

**Proposed changes to the NDRCC Bylaws as proposed by the NDRCC Board of Directors in  
February 2019**

- Sections in black are the Bylaws as they are currently written. Sections in red are proposed re-writes of said section.
- Any wordage that is in ~~crossed-out format~~ is proposed to be removed from the Bylaws in this re-write.

-----BEGINNING OF PROPOSED RE-WRITE-----

2.04 Termination of membership may occur under the following rules:

- a. If any member ceases to have the qualification necessary for membership in the AMA, his/her membership in the corporation shall thereby terminate, subject to reinstatement upon restoration of eligibility.
- b. This section provides for enforcement of the Safety Rules that are related to flying activities. Any other unacceptable behavior by an individual member or members, as defined by the Board of Directors, become the responsibility of the Board of Directors as stated in Article XIV of these Bylaws.
- c. Any individual may be expelled from membership from the corporation by a two-thirds (2/3) majority vote of the Board of Directors if, in the Board of Directors determination, such individual willfully commits any act or omission which is a violation of any of the terms of these Articles of Incorporation and Bylaws, or the Rules of AMA, or which is detrimental to the corporation, the AMA, or to model aviation. The Board of Directors shall have the discretionary authority to provide for and to impose disciplinary action for such acts of omissions, which do not justify expulsion from membership.
- ~~c. Any individual may be expelled from membership from the corporation by a two-thirds (2/3) majority vote of the Board of Directors, as laid out in section 14.02, if, in the Board of Directors determination, such individual willfully commits any act or omission which is a violation of any of the terms of these Articles of Incorporation and Bylaws, or the Rules of AMA, or which is detrimental to the corporation, the AMA, or to model aviation. The Board of Directors shall have the discretionary authority to provide for and to impose disciplinary action for such acts or omissions, which do not justify expulsion from membership.~~

----- END OF SECTION-----

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

- a. A Grievance Form (example form follows in this section) will be filled out and turned into the Safety Officer. At least one witness is required.
- b. FIRST VIOLATION
  - (a) Viewpoints of both complainants and accused will be considered.
  - (b) Complainant's name will be disclosed.
  - (c) A verbal reprimand will be given to the accused by the Board of Directors, and this will be recorded by the Secretary.

c. SECOND VIOLATION

(a) Complainant's name will be disclosed.

(b) The accused has a right to a written rebuttal, to be reviewed by the Board of Directors.

(c) If the Board of Directors so decides, the flying privileges of the accused will be suspended for thirty (30) days. Written notice of this shall be issued and a copy published in the corporation newsletter.

#### d. THIRD VIOLATION

(a) The Board of Directors will notify the accused in writing and the corporation members via the corporation newsletter that the corporation will vote on the expulsion of the accused at the next meeting.

(b) Said expulsion will last for one year, minimum. (Longer if deemed necessary by the Board of Directors).

(c) A member may be expelled from the corporation only upon a two-thirds (2/3) majority vote of the membership present at the meeting.

(d) Voting will be by secret ballot at a regular monthly meeting.

(e) The expelled member may reapply for membership after the expiration of the expulsion time period.

e. THE THREE ACTIONS The three actions will not be enforced unless they are accumulated within a two year period of time.

f. RETALIATION Any member receiving a Grievance, who directs any retaliation action against the person filing said Grievance, will be subject to immediate expulsion from the corporation. This is to include threats, intimidation, physical harm, intentional equipment damage, or any other action deemed to be retaliatory by the Board of Directors.

#### 14.02 Procedure.

Regarding offenses committed by a member, including, but not limited to: safety violations, rules violations (as set forth in Club Rules and AMA rules), personal attacks upon another member or guest's person, property, or the threat of such, the Board of Directors shall use its judgment in carrying out action outlined in the remainder of this section. If a first or second offense is serious enough, as deemed by a 2/3 majority vote of the full Board, suspension or expulsion (per section d, below) is an option in lieu of the outlined procedure.

a. A Grievance Form (example form follows in this section) will be filled out and turned into the Safety Officer, the Board President or Board Vice President. At least one witness, or first-hand proof such as images or video, is required.

#### b. FIRST VIOLATION

(a) Viewpoints of both complainants and accused will be considered by the board.

(b) Complainant's name will be disclosed to the accused.

(c) A verbal reprimand will be given to the accused by the Board of Directors, if the board's finding is that the accused committed the offense(s) he/she is accused of, and this will be recorded by the Secretary.

c. SECOND VIOLATION

- (a) Complainant's name will be disclosed to the accused.
- (b) The accused has a right to a written rebuttal within ten days of notification of the accusation, to be reviewed by the Board of Directors.
- (c) If the Board of Directors so decides, the flying privileges of the accused will be suspended for thirty (30) days. Written notice of this shall be issued to the accused. ~~and a copy published in the corporation newsletter.~~

d. THIRD VIOLATION

- (a) The Board of Directors may, upon a 2/3 majority of the entire board, vote to expel a member on the third grievance proceeding for the same or closely-related issue(s).
  - 1. In such a case, a special meeting of the general membership will be called within ten business days of the expulsion. The site of the meeting will be Eagle Field, exact date/time will be set by the Secretary.
  - 2. Upon a 2/3 majority vote of a minimum of 30 current members present at the meeting, the expulsion is overturned.
  - 3. A general membership email will be sent three times in the days leading up to the meeting to notify the membership of this meeting.
  - 4. In the case of such a special meeting, the expelled member will not be allowed back to the field until after the vote of the general membership at the special meeting. If the membership does not override the expulsion, the accused remains expelled with no NDRCC privileges.
  - 5. Minutes will be kept of the special meeting with the accused's name redacted.
- (b) Said expulsion will last for one year, minimum. (Longer if deemed necessary by the Board of Directors).
- (c) The expelled member may reapply for membership after the expiration of the expulsion time period.
- (d) If expulsion is not imminent, the Board may choose to sanction the accused in other ways, including long-term suspension of flying privileges or field privileges. Written notice of this shall be issued to the accused.

~~e. THE THREE ACTIONS The three actions will not be enforced unless they are accumulated within a two year period of time.~~

e. RETALIATION Any member receiving a Grievance, who directs any retaliation action against the person filing said Grievance, will be subject to immediate expulsion from the corporation. This is to include threats, intimidation, physical harm, intentional equipment damage, or any other action deemed to be retaliatory by the Board of Directors.

----- **END OF SECTION** -----

## ARTICLE VI

### CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

#### Contracts

- 1.01 The Board of Directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the corporation. Such authority may be general or confined to specific instances.

#### Checks and Drafts

- 1.02 All checks, drafts, or orders for payment of money, notes, or other evidences of indebtedness issued in the name of the corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer or President of the corporation.

#### Deposits

- 1.03 All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

#### Gifts

- 1.04 The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, or device for the general purposes or for any special purpose of the corporation.

### **PROPOSED ADDITIONS TO ARTICLE VI**

1.05 **NEW FIELD ACCOUNT** - The field account shall be a separate account accumulated from member initiation fees, overages from the annual operating budget and other sums as directed by the officers. This account shall be for the exclusive purpose of funding a new field with the loss or potential loss of our existing flying field. It may also be used for reasonable efforts to prevent the loss including loss due to catastrophic damage. It may also be used for expenses related to closing our existing field . It may not be used improvements, expansion or routine maintenance of our existing field.

1.06 **FIELD OPERATING ACCOUNT** - The Financial Officer shall construct an annual operating budget and submit this budget for membership approval. This budget shall use annual dues and other predicted sources of income to fund. It shall make provision for all expected expenses as well as a appropriate line item for unexpected expenses.

1.07 MOTIONS FOR OUTSIDE THE BUDGET ITEMS - Membership approved Motions for items outside the membership approved budget shall require that the Financial Officer determine that sufficient uncommitted funds are available within the approved budget and if the funds are not available shall have the authority to veto the motion. Alternatively, approved motions for items that have a reasonable finance or self-funding plan shall not require Financial Officer approval.

----- **END OF SECTION**-----

ARTICLE V

5.05 The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary or other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

5.05 The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary or other proper officer of the corporation only when authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general he shall perform all duties incident to the office of the President and such other duties as may be prescribed by the Board of Directors from time to time.

----- **END OF DOCUMENT**-----