

# By-Laws of the Merrill Amateur Radio Group

## ARTICLE I

### SECTION 1. **Membership Types**

- a. Full Membership- is open to any licensed amateur radio operator who has attained the age of 18 or above.
- b. Associate Membership- is open to non-licensed persons interested in amateur radio or communications or licensed amateurs under 18 years of age who are the only licensed amateur operator in the household.
- c. Family Membership-is open to licensed amateur radio operators who live at the same physical address as the Full Membership amateur and is part of that family (spouse and children under age 18)

Application for membership on a standard association form may be submitted at any regularly scheduled association meeting. Each applicant must express a willingness to abide by the association Constitution and By-laws and submit one (1) year's (or proration thereof) dues with his/her application. It shall be the duty of the Secretary to maintain a supply of standard application forms and to make such forms available to interested persons.

### SECTION 2. **Dues-** The initial MARG Annual dues (2006) shall be:

- a. Full Member- \$20.00/yr
- b. Associate Member- \$10.00/yr
- c. Family Membership- \$10.00/yr additional to \$20/yr

SECTION 3. **Annual Dues Determination-** Annual Dues amount shall be determined before the annual dues collection/membership renewal/Executive Board election meeting.

SECTION 4. The Annual Dues for new members shall be prorated as follows:

If paid between September 1 and February 28/29, 100% of regular dues

If paid between March 1 and May 31, 75% of regular dues

If paid between June 1 and August 31, 50% of regular dues

## ARTICLE II

### SECTION 1. Meetings

Regular meeting shall be held not less than once per month. Such meetings shall be known as "regularly scheduled meetings." Special meetings called by Executive Board action or as ordered

by the President upon the receipt of a written request containing no less than five (5) signatures of voting association members. All members must be notified at least seventy-two (72) hours prior to the start of any special meeting. Only such business as is designated in the mailed notices and/or requested in writing shall be transacted at a special meeting. Regular meetings may be cancelled or changed by order of the Executive Board. Meeting location and time shall be announced with advance notice also.

## SECTION 2. Officer Eligibility

To hold an elected office in the association, a member must be a current voting member, must not be in arrears to the association and must hold a valid FCC issued Amateur Radio License. Appointed positions in the association may be filled by members meeting all above listed requirements. See Article III for further.

## SECTION 3. Dismissal of Members

Revocation and denial of membership shall be on the terms of unreasonable conduct which include but is not limited to proven unlicensed transmissions, the destruction or defacing of MARG property and unreasonable/unsafe behavior when a situation is deemed serious. Revocation and denial of membership requires a vote by the members. Revocation or denial of membership from the MARG shall be in writing.

## ARTICLE III: Officers

### SECTION 1. Term of Office

1. a. The four Executive Board members are elected to one year terms
- b. Executive Board members can be re-elected if they so wish.

(a). The number of Directors on the Executive Board shall be four-President, Vice President, Secretary and Treasurer.

(b). The Executive Board is authorized to conduct the business and to expend monies related and pertinent to and in the best interest of the MARG but shall not incur any debt.

(c). The Executive Board will keep the membership apprised of all business conducted and monies spent.

### SECTION 2. Qualifications

Candidates for the office of Director shall be members in good standing for the upcoming term and have continuous membership with the MARG during at least year immediately prior to nomination.

### SECTION 3. Term

The term of office shall be concurrent with MARG fiscal year Article I, Section 3. Directors may succeed themselves without limitation.

### SECTION 4. Election

(a). At the annual dues collection/membership renewal/Executive Board election meeting, nominations shall be taken from the floor for anyone interested in serving on the Executive Board. Nominations can come from any member that has voting rights. The nominee has the option to accept or decline the nomination at their sole discretion.

(b). In the event that a qualifying member is unable to attend the dues collection/membership renewal/Executive Board election meeting and is interested in serving on the Executive Board, they shall have the opportunity to make their intentions known in writing to the current/sitting Executive Board before the annual dues collection/membership renewal/Executive Board election meeting.

(c). In the event there are more than four (4) members interested in serving on the Executive Board, ballots will be distributed. Members with voting rights shall indicate up to four (4) nominees on their ballots. Balloting shall be anonymous.

(d). Upon declaration at the annual meeting by the President that the balloting is closed the Secretary will certify the ballots he/she received and deliver them to the appointed ballot clerks who will forthwith open, tabulate, and announce the results of the voting.

(e). The four candidates receiving the highest number of votes shall be declared elected to the Executive Board. In the event five or more candidates are elected, due to tie votes in the original balloting, the tie(s) shall be broken by a method mutually agreed upon by the candidates involved.

(f). In the event that four or less than four candidates declare themselves for nomination for the Executive Board in accordance with subsection (a) above, the declared candidate(s) shall be declared elected and the President shall invite nominations for the remainder of any unfilled board position(s) from the floor at the annual meeting. At the close of such nominations, the members present will thereupon cast their ballots for such nominee(s) of their choice. The nominee(s) receiving the highest number of votes shall be the one(s) declared elected supplemental to the declared candidates under subsection (a) above.

### SECTION 5. Vacancies

A vacancy occurring between elections shall be filled in the following manner:

a. **Secretary or Treasurer-** A vacancy in any of these elected offices shall be filled through appointment by the President with the approval of the Executive Board.

b. **President-** vacancy in the office of President shall be filled by the Vice President.

c. **Vice President**-A vacancy in the office of Vice President shall be filled by special election of a new Vice President at or before the next association meeting. In the event that the remainder of the Vice President's term of office is three months or less, the Vice President's position may be filled through appointment made by the President and approved by the Executive Board, with normal election procedures being followed for the ensuing term.

## SECTION 6. Removal

An officer may be removed through a “**no confidence vote**” by a majority of voting members present at a regular meeting, a quorum having been established. Association members shall be notified of the pending confidence vote and the reasons the vote is being requested at least seven days prior to the meeting where the vote is to be held. The officer in question shall be allowed to address the reason put forward for the vote. Publishing the notice of the upcoming vote, the charges, along with the specific officer's rebuttal on the internet or in the association newsletter will constitute “informing the members.”

## SECTION 7. Meetings

(a). The annual meeting of the Executive Board for the election of officers shall be held within two weeks' time after the annual MARG dues collection/membership renewal/Executive Board election meeting.

(b). Special meetings of the Executive Board shall be held on call of the President or at the request of any two Directors on not less than 48 hours written or oral notice or for a time otherwise concurred by a majority of the Directors. All official Executive Board meetings are open to general membership.

## SECTION 8. Quorum

A majority of the Directors in office shall constitute a quorum for the transaction of the business and affairs of the MARG. The actions of the majority of the Directors present at any duly convened meeting shall be the actions of the board.

## ARTICLE IV Duties of Officers

### SECTION 1. President

The President shall preside over all meetings of the Association and conduct the activities of the Association in his/her executive capacity according to the By-Laws and Association Constitution. The President shall be the President of the Executive Board and Board of Directors. The President shall be an ex officio member of all committees. He/she shall, at term expiration, turn over all records and items belonging to the MARG to the successor.

### SECTION 2. Vice President

The Vice President shall assume all the duties and responsibilities of the President in the absence of the President. He/she shall consult with the membership/Board of Directors to create an

informational/educational program for the next Association meeting. He/she shall, at term expiration, shall turn over all records and items belonging to the MARG to the successor.

### SECTION 3. Secretary

The Secretary shall maintain an accurate record of all meeting proceedings. He/she shall keep a roster of membership, submit applications for membership at a regular meeting of the Association, and carry on all Association correspondence, submitting all pertinent communications to the membership at regular meetings. He/she shall, at the expiration of term, turn over all records and items belonging to the MARG to the successor. The Secretary shall be the Secretary of the Executive Board and Board of Directors.

### SECTION 4. Treasurer

The Treasurer shall keep all records of monetary transactions within the MARG, paying all Association incurred expenses as they come due from Association funds. He/she shall maintain an inventory of all Association owned, leased, or lent equipment. Said list shall be updated annually and submitted to the membership at the annual meeting. He/she shall, at the expiration of term, turn over all records and items belonging to the MARG to the successor.

## ARTICLE V. Executive Board *and* Board of Directors

### SECTION 1.

The Executive Board shall be comprised of the President, Vice President, Secretary and Treasurer. The Board of Directors shall be comprised of all other Full Members and will be an at-will service. The Executive Board shall have general supervision of the affairs of the MARG between its regular meetings. It shall advise the President, approve committee appointments and pay all bills, and also approve appointments by the President of all office vacancies. The Board of Directors also advises the President and serves as the planning committee for necessary association functions and activities to help the association fulfill its mission and goals.

### SECTION 2.

The Executive Board may, after consultation with and approval of the membership, enter into whatever contractual arrangements as needed in order to fulfill MARG's purpose and to obtain necessary services.

### SECTION 3.

A quorum of the Executive Board shall be a simple majority.

### SECTION 4.

- a. **Quick Action or Emergency-** In matters demanding quick action or in time of emergency, the President shall have the authority to poll the members of the Executive Board or general membership by phone or electronic means, to verify vote, and to take appropriate action.

- b. **Ratification of Quick Action**- Such action shall be subject to ratification at the next meeting of the Board or general membership, whichever takes place first, unless the action taken is of such a nature that it cannot be reversed.

## SECTION 5

The Executive Board shall keep the membership informed of all business conducted and money spent. Executive Board and Board of Directors meetings are open for any and all Association members to attend.

## ARTICLE VI THE LICENSE TRUSTEE

### SECTION 1. Eligibility

The License Trustee shall be one member in a good standing of the association for the year of his term, and be of sufficient license grade to ensure the legal operation of all association systems and special event interests.

### SECTION 2. Selection

The License Trustee shall be chosen by a majority vote of the Executive Board at their first (organizational) meeting of the year.

### SECTION 3. Term

The term of the License Trustee shall be for one year and be concurrent with the fiscal year.

### SECTION 4. Removal

The License Trustee may be removed from office by a majority vote of the Executive Board, or by a two-thirds vote of those members present and voting at any general membership meeting.

### SECTION 5. Responsibilities

The License Trustee shall:

- (a). ensure legal operation of the system and operation of the system within association guidelines.
- (b). be the license holder of the station license under which all MARG systems operate, display a copy of his/her license at the repeater site (if applicable), and provide his/her callsign for all automatic system identification devices(if applicable). This last provision may be waived by the Executive Board in the event a special station license is issued by the FCC, or by special exception of the Board.
- (c). review all modifications to the system before implementation to ensure compliance with the law.

(d). be knowledgeable in FCC law as related to Amateur Radio, and shall keep abreast of all changes affecting such.

#### SECTION 6. Authority and Powers

The License Trustee shall:

(a). be empowered and equipped to terminate operation of the system or any part thereof upon, in his/her judgment, any violation of the law or MARG policies.

(b). be empowered to prohibit any modification to the system if, in his/her judgment, such modification would constitute a violation of the law.

(c). be empowered to issue warnings to any violators of the system in the name of MARG.

#### SECTION 7. Alternate Provisions

In the event of the absence of the License Trustee, the ranking member of the Executive Board shall be empowered as Acting License Trustee, with all authority and powers listed above.

### ARTICLE VII: Association Finances

#### SECTION 1

All Association funds shall be placed in a savings and/or checking account in a recognized community savings institution as approved by the Executive Board.

#### SECTION 2

Deposits and withdrawals of association funds shall be the responsibility of the Treasurer. Both the Treasurer and President shall maintain a signature card at the bank used by the Association for financial purposes.

#### SECTION 3

No loans shall be contracted on behalf of the Association and no evidence of indebtedness shall be issued in its name. MARG shall not obtain or maintain any credit card account(s).

#### SECTION 4

The financial books of the MARG shall be audited each year with reports available to members upon request.

## ARTICLE VIII: Quorum

A quorum shall be not less than seven (7) voting members.

## ARTICLE IX: Fiscal Year

The fiscal year of the organization shall begin on September 1 and end of August 31 of each year. The annual dues collection/membership renewal/Executive Board election meeting shall be held in September.

## ARTICLE X: Rights of Members

### SECTION 1.

The President and Executive Board shall use the web site and any other methods deemed appropriate by the membership to inform the members of the activities, business and commitments of the Association.

### SECTION 2.

Any action of the Executive Board shall be subject to review by the membership on request of any member at any regular meeting.

### SECTION 3.

Any action of the Executive Board may be overruled by a two-thirds vote of the voting members present at the net regular meeting, provided that a quorum of active members is present and provided no rights of a third party are affected.

## ARTICLE XI: Amendments

The By-Laws may be amended by a majority vote of the voting members present and voting at any meeting of the Association, a quorum being present.