



By-Laws of the

**Jackson County ARES/RACES (JCAR)
AKA
Jackson County Amateur Radio Club**

K4SCO

Jackson County ARES/RACES
1002 Garden Drive
Scottsboro, AL 35768-2528

<http://jcar.us>

Revision 3 – January 2017

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ARTICLE I

OFFICES

Section 1. Principle Office

The principal office of the corporation is located in Jackson County, State of Alabama.

Section 2. Change of Address

The Board of Directors may change the principal office from one location to another within the above named county by noting the changed address and effective date below, and such changes of address shall not be deemed, nor require an amendment of these bylaws.

Present Location: Jackson County EMA offices, Courthouse, Scottsboro, AL 35768, January 1, 2017

Revised Location _____ Dated: _____

Revised Location _____ Dated: _____

ARTICLE II

NONPROFIT PURPOSES

Section 1, IRC Section 509(a) Purposes

This corporation is organized exclusively for one or more of the purposes as specified in section 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 509(a)(1) of the Internal Revenue Code

Section 2. Specific Objectives and Purposes.

The specific objectives and purposes of this corporation shall be:

To establish and maintain emergency communications capability for the citizens of Jackson County Alabama. The impetus for organizing this corporation grew out of a mutual concern among the amateur radio community and the Jackson County Emergency Management Agency that Jackson County was lacking in this capability.

Our primary function will be to activate ourselves during times of severe weather, natural disasters, or any other civil emergency. Our goals are to assist with the passing of emergency and priority communications traffic in and out of the Jackson County area and to educate the public.

Examples of these include, but are not limited to:

1. Provide severe weather spotting reports the National Weather Service.
2. Passing health and welfare information for families in disaster areas without phone service.
3. Calling for emergency assistance at accident scenes.
4. Serving as a back-up means of communications for our local Emergency Management Agency.
5. Serving as a back-up means of communications for Highlands Medical Center when requested.
6. Working hand in hand with other ARES/RACES groups in the North Alabama/Southern Middle Tennessee National Weather Service area.

We will also coordinate National Weather Service sanctioned Weather Spotter classes, give talks to schools, civic groups and others when requested in an effort to educate the public about the possible dangers they might face so they will have a better chance of protecting themselves, their property and others.

ARTICLE III

MEMBERSHIP

Section 1 Definitions

- a. Dues; Annual dues for membership shall be established by the Board of Directors and approved by a vote of members present.
- b. Application: A verbal or written request to join the Jackson County amateur Radio Club, presented at a monthly meeting.
- c. Election: Acceptance of an applicant by a majority vote of the members present at the meeting where the application for membership was presented.

Section 2 Qualifications

All licensed Amateur Radio operators interested in Emergency Communications shall be eligible for membership. Membership shall be made by application, election and upon receipt of annual dues.

Section 3 Special Memberships

This club may offer special memberships. The Board of Directors shall define special memberships. The definition of the Special Membership shall include reason, duration and dues (if any). Special Memberships shall be offered individually and approved by a majority vote of the members present at the meeting where the application for Special Membership was offered.

Section 4 Honorary Memberships

This club designates the current director of The Jackson County Emergency Management Agency as an Honorary Member with no dues required. Other local agency heads and Public Safety directors, Chiefs, Sherriff can be declared Honorary Members upon their application for said membership.

Section 5 Membership Dues and Collection

Dues shall be \$12 per year per individual or \$20 per year per family if more than one family member is a licensed amateur radio operator. Dues shall be collected at the January meeting or at a time later for those that cannot attend the January meeting.

ARTICLE IV

DIRECTORS

Section 1. Number

The corporation shall have 5 directors and collectively be known as The Board of Directors.

Section 2. Qualifications

Directors shall be of the age of majority (19 years old) in this state.

Other qualifications for directors of this corporation shall be as follows:

The Board of Directors shall consist of the elected officers of the corporation and one (1) Member-at-Large who shall be appointed by the four (4) elected officers.

Section 3. Term of Office

Each director will hold office for a period of one (1) year and until his or her successor is elected and qualifies.

Section 4 Meetings

Meetings of The Jackson County Amateur Radio Club, when held in person, will be held at the Western Sizzlin Restaurant at 23980 John T. Reid Pkwy on the second Saturday of each month at 10:00AM.

Meetings of the Jackson County ARES/RACES Group, when held in person, will be held in the Jackson County EMA office located in the Jackson County Courthouse at 6:00PM on the fourth Thursday of each month.

In lieu of any monthly meeting of either group, the Board of Directors may elect to meet via email.

Annually, the January meeting must be held on the normal scheduled club meeting date of the second Saturday for the election of officers and payment of annual dues as a minimum.

The president or his **or her** designate shall call special meetings under special circumstances at any time. The Secretary of the Corporation shall give reasonable advance notice to each director of each special meeting of the Board. Such notice shall be either oral or written and may be given personally or by either first class mail, email or telephone.

ARTICLE V

OFFICERS

Section 1 Qualifications

A member must be of age of majority (19 years old) to serve as an officer of the Corporation.

A member must have been an active member for a minimum of one (1) year to serve as an officer of the Corporation.

A member must be able to attend a majority of the regular meetings and board meetings.

Section 2 Election

Election of officers (President, Vice President, Secretary and Treasurer) shall be by the majority of the members present at the January meeting. The newly elected officers will then nominate and approve the Member-at-Large.

Section 3 Designation of Officers

The officers of the Corporation shall be President, Vice President, Secretary, Treasurer and Member-at-Large.

Section 4 Vacancies

Any vacancy caused by death, resignation, removal, disqualification or otherwise, of any officer shall be filled by the remaining Board of Directors.

Section 5 Duties of the President

The President shall be the chief executive officer of the Corporation and shall control the affairs of the Corporation. He or She shall perform all duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or which may be prescribed from time to time by the Board of Directors.

These duties shall include but not be limited to:

- a. Call emergency board meetings as needed.
- b. See that club projects and activities are in motion
- c. See that reports of activities are presented at the meetings
- d. See that Board positions are being performed according to these articles and Bylaws

Section 6 Duties of the Vice President

In the absence of the President, or in the event of his or her inability or refusal to act, the Vice President shall perform all duties of the President, and when so acting, shall have all the powers of, and be subject to all the restrictions on the President. The Vice President shall have other powers and perform such other duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or which may be prescribed from time to time by the Board of Directors.

Section 7 Duties of the Secretary

In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or which may be prescribed from time to time by the Board of Directors.

These duties shall include but not be limited to:

- a. Report the minutes of the previous regular meeting
- b. Notify board members of special meetings
- c. Maintain records of club activities
- d. Prepare and distribute letters and membership notices
- e. Perform other duties as directed by the Board of Directors

Section 8 Duties of the Treasurer

In general, perform all duties incident to the office of Treasurer and such other duties as may be required by law, by the Articles of Incorporation, or by these Bylaws, or which may be prescribed from time to time by the Board of Directors.

These duties shall include but not be limited to:

- a. Collect and record all dues, donations, grants and proceeds from club activities
- b. Pay club expenses from designated club funds
- c. Maintain records of membership dues and club expenses
- d. Present a financial report of club activities at each regular club meeting

Section 9 Duties of the Member-at-Large

The Member-at-Large has no specific duties. His or Her function is to vote with the Board of Directors to ensure that a tie-breaking vote will be available on all issues.

ARTICLE VI

IRC 501(C)(3) TAX EXEMPTION PROVISIONS

Section 1 Limitation of Activities

No substantial part of the activities of this Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by section 501(h) of the Internal Revenue Code), and this Corporation shall not participate in, nor intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

Notwithstanding any other provisions of the Bylaws, this Corporation shall not carry on any activities not permitted to be carried on (A) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code.

Section 2 Prohibition against Private Inurement

No part of the net earnings of this Corporation shall inure to the benefit of, or be distributable to, its members, directors, or trustees, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered by members in the procurement of materials or equipment for the benefit of the club.

Section 3 Distribution of Assets

Upon the dissolution of this Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal revenue Code or shall be distributed to the federal government or to a state or local government, for a public purpose. Such distribution shall be made in accordance with all applicable provisions of the laws of this state.

Section 4 Private Foundation Requirements and Restrictions

In any taxable year in which this Corporation is a private foundation as described in section 509(a) of the Internal Revenue Code, the Corporation:

- 1) Shall distribute its income for said period at such time and manner as not to subject it to tax under section 4942 of the Internal Revenue Code;
- 2) Shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code;
- 3) Shall not make any investments in such manner as to subject the Corporation to tax under Section 4944 of the Internal Revenue Code;
- 5) Shall not make any taxable expenditure as defined in Section 4945(d) of the Internal Revenue Code.

ARTICLE VII

AMENDMENT OF BYLAWS

Subject to the power of members, if any, of this corporation to adopt, amend or repeal the Bylaws of this Corporation, and except as may otherwise be specified under provisions of law, these Bylaws, or any of them, may be altered, amended, or repealed and new Bylaws adopted by approval of the Board of Directors via a majority vote.

Future revisions to the Bylaws shall be approved by a majority vote of the Board of Directors and shall be revised and dated appropriately. A summary of revisions shall also be included for each revision. The JCAR President shall be responsible for maintaining possession of the signed Bylaws.

The Board of Directors shall review and sign the By-Laws each term after elections in January.

ARTICLE VIII

CONSTRUCTION AND TERMS

If there is any conflict between the provisions of these Bylaws and the Articles of Incorporation of this Corporation, the provisions of the Articles of Incorporation shall govern.

Should any provisions or portion of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these Bylaws shall be unaffected by such holding.

All references in the Bylaws to the Articles of Incorporation shall be to the Articles of Incorporation, Articles of Organization, Certificate of Incorporation, Organizational Charter, or other founding document of this Corporation filed with an office of this state and used to establish the legal existence of this Corporation.

All references in these Bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Internal Revenue Code of 1986 as amended from time to time, or to corresponding provisions of any future Federal Tax Code.

ARTICLE IX

PERSONAL LIABILITY

No Officer or Director of this Corporation shall be personally liable for the debts or obligations of the Corporation of any nature whatsoever, nor shall any of the property or assets of the Officers or Directors be subject to the payment of the debts or obligations of this Corporation.

JCAR BYLAWS, Revision Number 1

JCAR Title	Approval (Board of Directors – minimum of 3 required)	Date
President	Roger Olinger <u>Roger Olinger</u>	11/14/2000
Vice President	Dieter Schliemann <u>Dieter Schliemann</u>	11/14/2000
Treasurer	Craig Henshaw <u>Craig Henshaw</u>	11-14-2000
Secretary	Ronald Arsenault <u>RP Arsenault</u>	11/14/2000
Member-at-Large	Ben Lowe <u>Ben Lowe</u>	11/14/2000

As provided for in Article VII, Revision 1 to JCAR Bylaws is summarized as follows:

- | | |
|----------------------------------|--|
| Article IV, Directors, Section 4 | Revised to allow monthly meetings via e-mail |
| Article V, Officers, Section 2 | Revised to add Member-at-Large nomination and approval details |
| Article V, Officers, Section 3 | Added Member-at-Large to agree with Article IV. |
| Article V, Officers, Section 9 | Revised to add Section 9 to outline the Duties of the Member-at-Large |
| Article V, Officers | Revised to add more detail to duties of President, Secretary and Treasurer |
| Article VII, Amendment of Bylaws | Revised to clarify amendment procedure. |

JCAR BYLAWS, Revision Number 2

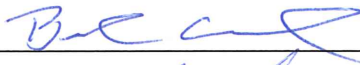


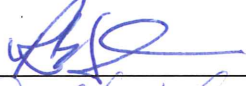
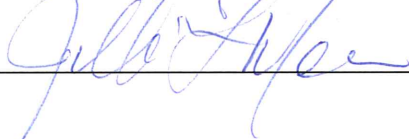
JCAR Title	Approval (Board of Directors – minimum of 3 required)	Date
President	Roger Olinger <u>Roger Olinger</u>	2-6-2001
Vice President	Dieter Schliemann <u>Dieter Schliemann</u>	2/6/2001
Treasurer	Craig Henshaw <u>Craig Henshaw</u>	2-8-2001
Secretary	Ronald Arsenault <u>R Arsenault</u>	2/6/2001
Member-at-Large	Ben Lowe <u>Ben L. Lowe</u>	

As provided for in Article VII, Revision 1 to JCAR Bylaws is summarized as follows:

Article IV, Directors, Section 4

Revised to change monthly meeting from second Tuesday to first Tuesday of the month. Revised to have January meeting on the second Tuesday should the first Tuesday fall on a holiday.

JCAR BYLAWS, Revision Number 3

JCAR Title	Approval (Board of Directors - minimum of 3 required)	Date
President	Brad Arnold 	2/11/17
Vice President	Brad Ivey 	2/11/17
Treasurer	Richard Arnold 	2/11/17
Secretary	Richard Shrader 	2/11/17
Member-at-Large	Jillian Mears 	2/11/17

As provided for in Article VII, Revision 3 to JCAR By-Laws is summarized as follows:

- Article II, Section 1 Revised to include Highlands Medical Center station and support for other ARES/RACES agencies

- Article III, Section 1 Added wording to specify that the membership dues shall be established by the board and approved by a vote of the membership.

- Article III, Section 3 Revised to state dues are not mandatory of a Special Membership and a Special Membership shall be voted on by membership at the meeting where the application was offered.

- Article III, Section 4 Added Honorary Membership for Public Service Directors

- Article III, Section 5 Added information on dues

- Article IV, Section 4 Revised to include both club and ARES meetings

- Article IX Added Personal Liability statement