

Survey Results to Proposed Amendments to the Bylaws & Articles of Incorporation

Revisions to the bylaws are in *bold, italics* and **highlighted**.

Several amendments to the Bylaws and an amendment to the Articles of Incorporation have been approved by the Board of Directors. Subsequently, the proposed amendments to the Bylaws were sent to the American Kennel Club for review and were found acceptable for their final approval. A survey was made available to the membership on-line from March 15 through April 20, 2008 requesting opinions and comment. An article regarding the proposed amendments was published in the Winter 2008 issue of *Quackers* and requested comment. No comments were received by the Secretary by either email or regular mail.

There were sixty seven (67) respondents to the survey and all claimed to be members of the club. All responses came from unique IP Addresses. Although not required, forty seven (47) respondents provided their names. The breakdown by Regions was:

In what Region do you live?		
Answer	Count	Percentage
No answer	0	0.00%
Region 1 (R1)	11	16.42%
Region 2 (R2)	16	23.88%
Region 3 (R3)	10	14.93%
Region 4 (R4)	6	8.96%
Region 5 (R5)	8	11.94%
Region 6 (R6)	7	10.45%
Region 7 (R7)	8	11.94%
International (R8)	1	1.49%

The results of the survey are provided below. There were several instances where it appeared that respondents reversed their numbers and marked a 5-Strongly Disagree or 4-Disagree when their comments indicated agreement with the proposed changes. However, no revisions have been made to the survey results and are presented as submitted. In the Comments tables, the left column number represents the number assigned to each respondent.

BYLAWS (<http://www.nsdtrc-usa.org/bylaws.htm>):

Article II, Section 4. Dues.

Membership dues shall be set by the Board within a limit approved by the membership. The Board may increase the dues, no more than once a year, for the financial operation of the Club, but at no time may the Board exceed the limit specified by the membership.

The current limits are:

Single membership may not exceed twenty-five dollars (\$25). ***[fifty dollars (\$50)]***

Household membership may not exceed thirty-five dollars (\$35). ***[sixty dollars (\$60)]***

Associate membership (Single) may not exceed twenty-five dollars (\$25). ***[fifty dollars (\$50)]***

Associate membership (Household) may not exceed sixty dollars (\$60).

Foreign membership may not exceed thirty-five dollars (\$35). ***[sixty dollars (\$60)]***

Junior membership may not exceed twelve dollars (\$12). ***[twenty-five dollars (\$25)]***

RATIONALE: This is the long overdue raise in maximums allowable for dues and clarifies the associate household membership dues rate. This is NOT a raise in dues to these amounts, but gives the Club the latitude to raise dues incrementally over a period of time for the financial operations of the Club. The new proposed rates are in bold, italics.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on increasing the maximum allowable to charge for dues.

Answer	Count	Percentage
No answer	0	0.00%
1 (1)	20	29.85%
2 (2)	32	47.76%
3 (3)	4	5.97%
4 (4)	6	8.96%
5 (5)	5	7.46%

Comments:

6	Not happy about it, but understand in today's world, things are costing more. You are basically doubling this membership, how about a break for us long time members?
11	As long as there is no sudden huge jump in fees, I don't see a problem increasing the maximum allowable charges in the By-Laws.
14	Long overdue
21	There should be more than a \$10 difference between single and family memberships.
25	I would like to see the limits set higher.
28	I recognize the need for the board's ability to raise dues when absolutely necessary in order to keep pace with the ever-rising costs of club operations. However, we still need to be vigilant about keeping costs down wherever possible so that we're not tempted to automatically fall back on a dues increase to cover expenditures.
30	I oppose a dues increase on the grounds that 1) this would result in some members dropping out of the club; 2) there does not appear to be any financial justification for a dues increase; and 3) the club does not offer a wide enough array of benefits to support a dues increase. Authority to grant the club to raise dues should be re-visited every two years.
34	Article II section 4 Dues: From a FINANCIAL standpoint there is NO NEED for increased dues. The justification that "this is the long overdue raise in maximums" is weak at best for a club that has almost 60,000.00!!!! in the bank. You can bet if this is voted in your dues will quickly raise in a few years come up to the 60.00 household maximum. I ask, "What do we get for our money? What do they need the money for?" Printing four issues of Quackers? For many members that is all they really get from the club. We have to pay extra for a membership list already. And even active members, what do they get? A plaque once in a while for a Rusty Jones Award? Ability to enter NSDTRC events that almost always make a profit? Members, not the club, donate all of the trophies at the National and other supported events. Just about every event the club holds MAKES a PROFIT, and BTW the board STRESSES to organizers that it should. I ask ALL members, what REAL justification does the board have for increasing dues? Talk about losing membership, a 60.00 membership will drop A LOT of members that really want to just get their Quackers and perhaps participate in a club event once in a while. I am against this raise in membership dues maximums without VALID financial justification, and the maximums should be less.
56	no one wants to pay more but it just may be necessary in order to run the organization properly
63	While I agree in concept, too rapid an increase may cause a loss of membership and therefore leave us where we were (or worse) insofar as dues income is concerned.

Article III, Section 1. Annual Meeting. [First sentence]

CURRENT: The Annual Meeting of the Club shall be held between the third week in September and the last week in October in conjunction with a Club's Specialty Show if possible, at a place, date and hour designated by the Board of Directors.

CHANGE TO: The Annual Meeting of the Club shall be held **in September or October** in conjunction with a Club's Specialty Show if possible, at a place, date and hour designated by the Board of Directors.

RATIONALE: There has been an issue over when the "third week in September" occurs. The interpreters have used the AKC's Corresponding Date Calendar which sometimes puts the third week ahead of the actual calendar. The rationale for the third week being set was because of the airline embargo on flying dogs. To open the dates to all of September and October without getting more specific cuts down on confusion.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on changing the dates for the Annual Meeting.		
Answer	Count	Percentage
No answer	0	0.00%
1 (1)	37	55.22%
2 (2)	26	38.81%
3 (3)	0	0.00%
4 (4)	1	1.49%
5 (5)	3	4.48%

Comments:

3	this I believe is long overdue
11	The clarification helps a lot, I think.
24	Remembering that October begins the season of duck hunting in most states.
44	This would seem to work better for certain regions giving the weather conditions.
56	as long as the date is determined a year in advance there should be no issues
63	We aren't bound by the AKC calendar for our event. Better to work around the embargos rather than the calendar.

Article IV, Section 1. Board of Directors. [Third Paragraph, First Sentence]

CURRENT: An outgoing President may remain on the Board as an ex-officio for one (1) additional year but may not run again for President at the end of that year.

CHANGE TO: An outgoing President may remain on the Board as an ex-officio, **non-voting member** for one (1) additional year but may not run again for President at the end of that year.

RATIONALE: "Non-voting" is added to clarify that the definition of "ex-officio" in Robert's Rules is not applicable which does allow ex-officio members to vote. This is a non-elected position so should not have a vote in determining Board actions.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on changing the ex-officio President to "non-voting."		
Answer	Count	Percentage
No answer	2	2.99%
1 (1)	27	40.30%
2 (2)	30	44.78%
3 (3)	5	7.46%
4 (4)	1	1.49%
5 (5)	2	2.99%

Comments:

11	Simple is always better.
40	As a former ex-officio president, I found it hard to pay attention, knowing that my time was almost over. Without a vote, I'd think it would be even harder, and what would be the point? Marile
44	I never did understand this. Ex-officio means by "virtue of office" the ex president holds no office. Though one could infer that because of their previous office title this gives them standing to be on the board.

ADD: Article IV, Section 6. AKC Delegate

The Delegate to The American Kennel Club, who may, but need not be, an Officer or Director of the Club, shall be elected by the Board of Directors either at an in-person meeting or by mail. The Delegate shall serve for a term of three (3) years and until the Delegate's successor shall have been duly elected and qualified, unless the Delegate resigns or the appointment is withdrawn by the Board. The Delegate may be an ex-officio, non-voting member of the Board if not a duly elected Officer or Director. The Delegate shall take direction from the Board of Directors and shall represent the interests of the Club at meetings of the Delegates of The American Kennel Club, and shall report to the Club all actions and matters discussed at the AKC's Quarterly Meetings.

RATIONALE: This is new and the description of the Delegate comes from descriptions found in several parent club bylaws in which the Delegate is named by the Board instead of elected by the membership. You will note that the Delegate is made an ex-officio member of the Board which allows for better communication and keeps the person informed of the activities of the Board. Because of issues with the PAWS legislation and some Delegates going in opposition to their clubs and supporting AKC's position, the added wording that clearly defines authorities coming from the club and not AKC is added. Having the Delegate appointed by the Board also allows for the removal of an individual that is NOT acting in the best interests of the Club expeditiously.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on adding this section on the AKC Delegate.		
Answer	Count	Percentage
No answer	1	1.49%
1 (1)	20	29.85%
2 (2)	30	44.78%
3 (3)	8	11.94%
4 (4)	4	5.97%
5 (5)	4	5.97%

Comments:

10	Would change the word 'may' to 'shall' in the sentence The Delegate MAY be an ex-officio, non-voting member of the Board...
15	I think the wording makes it sound like the delegate cannot stay on longer than 3 years.

30	Article IV Section 6. I support the AKC delegate being voted in by the membership, accountable to the Board but not a Board of Directors member.
34	Article IV Section 6. The AKC delegate should be VOTED in by the MEMBERSHIP! Here again the board is taking more control away from membership. I urge the membership to not let the board persuade you that they need to "have the power" to remove the delegate in an expeditious manner if the delegate does something the Board does not like. What about the membership? Where does the membership have a say? If the delegate does something the membership does not approve of, believe me, they will let them know. I also STRONGLY disagree that the delegate be a member of the board even if non-voting. What the board wants is simply to appoint its own board members and leave the membership out completely. There is NO reason for the AKC delegate to input their opinions to board members on matters except as it relates to the AKC. I do agree with the last sentence. The delegate should take direction from, and report to the board. I do feel strongly that this report be made available to the membership in full and not buried in a brief sentence of the board minutes that the delegates report was heard and accepted. I urge the membership to demand that THEY elect the delegate and not give even more power to the board. The delegate should represent the CLUB and MEMBERSHIP, NOT THE BOARD.
40	My disagreement comes at the three year terms. While I know that there are clubs with this restriction, it is important to know how the delegate body works. All business of the delegate body is done in committees. If you are on a three year assignment, there is absolutely no chance for you to serve on a committee. In a group of close to 600 people, even if you are not on a committee but speak out regularly (me), it could take up to three years to be even recognized, let alone have your opinion respected. I can see three year mutually renewable terms, but not just 3 years period. With a just 3 year term, we are guaranteeing the Toller Club will have no influence. I do agree with having the delegate be ex-officio on the Board, just to be kept informed. Marile

Article V, Section 4. Nominations and Ballots. [Second Paragraph]

CURRENT: The Chairman and members of the Nominating Committee shall be chosen by the Board of Directors following the Annual Meeting. The committee shall consist of three (3) members from different areas of the U.S.A. and two (2) alternates, all members in good standing, no more than one of whom may be a member of the current Board of Directors. The Nominating Committee may conduct its business by mail.

CHANGE TO: The Chairman and members of the Nominating Committee shall be chosen by the Board of Directors **after November 1 and no later than March 1 each year**. The committee shall consist of **five (5)** members from different areas of the U.S.A. and two (2) alternates, all members in good standing, no more than one of whom may be a member of the current Board of Directors. The Nominating Committee may conduct its business by mail.

RATIONALE: The change in dates is to alleviate any confusion on which Board members are to appoint the Nominating Committee and that it is to be done after the beginning of the new Club year (Nov. 1.) with the newly elected Board. The number on the committee is increased as recommended by the committee that set up the Guidelines for Nominating Committees. Increasing the number provides for better representation from the membership.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on specifying a date range for selecting the Nominating Committee.

Answer	Count	Percentage
No answer	9	13.43%
1 (1)	13	19.40%
2 (2)	33	49.25%
3 (3)	11	16.42%
4 (4)	0	0.00%
5 (5)	1	1.49%

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on increasing the Nominating Committee to 5 members.

Answer	Count	Percentage
No answer	0	0.00%
1 (1)	26	38.81%
2 (2)	29	43.28%
3 (3)	10	14.93%
4 (4)	0	0.00%
5 (5)	2	2.99%

Comments: NONE

Article VII, Section 2. Charges. [First Sentence]

Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club or the breed. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10 which shall be forfeited if such charges are not sustained by the Board or a Committee following a hearing.

CHANGE TO: Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club or the breed. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of **\$100.00** which shall be forfeited if such charges are not sustained by the Board or a Committee following a hearing.

RATIONALE: The rationale is to make the amount sufficient to avoid petty grievances being filed. In checking the bylaws of other clubs, amounts were as high as \$200 but the preponderance was \$100.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on increasing the deposit when filing complaints.

Answer	Count	Percentage
No answer	0	0.00%
1 (1)	25	37.31%
2 (2)	23	34.33%
3 (3)	11	16.42%
4 (4)	5	7.46%
5 (5)	3	4.48%

Comments:

3	I don't think this is ever used anyway most people won't even put out \$10.00
10	This is an excellent idea.
14	I wonder if this is too much for some to prefer charges, even when warranted. I don't care how much other clubs charge. I care about doing the right thing. How about a compromise at \$50.
30	I oppose fee increases for charges. There does not appear to be historical evidence of charges and therefore no justification for increasing fees relating to them.
34	Article VII Section 2. I would like to ask: How MANY charges have been preferred against members each year? The board must feel that ANY charges are frivolous as there is nothing in the minutes that reveals ANY charges. The Board gives NO PROOF that there are frivolous charges being made, and one has to ask, "In who's opinion is the charge frivolous?" If there were dozens of charges being made each year, I would most likely agree on a fee increase, however if there is only a few each year, it cannot be justified. The charges should cover the cost of mailing, and no more. This proposed C & B change is to keep ANYONE from filing charges, whom are they kidding?

ADD: Article VIII, Section 3. AKC Approval.

No amendment to the Bylaws or to the Standard of the breed that is adopted by the Club shall become effective until it has been approved by the Board of Directors of The American Kennel Club.

RATIONALE: This is a requirement for all AKC Member clubs.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on adding this section to the bylaws.

Answer	Count	Percentage
No answer	1	1.49%
1 (1)	23	34.33%
2 (2)	26	38.81%
3 (3)	12	17.91%
4 (4)	2	2.99%
5 (5)	3	4.48%

Comments:

2	WONDERFUL IDEA !!!
40	Unfortunately, despite the fact that we're supposed to be the custodians of the breed, the AKC board does have final say.
47	What prevents frivolous charges?

ARTICLES OF INCORPORATION (<http://www.nsdtrc-usa.org/art-inc.htm>):

ARTICLE X: AUTHORITY

Said corporation is organized on a nonstock basis. Said corporation is to be financed under the following general plan: by contributions to it of funds and property absolutely or in any of them; any property real, personal or mixed, without limitations as to amount or value, except such limitation, if any, as may be imposed by law; to sell, convey, and dispose of any such property and to deal with such property for any of the aforementioned purposes without limitation, except such limitations, if any, may be contained in the instrument under which such property is received; and to exercise any, all, and every power for which a nonprofit corporation organized under the provisions of the Alabama Nonprofit Corporation Act, all for the public welfare can be authorized to exercise, but not any other power. **No part of the activities of this corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation.**

CHANGE TO: Said corporation is organized on a nonstock basis. Said corporation is to be financed under the following general plan: by contributions to it of funds and property absolutely or in any of them; any property real, personal or mixed, without limitations as to amount or value, except such limitation, if any, as may be imposed by law; to sell, convey, and dispose of any such property and to deal with such property for any of the aforementioned purposes without limitation, except such limitations, if any, may be contained in the instrument under which such property is received; and to exercise any, all, and every power for which a nonprofit corporation organized under the provisions of the Alabama Nonprofit Corporation Act, all for the public welfare can be authorized to exercise, but not any other power. **[Remove last sentence.]**

RATIONALE: Our Club is organized as a 501(c)7 corporation and may influence legislation through lobbying efforts as long as the efforts are germane to the accomplishment of the organization's exempt purpose as in lobbying against or for the various laws and ordinances proposed to impact our dogs or ourselves as breeders and owners. However since this statement is in the Articles of Incorporation, it has brought into question what role the club and or Board has in supporting or opposing legislative matters at any level and whether we are at risk of jeopardizing our tax-exempt status whenever members are requested to get involved to support or oppose legislation or in those cases when the Board has taken a public position.

Please choose the number (1-Strongly Agree to 5-Strongly Disagree) which best represents your opinion on removing the sentence from Article X.

Answer	Count	Percentage
No answer	3	4.48%
1 (1)	26	38.81%
2 (2)	27	40.30%
3 (3)	6	8.96%
4 (4)	4	5.97%
5 (5)	1	1.49%

Comments:

1	This really needs to be done.
3	This sounds like mumbo jumbo, can't they just come out and say clearly what they mean. This is just confusing, I can't tell what I am agreeing to or voting against
40	I feel we should be able to support or oppose legislation which directly affects us. Marile
56	I think it is the clubs responsibility to stand up for or against any legislative bills that will impact the lives of ourselves or pets.