

Norcal Digital Amateur Radio Club (NDARC) Constitution

Preamble:

The name of this organization is Norcal Digital Amateur Radio Club or NDARC. It shall be our purpose to further the exchange of information and 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 community. An important objective of NDARC is to establish and maintain a “fill-in” D-Star repeater east of Danville, California, to provide coverage where existing Mount Diablo repeaters may have multipath issues.

Article I. Membership

Membership shall be open to any person who actively supports NDARC’s purpose as set forth in this document. We reserve the right to decline membership to anyone the board deems to not represent the goals and mission of this organization.

Article II. Officers

Sec. 1. The officers of this club shall be President, Vice-President and Treasurer.

Sec. 2. The positions of president and vice president, if permanently vacated, shall be filled through a nomination and vote of the membership.

Sec. 3. The Treasurer shall be appointed by the president and vice president.

Sec. 4. A member shall be designated as the Amateur Radio License Trustee. The Trustee shall establish and maintain an Amateur Radio Club Station for the use of the licensed members of NDARC and other licensed radio amateurs, and shall carry out the duties designated by the Federal Communication Commission for the trustee of this station. In the event that the trustee can no longer perform the duties of Trustee, he shall designate another Society member who holds an amateur license to apply to the FCC to succeed him as trustee. The president shall concur in the selection of this new Trustee.

Article III. Duties of Officers

Sec. 1. The President shall preside at all meetings, and conduct them according to the rules adopted. He/she shall enforce due observance of this Constitution and By-Laws; decide all questions of order; sign all official documents adopted by the club, and perform all other duties pertaining to the office of President. Meeting minutes of NDARC are maintained by the President at his/her discretion.

Sec. 2. The Vice-President shall assume all the duties of the President in his/her absence.

Sec. 3. The Treasurer shall account for all monies paid to the club.

Article IV . Meetings

All meetings of NDARC shall be informal and may be called at the discretion of at least two officers. Such meetings may take place in person, over amateur radio or through other electronic communication means. Robert's Rules shall govern proceedings.

Article V. Dues

NDARC shall not collect dues unless deemed absolutely necessary by the officers for ongoing expenses required for the operation of the organization.

Article VII. Amendments

The constitution or By-Laws may be amended by a two-thirds vote of the total membership. Proposals for amendments shall be submitted in writing at a regular meeting and shall be voted on at the next following regular meeting, provided all members have been notified at least one month in advance by mail or email of the intent to amend the constitution and/or By-Laws at said meeting.

Constitution adopted February 14, 2011

Norcal Digital Amateur Radio Club (NDARC)

By-Laws

1. Organization. The name of this organization is the *Norcal Digital Amateur Radio Club (NDARC)*. It is organized as a non-profit amateur radio club within the meaning of section 501(c)(7) of The Internal Revenue Code of 1986 (26 U.S.C. 501(c)(7)) and section 5 of part 97 of the FCC Regulations supporting The Communications Act of 1934 (47 C.F.R. 97.5(d)(2)). However, no filing before the Internal Revenue Service for non-profit status shall be necessary as long as the organization does not maintain a treasury of its own.

2. Membership. Full membership is open to licensed amateurs in good standing as well as to those with an interest in Amateur Radio. Applications for membership shall be submitted at regular meetings.

3. Governing Board. The organization shall be governed by a Board of Directors. This Board shall be comprised of the club's FCC callsign trustee, any and all equipment (repeater) trustees, and a sufficient number of elected directors, of equal number or one less, but not less than 3, to maintain an odd count of directorships. Each position on the Board shall have one vote. Should a person hold more than one position, that person shall have that respective number of votes on the Board. A member cannot be elected to more than one position. The trusteeship positions are not elected positions. Each trustee may select his/her successor. However, with the acquisition of organization-owned equipment, or should a trusteeship become vacant without a successor named, the Board may appoint any member of the organization to that trusteeship position.

4. Election Procedure. Periodic elections are not required, but may be requested by at least one existing member. Only members of the organization shall be eligible to vote. Each member shall be able to cast as many votes as there are elected positions to fill. Election to the Board shall occur for the candidate receiving the largest plurality of votes and continue to the next largest plurality until all positions are filled. Should there be a tie vote for any position where there are more candidates than elected positions remaining, the membership will vote again, considering only those candidates and with each member casting a number of votes equal to the number of positions remaining. Should there be an equal or lesser number of candidates seeking election to the Board, they shall be considered elected without an election having taken place. There are no term limits imposed on any elected position.

5. Dues. The Board of Directors may set the necessary [annual] membership dues, which may not be increased by more than 25% of its current level without consent of two-thirds of the membership. The initial dues amount shall be zero, and any dues shall be collected in U.S. dollars.

6. Equipment and Property. Unless purchased with funds from the organization's treasury, all equipment used by the organization remains the property of the respective trustee. No rights shall affix to the equipment by virtue of its use by the organization or its members nor shall the ownership rights of the trustee be diminished. All equipment purchased by the organization itself, from its treasury, remain property of the

organization and likewise, no right of ownership attaches to such by the appointed trustee (or his successor).

7. **Ratification.** The constitution and bylaws are hereby ratified on 14 February 2011, with the initial directors of the organization being:

James Moen, K6JM, President, Elected Director, Callsign Trustee and Repeater Trustee

Larry Lecrone, WW6USA, Vice President, Elected Director

Cathy Pronzini, Treasurer, Elected Director

Kathy Lecrone, KD6USA, Elected Director

Rich Timpa, KC6OBJ, Elected Director,