

BYLAWS OF THE
SANDOVAL COUNTY AMATEUR RADIO SERVICE, INCORPORATED

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SANDOVAL COUNTY AMATEUR RADIO EMERGENCY SERVICE, INCORPORATED

ARTICLE I – Name

The name of this corporation shall be Sandoval County Amateur Radio Emergency Service, Incorporated, (SCARES) organized under the laws governing Domestic Non Profit Corporations in the State of New Mexico.

ARTICLE II – Purposes

Sandoval County Amateur Radio Emergency Service, Incorporated is organized exclusively for charitable, educational and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501c (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code and is perpetually dedicated to providing emergency communications and related services and activities in support of Sandoval County and the municipalities within, State of New Mexico, the Federal Government and the public at large as has been the custom since 1991 and shall be in the future forever.

ARTICLE III – Founding Members

Founding members for the purposes of formation of the corporation are those present at the announced meeting on November 19, 2001 held at Rio Rancho, New Mexico. The original bylaws were adopted by 100% majority of the founding members. Initial officers are those duly elected by the preceding organized group also known as Sandoval County Amateur Radio Emergency Service in January 2001.

ARTICLE IV – Membership

Membership categories are as follows: Member, Communicator, Emergency Communicator, Junior, Auxiliary, Life, and Honorary.

1. Members of the corporation are Federal Communication Commission (FCC) or its successor, Licensed Amateur Radio Operators, and others that support the purposes and goals of the organization.
2. Communicator – this status is awarded to members who complete their orientation and wish to further their experience in SCARES. These individuals are allowed to attend meetings, trainings, and nets. These individuals are allowed to participate in non emergency operations (i.e. bike races, drills, etc) and are allowed to be base operations (home) during emergencies. These individuals DO NOT DEPLOY to emergency scenes. These individuals are allowed to vote and hold office in SCARES.

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3. Emergency Communicator – this status is awarded to those who wish to further their experience in SCARES by taking FEMA NIMS training, as well as other training deemed necessary by SCARES Emergency Coordinators. These individuals maintain a deployable status for emergencies. These individuals are allowed to vote and hold office in SCARES.

4. Junior members are those members who have not reached their 18th birthday. Junior members earn voting privileges after reaching their 16th birthday and may hold any appointed position after reaching the age of 16 years. Junior members may be deployed to the field during non emergency events, but due to liability issues, are restricted to Emergency Operations Centers / Communication Center duty during emergency incidents.

5. Auxiliary members are those members who support the purposes of the organization but choose not to maintain Communicator membership and wish to serve in an adjunct capacity. Auxiliary members cannot vote or hold elected office, but may hold appointed positions. Auxiliary members may be asked to transport supplies to the field for support of an event or incident.

6. Life members are those Communicator, Emergency Communicator, or Auxiliary members that are selected based on the desire of the voting membership to honor distinguished service or support to the Corporation. Life members retain the membership privileges and other benefits and requirements as outlined in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

7. Honorary members are those individuals, companies, clubs or groups selected based on the desire of the voting membership to honor distinguished service or support to the Corporation.

8. The membership status of any member may be revoked by a unanimous decision of the Board of Directors.

ELECTION OF INDIVIDUALS FOR MEMBERSHIP –

1. Upon receipt of application for membership, the Board shall review the application and accept or deny the application.

2. If an applicant is denied membership, the Board will notify the applicant and provide a detailed reason for the denial. This notification will occur within thirty (30) days of the vote.

ARTICLE V – Dues and Benefits

1. Those persons wishing to maintain active membership status other than Life or Honorary must pay annual dues by November 30 of the preceding year to maintain membership for the calendar year starting January 1. Members who pay dues after November 30 lose active status on January 1. They may return to active status in the second month after the month in

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which they pay their dues. Dues rates are published in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

2. Benefits of membership for Communicator, Emergency Communicator, Life, Junior and Auxiliary members may include specified identification cards and other such identifying items such as shirts, hats, patches and decals as approved by the membership and specified in Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

3. Honorary members may hold annual membership cards and other items specified by Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

4. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the Second Article hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or in otherwise attempting to influence legislation, and the corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

5. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on:

A. by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or

B. by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

ARTICLE VI – Voting and Quorum

1. A quorum for any business of the Corporation shall be the President or Vice President, one (1) member of the board of directors (cannot be the President if he is already filling the first requirement), and five (5) active members at large of the organization. A 51% majority of such a quorum is required for any act of the Corporation.

2. Elections of officers shall be conducted in odd numbered years at the annual January meeting of the organization. Nominations for officers and board members shall be conducted at a posted meeting prior to the annual meeting. Nominations for officers and board members may also be accepted prior to the start of voting at the Annual January meeting.

3. Once a quorum is established, members deemed authorized to vote by this document and whom are present at the annual meeting will be eligible to vote for the officer candidates.

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4. Proxy Votes will be permitted by the following requirement: Proxy must be registered with the organization Secretary. Registration consists of a written or emailed statement indicating the name of the member giving the proxy as well as the name of the member authorized to cast the proxy. Registration must arrive prior to the start of the day of the election.

ARTICLE VII – Officers and Appointed Positions

1. Officers and members of the Board of Directors of this organization shall be active members in good standing for the calendar year, duly elected at the designated annual meeting in January of odd numbered years; their terms shall be for 2 years. Candidates for the officers are selected as outlined in Article VI of this document.

2. The President conducts all meetings of the corporation, represents the corporation in all functions of the corporation, and performs other duties as delineated in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

3. The Vice President serves in the absence of the President and performs any other duties as described in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines. In addition, the Vice President maintain the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines, or its named successor.

4. The Secretary maintains or causes to be maintained member records, all required regulatory documents, including minutes of meetings, and any other duties as described in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

5. The Treasurer maintains, or causes to be maintained, all financial records and any other duties as described in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

6. The Board of Directors will consist of three members: the President, coinciding with their two-year term, and two Members-at-Large elected by the general membership by a majority of the members present at the election of officers. The sitting Vice President and Secretary/Treasurer shall not be voting members of the Board of Directors, but will be required to report on their specific responsibilities. The Board of Directors' responsibilities include an annual review of governing SCARES documents to determine if updates are required, final approval of an annual budget, approval of club expenses, oversight of an annual audit of financial records by an independent auditor, and function as an appeals board in matters such as the removal of officers or suspension of members.

7. Presidential appointees are not officers of the corporation but serve a term as deemed necessary to fulfill the position that is described in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines. Appointed positions may be from the Communicator, Emergency Communicator, Junior, Auxiliary, or Life membership that are in

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good standing for the calendar year as described in the Sandoval County Amateur Radio Emergency Service Standard Operating Guidelines.

8. Removal of Officers:

A. Appointees serve at the pleasure of the President, and may be removed or dismissed at anytime by the President.

B. Elected officers, with the exception of the president, may be removed from office for cause by the unanimous decision of the Board of Directors. A written explanation must be sent to the person involved and the general membership within 30 days of the vote.

C. The President, or a member of the Board of Directors, may be removed from office for cause by a unanimous vote of the remaining board members and the Vice President. A written explanation must be sent to the person involved and the general membership within 30 days of the vote.

9. When an elected position is vacant the President, with the approval of the board of directors, can appoint a replacement to complete the term. If the President's position is vacant, the Vice President will assume the position of President, a special election will be held to fill the position of Vice President.

ARTICLE VIII – Amendments

These bylaws may be amended after ~~28~~ 30 day notice to the voting membership of the proposed changes and an affirmation by a 51% majority of those present at the meeting. The amendments become effective immediately.

ARTICLE IX – Dissolution

1. This corporation is dissolved if:

A. This corporation votes for dissolution of the corporation with a 2/3 majority of the voting members present or

B. This corporation fails to hold an annual meeting except during a declared emergency.

2. Upon dissolution the remaining funds after all debts are paid are to be distributed as follows: Upon dissolution of the corporation, assets shall be first distributed to Sandoval County Emergency Management or the City of Rio Rancho Emergency Management for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or if above named organization does not meet the legal requirements, shall be distributed to the nearest Amateur Radio club in Sandoval County for same above named purposes. Any such assets not so disposed of shall be disposed by a Court of Competent Jurisdiction in the county in which the

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principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine which are organized and operated exclusively for such purposes.

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The Original bylaws were adopted the 19th Day of November 2001.

Sandoval County Amateur Radio Emergency Service Rio Rancho, New Mexico

Original Address

Sandoval County Amateur Radio Emergency Service
PO Box 44875
Rio Rancho, NM 87124-4875

To all those whose presence be known that on this 19th Day of November at the announced meeting of Sandoval County Amateur Radio Emergency Service held at Rio Rancho, New Mexico the attached Bylaws of Sandoval County Amateur Radio Emergency Service, Incorporated and Articles of Incorporation of Sandoval County Amateur Radio Emergency Service, Incorporated were voted on and approved by the founding membership present as described in these bylaws.

Ray Raupp, President
Gary Bonebrake, Vice President
Kaye Sinclair, Secretary Treasurer
Attending Founding members as described in the bylaws are:
Ray Raupp
Gary Bonebrake
Kaye Sinclair
Alan Mattison
Bill Kauffman
Jean Schneider
Duane Schneider
Michael A. Scales
J.M. Dickerson
Donald Oppenheimer
Don Scott
Art Miller
John Price
Tom Anderson

First Amended, this 17th day of January, 2011 at a regularly scheduled meeting of the corporation.

Current Organization Address:

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Sandoval County Amateur Radio Emergency Service, Inc
7820 Enchanted Hills Blvd
Ste A
Box A-178
Rio Rancho, NM 87144

Secondly Amended, this 19th day of October, 2015 at a regularly scheduled meeting of the corporation.

Current Organization Address:
Sandoval County Amateur Radio Emergency Service, Inc
7820 Enchanted Hills Blvd
Ste A
Box A-178
Rio Rancho, NM 87144

Third Amended, this 15th day of April, 2019 at a regularly scheduled meeting of the corporation.

Current Organization Address:

Sandoval County Amateur Radio Emergency Service, Inc.
P.O. Box 44394
Rio Rancho, NM 87174-4394

Fourth Amended, this 18th day of April, 2022 at a regularly scheduled meeting of the corporation.

Current Organization Address:

Sandoval County Amateur Radio Emergency Service, Inc.
P.O. Box 44394
Rio Rancho, NM 87174-4394