**BY-LAWS**

**PULASKI LAKE IMPROVEMENT DISTRICT, (WRIGHT COUNTY)**

 Revised August 19, 2015

Attachment "A" Follows:

Wright County Board Resolution #1984-51 Order to Establish

Attachment "B" Follows:

Pulaski Lake Improvement District Election Procedures December 11, 1984

**Article 1. Establishment**

Section 1. Established under Minnesota Statute 103B.535 by Wright County Board of Commissioners via Wright County Board Resolution #1984-51 Order to Establish on October 23, 1984.

**Article 2. Name / Address of District**

The name of this organization is: Pulaski Lake Improvement District, (Wright County). This may be referred to as The Pulaski Lake Improvement District, or (PLID). The official address of the district shall be:

 Pulaski Lake Improvement District

P.O. Box 332

Buffalo, MN 55313

**Article 3. Definition of the Pulaski Lake Improvement District**

The Pulaski Lake Improvement District (PLID) is a political subdivision of the State of Minnesota. It is a local unit of government partially funded by a special taxation district authorized by Minnesota Statute 103B, Lake Improvement Districts, established by the Wright County Board of Commissioners Resolution #1984-51 and bound by provisions where Minnesota Statute Chapter 13, MN Open Meeting Law and Minnesota Statute 15.17, Official Records, apply.

**Article 4. Priority**

These by-laws, along with the Order to Establish referenced in Article 1, shall govern the activities of the Pulaski Lake Improvement District. In the event of a question of priority or interpretation, the Order to Establish shall have precedence over the by-laws. The Order to Establish is an integral part of these by-laws as Attachment 1.

**Article 5. Purpose**

***Mission Statement***

Our mission is to serve as a steward of our lake community, to protect, preserve, and improve the recreational and overall quality of Pulaski Lake. We will work within the lake community and cooperatively with the County and State Agencies to continuously refine our goals and develop annual work plans to meet these goals. We will work closely with the County to oversee funds collected and expensed to accomplish this mission.

***Goals***

* To manage and alleviate recurring high water
* To prevent and eliminate the infestation of aquatic invasive species
* To improve overall water quality
* To improve the quality of recreation and overall lake utilization

***Objectives***

With recurring high water and invasive aquatic vegetation in Pulaski Lake, the creation of a Lake Improvement District will allow for management of high water, and control and treatment of aquatic plants, and other in-lake studies and activities, and will promote the public enjoyment, will benefit property located within the district, and will not cause nor contribute to long range environmental pollution.

**Article 6. Membership**

Section 1. Boundaries of District

The boundaries of the Pulaski Lake Improvement District shall include those properties on Pulaski Lake, in Wright County, Minnesota.

Section 2. Membership Qualification

Owners of properties on Pulaski Lake, in Wright County, Minnesota.

Section 3. Voting Rights

Each property shall be assigned one (1) vote which vote may be cast by any record owner of such property it being understood that if multiple people own one parcel of land, it shall be up to the multiple owners to determine who has authority to cast the vote on behalf of the property, at the annual District meeting or at any special District meeting.

Section 4. Transfer of Membership

When a parcel of land is sold, membership shall transfer from the old owners to the new owners. When a parcel is sold on contract for deed, Membership shall transfer from the contract seller to the contract purchaser. When a parcel is leased or rented, Membership shall not transfer from the landlord to the tenant.

**Article 7. Funding**

Section 1. Initial Funding

The initial funding shall be raised by the Pulaski Lake Improvement District and supplemented via any of the following:

1. Federal and state grants
2. Donations and grants from private parties, corporations, or foundations
3. Loans from governmental entities

Section 2. Subsequent Funding and Special Projects

Pulaski Lake Improvement District activities may be funded by any of the above means mentioned, and also by:

1. Imposing service charges on the users of lake improvement district services within the District under Minn. Statute 428A.05
2. Levying an ad valorem tax solely on property within the lake improvement district, to be appropriated and expended on projects of special benefit to the district
3. Imposing any combination of service charges and taxes

Section 3. Assessment Fee

1. It is the intention of the Pulaski Lake Improvement District to charge a fee per assessable property within the district as part of the means to finance its budget.
2. Said fee is based on the properties tax capacity
3. The fee amount can only be changed with a majority vote at either an annual meeting, or a special meeting of district members called specifically for that purpose.

**Article 8. Parcels Eligible for Assessment of Fees, Service Charges, or Taxes**

All assessable properties within the boundaries of the district will be subject to a fee, tax, or charge as recommended and approved at the annual meeting. Assessable parcels are defined as all properties within the boundaries of the district as approved by the Board. A parcel may be granted an exemption from the assessment of fees only by the PLID Board of Directors. All property owners will be charged an assessment fee for at least one parcel (property with a pin #). Provided there is Board approval, those owners with additional parcels that do not have a dwelling, building, or structure (unimproved) on the property will be exempt from assessment of fees for those additional parcels. The Board will submit a list of assessable properties to the County along with the annual budget, for the assessment of fees.

**Article 9. Board of Directors**

Section 1. Board of Directors

The Board of Directors of the Pulaski Lake Improvement District shall consist of five (5) directors with three (3) year staggered terms who must be at least eighteen (18) years of age. At all times at least three of the members of the Board of Directors must reside within the District and all members of the Board of Directors shall own property within the District.

Section 2. Terms

The term of office for the Board members shall be three (3) years. However, in order to have members serve staggered terms of office, two (2) directors will be elected to a three (3) year term, two (2) directors will be elected to a two (2) year term, and one (1) director will be elected to a one (1) year term. Thereafter, directors will be elected to serve three (3) year terms.

Section 3. Election of Directors

Elections will be held by secret ballot at the Pulaski Lake Improvement District annual meeting. Results will be determined by two non-elected Lake Pulaski board members and tabulated immediately while visible to the attendees of the annual meeting.

Section 4. Removal of a Member

Removal of any member for non-performance of duty or mis-conduct in office shall be at the discretion of the County Board.

Section 5.Vacancies

Whenever there is a vacancy in the office of Director due to resignation, removal or death, the County Board shall fill the position by appointment.

As the initial terms of office expire, Directors shall be elected at the District annual meeting as provided in M.S.S. 378.57

**Article 10: Officers / Board of Directors**

Section 1. Officers

All Officers of the Pulaski Lake Improvement District (Wright County) shall be Directors.

Section 2. Officer Positions

The Officers shall consist of President, 1st Vice President, 2nd Vice President, Secretary and Treasurer. These officers are the Executive Committee.

Section 3. Election of Officers

Officers will be elected by the Board of Directors from among its members at the first scheduled board meeting following any Annual Meeting at which new Directors are elected. Election will be by secret ballot if more than one person is nominated for any office.

Section 4. Duties of Officers,

1. The **President** shall preside over all District Board meetings and the Pulaski Lake Improvement District (Wright County) Annual Meeting, and shall see that the By-laws and any rules and regulations as adopted by the District and the Board are enforced.
2. The **1st** **Vice President** shall preside in the absence of the President and perform duties normally associated with this office, including other duties as may be assigned by the board such as heading of special committees as may be designated.
3. The **2nd Vice President** shall preside in the absence of the President and 1st Vice President and perform duties normally associated with this office, including other duties as may be assigned by the board such as heading of special committees as may be designated.
4. The **Secretary** shall be responsible to keep accurate records of all meetings of the Board of Directors, regularly submit minutes to the Board of Directors and perform other duties normally associated with this office.
5. The **Treasurer** shall present a financial statement at each meeting and shall perform all other duties normally associated with this office. The Treasurer shall approve all invoices for services previously approved by the Board of Directors and submit them for payment. Annually, or as required, the Treasurer will submit to the State, County, or any regulatory agency any financial reporting as is required.

**Article 11: Directors Meetings**

Section 1. Meetings

Directors are to hold quarterly meetings, in addition to the Annual Meeting of the Membership, as shall be scheduled by the President or in the President’s absence by a majority of the remaining members of the Executive Committee. Special meetings may be called by the President or Vice Presidents as directed by the President, or by three members of the Board of Directors, as may from time to time be required to carry out the activities of the Board.

Section 2. Open Meetings

The provisions of Minn. Stat. Chap. 13D, which requires open meetings, apply to all meetings of the Board of Directors.

Section 3. Voting / Quorum

Voting rights are restricted exclusively to Directors only. A majority of the Board of Directors duly serving shall constitute the necessary quorum for the transaction of business.

**Article 12: Annual Meeting of District**

Section 1. Time

The Annual District Meeting shall be on the 3rd Tuesday in August of each year unless changed by vote at the previous annual meeting.

Section 2. Notice

Notice of the annual meeting will be provided by the Board of Directors in accordance with the requirements in Minn. Statute 103B.571. The annual meeting shall be preceded by a minimum of two weeks’ published notice in the newspaper chosen by the Wright County Board of Commissioners for the County’s official notices and by written notice to be mailed at least ten days in advance of the meeting to the county board and city boards wholly or partially within the District, and the Commissioner of the Department of Natural Resources.

Section 3. Quorum

A quorum is set by a majority.

Section 4. Election Procedures

See “Attachment B” for election procedures.

Section 5. Agenda

At the annual meeting the District, property owners present shall:

a.      Approve annual meeting minutes.

b.      Elect one or more Members to fill the vacancies in the Board of Directors;

c.      Approve or disapprove any budget item budget for the District having a cost in excess of $10,000 per project per annum;

d.     Approve a full year budget for the fiscal year;

e.   Approve taxes or assessments to satisfy budget requirements; and

f. Take up and consider other business that comes before them.

**Article 13: Committees**

The Chair, with the approval of a majority of the members of the Board of Directors at any regular or special meeting may create and appoint such additional committees as deemed necessary. The head of each committee shall regularly report to the Board of Directors on his / her committee’s progress.

**Article 14: Budget**

A budget must be approved by a majority of all owners voting in the annual meeting each year.

Any unbudgeted project in excess of $10,000 must be approved by a majority of the property owners either at the annual meeting or by special vote taken in accordance with the provisions of these bylaws.

In the annual budget for the district, which will be submitted to Wright County following the annual meeting and before the 1st week of September, the Board of Directors will include sufficient funds to cover the costs of administering the District.

The submission of the budget to the county will include a list of properties to be assessed, as well as the recommended method of assessing fees to the properties within the district.

**Article 15: Expenditure / Receipt of District Funds**

All request for funds, whether individually or for project expenditures, must be submitted to the Board of Directors. All expenditures must be pre-approved by a majority of the Directors.

Should any committee require funds for purposes of its work, the committee shall make application to the Board of Directors in writing with a full statement of the funds required and the purpose for which the funds are to be expended. Upon request of the Board of Directors, the committee shall meet with the Board at any regular or special meeting thereafter to review the request and secure approval of same. No committee shall expend any funds without the approval of the Board of Directors of the Pulaski Lake Improvement District.

All invoices or claims for expense reimbursement must be signed off by at least one member of the board that is not the signatory on the claim voucher. The Treasurer, or designate from the board, must sign off on the claim voucher to the county.

All funds secured by donation, fund raising, or from any committee shall be turned over to the Board of Directors.

Accounting functions will be performed by the Wright County Finance. Any other financial arrangements must be Board approved.

**Article 16: Fiscal Year**

The District fiscal year shall be a calendar year starting January 1 and ending December 31.

**Article 17: Rules of Order**

The rules contained in the current edition of *Roberts Rules of Order (Revised)* shall govern the convention in all cases to which they are applicable and which are not governed by the by-laws of the district.

**Article 18: Liability Protection for Directors / Insurance**

*The personal liability of the directors and the officers of the PLID is eliminated to the fullest extent permitted by Minnesota Statutes and/or any other applicable governing law. The PLID will indemnify and defend the directors and the officers of the PLID to the fullest extent permitted by Minnesota law.”*

In order to adequately protect the Pulaski Lake Improvement District, the Board of Directors will maintain adequate insurance coverage for the district, including Liability Insurance and Directors and Officers Liability Insurance.

**Article 19. Records**

As a government entity, the provisions of Minn. Stat. Chap. 13 (the Minnesota government data practice act) apply to data of the Pulaski Lake Improvement District. Records necessary to a full and accurate knowledge of official activities must be made and preserved by the district in accordance with Minn. Stat. # 15.17

**Article 20. Amendment of By-Laws**

These Bylaws may be amended, altered, or repealed by a vote of the majority of the property owners; provided, however, that when there is a vote to amend or repeal the bylaws, notice of the proposed amendment or repeal will have been given in the notice of the meeting given to the property owners.

**Article 21. Written Action.**

Any action that requires the approval of the members may be taken at the annual meeting.  If an action requires the approval of the members and, in the reasonable opinion of the Board, cannot wait until the annual meeting, the Board may obtain approval from the members by sending out written ballots if (a) a ballot is provided to every member and (b) the Board receives a response from the number of property owners that would be required to make a quorum at the annual meeting.

**Article 22. Wright County Contact**

The Wright County Land Commissioner will act as a contact for the Pulaski Lake Improvement District.