

# CONSTITUTION

## ARTICLE I NAME, LOCATION, AND AUTHORITY

SECTION 1: The name of the club shall be the "Patch Ski Club" (hereafter also known as the PSC or the Club) and it shall be located in Stuttgart-Vaihingen, Germany.

SECTION 2: This organization is established pursuant to DoD Instruction 1000.15, Army Regulation (AR) 210-22 and USAREUR Private Organizations (PO) and Fundraising Policy.

SECTION 3: This Club shall meet at Patch Barracks, Stuttgart-Vaihingen, Germany. The organization shall operate under the jurisdiction of the Commander, 6th Area Support Group, ATTN: AESG-CA-PO, CMR 423, APO 09107, hereafter referred to as the approving authority.

SECTION 4: The organization operates and exists on a military installation only with the consent of the installation Commander.

SECTION 5: This organization is aware the continued support by USAREUR is contingent upon the accomplishment of the regulatory required administration by the organization. Failure to comply will result in dissolution of the private organization.

SECTION 6: The Patch Ski Club:

- a. Is not an instrumentality of the U.S., will be self-sustaining, and may not receive financial assistance from the Department of the Army (DA) or any Non-Appropriated Fund (NAF) activity.
- b. Will not duplicate or compete with a NAF or Appropriated Fund (AF) operation.
- c. Members, according to Host Nation (HN) laws, may be personally liable to creditors if the assets of the PO are insufficient to discharge liabilities.
- d. Understands neither the DA nor USAREUR will assume any responsibility for its debts.
- e. Is aware of the USAREUR policies on equal opportunity and will adhere to and enforce these policies.
- f. Understands neither the installation nor the Government will have any liability for the organization's actions or debts.
- g. Agrees to reimburse the Army for utility expenses, unless use is incidental.
- h. Will neither propagate extremist activities, advocate violence against others, or the violent overthrow of the Government.
- i. Will not seek to deprive individuals of their civil rights.

SECTION 7: All members are required to read the Constitution and Bylaws on joining the Club.

SECTION 8: The Club's year is structured as follows:

- a. The membership year runs annually from 1 September through 31 August.
- b. The fiscal year runs annually from 1 July through 30 June.
- c. The Board of Directors (hereafter also known as the BOD) tenure year runs annually from 1 May through 30 April, except the Business Manager continues in office until the turnover audit is complete.

## ARTICLE II PURPOSE

SECTION 1: The purpose of the PSC is to provide a medium for the conduct of recreational, educational, and social activities for the members on a group basis. Individual members have no proprietary interests in the Club but will derive benefits exclusively by participating in the Club activities.

SECTION 2: This organization does not engage in activities that compete with those of any AF or NAF activity.

## ARTICLE III ACTIVITIES

SECTION 1: General membership meetings will be held on a bi-weekly basis beginning in September of each year and continuing through April of the following year. The President may call special meetings.

## ARTICLE IV MEMBERSHIP

SECTION 1: Membership in the PSC must consist of a majority of U.S. Forces personnel [i.e., civilian or military and their dependents (as defined in para 1(a), (b), and (c), art 1, North Atlantic Treaty Organization Status of Forces Agreement (NATO SOFA))]. Courtesy memberships may be extended to persons at the discretion of the BOD.

SECTION 2: This organization fully supports the USAREUR policy on equal opportunity and will not discriminate in membership eligibility on the basis of race, color, religion, national origin, sex, or mental or physical handicap. This organization will not accept invitations from or participate in any activity or organization that does not conform to USAREUR nondiscrimination policy or that discriminates on the basis of race, color, religion, national origin, sex, or mental or physical handicap.

SECTION 3: The Club offers memberships to individuals and families. Individual memberships are available to single people or married persons who do not wish to enroll other

family members. Family memberships are available to couples and their dependents as a unit. Membership is categorized as follows:

a. General Membership. General members are those who participate in the management of the Club and are authorized to hold office therein and to vote upon all matters in which members have an interest. General membership will be extended to all members of the U.S. Forces (as defined in Section 1, above) residing or working within the Greater Stuttgart area, employees of U.S. Government agencies located in the Greater Stuttgart Area, and U.S. and foreign national citizens residing in the Greater Stuttgart area upon payment of established dues. Current dues (subject to change by the BOD) will be published in the annual PSC Member's Guide.

b. Courtesy Membership. Courtesy memberships may be extended to individuals or families (e.g., vendors who support the Club) at the discretion of the BOD. Courtesy members enjoy all privileges of the Club, with the exception of management, voting, and authorization to hold office.

c. Reciprocal Membership. Reciprocal membership at no additional cost will be offered to members of any ski club operating under USAREUR PO and Fundraising Policy.

d. Guest Membership. Guest memberships will be offered to any guest of a member of the PSC attending a membership meeting upon payment of a \$5.00 meeting entry fee. Likewise, guests may accompany members on trips upon payment of a EURO 10 per space guest fee. If the person(s) decide to join, the guest fee(s) for that instance will be applied towards the annual dues or trip price, respectively.

e. Both individual and family memberships have equal privileges except individual memberships will be afforded one vote and family memberships will be afforded two votes per membership in the election of officers or in voting on issues brought before the general membership. Only members 18 years and older are permitted to be voting members or sign up for club trips. Members under 18 years of age must be signed up and accompanied by a parent or other responsible adult member who holds a Power of Attorney for guardianship.

f. Membership in the Club shall be voluntary on a yearly basis and may be terminated at any time by written resignation of the individual or by invitation of the BOD based on a majority vote. Club dues will not be refunded.

ARTICLE V  
COMPOSITION OF THE GOVERNING BODY

SECTION 1: The government and management of the PSC shall be vested in the BOD, composed of the following elected officers: President, Vice President, Business Manager, Assistant Business Manager, Secretary, Trips Director, Booking Director, Program Director, Membership Director, Publicity Director, Ski Shop Director, and two Members-at-Large. Under unusual circumstances, and at the approval of the BOD, there may be more than two Members-at-Large; however, only two will be elected by the general membership and only those two will be voting members of the BOD. The Patrol Director of the Stuttgart Ski Patrol will be a non-elected and non-voting member of the BOD. The President may appoint ad hoc committees or minor officers of the Club, as he/she deems necessary.

ARTICLE VI  
ELECTION OF OFFICERS

SECTION 1: Elections will be held during February/March each year.

SECTION 2: Elections will be decided by a majority of votes cast of the general membership. Any General Member may be elected to any BOD position, with the exception that the position of Business Manager must be filled by U.S. Forces military or civilian personnel, as defined in Article IV, Section 1, above, or their dependents. Members may cast votes by submitting a completed ballot at the membership meeting designated for the election or by submitting an absentee ballot by mail or email to arrive not later than the day of the designated membership meeting.

SECTION 3: The terms of office for all members of the BOD shall be for one year from 1 May through 30 April unless re-elected to office. If the office of President becomes vacant during the term, the Vice President shall replace the incumbent President. If this is not possible, then a new election will be held under the direction of the BOD. Should a vacancy occur in the BOD, the President, with the concurrence of a majority of the BOD, will appoint a member from among the general membership to fill the vacancy for the remainder of the term. Such members shall serve with the same powers and responsibilities as an elected member.

ARTICLE VII  
REMOVAL OF OFFICERS

SECTION 1: RESIGNATION. A Board Member, Minor Officer, or Committee Member may resign their position upon written notification to the BOD. Action will not be taken on the resignation until the next regularly scheduled meeting of the BOD.

SECTION 2: RECALL. The General Membership may initiate recall of any elected Board Member upon presentation to the Board of a petition signed by no less than 100 general

members. The Board must notify the General Membership in the next newsletter. A vote of the General Membership will be held at the first membership meeting following notification. Removal of an official will require a majority of the votes cast.

SECTION 3: REMOVAL FOR CAUSE. The BOD may remove any elected or appointed official or committee member for cause by a vote of no less than a majority of the Board Members. The official or member shall be provided written notice of the intent to remove and the reasons for removal and shall be given the opportunity to submit oral or written material to the BOD.

## ARTICLE VIII DISSOLUTION

SECTION 1: Dissolution of the PSC may be accomplished by a majority vote (two-thirds) of the general membership present at a regular or special meeting, or by order of the approving authority.

SECTION 2: Upon dissolution of the organization, all material and real assets remaining after payment of all liabilities of the organization will be donated to the Stuttgart Ski Patrol. In the event that is not feasible or practical, all remaining assets will be donated to the USO.

SECTION 3: The approving authority will be notified of the dissolution. Notice will include:

- a. A statement of dissolution duly signed and dated.
- b. A copy of the complete terminal audit report.
- c. A copy of the receipt(s) issued by the Stuttgart Ski Patrol or the USO for residual assets transferred.
- d. A copy of the bank statement showing a zero balance.

## ARTICLE IX APPROVAL OF CONSTITUTION AND BYLAWS

SECTION 1: This Constitution and Bylaws shall be effective immediately after approval by this organization and upon subsequent written approval by the approving authority. Upon approval of these Constitution and Bylaws, all previously published Constitutions and Bylaws are rescinded.

ARTICLE X  
AMENDMENTS

SECTION 1: This Constitution and Bylaws may be amended by a majority (two-thirds) vote of the BOD at a regular or special meeting of the Board. A member desiring to submit an amendment shall present the same in writing to the BOD, which shall consider the proposed amendment at its next meeting.

SECTION 2: Amendments to the Constitution and Bylaws made during the organizational year will be forwarded in writing to the approving authority. The letter reporting amendments will be signed by the President to indicate approval by the BOD or the general membership. Amendments will not conflict with any Army Regulation or directive.

ARTICLE XI  
REVISION AND RENEWAL

SECTION 1: The Constitution and Bylaws shall be reviewed in accordance with current USAREUR regulations and a request for continued authorization of the Club as a PO will be generated. The request for renewal will include any major changes in the PO, Constitution and Bylaws, agreement, charter, etc., and will be accompanied by the original and one copy of the Constitution and Bylaws, duly signed and dated. One copy of annual audits of the previous two years, as outlined in the Bylaws Article IX, signed by the auditor, will be forwarded to the approving authority to arrive NLT 25 days subsequent to the audit cut-off date. An accounting Standing Operating Procedure (SOP), signed by the President, a list of all officers with their names, addresses, and telephone numbers and a summary of all previous years activities, will be forwarded to the approving authority, ATTN: AESG-CA-PO, to arrive NLT 90 days before the operating approval of the organization expires. If revalidation is not obtained, the current permit automatically expires two years from the date of the last approval.

In witness of the above Constitution, we the representatives of the elected members of the PSC BOD hereby affix our signatures verifying their approval, at Patch Barracks, Stuttgart-Vaihingen, Germany.

APPROVED by majority vote on 21 July 2004

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Secretary

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President