

**CONSTITUTION**  
**Livingston Amateur Radio Klub**  
**Howell, Michigan**

**Preamble:** We, the undersigned individuals of the Livingston County area, who enjoy amateur radio as one of the finest hobbies, formally organize ourselves as the "Livingston Amateur Radio Klub", to be known as "LARK" and enact this instrument as our constitution.

The Livingston Amateur Radio Klub is an organization formed exclusively for the educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954. The objectives of the corporation are to promote the educational development of amateur radio by fostering a spirit of cooperation and mutual exchange of ideas and techniques pertaining to amateur radio, and to receive and disburse funds and to hold property for the purposes of the corporation.

All of the provisions of this article are for the personal and cultural improvement such as the conferring of credit, certificates, degrees or other recognition of achievement; and in no event to conduct a school, academy, seminary, college or other institution of learning.

No part of the income or assets of this corporation shall inure to the benefit of any private individual or member.

This corporation shall have no capital stock, its object and purpose being solely of a benevolent character, and not for individual pecuniary gain and profit to its members.

**BYLAWS**  
**Livingston Amateur Radio Klub**

**Article I: Definitions**

**Section 1:** The following are definitions of the wording used in this document:

A. The use of the word "shall" will mean an exact and irrevocable requirement.

B. The use of word "should" will mean an exact requirement subject to modification for, or to, the application.

C. The use of the words "LARK" and "KLUB" will mean the Livingston Amateur Radio KLUB.

D. The use of the phrase "membership at large" shall mean those qualified members who have paid their current dues and are present at a business meeting.

E. The use of the phrase "members in good standing" means all qualified members who have paid their current annual dues by March 31st.

F. The fiscal year shall be from June 1st to May 31st of the following year.

## **Article II: Membership**

**Section 1:** An applicant for full membership must possess a valid Amateur Radio License issued by the Federal Communication Commission and must pay the current year's dues at the time of application.

**Section 2:** An applicant without a valid Amateur Radio License, but with an interest in amateur radio may become an associate (non-voting) member of the corporation by making an application thereto and paying the current year's dues.

**Section 3:** Membership in the corporation must be renewed annually by paying the yearly dues prior to December 31 of the preceding year.

**Section 4:** An applicant seeking new membership within the first six months of the year will pay the full year's dues. Those seeking new membership within the last six months will pay one-half the yearly dues.

## **Article III: Meetings**

**Section 1:** The KLUB will hold two types of general membership business meetings. These are the regularly scheduled monthly meeting and a special meeting. Each type of meeting will require a quorum of one-fifth the members in good standing and four board members present to conduct KLUB business. If there are insufficient members present to constitute a quorum, this meeting will be cancelled and business resumed at the next regularly scheduled monthly meeting. The President may decide if a special meeting will be required. If so, the secretary, using the postal service and/or email, or other broadcast media as required by members in good standing, will notify all members in good standing of the date, time, place and purpose of the meeting. This notice shall precede the meeting date by at least five days.

**Section 2:** The regularly scheduled monthly meeting will be held on the same day of each month and at a site approved by the membership.

**Section 3:** A special meeting may be called by the President, the Board of Directors, or upon the written petition of five members in good standing. The procedure to initiate a special meeting is outlined in Section 1 of this article.

**Section 4:** All meetings will be conducted in accordance with Robert's Rule of Order. Any dispute concerning procedure, arising during the course of a meeting, will be referred to the KLUB Parliamentarian for clarification. The Parliamentarian's decision will be sufficient to continue the meeting.

## **Article IV: Board of Directors**

**Section 1:** The Board of Directors shall be elected from the membership at large, and consist of six Officers and One Director, or their assistant, with the same authority as the current officer or director. Each Officer and Director shall be elected by a quorum of one-fifth of the membership at the May meeting each year. Their term of office will commence on June 1 of the current year and continue for

the following twelve consecutive months, or until a successor is elected.

**Section 2:** The Board of Directors shall meet, pursuant to due notice and in open session, at least once a month with a quorum of not less than a simple majority of the board members. They will be charged with the governing, managing and administering of the KLUB's affairs and will be empowered to direct the payment of those KLUB expenses deemed prudent. They shall be authorized to appoint committees, approve funding for committees provided said approval does not exceed \$50.00 for any one committee, contract for goods, and contract for services as required to provide for the benefit of the KLUB and its membership. Section 3: If any board member decides to leave the board, the Board of Directors will have the power to appoint a qualified replacement from the membership to fill the unexpired term of the vacated seat.

**Section 4:** All officers and directors shall maintain a full and paid-up membership in LARK.

**Section 5:** Any director may be removed from the board by a one-half majority vote of the membership at large. Any director who is a KLUB officer at the time of removal automatically loses any office held.

#### **Article V: Officers**

**Section 1:** The officers, consisting of a President, a Vice President, a Secretary, a Treasurer, a Program Officer and a Technical Coordinator, shall be elected by and from the General Membership. Their terms of office, qualifications and filling of vacancies shall coincide with the terms, qualifications and conditions of their Board membership.

#### **Article VI: Duties of Officers**

**Section 1:** The President shall serve a two-year term and be elected in the odd years. The President shall preside at all meetings of LARK and conduct the same for the enjoyment of all present. The President is also responsible for the following:

- A. The President shall enforce due observance of the Constitution and Bylaws.
- B. The President shall sign all official documents that are adopted by the KLUB and be an authorized signatory of all KLUB checks, and possess the PO Box key for access to correspondence.
- C. The President shall be an ex officio member of all committees and be empowered to cast a tie-breaking vote.
- D. The President shall appoint a KLUB Parliamentarian and all standing committees.
- E. The President shall perform all customary duties pertaining to the office of the President, including maintaining order at the meetings.

**Section 2:** The Vice President shall serve a two-year term and be elected the even years. The Vice President shall assume all the duties of the President in the President's absence. In addition, the Vice President is also responsible for the following:

- A. The Vice President shall succeed to the presidency should that office become vacant.

B. The Vice President shall be an authorized signatory on all KLUB checks.

C. The Vice President shall coordinate all KLUB involvement in all public service affairs and events.

**Section 3:** The Secretary shall serve a two-year term and be elected in the odd years. The Secretary shall prepare and maintain the minutes and notes for all proceedings at KLUB meetings. The secretary shall also be responsible for the following:

A. The Secretary shall bring to all KLUB business meetings the minutes from the past twelve meetings and any documents which pertains to them including all correspondence received or sent by the KLUB during that period.

B. The Secretary shall maintain in an orderly manner a current file of all documents generated by past KLUB activities and will be prepared to turn them over to a successor.

C. The Secretary shall arrange for a substitute whenever unable to attend a scheduled meeting.

D. The Secretary shall maintain KLUB affiliation with the ARRL.

Section 4: The Treasurer shall serve a two-year term and be elected in the even years. The Treasurer will be an authorized signatory upon all KLUB checks and shall collect all dues and monies owed the KLUB and maintain a current and accurate financial record of all KLUB fiscal transactions. The Treasurer shall also be responsible for the following:

A. The Treasurer shall be required to issue all checks for KLUB indebtedness or expenditures upon receiving notification for such disbursements from either the Board of Directors as prescribed by the Bylaws or as a result of a vote by the membership at large. All financial transactions will be completed by check. No financial transactions will be completed by cash.

B. The Treasurer shall maintain a legal KLUB bank account and deposit all receivables to said bank account.

C. The Treasurer shall at each regular monthly meeting have prepared and render to the membership a report of KLUB financial condition.

D. The Treasurer shall maintain and provide on a monthly basis the KLUB roster, which will disclose all paid or delinquent members. A copy of the roster will be supplied to the Editor of the KLUB newsletter, which shall be made available to the membership separately from any newsletter.

E. The Treasurer shall file KLUB annual tax exempt forms with the Security and Exchange Commission of the State of Michigan and the annual report to the Department of Consumer and Industry Services. The Treasurer shall file any and all annual reports, which shall include Forms 1023 to the Internal Revenue Service, which shall procure the Section 501(c)(3) status of the organization. Prior to providing the successor with the financial reports, records and books, the exiting and successor Treasurer shall fill out and submit the Federal Tax Identification form to the Internal Revenue Service.

F. The Treasurer shall secure quotations for KLUB liability insurance policy and inform the Board of Directors when the present liability insurance policy is about

to expire.

G. The Treasurer shall maintain a current and orderly inventory of all KLUB properties, which will set forth each item's original cost, its current value, date of acquisition and its present location.

H. The Treasurer shall have all financial records up to date by May 1<sup>st</sup> of the fiscal year and submit them to the Review Committee for verification to be done by May 31 .

I. The Treasurer, upon leaving office at any time during the term but prior to the end of the term, shall immediately bring all reports and financial records up to date and deliver them to the Review Committee for verification which shall be done as efficiently and timely as possible prior to delivering the reports, financial records, and books to the successor.

J. The Treasurer is responsible for gaining access to the KLUB'S correspondence and shall possess and have access to the KLUB's PO Box key and will be required to report to the Klub Board all correspondence. At end of term the key along with all KLUB records will be passed to the successor. No duplication of the PO Box key will be made without written authorization.

**Section 5:**

The Program officer shall serve a two-year term and be elected in the odd years. The Program officer shall be responsible for the following:

A. The Program Officer shall arrange for programs at all regularly scheduled KLUB meetings.

B. The Program Officer shall handle the details pertaining to field trips.

C. The Program Officer shall arrange for a suitable site for KLUB meetings.

**Section 6:** The Technical Coordinator shall serve a two-year term and be elected in the even years. The Technical Coordinator shall be responsible for the following:

A. The Technical Coordinator shall procure all equipment manuals and documentation of a copy of same.

B. The Technical Coordinator shall coordinate the repairs and maintenance of the radio and electronic equipment of the Corporation.

C. The Technical Coordinator shall recommend to the Board of Directors such changes in the equipment and operating procedures of the station or stations of the Corporation as in his/her judgment may be desirable and in general all duties incident to the office of Technical Coordinator.

D. Other duties shall include as from time to time may be assigned to him/her by the President or Board of Directors.

E. The Technical Coordinator shall maintain in a secure manner a complete copy of all documentation and technical manuals for each station and/or piece of electronic equipment and turn them into the Board of Directors at the end of his/her term of office.

F. The Technical Coordinator shall keep a copy of all repeater registrations,

coordination's and dues or fees paid by the trustees to any repeater coordinating or council organizations and any correspondence with the Federal Communications Commission (FCC) and submit a copy of same to the Board of Directors.

G. The operation of the repeater(s)/stations(s) is the ultimate responsibility of the trustee(s).

**Section 7:** Director / Member at large.

The Director / Member at large shall serve a one year term and be elected by and from the General Membership. The Director / Member at large will be responsible for the following:

A. To assist the Board in the general conduct of the Board's business.

**Article VII: Funding the KLUB**

**Section 1:** There are two methods of funding the activities and expenses of the KLUB. These are dues and donations to the Emergency Communications Fund.

**Section 2:** Dues are \$25.00 per year per person. Youth memberships (21 years of age or younger) are \$10.00 per year per person.

**Section 3:** Donations to the Emergency Communications Fund shall be made on a voluntary basis by either members or non-members. Other funding for the Emergency Communications Fund may come from special amateur radio events held by the KLUB that generate proceeds and those proceeds are designated by the membership at large.

**Article VIII: Membership Benefits and Responsibilities**

**Section 1:** Any member in good standing is eligible for assistance in technical matters relating to amateur radio. The extent of this assistance shall be limited to the abilities of the KLUB members, and will be offered without pecuniary gain either implied or imposed. Each member shall stand willing to provide assistance within the bounds of the member's technical expertise.

**Section 2:** Each member shall pledge assistance, where possible, in all public events wherein the KLUB has undertaken a part.

**Section 3:** The KLUB shall maintain, on an annual basis, a suitable liability insurance policy to protect its membership, officers, directors, and the KLUB from legal expenses and judgments, relating to KLUB activities.

**Section 4:** LARK will not act in any legal suit involving a member, nor will it provide funds for legal costs unless it is a party to that suit. The funds provided in this case will be limited to those expenses incurred by LARK and no others.

**Section 5:** LARK is empowered to retain legal counsel to protect its interest.

**Article IX: Amendments**

**Section 1:** Amendments to the LARK Constitution and Bylaws are permissible but

must be initiated by at least three members in good standing. The prescribed procedure is as follows:

A. A written petition must be present to the Board of Directors. The petition must state the Article and Section for change, the exact wording of the proposed change and must be signed by the parties requesting the change.

B. The Board of Directors will publish the entire petition, as presented for their review, via the newsletter, postal service, electronic mail, or other broadcast media, at least five days prior to the regular monthly meeting, or special meeting if deemed necessary.

C. A discussion will be held at the designated meeting.

D. A vote on the changes will be held at least thirty (30) days from the designated meeting. A simple majority of the members present and voting will approve the change.

#### **Article X: Dissolution of LARK**

**Section 1:** In the event, LARK ceases to carry out the objectives and purposes of the corporation as set forth within Constitution and determined by the Board of Directors, the active Board of Directors shall present the resolution to dissolve LARK to all members in good standing in the next monthly meeting or at a special meeting, who shall vote on the resolution and said vote shall empower the Board of Directors to dissolve the corporation. The Board of Directors will set about to dispose of all the corporation's assets and pay all its outstanding indebtedness. Upon fulfilling this task, the then-active Board of Directors will select another organization qualifying as a tax exempt corporation under Section 501(c)(3) of the Internal Revenue Code of 1954 to receive the remaining property or funds and convey those items as herein set forth.

**Section 2:** In no event shall any of the property or funds of LARK be distributed to LARK members, as reimbursements of any sums donated, subscribed or contributed by such members, or for any other purpose.

**Section 3:** Members may purchase at fair market value any property to be disposed of, subsequent to the vote approving the dissolution of LARK, and the monies received from said purchase shall be distributed pursuant to Section 1 of Article X.

#### **Article XI: Trustees**

**Section 1:** The Board of Directors, by majority vote, shall appoint a Trustee for each repeater or radio station maintained by the Corporation. One person may be Trustee for more than one repeater or radio station maintained by the Corporation. In the event a trustee resigns, becomes unable to, or for any reason fails to carry out the duties and responsibilities of a trustee, the Board of Directors shall, by majority vote, appoint a new trustee.

**Section 2:** Such Trustee(s) shall have all powers and duties, on behalf of the Corporation, concerned with the radio station prescribed by law or regulation of the FCC, carry on all correspondence with the FCC, and shall have the power to order the shutting down of the repeater, radio station, or stations of the corporation at any time he/she has in, in his/her sole discretion, sufficient reason to believe that Federal Law or a regulation of the FCC has or will be

violated by the operation of such repeater, station, or stations. The Trustee shall inform the Technical Coordinator of any changes necessary to maintain maximum and/or proper operation of any radio station or repeater. The repeater and/or station Trustee(s) shall submit a copy of all repeater and/or station registrations and coordination's, dues or fees paid by the Trustees to any repeater coordinating or council organizations and any correspondence with the FCC and submit a copy of same to the Technical coordinator. Station trustees shall supply the Technical Coordinator with a copy of all documentation and technical manuals. All manuals, documentation and equipment shall be maintained in a secure and orderly manner, and these items shall be turned over to the Technical Coordinator or such person as a majority of the Board of Directors designates at the end of his/her term as trustee.

This document supersedes all previous LARK BYLAWS and is in effect as of January 2013. Voted on and approved by the LARK membership on December 2012.