEMBER** – the individual shall reside full or seasonally within the general local area. Meet membership requirements as later defined within this document. Be current with their appropriate financial membership dues. The Member shall have a single voting privilege on matters pertaining to Club business and Club decisions. Have access to the Clubhouse and to the best of their ability actively participate in Club functions and activities. Members between 18 – 21 years of age will only be granted restricted access to the Clubhouse as they must be accompanied by a Member over 21 years of age.

Couples (*spouse or legal significant other*) both shall meet the qualifications and hold all the benefits of an individual Member, including voting privileges. Dues are at the Couples rate.

*Note: if the spouse does not desire voting privileges, see Family membership.*

Children age 18-21 of a Member/Couples may become a Member as described above if they desire to have voting privileges. Dues rates are the same as any individual Member.

*Note: if the children age 18-21 do not desire voting privileges, see Family membership.*

2. FAMILY – extends automatically to the spouse, children (*under 21-years of age*), or guardian of the Member. Family members do not pay dues and have no voting privileges. They may however participate in Club activities or utilize the Clubhouse when accompanied by a Member.
3. LIFETIME – the Club may vote to assign an individual whose membership is in good standing to the status of Lifetime Member for their previous outstanding works, long standing dedication and devotion to the pursuance of the Club. The Lifetime Member retains all the benefits of a Member but is exempt from paying dues.
4. ASSOCIATE – an individual that wishes to be part of the club but lives beyond the general local area or may not attend Club meetings, functions or activities on a regular basis. Associate members pay a reduced dues rate and have no vote on Club business and Club decisions. They may however participate in Club activities or utilize the Clubhouse when accompanied by a Member.
5. PROFESSIONAL – for manufacturers, distributors, suppliers, dealers, repair centers, media, and professional services (consultants, insurance, legal, etc.). Professional membership is rendered to company representatives. Professional members have no vote on Club business and Club decisions.

**APPLICANTS:** Shall be at least 18-years of age and possess or own a registered snowmobile/ATV or show just reason why membership will be for the good of the Club. Applicants shall be sponsored by any existing Club member in good standing (Member, Associate, Lifetime or Professional). The sponsor shall submit the application to the Club secretary or designee. The application will be recorded in the next business meetings minutes and acted upon provided both the sponsor and applicant are able to attend. In the absence of the sponsor, it is the sponsors responsibility to arrange for a Member to act as the sponsors designee. Membership acceptance requires a quorum and majority of in favor votes cast. The applicant shall be temporarily excused during their membership discussion and election phase of the meeting.

**DUES:** Shall be paid in advance for the upcoming year with a due date no later than January 1<sup>st</sup>. Rates are listed in Table 1. below and subject to change in accordance with the Bylaw Amendment section of this document. Members with dues in arrears after January 1<sup>st</sup> are no longer in good standing and lose their voting privileges. Those in arrears over 30-days will be notified by the secretary and given until March 1<sup>st</sup> to pay dues or their membership will be cancelled. Reinstatement requires a sponsor, new member application, and be voted back in. At which time dues plus initiation fee must be paid.

Dues will pro-rated for new members joining in the second half of the calendar year. Members accepted in the Club January through June pay the full dues rate. Members accepted in the Club July through Dec pay half (50%) of the annual dues rate.

**INITIATION FEE:** New members shall pay a one-time initiation fee as applicable (See Table 1.) upon being granted membership to the Club. Those whose membership was cancelled due to nonpayment but are reinstated are considered new members and shall pay the Initiation Fee again.

|                              | <u>ANNUAL DUES</u> | <u>INITIATION FEE</u> | <u>VOTE</u> |
|------------------------------|--------------------|-----------------------|-------------|
| Member ( <i>individual</i> ) | \$ 35              | \$ 25                 | Yes         |
| Couples                      | \$ 45              | \$ 25                 | Yes         |
| Family                       | No charge          | Not applicable        | No          |
| Lifetime                     | No charge          | Not applicable        | Yes         |
| Associate                    | \$ 25              | Not applicable        | No          |
| Professional                 | \$ 50              | \$ 25                 | No          |

Table 1

**CODE OF CONDUCT:** Safety of such an organization as this Club is paramount and shall never be compromised. In addition, members shall be mindful how comments or actions will be perceived within a group setting. Inappropriate comments or behavior anytime or any actions that jeopardize the safety of others will not be tolerated.

**REPRESENTATION:** A member's character and actions are a reflection of the Club's reputation. A member shall not behave in a manner that adversely affects the reputation of the Club at any event, activity, or meeting.

**RESPECT and INTEGRITY:** Members are responsible for respecting the integrity and dignity of each and every Club member at all times. Members are committed to making the Club a more inclusive organization based on mutual respect and appreciation of others.

**VIOLATIONS:** Code of Conduct violations shall be reported to the Board, Trail Boss, or event Leader for immediate and proper rectification.

In the best interest of maintaining order and preserving the integrity of the entire Club, charges against a member shall be made to the Board in writing and addressed at the following general meeting. If deemed significant, the President shall appoint 3 members and the accused shall appoint two members to conduct an investigation. The results of the investigation shall be presented to the Board within 30-days of completion. At the next general meeting, the Board shall recommend a course of action (dismiss the charge, reprimand, temporary suspension, termination, or other). Any action, other than recommendation for termination, may be voted upon and carried out if supported by a majority vote.

**MEMBERSHIP TERMINATION:** Such a charge against a member may be carried out by a vote of the Club if deemed warranted in the best interest of maintaining order and preserving the integrity of the entire club. A motion for termination shall be recorded in the minutes but can only be acted upon at the next general business meeting. At which time, a vote of two thirds (2/3) majority or more of voting members (present and absentee) is required to terminate membership. In a case of termination, membership dues are not prorated nor refunded to the member. The member shall surrender any locks, keys, codes, or Club owned items.

## **CHAPTER 4 EXECUTIVE BOARD**

**EXECUTIVE BOARD:** Shall consist of an elected Board of Directors and Board Members.

**BOARD OF DIRECTORS:** The Forsyth Snowmobile and ATV Club shall have a Board of Directors of at least 4 members; President, Vice President, Secretary and Treasurer.

**PRESIDENT:** Shall provide overall leadership, direction, and accountability. Preside over Club meetings and proceedings. Delegate or assign responsibilities as needed.

**VICE PRESIDENT:** Assist the President and other Club officers. Effectively contribute to the Club's operation. In the absence of the President, preside in that role.

**TREASURER:** General financial oversight, financial reporting, banking, and bill pay. In the absence of the Treasurer, the Vice President is authorized to sign checks.

**SECRETARY:** Maintain effective Club records and administration, communication and correspondence, ensure meetings are effectively organized and recorded. Publish meeting minutes.

**BOARD MEMBERS:** Other potential Board positions could include but is not limited to; Safety Director, Membership Director, Marketing Director, Social Coordinator, Building Superintendent, or other as deemed necessary.

All Board of Directors and Board Members shall be elected to serve a one-year (1-year) term with elections held in January. The Fiscal Year will be March to February. At the November general meeting the President shall appoint two members to conduct an audit of the Treasurers

financial records. The audit shall be completed no later than December 31<sup>st</sup> and the findings briefed and entered into record prior to elections at the January general meeting.

**REMOVAL FROM THE BOARD:** A motion for termination to remove a member of the Board shall be recorded in the minutes but can only be acted upon at the next general business meeting. At which time, a vote of two thirds (2/3) majority or more of voting members (present and absentee) is required for termination.

## **CHAPTER 5 MEETINGS**

**GENERAL BUSINESS MEETING:** Will be held the first Tuesday of each month at 7:00 pm at the Clubhouse. Proceedings shall follow Roberts Rule of Order.

**QUORUM:** A minimum of 10 voting members in good standing must be physically present to constitute a quorum. Without a quorum no action(s) may be voted upon or enacted. If a quorum is present, a majority of voting members, present or absentee, may pass motions.

**VOTING:** Any member in good standing with voting privileges may cast a vote either in person or by absentee ballot. Absentee ballots must be received by the Club Secretary no later than Friday preceding the next Club meeting. Ballots shall be mailed to the Secretary at:

Forsyth Snowmobile and ATV Club  
PO Box 444  
Gwinn, MI 49841

It is the members responsibility to submit their absentee ballot by mail. The Club will not mail out absentee ballots.

**FINANCES:** Any member of the Board may make reasonable purchases pursuant to Club duties. The spending of other Club funds must be approved in advance during a general business meeting. The President and Vice President must both agree in order to authorize the spending of any Club funds, if necessities arise between general business meetings. If that amount exceeds \$500, it also requires the Treasurer and Vice Presidents signature.

**BOOKS AND RECORDS:** The Club corporation shall keep correct and complete books and record of account and shall keep minutes of the proceedings of all meetings, actions of its Board of Directors, and record of all actions taken by committees. In addition, the corporation shall keep a copy of the corporations' articles of incorporation and by-laws as amended to date.

## **CHAPTER 6 MEMBER RESPONSIBILITIES**

All members utilizing the Clubhouse are responsible for keeping it clean. The last person to leave the clubhouse is responsible for checking the pump, bathrooms, lights, thermostat, bonfire, grill, doors, etc. A checklist is posted.

Students, children, minors must be accompanied by a parent or club member when at the Clubhouse.

All members at fault of Club property damage shall be liable.

## **CHAPTER 7 CLUB ORGANIZED RIDES**

On all organized rides, members will stay together unless previous arrangements are made with the ride Chairman. All runs will start on time as scheduled at the designated starting location. The ride Chairman or designee shall give a briefing outlining the ride, locations, hazards, and safety measures prior to departing.

All State laws shall be followed. Avoid private property if possible and stay on the designated trail. Stay off highways and sidewalks unless posted as a trail.

A first aid kit is available at the Clubhouse and should be carried on all organized rides.

## **CHAPTER 8 BY-LAW AMENDMENT**

These by-laws may be amended, altered, repealed or restated by a two-thirds vote of members present or absentee during a general business meeting, following a 60-day review period.

No amendment shall be made to these by-laws which would cause the corporation to cease to qualify as an exempt corporation under section 501 (c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any Federal Tax Code.

A copy of these by-laws is available at the clubhouse and copies will be made available to each member upon request.

By-laws will be reviewed yearly by an appointed committee of two (2) members following the annual elections. The committee has 2-months to conduct its review and shall report to Membership during the March business meeting.

## **CHAPTER 9 COUNTERTERRORISM AND DUE DILIGENCE POLICY**

In furtherance of its exemption by contributions to other organizations domestic or foreign, the Forsyth Snowmobile and ATV Club shall stipulate how the funds will be used and shall require the recipient to provide the corporation (Club) with detailed records and financial proof of how the funds were utilized.

Although adherence and compliance with the US Department of Treasury's publication the "Voluntary Best Practice for U.S. Based Charities" is not mandatory, the Forsyth Snowmobile and ATV Club willfully and voluntarily recognizes and puts to practice the guidelines and suggestions, to reduce, develop, re-evaluate and strengthen a risk-based approach to guard against the threat of diversion of charitable funds or exploitation of charitable activity by terrorist organizations and their support networks.

Forsyth Snowmobile and ATV Club shall also comply and put into practice the Federal guidelines, suggestion, laws and limitations set forth by pre-existing U.S. legal requirements related to combating terrorist financing, which include, but are not limited to various sanctions programs administered by the office of Foreign Assets Control in regard to its foreign activities.

**ADOPTION OF FORSYTH SNOWMOBILE AND ATV CLUB BY-LAWS:**

WE THE UNDERSIGNED, ARE ALL THE INITIAL DIRECTORS OF THE CORPORATION, VOTED IN BY OUR MEMBERS AND EXECUTIVE BOARD AND HEREBY DO ADOPT THE FORGOING BY-LAWS, CONSISTING OF 5 PROCEEDING PAGES AS THE BY-LAWS OF THIS CORPORATON.

ADOPTED AND APPROVED BY THE MEMBERS AND EXECUTIVE BOARD THIS 03<sup>RD</sup> DAY OF SEPTEMBER 2019.

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Todd Lundstrom  
President  
Forsyth Snowmobile and ATV Club

ATTESTED BY:

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Laurie Van Damme  
Secretary  
Forsyth Snowmobile and ATV Club

# **FORSYTH SNOWMOBILE AND ATV CLUB BY-LAW AMMENDMENTS**

The Forsyth Snowmobile and ATV Club By-Laws are hereby amended by the Club per the following Appendixes:

DATE

APPENDIX

PRESIDENT

SECRETARY