

Henderson Park Community Garden Bylaws

Article I: Name, Location and Non-profit Status

The name of this organization is Henderson Park Community Garden. The Garden is located in Henderson Park in DeKalb County at 2723 Henderson Road, Tucker, Georgia 30084. The Garden's mailing address is P.O. Box 2962, Tucker, Georgia 30085.

The Henderson Park Community Garden is incorporated under the laws of the State of Georgia as a domestic non-profit corporation. All dues and funds paid to the Henderson Park Community Garden are used only for the maintenance and operation of the Garden and its approved community projects.

The Garden operates under DeKalb County's "Garden in the Parks" program, which is managed by the County's Natural Resources Management Office and requires the payment of an annual fee.

Article II: Mission, Purpose, and Goals

The mission of the Henderson Park Community Garden is to strengthen community; enable the cultivation and consumption of wholesome, homegrown food; provide an environment for hands-on education in organic gardening; foster an intergenerational gardening experience; and enhance the beauty of neighborhood green space.

The Garden has dedicated four (4) 4x10 plots to grow food for charitable purposes. The Board of Directors manages the food pantry plots, organizing member volunteers to tend and harvest the plots, and deliver the food donations to the Friends of St. Martin de Porres food pantry at Holy Cross Catholic Church, a 501(c)(3) organization. The Board also encourages donations from member plots, and from home gardeners through its Share Your Surplus program.

The Garden has designated additional growing space – the perimeter beds – for use by volunteer members of the research team. Perimeter beds are used for research, education, experimentation, demonstration, donation, and beautification. In exchange for the space, research team members report on their successes and failures, and these reports are published on the Garden's web site. The Board may purchase and release into the Garden beneficial insects to combat pest infestations.

The Garden publishes educational information, including organic gardening methods and pest control, on its web site.

The Board of Directors may modify the Garden's layout.

Article III: Membership

Fifty-one (51) of HPCG's 4x10 plots are designated as rental plots.

Membership is open to residents of Georgia. Should Henderson Park become part of a newly formed city in DeKalb County, membership will remain open to Georgia residents, and all HPCG members at the time of cityhood, no matter the location of their address, will remain members as long as they are in good standing.

Members

Henderson Park Community Garden members pay annual dues of \$50 to rent a plot. If increases become necessary to continue the successful operation of the garden, they must be approved by a majority of the Board and published to the membership no less than 30 days before dues are payable. Dues are non-refundable; membership is not transferable.

Each plot is rented for the period of January 1 through December 31. Annual dues are payable on or before December 31 for the following year. When renewing, a member may keep his/her assigned plot or rent a vacant plot, if one is available.

Plots may be rented as they become available throughout the year. Dues are pro-rated monthly for members renting a plot after August 1.

Each member may rent only one plot. Exceptions to this rule must be approved by the Board. If there is a waiting list, the Board assigns plots on a first come, first served basis.

Members must complete and sign a Membership Agreement, which includes a waiver of liability, and adhere to these Bylaws as well as to the rules and commitments detailed in the Membership Application and in the County's "Community Garden Responsibilities and Guidelines." Members must also sign the two County forms: the Release and Indemnification Agreement and the Acknowledgement of Community Garden Responsibilities and Guidelines.

If more than one household/family shares a plot, each co-plot holder must complete and sign the Membership Agreement and County forms. Each plot has one vote in any issue put before the general membership.

Untended Plots

The Board may give notice to a member whose plot is unkempt, neglected, or unharvested, or who is not maintaining the area around his/her plot. (The Board may give notice by email, regular mail, by phone or in person.) The member must complete necessary upkeep within a time frame determined by the Board. If acceptable progress is not made, the plot will be considered abandoned and membership may be revoked and the plot reclaimed and reassigned.

Revocation of Membership

The Board may revoke membership and reclaim a plot if a member abandons or does not maintain his/her plot. Membership may also be revoked for failure to pay the annual dues in a timely manner; or in case of theft (crops, tools, hoses, signage, containers, etc.); or in case of intentional damage to any garden property; or use of the Garden for any illegal purpose; or failure to adhere to these Bylaws as well as the garden rules and member commitments set forth in the Membership Application and in the County's "Community Garden Responsibilities and Guidelines."

Article IV: Board of Directors

A Board of Directors conducts the business of the Garden, is in charge of its property and financial affairs, and performs duties as defined in these Bylaws.

The Board of Directors shall consist of a minimum of five (5) Directors. Directorships are limited to Garden members in good standing. Directors are required to attend at least three (3) board meetings and to contribute to and participate in at least 75% of HPCG scheduled events. Directors receive no compensation for their service to HPCG; serving as a Director is voluntary.

Directors serve one-year terms. Directors may be elected for successive terms. Each Director continues in office until his/her successor has been elected or until his/her resignation or removal. Any Director may be removed for cause (1) by a majority vote of the Board at a meeting called by the Board for that purpose; or (2) at a special meeting of the members called by the members for that purpose, by vote in person or by written or electronic proxy, signed and dated, of two-thirds of all members entitled to vote.

Any Director may resign at any time by giving written notice to the Board. The resignation is effective with or without Board acceptance.

Powers and Duties

The Directors perform the duties usually connected with such offices as well as those detailed on the Board of Directors ballot and other duties the Directors may specify.

Directors may conduct Board business by meeting or phone, email, or other electronic means. Board decisions are made by a simple majority of Directors in attendance or of electronic votes cast, provided that a majority of Directors are present or voting electronically.

Directors assign plots and maintain a map of all plots. Directors maintain a waiting list for applicants for whom no plot is available. Directors keep member records and respond to inquiries about membership.

Directors uphold the guidelines set forth in these Bylaws, in the Membership Agreement, and in the County's Community Garden Responsibilities and Guidelines. The Board may mediate disputes between members.

Directors review requests for programs, mentoring, education, or collaboration from the community. If such requests are feasible and align with the Garden's mission, the Directors will decide how to meet them.

The Finance Director will manage the Garden's funds. The Finance Director and at least one other Director will have signing authority on the Garden's account. The Board will review the anticipated expenses associated with regular and special Garden events, programs, and activities, and approve a budget in advance. Any expenditure that exceeds \$100 must be pre-approved by a simple majority of Directors in attendance or of electronic votes cast.

The Finance Director will reimburse approved expenses for which receipts are submitted.

The Board will present an annual report to members.

The Board may appoint an auditor to audit the Garden's accounts annually or whenever directed by a majority vote of the Directors.

Election

Election of Directors takes place annually during the membership renewal period that begins December 1 and ends December 31. Members register their votes on the ballot that is included in the annual Membership Application. Members must sign and date the ballot and mail it before December 31 to Henderson Park Community Garden, P.O. Box 2962, Tucker, GA 30085. Each plot may cast one vote for each nominee on the ballot. The election of each nominee will be based on a simple majority of the votes received by December 31.

A member who wishes to hold a Director position may submit a nomination to the current Board of Directors. Nominees must be Garden members in good standing who agree to comply with the requirements set forth in Article IV. Nominations must be received by the Board at least 72 hours prior to election.

In case of a vacancy on the Board before term expiration, Directors may appoint a qualified member to fill an unexpired term.

Article V: Meetings

The Garden membership meets at least once a year. Notice of the meeting will be given to members at least two weeks in advance. Meeting agendas will be published at least three days before a meeting. At member meetings, decisions will be made by a simple majority of the members-in-good-standing who are present, provided those decisions do not contradict these Bylaws.

The Board meets at least four times a year. The Board may call for additional meetings. Decisions at Board meetings are made by a simple majority of Directors in attendance as long as the majority of Directors are present.

Article VI: Indemnification

The Garden may to the fullest extent permitted by law indemnify any person made, or threatened to be made, a party to any action or proceeding by reason of the fact that s/he, his/her testate or intestate was a director or officer, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorney fees.

Article VII: Amendments to the Bylaws

These Bylaws may be amended by the Board of Directors, or by petition from a majority of the members. Members who wish to change these Bylaws must submit the proposed change(s) in writing at least two weeks prior to the next scheduled Board meeting.

Bylaws adopted on May 6, 2013 by HPCG Board of Directors,
Deborah Ashley, Steve Cook, Susan Farrar, Matty Garrett,
Dede Musser, Caroline Riggins, and Cara Schroeder