

NORTHERN COLORADO BACK COUNTRY HORSEMEN

BY-LAWS AND CONSTITUTION



(Revised 09/2014)

Approved and Adopted: 11/12/2014 SC/AO

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NORTHERN COLORADO BACK COUNTRY HORSEMEN
(A.K.A. NCBCCH)
BY-LAWS AND CONSTITUTION
(REVISED 09/2014)
(APPROVED BY MEMBERSHIP VOTING 11/2014)

ARTICLE 1 – Name

The name of this organization shall be the Northern Colorado Back Country Horsemen of the state of Colorado hereinafter referred to as NCBCCH, and shall be incorporated and shall operate, under the laws of the State of Colorado, as a non-profit, educational organization.

ARTICLE 2 – Purpose

1. To perpetuate the common sense use and enjoyment of horses in America’s backcountry.
2. To work to ensure that the public lands remain open to recreational stock use.
3. To assist the various government and private agencies in the maintenance and management of our resources.
4. To educate, encourage, and solicit active participation in the wise use of the backcountry resources by horsemen and the general public.
5. To promote the humane treatment of livestock.

ARTICLE 3 – Membership

Section 1 Membership shall be open to and composed of any individual who is interested and committed to promoting the organization’s core purpose as stated in Article 2.

- Section 2 Members shall maintain acceptable moral, ethical, and behavioral standards of conduct while participating in NCBCCH sponsored functions and/or while representing the organization in any capacity, function, or activity.
- Section 3 Family membership is established by paying the family dues rate. Family membership covers all adults and youth residents of that household.
- Section 4 Single membership is one adult.
- Section 5 Any person 17 years of age or younger, not otherwise qualifying for membership with a family group and who is interested in promoting the purpose as stated in Article 2, may be accorded a junior/youth membership for \$10.00 as long as they have a sponsor who is a member of NCBCCH and in good standing. This shall also apply to person's attending a post high school educational facility (college, university, technical/trade school, etc.) as a full time student.
- Section 6 Annual membership dues are compulsory to activate status for membership within NCBCCH. A portion of the annual membership dues will be allotted to the state (BCHCO) and national (BCHA) organizations in order to fulfill membership obligations within BCHA standards. All membership dues shall be paid in full on a yearly basis (due January 31 of each calendar year) for membership to initiate and/or remain active and in good standing.

ARTICLE 4 – Voting

- Section 1 Each single membership shall be entitled to one (1) vote on all matters voted upon during regular or special meetings.
- Section 2 Family memberships are allowed two (2) votes on all matters voted upon during regular or special meetings.

- Section 3 A majority vote, of eligible members in attendance of regular or special meetings, is required to conduct business.
- Section 4 Absentee voting may be necessary and will be conducted via a mail in ballot, folded and inserted in a double envelope. Voting members will identify the ballot by placing their name on the outside envelope only. Ballots will be available and distributed upon request of the eligible voting member.
An absentee ballot must be requested no later than two (2) weeks prior to the meeting where an election is taking place. The request shall be made to the secretary in writing with address provided. The returned absentee ballot must be received by the secretary no later than one (1) day prior to the scheduled meeting.
- Section 5 Only those members in good standing will be considered eligible and thus permitted to participate in NC BCH elections.
- Section 6 A ballot box may be used on matters concerning written ballots.
- Section 7 Any topic deemed *major* by the NC BCH BOD, (E.g. Expenditure exceeding \$250.00) and not included and/or approved within the annual budget will be presented to the general membership in attendance for approval.
- Section 8 All *major* expenditures will require the BOD approval by majority vote. All checks written in excess of \$250.00 from the NC BCH general fund account shall then require two (2) signatures to be considered a valid expenditure. The signatures shall include the presiding treasurer or president and a current and active board member.

ARTICLE 5 – Meetings

- Section 1 Regular monthly meetings will be established and held at a location and time designated and determined by the NCBCCH chapter president. Time and place will then be posted to the general membership.
- Section 2 Special meetings of the board or general membership shall be called by the appropriate presiding officers, (general meeting is chapter president; board meeting is chairman of BOD), upon written request signed by three (3) board members or upon written request signed by ten (10) eligible voting members in good standing. The officers will then schedule said meeting in an expeditious manner.
- Section 3 Board (BOD) meetings shall be held at the convenience of the majority of the officers and board members. BOD meetings will be held quarterly, at the discretion of the Chairman, and/or as needed in order to conduct business. Any member in good standing is welcome to attend, but shall not have voting privileges during a BOD meeting. Former BOD members and officers are encouraged to attend.
- Section 4 The board (BOD) may change the meeting with appropriate notification to the general membership.
- Section 5 In order to transact business at a general meeting or special meeting, a majority vote of all eligible members in attendance is required.
- Section 6 Should the occasion arise that requires immediate attention, the BOD may conduct business electronically (i.e. email discussion and subsequent voting) in order to address emergency and/or urgent issues.

ARTICLE 6 – Officers and Board (BOD) Members

- Section 1 Officers of the organization shall be designated as; President, Vice-President, Secretary and Treasurer.

Section 2 The board (BOD) shall consist of five (5) elected members with one (1) elected as chairman, as well as the presiding team of officers as listed in Article 6, Section 1.

- a. Terms of elected board members and officers shall be two (2) years. In order to promote continuity of leadership, half of the officers and half of the board members will be elected every year. Elections for the President, Secretary and three (3) board members will be held on even years. Elections for Vice President, Treasurer, two (2) board members and State Director(s) will be held on odd years.
- b. Board members and officers may be elected to no more than three (3) consecutive 2 year terms per position.
- c. Elections will be held in November. Once elected, officers and/or board member's duties shall commence on January 1st of the following year. Each elected officer and/or board member shall assume all responsibilities associated with each respective position and commence the term of office as set forth in Article 6, Section 2 through 4 and Article 7.

Section 3 Any vacancy or vacancies in any office or board member seat, except president, shall be filled by a special election to be held during the next official general membership meeting.

Section 4 Procedure for removal of officers as follow:

- a. An officer or board member may be removed from office by a petition signed by a minimum of 20 members in good standing with NC BCH who are eligible to vote. The petition will be then submitted to the presiding secretary.

- b. The petition must be approved by a majority vote of all eligible members in attendance at the next regularly scheduled general meeting.
- c. Removal of any party from office will be by a ballot vote of all eligible general membership in attendance, including mailed-in ballots.
- d. A ballot count of eligible voting members shall be required to be returned at the next regularly scheduled general meeting. A majority vote of the eligible membership in attendance including all pertinent ballots shall be returned and tallied in order to officially remove a presiding member from office.

ARTICLE 7 – Duties of Officers and Board Members

Section 1 The authority of this organization is the general membership. The power and authority of this organization shall be vested in the membership. The officers and BOD shall conform to the wishes and instruction of the membership; and subject to the rules of this document, manage and execute the affairs of the organization.

Section 2 Office and description of duties as follows;

1. PRESIDENT - The president is the chief executive officer under direction of the board (BOD). It shall be the duty of the president to preside at all general meetings of NC BCH. The president shall organize, plan and execute all business conducted during general membership meetings. The president may sign checks for disbursement of funds.
2. VICE-PRESIDENT – It shall be the duty of the vice-

president to serve in the absence of the presiding president. The vice-president shall complete the term of the president should the latter be unable to fulfill his/her duties or term. The vice president shall be in charge of scheduling training and/or education to be held at monthly membership meetings, or as delegated.

3. SECRETARY - It shall be the duty of the secretary to record and keep minutes of all regular, board and special meetings, keep files and correspondence and other agreed upon duties.
4. TREASURER - It shall be the duty of the treasurer to collect annual dues, register names of members, maintain accurate record of account information, keep and disburse all funds pertaining to NCBCCH. File annual reports with the IRS and SOS Colorado. At each regular meeting the treasurer is to provide a report of income and expenditures. The treasurer will assist the board in the development of the annual budget. The treasurer may sign checks for disbursement of funds. All funds shall be kept in a bank account. Petty cash funds may be kept by approval of the board.
5. BOARD OF DIRECTORS (BOD) - It shall be composed of five (5) members, including the Chairman, voted in by the NCBCCH membership either by nomination or volunteering to serve in that capacity. The board shall manage and execute the affairs of NCBCCH. When NCBCCH is not in session, the board shall have the authority to execute transactions. All grievances shall be presented to the board in writing. Upon receipt and review, the board shall then proceed with appropriate action.
6. BOARD CHAIRMAN - A board chairman shall be elected from the body of the board membership, excluding the presiding officers. It shall be the duty

of the Chairman to conduct and preside over all board meetings and the annual budget. The Chairman will vote only to break a tie. The Board may choose to elect a Vice Chairman to serve in the absence of the Chairman.

7. STATE DIRECTORS - Two (2) representatives shall be elected from the body of the general membership either by nomination or volunteering to serve in that capacity. It shall be the duty of the Directors to represent the NCBCCH chapter at Colorado (BCHCO) state meetings. A minimum of one (1) alternate shall be designated in order to serve in the absence of the state director as needed.

Section 3 All financial matters, activity and records shall be audited annually by a qualified individual, from outside the membership and immediate family, as chosen and determined by the BOD.

ARTICLE 8 – Elections

Section 1 All officers and board members shall be elected by a ballot at the regularly scheduled general membership meeting held in November as per Article 6, Section 2.

Section 2 All election results shall be tallied based upon the majority of votes of eligible members in attendance at the November general membership meeting and to include any/all absentee ballots received prior to that scheduled meeting as stated in the body of Article 4.

Section 3 A nomination committee may be used in preparation for upcoming elections. The nominating committee shall be comprised of a minimum of three (3) members from the general membership solicited two (2) months prior to the regular election of officers and/or board members. The purpose of the nomination committee shall be to provide a list of suitable candidates for NCBCCH board

members and officers. Nominations may also be provided by the membership from the floor or write-in ballot prior to the election.

Section 4 A minimum of 60% of BOD members are required to be present at a meeting in order to conduct business.

ARTICLE 9 – Committees and Special Representatives

Section 1 The committees necessary for function of NCBCCH shall be designated by the board.

Section 2 The committee chairperson will be elected by members of that committee.

Section 3 The board of directors shall elect state directors, as described in Article 6 and Article 7. These directors will serve at the direction of the board. Elections and voting for this office (including alternate director) shall correspond with the election in November of odd numbered years.

Section 4 BOD will discuss membership with other entities (e.g. Colorado Horse Council) on an as needed basis.

ARTICLE 10 – BY-LAWS

Section 1 The By-laws and constitution shall be approved and voted in place by the majority of the eligible membership in attendance of any regular or special meeting held by NCBCCH, provided that the membership was provided with adequate and appropriate notice.

Section 2 The By-laws shall serve as the official document of local governance for the activity and conduct of all NCBCCH business and activity.

Section 3 The By-laws document shall reflect and remain in accordance to the requirements of BCHA.

- Section 4 The By-laws shall maintain adherence to the original purpose of BCHA, as stated in the Constitution of the national organization, by adopting the same purpose to the conduct and operation of NCBCCH as set forth in Article 2.
- Section 5 The By-laws may be amended, repealed, or new sections added by a majority vote of the members of the BOD, as needed, in order to serve local governance of NCBCCH under the direction of the membership. Adoption of changes will then be presented to the general membership via email circulation and/or at any regular or special meeting of NCBCCH provided whereby adequate and appropriate notice of such proposed amendment or ratification is provided. Accepted methods of distribution will be accepted with regard to any or all of the following manner and/or progression:
1. Written proposal to the board.
 2. Presentation to the general membership at the next monthly meeting.
 3. Distribution and notification via email in order to provide adequate time for review and consideration.
 4. Printed in the next monthly newsletter.
 5. Voted on by the membership by ballot at the next monthly general membership meeting.
- Section 6 In the event of liquidation, dissolution or termination of the NCBCCH chapter, any asset remaining shall be transferred to BCHCO.

ARTICLE 11 – Disciplinary Action

Concerns regarding member(s) actions (refer to Article 3, Section 2), shall be given to the BOD with details of the occurrence. The board will investigate the charge and make a determination as to its validity. Upon determination of the majority of the BOD that a member(s) appears to have acted inappropriately and disciplinary action may be required, a closed

hearing may be called to obtain the member(s) defense of his/her conduct **and/or** actions. The chairperson of the BOD shall conduct the hearing and a majority of the board shall be present. The member(s) shall be notified in writing of the alleged inappropriate behavior and/or action and of the date, time and location of the hearing. The member(s) will be invited to respond by attendance or by writing. At the hearing the member's response to the charges will be heard. The presence of an attorney and/or legal representation will not be permitted within the hearing process. Upon the conclusion of the presentation of evidence and the member's defense, he/she will be excused from the hearing. The board will then determine a course of action. If action is required, it may range from a simple counseling and education or verbal reprimand to permanent dismissal from the organization, as per the wisdom and discretion of the board acting in accordance to the best interest of NC BCH. Following the hearing, formal notification of the final decision will be provided to the member in a timely fashion in the form of written, verbal, or a combination of the above as the board deems appropriate.

NC BCH By-laws approved and adopted (as revised) this 12 day
of November, 2014

Sandra Chapin, Chairman of BOD

Al Ohms, President NC BCH

STANDING RULES

1. Annual membership dues shall be \$40.00 per year for individual.
2. Annual membership dues shall be \$45.00 per year for family.
3. Annual membership dues shall be paid on or before January 31st.
4. Any changes in the amount of yearly membership dues shall be first recommended by the BOD with subsequent voting and approval by the general membership eligible to vote in elections. Any changes in the amount of membership dues shall be voted on in the annual November election by eligible general membership, with said dues to be effective for the next calendar year, commencing January 1st.
5. A new member joining NCBCCH after September 1st (i.e. between September 1st and December 31st during any calendar year) will be exempt from membership dues for the following year. Regular schedule of dues and payment therein shall resume the following year as designated in the by-laws, Article 3.
6. Advertising rates are \$15 a quarter (3 months), \$50 annually (12 months) for both the newsletter and webpages for the business card advertisers. The business card advertisers will also have their name and website listed on the Resources page (formerly Favorite Links). The business card and the listing on the Resource page will link to their appropriate website. The Resource page would have two areas identified; Government and Not-For Profits, and For Profits. A member and/or a business can pay a \$5.00 annual fee to have that business listed in the For Profit section of the Resource page.
7. NCBCCH mail is to be picked up by a member designated by the board. All mail is to be brought before the board at the regularly scheduled meetings.
8. Forest Service, BLM, DOW and Colorado Parks System personnel will be extended an ex officio membership at no charge.