

**RESTATED BY-LAWS OF THE
FORSYTH AMATEUR RADIO CLUB, INC.**

Approved by Club Member Vote on April 11, 2022

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**RESTATED BY-LAWS OF
THE FORSYTH AMATEUR RADIO CLUB, INC.**

ARTICLE I

NAME AND ADDRESS

The name of this organization shall be The Forsyth Amateur Radio Club, Incorporated ("Corporation" or "Club"). The physical address of the Forsyth Amateur Radio Club shall be 650 Coliseum Drive, Winston-Salem, NC 27106. The physical address will be designated by the club as the address used for its Registered Agent in the official records of the Secretary of State of North Carolina. The mailing address of the club shall be P.O. Box 11361, Winston-Salem, NC 27116-1361. Significant or key documents related to the club are found in Exhibit 2 and may be updated as needed.

ARTICLE II

PURPOSES

The purposes of the Corporation are stated in the Articles of Incorporation, dated February 01, 1981, and the Articles of Amendment, dated June 11, 1984, both documents having been registered with the Secretary of State of North Carolina. The documents have been recorded in Deed Book 1422 Page 0483 and Book 1446 Page 0687, respectively, by the Forsyth County Register of Deeds. Applicable portions of the Articles of Amendment that relate to the purpose of the club are restated herewith:

The purposes of the Forsyth Amateur Radio Club are to conduct, carry on and operate a nonprofit corporation to further the cause of Amateur Radio by teaching radio fundamentals, encouraging educational and scientific research and experimentation, providing and promoting amateur radio communications including emergency communications services, increasing recognition and enhancement of the value of amateur radio to the public as a voluntary non-commercial communication service, promoting individual knowledge and operating efficiency, promoting an understanding of and adherence of the laws and requirements established by the Federal Communications Commission (FCC) pertaining to Amateur Radio, provide a means of entry level and upgrade amateur radio licensing and illustrating the ability of amateur radio to promote and enhance domestic and international good will.

The purposes for which the Corporation are organized are exclusively religious, charitable, scientific, literary, and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986.

Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provisions of any future United States Internal Revenue law.

ARTICLE III
MEMBERSHIPS

Section 01. Types of Membership.

Five types of membership will be recognized by the club:

- (a) **Full Membership:** Full Membership may be conferred upon any person holding a valid and current amateur radio operator's license issued by the U.S. Federal Communications Commission ("FCC") and is current on annual club dues as defined in Section 04(a) of this Article. Full members shall be entitled to all rights and privileges of the club including the right to vote on club issues, nominating candidates for club office, voting in the election of club officers and serving as members and chairs of club committees. Additional privileges of Full Membership are the use of equipment in the club shack after training and approval by the Club Shack Committee and other club equipment upon Board of Directors approval.
- (b) **Complimentary One Year Full Membership:** A one-year complimentary Full Membership is available on a one-time basis to anyone successfully taking and passing the FCC exam for a new or upgraded license at a Forsyth Amateur Radio Club VEC testing session. A Forsyth Amateur Radio Club membership form will be provided to the successful test taker. The membership form must be filled out and returned to the VEC testing team. The complimentary Full Membership will become effective after the club Secretary processes the membership form filled out by the successful candidate and notifies the candidate. This complimentary Full Membership will continue for the following year if the new or upgraded license occurs after September first. If a complimentary Full Membership is conferred to a new member from August to December, Full Membership club officer nomination and voting privileges do not start until the following January.
- (c) **Associate Membership:** Associate Membership may be conferred upon any person who is interested in amateur radio but does not hold a valid and current FCC-issued amateur radio operator's license. Additionally, Associate Membership will be conferred upon the current holder of a valid and current FCC-issued amateur radio operator's license with unpaid club dues or a former Full Member who is not current on annual club dues as defined in Section 03 of this Article. If a former Full club member with a valid FCC issued amateur radio license brings annual club dues current, Full Membership status will be restored for the balance of the calendar year. Associate Members may participate in club activities including meetings, Field Day, hamfests and contests. Associate Members may not vote in club elections, may not nominate someone to be a club officer nor be nominated to become a club officer.
- (d) **Honorary Membership:** Honorary Membership may be conferred upon certain persons because of their special circumstances, including distinguished service to amateur radio, disability, or other reasons as may be deemed appropriate by the Board of Directors. Honorary Members need not be licensed amateur radio operators. If an Honorary Member has a FCC-issued amateur radio operator's license, Honorary Members will have the privileges of Associate Membership.

- (e) **Life Membership:** Life Membership may be conferred upon persons for distinguished service to amateur radio and the Forsyth Amateur Radio Club and have an active amateur radio license. Life Members shall have all rights and privileges of Full Membership.

Section 02. Application Process for Membership.

Applications for membership will be made on an application form provided by the club and are available in the club newsletter, from club officers and from the club website. The completed form must be returned to the club Treasurer with the prescribed dues payment as established by the Board of Directors and described below. The club Treasurer, in turn, will deliver the completed form to the club Secretary for processing.

Section 03. Annual Dues.

- (a) The annual dues for Full Membership will be reviewed each year by the Board of Directors. The Board of Director's recommendations for dues assessments for the upcoming fiscal year will be included with the proposed annual budget as outlined in Article VI.
- (b) Honorary and Life Members shall not be required to pay annual club dues.
- (c) Additional family members residing at the same physical address of a Full Member as described in Article III, Section 01(a) and who have a FCC issued amateur radio license shall be granted Full Membership with all rights and privileges of Full Membership.
- (d) Annual dues for club membership are based upon the calendar year beginning the first of January and ending on December 31.

Section 04. Payment of Dues.

Payment of dues shall be as follows:

- (a) Annual dues for Full Membership are due by January 31. Full Membership dues for new members become payable, without proration for unused months, during the month that membership is granted and annually thereafter at the club meeting in January. If a new member joins the club on or after September first, Full Membership shall be paid and current for the current and following annual year. However, if Full Membership dues are paid during the period from August to December, Full Membership officer nomination and voting privileges start the following January.
- (b) Full Members whose current year dues are in arrears shall be carried on the club's records as a Full Member until the third Monday in February. If a payment is not received by the club Treasurer by the third Monday in February, the member's status will be reduced from Full Membership to Associate Membership. The Full Member whose dues that are in arrears will be notified by email by the club Secretary and of their downgrade in membership to Associate Membership. If the downgraded Full Member to Associate Member continues to be non-responsive, they will be notified by email by the club Secretary that they will be removed from the club's distribution list.

Section 05. Non-Discrimination Policy.

The Forsyth Amateur Club does not discriminate on the basis of race, gender, age, national or ethnic origin.

ARTICLE IV

ELECTED OFFICERS

Section 01. Elected Officers.

The elected officers of the club shall be President, Vice-President, Secretary and Treasurer. Their duties are as follows:

- (a) **President:** The President shall preside over all meetings of the club; be an ex-officio member of all committees; preside over all meetings of the Board of Directors; sign checks in the absence of the Treasurer; and perform all such duties as are properly required of the President.
- (b) **Vice-President:** The Vice-President shall, in the absence or disability of the President, preside over membership and directors' meetings and, in general, act in the President's stead. The Vice-President shall determine and arrange topics for each monthly full membership meeting. If the Vice-President is absent or unable to act, the Board of Directors shall designate an acting Temporary Vice-President.
- (c) **Secretary:** The Secretary shall keep a record of the proceedings of all meetings, keep a roll of members, process and file applications for membership, carry on correspondence, develop and furnish written minutes of meeting proceedings to the publications committee for inclusion in the club newsletter and website. The Secretary will send email notices of Full Membership dues that are in arrears with a resulting downgrade of club membership and of any members removal from the club distribution list (Article IV, Section 04(b)). The Secretary will notify those who qualify for a Complimentary one time One Year Full Membership (Article III, Section 01(b)) and may sign checks in the absence of the Treasurer. The Secretary will be the Registered Agent as referenced in Article I for the club with the North Carolina Secretary of State.
- (d) **Treasurer:** The Treasurer shall receive all monies of the club and deposit these in the name of the club in a depository specified by the Board of Directors. He shall sign checks in the name of the club in payment of obligations known by him to be proper and authorized. The Treasurer shall make a verbal financial report at each stated meeting. The Treasurer will provide a written financial statement and projected budget for the calendar year each January. The written report shall be made available to the membership on demand and to the Treasurer-Elect. The Treasurer will do a timely filing to maintain the club's 501(c)3 non-profit status with the Internal Revenue Service each year. The Treasurer will pay the cost of insurance for club assets, pay annual liability insurance, pay other bills as needed or directed by the Board of Directors and shall provide documentation as needed for an annual independent financial audit. The Treasurer will coordinate with the Field Day Committee, reserve and pay for the Field Day site location and apply for and obtain any needed permits.

Section 02. Procedures for Election.

Procedures for the annual election of officers are as follows:

- (a) **July Election Procedures:** The election shall be initiated at the Board of Directors' business meeting normally held the third Monday in July. The Board of Directors shall appoint a temporary chair of the Nominating Committee. The Nominating Committee will be composed of at least five Full and Life Members. No more than two of the five will be from the Board of Directors. The temporary chair of the Nominating Committee shall promptly call a meeting of the Nominating Committee to select a permanent chair and consider nominations for the various offices.
- (b) **Election Procedures Prior to the September Meeting:** Following the election of a permanent chair, the Nominating Committee shall nominate one candidate for each office, and the nominees' names shall be announced to the membership through the club newsletter or by e-mail to Full and Life Members prior to and at the September meeting.
- (c) **Floor Nomination Procedures at the September Meeting:** Nominations from the floor may be submitted by Full and Life Members at the September meeting, and those nominations, together with those made by the Nominating Committee, shall be published in the club newsletter and/or website and/or email issued prior to the October meeting. No nominations will be accepted at the October meeting.
- (d) **Election of Officers by Acclamation at the September Meeting:** If the only candidates for club officer positions are those named by the Nominating Committee at the September meeting, candidates can be voted in verbally by acclamation by Full and Life Members prior to the close of the September meeting. In that case, the names of the elected officers by proclamation will be published in the club newsletter and/or website and/or email issued prior to the October meeting.
- (e) **Preparation of Ballots and Proxies Prior to the October Meeting:** If there is more than one candidate for any position, the Secretary shall prepare ballots and proxies containing the names of all candidates duly nominated. Proxy instruments shall be distributed under the direction of the Nominating Committee to give every Full and Life Member an opportunity, upon request, to vote in absentia. Requests for proxy ballots must be received by the Secretary not later than the end of the third full week of September. Completed proxies must be returned to the Secretary no later than the second business day before the day of the October meeting.
- (f) **Procedures for Voting and Counting of Ballots at the October Meeting:** If there is more than one candidate for any position, voting for officers shall be by secret ballot at the meeting in October. The President shall appoint at least three Full and Life Members to count the ballots. The members counting the ballots will deliver the vote results to the President who will announce the vote result and name the winning candidate for each office. The results of the election will be published in the November club newsletter and elected officers shall assume their duties at the annual membership December meeting.
- (g) **Unforeseen Meeting Delays or Cancellations:** In the case of unforeseen circumstances resulting in meeting delays or cancellations during the election procedure months, the election process will follow the same sequence of events in subsequent months with current officers

serving until the new election is completed. At the discretion of the Board of Directors, the election process may be accelerated to conclude at the end of the calendar year.

Section 03. Officers and Committee Chairs: Terms and Vacancies.

- (a) Neither the President nor the Vice-President shall be elected to more than two consecutive annual terms in the same office. Exceptions to this rule must be approved by a two-thirds vote by club Full and Life Members at a regular club meeting provided that the quorum requirement as established in Article V, Section 01(e) is satisfied.
- (b) In case of a vacancy in any office, the remaining Board of Directors shall appoint a Full or Life Member to fill such vacancy for the remainder of the unexpired term.
- (c) Every officer and committee chair of the club shall continue in office until a successor has been installed. The term of office for officers and chairs shall be one calendar year.
- (d) No member shall be President, Vice-President, Secretary, Treasurer, or a chair of a standing committee unless, at the time of nomination and throughout the term of service, the member is a Full or Life Member of the club.

**ARTICLE V
MEETINGS**

Section 01. Membership Meetings.

Membership meetings will be held in the following manner:

- (a) A stated membership meeting will be held once each month unless cancelled or postponed due to hazardous conditions or other issues as determined by the Board of Directors.
- (b) The calendar day of the week and hour for meetings in the upcoming year shall be the second Monday of each month at 7:30 unless changed by the Board of Directors.
- (c) The annual meeting shall be the December meeting, at which elected officers are installed near the conclusion of the meeting.
- (d) At the discretion of the Board of Directors, some issues may be brought to a vote of the Full and Life Members at a membership meeting.
- (e) For the transaction of any issue deemed necessary by the Board of Directors requiring approval by a hand or voice vote of Full and Life Members at a stated membership meeting, a quorum shall consist of a minimum of ten Full and Life Members physically present at the meeting including the President (or his written designee) and one other Board of Directors member (or his written designee). Additionally, any issue deemed by the Board of Directors to require approval by a vote must be announced previously by email, newsletter or on the club website.

Section 02. Board of Directors Business Meetings.

- (a) The President shall call Board of Directors Business meetings at such times and places as necessary, or upon a request made by any two Directors.
- (b) Board of Directors Business Meetings are normally held the third Monday night of each month. The purpose and goal of the Board of Directors Business Meetings is described in Article VI, Section 02. At any Board of Directors Business meeting, a voting quorum will consist of a minimum of two elected officers (or their written and signed designate), a minimum of three non-officer committee chairs (or their written and signed designate) and either the Club Trustee or the past club President (or their written designee). Club members who are not on the Board of Directors are encouraged to attend the business meetings, learn about and provide discussion on club concerns but may not make motions or vote.

ARTICLE VI

BOARD OF DIRECTORS

Section 01. Composition.

The Board of Directors shall consist of the officers, Club Trustee, chairs of standing committees and special assignments, and the immediate past club President.

Section 02. Duties.

The Board of Directors shall guide all activities of the club, shall have the power to transact all ordinary business and are the voting members on issues requiring a vote at Board of Director Business Meetings. Any item requiring a vote of the Board of Directors shall require an affirmative vote of at least fifty-one percent (51%) of the board members voting. The Board of Directors will review club involvements, events and programs, club assets, asset and liability insurance needs, other budgetary needs, annual dues and legal issues and liabilities. The Board of Directors will determine club needs and determine means to promote amateur radio, protect the club and its members and keep it healthy. An electronic copy of club documents, records, accounts, etc. will be maintained in a central repository for efficient access by club officers. A preliminary annual budget for the following calendar year will be determined at the club business meeting in October, finalized at the November meeting and presented by the club Treasurer at the annual meeting each January. At the discretion of the Board of Directors, outside groups may be permitted to use club facilities for amateur related use.

Section 03. Operational Organization Chart.

An Operational Organization Chart of the Forsyth Amateur Radio Club is shown as Exhibit 1 at the end of these By-Laws.

ARTICLE VII

PERMANENT STANDING COMMITTEE GUIDELINES, CHAIRS and SPECIAL ASSIGNMENTS

Section 01. Permanent Standing Committee Guidelines and Chairs.

- (a) As needed, the President-elect shall appoint chairs of permanent standing committees and shall collaborate with each chair in selecting members of the committee. Announcements of committee chairs shall be made at club meetings.
- (b) Committees shall have not fewer than two members, one of whom shall be designated as chair.
- (c) In the event that a committee does not consist of two persons, it shall be changed to "special assignment" status as documented in Article VII, Section 03(b).
- (d) Each active committee shall submit a report as needed.
- (e) The Board of Directors can de-establish any committee or create a new committee as needed.
- (f) All committees shall operate within spending guidelines established by the Board of Directors.

Section 02. Permanent Standing Committees.

The following are committees that are normally established on an annual basis with brief descriptions following:

House Committee	Technical Committee	Field Day Committee
Media Committee	Hamfest Committee	

- (a) **House Committee:** The House Committee shall have supervision of all matters concerning the physical aspects of the club's meetings including setting up and verifying equipment for real-time video capability. The House Committee will install and maintain equipment used in the club shack, provide and update any written documents, checklists, operating manuals and any training necessary to ensure the safe use of equipment in the club shack by Full and Life Members. The House Committee will oversee the environment of club meetings and social functions and provide refreshments. The House Committee will contact, welcome and introduce new attendees and guests and will update and distribute new member packets as needed.
- (b) **Technical Committee:** The Technical Committee shall be responsible for consultation, recommendations and actions in the operation and maintenance of club repeaters, interference to repeater operations and maintenance and repair of club-owned equipment.
- (c) **Field Day Committee:** The Field Day Committee shall plan, manage and operate all functions relating to Field Day. The Field Day Committee will coordinate with the club Treasurer who is responsible for reserving and paying for a site for Field Day operations and obtaining needed permits.

- (d) **Media Committee:** The Media Committee will collect and publish current and historic information related to amateur radio and the Forsyth Amateur Radio Club in the monthly club newsletter. The Media Committee will maintain the club website, keeping it updated with current and historic meeting information, announcements, special events and other information pertinent to the club and Amateur Radio. The Media Committee will join, use and maintain social media accounts as directed by the Board of Directors.
- (e) **Hamfest Committee:** The Hamfest Committee shall have supervision of all matters related to each club Hamfest including obtaining a site for the Hamfest.

Section 03. Temporary Committees and Special Assignments

- (a) **Temporary Committees:** Temporary committees may be formed as deemed necessary by the Board of Directors. Appointment of a temporary committee shall remain effective until dissolved by the Board of Directors.
- (b) **Temporary Special Assignment:** Any club member may be appointed by the Board of Directors for Special Assignment for duties not already addressed by an established committee. Such club member may perform those duties on a “stand alone” basis without the formation of a committee.

ARTICLE VIII

LIAISONS

Liaison appointments are made to encourage and ensure cooperation and communication between the Forsyth Amateur Radio Club and other organizations. Liaison appointments will be appointed by and answer to the club’s Board of Directors. Liaison appointments must be a Full Member of the club. Liaison appointments will be changed as needed. Liaison examples are listed below.

- (1) **Examiner Team Liaison:** The Forsyth Amateur Radio Club supports the FCC Voluntary Examiner Coordinator (VEC) System. The Volunteer Examiner Team Liaison, shall, in cooperation with the Board of Directors, register with a FCC Recognized VEC and shall help accredit other FARC members with Amateur Radio Licenses as Volunteer Examiners and shall hold test sessions for anyone wishing to take an FCC exam for an Amateur Radio Operator License or to upgrade their current Amateur Radio Operators License. The Forsyth Amateur Radio Club Volunteer Examiner Team Liaison will furnish a club membership form submitted by each successful test candidate to the club Secretary for a complementary one time, one-year Full Membership as described in Article III, Section 01(b). Forsyth Amateur Radio Club VE test sessions are normally held prior to club member meetings each January through November and are normally announced in the club newsletter and on the club website.
- (2) **Emergency Management and Public Assistance Liaison:** The Emergency Management and Public Assistance Liaison will coordinate activities with the authority having jurisdiction.

All outside entities must coordinate activities through the EM and PA Liaison in order to utilize any club assets. The EM and PA liaison will be the club's sole point of contact with external organizations.

ARTICLE IX CLUB TRUSTEE

The Club Trustee must be the holder of the club Amateur Radio License from the Federal Communication Commission (FCC). The Club Trustee is nominated by the President and is approved by a majority vote of the Board of Directors. The Trustee:

- (1) Must be a Full Member of the club and have maintained a consistent attendance record at both FARC member and business club meetings.
- (2) Must hold an FCC Extra Class license.
- (3) The Trustee is a long-term appointment and is responsible for holding and maintaining the club call, W4NC, and for all compliance with FCC regulations.
- (4) The existing Club Trustee can be removed by a majority vote of the Board of Directors at the time a new Club Trustee is nominated and approved.
- (5) Because of FCC regulations, the current Club Trustee must be maintained until FCC documents with the name of a new Club Trustee have arrived with FARC. The current Trustee serves until the FCC has approved the appointment of a new Trustee.
- (6) The Club Trustee must be an experienced licensee and have knowledge and experience in emergency operations, experience in contesting and split operations and Field Day operations.
- (7) It is strongly suggested that the Club Trustee appoint assistants as needed to oversee large FARC operations to ensure that all FCC rules are met. However, the ultimate responsibility for all FCC related operations rests with the Club Trustee.
- (8) All radio operators at FARC events serve under the direction and control of the Club Trustee.

ARTICLE X PARLIAMENTARY AUTHORITY

On any question of order or procedure not otherwise determined by these By-Laws, the provisions of the then-current edition of Robert's Rules of Order, Newly Revised, shall prevail.

ARTICLE XI AMENDING BY-LAWS

Revisions of By-Laws will be amended by a two-thirds majority vote of the Full and Life Members who are present at any regular club meeting provided that a quorum is present as defined in Article V, Section 01(e). All voting members must be notified and furnished a copy

of the proposed revised By-Laws by email or any other means at least two weeks prior to the club meeting where a vote on these By-Laws takes place.

ARTICLE XII NO LIABILITIES

Neither the incorporators, past and current officers, past and current committee members, coordinators, those given special assignments, Full, Complimentary, Associate, Honorary and Life members of this organization shall be individually liable for its debts, defaults, obligations, Acts of God or other liabilities; nor shall this club be liable for the debts, defaults, obligations or liabilities of any other club or organization.

ARTICLE XIII INDEMNIFICATION.

Any person who at any time serves or has served as a director, officer, employee or agent of the club, or in such capacity at the request of the club, may have a right to be indemnified by the club to the fullest extent permitted by law against (a) reasonable expenses, including attorneys' fees, actually and necessarily incurred by him or her in connection with any threatened, pending or completed action, suit or proceedings, whether civil, criminal, administrative or investigative, and whether or not brought by or on behalf of the club, seeking to hold him/her liable by reason of the fact that s/he is or was acting in such capacity, and (b) reasonable payments made by him or her in satisfaction of any judgment, money decree, fine, penalty or settlement for which s/he may have become liable in any such action, suit or proceeding.

The Board of Directors of the club may take all such action as it may determine necessary and appropriate to authorize the club to pay the indemnification required by these By-Laws, including, without limitation to the extent needed, making a good faith evaluation of the manner in which the claimant for indemnity acted and of the reasonable amount of indemnity due him or her and giving notice to, and obtaining approval by, the members of the club.

Any person who at any time after the adoption of these By-Laws serves or has served in any of the aforesaid capacities for or on behalf of the club shall be deemed to be doing or to have done so in reliance upon, and as consideration for, the right of indemnification provided herein, subject to the pleasure of the board as outlined in the two above paragraphs. Such right, subject to those limitations above, shall inure to the benefit of the legal representative of any such person and shall not be exclusive of any other rights to which such person may be entitled apart from the provision of these By-Laws.

ARTICLE XIV

DISSOLUTION

The net earnings of the Corporation will in no way inure to the personal benefit of any of its members, officers, directors, or other private individuals. No final distribution of the Corporation's assets will be made unless the Corporation dissolves. In the event of dissolution of the Corporation, the residual assets of the Corporation will be turned over to one or more organizations which themselves are exempt as organizations described in Sections 501(c)3 and/or 170(c)(2) of the Internal Revenue Code of 1986 or then-applicable corresponding sections of any prior or future Internal Revenue Code, or to the Federal, State or local government for exclusively public purposes.

EXHIBITS

EXHIBIT 1. OPERATIONAL ORGANIZATION CHART

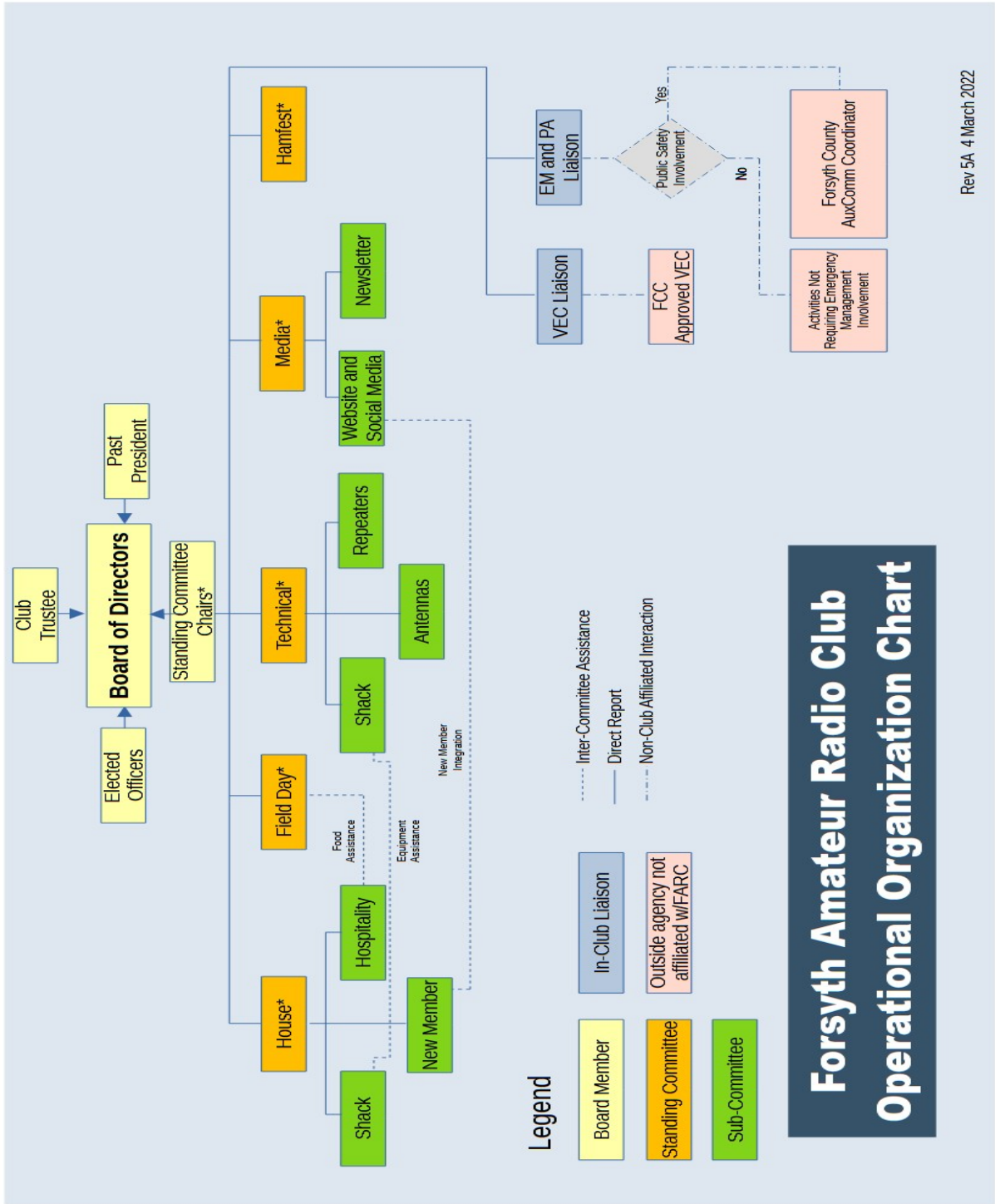


EXHIBIT 2. SIGNIFICANT FORSYTH AMATEUR RADIO CLUB DOCUMENTS