

Constitution of the Montgomery County Concert Band

Article 1 Name and Purpose

Section 1. This organization shall be known as the “Montgomery County Concert Band”

Section 2. The purpose of the Montgomery County Concert Band is to promote and perpetuate the community concert band tradition and repertoire. In so doing, the Montgomery County Concert Band will create a better understanding and appreciation of instrumental music for the general public, as well as will offer an opportunity for individual musical expression and growth among its members.

Article II Membership

Section 1. The Montgomery County Concert Band shall consist of applicant members, active members, and honorary members.

Section 2. Musicians who meet one or more of the following shall be considered for membership in the Montgomery County Concert Band:

- A. A musician of at least 18 years of age with solo and/or ensemble performance experience who meets the audition requirement.
- B. A musician of at least 16 years of age, by recommendation and upon the approval of the music director with a signed consent form by the musician’s legal guardian.

Section 3. Upon completion of an applicant member’s probationary period, the musical director or other active member must propose the applicant member to the board of directors for active member status. A majority vote of the board of directors present at a board meeting is necessary to elect the candidate to active membership.

Article III Board of Directors

Section 1. The executive authority of the Montgomery County Concert Band is vested in a board of directors whose duties include:

- A. Management of the general affairs of the Montgomery County Concert Band, taking action that is compatible with the best interests and purpose of the organization.
- B. Management of the financial affairs of the Montgomery County Concert Band and establishment of an annual budget.
- C. The fiscal year shall run from January 1 to December 31.

Section 2. The composition of the board shall include the following voting members:

- A. Elected officers of the band consisting of: president, vice president, secretary and treasurer.
- B. Four elected members-at-large from the concert band and one member-at-large from the jazz band.

Section 3. The composition of the board shall include the following non-voting members:

- A. Business manager, personnel manager, librarian, equipment manager, historian, music director and assistant director.

Article IV Nomination, Election and Term of the Board of Directors

Section 1. Nominations shall be held a minimum of two rehearsals immediately preceding the election. Nomination procedures will be determined for each election by the then present board of directors. A nominating committee can be appointed by the president in the month of February.

Section 2. Election will take place at the annual meeting. Any active member present at the meeting may vote.

Section 3. Terms

- A. The term of office begins May 1 of the year elected.
- B. The elected board members shall serve for a term of two years. The president, vice president, two members-at-large from the concert band and the member-at-large from the jazz band will be voted on in even numbered years. The Secretary, treasurer and two remaining members-at-large will be voted on in odd numbered years.

- C. Each elected board member may serve a maximum of three consecutive two-year terms in that office. Thereafter, following a two-year period, that person is eligible for reelection to the previous position.
- D. Any vacancy on the board of directors shall be filled for the remainder of the term by presidential appointment with a majority vote of the board of directors present at a board meeting.

Section 4. Procedures

- A. The election shall be by secret ballot of those active members present.
- B. Those persons receiving a majority (greater than 50%) of the votes cast for an office shall be declared elected.
- C. In case no candidate receives a majority of the votes cast, the candidate receiving the lowest number of votes shall be dropped, and a subsequent ballot will be held. The procedure will be repeated until a winner is determined.
- D. When there is only one nominee for an office, the secret ballot may be dispensed with, and the vote may be by acclamation.

Article V Meetings

Section 1. The annual meeting of the active membership shall be held at the first rehearsal during the month of January or on a date prior to May 1 as determined by the board of directors. At each annual meeting, pursuant to Article IV, the elections of officers and board members-at-large shall take place.

Section 2. Additional meetings of the active membership may take place during the first rehearsal of each quarter if there is business to conduct or at the discretion of the board.

Section 3. The board of directors shall meet at least three times per year as a board with the dates and times to be determined by the president. A quorum of 75% of the board is necessary to hold a vote at a meeting of the board of directors. Active and applicant members may attend these meetings and have a voice, but no vote.

Article VI Dissolution

Section 1. In the even of the dissolution of the Montgomery County Concert Band and after payment of all liabilities of the corporation, any remaining assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of Montgomery County, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated for exclusively such purposes.

Bylaws

Article I Duties of the board of directors

Section 1. It is the duty of the board of directors to enforce observance of the constitution and bylaws of the Montgomery County Concert Band.

Section 2. The board of directors shall act as trustees of the Montgomery County Concert Band and shall therefore have general supervision of all band property and shall prescribe rules and regulations governing the same, subject to approval of the active members of the organization.

Section 3. The board of directors shall act as arbitrator in any matter whatsoever as may arise at any time in which immediate judgment may be required.

Section 4. The board of directors shall have the financial records and account of the Montgomery County Concert Band audited annually and at any time the board deems fit.

Section 5. The board of directors shall begin the process of selecting a musical director according to addendum #1 when there is a vacancy. The board may also begin the process when the current musical director gives notice that he/she will be leaving.

Section 6. The board of directors may conduct a performance review of the position of director. This review can be initiated at any time but must be initiated once every three years.

Article II Duties of the President

Section 1. It shall be the duty of the president to convene and preside over all meetings of the board of directors and all meetings of the active membership.

Section 2. The president shall notify the active members in writing of the time and place of any meeting.

Section 3. The president shall appoint active members to supportive roles within the organization including but not limited to personnel manager, librarian, historian and equipment manager.

Section 4. The president may serve as cosigner on checks if necessary and therefore must be bonded. The cost of bonding will be borne by the Montgomery County Concert Band.

Section 5. The president or his/her designee shall be the sole representative spokesperson for the organization.

Article III Duties of the Vice President

Section 1. It shall be the duty of the vice-president to discharge the duties of the president in the event of the president's absence, resignation or his/her inability to continue in office.

Article IV Duties of the Secretary

Section 1. It shall be the duty of the secretary to record all of the proceedings of the meetings of the board of directors in addition to any and all meetings of the active

membership in books to be provided and kept for that purpose and which he/she shall bring or make available at all meetings for reading the minutes of previous actions.

Section 2. The secretary shall receive a written list of all bills presented for all claims whatsoever against the Montgomery County Concert Band for the purpose of entering such claims with the action taken on each, upon the minutes of the board meetings.

Section 3. The secretary shall attend to all authorized correspondence of the Montgomery County Concert Band.

Article V Duties of the Treasurer

Section 1. It shall be the duty of the treasurer to keep accurate and detailed records of all monies received, deposited, and disbursed through the general account.

Section 2. The treasurer shall be responsible for timely payment of all bills approved by the board of directors.

Section 3. The treasurer shall present a financial report at each regular meeting of the board of directors as well as present an annual financial statement to the band members at the annual membership meeting.

Section 4. The treasurer shall submit to the secretary a written report of any previously undocumented financial activity for inclusion in the minutes of the next meeting.

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Section 6. The treasurer shall ensure that all tax forms are filed in a timely manner as required by Federal and State governments.

Article VI Duties of the Music Director

Section 1. It is the duty of the music director to be responsible for each program of the Montgomery County Concert Band.

Section 2. The music director shall work in conjunction with the business manager as it relates to bookings. The director may not turn down an offer made for a paid booking without the express approval of the board of directors.

Section 3. The music director shall not commit the band to take part in consortiums, commissions, festival or otherwise engage the organization in concerts/events outside the purview of the Montgomery County Concert Band or in any other way commit the organization without the express approval of the board of directors.

Section 4. The music director shall solicit and appoint an assistant music director to assume the duties outlined above at all times when the music director shall be unable to attend his/her regular duties. The assistant music director shall serve at the sole discretion of the music director.

Article VII Duties of the Business Manager

Section 1. It is the duty of the business manager to secure performance opportunities for the Montgomery County Concert Band and to report whatsoever services of the Montgomery County Concert Band may be scheduled or requested to the board of directors. The business manager must secure the approval of the music director before offering the band for such engagements.

Section 2. The business manager shall be responsible for securing day-to-day venues for rehearsal and performance. If a long-term change in either rehearsal and/or performance venue is required as determined by the board of directors, the business manager shall be required to work in conjunction with the board of directors to determine the best location with the good of the organization in mind.

Section 3. The business manager must keep a file copy of all correspondence and contracts made with parties engaging the Montgomery County Concert Band or inquiries regarding such engagements. This file of correspondence and contracts must be open to any active member of the band in good standing.

Section 4. The business manager is also responsible for collection of all monies from parties engaging the band and forwarding said monies to the treasurer for processing and deposit.

Section 5. The business manager may serve as a cosigner on checks and therefore must be bonded. The cost of bonding will be borne by the Montgomery County Concert Band.

Article VIII Duties of Non-Board Appointed Positions

Section 1. Personnel Manager

- A. The personnel manager shall keep a complete and detailed list of all active members, applicant members and honorary members of the Montgomery County Concert Band. Any data compiled may not be distributed to any outside source or organization for any purpose.
- B. The personnel manager shall be responsible for recording attendance at all rehearsals and concerts of the Montgomery County Concert Band.
- C. The personnel manager shall serve as the point of contact for any prospective applicant members of the Montgomery County Concert Band.
- D. The personnel manager shall work cooperatively with the music director to ensure the presence of the required number of band personnel and adequate instrumentation at each public performance of the Montgomery County Concert Band.
- E. The personnel manager may serve concurrently on the board of directors
- F. The personnel manager shall report to the board of directors any member who, as per the bylaws, has not been in attendance for rehearsals and/or scheduled performances for possible repeal of active member status.

Section 2. Equipment Manager

- A. The equipment manager must maintain an accurate record for the location and condition of all band property, issue band property and document to whom said property is issued. Additionally, he/she must secure any band property from expelled or resigned active members.
- B. The equipment manager will be responsible for overseeing set up and tear down at concerts and events to ensure the proper care and return of all band property.
- C. It is the further duty of the equipment manager to keep band property in excellent repair and forwarding all bills to the treasurer for processing and timely payment.
- D. The equipment manager may serve concurrently on the board of directors.

Section 3. Historian

- A. The historian is responsible for maintaining timely documentation including, but not limited to, photographs, newspaper clippings and programs of Montgomery County Concert Band activities and events in a form available for display.
- B. The historian may serve concurrently on the board of directors.

Section 4. Librarian

- A. The librarian shall be responsible for maintaining, cataloguing, and distributing the printed music owned or borrowed by the Montgomery County Concert Band.
- B. The librarian is also responsible for ensuring that adequate parts are available for all musical selections performed by the Montgomery County Concert Band.
- C. The librarian may serve concurrently on the board of directors.

Article IX Member Dues

Section 1. Active members

- A. All active members are expected to participate on a regular basis in activities of the Montgomery County Concert Band, inclusive of rehearsals and concerts, in order to fulfill the stated purpose of the organization.
- B. Active members may hold office, attend meetings and vote in the annual election.

Section 2. Active Member Suspension

- A. An active member who does not participate in band activities for a period of one year may be suspended from active membership upon a majority vote of the board of directors present at a board meeting.
- B. The music director may recommend the suspension, discharge or requested resignation of any member who is insubordinate in character or who has not been in regular attendance of rehearsals and subsequent performances.
- C. The board of directors may recommend the suspension, discharge or requested resignation of any member who is insubordinate in character or

who has not been in regular attendance of rehearsals and subsequent performances.

Section 3. Honorary Members

- A. Honorary members may include but are not limited to former active members who no longer play with the organization but still maintain the spirit of the band's purpose, in addition to patrons of the band and others who have given exceptional service to the organization.
- B. Honorary members must be elected by majority vote of the board of directors present at a board meeting.
- C. Honorary members may not vote or hold office.

Article X Dues

Section 1. Dues for membership in the Montgomery County Concert Band shall be determined by the board of directors prior to the annual meeting of the active members held in accordance to Article V, Section 1 of the Constitution.

Section 2. If the board fails to act in this area prior to the annual meeting of the active members, the dues for the upcoming year shall remain the same as for the year just ending.

Section 3. Members on active duty in the Armed Forces and honorary members shall be exempt from any dues requirement.

Article XI Appropriation of Funds

Section 1. No monies shall be appropriated or spent for any purpose whatsoever without the prior approval of the board of directors by a majority vote, except as noted in Sections 2.

Section 2. The music director will have the authority to appropriate or spend monies belonging to the Montgomery County Concert Band to buy music without prior approval of the board of directors. These monies shall be limited to a maximum annual amount set by the board of directors. All expenditures of this nature require proper documentation.

Article XII Amendments to the Constitution

Section 1. Other than what is listed in Section 3, no article of the constitution or bylaws shall be altered or amended unless a proposition in writing signed by six active members is made at a stated regular meeting when it shall be read and a vote taken on said proposition. This action shall require a quorum of the active membership (more than 50%) and a two-thirds vote of the active members present to adopt.

Section 2. Due notice of any proposed change must be given to the active membership thirty days in advance of a vote.

Section 3. Every ten years the board of directors may review the constitution and bylaws and recommend changes. Said changes must follow the guidelines of Section 1.