

# **OSSEO AREA DUSTY RIDERS BY-LAWS**

## **Article I - Name**

The name of this organization shall be Osseo Area Dusty Riders.

## **Article II - Address**

The address for Osseo Area Dusty Riders shall be the home of the current treasurer and/or president.

## **Article III – Organization and Records**

Osseo Area Dusty Riders is organized exclusively for charitable and educational purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

The corporate records, including the incorporation document, tax status and membership and board meeting minutes shall be at the home or business address of the current secretary or their designee.

## **Article IV - Mission**

The mission of the Osseo Area Dusty Riders is to provide a positive experience for all ATV/UTV riders who utilize the trails that their organization has adopted. The organization was founded in 2009 and re-organized in 2018 and vows to maintain the trail system, develop and share maps, promote safety and education programs, and provide a conduit of communication between fellow ATV/UTV clubs, government entities, and the general public. Furthermore, the Osseo Area Dusty Riders recognizes areas of need in their community and will support these needs with charitable donations.

## **Article V - Purpose**

The purpose of the Osseo Area Dusty Riders is to:

- A. Maintain adopted trails by monitoring the trail conditions and repairing, as needed. Arrange bi-annual grooming of trails. Repairs include trim grass, brush, and trees for improved safety. Remove fallen trees.
- B. Maintain signage on adopted trails/routes which provide trail information, promotes local businesses, and identifies connecting trails.
- C. Provide community awareness and education on the safety and operation of ATV/UTVs. Including the City of Osseo ATV Diversion Program developed with the City Police Department to educate riders upon their first citation.

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- D. To provide a medium for the exchange of recreational vehicle information, including between the counties, townships, citizens, tourists and members. Maintain a professional and working relationship with other recreational vehicle clubs and work together to achieve similar goals.
- E. Submit comments, provide guidance or education to local townships on adaption of ATV/UTV laws to aide with their compliance with every changing state law.
- F. Work to enhance the Osseo Community by participating in volunteer opportunities. and provide charitable donations.
- G. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.
- H. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code

### **Article VI - General Rules**

The general rules Osseo Area Dusty Riders members agree to follow are:

- A. Stay on established trails at all times unless a specific area is designated as a playground for open riding.
- B. To obey all DNR and local municipality rules or regulations.
- C. No littering at any time.
- D. No member of the club can hold a landowner or any other member liable for injuries or equipment damage suffered while riding on established trails or participating in club activities.
- E. Club members will ensure the safety of others by periodic stops during group rides to make sure all members are accounted for.

Violators of the Club rules may be brought before the club for recommendation of termination of membership.

### **Article VII - Membership**

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- A. The membership shall consist of individuals, businesses, and cohabitating family members.
- B. Only members with current/paid membership or a will be considered qualified and able to vote.
- C. The paid membership will be active from March 1 of the current year through the last day of February of the following year.
- D. Membership fees are non-refundable.
- E. Membership into the Osseo Area Dusty Riders shall be determined in a non-discriminatory basis without regard to race, gender, or national origin.
- F. Applications for membership shall be made on the appropriate form containing an agreement by the applicant to abide by the By-Laws and purposes of Osseo Area Dusty Riders and by paying the required dues.
- G. A member of Osseo Area Dusty Riders may resign from the club at any time upon written notice to the secretary and treasurer.
- H. A member in Osseo Area Dusty Riders may be terminated by majority vote of the executive board in the event of non-payment of dues or other action not consistent with the by-laws of the club. Termination of any member shall not release him/her from the obligation to pay any amounts owed to the Club for the period of membership.
- I. The amount of membership dues as well as the time for their payment shall be determined from time to time by action of the executive board.

## **Article - VIII - FISCAL YEAR**

The fiscal year of the Club shall run from the first day of January and end on the thirty-first day of December.

## **Article IX - Officers**

### **Section 1 - Term**

All offices will be for a term of two years.

### **Section 2 - Election**

- A. President, secretary and two board members will be elected in odd numbered years and the offices of the vice president, treasurer, one board member and the social media assistant position will be elected in even numbered years.

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- B. Any qualified member may make a recommendation for any position. The president must consider the nominees, responsibilities and the ability to serve. The president may ask for a second and then a majority vote will determine the position.
- C. All officers shall be elected at the annual meeting and assume office immediately. All officers will serve until their successors have been elected and duly installed.
- D. To follow are the requirements to be qualified to become an officer or board member:
  - 1. The individual shall have a current and paid membership
  - 2. The individual shall commit to active participation
  - 3. The individual shall be eighteen years older or older
  - 4. The individual shall be elected by the majority vote of present qualified members
  - 5. The individual shall be physically present at the election
- E. All members willing to assume a position on the executive board must be committed to the purpose of the club and have the ability to attend on a regular basis.

### **Section 3 - Duties**

- A. The president shall be the chief executive officer of the organization. He/she shall preside at all meetings of the organization, shall preside at the meetings of the executive board, shall sign all documents requiring an official signature, and shall perform all other duties incidental to the office. The president shall electronically file the annual report with the Wisconsin Department of Financial Institutions each year with the elected officials, current by-laws and any other required documents. The president shall be responsible for the Wisconsin Charitable Gaming license renewal that needs to be applied for each year by June 28<sup>th</sup>.
- B. The vice president shall perform the duties of the president in the temporary absence or incapacity of the president. The vice president shall perform the duties of coordinating community gatherings, such as monthly club rides and events.
- C. The treasurer shall keep accurate record of all monies allocated to the organization, shall supervise the disbursement of funds subject to the direction and approval of executive board, and shall serve as the chair of any finance committee. The treasurer shall keep all funds in a bank approved by the organization or executive board. The treasurer shall be prepared provide a report at each meeting of the bank account balances for approval by members. The treasurer shall provide an annual financial audit and present the audit at the annual meeting. The treasurer shall file the clubs yearly tax requirements, due on June 15<sup>th</sup>

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each year (this can normally be filed using the 990-N Postcard available online). The treasurer shall become Surety Bonded within six months of taking office.

- D. The secretary shall keep accurate record of the activities of the organization. The secretary shall issue notices of organization meetings, shall be responsible for the correspondence of the organization, shall prepare and keep a listing of all officers, committee chairs and members, all current and previous members for the previous two years, and shall be responsible for maintaining records regarding any corporate records including the incorporation document, by-laws, and minutes. The secretary shall request the president provide all documents filed with or received by of the Wisconsin Department of Financial Institutions and Wisconsin Charitable Gaming records to the them for retention and storage. The secretary shall request the treasure provide all documents filed with or received by the IRS to them for retention and storage.
- E. The board members shall advise or make policy for the organization on program, image, advocacy, resource, and membership development. Board members should help formulate and recommend programs and activities to the membership of the organization for approval. Board members shall advocate for the members of the club and perform essential organization activities as requested.
- F. The social media assistant shall manage the club social media channels, including Facebook and the club email. The social media assistant shall respond to all electronic inquiries to the club in a timely manner. The social media assistant should promote interaction and represent the club in a professional manner. The social media assistant should create Facebook events for all meetings and rides, post any valid and related content and monitor the social media accounts for inappropriate comments. The social media assistant should assist with the graphic design of any printed material (including shirts and other materials) and promotion of any event. It is the responsibility of the social media assistant to keep the social media accounts active, current, correct and up to date.
- G. Vacancies occurring in any office due to resignation, illness, death or other incapacity to comply with the assumed duties shall be filled by election by the organization members. Such officers shall serve only until the next regular election.
- H. All officers shall have other powers and duties as are required by law.

## **Article X - Executive Board**

### **Section 1 - Composition**

The executive board shall be composed of the president, vice president, treasurer, secretary and the three board members.

### **Section 2 - Duties**

- A. The executive board shall be the governing body of Osseo Area Dusty Riders except when meetings are in session. All matters affecting the policies, aims and means of

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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 executive board.

- B. A simple majority of the executive board members must be present to constitute a quorum for transacting business. The outcome of any decision will be determined by the finding of a majority vote.
- C. A report on all actions taken by the executive board shall be made to the membership at every meeting. A motion shall be made and seconded to approve reports.
- D. The executive board shall determine the amount of membership dues and the time of payment.
- E. An executive board or member majority vote may appoint an authorized representative to act on the club's behalf for a limited term. The term and privileges shall be documented by the secretary and published in the minutes.

### **Article XI - Meetings of the Membership**

- A. The annual meeting of the membership shall be held in April of each year. The major business of this meeting shall be the election of officers and approval of the financial audit.
- B. Meetings of the membership shall be held monthly at the time and place fixed by resolution at the previous meeting or as designated by the executive board.
- C. The meetings of the membership shall be to conduct business of the organization. More specifically the meetings shall be for the following:
  - 1. To approve, reject, amend or refer back to the committees for further study reports from special or standing committees
  - 2. To introduce new ideas with request for the president to appoint committees to make further studies and report back their recommendations to the organization
  - 3. To evaluate reports of the completed activities, projects or programs and make suggestions for improvement
  - 4. To provide members with the information concerning program helpful to them in their efforts to address recreational needs
- D. Anyone who wishes to address the membership from the floor shall identify himself/herself to the membership
- E. Written notice of the time, date and location of all meetings shall be made by the monthly newsletter, distributed by the secretary.

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- F. Special meetings may be called by the president, executive board or at least five members of the organization by giving adequate notice of time, date, location and purpose of meeting.
- G. Five qualified members and two officers present at a membership meeting shall constitute the minimum for quorum. The outcome of any decision will be determined by the finding of a majority vote of qualified members present at the membership meeting.
- H. Each member over eighteen years of age, with paid dues, shall be entitled to one vote.

## **Article XII - Monies Management**

- A. All distributed monies shall be justified and properly supported by proper documentation of receipt.
- B. All club disbursements shall be made by check or use of the account debit card. The card shall be held and maintained by the treasurer and/or president. The treasurer may allow an authorized member to retain and use the card for a justified reason.
- C. All checks shall be pre-numbered and no starter checks may be used. No checks will be distributed or written to "cash."
- D. The treasurer or administrative assistant shall prepare an annual audit at the annual April meeting.
- E. The monies shall be kept at a bank approved by the membership and that bank shall be notified immediately upon change in persons authorized to sign checks. The persons authorized to sign checks shall be only the current president and the treasurer.
- F. If Osseo Area Dusty Riders club decides to split, the assets and liabilities remain with the Osseo Area Dusty Riders.
- G. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes described in section 501(c)(3).
- H. Upon dissolution of the Osseo Area Dusty Riders the remaining assets must be used exclusively for tax exempt purposes, such as religious, educational or scientific.

## **Article XIII - Amendments**

These by laws were approved and accepted by an Executive Board majority vote on or about February 26, 2021.