

DES MOINES BUCCANEERS HOCKEY BOOSTER CLUB BY-LAWS

Originally created September 15, 2006
Amendment I completed in September 2007
Amendment II completed on July 6, 2008
Amendment III completed on August 24, 2010

STATEMENT OF PURPOSE

*This organization shall be known as the **DES MOINES BUCCANEERS BOOSTER CLUB**, here in referred to as *Booster Club*. Its charter is to support the *Des Moines Buccaneers Hockey* program and promote community involvement, higher education and encourage sportsmanship.*

ARTICLE 1 OFFICES

Section 1. Offices: The principle office of the club shall be located in the State of Iowa.

ARTICLE II FISCAL & MEMBERSHIP YEAR

Section 1. Fiscal Year: The fiscal year of the club shall begin on the first day of October and end on the last day of September of the following year.

Section 2. Membership Year: The membership year of the club shall begin on the first day of October and end on the last day of September of the following year.

ARTICLE III MEMBERSHIP

Section 1. Class of Membership: The club shall have two classes of membership: Individual and Family

Section 2. Methods of becoming a member: Membership in the club shall be as follows:

- A. An Individual member is: One Person
- B. A Family membership shall include up to 2 adults and their children eighteen (18) years of age and younger.

Each class of member is required to register and initially apply in writing and pay the annual enrollment fee(s) as designated by the Des Moines Buccaneers Booster Club in order to become a member in the available, without regard to race, color, creed, sex, or national origin.

Section 3. Good Standings: In order to be in good standings each Individual and/or Family membership must have membership dues paid in full by October 1st or within 30 days of membership registration. Members in good standing shall abide by all rules and regulations of the club and have membership fees paid in full.

Section 4. Voting Rights: Each adult individual member in good standing shall be entitled to one vote on each matter submitted to a vote of the members.

Section 5. Status and Duration of Membership: Membership shall be effective from the first membership registration date until the last day of September during current membership year.

Section 6. Transfer of Membership: Membership in this club shall not be transferable or assignable.

ARTICLE IV MEETING OF MEMBERSHIP

Section 1. Annual Meeting: An annual meeting of the membership shall be held each year in August for the purpose of electing Board of Directors and for transaction of such business as may come before this meeting.

Section 2. Membership Meeting: It is the intent of these By-Laws, that membership meetings be held at least every month.

Section 3. Date, Time, and Place of Meeting: The Board of Directors shall designate the date, time, and place for any meeting of members.

Section 4. Quorum: A majority of the Board of Directors, which must include at least one of the following: President, 1st Vice President or 2nd Vice President, shall constitute a quorum for the transaction of business at any. If a quorum is not present, the meeting shall be adjourned

Section 5. Proxies: No member shall vote by proxy at any meeting.

ARTICLE V
BOARD OF DIRECTORS

Section 1. General Powers: The Board of Directors shall manage the business and affairs of the club.

Section 2. Officers: Officers of the club shall be President, the First Vice President, the Second Vice President, the Treasurer, the Secretary.

Section 3. Members Running for Board of Directors: No more than one immediate family member may run and hold a position on the Board of Directors. Each person can run for any office, however, may only be elected to one office.

Section 4. Qualifications: Any member in good standing is eligible to be nominated and elected to the Board or Directors.

Section 5. Election: At each annual meeting, the members of the club shall elect the President, the First Vice President, the Second Vice President, the Treasurer, the Secretary.

Section 6. Tenure: There is no limitation.

Section 7. Vacancies: Any vacancy occurred on the Board of Directors, shall be assumed by the Board of Directors, until a vote by the members can be held within the next 60 days to fill the vacancy.

Section 8. Nominations: Any member in good standing is eligible to nominate another member in good standing. Individuals being nominated must previously agree to their nomination. All nominations must come from the floor during the meeting in which the election of officer(s) is held.

Section 9. Compensation: No elected officer or member shall receive any compensation of any nature whatsoever for their services to the club. By action of the Board of Directors they may be reimbursed for actual out of pocket expenses incurred on behalf of the club.

ARTICLE VI
MEETINGS OF DIRECTORS

Section 1. Annual Meeting: A meeting of newly elected Board of Directors shall be held immediately following the annual meeting.

Section 2. Board Meetings: Board of Directors meetings may be called by or at the request of the President or any two (2) Directors. The person or persons authorized to call a meeting of the Board of Directors shall fix a date, time and place of such meeting and provide at least (2) days notice, if possible. Notice shall state the time, date and place of the meeting. Notice may be delivered orally, personally, or by mail to each Director.

Section 3. Purpose of the Meeting: Neither the business to be transacted at, or the purpose of any meeting of the Board of Directors, need be specified in notice of such meeting unless specifically required by the Iowa Nonprofit Corporation Act or these By-Laws.

Section 4. Quorum: A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. If a quorum is not present, the meeting shall be adjourned.

Section 5. Proxies: No Director shall vote by proxy at any meeting of the Board of Directors.

ARTICLE VII OFFICERS

Section 1. Officers: The officers of the club shall be President, the First Vice President, Second Vice President, the Treasurer, the Secretary. No person shall hold more than one (1) office. Duties of each officer are not limited to those described in this article. If, for any reason, an outgoing Board member is not able to perform this function, the Board of Directors will appoint a member at large (with experience) to help the elected Board member.

Section 2. Qualifications: Election, Tenure, and Vacancies. Qualifications, elections, tenure and vacancies in any office shall be handled in the manner provided in Section 4, 5, 6 and 7 of Article V of these By-Laws.

Section 3. President: The President shall be the principal executive officer of the club and shall, in general, supervise and control all of the business and affairs of the club, subject to the general powers of the Board of Directors. The President shall sign, with the Secretary of the club, any deeds, mortgages, bonds, contracts, leases, or other instruments authorized for execution by the Board of Directors. The President shall, in general, perform all duties, as may be prescribed by the Board of Directors from time to time. The President shall be an ex officio member of all standing committees. The President cannot vote on any issue except to break a tie.

Section 4. First Vice President: In the absence of the President, the First Vice President shall perform the duties of the President and, when so acting, shall have all the power of, and be subject to all of the restrictions upon the President. The First Vice President shall be responsible for the overall supervision and coordination of membership

registration, the enforcement of rules, and such other duties, as may be assigned by the President or Board of Directors

Section 5. Second Vice President: In the absence of the First Vice President, the Second Vice President shall perform the duties of the First Vice President and, when so acting, shall have all the power of, and be subject to all of the restrictions upon the First Vice President. The Second Vice President shall be responsible for Fundraising to support the Booster Club, Buccaneers Hockey, and USHL or such duties, as may be assigned by the President or the Board of Directors.

Section 6. Secretary: The Secretary shall be custodian of the clubs records. The Secretary shall keep minutes of the meetings of all members and the Board of Directors. The Secretary shall see that all notices are duly given in accordance with the provisions of these By-Laws. The Secretary shall keep a record of the names and addresses of the club membership. The Secretary shall sign, with the President, any deeds, mortgages, bonds, contracts, leases, or other instruments authorized for execution by the Board of Directors. The Secretary shall be, in general, perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or as may be prescribed by the Board of Directors from time to time.

Section 7. Treasurer: The Treasurer shall have charge and custody of, and be responsible for, all funds and securities of the club. The Treasurer shall receive and give receipts for all money in the account name of such banks, trust companies, or other depositories, as shall be selected by the Board of Directors. The Treasurer shall verify charges and expenditures and shall report to the membership at the annual meetings the financial position of the Booster club. The Treasurer, in general, shall perform all duties incident to the office of Treasurer and such other duties as may be assigned to the Treasurer by the Board of Directors from time to time.

ARTICLE VIII COMMITTEES

Section 1. Standing Committees: The Board of Directors shall create and dissolve standing committees, at their discretion, as needed.

Section 2. Rules: Each committee shall abide by the rules of the By-Laws of the Des Moines Buccaneers Booster Club.

ARTICLE IX CONTRACTS, DEPOSITS, CHECKS AND FUNDS

Section 1. Contracts: The Board of Directors may authorize any officer or officers, agent, or agents of the club. In addition to the officers so authorized by these By-Laws, to enter into any contract or execute and deliver an instrument in the name of

and/or on behalf of the club. Such authority may be general or confined to specific instances.

Section 2. Deposits: All funds of the club shall be deposited as soon as practical to the credit of the club in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 3. Checks, Drafts, and Orders: All checks, drafts, or orders for the payment of money, and all notes or other evidence of indebtedness, issued in the name of the club, shall be signed by 2 officers in such manner as shall be determined by the Board of Directors, by resolution, from time to time.

ARTICLE X BOOKS, RECORDS AND MINUTES

Section 1. Books, Records and Minutes: The club shall keep correct and complete books and records of the account and shall keep minutes of the proceedings of its members, Board of Directors and Committees.

Section 2. Custody: The Treasurer of the club shall have custody of the books and records of account of the club and the Secretary of the club shall have custody of the minutes of the club. The Board of Directors must surrender custody of these items immediately upon request.

Section 3. Access: Any member, or his agent, or attorney may request an inspection of any books, records, and minutes of the club via written request to the Board of Directors. Inspection can be requested for any proper purpose and at any reasonable time.

ARTICLE XI SEAL

Section 1. Seal: The club shall have no seal.

ARTICLE XII LIMITATIONS OF LIABILITY AND INDEMNITY

Section 1. Limitation of Liability: Except as otherwise provided by law, the members, directors, officers, and employees of the club shall not, as such be liable on its debts and obligations.

Section 2. Indemnity: The club shall, and does hereby, agree to indemnify and save harmless any director, officer, former director, former officer, or any person who is or has acted on behalf of the club at the request of its members, Board of Directors, or officers, from and against expenses actually and reasonably incurred by him in connection with the defense of any action, suit, or proceedings, civil, criminal, or administrative, in which he is made a party, except in relation to matters as to which he shall be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in office.

ARTICLE XIII WAIVER OF NOTICE

Section 1. Waiver of Notice: Whenever any notice is required to be given under the provisions of the Iowa Nonprofit Corporation Act or these by-laws, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated herein, shall be deemed equivalent to the giving of such notice.

ARTICLE XIV RULES OF CONSTRUCTION

Section 1. Gender: In constructing these By-Laws, feminine or neuter pronouns shall be substituted for those masculine in form, and visa versa, in any place in which the construction so requires.

ARTICLE XV

Upon dissolution of the Des Moines Buccaneers Booster Club remaining assets will be distributed to qualifying 501 3C organizations.

ARTICLE XVI AMENDMENT

Section 1. Method of Amendment: These by-laws or any section thereof may be amended or repealed by majority vote of the members present and voting at any meeting of the membership, a written notice of the proposed amendments must be mailed to each member, at least 5 days prior to the meeting.

Section 2. Effective Date of Amendments: Amendments, alterations or repeal of these by-laws shall be effective on the date of action thereon unless a different date is stated.

Section 3. By-Laws Review: the Board of Directors shall review these by-laws every two (2) years.

The voting officers and Directors of the Des Moines Buccaneers Booster Club have read these By-Laws, understand their contents, and agree to their purpose and intent.

Signed statement of same is filed with the State of Iowa and held in records of the Booster Club Secretary:

_____ Date: _____
Nancy Yeager, President

_____ Date: _____
Shelley Hobson, First Vice-President

_____ Date: _____
Laura Goedeke, Second Vice-President

_____ Date: _____
Alana Schares, Treasurer

_____ Date: _____
Jana Baker, Secretary

AMENDMENT I

The organization is organized exclusively for charitable, religious, educational, and/or scientific purposes under Internal Revenue Code section 501 (c) (3) or corresponding section of any future federal tax code.

No part of the organization's assets will inure to the benefit of any private individual. No substantial part of the activities may include carrying on propaganda or otherwise attempting to influence legislation [except as provided for in subsection 501 (h)], or participating in or intervening in (including the publishing or distribution of statements) any political campaign on behalf of (or in opposition to) any candidate for public office. The purposes may include the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon the dissolution of the organization, assets will distributed for one or more exempt purposes within the meaning of the Internal Revenue Code section 501 (c) (3), or corresponding section of any future federal tax code, or will be distributed to the federal government, or to a state of local government for a public purpose.

Amendment I was done in September 2007.

_____ Date: _____
Nancy Yeager, President

_____ Date: _____
Shelley Hobson, First Vice-President

_____ Date: _____
Laura Goedeke, Second Vice-President

_____ Date: _____
Alana Schares, Treasurer

_____ Date: _____
Jana Baker, Secretary

AMENDMENT II

ARTICLE IV MEETING OF MEMBERSHIP

Section 4. Quorum: A majority of the Board of Directors, which must include at least one of the following: President, Vice President shall constitute a quorum for the transaction of business at any. If a quorum is not present, the meeting shall be adjourned

Section 5. Proxies: No member shall vote by proxy at any meeting.

AMENDMENT III

ARTICLE V BOARD OF DIRECTORS

Section 2. Officers: Officers of the club shall be President, the Vice President, the Treasurer, the Secretary.

Section 6. Tenure: Officers (President, Vice President, Treasurer, Secretary) are one years terms. Board of Directors are two years terms.

AMENDMENT IV

ARTICLE VII OFFICERS

Section 1. Officers: The officers of the club shall be President, the Vice President, the Treasurer, the Secretary. No person shall hold more than one (1) office. Duties of each officer are not limited to those described in this article. If, for any reason, an outgoing Board member is not able to perform this function, the Board of Directors will appoint a member at large (with experience) to help the elected Board member.

Section 4. Vice President: In the absence of the President, Vice President shall perform the duties of the President and, when so acting, shall have all the power of, and be subject to all of the restrictions upon the President. The Vice President shall be responsible for the overall supervision and coordination of membership registration, the enforcement of rules, Fundraising to support the Booster Club, Buccaneers Hockey, and USHL, and such other duties, as may be assigned by the President or Board of Directors

Amendments II, III, IV were done on July 6th, 2008.

_____ Date: _____
Nancy Yeager, President

_____ Date: _____
Laura Goedeke, Vice-President

_____ Date: _____
Alana Schares, Treasurer

_____ Date: _____
Jana Baker, Secretary

_____ Date: _____
Dave Natale, Board of Directors

_____ Date: _____
Merri Lenz, Board of Directors

AMENDMENT V.

**ARTICLE IV.
MEETING OF MEMBERSHIP**

Section 2. Membership Meeting: It is the intent of these By-laws, that membership meetings/events be held at least every month.

AMENDMENT VI.

**ARTICLE V.
MEETING OF MEMBERSHIP**

Section 2. Officers: Officers of the club shall be President, the First Vice President, the Treasurer, and the Secretary.

Section 5. Election: Every two years, the members of the club shall elect the First Vice President. In the opposite year, members of the Board of Directors will be elected in to office. The Treasurer and Secretary will be nominated and voted upon yearly.

Section 6. Tenure: There will be a 2 year maximum term for Treasury and Secretary positions.

Section 8. Nominations: Any member in good standing is eligible to nominate another member in good standing. Individuals being nominated must previously agree to their nomination. All nominations must come from the floor the meeting prior to electing the officer(s). The election of officer(s) will use a ballot voting system and will be elected in the month of August. The officer(s) will take office in September.

Section 10. Board of Directors Tenure: The Board of Directors will consist of elected officers and 2 Board of Director members to be elected by the members of the Club.

AMENDMENT VII.

**ARTICLE VII.
OFFICERS**

Section 1. Officers: The officers of the club shall be President, the First Vice President, the Treasurer and the Secretary. No person shall hold more than one (1) office. Duties of each officer are not limited to those described in this article. If, for any reason,

an outgoing Board member is not able to perform this function, the Board of Directors will appoint a member at large (with experience) to help the elected Board member.

Section 6. Secretary: The Secretary shall be custodian of the clubs records. The Secretary shall keep minutes of the meetings of all members and the Board of Directors. The Secretary shall see that all notices are duly given in accordance with the provisions of these By-Laws. The Secretary shall keep a record of the names and addresses of the club membership. The Secretary shall be, in general, perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or as may be prescribed by the Board of Directors from time to time.

Section 8. Board of Directors: The member(s) of the Board of Directors shall bound by certain duties such as the duty to act within the scope of their authority and to exercise due care in the performance of their tasks. These duties will include the financial review of the Booster Club's documents at the end of the fiscal year and each member shall vote on any issue at large.

AMENDMENT VIII.

ARTICLE IX. CONTRACTS, DEPOSITS, CHECKS AND FUNDS

Section 3. Checks, Drafts, and Orders: All checks, drafts, or orders for the payment of money, and all notes or other evidence of indebtedness, issued in the name of the club, shall be signed by 1 officer in such manner as shall be determined by the Board of Directors, by resolution, from time to time.

Amendments V, VI, VII, VIII were completed on August 24th, 2010.

_____ Date: _____
Merri Lenz, President

_____ Date: _____
Lisa Wieland, Vice-President

_____ Date: _____
Alana Schares, Treasurer

_____ Date: _____
Open, Secretary

_____ Date: _____
Open, Board of Directors

_____ Date: _____
Nancy Yeager, Board of Directors