



Back Country Horsemen of Missouri

By Laws

Updated 03/18/2017

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BACK COUNTRY HORSEMEN OF MISSOURI BY-LAWS

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The proponent of this document is the membership of the Back Country Horsemen of Missouri as administered by the elected Board of Directors.

BY LAWS
BACK COUNTRY HORSEMEN OF MISSOURI, INC.
As amended March 18, 2017

REFERENCES

1. Missouri Revised Statutes, Chapter 355, Not-For Profit Corporation Law, as amended.
2. Constitution of the Back Country Horsemen of America, 8 February 1991, as amended.

ARTICLE 1: NAME

The name of this organization shall be Back Country Horsemen of Missouri, hereinafter referred to as BCHMO, and shall be incorporated under the laws of the state of Missouri as a mutual benefit, not-for-profit Corporation. BCHMO is a 501(c)(3), Public Charity, organization.

ARTICLE 11: PURPOSE

Organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501c3 of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE III: MEMBERSHIP

1. Membership shall be open to any individual, family, organization or business interested in promoting the purposes listed in Article II. Membership will be from January 1st to December 31st, i.e. the calendar year.
2. Types of membership shall be individual, family and associate; the latter category to be comprised of businesses and organizations.
3. BCHMO membership dues will include membership dues in the Back Country Horsemen of America. Dues shall be set by the Board of Directors.
4. Annual membership meeting shall be held the first weekend in November at a time and place designated at least 60 days in advance. The date may be changed by the majority vote of the Board of Directors on an annual basis if the first weekend in November causes a conflict with the best interests of membership attendance. Other meetings may be held as designated by the Board of Directors or at the request of the membership and as described herein.

ARTICLE IV: VOTING

1. Each individual or family membership in good standing shall be entitled to one (1) vote and associate members may, at the time of application and/or renewal, designate two (2) persons to vote, on all matters during the annual membership meeting and other meetings of the membership.
2. All meetings including the annual membership meeting in which items will be submitted to the membership for their vote must be scheduled and announced 60 days in advance, unless specifically stated otherwise in these by-laws.

3. A simple majority of members in good standing present at the meeting shall be required to pass resolutions, approve action and other items except as pertains to recall of Officers and/or Directors and amendment of these Bylaws, which is provided for herein.

ARTICLE V: ORGANIZATIONAL AUTHORITY

1. The Board of Directors shall have the fiduciary responsibility to the membership for the overall direction and function of this organization. The Board shall approve all policy formulation, the annual budget, allocation of resources and set organizational philosophy in accordance with the stated purpose of the organization and membership direction through accepted resolutions.

2. The Officers shall function as the administrative arm enacting policy and coordinating the related organizational functions.

3. The Board of Directors and Officers shall be two separate and distinct entities, i.e. the Officers will not be voting members of the Board of Directors. Officers shall attend meetings of the Board of Directors as non-voting members except in personnel issues involving a Director or Officer.

4. No member may be an Officer or Director if related to another Officer or Director by consanguinity or affinity.

5. The authority and responsibility to sign contracts and legal documents on behalf of the organization, based on Board approval shall be vested in the Chairperson, BCHMO Board of Directors, and in their absence or incapacity, transfers to the Recording Secretary, Board of Directors until such time as the Chairperson may resume their duties, or a new Chairperson is elected by the Board.

ARTICLE VI: BOARD OF DIRECTORS

1. The Board shall consist of seven Directors who are voting members of the organization in good standing. Voting members would include individual, family members or a primary owner of a business with associate membership. Membership in an organization with associate membership shall not qualify as an individual.

2. The terms of office for Directors shall be three years.

3. The Directors shall be elected by the membership at the Annual Membership meeting. The term of office shall commence on the first day of the month following election by the membership.

4. Immediately following the annual installation of the new Directors, the Board will elect a Chairperson and Recording Secretary, and other offices at its discretion. The Chairperson shall make arrangements for, prepare meeting agendas, and preside over meetings of the Board. The Recording Secretary shall be responsible for the minutes of these meetings and correspondence related to Board function.

5. The Board of Directors with Officers present shall meet not less than three times annually.

6. All meetings of the Board of Directors shall be open to the membership. The Board, at its discretion, may recess to executive session for the purpose of addressing matters which deal with personnel issues and/or preliminary business or legal negotiations in which premature disclosure would be harmful to the organization.

7. Designation of National Directors. The two (2) National Board Directors shall be the Chair, Board of Directors, and the President, which are elected by the membership. The BCHMO Board of Directors at

the first Board meeting following the Annual General Membership meeting will appoint an alternate. In the event that personal circumstances might prevent the designated national directors and/or the alternate from fulfilling the required duties, the Board of Directors shall have the option of appointing other individuals deemed qualified.

Two-year terms shall be staggered. National Board Directors terms shall be two years, with the exception of one initially, so as to not have more than one new Director at any time. The immediate Past President and the immediate Past Board Chair may fulfill the remainder of the two-year term.

ARTICLE VII: OFFICERS

1. Officers of BCHMO shall be President, Vice President, Treasurer and Secretary. Officers must be members in good standing of the organization as defined in Section 1, Article V, for Directors.
2. The term of office for these officers shall be one year commencing on the first day of the month following election by the membership. Please note that Officers shall attend Board meetings except such portions where recall of a Director or Officer is discussed.
3. Officers shall be elected by the majority vote of the membership present at the Annual Membership Meeting.
4. It shall be the duty of the President to preside at the Annual Membership Meeting and other meetings as pertains to the members, to conduct the day-by-day business of the organization, insure that appropriate BCHMO representation is present at government and other public functions, appoint such Standing and Ad Hoc Committee Chairs as mentioned herein, promote membership in chapter and affiliate groups, and is the official spokesperson of the organization, and other functions as necessary to facilitate the operation of this organization.
5. It shall be the duty of the Vice President to preside upon meetings and the organization in the absence of the President, coordinate and facilitate Standing and Ad Hoc Committee functions as an ex-officio member and perform other duties as designated by the President. In the event the President is unable to complete their term, the Vice-President will assume the duties as President. Should the Vice-President be unable to complete their term, the Board of Directors may appoint a replacement to fill the unexpired term of office until the next annual meeting.
6. The Treasurer shall keep and disburse all funds of the organization, maintain written accounting records of such which will be open to any member in good standing, be a signatory of the organization for financial instruments, provide periodic reports to the Board of Directors, etc. All funds shall be deposited in a bank account.

The Treasurer shall arrange for an annual audit of the financial records by another officer and one disinterested member and submit such plan for approval to the President.

The Treasurer will prepare and submit income tax returns as required to the Missouri Department of Revenue and Internal Revenue Service. The Treasurer shall be responsible for the annual renewal of the Not-for-Profit Corporation status with the Missouri Secretary of State, renewal of the use and sales tax exemption status with the Missouri Department of Revenue, and other necessary corporate reports for notfor-profit status.

The Treasurer shall be responsible for the submission of appropriate annual membership dues to the Back Country Horsemen of America, Inc.

7. The Secretary shall issue notices, record and keep the minutes of all meetings, except those of the Board of Directors, shall maintain membership rolls and send renewal notices and receive, distribute and answer correspondence for the general business of the organization.

The Secretary shall be responsible for the accuracy and maintenance of permanent legal records in accordance with state statutes. The Secretary shall have available to the Board of Directors a comprehensive paper or electronic copy of these documents on an annual basis at least 30 days prior to the Annual Membership Meeting.

In conjunction with the Treasurer, the Secretary will prepare and submit such membership information as required by the Back Country Horsemen of America, Inc. to insure membership enrollment in the national organization.

ARTICLE VIII: ELECTIONS

1. As a standing committee, the Chair, Nominations, will by publication in the organizational newsletter and other means, actively work to compile a list of candidates for both the expiring Director and the Officer positions of this organization. It is strongly recommended that such candidates prepare a resume with references for submission to and verification by the Nominations Committee.
2. Upon approval by the Board, candidates so selected by the Nominations Committee will be presented to the membership at the Annual Membership Meeting for their consideration.
3. Nominations for the Board vacancies and Officer positions may be called from the floor at the Annual Membership Meeting, prior to the election. Nominees from the floor will be afforded a maximum 5 minutes to address the membership.
4. Voting shall be by secret ballot at the Annual Membership Meeting. A prepared ballot providing for write-in options will be prepared prior to the meeting. Voting privileges will be checked against membership rolls prior to issuance of a ballot. Those persons seeking to cast a vote on behalf of Associate Memberships must be on record with the Secretary 30 days prior to this meeting.
5. Three members that are neither Directors, Officers, nor Candidates will be asked to tally the vote by the BCHMO Secretary. The results will be verified by and announced by the President.
6. In the event of a challenge or request for a recount, it must be submitted to the President in writing prior to adjournment of the Annual meeting for consideration. The President and nominating committee will review any request and render a final decision within 10 business days from submission.

ARTICLE IX: REMOVAL AND RECALL

1. Any Director or Officer missing two consecutive meetings scheduled at least 30 days in advance must seek approval from the Board to excuse such absence. The written request to excuse absences must be approved by a majority of the Directors. Automatic removal from office of either a Director or Officer for unapproved absences of 2 or more scheduled meetings is at the discretion of the Board.
2. Any member in good standing may contact the Board of Directors seeking recall of a Director, Officer and member. The Chairperson will upon receipt of written request convene a meeting of the Board within 30 days to act upon that request. The Chairperson may request the individual member and/or accused individual to meet with the Board.
3. Recall action may be initiated through the following avenues: a) the majority vote of the Directors will submit recall to the members, or b) a petition submitted to the Board of Directors containing the

signatures of 20% of the current members or 50 members, whichever is least, will submit recall to the members.

4. Under Missouri statute, recall can occur only at a meeting called for that purpose. The meeting notice must state that the purpose or one of the purposes of the meeting is recall of the Director, Officer or member. Members shall receive 30 days written notice of this recall proposal.

Unless the Annual Membership Meeting or another scheduled meeting is to be held within 60 days, a special meeting of the members must be scheduled by the Board of Directors.

5. All recall action of elected Directors or Officers by Missouri state statute with or without cause, can only be accomplished by the vote of the membership; such shall require a two thirds majority vote of those members in good standing present at the aforementioned meeting.

ARTICLE X: COMMITTEES/ADVISORS

1. Chairpersons of the Education, Service, Publications, Nominations and Public Lands Standing Committees, plus all Ad Hoc Committee Chairs shall be appointed by the President, subject to the approval of the Board of Directors.
2. It is recommended, but not required, that Directors be considered for the Committee Chairs of standing committees.
3. The Vice President is an ex officio member of all Committees and shall insure effective communication and coordination between such.
4. The membership of Standing or Ad Hoc Committees shall be at the discretion of the specific Chairpersons, with advice from the President and approval of the Board of Directors.
5. Standing Committees and duties are as follows:
 - A) Publications: As a function of the Board of Directors, the Chairperson will be a Director or other qualified member appointed by the Board of Directors. Primary responsibility is for publication of a quarterly newsletter in which pertinent information will be disseminated to the membership. Additional duties include creation, publication and annual review of other organizational literature and pamphlets. The Chairperson, BCHMO Board, and the President are the duly appointed spokespersons of the organization unless otherwise delegated and approved by the Board of Directors.
 - B) Nominations: Co-Chaired by the Chairperson, Board of Directors and President, this committee is crucial in the recruitment and selection of effective leadership for BCHMO. Committee shall insure compliance with Article VIII of these by laws. Other Directors or Officers may serve on this committee as determined by the Co-Chairs.
 - C) Education: Chairperson shall be appointed by the President and approved by the Board of Directors. Committee duties shall include ongoing awareness of pertinent issues with dissemination of information to Board of Directors, Officers and membership. Additional duties may include coordination with other Standing or Ad Hoc Committees on pamphlets, formation of workshops, trail construction and maintenance guides, etc.
 - D) Service: Chairperson shall be appointed by the President and approved by the Board of Directors. Committee shall promote, organize, tabulate and direct, as necessary, ongoing volunteer contributions. This committee shall create and periodically review a formula and related forms for

such tabulation in a manner consistent with Back Country Horsemen of America policy and prepare an annual report to the Board of Directors.

E) Public Lands: Chairperson shall be appointed by the President and approved by the Board of Directors. The Committee shall take action to be placed on the public information distribution list for the national and state land managers. Committee shall establish contact with appropriate officials at national and state land managers' agencies. Committee will coordinate appropriate representation at public meetings addressing pertinent issues. Committee shall review material related to equestrian access, research issues as necessary and make recommendations to the Board of Directors on proposed policy and statements.

6. Committee Chairs will prepare and provide written reports prior to the Board of Directors meetings, Annual Membership Meetings and as required by the Board of Directors. There shall be at least one faceto-face meeting of these committee members annually, scheduled with at least 30 days notice, open to all BCHMO members. Minutes of all Committee meetings will be recorded and submitted to the Vice President. A copy will be submitted to the Secretary for BCHMO legal records.
7. Board Advisors: Individuals with a particular expertise, knowledge and/or insight may be appointed as Advisors to the Board of Directors by the Chair, subject to approval of the Board. Such appointments would be subject to the consent of the appointee. The area of qualification would be noted in writing by the Chair upon submission to the Board. All such appointments would be subject to renewal at the first Board meeting following the Annual Membership Meeting.

Advisors would be encouraged but not required to attend Board meetings. These Advisors would be available to any Board member or officer to provide written and/or verbal input, as requested, on issues or concerns relative to their unique qualifications. Advisors may function in any other non-elected capacity as requested by the Board of Directors subject to their consent.

ARTICLE XI: MEETINGS AND PROTOCOL

1. All meetings will be conducted in accordance with Robert's Rules of Order. Minutes must be recorded, reviewed and approved. Copies of all minutes will be submitted to the Secretary for inclusion in BCHMO legal records.
2. Meetings required herein are regular meetings. All other meetings are special meetings. Special meetings may be called by the Chairperson, Board of Directors, the majority vote of the Directors, the unanimous decision of the Officers, or by the membership as described below. All regular and special meetings scheduled are open to any member in good standing.

A special meeting of the membership may be initiated by a petition signed by 5% of the voting members outlining the purpose or purposes for which it is to be held and delivered to any Director. The Board will have 30 days to determine whether the five- percent requirement has been met. If so, the Board must convene a meeting of the membership in a timely manner. Failure to do so within 30 days permits any person signing the demand to set the time and place of the desired special meeting.

3. Board of Directors action may be taken without a meeting if the action is taken by all members of the Board. Each Board member must give written consent to this approach, i.e. an action without a meeting. "Written consent" shall include emailed agreement with the Directors name clearly present in the text of the communication.

Voting on proposed issues is a separate event with approval requiring the same Director majority necessary in a formal meeting. Directors may consent to the approach, i. e. action without a meeting, without indicating support/non-support of any issue being considered.

Such decision must be evidenced by one or more written consents describing the action taken, signed by each Director, and included in the minutes filed with the legal records.

4. Special meetings of the Board of Directors may be conducted by conference call if all Directors receive at least 3 business days notice in advance.

ARTICLE XII: VACANCIES BOARD AND OFFICERS

The Board of Directors, by majority vote, may fill vacancies on both the Board and Officer positions (except that of President as indicated below) due to resignation, removal, or recall with any member in good standing. Directors so appointed must agree to stand for re-election at the next Annual Membership Meeting for the remainder of the unexpired term. A call for other candidates will be made at that meeting. An exception would be the office of the President in that the Vice President would succeed to that office; the Board would fill the Vice President position.

ARTICLE XIII: ACCESS TO RECORDS

1. Membership lists or any part thereof shall not be released without the consent of the Board. Actual or suspected commercial use or solicitation of money from the membership list and any part thereof by any member may be cause for the denial of request and suspension of membership privileges for a time to be determined by the Board.
2. Members desiring access to any BCHMO legal records except financial must provide a written request to the Board of Directors describing with detail his purpose and the exact records. The records must be connected with that stated purpose. If copies are desired, a fee commiserate with the related expense may be charged.

Unless the member in accordance with Missouri Revised Statutes, Section 355.826 has paid over 50% of the operating expenses, the request may be denied by the Board.

3. Upon written request, a member shall be provided the latest annual financial statement that includes a balance sheet as of the end of the fiscal year and statement of operations for the year. Written request must be directed to the Treasurer. Postage and a handling fee may be applied.

ARTICLE XIV: CORPORATE ADDRESSES

1. The registered office of BCHMO is listed on the Articles of Incorporation or the most current annual report to the Missouri Secretary of State shall be the residence of the Chairperson, Board of Directors, unless otherwise stipulated by the Board.
2. The principle office of BCHMO shall be either the residence of the Recording Secretary of the Board of Directors or the Secretary, such to be determined by the Board of Directors from time to time, unless otherwise stipulated by the Board.
3. It shall be the responsibility of the Secretary to insure that the addresses of these offices are current with the Secretary of State, other governmental agencies, and the Back Country Horsemen of America, Inc.

ARTICLE XV: LEGAL RECORDS

1. Permanent records shall include minutes of all membership and Board of Director meetings, all records of action taken without a meeting, the records of all committee actions, all financial records, and membership listing which indicate the number of votes per different membership class.
2. All records will be maintained in a form which can be easily converted into written format.
3. BCHMO will maintain the following records at its principal office: a) articles of incorporation and all amendments currently in effect; b) bylaws or restated bylaws with all amendments currently in effect; any resolutions passed by the Board of Directors relating to the membership including voting and other rights;
c) minutes of all meetings for the past 3 years; all written communications to the members including the newsletter within the past 3 years; names and addresses of current Directors and Officers; most recent annual report to Secretary of State; and financial statements of all income and expenses for the past 3 years.

ARTICLE XVI: AMENDMENTS/CHANGES

1. These By-Laws are subordinate to the Missouri statutes governing not-for-profit organizations and, the bylaws of the Back Country Horsemen of America, Inc. The Board of Directors shall insure that these bylaws are in compliance with the above authorities. Changes so necessitated will be made by the Board of Directors and presented at the next Annual Membership Meeting as an information item, i. e. not subject to vote of the membership.
2. Other amendments and/or changes to the By-Laws must be in writing and approved by a two-thirds majority vote of the Board of Directors prior to submission to the membership for final approval.

Written notice must be provided to the membership indicating that changes and/or amendments to the bylaws is the purpose or one of the purposes of the meeting at least 30 days prior to the meeting. That notice must be accompanied by a copy of summary of the amendment and/or change. Voting will be in accordance with the procedure outlined in Article VII (4) of these Bylaws. Approval of proposed changes and/or amendments requires a two-thirds vote of the members present.

3. Amendments and/or changes may be initiated by the two-thirds vote of the members present at a regular or special meeting or by written petition of 20% of the current membership or 50 members, whichever is least. Proposed amendments and/or changes must be submitted in writing to the Chairperson, BCHMO Board of Directors.

Final approval of these proposed amendments and/or changes will be subject to vote of the membership at a later date, either at a regular scheduled or special meeting. Written notice and other procedure shall be as outlined in the previous section for action initiated by the Board of Directors.

4. Amendments and changes necessary to insure compliance with Missouri statutes or the Back Country Horsemen of America, Inc. will be enacted by the elected Board of Directors. Other amendments or changes must follow procedure outlined herein prior to the Annual Membership Meeting. Finalized bylaws must be ratified by a two-thirds vote of the members at the Annual Membership Meeting.

ARTICLE XVII: POLICY AND PROCEDURE MANUAL

The Board of Directors shall be responsible for the establishment and maintenance of a current written manual which will contain policy decisions and other directives of the Board. This manual will contain the policies on the expenditure amount that can be authorized by the President, liability insurance, and tabulation formula on volunteer efforts, current membership dues structure, BCHMO membership in other organizations, Board positions on ongoing issues, newsletter, and other policy or procedure requirements of the organization.

This manual shall be utilized for those decisions and/or actions that may be changed and/or enacted without necessitating amendment and/or change to these Bylaws.

ARTICLE XVIII: INDEMNIFICATION

The Board of Directors shall provide liability insurance for the indemnification of its Directors, Officers and other agents when the Treasury reaches a predetermined level commensurate with Missouri State Statutes governing not-for-profit organizations. Other indemnification shall be in accordance with Missouri statute 355.471.

ARTICLE XIX: DISSOLUTION

Dissolution of this organization will require a two-thirds majority vote of all members present at a special meeting held for such purpose. Written notice outlining this proposal must be provided to all members 30 days in advance of the meeting. Voting will be by secret ballot described herein. This meeting may be called as described herein as a special meeting by the Board of Directors, Officers or members.

Assets owned or held by BCHMO will be distributed to Back Country Horsemen of America, Inc. after all creditors have been paid.

ARTICLE XX: ELECTRONIC MAIL

The term written contained herein shall be defined to include electronic mail. Electronic mail, either email or fax, may be utilized in lieu of the postal service in the delivery of meeting notices and other organizational exchanges. Postal service mail must be utilized for those members who do not possess electronic mail capability.

ARTICLE XXI: CHAPTER FORMATION

1. Requirements: Subunits known as chapters may be formed by Back Country Horsemen of Missouri members who fulfill the following requirements:
 - A. Chapters must be comprised of 15 or more members. Written certification of these members as outlined in the Policy and Procedure Manual must accompany initial application.
 - B. All chapter members must be members of Back Country Horsemen of Missouri. Membership can exist prior to chapter formation or through the recruitment of new members with subsequent paid membership to Back Country Horsemen of Missouri.
 - C. Chapter must have a minimum of three elected officers.
 - D. Chapters must agree in writing to abide by provisions of Missouri Revised Statutes, the requirements of Back Country Horsemen of America, the Back Country Horsemen of Missouri By Laws and the provisions of the Back Country Horsemen of Missouri Policy and Procedure Manual.
2. Name: Name of the chapter shall be determined by majority vote of the membership and must reflect a positive image of equestrians. Official title shall be _____ Chapter, Back Country Horsemen of Missouri.
3. Approval: Documentation of the previously stated requirements must be submitted in writing to the Board of Directors, Back Country Horsemen of Missouri, for review and official approval of the chapter.

ARTICLE XXII: CHAPTER DISSOLUTION

1. Chapter membership shall be reviewed annually by the Board of Directors, BCHMO. Failure to maintain the minimum chapter membership requirements will result in chapter probation for one year. Continued failure to meet membership requirements will necessitate Board of Directors' action, this could result in chapter dissolution.
 2. Chapter members can elect to dissolve the chapter. Such action must be in accordance with Article XIX of these By Laws. Chapter assets owned or held by the involved chapter will be distributed to Back Country Horsemen of Missouri after all creditors have been paid.
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Approved by Working Group/Interim Board on January 29, 2003

L. Gail Gartside, Chair
Working Group/Interim Board

Amended by Board of Directors on January 29th, 2003 per direction of BCHA in accordance with Article XVI (4)

L. Gail Gartside, Recording Secretary
Board of Directors

Final Approval by Membership with amendments at Second Annual Membership Meeting on November 9th, 2003

L. Gail Gartside, Recording Secretary

Approved by Board of Directors as an Action Without A Meeting Completed on March 17, 2004 in accordance with Article XVI (4)

L. Gail Gartside, Recording Secretary

Amended by Board of Directors on April 15th, 2004 per direction of BCHA in accordance with Article XVI (4)

L. Gail Gartside, Recording Secretary

Amended by Membership at Fourth Annual Membership Meeting on November 12th, 2005

Terry Thomas, Recording Secretary

Amended by the Membership at the Fifth Annual Membership Meeting on November 4, 2006.

Terry Thomas, Recording Secretary

Amended by the Membership at the Special Meeting on April 12, 2008 in accordance with Article III (4).

Bev Steveson, Recording Secretary
Board of Directors

Amended by the Membership at the Ninth Annual Membership Meeting on November 6, 2010.

Sherry Copeland, Recording Secretary
Board of Directors

Amended by the Membership at the Twelfth Annual Membership Meeting on November 2, 2013.

Sherry Copeland, Recording Secretary
Board of Directors

Amended by Internal Revenue Service Determination Letter, July 8, 2015.

Sherry Copeland, Chairman
Board of Directors

Amended by the Membership at the Special Meeting on March 18, 2017.
Sherry Copeland, Chairman
Board of Directors

