

NCABANA By-Laws

ARTICLE I: Name and Purpose

The name of this association shall be the NORTH CAROLINA CHAPTER OF ARTIST BLACKSMITH'S ASSOCIATION OF NORTH AMERICA, here forth referred to as NCABANA. NCABANA is a non-profit voluntary membership association of individuals interested in Blacksmithing.

NCABANA is organized exclusively for artistic and educational purposes (within the meaning of the term "artistic" and "educational" as used in section 501(c)(3) of the Internal Revenue Code). NCABANA will support activities such as the following: encourage and facilitate the establishment of training programs for blacksmiths; disseminate information about sources of materials and equipment; serve as a source of information among blacksmiths; to maintain and improve communications among blacksmiths of professional, amateur, teacher, and student status; encourage higher standards of craftsmanship and design among smiths; conduct workshops and provide instruction by knowledgeable and experienced smiths; marketing and to foster friendly relations among practitioners of the art by means of periodic meetings and other modes of communication.

The principal office of the NCABANA shall be at the home of the NCABANA President. The Board of Directors shall have the power and authority to establish or make a change of office to another location.

ARTICLE II: Elected Officers

The elected officers of NCABANA shall be President, Vice-president, Secretary and Treasurer. These officers will function as the Executive Committee. They shall be elected for a term of two years. Executive Committee shall serve without salary. Executive Committee are expected to attend all chapter meetings and be available to action NCABANA related matters. The travel expenses and other expenses incurred by the Executive Committee acting in their official capacity must be approved by a majority vote by the Board of Directors. Within NCABANA, the interpretation of the NCABANA By-Laws together with any rules of NCABANA shall rest with the consensus decision of the Executive Committee. They shall have further duties as prescribed below.

Nominations for elected officers will be open during the 2nd and 3rd quarter meeting of each year. Candidates for office must be a member in good standing for at least two consecutive years prior to the nomination and a resident of North Carolina. Voting shall be held by secret ballot. Ballots will be mailed to the members by the Secretary after the nominations are closed. The results shall be opened and counted by a committee of three appointed by the President. Counting shall be done at the 4th quarter meeting. In case of uncontested elections, the President has the power to dispense with the mailing of ballots.

In the event that quarterly meetings are canceled for any reason the Secretary shall solicit nominations by mail for the open positions of the executive committee. All nominations by mail must receive two nominations, a primary and a secondary, to be placed for consideration by the membership. If multiple nominations for any position are received the Secretary shall conduct mail in balloting as prescribed in paragraph 2 above.

The elected officers shall take office in January.

There shall be no limit to the terms of office that the officers may hold.

Vacancy in any office because of death, resignation or other cause may be filled by a majority vote by the Board of Directors for the unexpired term.

Elected officers may be removed from office by a 2/3 majority vote by the Board of Directors.

Section I: Power and Duties of Executive Committee

PRESIDENT

The President shall be the principal executive officer of NCABANA and shall, in general, supervise and control all the business of NCABANA. The President is to be responsible for planning and executing the programs for the organization. The President shall preside at all meetings of the Board of Directors. The President shall preside at all meeting held by the membership of NCABANA. The President shall have the power to appoint any committee or individual he/she deems necessary for the proper functioning of the organization. Any additional duties or responsibility that may arise from time to time shall fall under the responsibility of the President, unless expressly assigned to other officers by these by-laws. The President shall have the power to authorize any payment for any proper NCABANA purposes up to \$500. Payments over \$500 require approval of two-thirds of the Board of Directors. President is responsible for the newsletter which should be sent out at least two weeks prior to the scheduled meeting. The President may delegate any responsibility at his/her discretion.

VICE-PRESIDENT

In the absence of the President, or in the event of the inability or refusal to act by the President, the Vice-president shall perform the duties of the President. The Vice-president will oversee Iron-in the Hat at chapter meetings.

SECRETARY

The Secretary shall maintain minutes of all meetings, record all decisions made by Board of Directors and Executive Committee. These shall be kept as a permanent record of NCABANA. The Secretary shall be the custodian of all NCABANA records. The Secretary shall handle all official correspondence for NCABANA. The Secretary shall keep a current membership list with names, address, phone number and e-mail contacts.

TREASURER

The Treasurer shall have custody of and be responsible for all funds and securities of NCABANA, shall receive and give receipts for monies due and available to NCABANA from any source whatsoever, and shall deposit all such monies in the name of NCABANA in such banks, trust companies or other depositories as are selected by the Board of Directors. The Treasurer shall use good accounting practices to keep financial records in such a way as to provide for a complete audit

if deemed necessary. The Treasurer shall provide quarterly financial updates to the Board of Directors. The Treasurer disperses funds for expenses authorized by the President. The Treasurer shall further have the authority, on his/her own motion, to disburse funds in the usual and normal course of business up to \$150. The Treasurer may prepare an annual budget. The Board of Directors can approve this annual budget and allow the Treasurer to make payments in the budget without further approval.

ARTICLE III: Board of Directors

GENERAL POWERS

The business and affairs of NCABANA shall be managed by its Board of Directors, with the exception of specific powers assigned to the Executive Committee.

NUMBER, TENURE, DUTIES AND QUALIFICATIONS

The Board of Directors shall consist of the Executive Committee and members representing local area groups. Local area groups should nominate their representative to serve on the board for a period of two years. Nominees to the board will be reviewed and accepted by the Executive Committee.

An individual may be removed from the Board by a 2/3 majority vote from the Board of Directors.

In addition, the Executive Committee may appoint ex-officio and/or advisory members to the Board of Directors. These appointed members shall have no vote.

Board members must be a member in good standing and a resident of North Carolina.

Board members are expected to attend all Board Meetings and act in the best interest of the local groups they represent. If a board member misses more than two consecutive meetings, without a prior excuse or sending an appropriate proxy, they may be excused from the Board following the proper 2/3 majority voting process.

MEETINGS

ROBERT'S RULES OF ORDER shall govern the conduct of all meetings. All members of the Board are expected to be familiar with the proper use of these rules.

An annual meeting of the Board of Directors shall be held. Special meetings of the Board of Directors may be called by or at the request of the President. Notice for

meetings of the Board of Directors shall be given at least one week before the time fixed for the meeting by word of mouth, telephone, or written notice to each member of the Board of Directors. A Board of Director member may waive notice of any meeting.

A 2/3 majority of the Board of Directors shall constitute a quorum. The act of the quorum shall be the act of the Board of Directors. If less than quorum is present, the meeting is adjourned.

The Board of Directors shall serve without salary.

The travel expenses and other expenses incurred by the Board of Directors acting in their official capacity must be approved by a majority vote by the Board of Directors.

Any action required by law to be taken by the Directors, may be taken without a meeting at the discretion of the President.

ARTICLE IV: Fiscal Policy

FISCAL YEAR

The fiscal year of NCABANA shall be from January 1st to December 31st of the same year.

DISBURSEMENT

No part of the net earnings of NCABANA shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that NCABANA 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 object and purpose clause hereof. No substantial part of the activities of NCABANA shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and NCABANA shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, NCABANA shall not carry on any other activities not permitted to be carried on (a) by an organization exempted from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

DISSOLUTION

Upon dissolution of NCABANA the assets shall be distributed 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 shall be distributed to the federal government, or to a state or local government. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of NCABANA 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.

ARTICLE V: Membership

To be eligible for membership in NCABANA the applicant shall be eighteen years of age, of good character and shall express an interest in Blacksmithing and supporting the objectives of NCABANA. Persons under the age of eighteen years of age may become a member of NCABANA when sponsored by an active member. They must be accompanied by a parent/guardian to the meetings. Membership eligibility shall be maintained only if annual dues are paid in a timely fashion.

Members who pay their dues up to 5 months late will keep their original membership date after six months late their membership will start over.

Annual membership dues shall be set by the Board of Directors.

In the event the conduct of a member becomes unsafe or obnoxious to the extent that their further presence is undesirable, it shall be the duty of the Elected Officials to inform the member of the conduct objected to, and to notify the member that they stand to be expelled from NCABANA. Obnoxious conduct shall not be charged on mere whim or on personal taste or bias; but on conduct which by common standards of courtesy and decency can be considered outrageous. The decision to expel a member under this article shall require unanimous agreement of all members of the Board of Directors.

Any person who has contributed to the advancement of blacksmithing and has given excessively of his/her time and talents to the advancement of blacksmithing in NCABANA may be made an Honorary Life Member by a unanimous vote of the Board of Directors. Honorary Life Members shall be entitled to all privileges as a member but is exempt from payment of dues.

ARTICLE VI Local and Student Groups

Local Groups would operate so that members may learn and teach within a region of North Carolina. Any group of NCABANA members may ask the Board of Directors to establish them as a Local Group. The Board of Directors will then review the request and act on the establishment of the group. Local Groups are allowed to nominate their representative to the board once they have maintained an attendance of at least six chapter members for a period of six months.

Student Groups are intended to be formed so that younger people can have an opportunity learn about blacksmithing. Any group of students may ask the Board of Directors to establish a Student Group on their behalf. Each Student Group will have sponsor. The sponsor is required to be member in good standing of NCABANA and will represent the student group on the Board of Directors. Student members will be welcomed and encouraged to attend NCABANA meetings. Individuals in Student Groups will not receive their own copy of the dv_720_newsletter by mail and have no voting privileges. Student Groups will receive two copies of the printed dv_720_newsletter, one for the club to be shared and one for school library.

Local and Student Groups under the NCABANA organization must adhere to all NCABANA By-Laws. Local and Student Groups will allow any NCABANA member to attend their meetings and may invite non-members for recruitment as potential members. Meeting schedules will be submitted and published by NCABANA. Local and Student Groups should maintain a list of their members and are expected to provide regular reports to NCABANA for publication.

ARTICLE VII: CONFLICT OF INTEREST/EQUAL OPPORTUNITY

The members of the Board of Directors and employees of the NCABANA shall avoid conflicts of interest and any conduct which may suggest the appearance of impropriety in financial disbursement. If a potential conflict of interest arises, the Board member or employee shall not vote on nor participate in the solicitation, negotiation, formation, award, arbitration, modification, or settlement of any contract or grant involving any funds or any dispute arising under such contract or grant when the Board member or management employee stands to benefit, either directly or indirectly, from such contract or grant. All Board members and employees shall be informed of this policy.

NCABANA strictly prohibits discrimination in participation, educational programs, and activities on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference.

Any member found by the Board of Directors to be in violation of Article VII will be immediately dismissed from the organization.

ARTICLE VIII: REVISION/AMENDMENTS TO THE BY- LAWS

The NCABANA By-Laws will be reviewed at least every 5 years and revised as needed.

These by-laws may be altered, amended, revised, or repealed and new by-laws may be adopted by approval of all members of the Board of Directors. This may be done at any regular meeting of the Board of Directors.

REVISION HISTORY

The NORTH CAROLINA CHAPTER OF ARTIST BLACKSMITH'S ASSOCIATION OF NORTH AMERICA By-Laws are hereby restated and amended by way of resolution. All former By-Laws are hereby rescinded in their entirety.

Original By-laws: June 4, 1983 by the Board of Directors made up of:
Wallace D. Taylor, President
Robert E. Timberlake, Vice-President
Don Dillon, Secretary
Ron White, Treasurer

Amended August 11, 1996 by the Board of Directors made up of:
Tal Harris, President
Max Gray, Vice-president
Bert Smith, Secretary
Jimmy Alexander, Treasurer

Amended September 12, 2011 by the Board of Directors made up of:

Cindy Alexander, President
Garrett Dunn, Vice President
Marty Lyon, Secretary
Jim Kennady, Treasurer
Marshall Swaringen
Steve Barringer
Randy Stoltz
Paul Garrett
Don Dillon
Lyle Wheeler

Amended June 26, 2014 by the Board of Directors made up of:

Lyle Wheeler, President
Garret Dunn, Vice President
Jennifer Phillips, Secretary
Jim Kennady, Treasurer
Marshall Swaringen
Steve Barringer
Randy Stoltz
Paul Garrett
John Matthews

Amended February 12, 2022 by the Board of Directors made up of:

Lyle Wheeler, President
Jennette Low, Vice President
Brian Lasley, Secretary
John Fluke, Treasurer
Matt Baity
Steve Barringer
Brandon Willson
Paul Garrett
Jim (Jeep) Sabo