

BY-LAWS OF THE WHITEFISH POINT JOINT COMMITTEE

APPROVED AND ADOPTED APRIL 16, 2004

Article I - NAME - The name of the organization shall be The Whitefish Point Joint Committee.

Article II - PURPOSE - The purpose of the Committee shall be the control of development and activities at the former U.S. Coast Guard property at Whitefish Point, MI, now owned by the Great Lakes Shipwreck Historical Society (GLSHS), the Michigan Audubon Society (MAS) and the federal government, the latter property managed by the U.S. Fish and Wildlife Service (FWS) as part of the Seney National Wildlife Refuge.

Article III - AUTHORITY - The requirement for and the authority of the Committee derives from the language of the transfer legislation in the Coast Guard Authorization Act of 1996 and subsequently issued federal patents conveying the above properties to the GLSHS and the MAS, and management to the FWS. Further authority is derived from the Human Use/Natural Resource Management Plan for Whitefish Point (HU/NRMP) adopted December, 2002.

Article IV - MEMBERS - Membership shall consist of and be limited to two representatives each of the GLSHS, the MAS and the FWS. <sup>3</sup>Member<sup>2</sup> is understood to refer to the three organizations holding the federal patents at Whitefish Point. <sup>3</sup>Representative<sup>2</sup> is understood to refer to any person empowered to officially act on behalf of a member organization.

1. The representatives of the GLSHS and the MAS shall be two duly appointed members of their respective Board of Directors.

2. The representatives of the FWS shall be the Manager of the Seney National Wildlife Refuge and one appointed member of the Refuge staff.

3. Ex-officio (non-voting) members of the Committee shall be a representative of the Whitefish Point Bird Observatory, one duly appointed by the State Historical Preservation Officer, one duly appointed by the Whitefish Township Board and one duly appointed by the Michigan Department of Natural Resources.

Article V - OFFICERS - With the exception of the Chair, the Committee members will elect the following officers for one year terms at the first Committee meeting of each calendar year. These officer assignments will rotate in sequence on an annual basis.

1. The Chair will be permanently occupied by the Manager of the Seney National Wildlife Refuge who will preside at each meeting and notify all members, including ex-officio, of the time and place of each meeting and provide the meeting agenda.

2. The Vice-Chair who will preside at meetings when the Chairman is absent.

3. The Recording Secretary who will take minutes at each meeting and distribute same to all members, including ex-officio.

Article VI - MEETINGS - There will be a minimum of two meetings annually unless otherwise mutually agreed upon. Regular meeting dates will be established at each prior regular meeting. Special meetings may be requested by any member.

1. A quorum for the conduct of Committee business shall consist of those members present at the meeting if at least one representative acting for each member organization is present.

2. Telephone or video conferencing by members unable to attend a meeting in person will be permitted as voting members.

3. Robert's Rules of Order will govern the conduct of Committee meetings.

4. Public observation of meetings will be permitted but without participation unless the participant has been placed on the agenda by the Chair.

Article VII - SUB-COMMITTEES - The standing sub-committees below are required by the HU/NRMP. Other sub-committees may be established as standing or temporary as the Committee deems necessary.

1. Signage and Interpretation- This sub-committee will consist of a minimum of one regular Joint Committee representative from GLSHS, MAS and FWS and be responsible for communicating the conservation values of the Point to visitors as well as rules of behavior and points of interest

2. Habitat Maintenance and Restoration- This sub-committee will consist of a minimum of one member representative each as appointed by MAS, FWS and GLSHS and be responsible for developing visitor trails and controlling access to sensitive habitat as well as assisting the FWS in habitat improvement and restoration.

3. The sub-committee Chairs shall be approved by the Joint Committee. The sub-committees will schedule their own meetings and additional sub-committee membership may be provided to other interested parties to obtain appropriate expertise and community involvement.

Article VIII - AMENDMENTS - Amendments to the Human Use/Natural Resource Management Plan or the Joint Committee by-laws should only be considered to correct significant inadvertant omissions or to address unforeseen future changes or events affecting the Point or the Committee.

1. Amendments to the Plan that impact its <sup>3</sup>intent<sup>2</sup> will require a unanimous vote of the member organizations, ie, one vote each for the GLSHS, MAS and FWS.

2. Amendments to the Plan that affect only the <sup>3</sup>process<sup>2</sup> of implementation will require a majority vote of all members.

3. Amendments to the Joint Committee by-laws will require a unanimous vote of the member organizations.

4. Input on any proposed Plan amendments will be solicited from the ex-officio members prior to a vote.

Article IX - SHARED EXPENSES - As set forth in the Shared Use and Occupancy Agreement, the expenses incurred in the operation of facilites shared by all members and their visitors on an every day basis (restrooms) will be allocated among the members. This allocation will be assessed as a percentage of the total expense for those facilities and based on a survey of visitors indicating the primary Point property that attracted them to visit. The allocation survey will be conducted once every three to five years with percentage allocations remaining fixed during the

interim period.

Article X - SANCTIONS - Should violations of the Human Use/Natural Resource Management Plan be attributed to one of the member organizations, an investigation will be made.

1. The alleged violation shall be brought before the Committee by the appropriate member and placed on the agenda in advance of the meeting. In the absence of admission by the alleged party that the violation did in fact occur, evidence and/or witnesses will be brought before the Committee. A majority vote by the members is required to impose sanctions.

2. Sanctions shall be imposed in the form of mandatory repair or mitigation of damage caused by the violation as determined by a vote of the Committee members.