



**OMISS BOARD OF DIRECTORS
SPECIAL MEETING
AUGUST 4TH, 2016**

APPROVED MINUTES

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SPECIAL MEETING**

August 4th, 2016

Call to order by W5JDF at 0100 Zulu on S
Welcome to all Board Members and men

ROLL CALL

N4JTE UNABLE TO ATTEND(WORK)

W5JDF X

K5ENA X

W9FML X

ND8F X

N4JLT X

K6HP X

KF7BA X

A10A X (LEFT FOR PORTION OF MEETING FOR FIRE CALL – RETURNED APPROX 0145

MEMBER OBSERVERS: KK9KK, KY5G, K8APR, KE0CRP, K8MPW, WB8GCF, KJ5IM, K9WVL, W4YQY, N2HTL, N8SPM, KF7TLL

BUSINESS:

Discussion has been put before the board of directors regarding the eligibility number required to be placed on the ballot for the upcoming 2016 election. It has taken place with the nominating committee as well.

Clarification was asked for. The parliamentarian sent his review to the board of directors. Because of the various opinions offered by our board members a special meeting has been called. W5JDF gave summary to all visiting guests of discussion about the eligibility

SECTION 2: MEETINGS OF THE BOARD OF DIRECTORS

The Board of Directors shall conduct a business meeting once each month. The Chairman may call a special meeting of the Board of Directors upon request and notification of all members of the Board of Directors. Any elected officer may request a special meeting be called by the Chairman of the Board of Directors for urgent business or when deemed necessary.

Member eligibility if from Dec 31 2014 is OM # 9769

Member eligibility if from Nov 30 2015 is OM # 10390

TEXT FROM PARLIAMENTARIAN:

To the OMISS Board and Peter Mann,

Hello again. I was asked as Parliamentarian to clarify the eligibility of members to hold office.

Article 3, Section 1, part a:

A member, to be eligible to hold office in the Society, shall have held membership in the Society for a period of one calendar year prior to Dec. 1 of the election year, and shall have shown active interest and participation in the Society and its activities.

Disclaimer: We did not modify this language during the last revision of the Constitution and By-Laws. This exact by-law existed in the 2011 version. Also, I am not allowed to pick sides in an argument so my apologies to whoever gets eliminated by this poorly worded section included in Article 3.

By legal definition a calendar year is, in fact, from January 1st to December 31st.

The *calendar year* prior to December 1 of the election year would be the year before the actual election takes place. The membership eligibility cutoff for the December 1st, 2016 election would be any member awarded his/her lifetime membership before the date of January 1st, 2015.

Many have argued that “calendar year” was meant to be the 365 days before the election (an eligibility date of November 30,2015.) That would be a year--- not a calendar year. There is something in law that refers to the spirit of the language. The spirit, in this case, would be the idea that a calendar year is the 365 days preceding a specific date (i.e. July 1, 2015-June 30, 2016). I believe it was the intent of the previous writers of the by-laws to have a 365-day period prior to the election. However, they used *calendar year* and as such, I have to define the written words.

As Parliamentarian, I cannot rule on the eligibility of members that have joined between the two dates. My role is to submit my research to the President and advise him of the matter-at-hand. Bob-N4JTE, it is my opinion that the eligibility cutoff for candidates for office during the 2016 election be memberships issued before January 1st, 2015. I know of no recent elections in OMISS that violated this timeframe and suggest we abide by the legal definition of *calendar year* until such time that we can strike those words from the existing language in the by-laws.

Respectfully,

Rich Milcarek, KK9KK

SUBMITTED BY AIOA:

I like the rest of you have watched the Q&A about who is eligible to run for office. I read the bylaws differently than the opinion that Rich presented to us. In my mind if the original intent was that one had to be a member for one year prior to the election year it would have been stated as such. With the Statement of " shall have held membership in the Society for a period of one calendar year prior to Dec. 1 of the election year" it reads to me as If you joined on Nov 30th of 2015 you would be entitled to run for office. I reference the Definition below in [section 2.](#)

It makes no difference to me either way as I do not know of anyone personally who this will affect. However, I do believe that having the date of Dec 1st in the By Laws is a dead give-a way to what the true intent was in this section.

SECTION 1: ELIGIBILITY TO HOLD OFFICE

a. A member, to be eligible to hold office in the Society, shall have held membership in the Society for a period of one calendar year prior to Dec. 1 of the election year, and shall have shown active interest and participation in the Society and its activities

Top of Form
Bottom of Form

Full Definition of *calendar year*

1. *I*: a period of a year beginning and ending with the dates that are conventionally accepted as marking the beginning and end of a numbered year
2. 2: a period of time equal in length to that of the year in the calendar conventionally in use

W9FML reported on a phone discussion with KAOAK OM#185 regarding original bylaws and the edits he had made. The original bylaws, 1986, stated that in order to serve in office the member must have been a member for 1 year prior to Dec 1 of the election year. Dick edited the bylaws in 2003 and added the word calendar. He stated he did not post calendar as Jan1-Dec 31. He stated member had to be a member for one year in order to hold office. He wanted the board to be aware of his intent when re-writing the bylaws that he only ever wanted the member eligibility to have been 365 days.

W5JDF polled the board after discussion about which way after reading the provided information and emails that they were weighing.

K5ENA- stated he has been using the "calendar year of JAN1-DEC31" for his years in office. That date being must have been a member on Dec 31 2014. But either way he is ok, its whatever is best for membership.

W9FML- stated she believes that the original intent is how she interprets it. Nov 30 2015

ND8F- agreed with W9FML 100% Nov 30 2015

N4JLT- agreed that intent was 365 days Nov 30 2015

K6HP- after hearing all said he still agrees with parliamentarian that date is Dec 31 2014

KF7BA-sees both sides but reads it as Dec 31 2014

AIOA- not available

Rich- KK9KK offering discussion just explaining his email. His job was to interpret the bylaws and answer questions of the officer, in this case W5JDF.

Further discussion about the topic was had. Jerry questioned the parliamentarian about how to proceed, if he needed to be a tie breaker. W9FML stated again, that with no disrespect to Rich, after speaking with the original writer, the intent was only one year from joining OMISS, and because this effects over 600 members, she was going to hope the board would consider his intent when he added the word calendar. Ed felt the parliamentarian interpretation still should hold and go no further. N4JLT was consulted on how KY rules would be. Even though he felt the parliamentarian interpretation should be taken, he felt the spirit of 365 days was the intention. Discussion about how many years it has been done this way was since approx. 2008. AIOA, joined and was brought up to date, he said since they had done this for years, it would be wrong to change it now, but note next board should have it reviewed and cleaned up. He also felt the spirit was 365 days. But would not vote that way

Official vote taken: W5JDF asked each board member to vote for either NOV 30, 2015 of DEC 31, 2014

K5ENA- DEC 31

W9FML-NOV 30

ND8F-NOV 30

N4JLT-NOV 30

K6HP-DEC 31

KF7BA-DEC 31

AIOA-DEC 31

MOTION DID NOT PASS. THE REQUIREMENT WILL BE THAT A MEMBER MUST HAVE JOINED OMISS BY DEC 31, 2014. OM # 9769 OR lower is eligible.

IT IS RECOMMENDED FOR THE NEXT BOARD OF DIRECTORS WHEN REVIEWING THE BYLAWS TO HAVE VERY SERIOUS CONSIDERATION GIVEN TO THE WORDING OF THIS ELIBILITY REQUIREMENT. W9FML Will carry over on each board meeting until the next board of directors takes office on DEC 1 2016

NCS OF THE MONTH DISCUSSION:

With the newly changed award, clarification is needed on newly certified NCS by KF7BA. W9FML making a motion that NCS station must be a certified NCS for the entire month in which is being voted for, if they have not been a certified NCS for the entire month, they are eligible for TOP OP of the month. 2nd by K5ENA Roll call vote taken and passed unanimously.

W5JDF asked for limited member comments if they felt it was needed. WB8GCF thanked the board for very dedicated response and for passion for the work done. N8SPM thanked the board for taking the time for discussion. KK9KK thanked W9FML AND AIOA for the work put in to getting this resolved and to W5JDF for hosting.

NEXT BOARD MEETING SCHEDULED FOR August 15TH, 2016 AT 0100 ZULU (8PM CENTRAL)

All meeting dates coordinate with Zulu time. Meetings are held on the second Sunday of each month. KF7BA will host SKYPE

ADJOURNMENT

MOTION TO ADJOURN BY ND8F

SECOND BY K5ENA

ANY OBJECTIONS? NONE

IF NONE, MEETING ADJOURNED AT 0212 ZULU