

# **Comstock Gold Prospectors**

## **By-Laws**

### **Article I**

#### Section 1.

The name of this organization shall be the Comstock Gold Prospectors, hereafter referred to as "the Club", organized under the laws of the state of Nevada.

### **Article II**

#### Section 1.

The objectives of this organization shall be to:

- a) Inform and Educate the public in protecting the rights given us under the Mining Law of 1872 and furthering the multiple use concept of public lands.
- b) To serve as a platform for the exchange of ideas and information about prospecting in all forms and how to obtain the most enjoyment and success from prospecting in our area.
- c) To buy, lease or rent lands or equipment for the use of the membership.

#### Section 2.

The Club shall promote the forgoing section and conduct shows, raffles, and other fund-raising activities to accomplish Club objectives and purposes. 10% or \$10.00 whichever is greater will be set aside from raffles monies collected at general meetings for charitable organizations, the members to decide which organizations to receive these funds.

### **Article III**

#### Section 1.

Requirements of membership in the Club are of dues and supporting Club activities.

#### Section 2.

Dues are established at:

Individual Members: Sixty-five dollars (\$65.00) for the first year of membership (includes \$30.00 initiation), and thirty-five dollars (\$35.00) thereafter for renewal of membership.

Family Members (includes 2 adults and children under the age of 18 years. Only adults are voting members): Seventy-five (\$75.00) for the first year (includes \$30.00 initiation), and forty-five dollars (\$45.00) thereafter. Family members under 18 must be accompanied by at least one of the adult voting members when visiting one of the Club claims.

These monies are to be used to promote the Club activities as outlined in Article II heretofore.

#### Section 2a.

Lifetime memberships will be issued in accordance with the following guidelines.

1. The number will be capped at no more than 15 percent of the total membership specified in Article III, Section 3a, rounded to the nearest whole number and will only be available to members who have been with the Club at least one year.
2. The cost will be 10 times the annual cost for renewal specified in Article III, Section 2, for individual or family memberships.
3. Lifetime members must submit a signed renewal application every year during the first quarter similar to what is required of regular members as specified by Article III, Section 2b. Failure to comply with this requirement could result in the revocation of the lifetime membership.

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4. Lifetime Memberships are not transferable.
5. When a lifetime membership becomes available (death or expulsion of a member or revocation of the lifetime membership) it will be posted in the next newsletter. Interested members will notify the President in writing that they want to apply for the Lifetime Membership. The available position will then be filled through a random drawing of the people requesting the position conducted at the second general meeting after the newsletter posting. For this purpose, a Family or Individual Lifetime Membership will be considered as just a Lifetime Membership.”

### Section 2b.

All members shall fill out a new application for membership each year due (April1st) to update any changed information (i.e. addresses, phone numbers, etc.) on all members.

### Section 2c.

Members are permitted to bring a guest or guests to one Club outing or a maximum of 3 consecutive days on a claim. Guests are not permitted to operate any motorized equipment on any Club claim, and are limited to panning, sluicing, metal detecting, and crevicing. Individual guests are limited to one visit. Members are responsible for their guest at all times.

### Section 2d.

All new Club memberships will be subjected to thirty dollars (\$30.00) initiation fee in addition to any membership fees.

### Section 2e.

If payment is not received within 30 days of renewal unpaid dues will expire.

### Section 3.

There are no restrictions for membership except age; anyone may join regardless of race, color, religion, sex, or handicap. With regards to age, an enrolled member must be at least 18-year-old.

### Section 3a.

Club membership will be limited to 500 memberships. A membership is either an individual (a single member) or a family (1 or 2 members).

### Section 4.

Individual members are liable for all required permits on Club claims, i.e. dredging, campfires and camping fees, etc., if applicable. On the Who-Do Mine the maximum size dredge size will be 4 inches or smaller. A five (5) inch nozzle or smaller is the maximum allowed on all other claims. The Club is not responsible in any way for member's negligence and/or misconduct, subject to Article III, Section 5 (below).

### Section 5a.

No Club member shall be allowed to file a lode or placer claim over any of the Club claims. If a member over files they will be subjected to an expulsion hearing as defined in Article VII, section 5b.

### Section 5b.

Members suspected of littering and/or misconduct on a Club claim or site of a Club function will be subjected to an expulsion hearing as defined in Article VII, Section 5b.

### Section 5c.

No Club member shall file a Notice of Intent or Plan of Operation on a Club claim (owned or licensed) without first obtaining Club written approval. A member, who isn't the claim licenser, filing without Club approval will be subjected to an expulsion hearing as defined in Article VII, Section 5b.

### Section 6.

## **Comstock Gold Prospectors By-Laws (Cont'd)**

All animals present at Club functions will be tethered and under the owner's control at all times. Owner will be responsible for clean up and any disturbance of other members. Owner is liable for all of animal's actions. Any violation of this article will fall under Article III, Section 5 (misconduct).

### **Section 7.**

All Club claims will have the following restrictions unless the Club votes by two-thirds (2/3) vote at any regular meeting to lift specific restriction on a limited basis:

No motorized earthmoving equipment of any kind. Earthmoving equipment is defined as loaders, bulldozers, etc.

Concentrating equipment is not to exceed a two (2) yards per hour capacity.

No more than five (5) five (5) gallon buckets of material are to be removed from the claim per day per adult member.

Augers are not to exceed four (4) inches in diameter.

All local County, State, and Federal regulations will apply.

## **Article IV**

### **Section 1.**

Regular meetings shall be held monthly on the fourth Tuesday at 7:30 P.M. or as announced by the President.

### **Section 2.**

A quorum of twenty-five (25) members shall be required to hold a meeting for transaction of legal business.

### **Section 3.**

In any question of procedure, "Roberts rules of Order" shall dictate the proper procedure.

## **Article V**

### **Section 1.**

The officers of this Club shall be: President, Vice-President, Secretary, and Treasurer.

### **Section 2.**

Nomination of officers shall be held annually at the regular October meeting and election of officers shall be held annually at the regular November meeting and shall take office on January 1, of the following year.

### **Section 3.**

Vacancies occurring prior to the annual election shall be filled by election at the next regular meeting following the vacancy if less than half a term has been completed, otherwise the President will fill the vacated position.

### **Section 4.**

All officer positions shall have a term of one year and any individual may occupy any position for an unlimited number of consecutive terms.

### **Section 5.**

# **Comstock Gold Prospectors By-Laws (Cont'd)**

To be eligible and stay eligible for office, no member can own any mining claims which would jeopardize the Club's Small Miner Status.

## Section 6.

The officers of the Club shall be bonded.

## **Article VI**

### Section 1.

The President, who must have been a member of the Club for at least one year, shall preside at all Club meetings and arrange meeting programs or appoint a program director. When necessary, the President shall act as spokesman for the Club. The President shall establish and fill any other positions that he/she feels is needed to ensure the proper operations of the Club. These positions could include but not be restricted to a newsletter (Gold Pan) editor, a membership chairperson, a sergeant at arms, an equipment custodian, a historian, a clothing custodian, and a member to conduct raffles. The president shall have discretion to spend up to One Hundred dollars (\$100.00) for Club needs without Board consent.

### Section 2.

The Vice-President shall, in the absence of the President, preside and perform the duties of the President. The vice-president shall chair the claims committee.

### Section 3.

The Secretary shall keep minutes of the meetings and perform other administrative duties as directed. In the absence of the President and Vice-President the Secretary shall chair conduct the meeting or choose someone to act as chairperson to conduct the meeting.

### Section 4.

The Treasurer shall be custodian of the Club's funds and other valuable assets. The duties shall include maintaining the bank account, keeping inventory records, reporting the financial status to the membership, and disbursing funds. All checks must be signed by the two of the following officers: President, Vice-President, Treasurer or Secretary.

### Section 6.

Board Members at Large will be another contact point for members to have ideas and issues presented to the Board for consideration. They will also be called upon to help other officers in the management of the club.

## **Article VII**

### Section 1.

The Board of Directors shall oversee and assist the Club officers. The Board shall provide direction, decide policy and procedures and otherwise promote Club goals. The officers will execute the decisions of the Board.

### Section 2.

The Board of Directors consist of the current President, Vice-President, Secretary, Treasurer, and two (2) Members at Large (defined in Article VII, Section 2a) elected by the membership at the appropriate regular November meeting and take office in January of the following year.

### Section 2a.

Board members at Large will be another contact point for members to have ideas and issues presented to the Board for consideration. They can also be called upon to help other officers in the management of the Club.

## **Comstock Gold Prospectors By-Laws (Cont'd)**

They shall hold their office for two (2) years and their terms will be staggered so that one position is being voted on every year. To be eligible and stay eligible for this position a member cannot own any mining claims which would jeopardize the Club's Small Miner Status.

### Section 2b.

Only one (1) member of any family will be allowed to serve on the Board at any one time.

### Section 3.

The Board shall appoint a Corporate Resident Agent.

### Section 4.

A quorum for Board meetings will consist of three (3) members present or their representatives who have been given their proxy. The President can only vote upon a tie and shall carry the deciding vote.

### Section 5.

The Board meeting shall be held on the fourth Tuesday of the month one (1) hour prior to the General Membership meeting. A Special Board meeting may be convened whenever a Board member deems necessary.

### Section 5a.

Any "Special Board meeting" may be deemed a "closed door meeting" if the Board decides that such a meeting is warranted due to the subject material being discussed and/or decided. Such meetings shall be non-participatory for the general membership unless the Board decides to allow their attendance as observers only. They would have no voice in the proceedings. The Sergeant-At-Arms would maintain a position at the door of such a meeting and would maintain order and decorum during such meetings.

### Section 5b.

In the event of an "Expulsion" hearing the subject of the hearing must be notified of the hearing and of the accusation(s) at least twenty (20) days prior to the hearing by return receipt mail. He/She shall make himself/herself available to the Board for explanation of his/her actions alleged by the Board. In the event of non-attendance by the subject expulsion is automatic. A majority of the Board must vote to expel the subject. Upon a vote which is not a majority the matter is dropped. In the case of a majority vote a notification of said vote must be posted in the newsletter and be voted on by the membership present at the next meeting. A 2/3 vote is required to affirm the action. Once expelled, the ex-member shall not be eligible for future membership.

### Section 6.

The Board may authorize expenditures for Club needs up to Five Hundred dollars (\$500.00) on a given issue without general membership approval.

### Section 7.

Board members that miss two (2) meetings without giving their proxy may be removed and replaced by a vote of the general membership.

### Section 8.

The Board may operate at a lesser number in case of double positions on the board or not enough members at large are voted into office.

### Section 9.

Any individual, corporation or organization that has a product or service to offer to sale to the Club or Club members at any Club function must come first before the full board for prior approval.

### Section 10.

The Board shall have an audit of the Club books conducted by a bookkeeper or qualified person at least once a year at a time specified by the Board.

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By-Laws (Cont'd)**

**Article VIII**

Section 1.

Amendments to the By-Laws will be presented to the Board of Directors and must be voted upon by the general membership. By-Laws shall be amendable by a two-thirds vote (2/3) of the members at any regular meeting.

**Comstock Gold Prospectors By-Laws Changes:**

**Revised November 26, 2002 – Memberships & Dues (Article III, Sect. 2, 2a)**

**Revised July 1, 2004**

**Revised May 23, 2006**

**Revised July 1, 2007 (Article III, Sect. 2, 2a – dropped \$50.00 discount)**

**Revised July 22, 2008 – Amend Student and Life Memberships**

**Revised February 23, 2010 (Article III, Sect. 2, 2e) – changed grace period**

**Revised October 26, 2010**

**Major revision most to correct errors and add clarification.**

**Revised August 23, 2011 – Complete rewrite Article III, Section 2a**

**Revised October 2011 – Rewrite Article III, Section 5 (lifetime expulsion)**

**Revised February 2012 – Upped membership cap to 400, Article III, Section 3a**

**Revised August 2012**

**Major revision to articles V, VI, and VII changing Club organization structure.**

**Revised April 2013 – Article III, Section 5 changed to 5b and section 5a added.**

**Article VII, Section 2b added.**

**Revised June 2013:**

**a) Removed last sentence concerning concentrates from Article III, Section 7, Paragraph 4.**

**b) Changed quorum from 5 to 3, Article VII, Section 4.**

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- c) Article III, section 5a, added reference to Article VII, Section 5b.**
- d) Article III, section 5b, added reference to Article VII, Section 5b and removed duplicated information.**
- e) Article VII, Section 5a and Section 5b added.**

**Revised July 2017:**

- a) Removed “a Non-profit organization” and replaced with “organized” changing Article I, Section 1, Paragraph 1.**
- b) Article V added Section 6, The officers of the Club shall be bonded.**
- c) Article VI, changing Section 4 “Treasurer and Officer” to “All checks must be signed by two of the following officers: President, Vice-President, Treasurer or Secretary.**

**Revised October 2019:**

- a) Raised membership limit from 400 to 500 – Article III, Section 3a.**
- b) Article III, Section 5c. added requiring written Club approval before filing a Notice of Intent or Plan of Operation.**

**Revised July 2021:**

- a) Section 2b: Will add in All members Shall fill out new application for membership each year due (April 1<sup>st</sup>.)**
- b) Section 2e: Remove: (Payment for membership renewal not received within 30 days following a members anniversary.)  
Replace with: (If payment is not received within 30 days of renewal unpaid dues will expire.)**