

York County Amateur Radio Society Club, Inc. Constitution

v1.1

Originally Adopted October 18, 2018

Preamble

We, the undersigned, wishing to secure for ourselves the pleasures and benefits of an association of persons commonly interested in Amateur Radio, constitute ourselves the **York County Amateur Radio Society Club, Inc.** of Rock Hill, South Carolina and enact this constitution as our governing law. It shall be our purpose to further the exchange of information and cooperation between members, to promote radio knowledge, fraternalism and individual operating efficiency, and to so conduct Club programs and activities as to advance the general interest and welfare of Amateur Radio in the community.

Article I. Name of the Organization

The name of the organization shall be York County Amateur Radio Society Club, Inc. and hereinafter may be referred to as the "Radio Club, Club, or YCARS".

Article II. Purpose of the Organization

The purpose of the organization shall be to promote and enjoy the art and science of amateur radio communication.

Article III. Period of Existence

The period of existence shall be perpetual.

Article IV. Location of Office

The location of the principal office of the corporation shall be in Rock Hill, South Carolina.

Article V. Membership

Section 1.

Membership may not be denied because of race, creed, color, religion, gender, sexual orientation, political affiliation, marital status or any other reason that would be biased or prejudicial.

Section 2.

All persons interested in Amateur Radio communications shall be eligible for membership.

Section 3.

Membership shall be by application and election upon such terms as the Club shall provide in the By-Laws.

Section 4.

Specific requirements for Membership and maintaining 'good standing' are defined and stipulated in the By-Laws.

Section 5.

Membership Levels shall be as defined in the By-Laws.

Article VI. Membership Dues

Section. 1. Dues or Assessments

The Club, may levy upon the general membership such dues, or assessments, as shall be deemed necessary for the general operations of the Club.

Section. 2. Calculation of Dues

Annual dues are to be calculated no later than the first Business Meeting in November of the preceding year and shall be determined using the method described in the By-Laws.

Prorated dues shall be determined using the method described in the By-Laws.

Section. 3. Non-Payment of Dues

Non-payment of such dues or assessments for longer than three (3) months shall be cause for automatic expulsion from the Club. Those failing to remit dues will be removed from the Club roster, official communications, and will not be allowed to participate in Club events.

Article VII. Officers of the Organization

The Officers of this Club shall be President, Vice-President, Secretary, Treasurer, Custodian and Trustee.

Article VIII. Election, Appointment and Removal of Officers

Section. 1. Election

The President, Vice-President, Secretary, Treasurer, Custodian, and Trustee of this Club shall be elected for a term of one year by written ballot of the members present at the December Business meeting. Nominations for Officers will take place at the November business meeting.

Section 2. Term limits

Except for the Custodian and Trustee, an individual may not hold the same office for more than three terms. Except at the discretion of the Officers, and for temporary reasons, an individual may not hold more than one office during the same term. Officer terms are from January 1 through December 31.

Section. 3. Vacancies

Vacancies occurring between elections will be filled by special elections at the first regular Business Meeting following the withdrawal, removal or resignation.

A regular quorum vote of all active members present is required.

Section 4. Eligibility

To hold an Officer position, an individual must be a Member in 'good standing' for at least one year and hold a valid Amateur Radio license as well as be willing and able to fulfill all the duties required for the position.

Section 5. Resignation

Any Officer may resign his/her position in writing at which time all records and assets of the Club will be turned over to the President or Vice President.

Section 6. Removal of Officers

Any Officer may be removed from office by the general membership for cause, upon written petition of six (6) or more members presented to the President and/or Vice President. After an investigation by the President and/or Vice-President, the petition will be presented to the membership at the next regular business meeting of the Club and a voted on by the membership provided all notification requirements have been met. Removal of Officers by the membership requires a special quorum vote as defined in Article X, Section Eight.

Removal of any Officer may also occur at the sole discretion of the President for failure to perform the duties of the office held.

Article IX. Duties of Officers

Section. 1. President

The President shall preside at all meetings and conduct them according to the rules adopted. He/she shall enforce due observance of this Constitution and By-Laws; decide all questions of order; sign all official documents adopted by the Club, and perform all other duties pertaining to the office of President. The President shall execute, with the Secretary, all contracts and instruments which have been approved by the Club. At the end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Section. 2. Vice President

The Vice-President shall have with all the powers of, and shall perform the duties of the President in case of the absence, disability, inability, or for any reason the President cannot perform the duties of his office. The Vice-President shall also perform such duties connected with the operation of the Club as he may undertake at the discretion of the President. At the end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Section. 3. Secretary

The Secretary shall keep a record of the proceedings of all meetings, submit membership applications, carry on all official Club correspondence, read communications at each meeting, and communicate meeting notices to each member. The Secretary shall execute with the President, in the name of the corporation, all contracts and instruments, which must be, and shall have been, approved by the Club. The Secretary is responsible for maintaining and submitting all records and documentation related to maintain any taxes and tax forms as well as the legal incorporated, tax-exempt status of the Club. At the

end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Section. 4. Treasurer

The Treasurer shall receive and receipt for all monies paid to the Club; keep an accurate account of all monies received and keep a current roll of members. At the end of each quarter he/she shall submit an itemized statement to the Officers of the Club of disbursements and receipts as well as a count of current members. The Treasurer, along with the President are to be signatories on all bank accounts. The Treasurer is responsible for the preparing and filing of all Federal, State and local tax documents. At the end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Section. 5. Custodian

The Custodian shall be responsible for the general maintenance and upkeep of Club property and grounds. At the end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Section. 5. Trustee

The Trustee shall be responsible for the general maintenance and upkeep of the FCC license. At the end of his/her term he/she shall turn over, to his/her successor, all documentation and materials in his/her possession belonging to the Club.

Article X. Meetings

Section. 1. Regular Meetings

The purpose of the regular meetings the members shall be to conduct Club business and present Club programs and information.

Section 2. Rules of Order

All club business will be conducted using Robert's Rules of Order.

Section. 3. Meeting Schedule

Regularly scheduled meetings shall be held at the frequency and times as stipulated in the By-Laws.

Section. 4. November Business Meeting

The purpose of the November Business meeting shall be, but not limited to accept nominations for Officers for the coming year.

Section. 5. Special Meetings Called by Members

Upon request of the Officers, or by written request by any six members to the President, the President is required to call a special Club meeting. The notice of any such meeting shall be;

- Sent by e-mail or written mail to all the members by the Secretary, which may include social media postings at least three days prior to the vote.
- By announcement on the YCARS radio evening net for the period of three consecutive days.

- The notice shall set forth the date, place, time, and purpose of the meeting. No other business than that for which the meeting is called can be transacted.
- Voting shall be by a regular quorum or special quorum vote is required as stipulated in Article X, Section Eight.

Section. 6. Call to Order

The President shall call to order and preside over all meetings. If the President is absent, then the Vice President, then any other Officer of the Club shall call and preside over the meeting.

Section. 7. Voting and Quorums

A regular quorum must be present at a meeting before any business can be transacted.

Any member who does not attend a meeting shall have the right to cast his or her vote by written proxy by communicating his/her vote through the Secretary, prior to the meeting and vote.

Section 8. Quorum Definitions

Regular Quorum:

A quorum for conduct of routine club business is defined as one fourth (25%) of the eligible voting membership or a minimum of 5 whichever is greater.

Special Quorum:

A special quorum is defined as two-thirds of the entire eligible voting club membership.

Proxy votes as specified the Constitution shall be counted as being a member present for a special quorum.

Section 7. Quorum Voting

All votes requiring a special quorum are required to be recorded using a written ballot.

The special quorum votes cast will be counted by the Secretary and Vice-President, or designated alternate, and the resulting votes for and against recorded and the results immediately communicated to those present.

No votes regarding a special quorum will take place without the presence of at least the President or Vice-President and the Secretary.

Notice of such votes requiring a special quorum are to be

- Mailed, written notice to the entire membership of the upcoming vote at the business meeting, which may include social media postings at least three days prior to the vote.
- Notification by announcement on the YCARS radio evening net for the period of three consecutive days.
- Presence of all YCARS Officers at the meeting or a written proxy vote provided to the Secretary.

For the purposes of this Constitution and the Club By-Laws, a special quorum is defined as the total number of members, who are eligible to vote and whose names appear on the club roster held by the club Secretary at the time of the vote.

Adjournment Due to Lack of a Quorum:

If no regular quorum can be assembled, those present must adjourn the meeting without transacting any business except that they may set a date of the reconvening of the adjourned meeting. The lack of a regular quorum does not preclude conduct of a program meeting.

Article XI. Finances

Section 1. Fiscal Year

The fiscal year for the Club shall be from January 1st – December 31st.

Section 2. Annual Operating Budget and Discretionary Budget

The Annual Operating Budget includes all costs of operating the club, including, but not limited to the clubhouse, taxes, insurance, utilities, etc.

The Annual Discretionary Budget includes all costs, not directly related to operating the club, including, but not limited to operating events, class supplies, special projects, parties, and other events.

Both the member approved Operating and Discretionary budget provides spending authority to the Officers for the year for which it is approved. Any spending exceeding approved annual budgeted amounts can only be approved, up to \$200 each occurrence, by the President and/or Vice-President. Any spending exceeding the \$200 occurrence will be presented to the general membership to approve any adjustments to a spending category as needed. Adjustments require a regular quorum vote.

A quarterly budget report detailing all disbursements and receipts to-date compared to the approved budgets shall be presented to the membership at the 1st regularly scheduled business meeting after the fiscal quarter ends.

Section 3. Annual Operating Budget Approval

An annual fiscal year Operating budget will be developed by the current slate of Officers which is to be presented to the general membership as a draft at the September Business Meeting and for a regular quorum vote at the October business meeting.

Section 4. Annual Discretionary Budget Approval

An annual fiscal year Discretionary budget will be developed by the newly elected slate of Officers which is to be presented to the general membership for a regular quorum vote at the February business meeting.

Section 4. Spending Authority

The President shall have the authority to spend, direct, and approve reimbursement for approved annual budget items as well as general items related to the operations of the Club.

The Vice-President shall, at the discretion of the President, have the authority to spend, direct, and

approve reimbursement for approved annual budget items as well as general items related to the operations of the Club.

The Treasurer shall have the authority to spend and reimburse all approved annual budget items as well as well as general items related to the operations of the Club.

The Custodian shall have the authority to spend approved annual budget items as well as general items related to the maintenance, upkeep and overall facilities or property of the Club.

The Secretary and Trustee shall have no spending authority, but may, at the direction and approval of the President and/or Vice-President have spending authority for approved annual budget items related to the overall operations of the Club.

Unless specifically directed by the President or Vice-President, no member has spending authority and will not be reimbursed for purchases on behalf of the Club or membership.

Section 5. Annual Audit

Each year, an audit will be performed on the financial records, accounts, and documents pertaining to the Club.

The audit will be performed by a group of no less that two members, designated by the outgoing President to prepare and report on the results of the audit to the incoming President and slate of Officers. Once complete, the results of the audit will shared with the membership.

The audit results will be presented to the Club no later than the February business meeting.

Article XII. Club Call Sign

The Trustee shall be a member of the Club in 'good standing' and meet all FCC requirements. Including, not ever had his/her Radio Amateur license revoked or sanctioned at any time.

Article XIII. Dissolution of Assets

Section 1. Termination of Operations

In the event that the membership or Officers vote that the Club should be dissolved for any reason a special quorum vote of the membership is required for the motion to pass.

Section 2. Disposition of Assets

The Officers shall handle the disbursement of all assets of the Club. No member shall receive any benefit from the assets. All equipment will be sold at market value and net proceeds donated to a non-profit organization related to Amateur Radio. All remaining cash will be donated to a non-profit organization related to Amateur Radio.

Section 3. Irrevocably

Dissolution of Assets of this Constitution is irrevocable and cannot be amended.

Article XIV. Process for Writing/Amending Constitution or By-Laws

Section 1. Constitution Amendments

This Constitution may be amended by a special quorum membership vote. Proposals for amendments shall be submitted in writing to the President at a regular meeting and shall be voted on at the following business meeting, provided all members have been notified of the intent to amend the Constitution at said meeting as stipulated in Article X, Section Six.

Section 2. By-Law Amendments

The By-Laws may be amended by a special quorum vote. Proposals for amendments shall be submitted in writing to the President at a regular meeting and shall be voted on at the following business meeting, provided all members have been notified of the intent to amend the By-Laws at said meeting.

Signed this day, October 18, 2018.

Darcy Pach, KK4ONT
President

John Gendron, KE4PLT
Vice President

Brent Case, K4BSC
Secretary

John Sneed, KK4HDD
Treasurer

Wayne Reeves, KR4EZ
Custodian