

CONSTITUTION AND BY-LAWS OF THE SIEBENBUERGER CLUB

ERIE, PA

ARTICLE A

Name of Society

The Society was incorporated as the “Erster Siebenbuerger Sachsen Gesang Und Kranken Unterstuetzung Verein.” The name of the club will be commonly referred to as the Siebenbuerger Club.

ARTICLE B

Divisions

The Siebenbuerger Club will consist of three Divisions: First, the Social Division; second, the Fraternal Division (referred to as the ATS); and third, the Ladies Auxiliary Division. The fraternal and ladies auxiliary divisions will maintain their own membership, collect their own dues/initiation fees and adopt and maintain their own constitution and by-laws. The Social division will be referred to as The Siebenbuerger Club

I. Social Division (SIEBENBUERGER CLUB)

Article I

Purpose

The purpose of The Siebenbuerger Club is to promote good fellowship and citizenship.

Article II

Membership

Paragraph I. There will two kinds of membership to the Siebenbuerger Club’s social division: **Active members** (those who have twenty four years or less continuous membership) and **life members** (those who have twenty five years or more of continuous membership). Life membership at the Siebenbuerger Club will be discontinued starting with those members who joined in 1993; leaving those members who joined in 1992 as the final class of life members. All members in good standing will have all rights of membership including the right to attend General Membership meetings and vote.

Paragraph II. Those who desire to become a member of the Siebenbuerger Club must be of legal age, legibly complete an application and be sponsored by a member in good standing.

Paragraph III. Membership Applications may be taken from the club premises; however they must be signed and returned to the premises by the prospective member's sponsor. The application must be accompanied by dues and initiation fees as set forth in Article III Paragraph I.

Paragraph IV. All members must abide by the By-Laws and Rules of the Siebenbuerger Club. All members must have their membership card on their person at all times. Copies of the rules and by-laws will be available upon request.

Article III

Initiation Fees and Dues

Paragraph I. Candidates for membership, who desire to join the Social Division, must pay an initiation fee and dues to the Siebenbuerger Club, the amount of which will be determined by the Board of Directors of the Siebenbuerger Club. All others must pay such fees and dues as are determined by the Siebenbuerger Club Board Members.

Paragraph II. If dues are not paid by December 31 of each calendar year, the member is classified as delinquent, with no privileges except that of reinstatement in the club by payment of dues and a reinstatement fee as set forth by the Board of Directors. If a member does not pay dues within a length of time established by the board of Directors, they will be dropped from membership.

Paragraph III. Members actively serving in any branch of the Armed Forces of the United States will notify the Financial Secretary. Their membership and seniority will continue while they are in active service. After separation, they will have one year to comply with current dues and regulation.

Article IV

General Membership Meetings

Paragraph I. The annual meeting will be held at April's general membership meeting.

Paragraph II. Regular General Membership Meetings will be held on the first Tuesday of each month, and posted in the club premises. Should other events preclude the above, the President has the authority to change the date or time and must notify the membership of any changes. Only members in good standing and candidates for membership may attend the General Membership meeting, unless approved by the president. No member may leave a general meeting unless excused by the President.

Paragraph III. **Special meetings** may be called only by the President and the only business which can be transacted at special meetings is that which is set forth in the call of the meeting. Members must be notified.

Paragraph IV. A quorum for the board to conduct business during a General Membership Meeting will consist of eleven members in good standing, not including the sitting Officers and Directors of the club.

Article V

Officers

Paragraph I. Any member, who can meet the qualifications, may run for office. The Siebenbuerger Club Board Members and Candidates must be citizens of the United States, have never committed a felony and can meet the requirements of the Pennsylvania Liquor Control Board concerning board participation. Positions for Siebenbuerger Club Officers (President, Vice President, Recording Secretary, Financial Secretary and Treasurer) can only be filled by an experienced board member, auditor or inner guard. If any officer position cannot be filled with the qualification of having held office as stated above, any member of the club may run for that office if they have the appropriate number of cards as defined for that position.

1. The President and Vice President must have ten (10) consecutive membership cards in the Siebenbuerger Club preceding the elections.
2. The Recording Secretary, Financial Secretary and Treasurer must have seven (7) consecutive membership cards in the Siebenbuerger Club preceding the elections.
3. The five (5) directors must have five (5) consecutive membership cards in the Siebenbuerger Club preceding the elections
4. The three (3) auditors must have three (3) consecutive membership cards in the Siebenbuerger Club preceding the elections

None of the above officers may at any time be an employee of the Siebenbuerger Club.

Article VI

Election of Officers and Directors

Paragraph I. Board members will be elected on a day no more than 30 days after the first Tuesday in March and will be installed in their respective offices at the next General Meeting. The election time will be from 12:00pm until 5:00pm. In the event that a proper voting machine is not available, voting will be done by paper ballot, by a system that has been devised.

Paragraph II. Petitions for Board of Directors will be available the first two full weeks in February. All candidates will have two weeks to circulate and present their petition before the nominating meeting. All candidates must submit twenty-five signatures from members in good standing. Candidates may run for no more than one office at a time. The nomination meeting will take place after March's General Membership meeting. If a candidate cannot attend the nomination meeting, a letter of intent must be submitted to the board prior to the nomination meeting. Club elections will be held on a day no more than 30 days after March's General Membership meeting and candidates will be installed in their respective offices at the next General Meeting. The yearly election date can fluctuate due to religious or federal holidays. The exact date will be determined by the Board of Directors

Paragraph III. Before the election, the President will appoint five non-board members to be judges of the election.

Paragraph IV. If a vacancy occurs in any office, this vacancy will be filled by appointment of the Board of Directors until the next annual elections. In the event of a vacancy in the office of President, the Vice-President will assume the remainder of the President's term. In the event of an

emergency, a special meeting may be called by the President for the purpose of filling a vacant office. If any board member does not participate in club sanctioned functions and board meetings, their position on the board may be terminated.

- The term for President and Financial Secretary will be for two years and will be elected on the odd numbered years.
- The term for Vice-President and Recording Secretary will be for two years and will be elected on the even numbered years.
- The term of office of the Treasurer will be for one term.
- The term of office of four of five of the Directors will be for two years, and one for one year. The term of office will be staggered so that at each annual election three of those nominated will be elected; the two receiving the highest number of votes will be elected for two years and the one receiving the third highest number of votes will be elected for one year.
- The term of office for the Auditors will be for three years; their term of office will be so staggered that at each annual election one person will be elected.
- The term of office for the Inner Guard will be for two years.
- The position of Inner Guard is a ceremonial position and will be filled by Board of Director vote. Members who wish to be considered for this position, should a vacancy occur, should make their wishes be known to the President of the Board of Directors.

Article VII

Powers and Duties of Officers

Paragraph I. The President will preside at all meetings and see that the Constitution and by-laws are strictly complied with and that all business is conducted orderly and properly. The President will see that all officers fulfill their duties properly. The President will have the power to appoint committee members.

Paragraph II. The duties of the Vice-President will be to advise and support the President in performing his duties; and in the absence of the President, the Vice-President will fulfill the President's duties. The Vice President will assume the office of President should the standing president relinquish their position.

Paragraph III. The duties of the Recording Secretary will be to record unbiased minutes of all meetings and read the same at the next meeting; and to take care of the correspondence of the Siebenbuerger Club.

Paragraph IV. The duties of the Financial Secretary will consist of recording all dues and initiation fees and keeping an accurate record of the membership. Upon leaving office, the Financial Secretary will surrender all records (in good order) to the successor.

Paragraph V. The duties of the Treasurer will be responsible for the club's assets. The Treasurer will keep full, true and accurate records of all monies and financial property of the Siebenbuerger Club. Monthly, all books will be submitted to the Auditing committee, together with all the other books pertaining to finances, which they may request. All books and records must remain on the club premises. Upon leaving office, the Treasurer will surrender all records (in good order) to the successor.

Paragraph VI. The Board of Directors will consist of the President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, and the five (5) Directors. They are obligated to hold regular business meetings and carefully supervise all the property of the Siebenbuerger Club, to conduct all the business and to see that all monies are deposited in a bank named by the Siebenbuerger Club. The Board of Directors will determine the wages of all employees.

Paragraph VII. No committee will have the authority to make any contract or spend more than \$1,000.00 for any single purpose without the approval of the Board of Directors, and the Board will not enter into any contract or spend more than \$20,000.00 for any single purpose without securing the approval of the members at a regular general meeting or at a special meeting called for that purpose. Any contract involving the expenditure of \$2,500.00 or more will not be entered into without securing more than one bid, (three, if possible).

Paragraph VIII. The Auditing committee is obligated to examine the books of the Treasurer, on which they will make a monthly report. The Treasurer will be present at auditing sessions, if requested by the Auditors.

Paragraph IX. The Inner Guard will make sure that only members attend meetings by checking their membership cards.

Paragraph X. All Board Members are required to participate in club sponsored functions. A valid reason for non-participation must be provided to the President to receive an excused absence.

Article VIII

Suspension and Expulsion

Paragraph I. Any member may be suspended or expelled from the Siebenbuerger Club. The Board of Directors will have the power to suspend any member during which time the Directors will decide, by majority vote, if any further action should be taken.

Paragraph II. The Board of Arbitrators will consist of five (5) club members in good standing preferably a sitting board member, auditor, past officer or board director. The Board President will appoint the Board of Arbitrators.

Paragraph III. No member may be called for investigation until a written complaint, signed by the person making the complaint, has been delivered to the President. When this has been done, the investigation of the complaint will be turned over to the Board of Arbitrators, which will submit an impartial decision to the Board of Directors as soon as possible. The Directors will then decide, by majority vote, if further action should be taken.

Paragraph IV. No member will be officially suspended until an investigation has been completed and a decision is rendered by the Board of Directors. The Board will have the right to temporarily suspend a member if there might be a health and safety issue the membership, their guests and property.

Article IX

Property of the Siebenbuerger Club

Paragraph I. The Siebenbuerger Club will have sole charge over its own income and disbursements.

Article X

Paragraph I. As long as nine (9) members in good standing desire to continue, the Siebenbuerger Club cannot be dissolved.

Paragraph II. If the Siebenbuerger Club should be dissolved, its property will be turned over to the Fraternal Division.

Article XI

Paragraph I. These by-laws form the law of the Siebenbuerger Club in Erie, Pa., but the membership may vote to amend the same upon presentation at a General Membership Meeting or Special Meeting and then presented at the two (2) following meetings. The by-laws amendment will be voted upon at the General Membership or Special meeting following the third reading.

Paragraph II. A by-law can be suspended on special occasions by a two-thirds vote of the members present, with the exception of Articles A, B.2, 10, and 11.

Order of Business of Regular Meetings

1. Opening of meeting
2. Roll call of officers
3. Reading of minutes of last meeting
4. Report of Treasurer
5. Report of Financial Secretary
6. Auditor's report
7. Correspondence
8. Unfinished Business
9. New Business
10. Report on New Candidates and Voting on the Same
11. Initiation of New Candidates
12. Good and welfare of the Siebenbuerger Club
13. Adjourn

Rules of Order

1. After the President has called the members to order, the members will quietly take their place.
2. Should a member wish to speak the member must ask the President for permission. The speaker must confine themselves to the subject.
3. No member will speak more than once on a subject, until after all others who desire to speak have done so and then not more than three times and not longer than five (5) minutes. No member will be interrupted while speaking except to be called to order or called for clarification.
4. The members will conduct themselves, during the meeting, with care and good conduct.
5. All meetings will be conducted according to *Robert's Rules of Order*.

Initiation of New Members

Do you promise, in the presence of the Officers and Members, to acknowledge the Constitution and by-laws of The Siebenbuerger Club? If so, say "I do". Officers and members, you have heard the declaration of the candidates – please welcome them.

RULES FOR ELECTION DAY

Election Day will be governed by the Judges of the Election. They will perform their roles without member intimidation. Board members cannot make decisions concerning the election process on Election Day.

Before Election Day:

1. Campaigning should be limited to cordial conversation. No pre-Election Day reminder slips and literature left inside the club, randomly placed in the dining and bar room areas.
2. Candidates are encouraged to participate in Friday Night Tip Sales, Membership Appreciation Day/Nights and other club functions.

On Election Day:

1. Candidates and their supporters (including club employees) will limit campaigning to outside the confines of the club. In case of inclement weather, they will be able to stand inside the club in the main lobby. No campaigning will be allowed inside the confines of the club: the area beyond the door that requires a keycard or membership card to enter)
2. No candidate representative will campaign inside the club. Any member (active, life, auxiliary) disregarding this rule will be asked to leave the confines of the club for the day.
3. Candidates will not enter the club from 12:00pm – 5:00pm on Election Day (except time it takes to vote). They will have refreshments in the outer offices and can use the restroom facilities upstairs on the 2nd floor
4. Candidates will clean the club of all campaigning literature and/or signage after the election is concluded
5. All campaigning literature will be positive and tasteful; objectionable materials will be collected and destroyed
6. Any member breaking the rules of election will face possible suspension or expulsion.

INSTALLATION OF OFFICERS

(Installing Officer addressing all present)

The duty devolves upon me to lift the burden of office from those who have borne it during the past year and to transfer to their successors the responsibility incident to the administration of the affairs of this Siebenbuerger Club. The retiring officers deserve the gratitude of all the members for the successful way in which they have handled the proceedings of the Siebenbuerger Club and we hope that they will continue to foster by word and deed and increasing interest their activity in the work in which our Siebenbuerger Club is engaged.

(To the Retiring President)

Though you are retiring from this office the importance of your continued interest in the affairs of your Siebenbuerger Club cannot be too strongly emphasized. The fact that you have held the high office of President marks you as one of the Siebenbuerger Club's most valuable members and your experience and matured knowledge should always be available.

(To All Who Have Been Elected Officers)

Do you each accept the office for which you have been chosen? All reply, "I do."

(Installing Officer)

Each of you, place your right hand over your left breast and repeat after me: "In the presence of the members of the Siebenbuerger Club, I promise to perform the duties of the office for which I have been chosen to the best of my ability and to abide by the constitution, by-laws and regulations of this society."

(To the Vice President)

You have been chosen to this high office on account of your ability. It is your duty as Vice President to assist the President in every case in which your assistance is needed and required.

(To the Financial Secretary)

Be assured that in performance of your duties, you must be accurate and careful at all times, diligent and prompt.

(To the Treasurer)

Let me emphasize the necessity of caution and care in your handling of the funds of this Society. Make sure that its financial structure is always intact.

(To the Directors)

You will use the utmost prudence and good judgment in your attendance to the welfare, finances and property of this Society. Be diligent in performing your responsible trust.

(To the Auditing Committee)

You perform one of the most important duties relating to our society. In your hands is placed the safeguarding of the financial wealth of our society. You must perform your duties with care and caution, and be resolute in reporting without fear or favor all that you may find as the truth.

(To the Inner Guard)

You have a very responsible position. See that none enter who are not entitled to attend the deliberations.

(To the President)

You have been accorded the highest honor within the power of the membership of this Society to bestow upon one of its Members. That is evidence of their confidence in your qualities of leadership and your faithful adherence to the principles of our Society. I am certain that their confidence has not been misplaced. In the year to come all may not be plain sailing but in guiding the affairs of this Society you must be like the Able Mariner who steers his vessel as calmly in storm as in fair weather. You are governed by the charter, constitution and by-laws of this Society. I now present you this gavel as an indication of the rights, privileges, duties and obligations which are imposed upon you. This you will consider a sacred trust. Guard this gavel as evidence of the trust reposed in you and transmit it to your successor as your most precious possession. I am confident that under your administration this Society will grow and prosper. You will use this gavel with firmness and decision and always with consideration of what is best for the interests of this Society. May you be guided by wisdom and discretion.

(Installing Officer)

In the name of the members of the Siebenbuerger Club, I do hereby proclaim and declare the officers of the Siebenbuerger Club duly installed.