

FOX LAKE CLUB

Of Cassoday

BY-LAWS

Article I – Directors Meeting

The Board of Directors shall hold meetings at least quarterly and upon call by the President or by three members of the board. Notice designating the time and place of the Board meeting shall be given to said Board Members at least five (5) days prior to said meeting. Six (6) Directors shall constitute a quorum for the transaction of business. A Director may become disqualified by loss of membership or upon a hearing by a majority vote of the Board of Directors for cause. In the case of a vacancy in the Board of Directors or in the membership of the executive committee, the Directors shall at any regular or special meeting, fill such vacancy for the unexpired term of the office so vacant.

Article II – Officers, Executive Committee

Section 1: The officers of Fox Lake Club of Cassoday shall be a President, a Vice-President, a Secretary and a Treasurer, who shall constitute an Executive Committee to carry out the policies, orders, and regulations issued by the Board. Said officers shall be nominated and elected at the regular meeting which immediately follows the Club's annual meeting. The Executive Committee shall have supervision at all times over the affairs of the Club, and perform and enforce all ordinary managerial functions. Three (3) members of the Executive Committee shall constitute a quorum for the transaction of business. The term of office for each officer shall be for one year, or until the succeeding annual meeting, unless he/she shall sooner resign or become disqualified.

Section 2: **PRESIDENT** The President shall receive such salary as the Board of Directors shall determine. This compensation shall not exceed one year's cabin dues without prior approval of the general membership. It shall be the duty of the President to preside at all meetings of the Club and of the Board of Directors, to be ex-officio member of all committees, and to perform such duties as ordinarily pertain to the office. Upon his/her retirement from office, he/she shall turn over to his/her successor all records and property in his/her possession belonging to the Club.

Section 3: **VICE-PRESIDENT** It shall be the duty of the Vice-President, in the absence of the President, to preside at all meetings of the Club, and to perform such duties as ordinarily pertain to his/her office. Upon his/her retirement from office, he/she shall turn over to his/her successor all records and property in his/her possession belonging to the Club.

Section 4: **SECRETARY** The Secretary shall receive such salary as the Board of Directors shall determine. This compensation shall not exceed one year's cabin dues without prior approval of the general membership. It shall be the duty of the Secretary to keep a record of all meetings of the members of the Club and of all meetings of the Board of Directors. His/her books will remain open at all reasonable times to inspection by any member of the Club in good standing. He/she shall cause to be sent out all necessary notices to members of the Club and conduct and maintain a record of all official correspondence thereof. He/she shall keep a current record of the names and addresses of all members. He/she shall coordinate with the Treasurer to keep current any and all licenses, Charters, Lease payments, Insurance premiums, State and Federal tax payments and reports. He/she shall act as custodian of the seal and archives of the Club. He/she shall perform such other duties as pertain to his/her office or which may be delegated to him/her by the President or by the Board of Directors. Upon his/her retirement from office he/she shall turn over to his/her successor or the President, all records and property in his/her possession belonging to the Club.

Section 5: **TREASURER** The Treasurer shall receive such salary as the Board of Directors shall determine. This compensation shall not exceed one year's cabin dues without prior approval of the general membership. The Treasurer shall cause a correct account to be kept of all moneys received by the club, to deposit such funds as he/she may receive, to account for the same upon request of the Board of Directors. He/she shall pay the Caretaker such wages and fees as ordered by the Board of Directors, and shall coordinate with the Secretary for payment of all obligations incurred by the Club. The Treasurer shall furnish in regular form a report to the membership at each Annual Meeting. The Treasurer shall perform such other duties as pertain to his/her office or which may be delegated to him/her by the President or the Board of Directors. Upon his/her retirement from office, he/she shall

turn over to his/her successor or the President, all records and property in his/her possession belonging to the club. Amendment to Article II, Section 5 (Board meeting January 25, 1987). The Treasurer, who is turning over the books for Fox Lake Club, be audited before the new treasurer takes over.

Section 6: POWERS OF THE BOARD The Board of Directors shall have power

- (a) To appoint all necessary committees
- (b) To investigate any violation of the By-Laws and Rules of the Club which may be brought to its notice and may punish by fine, reprimand, suspension, or expulsion any member found guilty of infraction of such By-Laws or Rules
- (c) To remove from office any Officer or Director of the Club either for absence for more than three (3) consecutive meetings without good cause or for conduct prejudicial to the best interest of the Club
- (d) To contract for whatever may be reasonably required in the operation of the Club and to make such alterations and improvements to the property of the Club as in their discretion is necessary or expedient, provided however they shall not have authority to contract or obligate the Club for capital improvements in excess of the sum of five thousand dollars (\$5,000) in any calendar year, unless authorized by action of the regular members
- (e) To make, alter, and amend rules for the government and management of the Club, not incompatible with these By-Laws, and to fix and enforce penalties for the violation of such rules and these By-Laws, all of which shall be in writing and a copy given to each member at least thirty (30) days before implementation and shall be applied with strict uniformity and equality
- (f) To make and amend rules for the guidance and government of all committees
- (g) To call special meetings of the regular members of the Club
- (h) To have general control and supervision over all the property and affairs of the Club, to have charge of the Clubhouse and grounds, and to make rules for the custody and government of the same
- (i) To approve the annual budget of each committee in advance of the annual meeting. Approved budgets shall be presented to Club membership for approval
- (j) To levy (by a three-fourths vote of the entire Board), special assessments to meet the necessities of the Club and to enforce the collection thereof by suspension of membership or cancellation of membership, provided however, that no levy may be enforced without the approval of a majority vote of the regular Members of the Club present at a regular or special meeting, and must be assessed equally against all members
- (k) To establish the fiscal year of the Club as March 1 to February 28
- (l) To elect a chairperson pro-tem in the absence of both the President and Vice-President, at any regular or special meeting of the Club or of the Board of Directors
- (m) To approve the Chairperson of all Committees appointed by the President, the same being members of the Board of Directors
- (n) To determine the salary and/or compensation of the caretaker and all such other employees, agents, or independent contractors as the Board of Directors may deem advisable
- (o) To designate the depository or depositories for the Club's funds
- (p) To designate who shall be empowered to draw checks or drafts, on the Club's bank account and to prescribe the manner in which checks and drafts on the Corporation shall be drawn and signed
- (q) To refrain from entering into any contract obligating the Club without authority from the regular members in excess of a three year (3) period
- (r) To exercise such other powers and authority as may normally be vested in a Board of Directors of a non-profit Corporation
- (s) To recognize power-of-attorney documents from cabin owners to family members.

Article III – Grounds Committee

Section 1: The Grounds Committee Chairman shall be nominated and elected at the Board's regular meeting which immediately follows the Club's annual meeting. The Grounds Committee Chairman shall receive such salary as the Board of Directors shall determine. This compensation shall not exceed one year's cabin dues without prior approval of the general membership.

Section 2: The Grounds Committee Chairperson shall hire a Caretaker whenever necessary subject to the Board's approval, for a period of month to month or annually as they in their best judgment, decide serves the best interest of the Club. The Caretaker shall receive such salary as the Board of Directors shall determine.

Section 3: The Grounds Committee Chairperson may appoint two (2) or more members of the Club to assist him/her in performing his/her duties. It shall be the duty of such committee to have supervision of all work done at Fox Lake Club of Cassoday, to hire and be in charge of the Caretaker, and to perform such duties as ordinarily pertain to a committee of this nature.

Section 4: The Grounds Committee shall at all times be subject to the general supervision and control of the Board of Directors and any expenditure of money to be made by the Grounds Committee for whatever purpose in excess of five hundred (\$500) dollars shall be approved by the Board.

Article IV – Membership Committee

The Membership Committee Chairperson shall be nominated and elected at the Board's regular meeting which immediately follows the Club's annual meeting. The Chairperson may appoint three (3) additional members to make up the rest of the Committee. Three members of the committee shall constitute a quorum. It shall be the duty of the Membership Committee to recommend approval or rejection of all applications for membership in the Club and to make its report to the secretary, who shall then obtain approval from a majority of the Board.

Article V – Entertainment Committee

The Entertainment Committee Chairperson shall be nominated and elected at the Board's regular meeting which immediately follows the Club's annual meeting. He/she shall be in charge of the Clubhouse, fundraising, and all entertainment that shall arise. He/she shall have the right to let the Clubhouse for private parties as approved by the Board.

Article VI – New Members

New membership in the Club may be obtained by making a written application to the Membership Committee, accompanied by a membership fee of three hundred eighty-five dollars (\$385). Said application must be either approved or rejected by the Membership Committee, then submitted to the Board of Directors for approval. Membership in the Club can be maintained by the payment of all dues, penalties or special assessments duly levied by action of the Board of Directors and by compliance with the Constitution and By-Laws and all orders and regulations issued by the Board of Directors or the Executive Committee.

Article VII – Dues, Assessments and Penalties

Annual dues and assessments shall be determined at each annual meeting of the membership for the ensuing year. Annual dues and assessments become due and payable upon notice by mail to all members each year. If any dues and/or assessments are unpaid on May 1st (midnight April 30) of the current year, a ten percent (10%) penalty per month shall be applied to the total of such unpaid dues and assessments for each month that such dues and assessments or any part thereof shall remain unpaid. The May 1st (midnight April 30) date of delinquency may be extended to not exceed thirty (30) days at the discretion of the Board of Directors and upon good cause.

Any member whose dues, assessments or penalties are in arrears more than ten (10) months shall forfeit his/her location permit and the Club may remove his/her cabin or other property to such a place as may be determined by the Board of Directors and the cost thereof shall be assessed against said member and added to the delinquent dues and/or assessments and penalties. The Club shall have a lien upon a cabin or property of the delinquent member for any delinquent dues and/or assessments and penalties and after thirty (30) days written notice of the intention to do so, may take the necessary action for the foreclosure of such lien.

Article VIII – Club Properties

All members and their guests shall use reasonable care in the use of Club properties. Members shall be liable for any damage, caused by them, to properties and possessions owned by or under the jurisdiction of the Club.

Heavy equipment/machinery belonging to the Club may be operated only by those persons authorized by the Executive Committee and/or Grounds Committee as Board may direct.

Article IX – Privileges of the Club

Section 1: PRIVILEGES The privileges of the Club are defined as being Swimming, Boating, Fishing, Hunting, the use of the Gun Club and Clubhouse facilities and such other facilities as may be added from time to time.

Section 2: DUCK BLINDS AND DOCKS All duck blinds on the lake shall be above ground. All blinds and boat docks shall be for the benefit of the owner, and then may be used by any member having the owner's permission. Such users shall not disturb owner's personal property such as poles, boats, etc., on the dock. (Except anyone may use any dock on the lake in case of emergency) Owners shall be responsible for the upkeep of the blinds and docks. Anyone using someone else's blind or dock is responsible to leave it clean and should any damage occur while using it, they must make the necessary repair of the same.

Section 3: MOTOR BOATS All boats shall carry the owner's cabin number or State Certificate number. All boats shall respect the rights of fishermen and stay a reasonable distance from any anchored boat, dock, or from the lake bank while anyone is fishing. All Federal and State boating, skiing and surfboard riding laws will prevail. No boat shall exceed ten (10) miles per hour after dark nor operate without a visible light. All watercraft will operate on the lake in a counter-clockwise pattern. Positively no skiing, jet skiing, or surf board riding after dark.

Section 4: HUNTING AND FISHING No one is permitted to fire a rifle, pistol, pellet, B-B or air gun on the lake grounds. All members and guests using shotguns on the lake grounds shall confine their activities to the trap shooting area. Fishing and hunting shall be limited by the Federal and State laws on hunting and fishing, except as may be further limited by the rules established by the Board of Directors.

Section 5: GUESTS Each member shall be entitled to the privileges of the Club for himself/herself and for all members of his/her household. A guest shall be any non-member and all children under the age of twenty-one (21) years of age. All guests will be required to obey the By-Laws of the Club. Members will assure full responsibility of his/her guests. No guest shall be permitted to assume permanent residence to exceed 21 days in one calendar year, unless by special permission of the Membership Committee. Guests must be accompanied by a member of the Club or must present to the Caretaker written authority from a member in good standing.

Section 6: ANIMALS All animals and fowls brought on the lake property must be kept under control at all times. Any animal creating a nuisance must be tied or contained. Final decision is up to the Board of Directors.

Section 7: VEHICLES No one shall be permitted to drive a car or truck on the lake roads without a valid driver's license, learners permit, or accompanied by parent or guardian. All motor scooters or motor driven vehicles shall use the lake roads only and obey the ten (10) mile per hour speed limit. They are forbidden to ride around the cabins and on the dam. All cabin owners shall be responsible for vehicles emanating from their cabins.

Article X – Cabins

It shall be necessary to have a written permit from the Grounds Committee before a cabin or out-building can be built or moved off of, or moved in on a lot, defining the type of cabin that will be acceptable and the location of such cabin thereon without the boundaries of said lot. No member shall be allowed to hold a building permit for the building of a cabin or for any other purpose for more than ninety (90) days from the date of the building permit unless an extension in writing shall be given by the Grounds Committee. No member shall have two (2) cabins or cabin sites for a period in excess of ninety (90) days unless he/she shall pay a membership fee and dues on said second or more cabins or cabin sites.

Any plans for external improvements or additions to be made to a cabin extending beyond the approved footage or any out-buildings to be erected must first be submitted on the proper form to the Grounds Committee and subsequently approved by the Executive Committee and/or Board of Directors before said improvements or additions may begin.

All cabin owners must keep their surrounding premises clean and in a sanitary condition at all times. All cabins, docks, and out-buildings should be kept painted and maintained in a proper state of repair. If after a ten (10) day notice from the Club, any member fails to paint, maintain or repair a cabin, dock, or out-building as provided by this Article, the Club shall have the power to do whatever is necessary to paint or repair such cabin, dock, or out-building, or maintain the premises in a clean and sanitary condition and the cost thereof shall be assessed against the member.

Members will not be permitted to Lease or Rent cabins to anyone.

All members must furnish the Board of Directors a certificate or liability insurance on his or her cabin, dock and watercraft annually when they renew their membership dues.

No member shall be permitted to transfer ownership of his/her cabin or other personal property to anyone unless all dues or charges assessed against him/her by the Club are paid as a part of such transfer. All transactions for transfer or sale of Cabins, whether to another member or a non-member shall be handled in the following manner: Check for purchase of Cabin, accompanied by a check for new member's Membership fee together with new membership application. These items shall be submitted to the Membership Committee for approval or disapproval.

All cabin sales to persons other than members of the Club must be on condition that the purchaser shall not, unless admitted to membership in the Club in the regular manner, receive any of the privileges of the Club and must remove the cabin within a reasonable period of time not to exceed thirty (30) days. No cabin may be bought or sold for removal from the Club property unless all sums owing to the Club by the member making the sale for dues or penalties or other assessments are paid in full and the Club shall have a lien upon the member's cabin to be sold for removal, from the Club property, until such due and delinquent sums are paid. The removal of any Cabin or out-building from Club property shall be under the supervision of the Grounds Committee which may make reasonable conditions to be complied with in the removal of the cabin or out-building for the protection of the interest of other members of the Club. Upon removal of any cabin or out-building, the premises from which the cabin or out-building is removed shall be left in a clean and sanitary condition and any excavation filled in. If following a period of ten (10) days after receipt of notice from the Club to so restore the premises to an orderly condition, the member refuses to do so, the Club may take such action as it deems necessary to place the premises in a proper condition, and the member shall thereupon become liable to the Club for all reasonable expenses incurred in connection with such action.

Any material furnished or labor performed by the Club pursuant to this Article shall be deemed to have been furnished or performed under a contract with the cabin owner and shall entitle the Club to all the benefits of the statutes of State of Kansas for lien for such material and labor on the cabin and all appurtenances, and the Club may take such action as is authorized by law to enforce such lien through foreclosure or otherwise.

Article XI – Violations

It shall be the duty of all the members of the Board of Directors and the Caretaker to enforce the Club By-Laws at all times. Any member found violating any of the By-Laws of Fox Lake Club or any rule established by the Board of Directors or the Executive Committee, shall be subject to a fine, suspension, or expulsion as determined by the Board of Directors. Such member shall be given written notice of the alleged violation and of the time and place of a hearing to be held by the Board of Directors in connection therewith. The Board of Directors after such hearing, if the member is present or, in his/her absence if he/she fails to appear, may suspend or cancel his/her membership and require him/her to surrender his/her membership and may provide such reasonable conditions to be complied with by the expelled member as are deemed necessary by the Board for the protection of the interests of the other members of the Club. A written letter of warning will be sent to members in violation stating time and place of complaint/infraction: On the second infraction a ten dollar (\$10) violation fee will be charged to a member and doubled thereafter.

Article XII – Termination of Membership

Upon termination of a membership in the Club for any reason, all rights of the former member in the Club or in any of its properties shall thereupon cease.

Article XIII – Scope of Constitution and By-Laws

The Constitution and By-Laws of this Club shall be construed to constitute a contract between the Club and each of its members, individually and shall be enforceable as such.

Article XIV – Amendments

The By-Laws of this Club may be amended or repealed at any time by the Board of Directors at a regular or special meeting of the Board. Proposed amendments or revisions to the By-Laws shall be communicated in writing to Board members for their consideration prior to said regular or special meeting. Amendments to these By-Laws which are approved by the Board of Directors shall take effect only after notification is sent to Club members who will then have an opportunity to accept or reject the amendments by majority vote at its annual meeting.

The By-Laws Document was re-typed for copying purposes without any alterations other than misspelling corrections and a correction to Article IX, Section 5, second paragraph changing the word “over” to “under”.. The document was re-typed by the elected Secretary(for the term March 2001-March 2002) on March 8, 2002.

Revisions were made to the By-Laws Document on November 16, 2003 to cause the document to be grammatically and legally correct.

Revisions were made to the By-Laws Document on March 21, 2004 after discussion, consideration, and unanimous vote at the 2004 Annual General Membership Meeting.

An error in ARTICLE IX, Section 5 was noted and correction made. By-Laws were re-typed and copied April 10, 2005.