

WHEELING NAILERS BOOSTER CLUB

BYLAWS

ARTICLE 1 OBJECT

Section 1 The purpose of these Bylaws is to ensure a smooth and proper flow of business at meetings and activities involving the Wheeling Nailers Booster Club. Hereinafter called "The Club."

Section 2 The primary purpose of The Club is to PROMOTE and SUPPORT The Wheeling Nailers Professional Ice Hockey (Players, Coaches, Office Staff and Ownership.)

Section 3 The Club exists at the discretion of the Wheeling Nailers.

ARTICLE 2 NAME

Section 1 The name of the booster club must include the name of the team we support.

Section 2 The name shall be in a format beginning with the name of the team followed by the wording "Booster Club."

Section 3 Legal words, phrases, and their abbreviations may be eliminated from the "Booster Club" name.

Example: Company (Co.): Incorporated (Inc.): Limited (Ltd): Division of...: Subsidiary of...: etc.

Section 4 The Booster Club name can only be changed if there is a change in the name of the team; if the Booster Club changes their club affiliation; or with permission or request of current affiliation ownership.

Section 5 A name change does not require an amendment of the bylaws. It may be changed by a motion being made and approval at a regular meeting or special meeting.

(A) If the name change is at the request of current affiliation ownership, no motion will be needed.

Section 6 Any approved name change gives all the club officers automatic authorization to change account titles, registrations, etc. to the new name. Expenditures of funds

for this purpose, however, are to be handled through the normal channels for approval.

ARTICLE 3 BASIC POLICIES

Section 1 The Club shall be a non-union, nonprofit service organization. No part of the net earnings shall benefit any individual member.

Section 2 Allocation of funds in the sum up to and including two hundred dollars (\$200.00) by committee / individual of The Club must be approved by Elected Officers in advance of purchase. In addition, allocation of funds for any reasons by a committee / individual of The Club in the sum more than two hundred dollars (\$200.00) must be approved by the majority of members at the regular meeting in advance of the purchase.

ARTICLE 4 CLUB AFFILIATION

Section 1 The Club is recognized by the ECHL as an affiliate of the Wheeling Nailers Hockey Club.

Section 2 No member is to use his or her membership to profit from the team association. ie: use The Club name to sell or market items for a personal profit.

Section 3 Team officials who are not voting members of The Club, may at times, veto suggestions that they do not believe are good representations of the Wheeling Nailers Hockey Club. In most instances team officials will only offer suggestions when in attendance at functions of The Club.

Section 4 Team officials who are club members may, at the request of the membership, officers, or at their own request, address The Club as a Team Official. However, within their introduction, it must be made clearly evident to all in attendance they are speaking on behalf of the team. Remarks made outside of these circumstances will be assumed as being made as a club member.

Section 5 For club related business, only Officers and Committee Chairpersons will make contact with officials of the team and then only with approval of the president.

Section 6 A team official will be notified and invited to all regular monthly meetings.

Section 7 The Club cannot exist without approval of the ownership of the Wheeling Nailers Hockey Club.

ARTICLE 5 OFFICERS AND TERMS

Section 1 There shall be two (2) types of officers: Elected Officers* and Standing Committee Chairpersons.

* For the purpose of the re-launch of The Club only, the first officers in office will be appointed by team officials and ownership.

- (A) The elected officers will consist of: President; Vice President; Secretary; Treasurer and Sergeant of Arms.
- (B) The standing committees shall consist of: Financial Audit; Fifty/Fifty Raffle; Bus Trips; Membership; and Fundraising.
- (C) From time to time, it may be necessary to raise a new committee for a specific task.

Section 2 The Board of Directors of The Club shall consist of elected officers, the standing committee chairpersons, and four (4) persons selected by Team Officials and Ownership of the Wheeling Nailers Hockey Club.

- (A) The Club President will only vote when board voting results in a tie.

Section 3 All elected officers shall serve in their chair for a period of three (3) years. The term will begin in June until June of the third (3rd) year. No officer will serve more than two (2) consecutive full terms in the same office.

- (A) If there are no nominations for an office, the incumbent officer has the option to remain in that office until there are nominees who wish to run for said office.

Section 4 Elections

- (A) The election of officers and the three (3) elected members of the nominating committee shall be held at the May meeting of the election year and installation of new officers will follow at the June meeting.
- (B) At the regular meeting held in May of election year, nominations for the three (3) elected members of the nominating committee* shall come from the floor with a second. There shall be no limit to the number of candidates with the top three (3) vote getters being elected. The remaining two (2) members shall be appointed by the elected officers at the regular June meeting.

* The nominating committee will consist of three (3) elected members and two (2) members appointed by officers of The Club.

(C) Nominations will be accepted by the nominating committee starting at the March meeting of election year.

(D) Additional nominations for elected officers shall come from the floor with a second and will be subject to review by the nominating committee. There shall be no limit to the number of candidates. A move to close nominations and a second must be made.

(E) Minimum Qualifications To Run for Office.

(1) All candidates must be eighteen (18) years of age as of election date.

(2) Must be a member of The Club for one (1) year and in good standing.

(3) Must have actively participated on a minimum of three (3) committees with only one (1) being a party committee.

(4) Must attend a minimum of six (6) meetings during the club year*.

* Club year begins in June and ends in May of the following year.

(F) Campaigning

(1) There is to be no material* used.

* No media, posters, mailings, billboards, buttons, campaign promises, etc.

(2) There is to be no comments about other candidates running for the same office.

(3) Items one (1) and two (2) are subject to the discretion of the nominating committee. Any violation of the above is subject to removal of the candidate from the ballot by the nominating committee.

- (G) All members sixteen (16) years of age or older are permitted to vote.
- (H) All members must attend a minimum of five (5) meetings to vote during the year prior to the election of officers in May of election year.
- (I) All voting shall be done by ballot.
- (J) In an event of a majority tie, a run-off vote for the tied candidates shall immediately take place.
- (K) The results of the election shall be made public before the close of the meeting.

Section 5 Removal of Officers.

- (A) In an event an officer is not in attendance for three (3) consecutive monthly meetings, he or she may be removed at the discretion of the Board of Directors.
- (B) Continued gross or willful neglect of the duties of office.
- (C) In the event an officer states publicly he or she wishes to retire, the three (3) meeting clause is voided and he or she is automatically removed at the meeting.
- (D) Unauthorized expenditures, signing of checks, or misuse of organizational funds.
- (E) Conviction of a felony.
- (F) In the event of vacancy of the Presidency, the Vice President will move into the office of the President.
- (G) A vacancy or resignation occurring among the elected officers shall be filled for the unexpired portion of the term by the membership by a vote of the majority in attendance at any regular or special meeting, provided that notice is duly given for any such meeting and that such elections are one (1) of the purposes of the meeting.

ARTICLE 6 DUTIES OF OFFICERS AND STANDING COMMITTEE CHAIRPERSONS.

Section 1 The President shall preside at monthly meetings of The Club and of the Board of Directors which he/she shall perform such other duties as may be prescribed in these bylaws or assigned to him/her by The Club. The President shall appoint all

Special Committees and shall serve as ex-officio member of all committees except the Nominating Committee.

Section 2 In the absence of the President, the Vice President shall preside at monthly meetings of The Club and Board of Directors and shall perform other duties as may be delegated to him/her.

Section 3 The Secretary shall record the minutes of the meetings of The Club and of the Board of Directors; shall make reservations and arrangements for The Club; shall be the official custodian of The Club's records and papers. The Secretary shall also conduct the general correspondence of The Club; shall keep an accurate list of membership and shall perform such other duties as may be delegated to him/her.

Section 4 The Treasurer shall have custody of all funds of The Club and shall make disbursements in accordance with approved expenditures as authorized by The Club, the Board of Directors, or a Special Committee. The Treasurer shall present financial statement at every monthly meeting of The Club and at other times when requested by the Executive Board *and shall make a full report at the April meeting of each year.* Checks shall be made payable to The Club. All checks written by The Club shall require the signature of the Treasurer or the President of The Club.

- Checks will be kept at team office to prevent unauthorized use.

Section 5 The Sergeant at Arms shall maintain order at monthly meetings to ensure a smooth flow of the meeting agenda.

Section 6 All Elected Officers and Standing Committee Chairpersons must provide the Financial Audit Committee with all requested documents pertaining to finances.

Section 7 The elected officers shall appoint all Standing Committee Chairpersons by July.

Section 8 All officers are ex-officio members of all committees except the nominating committee, therefore should be notified of all committee meetings.

ARTICLE 7 STANDING COMMITTEES AND THEIR RESPONSIBILITIES.

Section 1 Financial Audit Committee.

- (A) Financial Audit Committee throughout the course of the year will review procedures of any officer, committee, or club member handling club funds.

- (B) Annual audits of Treasurer's records will be performed between April and May meetings and will be finalized and reported at the May meeting.
- (C) Additional audits may be requested at any time by majority vote of the Board of Directors or a majority vote by the membership body at a regular meeting.
- (D) The results of any audit procedure will be submitted in writing to the Board of Directors immediately upon completion. These results will then be presented to the membership body at the next regular meeting.

Section 2 Fifty/Fifty (50/50) Raffle Committee.

- (A) Committee handles all game preparations including:
 - (1) Contacting selected charities to provide workers.
 - (2) Contacting club members to work.
 - (3) Provide in advance a list of workers to the arena staff allowing early admittance.
 - (4) Provide in advance a list of charities to team officials.
 - * Charities will contact The Club President, who will then approve a date upon recommendation of the Fifty/Fifty (50/50) Raffle Chairperson.
 - (5) Supervise the drawing of the winning ticket.
 - (6) Turn over collected counted funds prior to close of the event.
 - * Winnings, along with winning ticket, will be given to the person operating the Team Shop for collection by winner.
 - * Club proceeds shall be placed in deposit drop bag, along with a deposit slip and given to The Club Treasurer or President to be placed in the Night Deposit drop box at Main Street Bank.
 - (7) Complete appropriate forms and retain in committee records.

Section 3 Bus Trip Committee

- (A) Shall handle all aspects of the bus trips including:

- (1) Publicizing and accepting reservations.
- (2) Collect and record funds prior to close of events.
 - * Funds shall be placed in deposit drop bag, along with a deposit slip and given to The Club Treasurer or President to be placed in Night Deposit drop box at Main Street Bank.
- (3) Provide the Treasurer with information for the funding of transportation and game tickets.
- (4) Complete appropriate forms and retain in committee records.

Section 4 Nominating Committee.

- (A) Committee staff shall be created with the election of officers to serve for the ensuing term.
- (B) Duties shall include:
 - (1) Solicit from membership those individuals interested in running for the various offices.
 - (2) Check and verify eligibility of candidates.
 - (3) Present slate of candidates to membership.
 - (4) Accept any additional nominations from the floor subject to eligibility.
- (C) Shall consist of five (5) members in good standing.
- (D) Two (2) members shall be appointed by the elected officers.
- (E) Three (3) members shall be elected by the body of membership.
- (F) Members of the Nominating Committee are ineligible to run for elected office.
- (G) The Chairperson shall be selected by the members of the committee.
- (H) A majority vote is required to complete transactions of business.
- (I) Officers are exempt from being ex-officio members of this committee.

Section 5 Membership Committee.

(A) Committee's duties shall include:

- (1) Collect and record dues.
- (2) Issue membership cards upon payment of dues.
- (3) Collected funds must be turned over to the Treasurer or Elected Officers before the end of that event, upon receipt.

* Funds shall be placed in deposit drop bag, along with a deposit slip and given to The Club Treasurer or President to be placed in Night Deposit drop box at Main Street Bank.

- (4) Check for valid membership card at all regularly scheduled meetings. Provide updated membership lists to officers commencing in July and every other month thereafter.

Section 6 Fundraising Committee.

(A) Shall handle all preparations and aspects of fundraising.

- (1) Select type of event project.
- (2) Contact Club members to work events.
- (3) Publicize events and projects.
- (4) Collect and record funds prior to close of events.
- (5) Turn over collected and counted funds at close of event to the Treasurer or Elected Officer upon receipt.

* Funds shall be placed in deposit drop bag, along with a deposit slip and given to The Club Treasurer or President to be placed in Night Deposit drop box at Main Street Bank.

- (6) Provide The Club Secretary and Treasurer with information for the funding of events and projects.
- (7) Complete appropriate forms and retain in committee records.

ARTICLE 8 ALL OTHER FUNCTIONING COMMITTEES.

(A) Collected funds must be turned over to the Treasurer or Elected Officer before the close of the event upon receipt with appropriate forms.

* Funds shall be placed in deposit drop bag, along with a deposit slip and given to The Club Treasurer or President to be placed in Night Deposit drop box at Main Street Bank.

(B) All receipts and paperwork must be turned in to the Secretary by the next regular meeting after the event or function. Project summary form and all other correspondence to be filed in committee records.

ARTICLE 9 MEMBERSHIP REQUIREMENTS.

Section 1 Membership Types.

(A) Single – covers the member only (18 years of age or older.)

(B) Family – covers two (2) adults eighteen (18) years of age and older and all children twenty-one (21) years of age and younger living in the same household.

(C) Junior – any niece, nephew, or grandchild of an adult Booster member under the age of eighteen (18) not living in the same household.

Section 2 Club Dues.

(A) Single membership is \$10.00 per person.

(B) Family* membership is \$25.00 per family.

* Family will be defined as in Section 1, item B above.

(C) Junior* membership is \$5.00 per person.

* Junior will be defined as in Section 1, item C above.

Section 3 Memberships are renewable by June 30th of each year. Any membership not renewed by this date will be treated as a new membership. Membership in The Club runs from June 1 through May 31.

ARTICLE 10 MEETINGS AND PROCEDURES

Section 1 The regular meetings shall be held once a month.

- Section 2 Special meetings may be called at any time by the President or the Board of Directors.
- Section 3 Board meetings will be held monthly at the discretion of the elected officers.
- Section 4 When needed at the end of discussion, a verbal vote or show of hands will be taken. A simple majority is final.
- Section 5 A quorum is needed to conduct regular monthly meetings.

ARTICLE 11 TERMS

- Section 1 Quorum – five (5) members.
- Section 2 Simple Majority – majority rule.
- Section 3 Dues – money paid to become a member.
- Section 4 Board Meeting – meeting of elected officers, standing committee chairpersons, and those appointed by team officials and any others invited by the elected officers.

ARTICLE 12 AMENDMENTS.

- Section 1 These Bylaws may be amended at any time with the following procedures:
- (A) The amendment be placed on the floor as a motion.
 - (B) Discussion of the motion, pro and con, if any.
 - (C) The motion will rest until the next regular meeting.
 - (D) At the next regular meeting, the discussion will resume, pro then con. At the end of this discussion, a show of hands vote will be taken. The motion shall pass or fail by majority. If passed, it shall be entered immediately.

ARTICLE 13 MEMBERSHIP DISMISSAL.

- Section 1 All members of The Club should act in good faith at all events, activities, responsibilities and duties with club representation. Any conduct that is violent, abusive, deceitful, or not in good faith in action gives cause for dismissal as a member of the Club.

- Section 2 Any use of The Club membership list other than for club business is prohibited and subject to dismissal as a member of The Club.
- Section 3 Unwarranted verbal or physical attacks on any member of The Club pertaining to club functions or not, is just cause for discipline or removal from The Club by the Board of Directors.
- Section 4 The Board of Directors has the inherent right to discipline, suspend, or expel a member for valid cause, even if provisions for doing so are not included in these Bylaws.

ARTICLE 14 PLACEMENT.

- Section 1 A signed copy of the Bylaws will be sent to the General Manager of the Wheeling Nailers Hockey Club.
- Section 2 A copy of the Bylaws will be open for public inspection at the general office of the Wheeling Nailers Hockey Club.
- Section 3 The Secretary will retain a copy of these Bylaws which will be available at all regular meetings of The Club.

ARTICLE 15 THE CLUB TERMINATION.

- Section 1 In case of termination of The Club, disbursement of the assets and funds of The Club will be decided at the final meeting of The Club.

ARTICLE 16 CODE OF CONDUCT.

- Section 1 Guidelines.
- (A) To ensure the Wheeling Nailers Booster Club remains a fun, relaxed and respectful organization, the following code of conduct will apply to all members at all times. As a member it is each person's duty to recognize that he or she is a representative of the Wheeling Nailers Booster Club and it is also each individual's responsibility to project a favorable image in order not to discredit the Wheeling Nailers Booster Club or the Wheeling Nailers Hockey Club organization. The Club understands that members' opinions can vary to a high degree and encourages any point of view to be freely expressed to anyone. However, slander, stalking, spreading rumors, acts of malicious intent, physical threats, hounding, unreasonable intrusion into someone's personal space, libel, or any other type of defamation of character **WILL NOT** be tolerated **AT ANY TIME** and

can be grounds for expulsion from The Club. In particular, these rules apply toward:

- (1) Fellow Wheeling Nailers Booster Club members.
 - (2) Hockey players.
 - (3) Guest speakers.
 - (4) Hockey organizations and personnel, ie. opposing teams and players, coaches and staff.
 - (5) Opposing Hockey Booster or Fan Clubs.
 - (6) Media.
- (B) It is understood that every member may not agree with every action of the Wheeling Nailers Booster Club or the Nailers organization. A disagreement and voicing an opinion, even in a public forum, and even if that opinion is negative in respect to the organization or an individual member, employee, or player shall not necessarily constitute a violation of the code of conduct. However, statements that are derogatory toward the Wheeling Nailers Booster Club or the Wheeling Nailers Hockey Club organization in general or which are intended to discourage others from joining The Club or supporting the Nailers may be a violation.
- (C) With respect to behavior at hockey games, it is acceptable to heckle, jest, taunt, boo, or otherwise disparage a hockey player, coach or official during the course of the game. It is **NOT** acceptable to act in the same manner toward other fans, regardless of their team affiliation. Respect should be given to anyone who is attending the game as a spectator and The Club and its members should strive to maintain a welcoming atmosphere for everyone in attendance. After completion of the game, once players, coaches and officials have left the ice, they should be treated with the same respect and consideration as anyone else.
- (D) Communications on behalf of the Wheeling Nailers Booster Club.
- (1) No member may use or refer to The Club in expressing his or her opinion in any written or oral form unless prior approval has been given by the Board of Directors.

- (E) Any conduct that could jeopardize the Wheeling Nailers Booster Club's existence, non-profit status, relationship with the Wheeling Nailers Hockey Club organization, violates ECHL league rules, or is contrary to the Wheeling Nailers Booster Club Bylaws is a violation of the code of conduct.
- (F) As the Wheeling Nailers Hockey Club organization and the Wheeling Nailers Booster Club strive to promote a family atmosphere, appropriate behavior, language and dress are required at all functions. Respect needs to be shown for all in attendance, particularly children, elders, and guests of The Club.

Section 2 Reporting.

- (A) Any person who wishes to report a violation of the code of conduct by a member shall do so either in person or in writing with name and signature attached to the Board of Directors as a whole or to an individual officer. Members who do not follow this procedure and instead make unfounded allegations or attempts to discredit other members anonymously or via rumor spreading or gossip, may be considered to have violated the code of conduct themselves.
- (B) Once a complaint has been investigated and resolved, the same incident may not be revisited.

Section 3 Procedure.

- (A) The Board of Directors will meet to hear the charges and discuss the matter. The meeting may be adjourned to a later time to gather more information as needed. The person making the charge and the accused shall be allowed to address the Board either in person or in writing. The accused shall be entitled to counsel (if professional council is desired, it shall be at the expense of the accused) and the right to present witnesses and evidence.
 - * The meeting to hear the charges and discuss the matter will be moderated by a Team Official.
- (B) The accuser may withdraw his or her complaint or the accused may resign his or her membership at which point the complaint will be closed and not disclosed to the membership.

- (C) The Board shall vote to take action as described below, or the Board may determine another course of action appropriate to the situation. A vote for revocation requires a majority vote of the Board members present and voting. If the Board votes to recommend probation, suspension, or revocation of membership, the appropriate privileges of membership shall be temporarily suspended until the next membership meeting.
- (D) The action of the Board shall then be presented at the next meeting of the membership, along with the facts leading to the decision, at which point the membership will vote to whether to uphold the Board action. If the Board action is overruled, the membership may vote to take a different action or may return the matter to the Board for further consideration.
- (E) Individual Board members may decide not to participate in the investigation and decision regarding a code of conduct violation. At the Board's discretion, additional Wheeling Nailers Booster Club members may be appointed to participate in the investigation, discussion, and voting on the actions to be taken.

