

CONSTITUTION VARA 2002

Preamble:

We, the undersigned, wishing to secure for ourselves the pleasures and benefits of the association of persons commonly interested in Amateur Radio, do hereby constitute ourselves the VALLEY AMATEUR REPEATER ASSOCIATION and do enact this Constitution as our governing law. It shall be our purpose to facilitate the exchange of information and general 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 general community.

Article I - Membership

Section 1 - All persons interested in Amateur* Radio shall be eligible for membership.

Section 2 - Membership shall be by application and election upon such terms as the Association shall by its By-Laws provide.

Article II - Officers and Council Members

Section 1 - The officers of this association shall be President, Vice-President, secretary, Treasurer, and Directors of the Board.

Section 2 - The Directors of the Board shall consist of the President, Vice-President, and Station Licensee for the purpose of completing all legal documents.

Section 3 - The officers of this association shall be elected for a term of one year by ballot of the members present provided there be a quorum, at the Anniversary Meeting.

Section 4 - Vacancies occurring between elections must be filled by special ballot at the next meeting after the withdrawal or resignation is announced.

Section 5 - Officers may be removed on motion by a three-fourths vote of the membership.

Section 6 - The Administrative Council shall be comprised of the Charter Members, Permanent council members and elected officers.

Article III - Duties of officers and Council Members

Section 1 - The President shall preside at all meetings of the Association, and conduct the same according to the rules adopted, he shall enforce due observance of this Constitution and By-Laws; decide all questions of order; sign all official documents that are adopted by the Association, and none other, and perform all customary duties pertaining to the office of President.

Section 2 - The Vice-President shall assume all the duties of the President in the absence of the latter.

Section 3 - The Secretary shall keep a record of the proceedings of all meetings, keep a roll of members, submit applications for membership, carry on all correspondence, read communications at each meeting, and mail written notices to each member of any special meeting of the Association, except when excused by action under By-Laws. He shall at the expiration of his term turn over everything in his possession belonging to the Association to his successor.

* An individual interested in radio technique solely with a personal aim and without pecuniary interest.

Section 4 - The Treasurer shall receive and receipt for all monies paid to the Association, he shall keep an accurate account of all monies received and expended. He shall pay no bills without proper authorization (by the Association or its officers constituting a business committee as provided in the By-Laws). At every meeting of the Association, he shall submit an itemized statement of disbursements and receipts. He shall at the expiration of his term turn over everything in his possession belonging to the Association to his successor.

Section 5 - The Administrative council shall carry on all business functions at the regular and special meetings and shall be the only voting power required in all matters pertaining to the Association.

Article IV - Meetings

Section 1 - The By-Laws shall provide for regular and special meetings.

Section 2 - At meetings, one-third of the Administrative council shall constitute a quorum for the transaction of business.

Article V - Dues

Section 1 - The Administrative Council may levy upon the general membership such dues or assessments as shall be deemed necessary by a two-thirds vote of the council for the business of the organization within its objectives as set forth in the preamble thereof.

Section 2 - The first member of a family to join the Association shall pay 100% of the dues specified. Additional members of the family with valid amateur licenses living in the same household shall be covered by the dues of the first member.

Section 3 - Students living away from home shall be treated as family members.

Section 4 - Special assessments that have to be made on the membership shall be on the same basis as the dues.

Section 5 - If a member shall be called away from active participation for an amount of time not less than three (3) months, for any reason beyond his control, he shall be given dues credit for that amount of time away from active participation and shall be accorded inactive status during said time. If any member shall desire inactive status because of military service, going away to college, illness or being called out-of-state for reasons beyond his control, he shall give written notice to the Treasurer a reasonable time prior to leaving and shall notify the Treasurer upon his return. This does not apply to personal vacation time. Notice does not have to be given personally, however it should be given by a person who will accept the responsibility and in a form that can be acknowledged by the Association. Absolutely NO refunds will be granted to anyone under any circumstances. Credit will be given.

Section 6 - Free membership is available to amateurs unable to pay dues due to financial hardship. The Permanent Council shall review and vote on these actions.

Section 7 - Auto-patch service is available to any fully paid member. The annual fee for this service is established at a level that will cover the operating costs of the system. Business calls are not permitted on the auto-patch system.

Article VI - Membership Assistance

Section 1 - This association shall enact appropriate rules to minimize interference in operation between stations of its members. It shall formulate adequate plans for disposition of any cases of interference to other radio services where reported as caused by any amateur station operation in the area of association jurisdiction.

Section 2 - The TECHNICAL COMMITTEE of the Association shall be responsible for the upkeep and proper operation of the Association equipment.

Article VII - Amendments

Section 1 - This Constitution or its By-Laws may be amended by a two-thirds vote of the Administrative council.

Section 2 - Proposals for amendments shall be submitted in writing at a meeting and may not be voted on until a following meeting as provided in the By-Laws.

Article VIII - Rules

Robert's Rules (or Cushing's Manual) shall govern proceedings.

BY-LAWS

1. CLASSES OF MEMBERSHIP

A. Charter Members

1 - Charter Members shall be those members who were the original organizers. They shall enjoy all the privileges of a Regular member upon payment of dues and attendance at meetings as set forth in the By-Laws. If a Charter Member is dropped from the regular membership list for failure to pay dues, he may be reinstated by the payment of back dues, but in no case will the Charter Member be required to pay back dues of more than twelve (12) months. Upon payment of back dues he shall be reinstated without consent or vote of the membership. If a Charter member leaves the Association because of extenuating circumstances, he will return as a Charter Member. If a Charter Member leaves the Association for other than extenuating circumstances, upon return, if he returns, he will no longer be a Charter Member.

The Charter Members are:

David Baker, W9KMH; Robert Bingham, K9WMP; Charles Brenneka, WB9DWB (N4GNO); Herbert Cleave, WA9YNH; Bryan Cullen, WB9FUE (KC5UW); David Dickson, WA9JRA; Kenneth Doven, WB9DFU (W4PLK); Janice Doven, WB9GMH (WD4OKC); Gale Hollingsworth, K9MGC; Robert O. Loving, K9JUJ (K9JU); David Patton, W9WXK (N9IA); James Reh, K9UJH; Gary Reynolds, W9KBD; Kenneth Slee, WB9BUQ; Anton Sokol, W9JXN; Robert Swoger, K9WVY; James Wissman, WB9EPH (WA6HUS).

2.- Permanent Council members are Regular members appointed by a majority of both Charter Members and Permanent Council members to replace those Charter Members or Permanent council members leaving the Association for any reason. Their appointment shall be made by consideration of past performance with the Association. If a Charter Member returns, a Permanent Council member will be returned to Regular membership status as determined by the Charter Members.

3. - Charter Members and Permanent Council members shall be required to maintain a number of fourteen (14) total members.

4. - Permanent Council members shall have all Charter Membership privileges including the no dissenting vote privileges provided for in the Constitution.

B. Regular Members

Regular members are those that are members in good standing and shall have the power to vote at the Anniversary meeting for Association officers. They are encouraged to attend all meetings and should voice opinions to all matters pertaining to the Association to be voted on by the Administrative Council.

C. Life Time Members

Life Time members are those that are elected to Life Time membership by a majority vote of the Administrative Council. No dues or fees will be required of these Life Time members and they will be listed on the membership roster.

2. ELECTION OF OFFICERS AND ADMINISTRATIVE COUNCIL

A. Qualifications of officers:

1. - Officers shall be members in good standing.

2. - Directors of the Board shall hold valid Amateur Radio licenses of Technician Class or higher.

3. - Administrative Council members shall hold valid Amateur Radio licenses.

B. Officers shall be elected at the Anniversary meeting. The newly elected officers shall assume their duties at the conclusion of that meeting.

C. Terms of Office:

1. - The terms of office shall be one (1) year.

2. - Officers may be elected to successive one (1) year terms.

D. The procedure for election of officers shall be:

1. - Nominations shall be for one office at a time.

2. - The nominee must be present.

3. - Election for each office shall immediately follow.

4. - In the following balloting it shall be necessary that the winning candidate receive a majority of the votes cast, and the balloting shall continue until such majority is reached.

5. - Nominations and balloting shall be in the following order:

a. President

b. Vice-President

c. Secretary

d. Treasurer

6. - Combining the offices of Secretary and Treasurer:

- a. The Secretary may be nominated to the office of Treasurer.
- b. The Treasurer may be nominated to the office of Secretary.
- c. The nominee must accept this nomination.

7. - Vacancies occurring between regular elections shall be filled by special elections according to the above procedures at the next meeting.

8. - Voting shall be by secret ballot unless there is only one nomination for a particular office.

9. - Any officer whose removal is to be considered shall be notified in writing, forty-eight (48) hours before such action will be taken.

3. ADMISSION OF NEW MEMBERS

- A. A prospective member will present his application for membership to the secretary at a meeting, or by sending it to the permanent mailing address of the Association to his attention.
- B. The prospective member should use the repeater for no less than one (1) month to get acquainted with the membership. He will then attend the first meeting after this time. If he chooses, he may instead designate a sponsor who has been a member for at least one (1) year. Voting will take place at this meeting.
- C. The prospective member will not be present in the meeting room during the acceptance or denial vote.
- D. In order to be accepted for membership any candidate for membership must receive enough affirmative votes to constitute a two-thirds majority of the votes cast and further there shall be no dissenting vote by a Charter Member or Permanent Council member. The Secretary will tally the votes and announce the results.
- E. An Auto-Patch fee and dues prorated for the remaining portion of the fiscal year shall be presented at the time of acceptance of membership.
- F. If the prospective member desires immediate Auto-Patch privileges, the proper dues and fees must accompany the application for membership. Upon approval by three (3) current officers, the prospective member will be given, full use of the Auto-Patch system pending his admission to membership.

4. DUES, FEES AND DONATIONS

- A. Initiation fees DELETED by Fourth Amendment 1995.
- B. The specified dues and fees shall be determined by the Administrative council, payable one (1) year in advance.
- C. The dues and fees for new members will be prorated from the time of acceptance to the beginning of the next fiscal year.
- D. The dues and fees will be paid before the Anniversary meeting each year.
- E. If dues are not paid on or before the stated date, members will be dropped and must resubmit application with required dues and fees, unless extenuating circumstances prevail, as determined by the Administrative Council.

F. Donations will be accepted to offset expenses.

G. A donation from owners of non-association owned equipment that is in place and in operation at the Association site will be accepted on an annual basis. Such donations will be used to offset the annual site lease and utility bills. A rate of 15% of the annual lease site cost is recommended for each system. Such equipment can be installed only after approval by the TECHNICAL COMMITTEE.

5. REVOCATION OF MEMBERSHIP

A. Any member may be dropped by a two-thirds vote of the members of the Administrative council present at any meeting of the Association and shall lose all rights and claims to Association privileges other than exception contained in the Constitution when:

1. - Misuse, poor operating practices, abusive language, etc., of the repeater is found and confirmed by the Administrative Council.

2. - Misuse of Association property, Association equipment, etc., is found and confirmed by the Administrative Council.

3. - Any member who is about to be dropped from the Association membership shall be notified at least forty-eight (48) hours before the meeting at which such action will be taken so that he may appear in his own behalf.

B. The petition for membership shall state that in the event of revocation of membership under these By-Laws the member agrees that he relinquishes any and all claims against the Association of any kind or nature whatsoever.

6. MEETINGS

A. There shall be four (4) regular meetings per year.

B. The time of the regular meetings shall be 2000 hours local time.

C. A quorum of the Administrative Council must be present to conduct business of any kind.

D. A special meeting can be called by the President or an affirmative vote by a majority of a quorum of Administrative Council members at a regular business meeting.

E. All members shall be notified of any special meeting and the nature of the business to be transacted.

F. In case notices are mailed, they shall be sent so that in the course of normal mail service, the members shall receive such notices at least forty-eight (48) hours before the time of the meeting.

G. Only specified business shall be transacted at special meetings. If desired, at these meetings, the acceptance of new membership may be transacted.

H. The fiscal year of the Association starts in April, the anniversary of V.A.R.A. and the Anniversary Meeting shall be the first regular business meeting after the first day of April.

I. The day and place of all meetings shall be designated by a majority vote at any regular meeting.

7. REINSTATEMENT OF MEMBERSHIP

- A. Members dropped from the membership roll will be reinstated to membership according to the following:
1. - A member dropped for non-payment of dues must reapply as stated under "DUES, FEES AND DONATIONS".
 2. - A member dropped by revocation may reapply in six (6) months with required dues and fees.
 3. - A member who leaves the area and takes an inactive membership may, when and if he returns to the area, be reinstated by presenting himself at a regular meeting and paying the current dues. No back dues shall be required.

8. MAIN AND SPECIAL PROJECTS

- A. The main project is the repeater and all other projects are deemed special projects.
- B. Special projects will be controlled by the rules and regulations of their governing committee.

9. THE METHOD OF MAKING AMENDMENTS TO THE CONSTITUTION AND BY-LAWS

- A. The following procedure shall be used to affect an Amendment of this Constitution and By-Laws:
1. - A motion is made and submitted in writing by an active member in good standing to amend a definite portion of the Constitution or By-Laws.
 2. - The President shall appoint a committee that includes either one (1) Charter member or Permanent Council member to prepare the Amendments for presentation to the membership for consideration.
 3. - The entire membership shall have the privilege of discussing the Amendments prior to voting.
 4. - An interval of one meeting shall elapse between the discussion and the final balloting on such Amendments.
 5. - A vote in favor by two-thirds of the Administrative council shall be required to adopt the Amendment, and further; such Amendment will not become part of the Constitution or By-Laws if there is a dissenting vote by either a Charter Member or a Permanent Council member.
 6. - The Constitution committee shall prepare a final amended Constitution and By-Laws document using computer data techniques to insure that no errors are generated in the final document.
 7. - The final copy of the amended Constitution and By-Laws is to be signed and dated by the Constitution Committee, Charter Members, Permanent Council members, and officers that these documents become the official record of the final amended Constitution and By-Laws.
 8. - The final copy of the amended Constitution and By-Laws shall have affixed the motion submitted in writing by an active member document and the revised and adopted amendment document. These documents and a 3.5" data diskette in IBM compatible format containing both the previous and the amended Constitution and By-Laws in ASCII format and a COMPARE utility shall be submitted to the Secretary. Copies of the data diskette and not the original shall be released to a member of the active Constitution Committee.

10. DISBURSEMENTS

- A. All bills incurred by authorized activities of the Association in excess of \$50.00 shall be paid by check signed by either the Treasurer or member who is named as the account's additionally authorized signature.
- B. A Petty Cash Fund of \$100.00 shall be provided for disbursements of \$50.00 and under and shall be administered by the Treasurer, who shall provide to the President an itemized listing of the disbursements made therefrom together with a request for replenishment of said fund.
- C. At the meeting prior to the end of the current fiscal year, the President shall appoint three members to audit the financial records of the Association. Such members shall not be officers. The records and Supporting material shall be turned over to these members in time to allow them to complete their review and make their report to the members at the April meeting.