

DEWART LAKE PROTECTIVE ASSOCIATION, INC.

Corporate Bylaws Up-dated June 12, 2022

Article 1 Name and Objectives

SECTION 1 – Name and Corporation Status.

The name of the corporation shall be Dewart Lake Protective Association, Inc.

The Association is a public benefit corporation.

The Association has perpetual duration succession to the corporate name.

The Association is organized exclusively for charitable, educational, and scientific purposes.

None of the earnings of the Association shall benefit its members, trustees, officers of other private persons, etc.

Upon dissolution of the Association, assets shall be distributed for one or more except purposes within the meaning of section 501(c)(3) of Internal Revenue Code, etc.

SECTION 2 – Objectives

The objectives of this organization shall be:

1. To promote the environmental well being of the lake including the reduction of litter in and around the lake area.
2. To promote a balance between the natural lake environment and human recreational activities.
3. To promote cooperation with agencies such as the IDNR, USDA, Army Corps of Engineers, etc. to prevent natural or man-made occurrences that are detrimental to the well being of the lake and wetlands.
4. To promote goodwill between the Dewart Lake community members as it relates to supporting the main objectives of the association.
5. To promote membership.

Article 2 Members

SECTION 1 – Voting Members

Any person who pays annual membership dues to the Association shall be entitled to one (1) vote per motion, either in person or by proxy, at all elections providing that said dues are paid before each annual meeting. Proxies shall be in writing and shall be signed by the member granting the proxy. No proxy shall be valid after eleven (11) months from the date of its execution unless a longer term is expressly provided therein. The elected officers will also have the right to vote at all meetings. The President's vote can only be used to break a tie. Membership is at the discretion of the Board of Directors and elected officers.

SECTION 2 – Annual Meeting

The Annual Meeting of the members of the corporation shall be held at Dewart Lake in Kosciusko County, Indiana, on the second Saturday of June of each year at 10:00 a.m. for the election of directors and officers and the transaction of any other business as may lawfully come before the meeting. The notice of the Annual Meeting will be included in the Newsletter and posted on the Dewart Lake Protective Association website. It will state the time and place.

SECTION 3 – Special Meetings

Special meetings may be called by any two members of the Board of Directors or by the President or by any ten members of the corporation, by filing a written request with the Secretary for such meeting and stating the objective thereof and the date and hour of the meeting. The meeting will be announced in the Newsletter and posted on the website.

SECTION 4 – Membership List

A list of the names and addresses of all paid members of the corporation shall be prepared and maintained as a part of the corporation records.

Article 3 Management

SECTION 1 – Board of Directors

The management and control of the corporation shall be entrusted to a Board of Directors who shall be elected at the Annual Meeting for a two-year term by the voting members. Said directors can be re-elected as many times as said directors care to serve. There will be one director per EMS lane with some directors to have multiple lanes that will include Defreeze Road and CR 1000

SECTION 2 – Directors' Responsibilities

Each director shall:

1. Represent your EMS Lane at all board meetings and annual meeting
2. Maintain membership list for your lane(s)
3. Act as liaison between members and the Board of Directors
4. Monitor conditions (lane environment) of your area.

SECTION 3 – Resignation/Removal

Any director may resign at any time by filing a written resignation with the Secretary. Any director may be removed for cause at any board meeting by 75% affirmative vote of directors. Cause being defined as dereliction of duty, moving off the assigned lane, abuse of the association for personal gain and causing extreme dissension of an unreasonable nature among board members.

SECTION 4 – Vacancies

In case of any vacancy in the Board of Directors through death, resignation, removal, or any other cause, the remaining directors, by affirmative vote of the majority thereof, may elect successor to fill such vacancy until the next annual meeting or until his/her successor is elected.

SECTION 5 – Quorum

A quorum will mean the presence of at least one-half (1/2) of the filled lane directorships.

SECTION 6 – Organization

The President, and in his absence the Vice-President, and in his absence any director chosen by the directors present, shall call meetings of the Board of Directors to order, and shall act as chairman of such meetings. The Secretary of the corporation shall act as secretary of the Board of Directors, but in the absence of the Secretary, the presiding officer may appoint any director to act as Secretary of the meeting. If there is no one to adequately take the minutes of the meeting. A tape recording of the meeting may be used.

SECTION 7 – Order of Business

The order of business at all Meetings of the Board of Directors shall be as follows:

1. Roll call
2. Reading of the minutes of the preceding meeting and action thereon
3. Treasure Report
4. Reports of committee
5. Unfinished business
6. New business

Article 4 Officers

SECTION 1 – Election

The officers of this corporation shall consist of a President, Vice-President, Secretary and Treasurer. Said officers shall be elected at an Annual Meeting. Said officers shall hold office for a term of two years and/or until their successors are elected. The officers of the corporation need not be members of the Board of Directors.

SECTION 2 – Officers’ Duties

The duties of the officers of the corporation shall be those duties delegated to such corporate officers in the ordinary course of business. Special duties may be assigned to said officers by the Board of Directors at any time.

The outgoing President will serve a one-year term as Advisor to the Board of Directors. As an Advisor, he will not have a vote on the Board of Directors.

The Secretary shall manage all of the Association’s communications and preparing or keeping track of board meetings dates and meetings and preparing minutes of meetings. The Treasurer shall be in charge of overseeing the finances that includes, but is not limited to, maintaining financial records, signing checks and preparing financial reports. In disbursing funds, only one signature is required by one officer to sign checks and to sign for withdrawals.

SECTION 3 – Committees

The President or the Vice President may appoint any committee that may be useful or necessary to the welfare of the corporation.

Article 5 Miscellaneous

SECTION 1 – Fiscal Year

The fiscal year of the corporation shall begin on the first day of January and terminate on the thirty-first day of December of each year. Our accounting year is still to be January 1 to December 31, due to our incorporation law.

SECTION 2 – Amendments

Power to pass bylaws:

The Board of Directors shall have no power to amend, alter, or repeal the bylaws of this corporation. That power shall be controlled only by the members at their annual or special meeting. But the Board of the Directors may pass such additional bylaws in conformity therewith and as may be necessary or convenient to facilitate the business of the Association, to be effective only until the next Annual Meeting or special meeting at which time such action may be passed on by the membership. The Board of Directors shall have the right to add directors and reapportion same as required by population growth.

SECTION 3 – Finance

Dues shall be collected and deposited into a savings institution and instruments such as Certificates of Deposit or other FDIC interest bearing instruments such as a Money Market account. Funds invested into any investment vehicle that could lose money is strictly forbidden. Expenditures shall be made upon approval to meet the objectives of the Association as listed in Article 1, section 2. A working capital shall be available for running the corporation with the balance deposited into an interested-bearing account.