BUCKEYE BERNESE MOUNTAIN DOG CLUB BYLAWS

ARTICLE 1. MEMBERSHIP:

Section 1- Eligibility. There shall be three types of membership open to all persons who are in good standing with The American Kennel Club and who subscribe to the purposes of this Club. While membership is to be unrestricted as to residence, the Club’s purpose is to be representative of the owners, breeders, and exhibitors of Bernese Mountain Dogs in central Ohio.

* (a) Regular Member - open to persons 18 years of age and older who enjoy all the privileges of this Club including the right to hold office, sponsor, nominate and second and are entitled to one vote. Regular members are counted in the quorum for Club meetings. A member may make a change of category at the time of the annual dues.
* (b) Associate Member – this category of membership is recommended only for individuals who do not anticipate regular attendance at meetings. An Associate member shall be informed of all Club Meetings and activities may serve on committees, but not chair, and may participate in all club activities, but may not vote, hold office, sponsor, nominate or second, and is not counted in fulfilling quorum requirements. An Associate member who is at least 18 years of age may transfer to Regular Membership at the time of yearly membership renewal and dues payment.
* (c) Junior Member – open to all persons 10 through 17 years of age. Juniors cannot vote, hold office, or hold appointed leadership positions and are not counted in fulfilling quorum requirements. They may convert to Regular membership upon reaching their 18th birthday.

Section 2 – Dues. Membership dues shall be established by the Board of Directors and are payable on or before the 1st day of January of each year. Dues for Associate Members shall be established at less than the dues for Regular Members. An additional adult member in the same household shall have a reduction in dues as established by the Board. Membership dues shall not exceed $40 without the approval of the club membership as set forth in Article VII, Section 2. Applicants for membership after July 1st shall pay half the annual dues for the current year. No member may vote whose dues are not paid for the current year. During the month of November, a dues notice shall be sent to each member either as part of the newsletter, by separate mail, or by email with verified receipt.

Section 3 – Election to Membership. Each applicant for each type of membership shall apply on a form as approved by the Board of Directors and which shall provide that the applicant agrees to abide by the constitution and bylaws and code of conduct, and the Rules of The American Kennel Club. The application shall state the type of membership, the name, address, and occupation of the applicant/s and it shall carry the endorsement of two unrelated Regular Members in good standing. Accompanying the application, the prospective member shall submit a dues payment corresponding to the membership type for the current year. All applications are to be filed with the Secretary and each application is to be read at the first meeting of the Club following its receipt. The application will be voted upon by secret ballot and affirmative votes of 2/3 of the Regular Members present and voting at that meeting shall be required to elect the applicant. The Secretary shall send written notice to the applicant whether the constitutional mandated affirmative majority vote was received. If membership is denied at the meeting, said applicant may not be eligible for reapplication for membership for one year and shall require the endorsement of two new sponsors who are unrelated and are Regular Members in good standing.

Section 4. Termination of Membership. Memberships may be terminated:

* (a) By resignation. Any member in good standing may resign from the Club upon written notice to the Secretary; but no member may resign when in debt to the Club. Obligations other than dues are considered a debt to the club and they must be paid in full prior to resignations.
* (b) By lapsing. A membership will be considered as lapsed and automatically terminated if such member’s dues remain unpaid 60 days after the first of the fiscal year; however, the BODs may grant an additional 60 days grace to such delinquent members in meritorious cases. In no case may a person be entitled to vote at any Club meeting whose dues are unpaid as of the date of that meeting.
* (c) By expulsion. A membership may be terminated by expulsion as provided in Article VI of these by-laws

ARTICLE II. MEETINGS AND VOTING

Section 1. Club meetings. Meetings of the club shall be held within the club’s geographic area at such hour and place as may be designated by the Board. At least (4) official club meetings (meetings with Order of Business to be applied as in Article IX Section 1) shall be held each year. Written notice of each such meeting shall be sent by the Secretary at least 14 days prior to the date of the meeting. The quorum for such meetings shall be 20 percent of the Regular Membership in good standing. Other Club activities and events will be planned but will not include an official agenda or voting. These Club activities will be communicated by mail or by e-mail to the membership.

* (a) Members may authorize receiving electronic notification of Club meetings, dues notices, minutes, and newsletter; and Board members may authorize notification of Board meetings via electronic notification; provided that the member or Board member signs an authorization agreeing that this method of communication may be used for notification in place of US mail at the sender’s discretion. Such authorization may be revoked upon written or electronic request (provided the sender’s electronic address is documented and readily recognizable) sent to the Secretary. Additionally, two (2) consecutive electronic notices that are undeliverable deem the member’s electronic consent revoked.

Section 2. Special Club Meetings. Special Club Meeting may be called by the President, or by a majority of the members of the Board who are present and voting at any regular or special meeting of the Board; and shall be called by the Secretary upon receipt of a petition signed by five Regular Members of the club who are in good standing. Such special meetings shall be held within the club’s geographic are at such place, date, and hour as may be designated by the person or persons authorized herein to call such meetings. Written notice of such a meeting shall be mailed or e-mailed in accordance with Article !!, Sec 1, A, with receipt notification at least (14) days and not more than (30) days prior to the date of the meeting, and said notice shall state the purpose of the meeting, and no other club business may be transacted thereat. The quorum for such a meeting shall be 20 percent of the Regular members in good standing.

Section3. Board Meetings. Meetings of the Board of Directors shall be held quarterly within the Club’s geographic area at such hour and place as may be designated by the Board. They may be conducted by electronic mail or teleconference, as may be designated by the Board. Written notice of each such meeting shall be sent by the Secretary in accordance with Article !!, Sec 1 at least (10) days prior to the date of the meeting. The quorum for such a meeting shall be a majority of the Board.

Section 4. Special Board Meetings. Special meetings of the Board may be called by the President; and shall be called by the Secretary upon receipt of a written request signed by at least (3) members of the Board. Such special meetings shall be held within the club’s geographic area at such place, date, and hour may be conducted by electronic mail or teleconference, as may be designated by the person authorized herein to cal such meeting. Written notice of such meeting shall be sent 14 days and not more than 30 days prior to the date of the meeting by the Secretary in accordance with Article !!, Sec 1. Any such notice shall state the purpose of the meeting and no other Club business may be transacted thereat. The quorum of such meeting shall be the majority of the Board.

Section 5. Voting. Each Regular Member in good standing whose dues are paid for the current year shall be entitled to one vote, at any meeting of the club at which he/she is present. Proxy voting will not be permitted at any club meeting or election.

ARTICLE III. DIRECTORS AND OFFICERS

Section 1. Board of Directors. The Board shall be comprised of the officers and two other persons, all of whom shall be Regular Members in good standing and all of whom shall be elected for two-year terms at the Club’s Annual Meeting as provided in Article IV and shall serve until December 31 of the year their terms expire. General Management of the Club’s affairs shall be entrusted to the Board of Directors.

Section 2. Officers The Club’s officers, consisting of the President, Vice President, Secretary and Treasurer, shall serve in their respective capacities both with regard to the club and its meetings and the Board and its meetings.

* (a)The President shall preside at all meetings of the club and of the Board, and shall have the duties and powers normally appurtenant to the office of President in addition to those particularly specified in these by-laws.
* (b) The Vice President shall have the duties and exercise the powers of the President in case of the President’s death, absence or incapacity.
* (c)The Secretary shall keep a record of all meetings of the club, of the Board and of all matters of which a record shall be ordered by the Club; shall have charge of the correspondence, notify members of meetings, notify new members of their election to membership, notify officers and directors of their election to office, keep a roll of the members of the club with type of membership and their addresses, and carry out such other duties as are prescribed by these by-laws.
* (d)The Treasurer shall collect and receive all moneys due or belonging to the club. Moneys shall be deposited in a bank designated by the Board, in the name of the club. The books shall at all times be open to inspection by the Board and a report shall be given at every meeting of the condition of the club’s finances and every item of receipt or payment not before reported; and at the annual meeting an accounting shall be rendered of all moneys received and expended during the previous fiscal year.
* (e)The offices of Secretary and Treasurer may be held by the same person, in which case the Board shall be comprised of five persons.

Section 3. Vacancies. Any vacancies occurring on the Board or among the officers during the year shall be filled until the next annual election by a majority vote of all the then members of the Board at its first regular meeting following the creation of such vacancy, or at a special Board meeting called for that purpose; except that a vacancy in the office of President shall be filled automatically by the Vice President and the resulting vacancy in the office of Vice President shall be filled by the Board.

ARTICLE IV. THE CLUB YEAR, ANNUAL MEETING, ELECTIONS

Section 1. Club Year. The club’s fiscal year shall begin on the 1st day of January and end on the last day of December. The club’s official year shall be concurrent with the fiscal year. The elected Officers and Directors shall take office on January 1st following election and each retiring officer shall turn over to his/her successor in office all properties and records relating to that office within 30 days after the election.

Section 2. Annual Meeting. The annual meeting shall be held in the fourth calendar quarter and voting shall be limited to those Regular Members in good standing who are present at the meeting, except for the election of Officers and Directors by the Regular Members in good standing which shall be conducted by secret written ballot sent by mail.

Section 3. Election. The election of Officers and Directors shall be conducted by secret ballot. Ballots to be valid must be received by the Secretary by November 30. Ballots shall be counted by two (2) inspectors of election, appointed by the Board, who are members in good standing and neither members of the current Board nor candidates on the ballot. The nominated candidate receiving the greatest number of votes for each office shall be declared elected. If any nominee, at the time of counting the ballots, is unable to serve for any reason, such nominee shall not be elected and the vacancy so filled by the new Board in the manner provided by Article III, Section 3.

Section 4. Nominations and Ballots. No person may be a candidate in a club election who has not been nominated in accordance with these bylaws. During the month of June, in an election year, the Board shall select a Nominating Committee consisting of two members and two alternates, not more than one of whom may be a member of the Board. Nominating Committee members and alternates shall be restricted to Regular Members. The Secretary shall immediately notify the committee members and alternates of their selection. The Board shall name a chairperson for the committee and it shall be such person’s duty to call a committee meeting which can be conducted by mail or e-mail, and shall be held on or before August 1.

* (a) The Nominating Committee shall nominate from among the Regular Members of the Club, one candidate for each office and position on the Board and, after securing the consent of each person so nominated, shall immediately report their nominations to the Secretary in writing. The Secretary shall mail or e-mail with receipt the list to each Regular and Associate Member of the Club on or before September 1, so that additional nominations may be made by the Regular Members, if they so desire.
* (b) Additional Nominations, restricted to Regular Members, may be made by written petition addressed to the Secretary and received at his/her regular address on or before September 15. Accompanying this written petition must be signatures from three other Regular Members and written acceptance of such additional nominee signifying his/her willingness to be a candidate. Except for the position of Secretary and Treasurer, as provided in Article III, Section 2 (e), no person shall be a candidate for more than one position, and the additional nominations provided for herein may be made only from among those Regular Members who have not accepted a nomination of the Nominating Committee.
* (c) If no valid additional nominations are received by the Secretary on or before October 1, the Nominating Committee’s slate shall be declared elected and no election meeting and no balloting will be required.
* (d) If one or more valid additional nominations are received by the Secretary on or before October 1, he/she shall, on or before October 15, mail to the entire membership a listing of all the nominees for each position with each Regular Member in good standing to receive a ballot listing of all nominees in alphabetical order, together with a blank envelope and a return envelope addressed to the Secretary marked ballot and bearing the name of the Regular Member to whom it was sent. In order that ballots shall remain secret, each voter, after marking his/her ballot, shall seal it in the blank envelope which in turn shall be placed in the second envelope addressed to the Secretary. Ballots to be valid must be received by November 20th. The inspectors of election, appointed by the Board in accordance with Section 3, shall check the returns against a list of Regular Members whose dues are paid for the current year prior to opening the outer envelopes, and shall certify the eligibility of the voters as well as the results of the voting which shall be announced through the club’s newsletter, and/or by e-mail and on website.
* (e) Nominations cannot be made in any manner other than provided in this Section.

ARTICLE V. COMMITTEES

Section 1. The Board may appoint standing committees to advance the work of the club in such matters as specialty shows, obedience, agility and rally trials; draft tests; rescue, membership and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the Board. Special committees may also be appointed by the Board to aid it on particular projects. With the exception of the Nominating Committee, Associate Members are eligible for appointment to committees, but may not serve as committee chairs.

Section 2. Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee; and the Board may appoint successors to those persons who services have been terminated.

ARTICLE VI

Discipline

Section 1. American Kennel Club Suspension. Any member who is suspended from any privileges of The American Kennel Club automatically shall be suspended from the privileges of this club for a like period.

Section 2. Charges. An individual member may prefer charges against another individual member for alleged misconduct prejudicial to the best interests of the club or the breed. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of $75, which shall be forfeited if such charges are not sustained by the BOS following a hearing. The Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board meeting, and the Board shall first consider whether actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interest of the club or the breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interest of the club or breed, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges, it shall fix a date for a hearing by the Board not less than three weeks nor more than six weeks thereafter. The Secretary shall promptly send only copy of the charges to the accused member by certified mail, return receipt mail together with a notice of the hearing and an assurance that the defendant may personally appear in his/her own defense and bring witnesses if he/she wishes.

Section 3. Board Hearing. The Board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained after hearing all the evidence and testimony presented by complainant and defendant, the Board may by a majority vote of those present reprimand or suspend the defendant from all privileges of the club for not more than six months from the date of the hearing. And, if it deems that punishment insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant’s right to appear before his/her fellow members at the ensuing club meeting which considers the Board recommendation. Immediately after the Board has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary in turn, shall notify each of the parties of the Board’s decision and penalty, if any.

Section 4. Expulsion. Expulsion of a member from the club may be accomplished only at a meeting of the club following a Board Hearing and upon the Board’s recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the club, to be held within 60 days but not earlier than 30 days after the date of the Board’s recommendation of expulsion. The defendant shall have the privilege of appearing in his/her own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the Board’s findings and recommendation, and shall invite the defendant, if present, to speak on his/her behalf if so desired. The voting membership shall then vote by secret ballot on the proposed expulsion. A 2/3 vote of those present and voting at the meeting shall be necessary for expulsion. If expulsion is not so voted, the Board’s suspension shall stand.

Article VII. AMENDMENTS

Section1. Amendments to the constitution and bylaws may be proposed by the BOD or by written petition addressed to the Secretary signed by 20 percent of the Regular Membership in good standing. Amendments proposed by such petition shall be promptly considered by the BOD and must be submitted to the entire membership, with recommendations of the Board, by the Secretary for a vote by Regular Members within three months of the date when the petition was received by the Secretary.

Section 2. The constitution and bylaws may be amended by a 2/3 secret vote of the Regular members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed or e-mailed with receipt to each member at least two weeks prior to the date of the meeting.

ARTICLE VIII. DISSOLUTION

Section1. The club may be dissolved at any time by the written consent of not less than 2/3 of the Regular Members in good standing. In the event of the dissolution of the club other than for purposes of reorganization whether voluntary or involuntary or by operation of law, none of the property of the club nor any proceeds thereof nor any assets of the club shall be distributed to any members of the club, but after payment of the debts of the club its property and assets shall be given to a charitable organization for the benefit of Bernese Mountain Dogs as selected by the Board of Directors.

ARTICLE IX. ORDER OF BUSINESS

Section 1. At meetings of the club, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

Roll Call

Minutes of the last Meeting

Report of the President

Report of the Secretary

Report of Treasurer

Reports of Committees

Election of Officers/Board (At the Annual Meeting)

 Election of New Members

Unfinished Business

New Business

Adjournment

Section 2. At meetings of the Board, the order of business, unless otherwise directed by majority vote of those present shall be as follows:

Reading of minutes of last meeting

Report of Secretary

Report of Treasurer

Reports of Committees

Unfinished Business

New business

Adjournment

ARTICLE X. PARLIMENTARY AUTHORITY

Section 1. The rules contained in the current edition of “Robert’s Rule of Order, Newly Revised,” shall govern the club in all case to which they are applicable and in which they are not inconsistent with these bylaws and any other special rules of order the club may adopt.