

# **CONSTITUTION of the JOHNSON COUNTY AMATEUR RADIO CLUB**

## **ARTICLE I. CLUB NAME**

The name of the club is Johnson County Amateur Radio Club, hereafter referred to as JCARC.

## **Article II. Purpose**

It shall be our purpose as a nonprofit corporation organized to conduct charitable, scientific and educational activities exclusively within the meaning of section 501(c)3 of the IRS code. Such activities may include, but are not limited to:

To lend radio and communication assistance to federal, state, and municipal agencies in times of emergency, including but not limited to times of impending storms and severe weather, and to assist in disaster relief operations and other community functions; to lend radio and communication assistance to nonprofit civic groups; to stimulate adherence to a code of ethics both written and understood; to encourage compliance with existing Federal Communication Commission rules; to promote and further the science of amateur radio; and to foster efficiency in the operation of amateur radio through public education.

- No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the JCARC shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in the purpose clause hereof.
- No substantial part of the activities of the JCARC shall be the carrying on of propaganda or otherwise attempting to influence legislation; the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
- Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

## **ARTICLE III. MEMBERSHIP**

**Section 1.** All persons interested in Amateur Radio communication shall be eligible for membership. Membership shall be upon such terms as the JCARC provides in its By-Laws.

## **ARTICLE IV. CLUB OFFICERS**

**Section 1.** The officers of the JCARC shall be President, Vice President, Secretary, Treasurer and Sergeant at Arms.

**Section 2.** The officers of the JCARC shall be elected for a term of one (1) year.

**Section 3.** The officers of the JCARC shall be elected by written ballot at the November club meeting. Installation of new officers shall take place at the December meeting. New officers shall assume office on January 1 of the following year.

**Section 4.** A quorum for the election of officers shall be at least two-thirds of the eligible voting membership or the voting membership in attendance.

**Section 5.** Officers shall be elected by a majority vote of a quorum of eligible voters.

**Section 6.** In the event a majority of the quorum is not obtained on the first ballot, a run-off election shall take place between the two nominees receiving the most votes.

**Section 7.** Vacancies occurring between elections must be filled by special election no later than the third regular meeting following the removal or resignation.

**Section 8.** There shall be an Executive Board which shall be comprised of the JCARC officers.

## **ARTICLE V. QUALIFICATION AND DUTIES OF OFFICERS**

**Section 1.** All officers shall be members of the JCARC who hold a valid Amateur License.

**Section 2.** The President shall be the Chief Executive of the JCARC; shall preside over all JCARC and Executive Board meetings; shall be responsible for conducting all JCARC business in accordance with the terms of this Constitution and the policies set forth by the Executive Board and/or the membership.

**Section 3.** The Vice-President shall assist the President in the performance of his duties and shall preside over meetings in his absence.

**Section 4.** The Secretary shall record the minutes of all Executive Board and JCARC meetings; shall conduct correspondence related to JCARC business as directed by the President; shall maintain an orderly file of the minutes of all the meetings and all other JCARC documents as designated by the President.

**Section 5.** The Treasurer shall collect all monies; maintain an orderly accounting system which shall include all JCARC assets; shall submit a complete financial report to the membership at the end of each term of office and at such other times as requested by the President and/or the Executive Board; shall dispense monies as directed by the Executive Board and/or membership; shall maintain such records and submit and report such as required by taxing authorities; shall keep an accurate record of membership.

**Section 6.** The Sergeant at Arms shall be responsible for keeping order during meetings and, if necessary, forcibly remove any members or guests who are overly rowdy or disruptive.

## **ARTICLE VI. RESPONSIBILITY AND AUTHORITY OF EXECUTIVE BOARD**

**Section 1.** The Executive Board, as defined in Article IV, Section 8, shall be the sole governing body of the JCARC and shall answer only to the JCARC membership for its actions.

**Section 2.** It shall be the responsibility of the Executive Board to interpret the Constitution. Based on its constitutional interpretation and directives of the JCARC membership, the Board shall formulate the policies by which the JCARC shall be operated.

**Section 3.** The Executive Board shall function only as a group or unity. Its policy decisions shall be implemented by the President.

**Section 4.** The Executive Board shall authorize the expenditure of monies as prescribed in the By-Laws.

**Section 5.** All decisions of the Executive Board must be approved by a majority of its members. (Except as noted in Section 6 below). The results of all votes shall be recorded in the minutes of the meeting. Each Board member shall have one (1) vote, except the presiding officer (President), who may cast one vote when necessary to break a tie of the Board.

**Section 6.** The Executive Board may, by a vote of two-thirds of its members, remove a JCARC officer from office if in their opinion one of the following conditions exists:

- A. If, for any reason, the officer cannot fulfill the responsibility of his/her office and such failure to fulfill these responsibilities seriously affects the orderly operation of JCARC activities and /or business.
- B. If the conduct of any officer should cause excessive dissention among the JCARC membership to the extent of disrupting normal JCARC operation and/or well-being.
- C. If the conduct of any officer should be publicly adverse to JCARC principles and policies, thereby causing a poor public image of the JCARC.
- D. If an officer should be removed from office under this article, the office shall be filled by the terms of Article IV, Section 7.

**Section 7.** A direct interpretation of and clause of this Constitution by the Executive Board shall be made in writing and signed by all Board members, noting how they voted. This interpretation document shall be placed in a constitutional log which shall be maintained as a part of the Constitution.

## **ARTICLE VII: STANDING COMMITTEES**

**Section 1.** The membership has the right and responsibility to participate in any and all activities of the JCARC and to direct the policies and activities of the JCARC by attending JCARC meetings, participating in floor discussions, and exercising their right to vote on all matters concerning JCARC policies and/or business.

**Section 2.** The membership may participate on standing committees as written and described in Article VII of the By-Laws.

## **ARTICLE VIII. MEMBERSHIP RIGHTS**

**Section 1.** The membership has the right to participate in any and all activities of the JCARC by attending JCARC meetings, participating in floor discussions and exercising their right to vote on all matters concerning JCARC policies and/or business.

**Section 2.** The membership may, by a majority vote of the members in attendance at a legally constituted meeting, override any Executive Board decision related to ordinary JCARC activities and/or business.

**Section 3.** When the Board decision is an outright interpretation of any clause of this Constitution and is to be entered into the Constitutional Interpretation Log as noted in Article VI, Section 7, a constitutional amendment shall be required to override this decision.

**Section 4.** The Executive Board may, by a vote of two-thirds of its members, recommend to the JCARC the removal of any member of the JCARC if in their opinion one of the following conditions exists:

- A. If the conduct of any member should cause excessive dissention among JCARC membership to the extent of disrupting normal JCARC operation and/or well-being.
- B. If the conduct of any member should be publicly adverse to JCARC principles and policies, thereby causing a poor image of the JCARC.
- C. A quorum for removal of members shall be at least two-thirds of the eligible voting membership or the voting membership in attendance, provided an announcement has been made that a vote on the removal of a member shall take place.

## **ARTICLE IX. DUES**

The JCARC, by majority vote of those present at any regular meeting, may levy upon the general membership such dues as shall be deemed necessary for the business of the organization. Non-payment of such dues shall be cause for expulsion from the JCARC within the discretion of the membership.

## **ARTICLE X. MEETINGS**

The By-Laws shall provide for regular and special meetings. The qualified voters at a meeting will constitute a quorum for transaction of business.

## **ARTICLE XI. DISBANDMENT**

**Section 1.** The JCARC shall be considered disbanded whenever one of the following conditions exists:

- A. So voted by no less than two-thirds of the qualified voters; or two-thirds of the qualified voters in attendance at a meeting, provided all members have been notified in writing that a vote shall be taken on disbandment of the JCARC.
- B. So voted by two-thirds of the Executive Board if no other members exist.

**Section 2.** Upon dissolution of this organization, after payment of all just liabilities, any remaining assets shall be conveyed to an organization having similar purposes or to a recognized charitable organization under Section 501(c) 3 of the Internal Revenue Code of 1986, as amended. No portion of the assets may be transferred to any member or members.

## **ARTICLE XII. AMENDMENTS**

Amendments to this Constitution and/or By-Laws shall be approved by no less than two-thirds of the qualified voters, or two-thirds of the qualified voters in attendance at a meeting, provided all members have been notified in writing that a vote will be taken on Constitutional or By-Laws Amendments.

## **ARTICLE XIII. PROCEDURE RULES**

**Section 1.** At least one (1) JCARC officer must be present at a meeting to transact ordinary JCARC business.

**Section 2.** The eligible voting members in attendance at JCARC meetings at which JCARC business is being transacted shall be counted and notation placed in the Minutes of the meeting stating the number of qualified voters present.

**Section 3.** Each JCARC business session shall be opened by the reading of the Minutes of all Executive Board meetings held since the last JCARC meeting and in the reading of the Minutes of the last JCARC meeting unless a motion is made and carried to dispense with the reading of the Minutes of that meeting.

**Section 4.** The Roberts Rules of Order shall be the general intent operating guide of the JCARC unless otherwise specified above.

**ARTICLE XIV. BY-LAWS**

**Section 1.** The JCARC shall maintain a set of By-Laws by which the day-to-day operations shall be governed.

**Section 2.** No By-Law shall be adopted which conflicts with this Constitution.

**Amended August 8, 2018**

**Adopted August 11, 2018**