

**Wild Horse Plains Back Country Horsemen Constitution**  
**3/2023 Revision**

**Article I: Name and Purpose**

- Section 1: The name of this organization shall be Wild Horse Plains Back Country Horsemen, hereinafter referred to as WHPBCH, and shall be incorporated under the laws of the State of Montana as a non-profit educational corporation. The address shall be: P.O. Box 222, Plains, MT. 59859.
- Section 2: Our purpose is to perpetuate common-sense use of horses in back country and wilderness; to assist government agencies in maintenance of the resource; to work to ensure that public lands remain open to recreation and stock use; and to educate, encourage and solicit active public participation in wise and sustained use of horses commensurate with our heritage.

**Article II: Membership**

- Section 1: Membership shall be either individual or family. Individuals shall be 18 years or older and interested in promoting the purposes as stated in Article I. Family memberships includes family members living in one household and children under 18 years of age. Family members under the age of 18 may participate in suitable club activities with adult supervision but will not be eligible to vote.
- Section 2: New membership applications may be reviewed by the Board (Article V, Section 2) prior to acceptance.
- Section 3: Associate membership may be acquired by individuals, businesses or organizations interested in supporting the purposes as stated in Article I.
- Section 4: Calendar year dues shall be decided at each December meeting by a vote of the General membership.
- Section 5: To be considered "a Member in Good Standing" current year dues must be paid.
- Section 6: Membership dues for new members received after September 1<sup>st</sup> of each year will be credited to the following year.

### **Article III: Voting**

- Section 1: Each Member 18 years of age or older and in good standing shall be entitled to one vote on all matters voted upon during regular or special meetings.
- Section 2: A simple majority of Members in good standing (current dues paying members), voting when the organization is in session, shall be required to conduct that business requiring group action, providing a quorum (See Article IV, Section 4) is present, excepting the removal of Officers or Directors, which is provided for in Article VIII.
- Section 3: The election of Officers, Directors and all major issues shall be by a show of hands or verbal (yea/nay). If two or more candidates are running for a position, written ballots shall be used. A Member in good standing may specifically request a written ballot for major issues.
- Section 4: Members unable to attend the election of Officers and Directors, or to vote on a particular issue, may vote by submitting an absentee ballot to the President, Vice-President or Secretary/Treasurer prior to the meeting.

### **Article IV: Meetings**

- Section 1: Meetings shall be held monthly at a place and time decided by a simple majority of Members present and voting at regular meetings. General meetings will be held on the second Monday of the month.
- Section 2: Special meetings may be called by the President or upon written request signed by any two (2) Directors or upon written request signed by a ten (10) voting Members in good standing.
- Section 3: Board meetings may be held monthly prior to the general meetings at the convenience of the Directors. Regular Members shall be welcome at Board meetings but shall have no vote.
- Section 4: Five (5) voting Members in good standing in addition to two (2) Officers and one (1) Director shall constitute a quorum for the transaction of business at any regular or special meeting.
- Section 5: All meetings shall be held according to Robert's Rules of Order where they do not conflict with this constitution.
- Section 6: This constitution and its bylaws may be amended at any regular or special meeting by majority vote, provided that notice of such proposed amendment(s) shall be given to the organization at the regular meeting preceding the submission of such proposed amendment.
- Section 7: Notice shall be given of all meetings.

## **Article V: Officers and Directors**

- Section 1: Officers of this organization shall be a President, a Vice-president and a Secretary/Treasurer. Other offices may be created as the voting membership decides. There shall be no more than one member of a household elected to serve as an Officer.
- Section 2: The Chapter Board shall consist of two (2) State Directors, One (1) to 3 (three) Chapter Directors, the Officers and the immediate past President and shall be known as the Board for the purposes of this constitution. The immediate past President will serve as a voting member of the Board but is not an Officer or Director for purposes of a quorum.
- Section 3: Any vacancy in any office or on the Board shall be filled by an election by the Board for the balance of such term, except for the President's office which shall be automatically filled by the Vice-president.
- Section 4: All elected Officers and Directors must be voting Members in good standing.
- Section 5: Officers' and Chapter Directors' terms shall be one year. Officers and Chapter Directors shall have no term (years of service) limits.

## **Article VI: Duties of Officers and Directors**

- Section 1: The authority of this organization shall be lodged in its assembled meetings. Officers and Directors shall conform to the wishes and instructions of the membership but subject to such control and direction by the organization. The Board of Directors shall manage and execute the affairs of the organization.
- Section 2: It shall be the duty of the President to:
- A. Preside over meetings.
  - B. Exercise general executive control over affairs of the organization.
  - C. Call special meetings.
  - D. Perform all other duties pertaining to such office, be an ex-officio member of committees and shall be one of the three check signers of record.
- Section 3: The Vice-President shall be responsible to arrange general meeting sites and programs. He/she shall also assist the president when called upon to do so and in the absence of the president shall be vested with all powers and duties of the president and shall be one of the three check signers of record.
- Section 4: The Secretary shall record and keep the minutes of all regular, special and board meetings and perform such other duties as pertain to such office.

Section 5: The Treasurer shall collect dues, maintain an up-to-date register or roll of members for the purpose of organizational business, notices, etc., keep and disburse all funds of the organization and shall keep a written account of same, which shall be open for inspection by any member in good standing. The Treasurer shall furnish a written report of the state of the finances monthly and shall be one of the three check-signers of record, any two of which may validate a check. All funds shall be kept in a bank account.

### **Article VII: Elections**

- Section 1: All Officers and Directors shall be elected by a majority vote at the regularly scheduled December meeting and their term of office shall be the calendar year, except State Directors will follow the terms outlined in the State Constitution. The current President will only vote as a tiebreaker in Officer and Director elections, he/she may vote in any other motions before the floor.
- Section 2: State Directors vacancies shall be filled by two (2) year terms with staggered durations and be limited to three (3) consecutive (2) year terms (6 years total), except when that Director is serving as State Chairman or Vice-Chairman (BCHMT Constitution Article VI, Sections 1-3).
- Section 3: Officers shall be elected for a one (1) year term. There shall be no limit of consecutive terms by Officers or Chapter Directors.
- Section 4: Qualifications for Officers and Directors shall be persons who have been a member in good standing for at least one (1) year and must have attended four (4) Chapter meetings, or participated in four (4) Chapter events or a combination equal to four (4) Chapter meetings/Chapter events within the current year.
- Section 5: Two (2) State BCH Directors and one alternate representing this organization shall be elected at the regular December meeting. State Directors shall be or shall have been a Chapter Officer or Chapter Director of this organization (after its first full year in operation) when possible among members available. State Directors will be elected for staggered two-year terms and the alternate for a one-year term. Terms will commence Jan 1 of the next calendar year. Voting privileges on the local Chapter Board is accorded to these two positions.
- Section 6: Officers shall be elected by recommendations from the nominating committee at the December meeting. Additional nominations for Officers and Directors may be provided by the membership from the floor prior to the election with the approval of the nominee.

## **Article VIII: Removal of Officers, Directors and Members**

- Section 1: Notification of action to remove an officer or director must be made at the regular meeting preceding the meeting that the action is to take place.
- Section 2: Action to remove an officer or director requires a majority vote of a quorum at a regular meeting.
- Section 3: Any officer or director wishing to resign shall do so in writing and present it at a regular meeting.
- Section 4: Chapter members may be expelled for conduct which does not uphold the Purpose as stated in Article 1, is intimidating, threatening, pugnacious, belligerent or otherwise harmful to members of the Chapter Association or which impairs the functioning or damages the reputation of the chapter.

If such conduct shall be brought to the Board's attention and the majority of the Board determines that expulsion of the member should be considered, the Board shall appoint a Committee of three regular members who are not on the Board. The Committee shall investigate and submit a written report to the Board stating the results of this investigation and its recommendation.

If expulsion or other disciplinary action shall be recommended, the Board shall consider such recommendation at a hearing at the next regular or special general meeting and give the accused member at least ten day notice of such hearing. The Board shall consider the Committee's report, shall give the defending member the opportunity to be heard, and may consider the statements of other persons present to the extent they are relevant. Only Board Members present at the hearing may vote, and no member shall be expelled except by the vote of two-thirds of a quorum: lesser discipline may be imposed by a majority vote. The Board shall advise the member at least fifteen days prior to the effective date of the action to be taken.

A member whom the Board has voted to expel or discipline may appeal the Board's decision by giving written notice of appeal to the Secretary prior to the effective date of the Board Action. Within five days after receiving such notice, the Secretary shall notify the Board of the appeal and shall furnish to the appealing member and the Board a list of Past Presidents, Officers and Directors who are then Regular Members of the Chapter and are not currently on the Board. Within five (5) days thereafter the appealing member shall choose one person from the list and notify the Secretary of his/her choice. The Secretary shall notify the Board of the member's choice, and with five (5) days the Board shall choose one person from the list and notify the Secretary of its choice. The Secretary will notify the two from the list who have been chosen, and the two shall select a third member for the list. The three shall comprise the Appellate Tribunal which shall promptly schedule a hearing, give notice of the hearing, determine whether or not the appealing member should be expelled or disciplined, and notify the appealing member and the Board of its determination. A decision of the Appellate Tribunal shall be final.

## **Article IX: Finance**

Section 1: All funds shall be deposited in a bank account or other suitable insured repository.

## **Article X: Committees & Volunteer Leaders**

Section 1: The committees, committee leaders and volunteer leaders necessary for the function of this organization shall be designated by the President with approval of the Board of Directors. Said leads will in turn appoint their committee from volunteers as necessary to accomplish their committee's function.

Section 2: At least one (1) member in good standing shall be selected annually as an Auditor to examine the organization's financial records. The audit report shall be signed by the Auditor and the said report shall be presented to the membership at large.

Section 3: A Nominating Committee with a minimum of two (2) members shall be appointed no less than two (2) months prior to the election of Officers and Directors with the exception of the initial year's elections which will be no less than one (1) month prior to the election.

The purpose of the Nominating Committee shall be to provide recommendations for this organization's Officers and Directors.

The recommendations of the nominating committee shall be presented to the membership at the general meeting in November prior to the election.

Section 4: The President may remove a committee chairman with the Board's approval. A hearing before the Board shall be required if requested by the chairman in question.

## **Article XI: Exempt Activities**

Section 1: No part of the net earnings of this organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purposed clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in any political campaign on behalf of any candidate for public office (including the publishing or distribution of statements). Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, corresponding section of any further federal tax code, or (b) by an organization, contributions to which deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 2: No member shall be considered a “spokesperson” on any matters with cooperating agencies or the media without the explicit appointment by the President for a specific occasion.

**Article XII: Dissolution**

Section 1: Should there be a dissolution of the Chapter, any assets of the Chapter shall be distributed to an organization dedicated to the preservation of the America's back country and wilderness to be determined by a majority vote which would then qualify under the provision of Section 501~3 of the Internal Revenue Code and it's regulations as they now exist or as they may hereafter be amended.

PASSED AND ADOPTED BY THE MEMBERS OF THE WILD HORSE PLAINS BACK COUNTRY HORSEMEN THIS 13<sup>th</sup> DAY OF March, 2023.

Signed by:

/s/ Kelsie Blevins  
Kelsie Blevins – President

/s/ Terry Collins  
Terry Collins – Secretary/Treasurer