

Hart County Botanical Garden, Incorporated

BY-LAWS

(revised July 10, 2024)

**Article I**

The organization shall be known as the Hart County Botanical Garden, Incorporated.

**Article II**

It shall be the purpose of this organization to:

- Promote public gardening education through an outreach program to groups, individuals, and schools in the communities.
- Enhance and maintain the Hart County Botanical Garden.
- Promote better gardening and horticultural practices in our communities.
- Aid members in their gardening endeavors and provide continuing education.

**Article III**

Three (3) tiers of Friends of the Garden membership, with individual dues structures, shall be: Individual, Family, and Corporate.

**Article IV**

Section I: For any activity, expenditure, structural change, or any other matter requiring a vote by the Garden membership, the voting will be conducted online via email. The voting matter will be emailed to the entire current membership list of the Friends of the Garden at least seven (7) days before voting begins; the deadline to vote will be seven (7) days after voting begins. A 'Yes' vote received by email will be counted as a Yes; a 'No' vote received by email will be counted as a no; Friends who do not respond by email will be counted as 'Abstain.' The final decision will be made by a simple majority vote.

Section II: The officers of this organization shall be: President, Vice President, Secretary, and Treasurer. The officers shall be elected in October, with membership notified of the candidates and need to vote by email in September.

Section III: The terms of the officers shall be three (3) years, January 1 – December 31.

**Article V**

Section I: The Board of Directors shall consist of 10 members. Members will be all current officers (listed in Article IV), the two (2) Garden Co-Directors, one (1) Member-at-Large, one (1) Member from the Community, one (1) Education Director and one (1) Communications Coordinator. The directors shall serve for three (3) years. All elections shall be held in October, with membership notified of the candidates and need to vote by email in September.

Section II: The Garden Co-Director positions shall be appointed by the board for a three-year term. The two positions will be staggered. One co-director will rotate off and one will rotate on so that each director will serve with one veteran and one new director. Qualifications are to be determined by the Board.

Section III: The Board shall meet a minimum of once a quarter. Six (6) members present shall constitute a quorum. The president shall serve as Board chairman.

Section IV: The regular membership meeting schedule shall be established by the Board and approved by the membership.

Section V: The Board will create a proposed budget for the upcoming calendar year at its October meeting. The membership will be notified of the proposed budget by email in October. The budget shall be approved by simple majority vote (Article VI, Section I) in November.

Section VI: The Board reserves the right to recall and/or replace anyone in elected or appointed positions.

Section VII: The Board may expend funds up to \$5,000 without membership approval, and conduct other business that may come before it.

#### **Article VI**

It shall be the duty of each member to pay dues each calendar year. The dues shall be dispersed for such expenses as the Board and membership shall direct. The amount of annual dues for each tier of membership shall be determined, from time to time, by the Board of Directors and approved by the Membership.

#### **Article VII**

These BY-LAWS may be altered, amended, or repealed in the following manner: by simple majority vote (Article VI, Section I) after a 10-calendar-day notice to all members by email.

#### **Article VIII**

Standing committees shall be appointed by the president with approval of the Board of Directors. Standing committees shall include but are not limited to: Events and Plant Sale.

#### **Article IX**

Pursuant to questions of liability, the following paragraph is hereby made part of this document: The Georgia Recreational Property Act, enacted in 1965 and codified in Title 51 of the Georgia Code (Code 51-3-20 et seq., the "Act"), was passed to provide relief to landowners and occupiers who held their land open to the public, without charge, for recreational use. It effectively causes any visitor to qualified recreational property to be treated as a licensee, and not an invitee.

Exhibits A & B outline the Georgia Laws that apply to the Garden.