

# **LEXINGTON AIRCRAFT RADIO KONTROL SOCIETY**

OF THE ACADEMY OF MODEL AERONAUTICS

## **CONSTITUTION**

### **ARTICLE 1 – NAME**

The name of this society shall be: **LEXINGTON AIRCRAFT RADIO KONTROL SOCIETY** hereafter referred to as (**LARKS**) or as the Club.

### **ARTICLE 2 – PURPOSE**

The purpose of LARKS shall be to promote model aircraft building and flying activities in South Carolina and to aid as far as practical, the national program of the Academy of Model Aeronautics (hereafter referred to as the AMA) and other AMA activities, and to include the continual advancement of model aviation in all phases in the United States. All activities of LARKS shall conform to the policies of the AMA and to their organization(s) governing model aircraft contests.

### **ARTICLE 3 – MEMBERSHIP**

All persons shall be eligible to make application for membership in LARKS providing they meet the qualifications prescribed by this CLUB and the AMA. All members must be a current AMA member with the exception of social members. Any member operating on the 6-meter band must hold a current radio operator's license issued by the FCC. All members and applicants must agree to abide by LARKS Constitution, Bylaws, and Standing Rules. A member in good standing is defined as a member who is not in arrears in his/her dues or fees, to include any and all special assessment fees.

### **ARTICLE 4 – BOARD OF DIRECTORS**

The management of the affairs of LARKS shall be vested in a Board of Directors (hereafter referred to as the Board) consisting of a President, Vice President, Secretary, Treasurer, and Safety Coordinator. The Secretary and Treasurer positions can be combined into one position (or can be separate positions) as necessary without a change to the By-laws. The members of the Board shall serve for a term of one year, starting on January 1st. The election of officers to the Board shall be held at the annual meeting of LARKS and a Nominating Committee may be appointed by the President before hand for the purpose of presenting the nominees for office. Sitting Board members shall not serve on the Nominating Committee. Any member of LARKS may also submit a name in nomination if the member has obtained prior approval of the nominee to submit his/her name for office. Present members of the Board may be considered for re-election. Any member in good standing for at least six (6) months shall be eligible to serve as an elected member of the board.

The vote on elections shall be by office and a majority vote of members present at the meeting is required for election. A vacancy in any office in the Board shall be filled by appointment by the remaining officers of the Board. The Board may appoint any member of LARKS to office provided he/she shall have been a member of LARKS for a minimum of six (6) months and shall serve until the end of the term for which his/her predecessor was elected.

1. The Board may approve special expenditures not to exceed two hundred dollars (\$200.00). Expenditures in excess of two hundred dollars (\$200.00) shall be brought before the general membership.

2. If the Secretary and Treasurer positions are combined, then for all Board matters requiring a vote, an individual from the general membership shall be called on by the President to serve as an ad-hoc fifth member of the board.

### **ARTICLE 5 – MEETINGS**

1. Regular meetings shall be held monthly at a time and place as determined by the Board.

2. The November meeting shall be known as the annual meeting. The Secretary shall notify all members at least two (2) weeks in advance as to the date, time, and place of this meeting. The failure of the Secretary to notify the members in advance shall not nullify an election procedure at the annual meeting if the majority of the members present vote to suspend the notification.

3. A special meeting of LARKS may be held at any time upon call by the President. A special meeting must be called by the President upon the receipt of a written request signed by five (5) members of LARKS which has been presented to any member of the Board. The Secretary shall notify the membership at least two (2) weeks in advance of a special meeting as to the date, time, and place of the meeting and will state the reason for the special meeting.

4. The quorum at any regular, special, or annual meeting shall be defined as the presence of at least one (1) member of the Board and six (6) additional members in good standing. If less than a quorum is present at any meeting, then no business may be conducted, however, the members present may vote to adjourn.

5. Meetings of the Board shall be called by the President and must be called upon the written request of two (2) members of the Board or upon written request by any five (5) members of LARKS. The time and place of the meetings shall be at the convenience of the members of the Board. The Secretary shall keep a record of the actions of the Board and shall report the actions of the Board at any meeting upon request.

### **ARTICLE 6 AMENDING THE CONSTITUTION**

Amendments to the constitution can be made at any regular meeting of LARKS if notification by such means described in ARTICLE 12, Notifications, of the proposed changes shall have been provided to all members at least two (2) weeks in advance of said meeting. A majority vote of two-thirds (2/3) of the membership in attendance is required for ratification.

# **LEXINGTON AIRCRAFT RADIO CONTROL SOCIETY**

## **OF THE ACADEMY OF MODEL AERONAUTICS**

### **BY-LAWS**

#### **ARTICLE 1 DUTIES OF THE OFFICERS**

##### **Section 1. Duties of the President**

The President shall provide leadership and direction. He/she shall preside at all meetings of LARKS and the Board, serving as chairman of the Board. He/she shall act as spokesman for LARKS in all matters pertaining to it.

##### **Section 2. Duties of the Vice President**

The Vice President shall assist the President with duties as assigned and shall act for the President when is unable to serve.

##### **Section 3. Duties of the Secretary**

**3.1** The Secretary shall keep the minutes of all meetings and the attendance roll of such meetings and publish the minutes for approval at a subsequent meeting. He/she shall provide him/herself with an official minute's book for this purpose. Minutes shall include what is done by the membership, but not necessarily what is said during the meeting.

**3.2** The Secretary shall handle all correspondence pertaining to the activities of LARKS and act as the contact between LARKS and the AMA.

**3.3** The Secretary (upon notification by the Treasurer) shall publish a list of members in arrears of the payment of dues and fees. The publishing of this list shall include, but not be limited to, posting the list on the bulletin board at the flying site of LARKS.

**3.4** The Secretary shall post a list of members who have not paid their AMA dues at the flying site for the purpose of alerting the members of LARKS that the AMA insurance for said member is no longer in force and he/she is not permitted to fly.

##### **Section 4. Duties of the Treasurer**

**4.1** The Treasurer shall receive and disburse LARKS funds. He/she shall keep and preserve proper books of accounts which shall at all times be open to inspection by the Board of Directors and which shall be subject to an audit at any time by an Auditing Committee duly appointed by the President.

**4.2** The annual report of the Treasurer, which shall be presented no later than February of each year, shall be audited in advance and shall include a statement of receipts and disbursements for the fiscal year ending December 31.

**4.3** The funds of LARKS shall be kept in the name of LARKS in a depository approved by the Board of Directors.

**4.4** The Treasurer of LARKS is authorized to receive contributions or specially obtained funds from any individual or institution, to be applied to the operating expense of LARKS.

**4.5** The Treasurer shall deliver to his/her successor in office all books, papers, records, and other property of LARKS for which he/she is responsible.

### **Section 5. Duties of the Safety Officer**

The Safety Officer shall educate the membership on safety practices and field procedures. Rules to promote the safety of flyers or spectators shall be those furnished by the AMA plus any approved by the Board. The Safety Officer has authority to discuss violations with offenders and under severe situations shall cause unsafe flying to cease immediately. He/she shall also prepare a safety report for presentation at Club meetings.

## **ARTICLE 2 – CONDUCT OF BUSINESS**

The rules and suggestions contained in Robert’s “RULES OF ORDER” shall be used to govern the conduct and procedural actions of the members of LARKS at all meetings and in all cases to which they are applicable, and in which they are not inconsistent with the Constitution, Bylaws, or Standing Rules of LARKS.

## **ARTICLE 3 – ORDER OF BUSINESS**

As far as practical, the Presiding Officer shall follow this order of business at any meeting of LARKS:

1. Call to order
2. Introduction of guests or prospective members
3. Reading of the minutes
4. Reading of the Treasurer’s report
5. Reading of the Safety Officers report
6. Old business
7. New business
8. Consideration of new members
9. Adjournment

## **ARTICLE 4 – DUES AND SPECIAL FEES**

### **Section 1. Current Member Renewal Due Date**

Annual dues and fees shall be paid to the Treasurer no later than the 1<sup>st</sup> Larks meeting in January. Members who have not paid their dues as specified above shall be dropped from the membership roles and shall forfeit all the rights and privileges as a member of LARKS until dues are paid.

Any LARKS member that does not maintain their AMA membership will not be allowed to fly at the LARKS flying field and all voting privileges will be suspended until proof of AMA membership is presented to the LARKS board.

### **Section 2. Refund of Dues and Fees**

Dues and fees are non-refundable except in extraordinary circumstances. A refund may be allowed by the Board of Directors but only on a case-by-case basis. A simple majority of the Board of Directors ratifies has to ratify the refund.

### **Section 3. Special Assessments**

No special assessment fee shall be levied upon LARKS membership at any time, except by a vote of the membership. The passage or modification of a special assessment fee requires a majority vote of three-fourths (3/4) of the membership present at the meeting. Notification by such means described in ARTICLE 12, Notifications, of consideration of special assessment fees (new ones or changes to existing ones) shall be provided to the general membership two (2) weeks prior to the meeting at which the vote will be taken.

### **Section 4. Regular Membership Dues**

**4.1** The annual dues amount will be determined at the November meeting and be payable during the month of December. Members who fail to pay their dues by the first meeting in January of the following year will be suspended from active Club membership until the dues for the current year are paid. (Active membership includes flying site privileges and all voting rights; any status other than Active suspends such privileges.)

**4.2** Any new member will pay the full club dues the first year, and the second year membership dues will be on a pro-rata basis from the first year (the annual dues divided by 12, multiplied by the number of remaining months in the calendar year.) The effective date will be the first day of the following month the new member is accepted into the Club

**Note\*** It's the responsibility of the new member to notify the treasurer of their prorated dues at the time of his/her second year renewal.

## **Section 5. Junior Membership Dues**

A Junior Membership of \$10 per person shall be available for persons under the age of 22 years. Dues received from new Junior members will not be pro-rated. A Junior membership carries no voting privileges.

## **Section 6. Spouse Membership Dues**

**6.1** A Full Membership for the Spouse of any Membership member in good standing will be available at the rate of \$40 per year and will not be prorated. A Spouse Membership carries voting privileges.

**6.2** New spouse memberships between October 1 and December 31 include all membership dues for the following year.

## **Section 7. Social Membership Dues**

**7.1** A Social Membership is available to any adult age 22 or older at the rate of \$25 per year and will not be prorated. The social membership is without flying privileges, does not require AMA membership, and carries no voting privileges.

**7.2** New social memberships between October 1 and December 31 include all membership dues for the following year.

## **ARTICLE 5 – MEMBERSHIP**

### **Section 1. New Members**

An applicant to LARKS who is not able to attend a meeting may be introduced to LARKS members by any LARKS member in good standing. LARKS welcome individuals without previous flying experience as well as accomplished flyers.

An applicant must have completed an application to LARKS and shall provide an AMA number for validation of current AMA membership (presentation of a current AMA card is preferred). If an applicant is not a current member of the AMA their application will be held until such time they have obtained an AMA membership and present such proof of membership to the secretary. The applicant shall submit to the Treasurer all fees, paperwork, proof of AMA and dues as required by LARKS Bylaws, described in Article 4.

An applicant, having met the conditions of the above paragraph, shall be excused from the room while the membership considers his/her application. Statements for or against the application shall be considered by the membership. A simple majority vote of the members in attendance approves the application. In attendance the LARKS Secretary will notify the prospective member of the outcome of the vote.

When the new prospective member provides an AMA number rather than a current AMA card, the vote is contingent upon validation by the Secretary of the current AMA membership.

### **Section 2. Renewal of Membership**

Each LARKS member must re-apply for membership for the upcoming year by submitting to LARKS a new LARKS Application as well as proof of current AMA membership.

### **Section 3. Resignation of Membership**

Any member in good standing may resign his/her membership by giving written notice to LARKS. All dues and assessments already paid shall remain with LARKS. All dues still owed shall be forgiven. See Article 4, Section 2 also.

### **Section 4. Termination of Membership**

Any membership can be terminated for continued gross disregard for safety rules defined by the AMA rules for safe flying. One or more members should be witness to the unsafe acts as further described in Article 13B. Written notification should be given to the member and the member allowed to correct the unsafe acts. Three reported unsafe acts in a two month period are grounds for Termination of Membership. A simple majority vote of the Board is necessary for termination. All dues and assessments already paid shall remain with LARKS and not be refunded to the terminated member. See Article 4, Section 2 also.

## **Section 5. Expulsion**

Any member of LARKS may be recommended for expulsion from the membership of LARKS by a majority vote of two-thirds of the Board if, in the Board's determination, said member willfully commits an act, omission, or displays unacceptable behavior, which is in violation of the Constitution, Bylaws or Standing Rules of the Club, or the rules of the AMA. Upon recommendation by the Board, a majority vote of two-thirds (2/3) of the members present at any meeting shall be required to ratify.

## **Section 6. Reinstatement after Expulsion**

A two-thirds (2/3) vote of the membership in attendance at a normal or special LARKS meeting is required for reinstatement to LARKS after expulsion.

## **ARTICLE 6 – MEETINGS**

Regular meetings shall be held monthly. Special meetings of LARKS shall be held at any convenient time, upon call by the President, or upon call signed by any three members of the Board of Directors, or upon call signed by any ten members of LARKS, provided that any such call shall name the time and place of such meeting. The call for a special meeting shall be issued at least three days in advance of the date set for the meeting. Notice of meetings (regular and special) shall be given. Notice may be given by email, telephone call, or US Mail service. The Secretary shall ensure that all members are notified as to the annual election meeting at least two weeks in advance. However, failure of the Secretary to ensure notification to all members in advance shall not nullify any election procedures conducted at any regular or special meeting.

## **ARTICLE 7 – REGULAR BUSINESS**

All regular business affairs and activities conducted by LARKS shall be directed by the Board of Directors, except that at any time the President of the Board may call a meeting of the membership to decide any significant issue or business activity.

## **ARTICLE 8 – SPECIAL FUNDS**

The Treasurer is authorized to receive contributions or special funds from any individual or institution, to be applied to the operating expenses of LARKS.

## **ARTICLE 9 – COMMITTEES**

Committees shall be appointed and dissolved by the President as the needs arise.

## **ARTICLE 10 – AMENDMENTS TO THESE BYLAWS**

Motions to amend the Bylaws may be considered at any meeting of LARKS. Motions to amend may be presented at the meeting by either the Board or by any member of LARKS. A member who wants to present a motion to amend at a meeting shall provide the Secretary with a written notification of the proposed change, which must contain the exact verbiage of the change, and which may not be altered once it is submitted. A member's written notification of a proposed change must be received in time for the Secretary to meet the conditions of notification.

The Secretary of LARKS shall be required to notify all members of LARKS, by such means described in ARTICLE 12, Notifications, of a meeting to consider the proposed change to the Bylaws at least two (2) weeks in advance of said meeting. The notification shall contain the Bylaw as it presently reads and the exact change proposed.

A majority vote of two-thirds (2/3) of members attending the meeting ratifies the amendment.

## **ARTICLE 11 – DISSOLUTION OF LARKS**

The Board may adopt a motion to dissolve for presentation to the entire membership of LARKS only upon a majority vote of two-thirds (2/3) of members in attendance at a meeting. Upon adoption of a motion to dissolve LARKS, the President shall call a special meeting of the entire membership to consider the motion. The Secretary shall be required to notify all members of LARKS at least thirty (30) days in advance of said meeting as to the date, time, and place of the meeting. No other business may be conducted at a meeting to dissolve other than the motion to dissolve.

A motion to dissolve must be ratified by a majority vote of three-fourths (3/4) of the membership in attendance at the Special Dissolution Meeting. After ratification of a motion to dissolve, The Board shall, after paying or making provision for payment of all the liabilities of LARKS, dispose of all the assets of LARKS in such a manner, to the Academy of Model Aeronautics, Inc., or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes or to such other organization with purposes similar to the purposes of LARKS as the Board and CLUB members shall determine.

Any assets not so disposed of shall be disposed of by the Court of Common Pleas (or similar court)

of the county in which the flying site of LARKS is then located, exclusively for such purposes and to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

## **ARTICLE 12 – NOTIFICATION**

Electronic mail service (email) may be used by the Secretary of LARKS to notify members of meetings, etc. using their last known email address. If the email is not returned as undeliverable, the member shall be considered notified. In the event that an email message is returned to the Secretary by the electronic “Mail Administrator” as undeliverable, the Secretary shall attempt to contact the member using their last known phone number and verify their email address. If contact by telephone is unsuccessful, the Secretary shall use the U.S. Postal Service for notification.

For members who do not have electronic mail service (email) or for those members who cannot be reached by email or telephone, the secretary shall notify these members using the U.S. Postal Service. If the mailing is not returned, the member shall be considered notified. In the event that the mailing is returned to the Secretary marked as undeliverable or unknown at the address, the Secretary shall attempt to contact the member by phone to verify their address to re-mail the notification. If the problem persists, the Secretary shall report this fact at the next meeting.

## **ARTICLE 13 – GRIEVANCE PROCEDURES (FLIGHT AND SAFETY RULES)**

The grievance procedures provide a mechanism to enforce existing safety rules by providing a progressive disciplinary system when needed. Although most complaints can be resolved informally, if a complaint is serious or cannot be resolved informally, the matter should be referred to the Board of Directors for its consideration by means of a Grievance Form to be filled out and turned in to any LARKS Officer. At least one witness (in addition to the person filing the grievance) is required to sign the Grievance Form.

The Board of Directors shall use its judgment in carrying out action on the following:

### **A. Normal Grievance Procedures**

A Grievance Form will be filled out and turned into one of the LARKS Officers. At least one witness (in addition to the person filing the grievance) is required to sign and date the Grievance Form.

### **FIRST VIOLATION**

Viewpoints of both the complainant and accused will be considered. If the violation is determined to be valid by the Board of Directors the complainant’s name will be disclosed. A verbal reprimand will be given to the violator by the Safety Officer, and this will be recorded in LARKS records.

### **SECOND VIOLATION**

Viewpoints of both the complainant and accused will be considered. If the violation is determined to be valid by the Board of Directors the complainant's name will be disclosed. The accused has the right to a written rebuttal, to be reviewed by the Board of Directors. If the Board of Directors so decides, the flying privileges of the violator will be suspended for thirty (30) days. Written notice of this shall be issued to the member, and the suspension shall be published in the LARKS Newsletter and posted at the LARKS Flying Field.

### **THIRD VIOLATION**

Viewpoints of both the complainant and accused will be considered. If the violation is determined to be valid by the Board of Directors the complainant's name will be disclosed. The accused has the right to a written rebuttal, to be reviewed by the Board of Directors. If the Board of Directors so decides, the Safety Officer will notify the violator in writing and LARKS members via the LARKS newsletter that LARKS will vote on the expulsion of the accused at the next meeting.

Said expulsion will last for a one-year (12 full months) minimum. A member may be expelled from LARKS only upon a two-thirds (2/3) majority vote of the membership present at the meeting. Voting will be by secret ballot at a regular monthly meeting. Any and all fees and special assessment dues remain with LARKS and will not be reimbursed to the expelled member. The expelled member may reapply for membership after the expiration of the expulsion time period.

**RETALIATORY ACTION** Any member receiving a Grievance, who directs any retaliation action against the person filing said grievance, will be subject to immediate expulsion from LARKS. This is to include threats, intimidation, physical harm, intentional equipment damage, or any other action deemed to be retaliatory by LARKS Board of Directors. Any and all fees and special assessment dues remain with LARKS and will not be reimbursed to the expelled member.

## **B. Extreme Safety Violation Grievance Procedures**

Any LARKS member who is observed to attempt to fly any model aircraft while appearing to be intoxicated or under the influence of illegal drugs can be **immediately suspended** from LARKS until the next scheduled LARKS meeting. This suspension should only be used in extreme situations where normal grievance procedures would subject a) individuals to unreasonable safety risks and b) LARKS to liability issues if the member is allowed to continue to fly.

Only a LARKS Officer can temporarily suspend a LARKS member under this procedure. The Safety Officer will notify the accused in writing and LARKS members via the LARKS newsletter that LARKS will vote on the expulsion of the accused at the next meeting. A member may be expelled from LARKS only upon a two-thirds (2/3) majority vote of the membership present at the meeting. Written notice of the expulsion shall be issued to the member, and the expulsion shall be published in the LARKS Newsletter and posted at the LARKS Flying Field.

Any and all fees and special assessment dues remain with LARKS and will not be reimbursed to the expelled member.

#### **ARTICLE 14 - STANDING RULES**

The Standing Rules for LARKS shall consist of:

1. The Membership Application Form
2. The Field and Flight Safety Rules
3. The Grievance Form
4. Frequency Control Rules

Standing Rules may be amended at any meeting of the Club and motions to amend may be presented by the Board or any member in attendance. Notification of an amendment to the Standing Rules is not required and a simple majority of members present at the meeting ratifies.

#### **ARTICLE 15 – CERTIFICATION**

These changes and additions to the Constitution, Bylaws, and Standing Rules are hereby adopted.

Date 10/3/2019

President (Walter Senour) \_\_\_\_\_

Vice-President (Dave Andersen) \_\_\_\_\_

Secretary/Treasurer (Paul Bergstrand) \_\_\_\_\_

Safety Officer (James Duke) \_\_\_\_\_