

Constitution
of the Mountaineer Kennel Club, Inc.
approved May 2002

ARTICLE 1 - NAME AND OBJECTIVES

Section 1: The name of the Club shall be the Mountaineer Kennel Club, Inc.

Section 2: The objectives of the club shall be to:

- a: Further the advancement of all breeds of purebred dogs;
- b: do all in its power to protect and advance the interests of all breeds of purebred dogs and to encourage sportsmanlike competition at dog shows, obedience trials, agility trials, tracking tests, and field trials;
- c: conduct sanctioned matches, dog shows, obedience trials, agility trials, tracking tests and field trials under the rules of the American Kennel Club and;
- d: strive for better care and control of all dogs.

Section 3: The Club shall not be conducted or operated for profit, and no part of any profits or remainder or residue from dues or donations to the Club shall accrue to the benefit of any member of individual.

Section 4: The members of the Club shall adopt and may from time to time revise such bylaws as may be required to carry out these objects, subject to the approval of the Board of Directors of the American Kennel Club.

ARTICLE 1 - MEMBERSHIP

Section 1. Eligibility

There shall be two types of memberships:

- a) Regular membership is open to all persons 18 years and older 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 primary purpose is to be representative of the breeders and exhibitors in its immediate area;
- b) Junior membership - Junior members are entitled to all benefits of regular membership except that they cannot vote or hold office.

Section 2. Dues

Membership dues shall be recommended by the Board of Directors in the month of August each year. The Club membership must approve such recommendation by a majority vote of the members present at the August meeting or any special meeting called for this purpose. Dues shall be payable on or before the first day of October of each year. No member may vote whose dues are not paid for the current year. During the month of July, the Treasurer shall send to each member a statement of dues for the ensuing year.

Section 3. Election to Membership

- a. Each applicant for membership shall:
 - 1. Apply on a form as approved by the Board of Directors and shall provide that the applicant agrees to abide by the constitution, bylaws, and rules of the Mountaineer Kennel Club and the American Kennel Club;
 - 2. State name, address, and occupation of the applicant and obtain, on the application form, the endorsement of two members in good standing;
 - 3. File an application with the Secretary and submit dues payment for the current year;

4. Attend two regular Club meetings; and
 5. Not attend the business meeting at which their membership application is considered.
- b. The Board is to act upon each application at the first regular Board meeting after establishing the applicant's eligibility.
 - c. The application shall, at the next meeting of the Club upon recommendation of the Board of Directors, have the application voted upon. Affirmative votes of two-thirds of the members present and voting by secret ballot at that meeting shall be required to elect the applicant.

Section 4. Termination of membership.

Memberships may be terminated by:

- a. *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. Dues are a debt and become incurred on the first day of October.
- b. *Lapsing.* A membership will be considered lapsed and automatically terminated if such members dues remain unpaid ninety (90) days after the first day of October. However, the Board may grant an additional nine (90) days of grace to such delinquent members in meritorious cases. In no case may a person whose dues are unpaid as of the date of that meeting be entitled to vote at any Club meeting.
- c. *Expulsion.* A membership may be terminated by expulsion as provided in Article VI of these bylaws.

ARTICLE II - MEETING AND VOTING

Section 1. Club Meetings.

Meetings of the Club shall be held in the Greater City of Morgantown, West Virginia area during the third week of each month at such time and place as may be designated by the Board of Directors. Written notice of such meeting and its agenda shall be mailed by the Secretary at least ten (10) days prior to the date of the meetings. The quorum for such meeting shall be twenty (20) percent of the members in good standing.

Section 2. Special Club Meetings.

Special Club meetings may be called by the President or by a majority vote of the members of the Board who are present and voting at a regular or special meeting of the Board, and shall be called by the Secretary upon receipt of a petition signed by five members of the Club who are in good standing. Such Special meetings shall be held in the Greater city of Morgantown, WV area, 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 by the Secretary at least five (5) days and not more than fifteen (15) days prior to the date of the meeting, and said notice shall state the purpose of the meeting, and no other business may be transacted thereat. The quorum for such a meeting shall be twenty (20) percent of the members in good standing.

Section 3. Board Meetings.

Meetings of the Board of Directors shall be held at such place and date as designated for the monthly Club meetings (Section 1) but at sufficient time to conduct the Board's business prior to the Club meeting. Written notice of each such meeting shall be mailed by the Secretary at least five (5) 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 three (3) members of the Board. Such special meetings shall be held in the Great City of Morgantown, WV area at such place, date and hour as may be designated by the person authorized herein to call such a meeting. Written notice of such a meeting shall be mailed by the Secretary at least five (5) days, and not more than ten (10) days prior to the date of the meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted thereat. The quorum for such a meeting shall be a majority of the Board.

Section 5. Voting.

Each 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 (s)he 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 President, Vice-President, Secretary, Treasurer, and five (5) other persons all of whom shall be members in good standing and all of whom shall be elected for one year at the club's annual meeting as provided in Article IV. The outgoing President shall be appointed to the Board for a minimum of a one year term. Board members shall serve from January 1 through December 31. 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 of Directors and its meetings. All officers of the Club shall have signatory authority over any and all financial and official club documents.

a. The President shall preside at all meetings of the Club and of the Board of Directors and shall have the duties and powers normally appurtenant to the office of the President in addition to those particularly specified in these bylaws.

b. The Vice-President shall have duties and exercise the powers of the president in case of the President's death, absence or incapacity and shall assist the President as requested.

c. The Secretary shall keep a record of all meetings of the Club and of the Board of Directors and of all matters of which a record shall be ordered by the Club. The Secretary shall have charge of the correspondence, notify members of meetings, notify officers and Directors of the election to office, keep a roll of the members of the Club with their addresses, and shall perform other such duties as prescribed in these bylaws.

d. The Treasurer shall collect, disburse 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 of Directors 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. At the annual meeting an accounting shall be rendered of all moneys received and expended during the previous fiscal year.

e. The offices of the Secretary and Treasurer may be held by the same person, in which case the Board shall be comprised of the officers, excluding the AKC Delegate, and six (6) other persons.

f. The AKC Delegate is appointee by the Board at the December Board meeting during even numbered years. Any member of the Board may also serve as the AKC Delegate.

Section 3. Vacancies.

Any vacancies occurring on the Board or among the offices during the year shall be filled until the next annual election by a majority vote of all 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. The Club Year.

The Club's fiscal year shall begin on the first day of January and end on the thirty-first day of December.

Section 2. Annual Meeting.

The annual meeting shall be held in the month of November, at which time officers and Directors for the ensuing year shall be elected by secret, written ballot from among those nominated in accordance with Section 4 of the Article. They shall take office January 1 of the following year and each retiring officer shall turn over to the successor in office all properties and records relating to the office within thirty (30) days after the election.

Section 3. Elections.

The nominated candidate receiving the greatest number of votes for each office shall be declared elected. The nominated candidates for other positions on the Board who receive the greatest number of votes for such positions shall be declared elected.

Section 4. Nominations.

No person may be a candidate in a Club election who has not been nominated. During the month of July, the Board shall select a Nominating Committee consisting of three members and two alternates, not more than one of whom shall be a member of the Board. The Secretary shall immediately notify the Committee persons and said alternates of their selection. The Board shall name a Chairman for the Committee and it shall be such person's duty to call a meeting which shall be held on or before September first.

a. The Committee shall nominate one candidate for each office and the five other positions on the Board, and after securing the consent of each person so nominated shall immediately report their nominations to the Secretary in writing.

b. Upon receipt of the Nominating committee's report, the Secretary shall notify each member in writing of the candidates so nominated at least 2 weeks before the October meeting.

c. Additional nominations may be made at the October meeting by any member attending provided that the person so nominated does not decline when their name is proposed, and provided further if the proposed candidate is not in attendance at this

meeting, the proposer shall present to the Secretary a written statement from the proposed candidate signifying willingness to be a candidate. No person may be a candidate for more than one position except for the position Delegate.

d. Nominations cannot be made at the annual meeting or in any manner other than as provided in this Section.

ARTICLE V - COMMITTEES

Section 1. The Board may each appoint standing committees to advance the work of the Club in such matters as dog shows, obedience trials, trophies, annual prizes, membership and other fields which may 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.

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

ARTICLE VI - DISCIPLINE

Section 1. American Kennel Club Suspension.

Any member who is suspended from the privileges of the American Kennel Club automatically shall be suspended from the privileges of this Club for a like period.

Section 2. Charges.

Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10.00 which shall be forfeited if such charges are not sustained by the Board 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 the actions alleged in the charges, if proven, might constitute misconduct prejudicial to the best interest of the Club. It may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges, it shall fix a date of a hearing by the Board, not less than three weeks nor more than six weeks thereafter. The Secretary shall promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his own defense and bring witnesses if he 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 evidence and testimony presented by complainant and defendant, the Board may, by a majority of those present, 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 the punishment is 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 this fellow members at the ensuing club meeting which considers the Board's recommendation. Immediately after the Board has reached a decision, its finding 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 of the Article. Such proceedings may occur at a regular or special meeting of the club to be held within sixty (60) days but not earlier than thirty (30) days after the date of the Board's recommendation of expulsion. The defendant shall have the privilege of appearing in his own behalf, though no evidence should be taken at this meeting. The president shall read the charges and the Board's finding and recommendation, and shall invite the defendant if present, to speak in his own behalf if he wishes. The members shall then vote by secret ballot on the proposed expulsion. A two-thirds 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

Section 1. Amendments to the Constitution and bylaws must be proposed by the Board of Directors or by written petition addressed to the Secretary, signed by twenty (20) percent of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendation of the Board, by the Secretary for a vote 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 two-thirds vote of the members present and voting at any regular or special meeting called for the purpose. The proposed amendments shall be mailed to each member at least two weeks prior to the meeting at which it shall be discussed and shall be voted upon at the following meeting.

Section 3. No amendment to the Constitution or Bylaws that is adopted by the club shall become effective until it has been approved by the Board of Directors of the American Kennel Club.

ARTICLE VIII – DISSOLUTION

Section 1. The club may be dissolved at any time by written consent of not less than two-thirds of the members. In the even of the dissolution of the Club other than for purposes of reorganization, whether voluntary or involuntary or by operation of the 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 clubs, its proceeds and assets shall be given to a charitable organization for the benefit of dogs, 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 agenda may permit, shall be as follows:

- Roll Call
- Minutes of the last meeting
- Report of the President
- Report of the Secretary
- Report of the Treasurer

Reports of the committees
Election of Officers and Board (at the annual November meeting)
Election of New Members
Unfinished business
New Business
Report of the Ballot Committee
Adjournment

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

Roll Call
Minutes of the last meeting
Report of the Secretary
Report of the Treasurer
Reports of the committees
Unfinished business
New Business
Adjournment

ARTICLE X - PARLIAMENTARY AUTHORITY

Section 1. The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern the club in all cases 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.

Standing Rules

Audit: The Club's financial records are to be audited biannually, and an audit will occur in a year when the club changes Treasurers. (11/28/90)

Catalog Advertising: The Board of directors must approve all catalog advertising for the MKC Dog Show. (4/21/93)

Club Awards/Trophies: If a degree or title was earned after application for membership in the club has been accepted, the person should be awarded these trophies. (1/8/75) Any dog co-owned by a club member must reside with that member to be eligible for an award from the Club. The Club accepts foreign titles earned for awards. (1/25/78) The MKC Newsletter is considered the official publication of the club, and awards will only be given to members who report their wins and titles in the Newsletter. (5/20/81)

Club Material and Equipment: No one may use or borrow club materials without approval of a building committee member. Anyone borrowing equipment and materials from the club must return them in good repair. (6/16/93)

Committee Chair summary: Annually, at the regular November meeting, each committee chair shall provide the club Secretary with a written summary of activities normally conducted by the committee and a list of known activities for the coming year. The summary shall include, but not be limited to, a description of the activity, names, addresses and phone numbers of contacts, any

deadlines/target dates, and any other information that would be useful to an incoming chair should the chair position be vacated.

Committee Appointments for all committees except Show and Awards will be made by the Board of Directors by the January meeting. Awards and Show committees will be appointed by the Board of Directors by the August meeting.

Committee Expenses: All individual MKC Committees should have an annual budget submitted to the Board of Directors for approval prior to any commitment by the committee chairperson. All committees may spend up to \$50.00 per year without prior Board approval. (5/02)

Exhibiting Dogs in the MKC Dog Show and Trial: Show Committee Chairman and the Judging Coordinator shall not exhibit nor have a dog (co-)owned by them exhibited at the MKC's Dog Show and Obedience Trial. (5/02)

Junior Achievement Award: Any Junior who has attained the required number of first place wins to be eligible to show in Junior Showmanship at the Westminster Dog Show will be presented an award at the annual awards that year. (12/3/73)

Nominations: To be nominated as an officer or member of the Board of Directors, the nominee must have been a club member for at least one year. (7/20/93) A member may not be eligible for election to office if not in good standing. (11/19/76)

Outstanding Member: This award is to be given to the person or persons as an Outstanding Member of the Year. The candidate(s) for the award are to be nominated by all club members via a form appearing in the MKC Newsletter. The winner is selected by a special committee made up of Member of the Year winners for the past five years. (05/02)

Vacancies: A vacancy may exist when an officer or Board member is absent from three regular Board or three regular club meetings during the Club year. (9/9/76)