

By-Laws of the Manhattan Community Garden

Article I. Name

The name of this organization shall be The Manhattan Community Garden.

Article II. Offices and Records

The principal office of the Manhattan Community Garden shall be:

UFM Community Learning Center
1221 Thurston Street
Manhattan, KS 66502

The records of the Manhattan Community Garden shall be kept at the office listed above, or at any other place the Garden Board may determine.

Article III. Purposes, Goals, Powers, Restrictions

Section 1. Purposes

The purpose of the Manhattan Community Garden is to serve the community by:

- Providing convenient and available space for people to garden.
- Providing the enjoyment of growing fresh vegetables and flowers as well as providing healthful exercise and an economical source of food.
- Providing recreation and interaction with fellow gardeners.
- Providing opportunities to learn gardening techniques.

Section 2. Restrictions

The Manhattan Community Garden is committed to a policy of non-discrimination on the basis of race, religion, sex, national origin, handicap, or other non-merit reason, except as noted in Article IV, Section 1.

The Manhattan Community Garden is organized and operates exclusively for the benefit of, to perform the function of, and to carry out the purposes of, its membership.

Article IV. Membership

Section 1. Eligibility and Membership

Membership is open to individuals, families, and organizations in Manhattan interested in community gardening. Gardeners must live inside the Manhattan city limits.

Section 2. Fees

A sliding scale fee based on gardener income, family size, and square footage of a plot shall be determined by the Manhattan Community Garden Board and approved at the Annual Meeting of the Manhattan Community Garden. The sliding scale is based on current federal guidelines.

A Weed Deposit, the amount determined by the board, for each plot is required. The Weed Deposit is to be reimbursed at the end of the garden season provided the plots have been cleaned up, are free of debris and approval has been given by the Board President; or the weed deposit may be left on deposit for the next garden season. A request for the return of a deposit must be made by January 31 of the following year to the UFM.

Section 3. Privileges

Each member of the Manhattan Community Garden shall be entitled to the following privileges:

1. Reasonable use of water for irrigation
2. Use of available tools, if properly cleaned and returned to the storage shed
3. Have plots rototilled, for a fee, if the rototiller can be scheduled.

Article V. Membership Meeting

Section 1. Annual Meeting

The annual meeting of the members shall be held during the month of November.

Section 2. Special Meetings

Special meetings may be called by the President, by one-third of the number of directors specified in these By-Laws, by the Executive Committee or by the written request of one-third of the members entitled to vote.

Section 3. Notice of Meeting

A notice of the annual meeting of the members shall be announced through a regular publication or a letter to each member at their address appearing in the records of the group at least 10 days prior to the meeting.

Section 4. Quorum at the Annual Meeting

A quorum shall exist if there is a minimum of ten (10) people present at the Annual Meeting.

Section 5. Voting

Members who are in good standing are entitled to vote in person or by written proxy at the annual meeting.

Section 6. Minutes

Minutes of the annual and any special meetings shall be recorded and made available to the membership in a timely manner.

Article VI. Board of Directors

Section 1. Number, Term of Office, Election

The business and affairs of the group shall be managed by a Board of not less than five (5) or more than eleven (11) total Directors. The Board shall be elected at the annual meeting and shall serve for terms of three years with one third of the terms expiring each year. A Board member's term shall begin at the first meeting of the board following election to the board.

If a Director is appointed to serve a partial term, that director is eligible to be elected to a 3 year term when the partial term expires. A director who has served a full three year term is ineligible for re- election for a period of one year immediately following the expiration of such term. If the president of the board's term expires at the end of his/her third year on the board, that person shall serve one additional year as past president.

The UFM Director or designee will serve as a voting member of the Garden Board.

An Advisory Board of Extension Specialists, Educators and Community Leaders may be selected as ex-officio members.

The Board of Directors, in consultation with the Director of UFM Community Learning Center may employ a Garden Coordinator (s).

Section 2. Resignation and Removal

Any Director may resign at any time by giving written notice to the Secretary of the group. Such resignation shall take effect on the date specified.

Any Director may be removed from the Board of Directors at any time with cause by affirmative vote of two-thirds of all Directors, or a majority of the members.

Vacancies on the Board may be filled by the Board of Directors.

Article VII. Meetings of the Board of Directors

Section 1. Regular Meeting

The Board of Directors will meet once a month at a time and place agreed on by the Board. At any meeting, the Board of Directors may, by consensus, set the time and/or place for future regular meetings.

Section 2. Special Meeting

Special meetings of the Board of Directors may be called at any time and place by the President, by the Executive Committee, upon written request to the Secretary, or by one-third or more of the Board of Directors.

Section 3. Quorum

A simple majority of the board of directors present shall constitute a quorum for the transaction of business at all meetings of the Board of Directors. In case there shall be less than this number, the presiding officer may adjourn the meeting until a quorum is present. At meetings of the Board of Directors, each Director shall be entitled to one (1) vote. A signed proxy may be used at the monthly meeting if a director cannot attend. Signed proxies shall count as attendance for establishing a quorum.

Section 4. Minutes

Minutes shall be recorded of all regular and special meetings of the Board and shall be made available to the membership in a timely manner.

Article VIII. Officers and Employees

Section 1. Elected Officers

The elected officers of the Manhattan Community Garden Board shall be a President, a Vice-president, a Secretary, and a Treasurer. These elected officers shall be from the Board of Directors or a representative of UFM. They shall be elected by majority vote of the Board of Directors for a term of one (1) year at the first meeting of the Board of Directors following the Annual Meeting of the membership.

Any officer may be removed from office at any time by 2/3 vote of the Board of Directors. In case of absence of any officer, or for any other reason that the Board of Directors may deem sufficient, the Board of Directors may temporarily delegate the powers of such officer to any other officer or to any Director. If the office of the President, Vice-President, Secretary or Treasurer, or other officer or agent become vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise; the Board of Directors may by majority vote, elect a successor or successors who shall hold office for the unexpired term.

Section 2. President

The President shall preside at meetings of the Board of Directors and of the Executive Committee. The President shall have general powers and duties incident to or usually vested in the office of the Chairperson of the Board, and shall vote only in case of a tie vote.

Section 3. Vice-President

The Vice-president shall, in the absence or disability of the President, perform the duties and exercise the powers of the President and shall perform other duties as shall, from time to time, be required by the Board of Directors.

Section 4. Secretary

The Secretary of the Community Garden shall attend and act as secretary of all sessions of the Board of Directors and the Executive Committee, and shall prepare and keep a written record of all proceedings. The Secretary shall give, or cause to be given, a notice of all meetings of the Board, shall distribute meeting minutes and shall perform such duties as may be prescribed by the Board or by the President.

Section 5. Treasurer

The Treasurer shall have joint responsibility with the UFM Director, for overseeing the finances of the Manhattan Community Garden. He or she shall see to proper accounting of the business of the Garden and shall make reports to the Board of Directors as required. The UFM Director may serve as the organization's treasurer. A monthly income and expense report shall be made at monthly Board of Directors meetings. The accounts may be audited by a committee appointed by the Board of Directors, or an annual financial statement shall be prepared.

Section 6. Garden Coordinator

A Garden Coordinator may be employed by the Executive Committee of the Board of Directors and the Executive Director of UFM Community Learning Center. A stipend shall be established by the Board of Directors.

Article IX. Committees

Section 1. Committees

The Board of Directors shall determine committees necessary to facilitate the operation of the Gardens. Committees may be designated by a majority vote of the Directors present at any meeting of the Board of Directors at which a quorum is present, and shall have the powers and duties specified.

Section 2. Selection of Committee Members

Members of all committees, unless otherwise required by these By-Laws, shall be filled by garden volunteers.

Section 3. The Executive Committee

The Executive Committee shall consist of the elected officers of the Garden Board, Past President, and the UFM Executive Director. The President of the Board shall be Chairperson of the Executive Committee. The Executive Committee shall meet on the request of its Chairperson, or at the request of two thirds of the Executive Committee, and shall exercise all of the powers of the Board of Directors in the management of the Board when the Board is not in session. Action taken by the Executive Committee shall be made known in writing to all Directors without delay.

Section 4. The Nominations and Election Committee

The Nominations and Election Committee shall be appointed by the Board of Directors and shall consist of at least two (2) members. The Nominating Committee shall prepare a slate of candidates for the number of Directors whose terms expire at the next annual meeting and shall submit such slate to the Secretary fifteen (15) days prior to the annual meeting for a vote by the members.

Section 5. Notice of Committee Meetings

Meetings of a committee may be called by the chairman of such committee or by the president.

Section 6. Quorum

A quorum at any meeting of any committee shall consist of a simple majority of the members present at a committee meeting.

Section 7. Minutes

Minutes shall be kept of action taken at committee meetings and copies of such minutes shall be delivered to the Secretary.

Article X. Amendments

These By-Laws may be amended by a two-thirds (2/3) vote of the members present and voting at the Annual Meeting, provided the amendments were submitted to the Board of Directors in writing at least two (2) weeks in advance of the meeting.

Revision 1996

Revision Nov. 2004

Revision Nov. 2011