

BYLAWS  
OF  
DELTA AMATEUR RADIO CLUB, INC.

**ARTICLE I – NAME**

**1.1 NAME**

1.1.1 The name of this organization shall be the Delta Amateur Radio Club, Inc. hereinafter referred to in these by-laws as “Delta Amateur Radio Club”, “DARC”, “Delta Club” or “Club”.

**ARTICLE II – ORGANIZATION**

**2.1 PURPOSE**

Delta Amateur Radio Club is incorporated as a non-profit organization in accordance with the laws of the State of Tennessee for the purpose of promoting the advancement of amateur radio through its use in emergency situations in which normal lines of communication are disrupted or otherwise not feasible. To prepare to be of assistance in emergency situations, the DARC will participate in the following activities:

2.1.1 Encourage continued education and training for prospective and current amateur radio operators by providing opportunities for both academic and hands-on training.

2.1.2 Encourage research and experimentation with new and existing technologies in an effort to facilitate the advancement of the field of radio communications and the support of any literary or scientific undertaking promoting the advancement of the radio art.

2.1.3 Promote amateur radio by providing opportunities for fellowship among members and other interested persons for educational, civic, social, and recreational purposes.

2.1.4 Promote public awareness of amateur radio and its many contributions to public welfare.

2.1.5 Maintain licensed amateur radio stations for operation by its membership, in the name of its Trustee, when and where appropriate, under the rules of the Federal Communications Commission of the United States of America, hereinafter referred to as the FCC.

2.1.6 Exercise any and all general powers, whether herein enumerated or not, which a nonprofit corporation may or can exercise under the Constitution and Laws of the State of Tennessee that are not inconsistent with the purpose herein contained.

**2.2 AFFILIATION**

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2.2.1 DARC is an affiliate of the American Radio Relay League "ARRL."

### **2.3 NON-PROFIT CORPORATION**

2.3.1 The Delta Amateur Radio Club is a non-profit corporation and shall not have or issue shares of stock. No dividend will be paid, and no part of the income of the corporation will be distributed to its members. The Club may pay members fair market value for goods or services provided to the Club, and the Board may reimburse members for authorized expenses. The Club may offer door prizes that are appropriated in the budget.

2.3.2 **LOANS TO MEMBERS:** The Delta Amateur Radio Club shall make no monetary loans to any of its members.

2.3.3 **RIGHTS AND INTERESTS IN ASSETS:** No member shall have any vested right, interest, or privilege in or to the assets, functions, or affairs of the DARC, or any right, interest, or privilege which may be transferable or inheritable, or which will continue if their membership ceases.

### **2.4 AUTHORITY TO INDEMNIFY**

2.4.1 The DARC does indemnify any directors, officers, incorporators, and employees of the DARC from any liability regarding the DARC and the affairs of the DARC, unless the person fraudulently and intentionally violated the law and/or maliciously conducted acts to damage and/or defraud the DARC, or as otherwise provided under applicable statute.

### **2.5 DISSOLUTION PROCEDURE**

2.5.1 Upon dissolution of the Delta Amateur Radio Club, Inc., or the forfeiture of the DARC's Articles of Incorporation, the Board of Directors shall have the power to dispose of the assets of the DARC after paying or making provisions for payment of all liabilities of the DARC. The Board shall distribute or dispose of the assets of the DARC by transferring or conveying such assets, or the proceeds of the sale, to another corporation or organization which is organized and operated exclusively for charitable, educational, or scientific purposes. In the event the Board fails to or is unable to distribute such assets in accordance with the provisions of this Article, any DARC member may petition a court of appropriate jurisdiction to assume jurisdiction over the assets and accomplish a distribution in accordance with the intent and purpose of this section.

## **ARTICLE III – MEMBERSHIP**

### **3.1 MEMBERSHIP APPLICATION**

3.1.1 Membership in the DARC is open to all licensed amateur radio operators and to any other individuals with an interest in amateur radio without regard to race, creed, color, sex, sexual orientation, national origin, religion, disabilities, or any other grounds prohibited by state and/or federal law.

3.1.2 Any person wishing to join the DARC may apply for membership by submitting a completed membership application, along with any necessary dues, to the Secretary or Treasurer or by mailing their completed application and dues to the DARC mailing address.

3.1.3 All prospective membership applications must be approved by a majority of the Board of Directors at the earliest board meeting following the application for membership. Should a membership application be denied, the Board of Directors must make every attempt to notify the applicant of the denial, as well as the reason for the denial, within thirty (30) days of the denial.

3.1.4 Members in the DARC shall hold membership based on only one (1) of the available membership classifications, as defined in Section 3.2.

### **3.2 MEMBERSHIP CLASSIFICATIONS**

DARC offers the following classifications of membership:

3.2.1 Individual Annual Member: Anyone holding a valid amateur radio operator's license that is issued or recognized by the FCC.

3.2.2 Non-Licensed Individual Annual Member: Non-Licensed membership is available to anyone interested in amateur radio communications and who does not hold a valid amateur radio license as specified in Section 3.2.1. Non-Licensed members may not vote or serve on the Board of Directors. Non-Licensed members may serve on committees.

3.2.3 Family Annual Member: Anyone meeting the conditions of Individual Membership or Non-Licensed Individual Membership and who shall reside at the same address as an existing Individual Annual Member in good standing of the DARC. At least one (1) member of the household shall be an Individual Annual Member of the DARC in order for any other member of the same household to apply for Family Annual Membership. Licensed family members shall have the same status as Individual Annual Members and unlicensed family members shall have the same status as Non-Licensed Annual Members.

3.2.4 Individual Life Member: This type of membership is no longer available, but those who were classified as such are entitled to all the privileges of Individual Annual Members.

3.2.5 Family Life Member: This type of membership is no longer available, but those who were classified as such are entitled to all the privileges of Family Annual Members.

3.2.6 Non-Licensed Life Member: This type of membership is no longer available, but those who were classified as such are entitled to all the privileges of Non-Licensed Individual Annual Members.

3.2.7 Honorary Life Member: Any person may be granted an honorary membership in the DARC by a majority affirmative vote of the membership present at any regular DARC meeting. Those who were classified as such are entitled to all the privileges of Individual Annual Members.

3.2.8 Change of Status: A membership classification is determined by the status of the amateur radio operator's license and may be subject to change during the course of the membership year, should the license status change during the membership year.

### **3.3 VOTING CLASSIFICATIONS**

There shall be two classifications of voting rights consisting of:

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**3.3.1 Voting Member:** All members who pay their annual dues (at the rate recommended by the Board and approved by the membership) and hold a current valid amateur radio operator license as specified in Section 3.2.1. Individual, Family, Individual Life, Family Life, or Honorary Life shall have one vote each in all matters.

**3.3.2 Non-Voting Member:** All members not holding a valid amateur radio operator license. This will generally be, but is not limited to, Non-Licensed Individual Annual Members and Family Annual Members who do not hold a valid amateur radio operator license as specified in Section 3.2.1.

### **3.4 MEMBERSHIP DUES**

**3.4.1 Membership dues,** in an amount determined by the Board of Directors and approved by a majority of the voting membership present at the next regular membership meeting, shall be assessed annually and are payable during the renewal period of January 1 through March 1. Honorary Life Members shall be exempt from payment of DARC dues.

**3.4.2 Prorating of Dues:** Dues for new members that have not been a member during the preceding three years shall be prorated from the date of application based on a quarterly basis according to the following schedule:

<u>From</u>	<u>To</u>	<u>% of applicable dues</u>
Jan 1	Mar 31	100 %
Apr 1	Jun 30	75 %
Jul 1	Sep 30	50 %
Oct 1	Dec 31	25 %

**3.4.3 Non-Payment of Dues:** Non-payment of DARC annual membership dues shall be cause for loss of club membership and all associated privileges until said payments are brought up-to-date in accordance with these bylaws. Members removed for nonpayment of dues shall be reinstated to their previous membership status upon full payment of all applicable dues for the current fiscal year.

### **3.5 EXPULSION FROM MEMBERSHIP**

**3.5.1 Expulsion of a Member:** Any member who willfully and knowingly violates any of the DARC's or ARRL's policies and procedures shall be liable for expulsion from the DARC. A member shall also be subject for expulsion from the DARC for willfully and knowingly violating the FCC rules, Part 97, which results in suspension or revocation of that member's FCC license or results in a finally adjudicated monetary forfeiture to the U.S. Government.

**3.5.2 Process of Expulsion:** The Board shall determine if there is sufficient evidence and if the infraction rises to the level that necessitates expulsion from the DARC. These matters shall be handled on a case-by-case basis and by simple majority vote of the Board.

**3.5.3** If the Board votes to recommend to expel, the accused member must be notified of the accusation of misconduct by certified mail, return receipt requested.

3.5.4 The Board will report its recommendation to the DARC membership at the next membership meeting. The accused member will then be given an opportunity to present a rebuttal of the accusation against them. If the accused member does not present a rebuttal, the accused member's membership shall be terminated.

3.5.5 When the accused member has finished making their rebuttal, the members of the DARC, by a two-thirds majority vote of the quorum, may adopt the recommendations of the Board. If the Board's recommendations are not adopted, the accusation(s) of misconduct made against the accused member shall be declared null and void.

3.5.6 An Officer or Trustee must first be removed from his or her office before an expulsion proceeding can commence.

3.5.7 After final adjudication and completion of expulsion proceedings, any member, Officer, or appointee shall be removed from the membership rolls of the DARC. Upon expulsion from the DARC, any member, Officer, or appointee shall immediately turn over all records, assets, equipment, and information belonging to, or necessary for the continuing activities of the DARC. Once a member is expelled, re-admittance to DARC membership shall only occur upon a unanimous affirmative vote of the entire Board of Directors of the DARC.

## **ARTICLE IV – BOARD OF DIRECTORS**

### **4.1 OFFICERS & BOARD OF DIRECTORS**

4.1.1 The Officers of the Board of Directors shall be President, Vice-President, Secretary, Treasurer, Immediate Past President, Director of Programs, Director of Meetings and Special Events, Director of Publications, Director of Training, and the current Trustee of the W4BS club call. All officers shall have one vote in all matters on which the Board of Directors vote.

4.1.2 The President may appoint the following non-voting positions to serve on the Board of Directors concurrent with the President's term: Public Information Officer, Club Historian and Club Counsel. The appointed positions shall serve at the President's discretion.

4.1.3 The Board of Directors shall be composed of the DARC Officers and appointed positions.

### **4.2 TERM OF OFFICE**

4.2.1 Board of Directors members described in these by-laws shall be elected annually at the regularly scheduled DARC meeting in November.

4.2.2 The DARC Officers shall take office on January 1 following the election and serve for one (1) year, or until their successor assumes their office.

### **4.3 CHAIRMAN OF BOARD**

4.3.1 The President shall preside over all Board of Directors meetings unless otherwise specified in 5.2.3.

#### **4.4 VOTING RIGHTS**

4.4.1 All officers of the Board of Directors shall be entitled to vote on any matter properly brought before the Board of Directors unless otherwise prohibited within these by-laws.

#### **4.5 DUTIES**

4.5.1 The Board of Directors shall conduct all business of the DARC not otherwise delegated by the by-laws to the membership.

#### **4.6 MEETINGS**

4.6.1 The Board of Directors shall meet on the first Tuesday of each month. The Board of Directors may change the day of the meeting with prior notice.

4.6.2 All meetings of the Board of Directors will be open to all DARC members in good standing except as provided in Paragraph 4.6.3.

4.6.3 In cases where the Board of Directors is to discuss matters specified in Article IV Section 11, "Removal from Office," or Article III Section 5, "Expulsion from Membership," the Chairman shall have the authority to close, at their discretion, such meeting to anyone not a member of the Board of Directors for the duration of such discussion. This authority is given to the Chairman to allow for the protection of confidentiality and privacy of the DARC members involved.

4.6.4 The Board of Directors may consider matters that arise between meetings through electronic or other available means.

4.6.5 Quorum: A quorum shall consist of at least six (6) voting members of the Board. In the absence of a quorum, no action taken by the Board of Directors shall be valid.

#### **4.7 REPORT OF MEETING**

4.7.1 Following each Board of Directors meeting, the presiding Officer shall provide a report to the DARC membership in the Club newsletter and/or at the next regular DARC meeting. This report will include at a minimum a summary of any actions taken by the Board.

#### **4.8 NOMINATIONS**

4.8.1 A nominating committee consisting of three (3) members shall be appointed by the President at the regular August membership meeting. The nominating committee shall nominate a President, Vice President, Secretary, Treasurer, Director of Programs, Director of Meetings and Special Events, Director of Publications, and Director of Training. These names will be placed in nomination at the regular October membership meeting.

4.8.2 All nominees must be members of the DARC in good standing and possessing voting rights. To be nominated as an Officer of the DARC, nominees must have attended not less than 50% of the past twelve (12) meetings.

4.8.3 The presiding Officer at the regularly scheduled DARC meeting in October shall open the floor for nominations. Nominations will be taken from the floor for all elected Officers whose term expires on December 31. Once opened, the time period for nominations shall remain open through the November meeting elections. After any and all nominations have been received from the floor during the November DARC meeting, the presiding DARC Officer at the November meeting shall close the nominations. Elections shall immediately follow the closing of the nominations.

#### **4.9 ELECTION PROCEDURES**

4.9.1 The presiding DARC Officer shall supervise the election.

4.9.2 Balloting shall be by written ballot.

4.9.3 If there is only one candidate for an office, that candidate shall be declared elected by a majority voice vote of the members present. A candidate shall be elected to an office by a simple majority of licensed paid-up members in attendance at the regular annual November meeting.

4.9.4 If for any reason elections are not held in November, the election shall be held at the next regular membership meeting thereafter.

4.9.5 The DARC Secretary shall count written ballots cast at the election. The person receiving the highest number of votes for any office shall be declared elected. The secretary shall then inform the presiding DARC Officer and the members present at the election meeting of the results of the election. In the event of a tie an immediate run-off will be held.

4.9.6 The results shall be published in the next available issue of the DARC newsletter. They may also be published on the DARC's website and other DARC communications media.

4.9.7 The newly elected Board of Directors shall take office in accordance with these by-laws.

#### **4.10 OFFICER VACANCY**

4.10.1 Should any DARC office, except that of President, be vacated for any reason, that position shall be filled by any eligible DARC member who shall be voted upon and approved by a simple majority of the remaining Board. This person shall serve the remainder of the current term.

4.10.2 Should the office of President be vacated for any reason, the Vice-President shall assume the office and duties of President for the remainder of the term leaving the office of Vice-President vacant for filling by the Board as set forth in these by-laws.

#### **4.11 REMOVAL FROM OFFICE**

4.11.1 The Board of Directors may recommend the removal of any DARC Officer for any of the following reasons:

- (a) Poor attendance, such as being late or absent for multiple board and/or general membership meetings without good reason.

(b) Failure to pay dues within the period in which dues are to be paid.

(c) Gross misconduct as determined by a majority of the Board in the performance of official duties.

(d) Behavior that brings discredit to themselves or to the DARC such as an FCC license suspension, or other civil or criminal action.

4.11.2 Any Officer removed from their position retains membership within the DARC unless expelled from the DARC. Should such expulsion from the DARC be deemed necessary, then expulsion shall be handled as specified in Article III Section 5, "Expulsion from Membership."

#### **4.12 PROCEDURES FOR REMOVAL**

4.12.1 At the next Board of Directors meeting, the matter of removal from office of a DARC Officer must be taken up before any other business may be conducted. The Board members shall vote, except for the accused Officer, upon the removal action. A simple majority of the Board members present shall cause the motion to carry and the accused Officer shall be removed from office effective immediately.

4.12.2 Any vacancies resulting from this procedure shall be filled in accordance with Article IV Section 10, "Officer Vacancy."

### **ARTICLE V – DUTIES OF BOARD OF DIRECTORS**

#### **5.1 PRESIDENT**

5.1.1 The President shall preside at all DARC membership and board meetings and shall vote only in the case of a tie in which case he or she will cast the deciding vote.

5.1.2 The President shall conduct the meetings according to the rules adopted: enforce due observance of the Charter of Incorporation and the By-laws, and decide all questions of order.

5.1.3 The President shall sign all official documents adopted by the club and none other.

5.1.4 The President shall perform all customary duties pertaining to the office of President.

5.1.5 The President shall be an ex-officio member of all DARC committees.

5.1.6 The President may, from time to time, delegate to others the authority to act as DARC spokesperson or representative of the DARC but shall retain the ultimate authority to act as the primary spokesperson and representative of the DARC.

#### **5.2 VICE PRESIDENT**

5.2.1 The Vice President shall serve as membership chairman and solicit and encourage new members.

5.2.2 The Vice President shall assist the President in the performance of the President's duties.

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5.2.3 The Vice President shall preside over all DARC functions in the stead of the President should the President not be able to do so.

### **5.3 SECRETARY**

5.3.1 The Secretary shall maintain the official and accurate record of all DARC activities, including, but not limited to:

- (a) Copies of all meeting minutes, to include general membership, and Board meetings.
- (b) Originals or copies, as appropriate, of all correspondence relating to DARC business, regardless of the author thereof.
- (c) A copy of all amateur radio licenses issued to the DARC through its License Trustees as herein provided.
- (d) The current name, address, and telephone number of the DARC License Trustee of the various DARC radio systems.
- (e) A current and accurate list of the DARC membership. This list may include call signs, email addresses, meeting attendance or other appropriate information that is determined to be needed for the completion of Club duties. This list shall be shared by the Secretary with other Board members to assist in their roles.
- (f) Any other documents deemed appropriate by the DARC Board of Directors.

5.3.2 Documents having legal or historical significance shall be stored and protected in an appropriate manner.

5.3.3 No original documents in the custody of the Secretary may be transferred, assigned, or given to any other party without the express permission of the President. Should information be required, only photocopies shall be provided to the requestor.

5.3.4 The Secretary may write official correspondence for the DARC.

5.3.5 The Secretary shall, upon completion of their term of office, turn over all materials and documents to the incoming Secretary in a timely manner.

### **5.4 TREASURER**

5.4.1 The Treasurer shall maintain a checking account in the name of the Delta Amateur Radio Club, Inc. for the deposit of funds and the normal disbursement of funds.

5.4.2 The Treasurer shall maintain and keep accurate, current, and detailed records of all financial transactions to which the DARC is a party.

5.4.3 The Treasurer shall pay no bills except regular reoccurring expenses and those authorized by the current budget. All other expenditures other than the ones stated must be approved by a vote of the general membership prior to making the expenditure.

5.4.4 The Treasurer may maintain an interest-bearing savings account or Certificate of Deposit(s) for the deposit of funds in excess of normal operating monies.

5.4.5 The Treasurer shall set up and maintain an effective system to track budget status and projected budget conditions to alert the Board to any potential financial shortfalls that may occur.

5.4.6 The Treasurer shall prepare a budget according to Article 9 Section 4 "Adoption of the Budget."

5.4.7 The Treasurer shall provide, as requested, to the Board or the President, a detailed and complete listing of receipts, expenditures, receivables, and liabilities.

5.4.8 The Treasurer shall provide at each regular Board meeting an itemized statement of receipts and disbursements. Should any DARC member wish to inspect the financial records, a request may be made to the Treasurer during a meeting of the Board. No information concerning DARC financial status shall be given outside normal DARC channels without the express permission of the Board. No document shall leave the possession of the Treasurer without the express permission of the Board.

5.4.9 The Treasurer shall report at each regular membership meeting the receipts and disbursements for the prior month. An itemized statement of receipts and disbursements for the prior month shall be published in the DARC newsletter each month.

5.4.10 The Treasurer shall assist other authorized parties in a timely manner, as required, with any audits or reviews of DARC books, tax matters, incorporation, and any other issues that may arise. Questions regarding how to handle these items shall be directed to the Board.

5.4.11 The Treasurer shall file, in a timely manner, the necessary tax documents with the appropriate State and Federal agencies, as required by the corporation by-laws. Copies of these reports shall be maintained with other financial records.

5.4.12 The Treasurer shall, at the completion of the term of office, turn over all materials and information to the incoming Treasurer in a timely manner.

## **5.5 DIRECTOR OF PROGRAMS**

5.5.1 The Director of Programs shall be responsible for scheduling all speakers at club meetings; be responsible for ensuring that any special equipment, if required, is on hand for the presentation; and is to work with the program guest(s) to make sure that everything is provided for the presentation.

## **5.6 DIRECTOR OF PUBLICATIONS**

5.6.1 The Director of Publications shall be responsible for gathering, editing, and publishing of information for any club publications, including but not limited to the monthly DARC newsletter and the DARC website.

5.6.2 The Director of Publications, with assistance of the Secretary, shall maintain a DARC email list of members and nonmembers for the purpose of distributing the DARC newsletter and other information.

### **5.7 DIRECTOR OF TRAINING**

5.7.1 The Director of Training shall coordinate any classes or special training sessions of the DARC.

5.7.2 The Director of Training will plan, coordinate, and work with the Public Information Officer and the Director of Publications to distribute any information to the public on any such training sessions.

5.7.3 The Director of Training is responsible for coordinating the Net Control Operators for DARC repeater nets. The Director may appoint a Net Manager to serve concurrent with the term of the Director.

### **5.8 DIRECTOR OF MEETINGS AND SPECIAL EVENTS**

5.8.1 The Director of Meetings and Special Events shall be responsible for ensuring that the meeting room is available.

5.8.2 The Director is responsible for purchasing refreshments for each monthly membership meeting.

5.8.3 The Director is also responsible for securing any meeting facilities for any sit-down eating meetings or club picnics, or for any other requirement for any meeting facilities that might occur.

### **5.9 PUBLIC INFORMATION OFFICER**

5.9.1 The Public Information Officer shall be appointed by the President to be responsible for generating publicity and recognition for all DARC functions and activities.

5.9.2 The Public Information Officer shall maintain an accurate and permanent record of their activities and at the completion of the term of office turn over all materials and information to the incoming Public Information Officer in a timely manner.

5.9.3 The Public Information Officer shall have no voting privileges on Board matters.

### **5.10 CLUB HISTORIAN**

5.10.1 The Club Historian shall be appointed by the President to keep a record, both written and pictorial, of all club events.

5.10.2 All written and pictorial documents shall be maintained and turned over to the successor in a timely manner.

5.10.3 The Club Historian shall have no voting privileges on Board matters.

### **5.11 CLUB COUNSEL**

5.11.1 The Club Counsel may be appointed by the President to advise the Board of Directors on any legal matters that might arise.

5.11.2 The Club Counsel shall have no voting privileges on Board matters.

#### **5.12 W4BS TRUSTEE**

5.12.1 The Trustee shall be appointed by the President and will be responsible for any use of the W4BS call.

5.12.2 The Trustee shall hold a valid Amateur Extra Class license or the current highest FCC amateur radio license.

5.12.3 The Trustee will hold the position on the Board with full voting privileges on Board matters until the President recommends a successor and the Board approves the recommendation.

### **ARTICLE VI – MEMBERSHIP MEETINGS**

#### **6.1 MEETINGS**

6.1.1 The regular meeting of members shall be held on the second Tuesday of each month at a time and place specified by the Board of Directors. The Board of Directors may change the date, place, and/or time of the meeting to coincide with special programs or occasions and must notify the membership of the change via electronic mail (e-mail) at least one (1) day prior to the meeting date.

6.1.2 All DARC meetings and events may be recorded and published.

#### **6.2 QUORUM**

6.2.1 The members attending each meeting shall constitute a quorum for transaction of business: a majority rules.

#### **6.3 SPECIAL MEETINGS**

6.3.1 Special meetings may be called by the President at any time by a request of at least five members of the DARC. Notification shall be as outlined in Section 6.1.1.

#### **6.4 ELECTRONIC MEETINGS**

6.4.1 The Board of Directors may, in its sole discretion, determine that if any meeting of the members cannot be held in person, a meeting may instead be held through electronic or other available means. Participation in a meeting held by electronic or other available means shall constitute presence in person at the meeting for all purposes, including quorum and voting.

### **ARTICLE VII – DARC COMMITTEES**

## **7.1 COMMITTEES**

7.1.1 All committees, both standing and interim, are expected to operate and to serve the DARC in a manner consistent with the stated purpose of the DARC as specified in Article I of these by-laws.

7.1.2 All committee chairpersons serve at the request and the pleasure of the DARC President.

7.1.3 Repeater Committee: The W4BS Trustee may appoint a committee, which shall be chaired by the W4BS Trustee.

## **ARTICLE VIII – CLUB LICENSE TRUSTEES**

### **8.1 REQUIREMENTS**

8.1.1 As required by Title 47, Part 97 of the FCC rules governing Amateur Radio, the DARC shall designate License Trustee(s) to hold the licenses necessary to fully operate the various DARC repeater systems. This Article is intended to supplement the FCC rules, and should it be determined that this Article is in conflict with FCC rules, the FCC rules will prevail.

### **8.2 QUALIFICATION**

8.2.1 Each DARC License Trustee shall be a member in good standing of the DARC and shall maintain the highest-class license currently issued by the FCC.

### **8.3 TRUSTEES SELECTION**

8.3.1 In the event a License Trustee of record no longer meets the requirements of this Article or the License Trustee is no longer willing or able to serve as License Trustee, the DARC President shall select a new License Trustee. The DARC Board of Directors will ensure that all appropriate records are updated in accordance with FCC rules and regulations in force at the time of selection.

## **ARTICLE IX – FISCAL AFFAIRS**

### **9.1 PERIOD OF FISCAL YEAR**

9.1.1 The DARC fiscal year shall be from January 1 through December 31.

### **9.2 EXPENDITURES**

9.2.1 The Board of Directors shall, by majority vote when a quorum is present, have the authority to authorize the expenditure of funds as outlined in the Club budget.

9.2.2 The Board of Directors has no authority to assume any debt on the Club's behalf.

### **9.3 DEPOSITORY**

9.3.1 The Board of Directors shall select the depository of Club funds and shall determine the procedure of writing checks.

#### **9.4 ADOPTION OF THE BUDGET**

9.4.1 The Treasurer, with the help of the Board, shall prepare a proposed written budget for the upcoming calendar year by the December Board meeting.

9.4.2 At the January Board meeting, the status of the DARC funds and the financial transactions of the past year will be reviewed. At this meeting, the Board shall confirm a proposed written budget for the current calendar year. The proposed budget shall be published in the February DARC newsletter.

9.4.3 This proposed budget will show the income and expenses for the past year as well as the expected income and expenses for the current year.

9.4.4 The proposed budget shall be voted upon by the membership present at the February general membership meeting. The budget will be considered adopted by a simple majority vote of those members present.

9.4.5 Should an unexpected event arise that would result in expenses exceeding the total budgeted expenditures, the Board can request to amend the budget during a regular or special membership meeting. The amended budget will be considered adopted by a simple majority vote of those members present.

#### **9.5 BOARD DISCRETIONARY SPENDING AUTHORITY**

9.5.1 The purpose of the Board Discretionary Spending Authority is to allow the DARC Board the ability to spend a limited amount of money as defined in Section 9.5.2, without any prior approval, as necessary to conduct the business of the DARC.

9.5.2 The specific amount of the Board discretionary account shall be reviewed and revised, as necessary, at least annually at the Board's January budget meeting and allocated in the approved fiscal year budget.

9.5.3 The Board may review the budget and reallocate funds among categories if it deems it appropriate, so long as the overall total budget is not changed.

### **ARTICLE X – PARLIAMENTARY AUTHORITY**

#### **10.1 PARLIAMENTARY AUTHORITY**

10.1.1 The rules contained in "Robert's Rules of Order Newly Revised" shall govern in all cases to which they are applicable, and in which they are not inconsistent with these by-laws.

### **ARTICLE XI – AMENDMENTS TO THE BY-LAWS**

## **11.1 AMENDMENT PROCEDURE**

11.1.1 Any voting DARC member may submit a proposed amendment to these by-laws at any regular meeting of the DARC. Such proposals must be written, signed by five voting members of the DARC, and must be given to the DARC Officer presiding at the regular meeting, who shall in turn give it to the President.

11.1.2 At the next meeting of the Board of Directors, the President shall present the proposed amendment to the Board, which will then discuss it and recommend either adoption or rejection of the proposed amendment, including in the recommendation the reasons for adoption or rejection. A decision on a recommendation may be postponed until the next meeting of the Board if the Board feels that additional investigation is required.

11.1.3 At the first regular meeting of the DARC following the decisive meeting of the Board, the Officer presiding at the meeting shall present to the DARC the Board's recommendation on the proposed amendment to these by-laws. The only action the DARC may take at this time is to set a date, time, and place at which a vote on the proposed amendment shall occur.

11.1.4 The Secretary shall convey copies of the proposed amendment and supporting comments from its creators, and the Board's recommendations and comments on the proposed amendments to the DARC Director of Publications for incorporation into the next DARC newsletter. The newsletter shall also announce the date, time, and place of the vote on the submitted amendment. The same information shall also be given to the web site manager for incorporation onto the DARC web site and the DARC email list may be used to transmit the information by email. The meeting date for voting shall also be announced on all DARC nets prior to the voting meeting.

11.1.5 At the meeting of the DARC at which the vote on the proposed amendment shall occur, a two-thirds majority vote of the quorum present in favor of the proposed amendment is required to adopt the amendment.

## **11.2 TECHNICAL AMENDMENTS OF THE BYLAWS**

11.2.1 The Board of Directors is authorized to correct article and section designations, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the intent of Delta Amateur Radio Club.