



MINTO ASSOCIATION

© *Revised Articles of Incorporation*
2024

**ARTICLES OF INCORPORATION
MINTO ASSOCIATION**

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PREAMBLE

We the members of Minto Association having come this far from Africa (Kenya) to the United States of America (USA), acknowledge that we are still inherently connected with our friends and family members back home, who continues to look upon us for financial moral, and social support during times of joy and distress. In addition, we are acutely aware of the social, environmental, and cultural challenges posed upon us as immigrants in our new land. As such, we resolve through the spirit of Ubuntu 'I am because of who we all are,' that permeates every aspect of our lives to create this charitable organization by the name Minto Association to help us mitigate those challenges whenever they arise under the following articles of incorporation:

ARTICLE I

NAME, OFFICES, ASSOCIATION LOGO, FISCAL YEAR

1.01 The name of this organization shall be **MINTO ASSOCIATION hereinafter referred to as Minto Association**. Its registered office/physical address and agent shall be as set forth in the Articles of Incorporation of this organization, or in a certificate of change of registered office/agent filed with the office of the Minnesota Secretary of State. For purposes of clarity and understanding, the membership shall always be informed and adopt any changes thereof.

1.02 This organization shall have no corporate seal unless otherwise authorized by the Board of Trustees and adopted by the membership. However, nothing in these bylaws prohibits this organization from adopting its own Logo.

1.03 The fiscal year of the corporation shall start on **February 1st and end on January 31th** of each calendar year.

1.04 The organization's existence shall be perpetual.

ARTICLE II

PURPOSE AND OBJECTIVES

2.01 Purpose. This organization is organized exclusively for the purpose of charitable, educational, and enculturation of new and existing Kenyan Immigrants in the State of Minnesota, for such purposes, the making of contributions and distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the U.S. Internal Revenue Code, or the corresponding section of any future federal tax code.

2.02 Specific Purpose and Objectives. **Minto Association** organization provides; the specific objectives and purposes of this organization shall be to:

- a) Advance the social and cultural welfare of Kenyans and Kenyan Americans living in the State of Minnesota.
- b) Create and reestablish a common bond between Kenyans and Kenyan Americans living in the State of Minnesota.
- c) Offer moral and financial support to members in times of bereavement and or misfortunes.

- d) Educate, serve and support Kenyans in Minnesota in times of misfortune including spiritual, intellectual, emotional and social development in the community.
- e) Provide opportunities for members to explore economic development.
- f) Promote socioeconomic and charitable activities amongst its members.
- g) Promote charitable/welfare contributions to its members, their families, and relatives in the USA and elsewhere during times of distress.
- h) Promote and organize charitable contributions to disadvantaged members of society in the State of Minnesota, or elsewhere during their times of need.
- i) Promote, develop, and foster members networking with other community resource groups on socioeconomic and health related matters within the association's area of operation.
- j) Promote integration, enculturation, and cultural activities of its members within the State of Minnesota through such activities but not limited to as summer barbeques, social games, field trips etc.
- k) Serve as a resource center for members on policy related issues in matters including and/or not limited to immigration, health, economic, education, civic etc.
- l) Promote all other activities as may be authorized by the Board of Trustees and or approved by the membership for the benefit of the association.

ARTICLE III

MEMBERSHIP

3.01. Eligibility for Membership.

Duly voting membership application shall be open to people of Kenyan lineage and/or relations through marriage, be 18 years and above, residing in the State of Minnesota, supports the purpose and objective statement in Article II above. Membership is granted upon completion of an application form and payment of a nonrefundable **registration** fee of **\$70** and payment of **FIVE (5)** shares (where a share = \$50) totaling to \$250 per membership.

Individual membership with full voting rights shall be open to only natural persons living in the state of Minnesota, unless one was a member prior to relocating to any other State within the United States.

3.02 Corporate and Associate Membership.

The Executive Board shall have the power to accept applications for membership from persons who, though not eligible to apply for membership under Section 3.01 above, accept the vision and identify with the mission of Minto Association.

- a) **Associate membership:** Open to students, temporary visitors, observers and well-wishers who, upon payment of a prescribed fee, have been admitted as members of the Association
- b) **Corporate membership:** Open to businesses with or without employees, organizations whether or not incorporated and any organized group of people who express a desire to join Minto Association as members

3.03 Voting

- a) Duly qualified members under section 3.01 shall have the right to participate in all activities of the association, including but not limited to vote, receive benefits (as more fully detailed in Article IV below),
- b) Corporate and Associate members shall not be entitled to vote and be voted to serve in any capacity. They shall be entitled to attend association meetings only as observers.

3.04 Annual Dues

There will be no annual dues for Minto Association members.

3.05 Member Voting Policy

Minto Association shall operate on a one member one vote policy.

3.06 Termination of Membership

Membership shall be terminated by filing a written statement of intent to terminate membership to the secretary. The secretary shall immediately inform the Board of Trustees (BOT) of the member's intent. The member's account shall be considered closed as of the day of the written communication. Member's refundable dues shall be calculated and forwarded to the member after all then due deductions have been fulfilled.

Termination of membership originating due to any of the reasons listed below, shall also be approved by majority vote of the BOT;

- a) Failure to attend 2 consecutive AGM without an apology.
- b) Death of a member
- c) Deportation and or relocation of a member from the United States
- d) Conviction of a criminal offense involving dishonesty.
- e) Imprisonment for a period of 6 or more months
- t) Submission of fraudulent application for a benevolent benefit
- g) Failure to replenish member dues leading to shares dropping below value of 1 replenishing share. A reminder shall be sent to the member when I fully share remaining in the account. Members' monies below I share shall be returned to the member and shall immediately cease to be a member.
- h) A member acts in a way prejudicial to the interest of Minto Association.

3.07 Appeal of Membership Reinstatement

Upon termination of membership, the member has a right to appeal to the Appeals **Board (AB)** within 15 days of the adverse decision. Appeals board shall be composed of 4 members. BOT shall select 3 people from the list of Minto Association membership in good standing and without conflict of interest. The Treasurer shall serve as the ex-officio in the AB. The treasurer shall update the AB and present the BOT's decision and shall not vote. The 3 selected AB members shall adjudicate one (J) case ONLY, and dissolve. The decision of the AB shall be final.

ARTICLE IV

MEETINGS OF MEMBERS

4.01 Regular Meetings. The Association shall hold regular meetings when need arises at a time and place designated and announced by the BOT.

4.02 Annual General Meeting. An Annual General Meeting (AGM) of the members shall take place in the month of July after the end of the association's fiscal year. The specific date, time and location of meeting will be announced by the BOT. The meeting shall take place no later than two months (60 days) after the expiry of the association's fiscal year. At the annual meeting members shall elect BOT, receive reports on the financial and activities of the association, and determine the direction of the association for the coming fiscal year.

4.03 Special Meetings. Special meetings may be called by the chair or a simple majority of the BOT. A petition signed by ten percent (10%) of voting members may also call a special meeting. No business other than that specified in the call will be considered at a special meeting.

4.04 Notice of Meetings. Notice of meetings of members will be communicated at least two (2) weeks prior to the meeting. The agenda may be announced no less than Five (5) days prior to the meeting. Unless otherwise as specified in these Articles under Section 4.06 below.

4.05. Annual, regular, and special meetings of the membership shall be held at the registered office of the Corporation or at such other places as may be determined by the Board of Trustees of the association. Unless otherwise as specified in these Articles under Section 4.06 below.

4.06. In the event association members are hindered from physically congregating for a meeting necessitated but not limited to either distance, a pandemic and or any other catastrophic event, then the association shall hold its board meetings, annual, regular, and special membership meetings remotely through Video Conferencing (VC) and, or Other Audio Visual Means (OAVM); Secondly, where possibly the corporation can also hold its meetings using a hybrid mode, where other members are able to meet physically while others are connected electronically; thirdly, members can also meet via telephone without the internet support. Provided:

- a) Modes of issuing notice of such meetings comply with section 4.04 above.
- b) The electronic communication facility employed enables all persons participating in a meeting to communicate concurrently with each other without an intermediary and participate effectively in the meeting.
- c) The means used should be capable of recognizing and recording participation of members and recording and storing the proceedings of such meetings along with the date and time.
- d) Except as otherwise specified in the bylaws, Robert's Rules of Order Latest Revised Edition* on electronic meetings shall apply.

4.07 Quorum. A quorum for all Minto Association meetings shall be 10 percent of the voting members. Except as otherwise specified in these Articles, all meetings of the membership of Minto Association shall be conducted in accord with Robert's Rules of Order Latest Revised Edition*

- a) An act by a majority of voting members at a meeting with quorum shall be the act of the membership.
- b) The President is not allowed to vote but casts a deciding vote in case of a tie in the vote count.

4.08. Between meetings of the membership, any action which may be taken in a meeting of the membership may be taken without a meeting by Email, Mail Ballot and or Electronic Voting cast by the voting members, which such notice as may be prescribed by these Articles, in the following manner:

- a) The proposed action shall be recommended by the Board of Trustees and stated in full text, accompanied by a memorandum explaining its purpose, and a ballot designed for a vote for or against the proposal. The foregoing materials shall be emailed to each member's registered email address with the association or mailed to each voting member with such instructions as may be determined by the BOT for completion and return of the ballot.
- b) The BOT shall tally the ballots, verify the result, and insert a signed verification of the result in the Association's minute's book. All ballots shall be retained for inspection at the next meeting of the BOT and or membership and may thereafter be discarded.

- c) If the proposed action receives an affirmative majority of the votes cast, then it shall be adopted **provided at least Ten (10) percent of the voting members cast their votes. Unless specified otherwise under these Articles. Any such proposed action that fails to garner the support of at least Ten (10) percent of the members voting shall be, so declared defeated.**

ARTICLE V

BOARD OF TRUSTEES (BOT)

5.01 General Powers. The affairs of Minto Association shall be managed by its BOT. The BOT shall have control of and be responsible for the management of the affairs and property of Minto Association.

5.02 Number and Tenure. The number of BOT members shall be fixed from time-to-time by the membership but shall consist of no less than (5) nor more than **(15)** members including the following officers: President, Vice-President, Secretary, Vice-Secretary, Organizing Secretary, Treasurer, Assistant- Treasurer, and Three (3) Board members.

The members of the BOT shall, upon election, immediately enter upon the performance of their duties. In the event that elections fail to take place and or no members are nominated or elected to the said office(s) and therefore the term of current board member(s) expires, they shall continue in office until their successors shall be duly elected and qualified in the proceeding annual, regular and or special meeting. In the event the outgoing BOT member(s) decline to continue, or is terminated under Article III, Section, 3.06 of these Articles, the BOT shall fill the vacant position(s) for the remainder of the term permanently and or on an acting capacity until is/are duly elected in the proceeding regular, special and OR annual meeting.

- (a) All members of the BOT must be approved by a majority vote of the members present and voting. No vote on new members of the Board of Trustees will be held unless a quorum of the membership is present as provided in Article IV Section 4.07.
- (b) No two members related by blood or manage/domestic partnership within the second degree of consanguinity or affinity may serve on the BOT. Members shall have the right to challenge a contestant's candidature for Board of Trustees position prior to elections or on election day through communication to the elections committee.
- (c) To be a BOT member one must have been a member of Minto Association for a minimum of 2 years.
- (d) All members of the Board of Trustees shall be active members of **Minto Association** whose membership dues are paid in full, no arrears or penalty at the time of election and shall hold office for up to three (3) Years and be eligible for reelection for 1 more term.
- (e) Each member of the Board of Trustees shall attend at least half (50%) of the meetings duly convened by the committee per year. Failure to attend three (3) unexcused consecutive Board of Trustees meetings shall have him/her replaced permanently and or on acting capacity for the remainder of his term and or until replacement is elected or nominated by the membership in a duly convened annual, regular, and or special meeting.
- (f) The annual meeting of the BOT shall be held following the AGM of the membership. The BOT shall hold not less than four (4) regular meetings in a fiscal year, at such time and place as may be determined by the board. Notice thereof shall be given by the secretary or other officer to every member of said board at least five (5) days before the first meeting of the board at such place other than the association's registered office or as otherwise specified in Article IV, Section, 4.06 above.
- (g) Special meetings of the BOT shall be held whenever called by the President of the board and or secretary or by a simple majority of board members. Notice of each such special meeting shall be

communicated to each board member at least five (5) days before the day on which the meeting is to be held. Each such notice shall state the time, place, and or means, and purpose of the meeting.

- (h) At each meeting of the BOT, the President of the board, or, in his or her absence, the Vice- President, shall preside. In the absence of the President and Vice-President, the Secretary shall preside. In the absence of the President, Vice-President and Secretary, Treasurer shall preside. In the absence of the President, Vice-President, Secretary and Treasurer, the Trustees shall select a temporary Chair to preside.
- (i) Attendance at any meeting of the BOT by a trustee shall constitute a waiver of notice of such meeting by such board member and any meeting of the BOT shall be a legal meeting without any notice thereof having been given if all of the board members of the association shall be present thereat or waive such notice in writing before, at, or after such meeting.
- U) Except as otherwise provided by statute or by these Articles of Incorporation, simple majority of the total number of seated board members shall be required to constitute a quorum for the transaction of business at any meeting, and the act of a majority of the board members at any meeting at which a quorum is present shall be the act of the board members. In the absence of a quorum, a majority of the board members present may adjourn any meeting from time to time until a quorum is had. Notice of any adjourned meeting need not be given other than by announcement at the meeting at which adjournment is taken.

ARTICLE VI

BOARD OF TRUSTEES COMPOSITION

The members of the BOT shall be the President, Vice-President, Secretary, Vice- Secretary, Treasurer, Assistant - Treasurer, Organizing Secretary, and Three (3) Board Members as defined in Article V, Section 5.02.

6.01 President. The President shall preside at all meetings. The President shall have the following duties:

- a) Preside at all meetings of the BOT.
- b) Have general superintendence and direction of all other officers of Minto Association and see that their duties are properly performed.
- c) **Submit** a report of the operations of Minto Association for the fiscal year to the membership at their regular meetings, **annual** general meetings, and or special meetings, and **from** time **to** time, shall report to the board all matters affecting the association.
- d) Serve as **Ex-officio** of all standing committees and shall have the power and duties usually vested in the office of the President.
- e) Act as the association's spokesperson.
- f) Coordinate with the BOT to ensure that income and expenditure records are in order.
- g) Serve as Signatory of association's bank account(s).

6.02 Vice-President. In the absence of the president, all the power, duties and responsibilities of the president shall vest upon the Vice-President. The Vice-President's additional duties are:

- a) Supervise all Ad hoc committees and such other duties as may, from time to time, be determined by the BOT.

6.03 Secretary. The Secretary shall attend all meetings of the BOT, and all meetings of members and assisted by the Vice-Secretary, will act as a clerk thereof. The Secretary's duties shall consist of:

- a) Taking notes and sending official communications to the members.
- b) Record all votes and minutes of all proceedings in a book to be kept for that purpose.
- c) In concert with the President and the Organizing Secretary shall plan for all meetings of the BOT, AGM and SM of the association.
- d) Assisted by the Organizing Secretary shall send notices of all meetings to the membership, the BOT, and including reservations for the meetings.
- e) Perform all official correspondences from membership and as may be prescribed by the BOT
- f) Be a signatory to the association's bank account(s).

6.04 Vice-Secretary. The Vice-Secretary shall be vested with all the powers and shall perform all the duties of the Secretary during the absence of the latter.

- a) Shall performs such duties as may be assigned by the Secretary and or the BOT.

6.05 Organizing Secretary

- a) Shall be responsible for organizing and booking membership meeting venues and logistics for other events and activities to include but not limited to; membership summer barbeques, social events or other activities as may be assigned by the BOT.
- b) Must demonstrate good organizational skills.

6.06 Treasurer

- a) Present a complete and accurate report of the association finances during general meetings and at the annual general meeting or at any other time upon reasonable request by the executive board or individual members.
- b) Keep safe custody of the associations funds and securities and ensure application of funds to au110rities are submitted on time.
- c) Deposit the funds of the association to its credit in such banks and depositories as the membership or the executive board may from time to time designate.
- d) Perform such other duties as may be prescribed by the BOT or the President under whose supervision he/she shall be.
- e) Be a signatory to the association's bank account(s).

6.07 Assistant Treasurer.

The Assistant Treasurer shall be vested with all the powers and shall perform all the duties of the Treasurer during the absence of the latter.

- a) Perform such duties as may be assigned by the Treasurer and or the BOT.
- b) Be a signatory to the Association's bank account(s)

6.06 Board Members.

There shall be Three (3) board members elected by the membership as defined in Article V, Section 5.02 with the following duties:

- a) They shall attend all BOT meetings and perform such duties as designated by the BOT or the President whose supervision they shall be.

- b) They shall together with the organizing secretary be responsible in coordinating and organizing the association's social activities such as summer barbeques, field trip excursions, visitations, and any other activities as may be designated by the BOT.

6.07 Statutory Duties of Board of Trustees

The statutory duties of Board of Trustees are as follows:

- a. To act within their powers
- b. To act in good faith
- c. To promote the success of the organization
- d. To exercise independent judgment
- e. To exercise reasonable care, skill and diligence
- f. To avoid conflicts of interest
- g. To not accept benefits from third parties and
- h. To declare interests in proposed or existing transactions or arrangements with the association.

A board of trustees also has a duty of confidentiality to the association and to act in the best interests of the association. If a board of trustee were to breach any of the above, they could be liable pursuant to a derivative action, i.e. where a member can bring a claim on behalf of the association and the trustee/s would need to make good any loss caused by their breach.

6.08 Trustee Liability

No trustee shall be held personally liable unless they acted ultra vires to the purpose and objectives of the association.

ARTICLE VII

ELECTION OF OFFICE BEARERS

- a) Election of all office bearers shall be conducted during the AGM. Minto Association shall have a staggered/ classified BOT to ensure continuity in its operations. Election of office bearers shall be conducted in a staggered manner as follows; Vice President, Secretary, Organizing Secretary, Assistant Treasurer and One (1) Board member will constitute one cohort while that of President, Vice Secretary, Treasurer, and Two (2) Board members will constitute the other cohort.
- b) The Elections Committee (EC) shall be elected and or nominated at the AGM and shall act as returning officers during the elections.
- c) The number of EC shall be fixed from time-to-time by the membership but shall consist of no less than Three (3) nor more than Five (5), including the BOT's secretary and or vice-secretary who shall act as an ex-official member with no voting rights within the committee.
- d) The EC shall serve one (4 year) tenure with no extension, and in the event a member of the committee resigns to vie for a position within the organization, then such a member shall tender his/ her resignation from the committee and the membership or the BOT shall appoint a replacement for the remainder of his/ her term from active membership.
- e) The EC upon its establishment shall appoint/elect its own chair and secretary.
- f) The committee shall be mandated to set the rules and conduct of the election of office bearers including but not limited to; allow reasonable time to advertise for open positions within the association; organize for campaigning procedures and or provide a platform for candidates to introduce themselves to the membership; vet candidates; conduct and publish election results of any vacant positions within the association in accordance with these Articles.

- g) Each active association member of good standing present at the AGM is entitled to vote. The president shall cast a deciding vote in case of a tie during the elections.
- h) Candidates for each position to the office of the association may declare their candidacy in writing to the elections committee or be proposed and seconded by members from the floor to the elections committee during elections.
- i) The election of the office bearers shall be conducted through secret ballot of the members present at the election. There shall be no voting by proxy.

ARTICLE VIII

COMMITTEES

The Board of Trustees with the assistance of the membership may from time to time create and exercise due oversight of committees both Ad Hoc and permanent for the purpose of achieving the objectives more fully articulated in Article II herein including financial, fundraising, Auditing, Spiritual, and Minto Association Benevolent fund (MINTO Benevolent Fund).

- a) Leadership/ membership of committees created under this Article shall be proposed by members at a duly convened a general meeting, special, and or AGM.
- b) The Executive Board shall promulgate uniform policies and procedures for all committees created hereunder. Policies and procedures shall cover but are not limited to the following:
 - terms of reference;
 - Election and removal of committee leadership
 - Compensation, if any;
 - Manner, frequency and procedures for meetings and reporting committee activities;
 - Any other pertinent matters as the BOT may, from time to time, determine.

Any committees in existence by the effective date of this Articles shall be deemed to have been created pursuant to this Article. III particular, the following permanent committee is subject to oversight, management and supervision of the Board of Trustees: **Minto Association Benevolent Fund (MINTO Benevolent Fund)**. This is a charitable contribution unconditionally created by Minto Association members without profiting individual donors but to assist members during times of crisis or unforeseen difficulties necessitated by their death, death of a legal spouse, biological/legal child, biological parents, and biological siblings.

Membership to this committee shall be limited by number from time to time as voted upon and determined by the majority membership in a duly convened meeting.

ARTICLE IX

COMPENSATION

Service to Minto Association is deemed voluntary and no compensation is prescribed for any leadership unless defined and voted upon by majority membership at a duly convened general meeting, special or AGM.

ARTICLE X

BOOKS, RECORDS & AUDIT OF BOOKS

- a) All books, records, and property of the association shall be open upon reasonable notice (one month) to inspection and examination by any member of the association.
- b) Reports of the status and progress of the affairs of the association shall be made at each annual meeting of the membership, general meeting, and during BOT meetings by the appropriate officers.

- c) An annual audit of the books and records of the association shall be conducted by an **Audit Committee (AC)** appointed by the membership. For purposes of clarity, such members must be appointed and or elected at the AGM. The Audit committee will consist of no more or less than two (2) Members. Audit committee members shall serve for 4-year terms. However, Minto Association as an entity reserves the right to appoint an external auditor.

ARTICLE XI

GOVERNING LAW

These Articles of Incorporation shall be governed by and construed under, the relevant provisions of the laws of the State of Minnesota.

ARTICLE XII

CONFLICT OF INTEREST

As a non-profit and charitable organization this association shall observe zero-tolerance on matters pertaining to the affairs of the organization in accordance with State and Federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

ARTICLE XIII

Minto Association SOCIAL MEDIA GOVERNANCE

Minto Association acknowledges the power of using its social media forums (e.g. Facebook, WhatsApp, Twitter, Myspace, YouTube, and LinkedIn) towards advancing its mission and vision. However, all members are hereby notified that they will be held personally liable for the information they disseminate, share, 1-epost and or forward through its forums. Nothing prohibits or restricts any member from engaging in concerted and protected activity with other members on the affairs of our association, however, no one is exempted from laws and regulations that govern personal liability across general and traditional forms of communication. Minto Association will establish its own policy on social media governance approved by a majority membership. The BOT shall not be liable for individual members' posts via the association's social media.

As such Minto Association maintains a zero-tolerance policy against unlawful discrimination of its members based on their, age, gender, race, ethnicity, religious affiliation, or any other characteristic protected by state or federal' laws.

ARTICLE XIV

CONSTITUTIONAL AMENDMENTS

Amendments to these Articles may be proposed by the BOT or by any member and shall become effective when adopted by the affirmative vote of two-thirds of the members present and voting at a regular, special, or annual general meeting and or as provided by these bylaws under Article IV, Section, 4.08.

ARTICLE XV

DISSOLUTION

The association may be dissolved only at a special meeting session called and designated for such purpose and shall require an approval vote of 75% of all Minto Association members.

With the exception of Minto Association Benevolent fund, upon dissolution of the association, assets shall be distributed for one or more exempt purposes pursuant to Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future tax code.

ARTICLE XVI

NON-RETROACTIVE CLAUSE

Minto Association's Non-Retroactive Clause prohibits the application of a new provision to events that took place before the provision was enacted. No new provisions shall be construed to be retroactive unless clearly and manifestly so intended by the members.

ARTICLE XVII

ADOPTION OF BYLAWS

We, the members of Minto Association do consent to, and hereby do, adopt the foregoing ARTICLES, consisting of the 11 preceding pages, as the Articles of incorporation of Minto Association.

ADOPTED AND APPROVED by the Executive Board on this.

Secretary:

Date:

President:

Date:

Minto Association BENEVOLENT FUND RULES AND REGULATIONS

CONTENTS

Section 1	Membership & Eligibility
Section 2	Scope of Benevolent Fund
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Section 9	Declaration
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SECTION 1:

MEMBERSHIP & ELIGIBILITY

- I. Membership to Minto Association Benevolent Fund shall be open to any Minto Association member who has paid \$225 nonrefundable registration fee.
- II. Each member shall pay and maintain a Revolving/Pool fund of \$250 This money is refundable without interest upon termination of membership minus unpaid dues or other charges that have been utilized already.
- III. All members shall be responsible of ensuring that they are replenishing into their accounts within (14) days of the announcing of a payout of a benefit. All payments after the (14th day) shall attract a 14 late fee. The \$14 late fee shall be charged from the late member's revolving/pooled fund account EVERY MONTH until the replenishment is paid in full. Upon depletion of member's funds due to payouts and late fee deductions, then such member automatically ceases to be a member due to INADEQUATE balance in the revolving/pooled funds, meaning that NO ONE CAN BENEFIT THROUGH THEM & THEY CAN NOT RECEIVE A BENEFIT.
- IV. Membership is granted upon complying with (Sub-sections, I, and II) above and after completion and receipt of **Minto Association** Family/Beneficiary Form, and in addition to the prospective member acknowledging receipt of Minto Association Articles.
- V. Membership to MINTO Benevolent Fund shall be set from time to time by the Majority membership in at duly convened meeting. At the moment membership is locked at 200 HUNDREND 200 **MEMBERS**.
- VI. New members shall be recruited during the Annual Open Enrollment period in the month of July for the available slots depending on the capped membership.
- VII. Due to limited funds, the following groups of people SHALL NOT be admitted to MINTO Benevolent Fund; 2 siblings, a parent and a son or daughter, with the exception of those that were grandfathered in.

SECTION 2

BENEVOLENT FUND COVERAGE

- I. A MINTO Benevolent Fund member who has lost a family member and qualifies as prescribed in our rules and regulations is entitled to **Ten Thousand Dollars (\$10,000)** from Minto Association's Bank account.
- II. In the event of a death of a Principal member, the bereavement benefits shall be double the current benevolent benefits in existence (**\$20,000**). The benefits shall be offered irrespective whether the deceased person has any other siblings, spouse and or daughter/son within MINTO Benevolent Fund. (For purposes of grandfathered members). The benefits shall be paid to the designated next of Kin/ Beneficiary(ies) on file, in the event of no listed next of Kin and or will, then Minnesota statutes of intestate inheritance will be used to determine the beneficiaries.
- III. The money disbursed shall be divided equally amongst all members and notification made on each member's responsibility. The money shall be reimbursed to the Association's bank account within a period of **14 days** after the official announcement specifying each member's responsibility.
- IV. Principal members described in Section I, Sub-Section VII above shall be considered as individual independent entities despite sharing a beneficiary(s) and shall be entitled to **Ten Thousand Dollars (\$10,000)** each and the money equally divided amongst all members for reimbursement.
- V. Family members in this case consist of; legal husband, legal wife, biological children, legally adopted children, biological parents, and biological siblings as signed and prescribed by each MINTO Benevolent Fund member in their Beneficiary/Family Form filed with the Secretary. **"HALF, STEP SIBLINGS ARE NOT ALLOWED"**.
- VI. MINTO Benevolent Fund acknowledges that, members' beneficiary(s) as stated in the family beneficiary form filed with the Association can change with time as follows;
 - a) Divorce/Marriage- In the event of a divorce and or a marriage by a principal applicant, then the said applicant shall update their status with Minto Association secretary within (30) days failure of which they must wait until the following open enrollment period.
 - b) Newborn/Legal Adoption-The principal applicant member(s) who welcome a newborn and or legally adopts a new child unto the family shall update their status with Minto Association secretary within (30) days of failure of which they must wait until the following open enrollment period.
 - c) Claims based on Stillbirth - There shall be no benefit in case a family experienced a Stillbirth. A member benefits when a family member that is living dies and his name is in the records of MINTO Benevolent Fund.
- VII. Claims based on Adoption. - any member (s) who claims benefits on the account of a legally adopted child or children must provide copies of legal documentation to the BOT before disbursement of benefits.
- VIII. A member, who is newly admitted to Minto Association benevolent fund, shall complete a mandatory 90 days probation before being eligible to receive benefits or *benefits vell*,

SECTION 3

DISBURSEMENT OF BENEVOLENT MONIES

- I. Minto Association Benevolent Fund shall be administered by Minto Association Board of Trustees and its funds deposited into Minto Association Account.
- II. Once a member has been bereaved, the Board of Trustees is obligated to issue a check within **72 hours (3) days** after being officially informed and confirming the bereavement, unless the bereavement is under investigation. The check shall bear at least two signatories as per Minto Association Articles of Incorporation.
- III. MINTO Benevolent Fund check shall always bear the registered member's official names filed with the Secretary on the family beneficiary form, unless specified otherwise by the member and or next of kin.

SECTION 4

ACCOUNTABILITY OF BENEVOLENT FUNDS

- I. With the assistance of the entire BOT, the treasurer shall be the Accounting Officer for Minto Association Benevolent Fund. However, the supremacy of Minto Association Benevolent Members should be always protected. As such, all books, records, and property of MINTO Benevolent Fund shall be available to inspection by any of the fund members upon a one-month notice.
- II. Reports on the status and progress of MINTO Benevolent Fund Account shall be made at the Association's Annual meeting and at every other meeting duly constituted by the board and or membership.
- III. AN AUDIT COMMITTEE (AC) shall be appointed and or elected as per Minto Association Articles specified in Article X, subsection (c) above prior to tabling of the association's financial books at the AGM. Audit committee shall serve for 4-year term.

SECTION 5 TERMINATION

& DISCIPLINARY ACTION

- I. A Member can resign from MINTO Benevolent Fund by filing a written resignation with the Secretary.
- II. In the event, a member is proved to have maligned, slandered, rumored and or falsely accused another member or the BOT in relation to the administration of MINTO Benevolent Fund, then such a member can have their membership terminated by a majority vote of the board and or membership as per our Minto Association Articles, Article III, Subsection 3.06 (h)
- III. In the event, a member is discovered to have falsified information either in the beneficiary form or presented nonexistent bereavement with the intention of gaining benevolent funds, then such a member shall be expelled with immediate effect, asked to reimburse the association and upon refusal be subjected to legal action to recover any monies owed to Minto Association.
- IV. Former member re-application: - A member who terminates membership and later reapplies to join MINTO Benevolent Fund, vetting of such a member shall be conducted by the BOT on a case-by-case basis. The BOT shall be guided by provisions of Article III Subsection 3.06 in decision making. BOT in decision making may decide to:
 - a) Permanently bar an applicant.

- b) Wait for 1 year if the applicant left MINTO Benevolent Fund in good standing.
- c) If accepted to rejoin, the applicant shall be subject to the mandatory 90 day probation period just like a new member.

SECTION 6

AMENDMENTS

These rules and regulations may be amended, when necessary, by two thirds majority (75%) of the members present at a duly convened meeting with a quorum.

SECTION 7

ENFORCEMENT OF THESE RULES AND REGULATIONS

- I. These rules and regulations shall take effect immediately upon adoption by majority membership.
- II. Each member must acknowledge the receipt of these rules and regulations by appending their signatures on a sheet of paper to be filed by the Secretary and or acknowledging receipt of the rules and regulations via their official emails registered with the Association.

SECTION 8

NON-RETROACTIVE CLAUSE

Non-Retroactive Clause prohibits the application of a new provision to events that took place before the provision was introduced. No new provisions shall be construed to be retroactive unless clearly and manifestly so intended by the members.

SECTION 9

DECLARATION

Minto Benevolent Fund is a program solely established by the Minto Association. Thus, these rules are meant to supplement the Articles of Incorporation of Minto Association. In case of any contradiction, Minto Association Articles of Incorporation shall reign supreme.

SECTION 10

CERTIFICATION

These Minto Association Benevolent Fund rules were approved at The Annual General Meeting (AGM) by majority vote on August 27, 2023. Adopted and approved by the Executive on:

Secretary:

Date:

President

Date: