

ELVIN H.O.M.E., INC. BYLAWS
Adopted April 22, 2012

ARTICLE I: OFFICES

Section 1. Name.

The name of this organization is ELVIN H.O.M.E., Incorporated (Elvin HOME).

Section 2. Principal Office.

The principal office of the corporation is located in Lawrence County, State of Indiana.

Section 3. Legal Address.

The address of this organization is: Elvin HOME, Inc. 559 McFadden Ridge Road, Bedford, IN 47421.

ARTICLE II: NON-PROFIT PURPOSES

Section 1. Internal Revenue Code (IRC) Section 501(c) (3) Purposes.

The goals and purposes of this organization are to maintain and care for Nature Sanctuaries to further the Ecumenical worship by all religions with reverence and respect for one another's beliefs and doctrines within the world of nature that surrounds all.

This corporation is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the IRC, including purposes such as the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the IRC, or corresponding section of any future federal tax code.

Section 2. Specific Objectives and Purposes.

The specific objectives and purposes of Elvin HOME are:

- (a) To maintain and operate an Ecumenical sanctuary and meeting ground for ELVIN HOME, members, and guests;
- (b) To gather, publish (e.g. The Greenbook), and disseminate public information that pertains to the fulfillment of our Creed (Article II, Section 3, Our Creed). This includes information regarding:
 - (1) Universal religions and their practices, beliefs, and doctrines; and
 - (2) Actual practices, within a living library, of living in tune with Nature and its cycles, such as methods of wild and organic gardening; natural foods and herbals; and alternative, educational, experimental and ecological endeavors; and
- (c) To nurture and further the spiritual communion of our members and guests, in accordance with our Creed (Article II, Section 3, Our Creed) and these Bylaws, by providing opportunities for them to conduct rituals and to research and experiment with practices that are in tune with Nature and its cycles.

Section 3. Our Creed.

The Universe Personified – who is all that ever was, and all that is, and all that ever will be – is called by many and varied names, yet those names are only symbols of The Universe Personified. Accordingly, we – some of

the beings within the Universe Personified – do affirm that we worship The Universe Personified by the customs of those names, each according to our own individual spiritual beliefs.

We furthermore honor The Universe Personified by personally preserving humanity's links with the natural environment to the best of our abilities, learning all that we are able to – as the spirits guide us – about that which is also present within the universe, and by honoring – respecting the value of – all other beings within The Universe Personified. This includes but is not limited to: those we already know, those we can only sometimes perceive, and those we have not yet met.

Section 4. Basic and Primary Rules.

Our basic rules reflect our shared fundamental beliefs. These rules are:

- (a) No violation of the land or its inhabitants through needless: violence, killing, or pollution (chemical, mechanical, biological, or otherwise);
- (b) We advocate the tolerance and diversity of ALL Faiths, Beliefs and Doctrines;
- (c) No violence towards or stealing of corporate or private property and in all ways respecting the owner's stated wishes; and
- (d) No private ownership of ELVIN HOME lands.
- (e) Elvin HOME land use policies may be set and administered by the Governing Council as a whole as long as the rules and these Bylaws are not violated.

Section 5. Additional Means of Income as Allowed under IRC Section 501(c)(3).

Elvin HOME provides its members and guests with opportunities to practice their spiritual beliefs as set forth in Article II, Section 1, IRC Section 501(c)(3) Purposes; Section 2, Specific Objectives and Purposes; and Section 3, Our Creed, for a nominal fee (facility use fee) set by the Governing Council. These opportunities may provide an additional means of income as allowed under IRC Section 501(c)(3) and include the following:

- (a) Events such as festivals, gatherings, seasonal rituals, concerts, theatrical presentations, arts & crafts shows, workshops, and seminars;
- (b) Membership camping or use of facilities; and
- (c) Rental of Elvin HOME lands or facilities to other organizations for special events, which are in harmony with Elvin HOME's objectives and purposes and in accordance with these Bylaws and Elvin HOME policies. Organizations and special events that are in harmony with our objectives and purposes may be groups that are magickal, scientific, artistic, religious, educational, historical, or other similar theme.

ARTICLE III: GOVERNING COUNCIL

Section 1. Governing Council Composition and Number.

The Governing Council is composed of Stewards and must have a minimum of three Stewards. There is no maximum number of Stewards who may serve on the Governing Council.

Section 2. Qualifications.

Stewards who serve on the Governing Council must meet the following qualifications:

- (a) Be 18 years or older;
- (b) Time in Service, which is at least one year of consistent service to Elvin HOME; and
- (c) A Steward Volunteer Commitment, renewed annually, approved by the Governing Council in accordance with Article VI, Section 1, Governing Council Meetings.

Section 3. Governing Council Powers.

The Governing Council directs all activities and affairs of Elvin HOME and exercises or directs all corporate powers. These corporate powers must be exercised in accordance with the Indiana Non-Profit Corporations Act, these Bylaws, and the Articles of Incorporation.

Section 4. Governing Council Duties.

The Governing Council must perform all duties imposed on them collectively, or individually as Stewards, under the Indiana Non-Profit Corporations Act, these Bylaws, and the Articles of Incorporation.

Section 5. Term of Office of Stewards.

Stewards serve a term of one year, unless they vacate their position or are removed from their position in accordance with Article III, Section 7, Vacancies, Section 8, Resignation, or Section 9, Removal for Cause.

Section 6. Compensation of Stewards.

Stewards serve without compensation. But they may receive advancements or reimbursements for reasonable expenses incurred in the performance of their duties.

Section 7. Governing Council Vacancies.

Vacancies on the Governing Council may exist from time to time through death, resignation, removal from office for cause, or non-renewal of a Volunteer Commitment. If, because of a vacancy, the number of Stewards is less than three (see Article III, Section 1, Governing Council Composition and Number), then the Governing Council must fill the vacancy immediately. All newly elected Stewards will hold office until the next election of the Governing Council, or his or her death, resignation, or removal.

Section 8. Resignation of Stewards.

A Steward may resign from the Governing Council at any time by giving written notice to the Council or giving verbal notice during a Council Meeting. The notice does not need to be accepted by the Governing Council to be effective. A resignation takes effect immediately, unless the notice provides a specific date that the resignation will be effective. If notice is given during a Council Meeting, the resignation must be recorded in the minutes.

Section 9. Removal for Cause of Stewards.

A Steward may be removed for cause for not fulfilling their Volunteer Commitment obligations or seriously violating these Bylaws or Elvin HOME policies. Removal for cause may be done either through a grievance or through a Volunteer Commitment Review in accordance with Elvin HOME policies. But before a Steward may be removed, he or she must be provided notice and an opportunity to be heard. A Steward cannot be removed unless at least two-thirds of the Governing Council votes for the removal.

Section 10. Non-liability of Stewards.

Stewards are not personally liable for Elvin HOME's debts, liabilities, or other obligations.

Section 11. Indemnification of Stewards and Officers.

Elvin HOME Stewards and Officers are indemnified by Elvin HOME to the fullest extent permissible under Indiana's Non-profit Corporations Act (IC 23-17-16).

ARTICLE IV: OFFICERS

Section 1. Officers.

Elvin HOME's Governing Council elects the President, Secretary, and Treasurer in accordance with Article VI, Section 1, Governing Council Meetings. The members elect the Vice-President in accordance with Article VI, Section 2, Grand Council Meetings. Each office must be held by a different person.

Section 2. Officer Qualifications.

The President, Secretary, and Treasurer must each be:

- (a) A Steward in accordance with Article III, Governing Council; and
- (b) Able to perform the duties of the office as provided in Article IV, Section 3, Officer Powers & Duties.

The Vice-President must be:

- (a) A member of Elvin HOME for at least a year and a day; and
- (b) Elected by a plural majority in accordance with Article VI, Section 2, Grand Council Meetings.

Section 3. Officer Powers & Duties.

Elvin HOME's Officers are supervised by the Governing Council. All Officers are required to attend Governing Council Meetings and provide status reports to the council. Each Officer or the Governing Council may delegate an Officer's duties, but the Officer is responsible for the oversight of his or her duties. The powers and duties of Elvin HOME's officers are:

- (a) *President.* The President:
 - (1) Presides at the Governing Council meetings;
 - (2) Coordinates the supervision and administration of the Elvin HOME's business and affairs;
 - (3) Assists in resource development of Elvin HOME;
 - (4) Represents Elvin HOME within and outside the community;
 - (5) May sign any deeds, bond, mortgages, or other instruments and enter into agreements necessary to carry out Elvin HOME's missions and programs, if authorized by the Governing Council and these Bylaws or Elvin HOME policies;
 - (6) Communicate with other officers or to the Governing Council the status of Elvin HOME's affairs;

(7) Makes suggestions that, in her or his opinion, tend to promote the prosperity and welfare and increase the usefulness of Elvin HOME; and

(8) Performs any other duties that are assigned by the Governing Council.

(b) *Vice President.* The Vice-President is elected by the members and serves on the Governing Council with the same voting privileges as a Steward. The Vice President:

(1) Presides at the Grand Council Meetings;

(2) Actively seeks member input and suggestions and makes proposals on the members' behalf;

(3) Communicates with members about events and projects;

(4) Attends council meetings in accordance with Elvin HOME's Volunteer Commitment policy;

(5) Advises council about member concerns; and

(6) Assists with implementing member projects.

(c) *Secretary.* The Secretary:

(1) Keeps an accurate record of all Governing Council meetings in accordance with Indiana's Non-profit Corporations Act (IC 23-17-14-1) and circulates meeting minutes to the Governing Council;

(2) Provides all notices in accordance with Indiana's Non-profit Corporations Act (IC 23-17-10-5; 23-17-11-1; 23-17-15-3; 23-17-15-5; 23-17-17-5; 23-17-18-2; 23-17-28), these Bylaws (Article III, Section 9, Removal for Cause of Stewards; Article IV, Section 8, Removal of Officers; Article VI, Sections 1(d), Notice of Governing Council Meetings and 2(e), Notice of Grand Council Meetings; and Article X, Amendment of Bylaws) and Elvin HOME's policies;

(3) Maintains the official records of the organization at Elvin HOME's principal office and authenticates these records in accordance with Indiana's Non-profit Corporations Act (IC 23-17-14 and IC 23-17-17), as applicable;

(4) Upon request, makes available for public inspection, any records that are required to be available for public inspection under the IRC or Indiana's Non-profit Corporations Act (IC 23-17-27), these Bylaws (Article VIII, Corporate Records, Report, and Seal), or that are deemed by the Governing Council to be public records.

(5) Keeps Elvin HOME's corporate seal and, as required, affixes the seal to any instrument and attests to the seal by signing the instrument;

(6) Oversees the annual election of the Vice President and referendum voting in accordance with Article VI, Section 2, Grand Council Meetings;

(7) Performs all duties customary to the office of Secretary or assigned by the Governing Council.

(d) *Treasurer.* The Treasurer:

(1) Has direct custody of and is responsible for all Elvin HOME funds and securities;

- (2) Ensures that all money due to Elvin HOME is collected and properly accounted for and deposits all Elvin HOME funds in a corporate account that has been selected by the Governing Council;
- (3) Maintains adequate and correct accounts of Elvin HOME's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains and losses;
- (4) On a timely basis, provides the Secretary with any financial information that is required to be made available for public inspection under the IRC or Indiana's Non-profit Corporations Act (IC 23-17-27), or that is deemed by the Governing Council to be public records;
- (5) Keeps a record of current members and their addresses, both postal and electronic, as applicable, and provides these records when they are updated to Elvin HOME's Secretary;
- (6) Provides detailed accounting reports to the Governing Council;
- (7) Establishes and complies with Elvin HOME's financial management and oversight policies; and
- (8) Performs all duties customary to the office of Treasurer or assigned by the Governing Council.

Section 4. Officer Term of Office.

Elvin HOME Officers serve a term of one year:

- (a) The terms of office for the President, Secretary, and Treasurer begin on February 1st and end on January 30th of each year.
- (b) The term of office for the Vice President begins on June 1st and ends on May 31st of each year. (See Article VI, Section 2, Grand Council Meetings).

Section 5. Officer Term Limits.

An Elvin HOME Officer cannot serve in any one office longer than three consecutive years. But an Officer whose term limits have expired may serve in that same office again after sitting out for a period of one year. If an Officer is elected mid-term, any time that the officer serves for the partial term will not be counted against their time for purposes of calculating term limits.

Section 6. Officer Vacancies.

Vacancies of an office may occur through death, resignation, removal, or non-renewal of a Volunteer Commitment. If an Officer vacates their office, they may still remain a Steward unless, given the circumstances, the Governing Council determines otherwise. If an office is vacant, the Governing Council must fill the vacancy at the next scheduled Governing Council Meeting. If the vacant office is the President, Secretary, or Treasurer, then the Council must elect that officer in accordance with Article VI, Section 1, Governing Council Meetings. If the vacant office is the Vice President, then Council will appoint an interim acting Vice President. The acting Vice President serves until the next Grand Council Meeting, at which time a Vice President must be elected by the members in accordance with Article VI, Section 2, Grand Council Meetings. All newly elected officers will hold office until the next scheduled election, or his or her death, resignation, or removal from office.

Section 7. Officer Resignation.

An Officer may resign from their office at any time by giving written notice to the Council or by giving verbal notice during a Governing Council meeting. The notice does not need to be accepted by the Governing Council

to be effective. A resignation takes affect immediately, unless the notice provides a specific date that the resignation will be effective. If notice is given during a Council Meeting, the resignation must be recorded in the minutes.

Section 8. Officer Removal.

- (a) *Removal Without Cause.* The Governing Council may remove the President, Secretary, or Treasurer by a two-thirds vote if, in the Council's judgment, Elvin HOME's best interest would be served. However, the Governing Council may not remove the Vice President under this provision.
- (b) *Removal for Cause.* Any Officer may be removed for cause for not fulfilling their Volunteer Commitment obligations or seriously violating these Bylaws or Elvin HOME policies. Removal for cause may be done either through a grievance or through Volunteer Commitment review in accordance with Elvin HOME's policies. But before an officer may be removed under this provision, he or she must be provided notice and given an opportunity to be heard. An Officer cannot be removed unless at least two-thirds of the Governing Council votes for the removal.

ARTICLE V: SEASONAL STEWARDS AND STAFF

Section 1. Seasonal Stewards & Staff Volunteer Commitments.

An Elvin HOME member who wants to help Elvin HOME achieve its goals and purposes as outlined in these Bylaws may propose a Volunteer Commitment to the Governing Council for approval in accordance with Elvin HOME's policies. A majority of the Governing Council must approve a Volunteer Commitment before it is effective. Seasonal Stewards and Staff are non-voting members of Elvin HOME's Governing Council.

Section 2. Compensation.

Seasonal Stewards and Staff serve without compensation. However, they may receive advancements or reimbursements for reasonable expenses incurred in the performance of their duties.

Section 3. Resignation and Removal of Seasonal Stewards & Staff.

- (a) *Resignation.* Seasonal Stewards and Staff may resign from their position at any time by giving written or verbal notice to the Governing Council.
- (b) *Removal.* The Governing Council may remove a Seasonal Steward or Staff member by two-thirds vote if, in the Council's judgment, Elvin HOME's best interest would be served.

ARTICLE VI: MEETINGS, COUNCIL ACTIONS, & ELECTIONS

Section 1. Governing Council Meetings

- (a) *Place of Governing Council Meetings.* Governing Council meetings are held at Elvin HOME's principal office. But the Governing Council may designate another meeting place by resolution.
- (b) *Regular Governing Council Meetings.* Regular Governing Council meetings are held on the second Sunday of each month at 1:00pm (EST), except for the months in which a Grand Council Meeting is scheduled. The Governing Council may set a different day and time or even cancel a Regular Governing Council meeting, if necessary. However, the Governing Council must conduct at least four Regular Governing Council meetings a year. Regular meetings are open to all Elvin HOME members, and their guests, but only Stewards may vote.

- (c) *Special Governing Council Meetings.* A Special Governing Council meeting may be called by any two Stewards to address an urgent matter. Special Meetings are held at the principal office of the corporation or, if different, at the place designated by the Stewards calling the special meeting.
- (d) *Notice of Governing Council Meetings.* Notice of Governing Council meetings must be given as follows:
 - (1) *Regular Meetings.* Notice is not required for a Regular Governing Council Meeting, except as provided in Article III, Section 9, Removal for Cause (Steward), Article IV, Removal for Cause (Officers), and Article X, Amendment of Bylaws.
 - (2) *Special Meetings.* At two days before a Special Meeting, the Secretary of the corporation will give notice to each Steward who serves on the Governing Council. This notice may be oral or written, and given via telephone, first class mail, in person, or through electronic mail. The notice must include the purpose, place, date, and time of the Special Meeting.
 - (3) *Waiver of Notice.* When a meeting notice is required, a Steward may waive the notice either in writing or verbally, if provided during the meeting. If the notice is waived verbally, the waiver must be recorded in the meeting minutes.
- (e) *Quorum for Governing Council Meetings.* A Quorum consists of at least two-thirds of the voting members of the Governing Council. If a Quorum is not present at a meeting, then the only motion that the Chair may accept is a motion to adjourn.
- (f) *Majority Action as Governing Council Action.* Every act or decision done or made by the majority of the Governing Council voting members present at a meeting in which a quorum is present is the act of the Governing Council, unless a higher number is required under these Bylaws (Article III, Section 9, Removal for Cause of a Steward; Article IV, Section 8, Officer Removal; Article V, Section 3, Removal of Seasonal Stewards & Staff). Officers, except for the Vice President, and Stewards are elected by a majority of the Governing Council voting members.
- (g) *Proxies.* If a Steward will not be present at a Governing Council meeting, he or she may provide a proxy in accordance with Elvin HOME's policies. At a minimum, a proxy will be in writing and retained with the meeting minutes.
- (h) *Conduct of Governing Council Meetings.* Governing Council Meetings are presided over by the President or an appointed Chair. Meeting minutes and votes are taken by the Secretary or an appointed delegate. Meetings are conducted in accordance with Elvin HOME's policies.

Section 2. Grand Council Meetings.

- (a) *Place of Grand Council Meetings.* Grand Council meetings are held at Elvin HOME's principal office. But the Governing Council may designate another meeting place by resolution.
- (b) *Regular Grand Council Meetings.* Grand Council Meetings are held twice a year: In May, during Elvin HOME's ELF Fest, and in September, during Elvin HOME's Wild Magick Gathering. The Governing Council schedules and publishes the exact date and time of the Grand Council meetings when these events are planned.
- (c) *Special Grand Council Meetings.* Members may not call special meetings.
- (d) *Record Date & Member List.* The Record Date for the Grand Council meeting scheduled during ELF Fest is April 15th; the Record date for the Grand Council meeting scheduled during Wild Magick

Gathering is August 15th. If the members will vote on a matter at the Grand Council Meeting, then the Secretary or appointed delegate must generate a separate list of current members as of the Record Date; these are the members who are entitled to vote at the Grand Council Meeting. Upon request, any Steward with a proper purpose may review the Member list. Members may not view the Member list.

- (e) *Notice of Grand Council Meetings.* If the Members will elect the Vice President or vote on a proposed referendum at the Grand Council Meeting, then Notice of the voting must be provided at least two weeks before the vote must be cast. Otherwise, notice of the Grand Council Meeting is not required.
- (f) *Ballot Voting.* The Secretary or an appointed delegate will provide a ballot to each current member as of the Record Date. Each member is entitled to one vote for each item being voted on. At a minimum, the ballot must state:
 - (1) The number of responses needed to meet the quorum requirements;
 - (2) The percentage of approvals necessary to approve each matter other than the election of the Vice President; and
 - (3) The time by which a ballot must be received by Elvin HOME's secretary to be counted.

Once the Secretary receives a ballot, it may not be revoked. The Secretary must keep the ballots for one year after the vote was taken.

- (g) *Quorum for Meetings.* A Quorum consists of at least 10% of the member votes that are entitled to vote. A vote is considered present when a member delivers a ballot to the Secretary.
- (h) *Actions Approved by the Members.* The Vice President candidate who receives the plural majority of the votes cast is elected to the position; a referendum passes if it receives the plural majority of the votes cast.
- (i) *Conduct of Meetings.* Grand Council Meetings are presided over by the Vice President or an appointed Chair. The President or an appointed delegate reports on the activities of Elvin HOME since the last Grand Council Meeting and the Treasurer or an appointed delegate reports on Elvin HOME's financial condition. Meeting minutes and votes are taken by the Secretary or an appointed delegate. Meetings are conducted in accordance with Elvin HOME's policies.

ARTICLE VII: INSTRUMENTS, DEPOSITS, AND FUNDS (APPROVED BY COUNCIL)

Section 1. Execution of Instruments.

The Governing Council may adopt a resolution that authorizes any Elvin HOME officer or agent to enter into a contract or execute any instrument on behalf of Elvin HOME. This authority may be general or confined to specific instances. Unless so authorized, an officer or agent has no power or authority to bind Elvin HOME through a contract, to pledge its credit, or to render it liable monetarily.

Section 2. Checks and Notes.

The Governing Council oversees the use of Elvin HOME funds. Upon the Governing Council's approval, the Treasurer signs checks, drafts, promissory notes, orders for the payment of money, and other documents that demonstrate the Elvin HOME's indebtedness. However, the Governing Council may adopt a Resolution that authorizes an officer or agent, other than the Treasurer, to sign any of these documents.

Section 3. Deposits.

The Treasurer must deposit all Elvin HOME funds in corporate accounts at a financial institution. Any financial institution in which corporate funds are held must be approved by the Governing Council.

Section 4. Gifts.

Any Steward may accept on Elvin HOME's behalf any gifts that may be used for Elvin HOME's non-profit purposes. Upon accepting a gift, the Steward must provide appropriate documentation associated with the gift to the Treasurer. The Treasurer must properly record any gifted titles or deeds within 60 days of receipt with the appropriate state or county agency.

ARTICLE VIII: CORPORATE RECORDS, REPORTS, AND SEAL

Section 1. Maintenance of Corporate Records

Elvin HOME must keep at its principal office:

- (a) Meeting Minutes of all Governing Council meetings and Grand Council Meetings. Meeting Minutes must indicate:
 - (1) The time and place of the meeting;
 - (2) Whether the meeting was a regular meeting or a special meeting;
 - (3) How the meeting was called;
 - (4) The type of notice given, if notice was required;
 - (5) The names of those present; and
 - (6) The proceedings of the meeting.
- (b) Adequate and correct books and account records, including accounts of its properties and business transactions and accounts of its assets, liabilities, receipts, disbursements, gains and losses;
- (c) Ballots from the most recent Vice President election – Ballots are maintained for one year;
- (d) The most recent annual or periodic reports that were submitted to state or federal agencies as required by law;
- (e) A record of its members, including name, address, level of membership (life or annual), and the termination date of the membership, if applicable; and
- (f) A copy of Elvin HOME's Articles of Incorporation, Bylaws as amended to date, and any resolutions adopted by the Governing Council.

Section 2. Corporate Seal

The Governing Council may adopt, use and alter a corporate seal. The corporate seal is kept by the Secretary. However, corporate instruments are not rendered invalid if the instrument does not have the seal affixed to it.

Section 3. Stewards' Inspection Rights

Every Steward has the absolute right at any reasonable time to inspect and copy all books, records and documents of any kind and to inspect Elvin HOME's physical properties, except as provided in Article VI, Section 2(d), Record Date & Member List. But all information that a Steward accesses must be treated confidentially, especially members' information.

Section 4. Members' Inspection Rights

A member may inspect the following records for a purpose reasonably related to the person's membership. A member may request to inspect records by providing a written demand to Elvin HOME's Secretary. If the member is entitled to copies of the records, the member may be asked to pay a reasonable charge for copies. Further, the written demand must state the purpose for which the inspection is being requested. Members may demand to inspect and copy:

- (a) The record of Elvin HOME's Officers' names and addresses;
- (b) The record of Elvin HOME's Stewards' name;
- (c) The published financial reports, records, and minutes of Governing Council Meetings, unless there is a conflict with individual privacy information.

Members are not entitled to inspect and copy any member records, including lists of current members and member contributions.

Section 5. Right to Copy and Make Extracts

Any inspection under the provisions of this Article may be made in person or by the member's agent or attorney and the right to inspection includes the right to copy and make extracts.

Section 6. Periodic Reports

The Governing Council is responsible for ensuring that any annual or periodic reports that are required under state and federal law are prepared and timely submitted.

ARTICLE IX: INTERNAL REVENUE CODE (IRC) 501(c)(3) TAX EXEMPTION PROVISIONS

Section 1. Limitations on Activities

No substantial part of the Elvin HOME's activities may be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the IRC). Additionally, Elvin HOME may not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office. Regardless of any other provisions of these Bylaws, Elvin HOME may not carry on any activities not permitted to be carried on by a:

- (a) corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or
- (b) corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

Section 2. Prohibition Against Private Inurement

No part of Elvin HOME's net earnings may inure to the benefit of, or be distributable to, its members, directors or trustees, officers or other private persons, except that Elvin HOME may pay reasonable compensation for services rendered and make payments and distributions in furtherance of Elvin HOME's purposes.

Section 3. Distribution of Assets

Upon the dissolution of Elvin HOME, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation must be distributed for:

- (a) one or more exempt purposes within the meaning of Section 501(c) (3) of the IRC; or
- (b) for a public purpose, to the federal government, or to a state or local government.

Such distribution must be made in accordance with all applicable provisions of the laws of this state.

ARTICLE X: AMENDMENT OF BYLAWS

- (a) The Governing Council may adopt, amend, or repeal the Bylaws by two-thirds vote of the Governing Council. However, if the amended By-Law provision will decrease the members' voting rights, the specific provision must be approved by a majority vote of the members. (See Article VI, Section 2, Grand Council Meetings)
- (b) Notice of Meetings in which the Bylaws will be amended must be in accordance with the Article VI, Meetings, Council Actions, and Elections. Additionally, the notice of the meeting must include a copy of the proposed By-Law amendment.

ARTICLE XI: MEMBERS

Section 1. Membership – Levels, Rights, and Qualifications

Elvin HOME may not discriminate against any person or group of people based on their race, religion, creed, national origin, sexual orientation, political affiliation, age, or gender. Membership in Elvin HOME may not be restricted beyond the required Communication fees (See Article XI, Section 3) and legal paperwork. However, for individuals who are 17-years old or younger, written permission from a parent or guardian is required to join Elvin HOME.

Section 2. Admission of Members

Applicants are admitted to membership in accordance with Article XI, Section 1.

Section 3. Communication Fees

To maintain membership, each member must pay a communication fee. Communication fees for one-year, five-year, ten-year, or life memberships are set by the Governing Council. Communication fees are non-refundable

Section 4. Number of Members

There is no limit on the number of members that Elvin HOME may admit.

Section 5. Non-liability of Members

An Elvin HOME member is not personally liable for Elvin HOME's debts, liabilities, or obligations.

Section 6. Non-transferability of Membership

A membership, or any membership rights, may not be transferred. All rights of membership cease upon the member's death.

Section 7. Termination of Membership

All rights of an Elvin HOME member cease when any of the following events occur:

- (a) *Failure to Renew Membership or Failure to Pay Overdue Facility Use Fees.* If a member fails to renew his or her membership, then the membership terminates on the date that the communication fees required to renew a membership becomes due. If a member fails to pay facility use fees (see Article XI, Section 8) after Elvin HOME has provided written notice that the fees are due, then the membership terminates 30 days after the notice was provided.
- (b) *Misconduct.* If a member has engaged in conduct materially and seriously prejudicial to Elvin HOME's interests or purposes, the Governing Council may terminate the membership in accordance with Elvin HOME's policies.
- (c) *Member Provides Notice of Termination.* When a member provides written notice to Elvin HOME, either personally or by mail, that the member terminates his or her membership, the membership is terminated on the date that Elvin HOME receives the notice.

Section 8. Additional Privileges Granted to Members

All Elvin HOME members:

- (a) May camp upon Elvin HOME lands upon the payment of basic facility use fees that the Governing Council sets;
- (b) May trade, or sell arts, crafts, or services upon Elvin HOME lands or at Elvin HOME sponsored events ;
- (c) May receive a waiver of facility use fees or other non-cash compensation for services rendered to Elvin HOME by pre-arrangement with The Governing Council;
- (d) Are encouraged to set up temporary areas of sacred space and practice their spiritual beliefs whenever they visit, so long as that space does not violate these Bylaws or any Elvin HOME policies;
- (e) Are personally responsible for their own food, shelter, and cash flow, and maintaining any area on Elvin HOME Lands that they use; and
- (f) Are encouraged to attend Governing Council and Grand Council meetings as outlined in Article VI, Meetings, Council Actions, and Elections.

ARTICLE XII: CONSTRUCTION AND TERMS

- (a) If there is any conflict between the provisions of these Bylaws and Elvin HOME's Articles of Incorporation, the Articles of Incorporation governs.
- (b) If any of the provisions or portions of these Bylaws are held unenforceable or invalid for any reason, the remaining ByLaw provisions and portions remain valid.

- (c) All references in these Bylaws to the Articles of Incorporation include the Articles of Incorporation, Articles of Organization, Certificate of Incorporation, Organizational Charter, Corporate Charter, or other founding document of Elvin HOME that is filed with an office of this state and used to establish the legal existence of this corporation.
- (d) These Bylaws cite sections of the Internal Revenue Code. These citations refer to sections of the Internal Revenue Code of 1986, as amended from time to time, or to corresponding provisions of any future federal tax code.
- (e) These Bylaws cite sections of Indiana's Non-profit Corporation Act. These citations refer to sections of Indiana's Non-profit Corporation Act, as amended from time to time, or to corresponding provisions of any future code.