

# EASTVIEW HOCKEY ASSOCIATION

## Amended Bylaws 2023-24

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# Eastview Hockey Bylaws

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# Eastview Hockey Bylaws

## ASSOCIATION BYLAWS

### ARTICLE 1 – NAME

The name of this Association shall be the Eastview Hockey Association, Inc. (a non-profit corporation) hereinafter referred to as “EVHA” and/or the Association.

### ARTICLE 2 – PURPOSE

**Section 2.1** The purpose of the EVHA shall be to promote, encourage and operate amateur hockey programs for families residing in the Eastview High School attendance area and/or with players eligible to play in the Eastview Hockey Association.

**Section 2.2** EVHA shall abide by and act in accordance with its Articles of Incorporation, Bylaws, Rules and Regulations and its Affiliate Agreement with the Minnesota Amateur Hockey Association (Minnesota Hockey), a copy of which was attached hereto as Exhibit “A” [Not included with the handbook].

**Section 2.3** This Association is organized exclusively for charitable, educational, religious or scientific purpose within the meaning of Section 501(c)3 of the Internal Revenue Code and will not act in any manner which would be in conflict with the provisions of this section of the Code.

### ARTICLE 3 – CORE VALUES

EVHA will be guided by the following core values:

1. **EQUAL OPPORTUNITY** – An environment of equal opportunity will be maintained in all actions and activities of the EVHA. Further, the Association shall provide an equal competitive opportunity, taking into account ability, physical size and other athletic criteria, to amateur athletes, coaches, trainers, managers, administrators, and officials to participate, consistent with the requirements of the Amateur Sports Act of 1978, as amended, in amateur athletic competition without discrimination on the basis of race, color, religion, age, sex or national origin.
2. **SPORTSMANSHIP** – Foremost of all values is to learn a sense of fair play. The EVHA players, coaches and parents will be humble in victory and gracious in defeat. EVHA will foster friendship among teammates and opponents alike.
3. **RESPECT FOR THE INDIVIDUAL** – Each member will treat all others as they would expect to be treated.
4. **INTEGRITY** – Each member will see to foster honesty and fair play beyond mere strict interpretation of the rules and regulations of the game.
5. **PURSUIT OF EXCELLENCE AT THE INDIVIDUAL, TEAM AND ORGANIZATIONAL LEVELS** – Each member of the organization, whether player, volunteer or staff, should see to perform each aspect of the game to highest level of his or her ability.
6. **ENJOYMENT** – First and foremost, the youth hockey experience must be fun, satisfying and rewarding for each participant.
7. **LOYALTY** – The EVHA will aspire to teach loyalty to the ideals and fellow members of the sport of hockey.
8. **TEAMWORK** – We value the strength of learning to work together and believe that the use of teamwork is reinforced and rewarded by success in the hockey experience.

### ARTICLE 4 – MINNESOTA HOCKEY PROVISIONS

**Section 4.1** **Minnesota Hockey Preeminence** The EVHA, an affiliate Association of Minnesota Hockey, shall abide by and act in accord with the Articles of Incorporation, Bylaws, Rules and Regulations, Playing Rules and decisions of the Board of Directors of Minnesota Hockey, and such documents and/or decisions of the EVHA. Further, the EVHA shall assist Minnesota Hockey in the administration and enforcement of the provisions of the Bylaws, Rules and Regulations, Playing Rules and decisions of the Board of Directors of Minnesota Hockey, within and upon its members and/or within its jurisdiction.

**Section 4.2** **Indemnity** The EVHA, an affiliate Association of Minnesota Hockey, shall indemnify and hold harmless Minnesota Hockey, the Board of Directors of Minnesota Hockey and each member thereof, the Executive Committee of Minnesota Hockey, and each member thereof, councils, and committees for the Minnesota Hockey and each member thereof, and all other elected, appointed, employees or volunteer representative of Minnesota Hockey from any and all claims, liability, judgment, costs, attorneys’ fees, charges and expenses whatsoever, arising from the acts and omissions of the EVHA,

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except to the extent (i) that Minnesota Hockey or its afore described representatives caused such claims, liability, judgments, costs, attorneys' fees, charges or expenses by their own intentional neglect or default or (ii) that such acts or omissions were the direct result of compliance with the Articles of Incorporation, Bylaws, Rules and Regulations, Playing Rules or decisions of the Board of Directors of Minnesota Hockey. Further, the EVHA understands and acknowledges that Minnesota Hockey and it's afore described representatives have assumed such assignments, function, office or capacity upon the express understanding, agreement and condition that they be so indemnifies and held harmless to the extent described in this section.

Minnesota Hockey shall reasonably cooperate with the EVHA in any litigation and provide reasonable support in connection therewith, including but not limited to advice and testimony upon reasonable request; provided, however, that such cooperation shall not require Minnesota Hockey to incur any out of pocket expense not reimbursed by the EVHA.

### **ARTICLE 5 – MEMBERSHIP**

**Section 5.1**      **Qualification** Membership is open to anyone living within the Eastview High School attendance area as defined by Independent School District 196, which is “natural hockey community” defined in Minnesota Hockey Youth Rules and Regulations Section IV. Residency, as described in this Association’s Affiliate Agreement with Minnesota Hockey.

Membership is also open to anyone living outside the Eastview High School attendance area who successfully obtains a waiver in accordance with the terms and conditions of Minnesota Hockey Youth Rules and Regulations Section IV as may be amended from time to time. Waivers, if granted, will apply only to the season in which the request is made. Request for waivers for subsequent seasons must be applied for on an annual basis.

**Section 5.2**      **Requirement** Membership is required for a player to be allowed to participate in any EVHA program. If a parent/guardian or family has more than one player in the program, only one membership is required.

**Section 5.3**      **Types of Membership** There shall be two types of membership:

- a. **Family:** A family membership shall consist of the parent(s)/guardian(s) of a participant(s) in the program that has/have paid the required dues as provided herein. (Voting)
- b. **Corporate Sponsor:** Interested corporations or unincorporated organizations may become sponsor members by sponsoring a team or other activities as deemed appropriate by EVHA. Sponsorship members may advertise or make known their affiliation with EVHA. (Non-Voting).

**Section 5.4**      **Voting** Each family membership shall be entitled to one (1) vote on each matter submitted to a vote of the membership. Family membership votes may be cast by either parent/guardian, but only one vote may be cast per family. All votes shall be cast in person, or by written ballot. All elections shall be by written ballot only. All matters brought before a meeting of the members shall be decided by a simple majority of those voting, unless otherwise provided by law, the Articles of Incorporation of this corporation, or these Bylaws.

The Board of Directors may cause to be submitted by mail ballot any questions to be voted on at any member meeting. Such ballot shall contain the exact text of the proposed motion, resolution, or amendment to be acted upon, and the date of the meeting, and shall also contain space in which the member may indicate affirmative or negative vote thereon. Such ballot when completed and signed by an absent member and received by the Association shall be counted as the vote for such member at the meeting. All mailed ballots to be included must be received 48 hours prior to the commencement of the meeting.

**Section 5.5**      **Membership Year** The membership year shall run from September 1 of any given year until August 31 of the following year.

**Section 5.6**      **Annual Meetings** There shall be at least one regular meeting of the general membership annually, as determined by the Board of Directors. The annual meeting shall occur in the Spring of each year for the purpose of electing Directors and other related business, if any, and can be accomplished in

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person, by e-mail, by e-mail with links to the EVHA website or any such other electronic means as determined by the Board of Directors.

**Section 5.7** **Special Meetings** Special meeting may be called by the Secretary upon request of the President, or, at least three (3) Board of Directors, or, upon the request of at least thirty (30) members in good standing. No business other than that specified in the request shall be transacted at a special meeting.

**Section 5.8** **Notice** Sixty (60) days prior to the annual meeting of the members, the Board of Directors shall determine the members entitled to notice of and entitled to vote at the meeting. The Board shall cause to be prepared a list of the names and addresses of the members entitled to vote. This list shall be available for inspection by a member with voting rights.

The Association will make a best effort to individually communicate notices and agendas of all meetings at least fifteen (15) calendar days prior to the meeting.

In any event, notice will be deemed to have been adequately given if such notice and agenda is posted on [www.eastviewhockey.net](http://www.eastviewhockey.net).

**Section 5.9** **Agenda** Members may request of the Secretary or President that items be included in the agenda of the regular membership meetings. Such requests must be made in writing at least thirty (30) calendar days prior to the date of a meeting. Items submitted shall be specific as to the issue and must be introduced to the general meeting by the requester. If the requester is not in attendance at the meeting, the item will be tabled.

**Section 5.10** **Location** The Board of Directors will determine the time and location of all such meetings and give notice in accordance with the provisions of Section 5.8 above.

**Section 5.11** **Quorum** Ten (10) percent of the current members present in person and/or by written ballot, shall constitute a quorum for all membership meetings for the transactions of business except as otherwise provided by law, the Articles of Incorporation of this Association, or by these bylaws. Mailed ballots received prior to the commencement of the meeting shall be counted for purposes of determining a quorum.

In the absence of a quorum, any meeting may be adjourned to another time or to another place and no notice as to such adjourned meeting of the place, date and time thereof need to be given other than the announcement of the meeting at which such adjournment is take.

### **ARTICLE 6 – DUES AND ASSESSMENTS**

**Section 6.1** **Annual Dues and Assessments** The amount of dues and assessments (if any) for individual and family memberships shall be reviewed annually by the Board of Directors at their June meeting and set for the subsequent fiscal year.

### **ARTICLE 7 – BOARD OF DIRECTORS**

**Section 7.1** **Authority and Responsibility** The governing body of the Association shall be the Board of Directors. The Board of Directors shall have supervision, control and direction of the affairs of the Association, its committees and publication shall determine its policies and changes therein and shall actively prosecute its objectives and supervise disbursement of its funds. The Board may adopt such rules and regulations for the conduct of its business and shall be deemed advisable.

**Section 7.2** **Number and Qualification** The number of Directors shall be fifteen (15) with up to an additional 2 Directors reserved for an EVHA Licensed Gambling Manager to comport with Minnesota Charitable Gambling Statutes/Rules (hereinafter “Gambling Directors”).

Directors shall be residents in the Eastview High School attendance area, current coaches or Player Development Committee Members and/or parents of players eligible to play in the Eastview Hockey Association.

Gambling Directors only qualifications are that they shall be licensed gambling managers by the Minnesota Gambling Control Board who are employed by EVHA gambling operations.

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- Section 7.3** **Vote** Each Director and Gambling Directors shall have one (1) vote on matters before the Board.
- Section 7.4** **Term of Office** Each Director shall serve a three (3) year term of office, such terms commencing at the April Board meeting in the year of their election. Gambling Directors will not stand for election and will be Board Members as long as employed by EVHA gambling operations.
- Section 7.5** **Staggered Terms** Director terms shall be staggered to ensure that no more than one-third (1/3) of the Board membership changes as a result of the annual election.
- Section 7.6** **Nominations** In December of each year, the President shall appoint a nominating committee consisting of at least three (3) individuals. The individuals can be general members or existing Board members. The committee shall actively solicit interested candidates from the membership through the website and other means and, at least thirty (30) days prior to the annual election set by the Board, shall submit a list of candidates to the Board. By majority vote, the Board of Directors can request the nominating committee obtain additional nominees, and can, again by majority vote, independently add additional candidates not presented by the nominating committee.
- Section 7.7** **Lack Of Candidates** If the Board does not receive at least one candidate for each open Board position, the President can appoint a willing member to fill the vacant spot(s) whenever such member is identified. If, after full exhaustion of the nomination processes in Section 7.7 (i.e., the solicitation of additional nominees and/or independent addition of candidates by majority vote of the Board), there remains an insufficient number of candidates for the open Board positions, the President may appoint any willing EVHA member to fill the vacant spot(s). Prior to making a Board appointment under this Section, the President or his designee shall provide fourteen (14) days notice to the general membership in an effort to allow interested candidates a final opportunity to volunteer for such open position(s). Should more volunteers show interest than there are open positions, the open position(s) shall be filled in accordance with Section 7.8.
- Section 7.8** **Endorsement of Candidates** By majority vote, the Board of Directors can endorse a candidate on the ballot. Endorsing nominees is not intended to be part of the regular practice of electing s positions requiring inordinate time commitments (such as ice coordinator). By way of example, if a nominee is a CPA or accountant and is needed for a vacant treasurer position, the Board may endorse such a candidate, and can provide the members with an explanation as to why the candidate is endorsed by the Board of Directors on the ballot.
- Section 7.9** **Removal of Candidates From Ballot** The EVHA Board recognizes its members should determine, by their vote, who shall serve on the Board consistent with the provisions of this Section. However, in rare and unique circumstances, the Board may, in the best interest of the Association, exercise its discretion and authority to remove a candidate from the ballot. Therefore, upon a showing by a two thirds (2/3) majority of the full Board, a petition may be submitted to the full Board to remove a prospective Board candidate from the ballot regardless of the number of candidates and open Board positions. In such event, the Candidate shall be given fifteen (15) days written notice, which notice shall outline the justification for such actions, to appeal the petition. If no such appeal is filed with the President within the fifteen (15) day notice period, the petition will be considered uncontested and will be voted upon by the Board of Directors at their next regularly scheduled meeting. If, during the notice period, the Candidate requests a hearing at a Special Meeting of the full Board of Directors, the Board shall meet in open session within thirty (30) days of such request and hear input from the Candidate and Association members filing the petition. The Board shall vote by written ballot. A two thirds (2/3) majority of the full Board will be required to remove the Candidate. The determination the Board shall be final and binding upon all parties.
- Section 7.10** **Election of Directors** If there are more nominees than open positions, the directors shall be elected by mail or electronic means. The election shall be completed such that the candidates are notified before April which is the first Board meeting of attendance for the elected candidate(s). A ballot listing the nominees shall be available to all members eligible to vote. Votes cast shall be totals, the nominees ranked in the order of the votes received, and the nominees assigned to fill vacancies in the order of ranking. Ties will be broken by a flip of the coin managed by the Board Officers. When all vacancies are so filled by the nominees receiving the greater number of votes, the remaining nominees will be considered as not elected to the Board of Directors.

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- Section 7.105** **Gambling Director Vacancies** Whenever vacancies in the Gambling Director shall arise the President shall nominate a person qualified to be a Gambling Director to fill the vacancy. At a meeting of the Board of Directors, at which a quorum of two thirds of the Board is present, such nominees shall be elected upon a majority vote of the Directors present.
- Section 7.11** **Interim Vacancies** Whenever vacancies in the membership of the Board of Directors shall arise, other than by expiration of term of office, the President shall nominate a person qualified to be a member of the Board to fill the vacancy and serve the remainder of the term. At a meeting of the Board of Directors, at which a quorum of two thirds of the Board is present, such nominees shall be elected upon a majority vote of the Directors present.
- Section 7.12** **Removal of Directors** A Director may be removed from the Board of Directors prior to the expiration of his/her term upon written petition from at least ten (10) members in good standing. In such event, the Director shall be given fifteen (15) days written notice, which notice shall outline the justification for such actions, to appeal the petition. If no such appeal is filed with the President within the fifteen (15) day notice period, the petition will be considered uncontested and will be voted upon by the Board of Directors at their next regularly scheduled meeting. If, during the notice period, the Director requests a hearing at a Special Meeting of the full Board of Directors, the Board shall meet in open session within thirty (30) days of such request and hear input from the Director and Association members filing the petition. The Board shall vote by written ballot. A two thirds (2/3) majority of the full Board will be required to remove the Director. The determination the Board shall be final and binding upon all parties.
- Section 7.13** **Regular Meetings** Regular meetings of the Board of Directors shall be held on the second Wednesday of each month beginning at between approximately 7pm and 8pm7:.. The date, time or place may be changed at the discretion of the President and upon timely notice to the other members of the Board of Directors.
- Section 7.14** **Special Meetings** Special meetings of the Board of Directors may be called from time to time by the President, or by any three (3) of the Directors. Said Special Meetings may be held in person, by telephone conference, by e-mail, or any such other electronic means at such time and place as designated in the notice of such meeting
- Section 7.15** **Meeting Notices** No notice needs to be given of any regular meeting of the Board of Directors. Seven (7) calendar days' notice of any change in the date, time or place of a regular meeting or special meeting shall be given to all Directors.
- Section 7.16** **Waiver of Notice** Notice of any meeting of the Board of Directors may be waived, either before, at or after such meeting, in writing, signed by each Director. A Director, by his/her attendance and participation in the action taken at any meeting of the Board of Directors, shall be deemed to have waived notice of such meeting.
- Section 7.17** **Quorum** Except as otherwise provided herein, a simple majority of the voting members of the existing Board of Directors shall constitute a quorum for the transaction of business.
- Section 7.18** **Written Action** Any action which might be taken at a meeting of the Board of Directors, or any duly constituted committee thereof, may be taken without a meeting if done in writing and signed by all of the Directors or committee members.
- Section 7.19** **Compensation** Directors of this Association shall not receive any compensation for their services other than reimbursement of authorized, documented expenses incurred on behalf of the Association.
- Section 7.20** **Indemnification** To the full extent permitted by Minnesota Statutes, Section 317A.501, as amended from time to time, or by other provisions of law, each person who was or is a party or is threatened to be made party to any threatened, pending or completed action, suit or proceeding, wherever and by whomsoever brought (including any such proceeding, by or in the right of this Association), whether civil, criminal, administrative, or investigative, by reason of the fact that he/she is or was a Director or Officer of this Association, shall be indemnified by this Association against expenses, including attorney's fee, judgments, fines and amounts paid in settlement actually and reasonable incurred by him/her in connection with such action, suit or preceding. The indemnification provided

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by this section shall insure to the benefit of the heirs, executors, and administrators of such person and shall apply whether or not the claim against such person arises out of matters occurring before the adoption of this section. This section shall not apply to such persons who have committed intentional harmful acts against this Association.

### **ARTICLE 8 – OFFICERS**

**Section 8.1**     **Number and Limitations** The Officers of the Association shall consist of a President, Vice President, Secretary and Treasurer. No person shall hold more than one office at any one time.

**Section 8.2**     **Election, Term of Office and Qualifications** At their March meeting, the Board of Directors shall elect from within their number, a President, Vice President, Secretary and Treasurer who shall serve a one-year term commencing with the April Board meeting. No Director shall be eligible to serve as President of the Board of Directors for more than 4 one-year terms. No Director shall be eligible to serve as Treasurer for more than 5 one-year terms.

**Section 8.3**     **Vacancies** Whenever a vacancy shall arise in the office of President, the Vice President shall automatically become President and shall complete the unexpired portion the preceding President’s term. Whenever a vacancy shall arise in the office of the Vice President, Secretary or Treasurer, such vacancy shall be filled from within the members of the Board of Directors by election at any regular or special meetings of the Board provided notice of such elections made to all Board members at least seven (7) calendar days prior to any meeting called for the purpose.

**Section 8.4**     **President** The President shall be responsible for the general management of the affairs of the Association. He/she shall preside at all the meetings. He/she shall be the Chief Executive Officer of the Association and shall see that all orders and resolutions of the Board of Directors are carried out. He/she shall have sole authority to execute and deliver in the name of the Association any deeds, mortgages, bonds, contracts or other duties usually incident to the office of President. He/she shall be an ex-officio member of all standing committees and shall have such other duties as may from time to time may be prescribed by the Board of Directors.

**Section 8.5**     **Vice President** The Vice President shall have such powers, and shall perform such duties as may be specifies by the President and/or determined by the Board of Directors. In the event of the death, disqualification, absence or in capacity of the President, the Vice President shall succeed to and perform the duties of the President.

**Section 8.6**     **Secretary** The Secretary shall be Secretary of and shall attend all meeting of the Board of Directors and the membership and shall record all proceedings of such meetings in the minute book of the Association. The Secretary shall prepare agendas for and give required notice of all meetings and shall perform such other duties as may from time to time be prescribed by the Board of Directors or by the President.

**Section 8.7**     **Treasurer** The Treasurer shall be the Chief Financial Officer of the Association, shall be bonded, shall have the care and custody of the Association’s funds and securities, and shall disburse the funds of the Association as may be ordered from time to time by the Board of Directors. He/she shall keep full and accurate accounts of receipts and disbursements in books belonging to the Association and shall deposit all in the name and to the credit of the Association in such depositories as may be designated from time to time by the Board of Directors. Except to the extent that some other person or persons may be specifically authorized by the Board of Directors to do so, the Treasurer shall make, execute, and endorse all checks and other commercial paper on behalf of this Association. He/she shall report the financial condition of the Association at the annual meeting of the members each year and at all other times when requested by the Board of Directors and shall perform such other duties as may be prescribed by the Board of Directors.

### **ARTICLE 9 – COMMITTEES**

**Section 9.1**     **Standing Committees** The Board of Directors may create such standing or special committees as it deems necessary to promote the purposes and to carry on the work of the Association. The Board of Directors shall designate the committee chairperson, either a Director or a member of the Association.

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**Section 9.2**     **Other Committees** The Board of Directors may from time to time appoint members of the Association and others to study and advise the Association of such matters, and the President deems necessary or appropriate.

**Section 9.3**     **Minnesota Hockey District VIII Representatives** The Board of Directors shall designate one member of the Board to be the official representative of the Association to the Minnesota Amateur Hockey Association/District VIII.

**Section 9.4**     **Fundraising Chair** The Board of Directors shall designate one member of the Board to serve as the chairperson of this committee. The Booster shall be authorized to engage in fund raising activities using volunteer labor only and to undertake such additional and different activities as may from time to time be determined by the Boosters provided that these activities receive the prior approval of the Board of Directors. All proceeds from the activities of the Boosters shall be deposited with the Treasurer of the Association.

### **ARTICLE 10 – RECORDS AND FINANCIAL**

**Section 10.1**    **Fiscal Year** The fiscal year shall commence on the first day of April each year and end on the 31<sup>st</sup> day of March of the following year.

**Section 10.2**    **Board Approval of Expenditures** All expenditures (other than necessary recurring expenditures for tournament fees, ice bills, uniform costs, dryland fees, district fees, coach stipends and player development committee fees) in excess of \$1,000.00 require a majority vote of a Quorum of the Board of Directors at a regular or special meeting as defined by paragraphs 7.13 and 7.14 herein.

**Section 10.3**    **Books and Records** The Board of Directors shall cause be kept: A membership register, a record of all proceedings of the Directors, a complete accounting record of the receipts and disbursements of the Association and other such records and books of account as shall be necessary and appropriate to the conduct of the Association business.

**Section 10.4**    **Documents** The Board of Directors shall cause to be kept in a suitable and safe location, originals or copies of: the Articles of Incorporation, Bylaws of the Association and amendments thereto, current operating policies, audited financial statements, legal contracts and fidelity bonds.

The Association will distribute to its members on an annual basis, upon request, copies of the Bylaws, Rules and Regulations and other governing documents, and all amendments thereto.

**Section 10.5**    **Audit and Examination of Books** The financial records of the Association shall be audited by an audit committee consisting of at least three members of the Association appointed by the President and approved by the Board of Directors.

Any member of the Association shall have the right to examine either in person or agent or attorney, at any reasonable time, for any purpose, and at the place or places where usually kept, the books of account and records of the proceedings of the Directors and to make extracts there from.

### **ARTICLE 11 – AMENDMENTS TO BYLAWS**

**Section 11.1**    These bylaws may be amended or altered only as provided by Minnesota Statutes Section 317A.181, Subd. 2.

**Section 11.2**    All amendments and/or alteration of the bylaws made subsequent to the prior year's annual membership meeting will be reported by the President at the next annual meeting.

### **ARTICLE 12 – DISSOLUTION**

**Section 12.1**    Upon the dissolution of this Association, the Association shall, after paying or making provisions for the payment of all the liabilities, dispose of such assets of the Association exclusively for the purpose of the Association in such manner, or to such organization or organizations organized and operated exclusively for the charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)3 of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue

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Law), as the Directors shall determine. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of Dakota County, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purpose.

**THIS DOCUMENT AS ADOPTED BY THE BOARD OF DIRECTORS ON THIS 13<sup>th</sup> DAY OF May,  
INCLUDES ANY AND ALL CHANGES.**

A handwritten signature in black ink, appearing to read "Pete Loosbrock". The signature is fluid and cursive, with a large initial "P" and "L".

Pete Loosbrock,  
President

A handwritten signature in black ink, appearing to read "Dean E. Schiro". The signature is written in a cursive, slightly stylized font.

Dean Schiro,  
Secretary