

3/31/2011

BY-LAWS OF THE MANKATO AREA GROWERS' ASSOCIATION
2011

ARTICLE I - NAME AND PURPOSE

Section 1 Name: The name of the association shall be Mankato Area Growers Association.

Section 2 Mankato Area Growers Association is organized exclusively for agricultural purposes. The purposes of the association are for the betterment of the conditions farmers involved in the truck farming industry, for the improvement of their product, and for the development of a higher degree of efficiency in their occupations.

ARTICLE 11 - MEMBERSHIP

Section 1 Eligibility for membership: The members of this association shall comprise of families or individuals who are producers of farm, orchard, garden or farmstead products and support the purposes stated in Article I, section 2. A one-year membership is granted after receipt of application and dues.

Section 2 Annual dues: The membership shall review and decide on the amount of annual dues for each fiscal year.

Section 3 Rights of members: Each membership shall be eligible to have one vote in any voting procedures with the membership.

Section 4 Cancellation of Membership: The Board of Directors may cancel upon reasonable notice the membership of any member whose behavior, conduct or business relations hampers and obstructs the work of the association. Fifteen days shall consist of reasonable notice. The procedure shall be as follows: action for removal must be brought before the membership. Cancellation of membership may occur if there is a majority vote by the present members to cancel said membership.

ARTICLE III - MEETING OF MEMBERS

Section 1 Meetings: An annual business meeting shall take place in January with at least two other meetings called during each fiscal year. The specific date, time and place will be designated by the Board of Directors. If at least 15% of members with voting rights deliver a demand for a meeting and describing a purpose of the meeting; within 30 days the Board of Directors shall call and hold a meeting within 90 days.

Section 2 Notice of meetings: Notice shall be given by the Secretary to all association members not less than two weeks prior to the meeting date.

Section 3 Quorum: A quorum shall constitute 15% of the membership.

3/31/2011

ARTICLE IV - BOARD OF DIRECTORS

Section 1 Board role: The Board of Directors consists of five members voted by the membership at the annual meeting. The Board is responsible for conducting business of the Mankato Area Growers' Association. The Secretary and Treasurer and Member at Large shall serve one-year terms until there is an affirmative vote for their removal. The Board will provide leadership in activities devoted to the purpose of the association and is responsible for prompt action when needed to quickly decide issues not covered in Rules and Regulations.

Section 2 Board election: The Board of Directors shall be determined by majority vote by members present at the annual meeting.

ARTICLE V - OFFICERS

Section 1 Terms of Office: President and Vice President shall serve one-year terms with the Vice President becoming the President the following year. The President and Vice President may be reelected to their respective offices for up to three years. The Vice President shall assume the office of the President when the sitting President is not reelected. Secretary and Treasurer and Member at Large shall serve one-year terms until there is an affirmative vote for their removal.

Section 2 Duties of officers: President: The President shall preside at all meetings of the association. The President shall request the Secretary to call regular or special meetings and attend to all duties of a person in such a leadership role. Vice President: The Vice President shall become President the following year. Secretary: The Secretary shall keep records of all meetings and send out notices and communications whenever requested. Treasurer: The Treasurer shall manage cash in a manner for the good of the Mankato Area Growers' Association and give financial reports when needed.

ARTICLE VI - AMENDMENTS

Section 1 Amendments of by-laws: The by-laws may be amended at the annual meeting by a majority vote of at least 15% of the membership with voting right.

MANKATO AREA GROWERS' ASSOCIATION

2011 General Rules and Regulations for Farmers' Market Participants

Madison East Center Tuesday and Thursday 3:30-6:00 Saturday 8:00-12:00

1. Who may sell? What may be sold?

- A.** Selling privileges at the Mankato Area Farmers' Market are extended to bona fide producers only the sale of farm or farmstead products of which they have produced themselves. Therefore, if you buy products for resale at the Farmers' Market, privileges extended to you can be cancelled.
- B.** Sellers must be members of the Mankato Area Growers' Association and must have a current application on file with MAGA. The annual membership is \$50.00. The Board of Directors must approve all new applications before the applicant is allowed to sell at the market. If a potential new member shows up at the market, the Market Manager can allow him or her to sell that time only, provided he or she pays the annual \$50.00 MAGA membership fee and the daily participation fee of \$25.00.
- C.** Food products which are allowed by law and are properly licensed (if required) can be sold. All food products should be substantially made by the vendor and not commercially purchased. A sign stating "These products are homemade and not subject to state inspection" is required. All food products need to comply with Operational Handbook for Vendors from the state of MN. Updated copies are available from the Secretary of MAGA.
- D.** Artisan vendors are allowed to sell their products. All arts should be substantially made by the vendor and not purchased commercial products for resale. To ensure quality, are will be juried by the Board of Directors. Daily stall fees will be required, but membership is optional.
- E.** Produce must be of good quality in the judgment of the Market Manager. The Market Manager can order sellers to withdraw poor quality items from the market.
- F.** All applicants must produce their products within a 40-mile radius of the farmers market. The Board of Directors must approve specialty items.
- G.** All vendors must register with the Market Manager.
- H.** All vendors must have the proper licenses whenever city and or state ordinances so order.
- I.** Each vendor is responsible for the products they sell. Every member must supply a Certificate of Insurance at the time of application.
- J.** Any willful violations of rules pertaining to state or market programs will result in market privileges being cancelled and the forfeiture of all fees paid. This action will be subject to the review of the Board of Directors, which may advise reinstatement of the member, subject to a 2/3's vote of the general membership.
- K.** Greenhouse growers who purchase plants must maintain them in a greenhouse for 45 days and a container must be changed.

2. Rights and Responsibilities of Annual Stallholder

- A.** Anyone who has an assigned stall the Farmers' Market, who has attended the market at least five times in the past year, and who has met all the requirements for stallholders in the preceding year, is entitled to that same stall for the coming year. Rights to annual stalls may be passed on to the members of the immediate family. If a vendor fails to pay rent, all annual stall rights are lost and the vendor will not be allowed in the market until all debts are paid in full.
- B.** At least one week prior to their first day of attendance, vendors must notify the Market Manager by calling, writing, or verbally communicating when their first date of attendance will be.
- C.** Requirement for notification of absence are suspended in the event of severe weather such as tornado warnings, severe thunderstorms, or pouring rain, whereby vendors may be deciding a the last moment to come.
- D.** Vendors are required to notify the Market Manager no later than 8:00 PM of the day preceding the market day that they will be absent. Failure to do so will require a \$15.00 fine, first offence, \$30 fine, second offence, and loss of stall rights, third offence. The fine must be paid before the vendor is allowed back into the market. Vendors are also required to check the board in the shed for stall assignments that market day. If the Market Manager is not available, contact a Board member who will be attending the market the day of the absence.
- E.** Elsewhere in the existing rules and regulation, the Market Manager has been given the authority to move vendors when conditions warrant. When the Market Manager asks a vendor to move towards the center, the vendor should oblige. The Market Manager should make every effort to keep vendors in their same order and should request the move before vendors have begun to set up. Stallholders do not have exclusive rights to their stalls.
- F.** At the January and April meetings, when there are open stalls for the coming year, vendors may bid the stall by filling our a bid form, indicating how many market times the vendor will commit to attending at the least, and how many years the vendor has been a member of MAGA. Bids cannot be more than 5 dates more than the vendor attended the market in the previous year. For purposes of the bid, each committed market date will count as one point, and each year of membership in MAGA will count as 2 points. The years of membership will not include the present year. For example, if the bid is for 20 market times and the vendor has been a member for 3 years, the bid is 26.

3. Limitations on Stall Usage

- A.** Participants shall not sell, subject, or assign stall space, or any privileges pertaining to thereto.
- B.** There will be limitation of 2 stalls per member. Additional stalls may be utilized with a daily fee accessed providing space is available.
- C.** No half stalls may be sold. Two vendors may share a stall, but both must pay full stall rental.
- D.** Stall dimensions must be obeyed and selling done in designated areas only. No produce may be placed on stall lines.

- E.** Parking vehicles other than those necessary for loading and unloading product, will not be allowed. All grower vehicles not necessary will be parking at least one block away from the market.
- F.** The Market Manager has the discretion to place growers on either side of a row or any allowable space.
- G.** Any vendor may come 1 ½ hours early and begin setting up produce, but must refrain from exchanging any money until the Market Manager indicates sales may begin. Sales begin at 8:00AM on Saturdays and 3:30PM on Tuesdays and Thursdays. Products may not be set aside for customers during the 1 ½ hour set-up time before the market starts.

4. Other Regulations

- A.** Participants must clean their stalls after use, subject to inspection by the Market Manager.
- B.** All participants are required to display a sign at least 10"x20" with name, address and appropriate sticker(s). Failure by a member to do so will result in an additional fee.
- C.** Signs cannot be an obstruction
- D.** Pets are not allowed at the market, Roller blades must not be rode through customer area and bicycles must be walked.
- E.** Alcoholic beverages are not allowed at the market.
- F.** Nonprofit groups participating in the market will not be required to purchase a membership.
- G.** The logo for the Farmers' Market is available to use by the membership with permission from the Board of Directors. Permission should be requested in writing for each specific usage with a rough draft being submitted. The member will pay any cost of reproduction of the logo.
- H.** Canopies not properly weighted are not allowed and may be asked to be removed.

5. Complaint System

- A.** A complaint form will be available for anyone to file a complaint pertaining to violation of rules.
- B.** The Board will handle all complaints that cannot be resolved by the Market Manager.

6. Violations

- A.** In case of a violation of market rules, the violator will be given a verbal warning by the Market Manager or one or more of the Board of Directors. In case of a second violation of rules, a written notice signed by the Board of Directors will be given the violator. A third violation of rules will result in suspension from the market of three market days (one week). Notice of suspension will be given out by the Board of Directors in writing to the violator. The fourth accumulated warning will result in cancellation of membership.
- B.** The Market Manager may request a vendor to appear before the Board at any time.
- C.** Open and wanton disregard of or failure to comply with the rules can result in immediate expulsion from the market by the Market Manager.

3/31/2011

7. Market Stall Fee Rates

- A.** Annual stall fees are \$300.00 per stall. Written commitment, growers' association application and one half of stall fee, \$150.00, and membership fee, \$50.00, are due at or before the April meeting. The balance is due on or before July 1st. Participants retain their same stall year to year by paying stall fees on time.
- B.** Daily fees are \$25.00 for Saturdays, Tuesdays and Thursdays from opening day through October 31st: up to a maximum of the combined membership and annual stall fee, \$350.00. Artisans are not required to obtain a membership. A \$25 daily fee is required up to a maximum of \$350.00.

8. Market Location and Hours

- A.** Any changes in the location or operating hours of the market shall be made at any market meeting by a majority vote.

9. Amending the By-laws

- A.** Except in an emergency situation, the rules and regulations will only be amended at the annual business meeting by a majority vote of the membership.

3/31/2011

JOB DESCRIPTION OF THE BOARD OF DIRECTORS

1. The Board of Directors shall give detailed reports of meetings and a financial report.
2. The Board of Directors shall provide leadership and direction in working with the Mankato community and Madison East to promote the truck-farming industry in the Mankato area.
3. The Board of Directors shall hire a manager for the Farmers' Market and review the salary yearly.
4. Compensation for services will be set on a yearly basis. Suggested fee is the amount equivalent to a membership and one stall fee.

JOB DESCRIPTION OF THE MARKET MANAGER

1. The Market Manger must attend MAGA meetings, but will not be allowed to have a vote in the organization.
2. The Market Manager will be hired one year at a time, on a year-to-year basis.
3. The Market Manager or his/her family cannot be a grower who sells at the Mankato Farmers' Market without written approval of the Board of Directors.
4. The Market Manager shall carry out the rules and regulations se forth by the MAGA Board of Directors and the Madison East Center Merchants Association.
5. All money collected at the Farmers' Market will be turned over to the Treasurer of MAGA. The Market Manager may deposit money into the checking account.