

CONSTITUTION and BY-LAWS

of Vereinigung Erzgebirge, Inc.

130 Davisville Road
Warminster, PA 18974

**Revised and accepted at the General Membership Meeting
October 27, 2019**

ARTICLE 1 NAME

The name of the society is: Vereinigung Erzgebirge, Incorporated, 130 Davisville Road, Warminster, Bucks' County, Pennsylvania 18974.

ARTICLE 2 PURPOSE

The purpose of the Society is:

- 1 — To foster social activities and mutual support for the general welfare of the members and their families;
- 2 — To maintain the habits and customs of our forefathers;
- 3 — To nurture the German language;
- 4 — To foster all athletics and sports;
- 5 — To foster choral singing;
- 6 — Under all circumstances to avoid participation by the Society in partisan political or religious matters.

ARTICLE 3 SEAL

The seal of the Society consists of: Three Fir Trees on three hills, symbolizing the Ore Mountains, circumscribed by the words: Vereinigung Erzgebirge, Inc., Warminster, PA.

ARTICLE 4 MEMBERSHIP

The membership of the Society comprises the following:

1 — ACTIVE MEMBERS:

The Active Membership consists of men and women born in Germany and the sons and daughters of Active members at least eighteen years old. They must belong a minimum of three years before they can be elected to the office of president or vice-president

OR

Men and women of German descent or German-speaking who have for at least 3 years served the Society as good Passive members. The sons and daughters of these Active members and their descendants can also become Active members. They must be eighteen years old or older.

2 — PASSIVE MEMBERS:

The Passive Membership consists of men and women proposed and vouched for by two Active members as being of good character and who will not conceivably bring the Society into disrepute. They must be eighteen years of age or older.

OR

Passive members who have served the Society for seven (7) years are eligible to transfer to Active Membership. The sons and daughters of these active members and their descendants can also become Active members. They must be eighteen years old or older.

ARTICLE 5 RIGHTS and DUTIES OF MEMBERS

- 1 — Every Active member has the right to attend membership meetings, to make and to second motions and to vote.
- 2 — Members that are moving from this area, but who have properly notified the secretary of this move, may, upon their return, be reinstated to their former rights providing that their absence was not longer than two years. These members shall notify the secretary within two months of their intentions.
- 3 — Membership dues for each ensuing year must be paid before the end of the current year, otherwise membership ceases.
- 4 — Membership cards are not transferable.
- 5 — Passive members have the same rights and privileges as Active members, except as otherwise noted in Section 1 of Article 5 and are eligible to serve as appointed committee members. However, if appointed by the president, they are eligible to serve as committee chairpersons and to attend membership meetings. If a specific committee cannot elect an Active member as chairperson, the president shall appoint a Passive member as chairperson. These Passive chairpersons shall have a voice and a seat on the Executive Board, but not a vote. Committee members must be members of Vereinigung Erzgebirge.

ARTICLE 6 ADMINISTRATION

- 1 — The administration of the Society's affairs is entrusted to an Executive Board consisting of sixteen or more members: a president, a vice-president, a corresponding secretary, a recording secretary, a financial secretary, a treasurer, three trustees and seven or more directors. All of these officers must be Active members.
- 2 — The number of directors to be elected at a given annual meeting is determined by the number of Active members at that time. One director is elected for every forty Active members.
- 3 — The officers of the Executive Board are elected annually, for the current year, at the annual meeting in January, by secret ballot. In the event of a tie, that tie will be broken by a Ballot vote by those Active members remaining. This ballot vote will only be for the tied position.
- 4 — The newly constituted Executive Board takes office at the ensuing membership meeting in February.
- 5 — Every officer, trustee and director is eligible for re-election.
- 6 — The rights and duties of the officers, trustees and directors are specified in the By-Laws.
- 7 — Officers, trustees and directors may not exceed the limits of authority imposed by the By-Laws.
- 8 — The membership can remove any officer, trustee, director, committee chairperson or committee member from office, if it should find him/her willfully neglectful of or incapable of properly fulfilling his/her duties.
- 9 — If an officer, trustee, director or committee chairperson desires to be relieved of his/her duties, he/she must submit a written request to that effect to the membership.
- 10 — The president, vice-president, corresponding secretary, recording secretary, financial secretary, treasurer and trustees must be United States citizens.

ARTICLE 7 NON-PROFIT PROVISION

None of the directors, officers or members of the Society, as such, may receive or accept any gain or profit from the Society for the performance of their prescribed duties. The Executive Board may, however, compensate any member, officer, or director for special services rendered, and he or she may enter into contract with the Society in the due course of his or her business or profession.

ARTICLE 8 BY-LAWS

It is the duty of the membership to enact the By-Laws necessary to fulfill the purpose of the Society.

ARTICLE 9 AMENDMENTS

The Constitution and the By-Laws of the Society can be changed or amended only by a two-thirds majority of the votes cast at a special membership meeting, after the proposed changes or amendments have been read and discussed at the two immediately preceding membership meetings. No changes nor amendments may be affected which are not in accord with the laws of the Commonwealth.

ARTICLE 10 IN CASE OF DISSOLVEMENT

- 1 — In the event of the sale of real estate or other possessions of the Society, the proceeds remain the property of the Society.
- 2 — The Society cannot be dissolved while its membership consists of seven or more Active Members.
- 3 — No member may profit financially from the sale of property nor from the dissolution of the Society.
- 4 — This Article 10 may be changed or amended only by Active Members.

— BY-LAWS —

MEMBERSHIP

- 1 — Preparatory to initiation of Active or Passive members, the required documents and other data regarding them must be submitted to the corresponding secretary.
- 2 — An applicant for Active membership must submit proof of German birth or ancestry to the corresponding secretary. The secretary shall then inform the Membership Committee accordingly, which will process the application.
- 3 — The yearly dues and initiation fees shall be set by the Executive Board.
- 4 — Our membership consists of the following categories:
 - a. Active members, single or married.
 - b. Passive members, single or married.
 1. Spouses of Active members are automatically Passive members.
 2. Spouses of Passive members are automatically Passive members.
 3. Widows, Widowers or Divorcees of Active or Passive members who have been members for thirty years.
- 5 — When a member becomes 62 years old and is retired, they will become eligible to pay reduced dues set by the Executive Board. They must have thirty years of continuous membership.
- 6 — Members who have served the Society for fifty years are considered honorary members and no dues will be assessed.
- 7 — When an Active or Passive member marries, their spouse becomes a Passive member and is required to pay the specific dues. They may also apply for Active or Passive membership in accordance with Article 4 “Membership”.
- 8 — Widows, widowers, or divorcees of Active or Passive members may continue their Passive membership upon payment of the proper dues for a maximum period of three years. After this time period has elapsed, they must apply for Active or Passive membership in accordance with the criteria as set forth in Article 4 “Membership”. Widows, widowers or divorcees who have been members for 30 years or more may continue their membership.
 - a. If a Passive member widow, widower or divorcee remarries, they, or their new spouse, must apply for either Active or Passive membership in accordance with the criteria as set forth in Article 4 “Membership”.
- 9 — New Passive members will be accepted upon approval by the Membership Committee and the Executive Board.
- 10 — Sports Committee chairperson may propose active sportlers for Passive membership.
- 11 — Singer Committee chairperson may propose active singers for Passive membership.
- 12 — The names of proposed Active or Passive members must be publicized within the Society for thirty days and then be presented to the Executive Board for approval. A two-thirds majority of votes cast in the Executive Board and/or membership meeting is required for approval.

13 — All Active members have the right to present written objections to the Membership Committee of any proposed new member.

14 — Where approval of the candidacy of a proposed member is denied, the Society has the right to forbid the rejected candidate to enter its grounds.

15 — When an Active or Passive member is considered to be violating or fostering subversion of the spirit or letter of the Constitution or By-Laws, or in his/her general attitude to be acting contrary to the interest of the Society, he/she can be cited by the Society's president to appear at a regular meeting of the Executive Board to submit an explanation of his/her behavior. The Executive Board, if the circumstances appear to require it, has the right to warn or reprimand said member, and in the event of a repetition, to present the matter at a regular membership meeting where it will be decided whether or not to revoke the membership of the accused member and to forbid his/her further entry upon the grounds of the Society.

MEMBERSHIP MEETINGS

1 — Regular membership meetings shall be held quarterly or as directed by the Executive Board at the clubhouse, 130 Davisville Road, Warminster, PA 18974, at a time prescribed by the Executive Board.

2 — The annual general membership meeting shall be held in January. The annual reports of officers and committee chairpersons will be read and annual elections held at this meeting.

3 — All Active Members shall be notified ten days before the annual general membership meeting.

4 — It is the duty of every Active Member to attend this meeting if at all possible. Members who do not attend meetings are in duty bound to accept the decisions rendered without demur.

5 — At least twenty-one members are required to constitute a quorum at a membership meeting.

6 — The fiscal year runs from June first to May thirty-first.

NOMINATIONS of OFFICERS, TRUSTEES and DIRECTORS

In October of each year, the Executive Board shall appoint a Nominating Committee consisting of three or more members to compile a list of candidates for the annual election in January. Wherever possible, there should be at least two candidates for each office. The nominations shall be closed at the January Executive Board meeting.

RIGHTS and DUTIES of OFFICERS, TRUSTEES, DIRECTORS, AUDITORS and COMMITTEES

1 — It is the duty of the **President** to call all meetings of the Society and of the Executive Board; to preside over such meetings; and to enforce all resolutions passed at these meetings.

2 — It is the duty of the **Vice-President** to take over the duties of the President in the absence of the latter. He shall also be Chairperson of the Membership Committee.

3 — The **Corresponding Secretary** shall see to all written or documentation requirements of the Society; such as correspondence, printing, etc., and render a written status report at the annual meeting in January.

4 — The **Recording Secretary** shall keep accurate minutes of all meetings of the Society and the Executive Board.

5 — The **Financial Secretary** is responsible for all financial aspects of the Society. He shall receive all monies due the Society and deposit such monies in an account at a bank designated by the Executive Board. He shall keep accurate account of all receipts and shall make a financial report at the monthly meeting. At the close of the fiscal year, he shall render to the annual meeting, in conjunction with the Treasurer's report of expenditures, a complete report of income and balance sheet of the Society's financial standing.

6 — The **Treasurer** shall receive all bills from the Financial Secretary and shall pay all upon written order of the latter. He shall keep accurate account of all receipts and expenditures and, at the end of each month and fiscal year, it is his duty to issue a financial report.

7 — The **Trustees** have a voice and vote in the Executive Board, and it shall be their duty, together with the auditors, to examine the books, to take inventory and check the finances of the organization in all its branches at quarterly intervals prior to our quarterly membership meetings.

8 — The **Directors** have a voice and vote in the Executive Board, and it shall be their duty to see that the business of the Society is carried out to the best interest of the membership.

9 — The **Executive Board** shall appoint one of its directors to the post of Director of Inventory. This said director shall be responsible for all property held by the Society, shall keep an accurate account of all stock on hand, and must be informed of all new purchases. At the close of the fiscal year, he must take a complete inventory and report to the annual meeting on all property owned and the nature and condition thereof. His inventory report must include a list of all the Society's possessions: such as real estate and buildings, machinery, tools, apparatus of all types, furniture and all other goods possessed by the Society.

10 — All **Committee Chairpersons** have a voice and a vote in the Executive Board: they must be Active members. However, if a specific committee cannot elect an Active member as chairperson, the president shall appoint a Passive or Associate member as chairperson. These Passive or Associate chairpersons shall have a voice and a seat in the Executive Board, but not a vote.

11 — **Auditors** shall be appointed by the Executive Board. Their duty shall be, together with the trustees, to examine the books of the Society, the records of all monies, funds and inventory at regular intervals. They shall check expenses and receipts for beer, liquor and foods separately, determine the profit or loss in each category, and report to the Executive Board at the monthly meetings and to the membership at the quarterly membership meetings.

12 — The **President** may make expenditures of up to \$2,500.00 for non-emergency items without the consent of the Board of Directors. All expenditures above this limit, except for emergency situations, must be presented to the Board of Directors for approval.

COMMITTEES

1 — The committees' function on behalf of and within specific guidelines and rules as prescribed by the Executive Board. Each committee consists of a chairperson and at least three or more members of the Vereinigung Erzgebirge. All committee members must be approved by the Executive Board.

2 — All committee members are appointed for one year by the Executive Board.

3 — The Executive Board may, when conditions warrant, dissolve existing committees or create new ones.

4 — The income from all activities shall be transferred to the financial secretary, who will enter all income and expenses in his records and will deposit all funds in a bank designated by the Executive Board.

A. HOUSE COMMITTEE

1 — The House Committee supervises and controls the management of the Society's economic and housekeeping affairs.

2 — It's duty is to see that the bar and kitchen are efficiently staffed and operated and to discuss with the steward all problems concerning this, reporting their findings and actions taken to the Executive Board.

3 — Disputes between the House Committee and the steward or other employees shall be presented to the Executive Board for settlement.

4 — The Chairperson of the House Committee must be an Active member and approved by the Executive Board.

GUIDELINES for HOUSE RULES

1 — A steward is selected to supervise all husbandry, and it is his duty to see that all responsibilities are carried out faithfully. It is his duty to see that the clubhouse is kept clean, as well as checking that the furnishings are in order.

2 — The steward is to work harmoniously with the House Committee, and all purchases for food and drink are to be made by him. It is his duty to keep an accurate account of all purchases, although the chef is to be allowed discretion in ordering food commodities. It is the duty of the steward to keep and store all commodities in neat order.

3 — The steward must inform the Executive Board each month of said husbandry; and must issue to the financial secretary an itemized statement of his expenditures each month.

4 — The steward has the right to employ additional help when needed, provided he consults the House Committee regarding this. The compensation for additional help is determined by the Executive Board.

5 — The steward must be available at all times, with the exception of pre-arranged free time, agreed upon by the Executive Board. It is his duty to carry on the supervision of the clubhouse on week days, with the additional help of the chef. It is his duty to see that the bar and clubhouse are, at all times, in spic and span order. In case of private parties, it is his duty to issue an itemized bill for expenditures involved, and to present it to the House Committee for approval. It is his duty to reimburse any extra help.

6 — Notice of resignation on the part of steward and/or chef, as well as dismissal notice on part of the club, must be determined in a contract.

HOURS FOR KITCHEN AND BAR

... may change from season to season. However, members must be notified in the Calendar of such change.

B. SPORTS COMMITTEE

The Sports Committee organizes and directs all athletic activities of the Society, supervising all games and other sporting events. All planned undertakings which alter or broaden these activities beyond the accustomed range, must be reported to the Executive Board. One member of the committee, serving as property custodian, shall be responsible for the care of all athletic and sporting equipment.

C. SWIMMING POOL COMMITTEE

The Swimming Pool Committee is responsible for the organization and supervision of all activities connected with the pool, its grounds, and buildings.

D. PLANNING COMMITTEE

The Planning Committee shall plan for the orderly development and improvement of all the club's facilities. The committee shall plan and contract for any major improvements of the club's facilities upon approval of the Executive Board and the general membership.

E. MAINTENANCE COMMITTEE

This committee shall be responsible for the care of all properties, such as buildings, sheds, tables and benches, as well as the grounds. It shall make all necessary repairs and improvements, obtaining the consent of the Executive Board in all financial matters.

F. ENTERTAINMENT COMMITTEE

It is the duty of the Entertainment Committee to plan entertainment and to supervise the cooperation between the various other committees involved in preparing, programming and holding special events.

G. PARKING COMMITTEE

The Parking Committee is responsible for the orderly parking of vehicles and for the handling of parking fees.

H. MEMBERSHIP COMMITTEE

The chairperson of this committee shall be the vice-president. It is the duty of the Membership Committee to determine the eligibility of candidates for membership. The documents and personal data received by the corresponding secretary (a member of this committee) shall be submitted to the committee for its consideration. The committee shall post the name of each candidate for thirty days in such manner that the membership is informed and can duly express its opinion regarding him/her. If the committee thereupon finds the candidate eligible, of good character, and acting for the benefit of the Society, it shall recommend his/her acceptance at the next Executive Board or membership meeting.

I. CALENDAR COMMITTEE

This committee prepares and sends to all members the "Waldesrauschen" calendar, listing coming events and all other official announcements of the Society.

J. SINGING COMMITTEE

It is the duty of the Singing Committee to organize and direct the choral activities of the Society and to maintain custody of the musical inventory. All Active, Passive or Associate members interested in furthering choral singing are eligible and encouraged to join this chorus. The cost for the remuneration of the conductor and for the purchase of musical inventory are carried by the Society.

REGULATIONS CONCERNING WEEK-END LOTS

1 — As long as there is sufficient property for this purpose, the Society will lease week-end lots to its members.

- 2 — It is the duty of each member to keep his/her lot and bungalow in good condition.
- 3 — Provision and maintenance of walks and other conveniences involved are the responsibility of the lessee of the lot.
- 4 — Upon giving up or losing his/her membership in the Society, the owner of a bungalow will be given one year to sell it to another club member, to remove it from the property of the Society, or to tear it down. After this period of grace has elapsed, the lot and all structures and other improvements upon it are the property of the Society.
- 5 — Upon the death of a member owning a bungalow, direct relatives (if members) may, upon petition to the Executive Board, be permitted to leave it stand and to continue enjoying the use of it until the Society orders the enforcement of paragraph 4 of these regulations.
- 6 — The Society retains the right to order the disposal of the weekend lots at all times.
- 7 — Trees on the lots may be removed only with the permission of the Executive Board.
- 8 — The Executive Board shall appoint a supervisor of the weekend lots to serve as arbitrator in matters affecting them and to maintain order. The lot holders are bound by his/her directives.
- 9 — The Society is NOT responsible for ANY damage to weekend bungalows nor to any property of their owners.
- 10 — Only the week-end lot holders are permitted to park automobiles in the week-end bungalow area.
- 11 — The Society is neither responsible for damage to parked automobiles nor for the loss of personal property on its grounds.
- 12 — The clubhouse and grounds are for the enjoyment of all members; dogs and other pets may not be brought onto the property.

Regulations

Governing Business Meetings of the Vereinigung Erzgebirge, Inc.

- 1 — All business must be conducted in accordance with the constitution and with the regulations here set forth.
 - 2 — Members wishing to take part in debate must ask for recognition in an orderly manner and, when recognized, must not stray from the subject. If two or more members ask for recognition at the same time, the president shall choose the speaker; the vice-president shall, however, keep a list of those desiring to be heard. The president shall vote with the members. In case of a tie, the issue voted upon is defeated.
 - 3 — No member shall have the right to interrupt a speaker, except a question of order.
 - 4 — Upon being challenged for order, the speaker must stop speaking until the question of order is settled by the president.
 - 5 — The decision of the president may be appealed, and the vice-president shall then permit the appellant and, finally, the president to speak on the controversy. The question of order shall then be settled by a majority vote.
 - 6 — No motion may be debated upon until seconded and presented by the president.
 - 7 — While a motion is being debated, no other motion shall be in order, except one of the following:
 - a. Motion for adjournment.
 - b. Motion for ending debate.
 - c. Motion for closing speaker list.
 - d. Motion for indefinite postponement.
 - e. Motion for definite postponement.
 - f. Motion for referring the matter to its originator.
 - g. Motion for amendment.
- These motions have preference in the order given, the first three coming to vote without debate.
- 8 — The motion for adjournment, ending debate, and/or closing the speaker list shall remain in order after the president has given the proponent the floor in the regular order of business, though not as long as that member is speaking.
- 9 — A motion for adjournment, when once defeated, cannot be repeated until the other business is settled.
- 10 — If the members feel that a matter was rushed through without due consideration, or later events and information reveal that the matter was unwisely settled, they may reconsider the matter or annul it entirely. The motion for reconsideration shall open the entire matter for discussion and further action. This motion can be carried with a simple majority.
- 11 — A motion for annulment may be made by any member in ordinary form, but must be carried by a two-thirds majority.
- 12 — If a motion is made for a closed ballot, this formality must be fulfilled.
- 13 — If the motion ending debate is carried, the president must present the motion and amendments in question for a vote.
- 14 — If the motion is made closing the speaker list, no more names may be added to the list as it then stands, and if carried, it will be read and those listed recognized in proper order until the list is exhausted or a motion is made ending debate.
- 15 — Only such members who have not taken part in the debate may make motions as stated in paragraph 13 and 14. Paragraph 13 necessitates a two-thirds majority.
- 16 — The division of a motion may be demanded if its nature warrants such action.
- 17 — If objection is raised to the reading of a document, the matter must be settled by a vote.
- 18 — No member shall have a vote in a matter constituting a complaint against himself.
- 19 — A motion of transfer or postponement is not debatable. The time of postponement, however, may be debated.
- 20 — If a motion for indefinite postponement is carried, the matter may again be brought to discussion at any future meeting under “unfinished business”.
- 21 — Personal remarks are only permissible after the end of debate. However, the originator of a motion shall be given the final word, upon demand, before a vote is taken.
- 22 — A motion which has been debated cannot be retracted when an objection thereto is raised.
- 23 — Members using unmannerly language shall be called to order by the president. If a member need be reprimanded a second time for unmannerly speech, the president shall deny his recognition for the duration of the meeting. If reprimanded a third time, he may be ejected from the meeting. He may, however, appeal to the meeting.
- 24 — None of the preceding regulations may be annulled or changed except by a two-thirds vote of the annual meeting.