

HCARES CONSTITUTION

ARTICLE I Name and Purpose

Section I: The name of this organization shall be the Hamilton County Amateur Radio Emergency Service, Inc., hereafter referred to as "HCARES"

Section II: The purpose of the HCARES shall include the following:

- a. To provide Public Service Communications.
- b. To increase the public awareness of Amateur Radio and the useful functions it serves in the community.
- c. To promote the courteous and lawful use of Amateur Radio bands.
- d. To develop a working relationship with agencies and organizations who have purposes similar to the HCARES.
- e. To promote fellowship through the hobby of Amateur Radio while limiting the application of rules and regulations to the minimum necessary level required to maintain HCARES as chartered in this constitution.
- f. To provide assistance to those desiring an Amateur Radio license.

ARTICLE II Membership

Section I: Membership in the HCARES is open to any person interested in Amateur Radio. There shall be two (2) categories of membership: the full Member and the Associate member.

- a. The Full Member shall be a person holding a valid FCC Amateur Radio license. The Full Member is entitled to all rights and privileges of the organization including the holding of office in the HCARES,
- b. The Associate Member shall be a person interested in Amateur Radio but who does not hold a valid FCC Amateur Radio license. The Associate Member is entitled to all organization privileges except the holding of office, providing such activity is consistent with FCC regulations.

ARTICLE III

Board of Directors

Section I: The Board of Directors of the HCARES shall consist of officers i.e.: President, Vice President, Secretary, and Treasurer.

Section II: The officers shall be elected by a ballot vote to a one (1) year term of office.

ARTICLE IV Meetings

Section 1: The Annual Meeting of the HCARES shall be in September.

Section 2: The Election Meeting of the HCARES shall be held in November.

Section 3: Regular Meeting of the HCARES shall be held a minimum of quarterly, The Election Meeting and the Annual Meeting may take the place of the Meetings in September and November.

Section 4: Special Meetings of the HCARES may be called by the President, by a majority of the Board of Directors, or by a written request to the President of 10% of the membership.

ARTICLE V Amendments

Section 1: This Constitution may be amended provided the procedure outlined below is followed:

- a. The proposed amendment is submitted in writing to each member present at any Regular Meeting.
- b. The proposed amendment is considered for discussion at the next regular meeting.
- c. When the final form of the amendment is disseminated in writing to the membership, a vote will be taken at the next Regular Meeting, provided a quorum is present.

Section 2: For the amendment to pass, it must receive an affirmative vote from 3/4 of the members present and voting provided a quorum is present.

HCARES BY-LAWS

ARTICLE I

Meetings

- Section 1:** The Annual Meeting, the Election Meeting and Regular Meetings shall be held at times and places designated by the Board of Directors.
- Section 2:** If a Special Meeting is requested by 10% of the membership, the President must schedule this meeting to occur within 30 days of receipt of the requests.
- Section 3:** Written notification of Special Meeting must be disseminated a minimum of 7 days in advance of the date of the meeting.

ARTICLE II

Elections and Board Vacancies

- Section 1:** The Board of Directors of the HCARES shall be elected by receiving a plurality of votes of the members present and voting (provided there is a quorum) at the Election Meeting, Written absentee votes will be accepted if they are received by the Secretary prior to the vote at the meeting and will be included in the number needed for election.
- a. No two (2) positions on the Board of Directors may be held by the same person.
- Section 2:** If the office of President becomes vacant, or if the President is unable to fulfill the duties of the office and the office of President is declared vacant by a 3/4 vote of members present (provided there is a quorum) at a Special Meeting following a 10 day written notice that such a vote is to be taken, the Vice-President shall proceed to the office of President for the unexpired term.
- Section 2** **continued:** If any other office becomes vacant, or the officer is unable to fulfill the duties of the office and the position is declared vacant by a 3/4 vote of members present (provided there is a quorum) at a Special Meeting following a 10 day written notice that such a vote is to be taken, the Board of Directors shall appoint a person to fill the position for the unexpired term.

ARTICLE III
Board of Directors

- Section 1:** The term of office for the Board of Directors shall be the calendar year.
- Section 2:** The Organizational Meeting of the Board of Directors shall be held within three (3) weeks following the election.
- Section 3:** The Board of Directors shall meet as needed provided they meet at least quarterly, These meetings shall be called by the President or by request of two (2) members of the Board.
- Section 4:** The President shall:
- a. Preside at all meetings of this organization.
 - b. Be chairperson of the Board of Directors.
 - c. Appoint special committees with the approval of the Board.
 - d. Resolve all conflicts of overlapping responsibilities of members of the Board.
 - e. Perform all customary duties pertaining to the office of President.
- Section 5:** The Vice-President shall:
- a. In the temporary absence of the President, assume the duties of the President,
 - b. Become the President if that office becomes vacant.
 - c. Assist the President at meetings with matters of Parliamentary Procedures,
 - d. Perform other duties as assigned by the President.
- Section 6:** The Secretary shall:
- a. Keep a record of the proceedings of all meetings.
 - b. Receive all applications for membership and keep an accurate list of all members.
 - c. Notify the Treasurer of new members and address changes within a week of their receipt.
 - d. Preserve all papers, letters, and transactions of this organization excluding those charged to the safe keeping of the Treasurer.
 - e. Conduct general correspondence of this organization.
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- f. Notify all officers and committee members of their election or appointment.
 - g. Send orientation material to all new members.
 - h. Take to each meeting a copy of the Constitution and By-Laws of this organization.

- Section 7:** The Treasurer shall:
- a. Receive all funds of this organization.
 - b. Deposit such funds in a bank designated by the Board of Directors.
 - c. Keep an itemized account of all receipts and disbursements.
 - d. Pay only those bills authorized under the budget as adopted by the membership.
 - e. Give a report at all regular meetings.
 - f. Submit all books of account for audit at the end of the elected term and at other times as specified by the board.
 - g. Allow an inspection of the books by the membership at all reasonable times.
 - h. Submit any and all reports as required by the laws governing nonprofit organizations in Indiana.
 - i. Complete and submit any reports, to include but not limited to financial, reports required by the federal, state, or local governments.

The following duties listed in subsections 8-11 shall be performed by volunteers of the Regular members or by appointed Regular member(s) as required to ensure activities are performed as deemed necessary by the Board of Directors.

- Section 8:** Communications:
- a. Ensure publication of the organization's newsletter.
 - b. Send timely notice of the time and place of all organizational meetings and events.
 - c. Develop and implement public relations programs that are approved by the Board.
 - d. Establish committees as needed to help carry out the above activities.

- Section 9:** HCARES Station duties:
- a. Supervise the maintenance, improvement, and use of all club-owned equipment and keep an accurate accounting of such equipment.

- Section 10:** The Emergency Preparedness duties:
- a. HCARES will operate within the guidelines of existing RACES procedures,

- b. See that HCARES members are afforded the opportunity for education concerning matters of emergency preparedness.
- c. Act as liaison between the HCARES and local authorities for coordination of emergency activities.
- d. Act as liaison between the HCARES and others who conduct emergency programs, e.g. Civil Defense, the American Red Cross and the National Weather Service.

- e. Establish committees as needed to carry out the above activities.

- Section 11:** Other activities to include but not limited to:
- a. Coordinate organizational social events.
 - b. Assist Amateur Radio license candidates.
 - c. Coordinate non-emergency public service communications.
 - d. Present programs at regular meetings.
 - e. Identify, promote, and execute HCARES fund raising activities approved by the board.
 - f. As the need is determined by the board, committees will be formed to perform the activities listed above.

ARTICLE IV

Dues

- Section 1:** The membership year for the HCARES shall be the calendar year. Therefore, dues for the HCARES shall be paid to the treasurer on or before January 1 of each calendar year to maintain membership in the organization. A subsequent change in membership category shall not effect a change in the dues paid for the current year.

- Section 2:** The annual dues shall be proposed and voted upon at the September meeting each year. The vote must be passed by a quorum of the membership present. The amount of membership dues levied upon each member can be changed at any time during the year as deemed necessary by the Board and approved by a quorum of the members. The change in dues shall be limited to four (4) times annually.

- Section 3:** New members (those who have not been a member of the organization in the last two (2) calendar years) shall be assessed prorated dues for their first year of membership. These dues shall be prorated on a monthly basis.

- Section 4:** Members who qualify for one of the following categories may elect to pay 50% of the annual dues and maintain all rights and privileges of membership:
- a. Additional member of an immediate family in the same household.
 - b. Full-time student.
 - c. Disabled and unemployed persons

ARTICLE V
Honorary Membership

- Section 1:** Honorary Membership may be conferred upon individuals whom the organization believes have rendered exceptionally outstanding service to the HCARES or to the Amateur Radio community,
- a. Honorary Membership entitles the individual to the same rights and privileges as the full member and entitles the person to a lifetime membership in the HCARES.
 - b. Honorary Membership is conferred upon an individual by a 3/4 majority of those present and voting.
 - c. Honorary Membership may be conferred upon only one (1) individual each year at the annual meeting.

ARTICLE VI
Rules of Order

- Section 1:** The rules contained in Robert's Rules of Order Revised shall govern this organization in all cases to which they are applicable, and in which they are not in conflict with the Constitution or By-Laws of this organization.

ARTICLE VII
Quorum

- Section 1:** A majority of the members of the Board of Directors, one of whom shall be an officer, shall constitute a quorum of the Board.
- Section 2:** 10% of the membership, at least two of whom shall be members of the Board of Directors, shall constitute a quorum at any general meeting.

ARTICLE VIII
Fiscal Year

- Section 1:** The fiscal year shall be the calendar year.

ARTICLE IX
Amendments

- Section 1:** These By-Laws may be amended provided the procedure outlined below is followed:
- a. The proposed amendment is submitted in writing at any Regular Meeting and is disseminated to the membership in writing.
 - b. The proposed amendment is considered for discussion and amendment at the next Regular Meeting,
 - c. The final form of the amendment is disseminated in writing to the membership and a vote is taken at the next Regular Meeting provided a quorum is present.
 - d. Written absentee votes will be accepted if received by the secretary by the time of the vote taken at the meeting and will be included in the number needed for passage of the amendment.

Section 2: For the amendment to pass, it must receive an affirmative vote from 3/4 of the members present and voting, provided there is a quorum present.

ARTICLE X

Disciplinary Action

- Section 1:** Membership may be rejected or revoked for cause providing the following procedure is followed:
- a. Testimony or other evidence shows the applicant or member to have violated or ignored either FCC regulations or established and published HCARES policies and procedures to such an extent as to threaten the effectiveness of the organization in the community, the organization's usefulness to other members or any license used by the organization.
 - b. The Board of Directors investigates the allegations and offers the accused an opportunity to be heard if further action is contemplated.
 - c. If the Board of Directors determines that such membership should be rejected or revoked, the applicant or member in question shall be notified writing at least ten (10) days in advance of the Regular Meeting that a vote regarding his/her membership will be taken at that meeting.
 - d. A 3/4 majority of the members present at the Regular Meeting vote to reject or revoke the membership of the applicant or member.

- Section 2: Once membership has been rejected or revoked, it may not be issued until one of the following conditions is met:
- a. Two years have elapsed since the most recent rejection or revocation in effect.
 - b. A 3/4 majority of the members present at a Regular Meeting vote to accept such membership

ARTICLE XI Club Dissolution

At any time the club is disbanded as or dissolved as determined by the Board, if active as chartered in aforementioned articles, and/or approved by a majority vote of the remaining members, any tangible assets whether monies, goods, or properties shall be donated to a sanctioned ARES nonprofit group in Hamilton or one (1) of the surrounding contiguous counties, The equipment must be used for the express purpose of providing emergency communications for the community and not for the personal use by any one individual.

ARTICLE XII STANDING RULES (POLICIES) FINANCES

1. The outgoing Treasurer will be responsible for completing the tax forms for the year in which he/she held office.,
2. By the November meeting of each year, an Audit Committee will be appointed. The responsibilities of this Committee will be the auditing of current HCARES finances, equipment and historical holdings.,

HISTORIAN

The HCARES President can appoint a member as Club Historian. The responsibilities of this person are to provide and maintain continuity regarding items of interest to the HCARES. This appointment will remain in effect as long as he/she is willing to perform the duties and is doing so. The Historian will keep records of such items as old newsletters, pictures, news clippings and related materials concerning the organization's activities.

ELECTIONS

1. A nominating Committee will be appointed by the September meeting and will present a slate of nominees

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- at the October meeting.
2. Nominations from the floor will be accepted at the October meeting.
3. Elections will be held in November.

AWARDS

1. Any awards presented in the name of the HCARES will be determined by an appointed committee of at least three (3) members. An exception to this rule: the President may award Certificates of Appreciation without using this process.
2. Members from the previous year will receive one newsletter.

Proposed Amendments to the H.C.A.R.E.S By-Laws
October 2, 1993

Article IV
Dues

Section 2: now reads:

The annual dues shall be proposed and voted upon at the September meeting each year.

Be changed to read:

The annual dues shall be proposed and voted upon at the December meeting each year.

Article XII
Standing Rules (Policies)
Finances

Paragraph 2 now reads:

By the November meeting of each year, an Audit Committee will be appointed.
The responsibilities of this committee will be the auditing of current HCARES finances,
equipment and historical holdings.

Be changed to read:

By the December meeting of each year, an Audit Committee will be appointed.
The responsibilities of this committee will be the auditing of current HCARES finances,
equipment and historical holdings.

The purpose of these changes is to allow newly elected officers to participate in the budgeting, dues setting and auditing functions.