

CONSTITUTION of the FALCON WANDERERS VOLKSSPORT ASSOCIATION

ARTICLE #1 - Name and Authority

Section #1: This Association shall be called the "Falcon Wanderers Volkssport Association," hereinafter referred to as the Falcon Wanderers.

- a) This association was originally established by members of the military installations in the Colorado Springs area for the benefit of the entire community.

Section #2: The Association may exist at locations as deemed suitable by action of the duly Elected/Appointed Club Officers.

- a) The Association is and shall be a financially self-sustaining, non-governmental organization.

Section #3: The Association headquarters is located within the Colorado Springs, Colorado metropolitan area.

Section #4: The Association shall operate in affiliation with the American Volkssport Association, Inc. (AVA), a member of the Internationaler Volkssportverband e.V. (International Federation of Popular Sports) (IVV).

Section #5: The Association shall be a non-profit organization.

Section #6: The terms Association, Corporation, Club Organization, Walking Club, and Falcon Wanderers are interchangeable within this document.

Section #7: The purposes and intents of the Falcon Wanderers shall be the same as those of the AVA and IVV in promoting public health, physical fitness, and well-being of all people by organizing, promoting, and sanctioning programs in non-competitive, family oriented, participatory, and lifetime sports.

Section #8: For the purpose of this constitution, the word "he" refers to "he/she", the word "his" refers to "his/her" and is not intended to be gender specific.

ARTICLE #2 - Objectives and Purpose

Section #1: The Association:

- a) Will promote well-being and encourage people to exercise in an outdoor environment without excessive physical exertion. Byproducts of the program are an opportunity for the people to see new countryside and landmarks, meet other people, and develop lasting friendships, as well as collect incentive awards.
- b) Will represent a free community of people sharing common interests and pursuing activities of common public concern in the promotion of the public health, fun, and

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fellowship through Volkssport events such as, but not limited to, walking, cross-country skiing, snow shoeing, swimming, running, biking or skating.

- c) Will conduct and promote all facets of volksmarching (walking) and other Volkssport events.
- d) Will advise each member of his responsibilities as a volksmarcher and establish procedural rules for disciplinary actions to be taken in cases of unsportsmanlike behavior or failure to fulfill the provisions of this constitution.
- e) Will disseminate information on matters concerning Volkssporting events through newsletters, flyers, discussions, announcements, the mass media, and any other feasible means.
- f) Will cooperate with public agencies and organizations which subscribe to the purposes and activities similar to those of the Association.
- g) Will ensure that all club volkssporting events are open to those people wishing to participate.
- h) May conduct social functions for members of this Association or associations of similar purpose.

Section #2: The Association is a non-profit organization of voluntary membership, organized under the laws of the State of Colorado and organized exclusively for charitable and educational purposes under Section 501 (c) (3) of the Internal Revenue Code of 1954, as amended (or the corresponding provisions of any future United States Internal Revenue Law), to promote the health, physical fitness, and well-being of the people of the State of Colorado and the United States by organizing, promoting, and conducting scheduled programs of non-competitive, family-oriented, jogging, running, bicycling, swimming, cross-country skiing, walking, and hiking, as sanctioned by the AVA, a member of the IVV and including the following specific purposes:

- a) To act as an official representative of the AVA, a member of the IVV in the State of Colorado and in the United States;
- b) To participate in the administration of the IVV achievement Awards Program in the State of Colorado and in the United States;
- c) To develop and implement a program of public information and education to engender interest in scheduled programs of non-competitive, family-oriented, participatory, lifetime sports;
- d) To supervise the compilation of a local calendar of sanctioned events to be made available to its members, other members of the AVA, and the general public;

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e) To increase communication among Volkssport participants through the publication of a newsletter circulated to its membership and by publishing an announcement pertaining to each event sponsored by the Association;

f) To physically and administratively assist in the organization of new Volkssport clubs within the geographic area of the Pikes Peak region and counsel associations within the region and the AVA, in general;

1) To provide understanding of the benefits of participation in organized programs of non-competitive, family-oriented, participatory, lifetime sports;

2) To foster a preventative maintenance concept in health care;

3) To stress the fun and exhilaration of walking, hiking, jogging, running, bicycling, swimming, and cross-country skiing;

4) To sponsor events sanctioned by the AVA and the IVV; and to do all things necessary and incident thereto.

Section #3: All activities of the Association shall be carried on so as to be responsive to the needs of all persons, without regard to race, religion, sex, age, national or cultural origin, place of residence, economic circumstances, lifestyle, social status, sexual orientation, or physical ability.

Section #4: No part of the net earnings of the Association shall inure to the benefit of, or be distributable to its members, officers, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered (by non-members) and to make payments and distributions in furtherance of the purposes set forth in this constitution. No substantial part of the activities of the Association shall be carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these Articles, the Association shall not carry on any other activities not permitted to be carried on,

a) by a corporation exempt from the Federal income tax under Section 501(c) (3) of the Internal Revenue Code of 1954, as amended (or the corresponding provision of any future United States Internal Revenue Law)

b) by a corporation, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code of 1954, as amended (or the corresponding provisions of any future United States Internal Revenue Law)

Section #5: Upon dissolution of the Association, the Executive Board, after paying or making provision for the payment of all liabilities, shall dispose of all of the assets to such organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of

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the Internal Revenue Code of 1954, as amended (or corresponding provisions of any future United States Internal Revenue Law), as the Executive Board shall determine. Any such assets not so disposed of shall be disposed of by the circuit court of the county of El Paso in which the principal office of this organization is then located, as that court shall determine, which are organized and operated exclusively for such purpose.

ARTICLE #3 - Membership

Section #1: Membership in this Association shall be voluntary and is open to all people residing within the jurisdiction of the IVV.

Section #2: Admission to membership:

- a) Prospective **Active** members must submit a written application to the Association. In all cases of juveniles under 18 years of age, the written consent of the parents or legal guardian is required.
- b) Readmission of a former member or reinstatement of an expelled member will be considered to be an initial submission.
- c) Every member will receive a membership card.
- d) Upon application for membership into the Association, the applicant will be required to pay applicable dues or other charges as announced by the duly elected officers of the Association and approved by the Membership. In the event that said application for membership is rejected, the total dues or other charges previously submitted by said applicant pursuant to the rejected application shall be refunded to the applicant.
- e) The Association will consist of **three** types of memberships:
 - 1) Active members: A person designated an active member will receive any and all benefits accorded to the club, including full voting rights.
 - 2) **Honorary members: Honorary members will be afforded all benefits accorded to active members excluding voting rights and such other benefits as are determined to be limited to active members by a decision of the Board and the general membership.**
 - a. A person may be designated an honorary member after a unanimous vote by the Executive Board and approval by the general membership. Individual Honorary Members may become Active Members by submitting the appropriate completed application.
 - b. Businesses, groups or organizations that serve the Falcon Wanderers as co-sponsors of YRE/SEA events may be given honorary membership in the same manner as individuals.

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c. The AVA Rocky Mountain Region Regional Director is designated an honorary member. The AVA Rocky Mountain Region Deputy Regional Director is designated an honorary member.

3) Active Emeritus Members: An Active Member who turns seventy (70) years of age before his membership expires becomes an Active Emeritus Member upon renewing his unbroken membership. An Active Emeritus Member retains this status until he terminates his membership. An Active Emeritus Member will receive any and all benefits accorded to the club, including full voting rights.

ARTICLE #4 – Officers

Section #1: Elected officers of the Association shall be the President, Vice President, and Treasurer.

Section #2: Any club member may request to be appointed to an appointed Officer position (Executive Board or not), any committee chairperson position, or event staff. Club position appointees are selected from these club volunteers who agree to perform the duties of that position. Duties of holders of these positions are found in the Falcon Wanderers Operating Handbook. The President selects and appoints:

a): eligible members to the Executive Board appointed officer positions of Executive Secretary, Publicity, Member-at-Large, and Trailmeister: subject to membership approval at a general membership meeting.

b): eligible members to the non-Executive Board officer positions (Brochure & Forms Mgr, Copier Custodian, FW Special Programs Mgr, Mail Custodian, Newsletter Editor, Specialties Sales Mgr, Webmaster, Membership Chair/Assistant, E-mail Distribution, Facebook Page Administrator, and YRE/SEA Remote Registration Mgr) which perform specific club functions: subject to the approval of the Executive Board. These officers are not members of the Executive Board.

c): the chairperson of each standing committee, and of each temporary committee: subject to the approval of the Executive Board. Chairpersons are not members of the Executive Board.

d): Event coordinators: subject to approval by the Executive Board. Coordinators are not members of the Executive Board.

Section #3: Nominations, elections, terms of office and duties are as outlined in this constitution and its bylaws.

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Section #4: Duties of the elected officers shall be those implied by the respective titles, those prescribed by this constitution, and those specified by the bylaws and the Operating Handbook.

a) President:

- 1) The President shall preside at the meetings of this Association and the Executive Board and Joint Councils¹ and shall be an ex officio member of all committees.
- 2) The President, Vice President, or Treasurer is authorized to sign all contracts and obligations, with prior approval of the Executive Board.
- 3) All club disbursements must be cosigned by the treasurer and one other authorized officer. The President can be authorized to cosign disbursements.
- 4) He shall appoint all committee Chairpersons, unless otherwise stated by the bylaws.
- 5) The President provides overall direction and control of the planning and conduct of all club activities; officially represents the club to the community, government bodies, and the AVA in the IVV; submits all necessary reports to the AVA Board Chair; and serves as a member of the presidium of the AVA.

b) Vice President

- 1) Shall assist the president and perform the duties of the president in his absence.
- 2) The Vice President, President, or Treasurer is authorized to sign all contracts and obligations, with prior approval of the Executive Board.
- 3) The Vice President can be authorized to co-sign, with the Treasurer, all and any disbursements.
- 4) He shall act as Director of Operations for every traditional event:
 - a. Prior to the event:
 - i. Recruits and assigns sufficient workers to staff the event
 - ii. Publishes a roster of all event workers
 - b. During the event:
 - i. Sets up a Start and Finish Point
 - ii. Organizes and supervises the event workers.
 - iii. Tears down the Start and Finish Point at the conclusion of the event and packs all equipment.
 - c. After the event:
 - i. Records the participation of all workers for the worker's book
 - ii. Assembles and files a historical record of the event

¹ A Joint Council is a meeting which includes elected club officers and appointed/elected committee chairpersons.

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c) Treasurer:

- 1) The Treasurer shall keep an itemized account for all receipts, disbursements, and all supporting vouchers and records.
- 2) He controls all financial transactions in accordance with other sections of this constitution including collecting all accounts receivable, and disbursing funds as directed by the Executive Board.
- 3) The Treasurer, President, or Vice President is authorized to sign all contracts and obligations, with prior approval of the Executive Board.
- 4) Disbursements are co-signed by the Treasurer and one other authorized club officer.
- 5) He shall use an appropriate, accepted, good accounting record-keeping system such as a combination journal/ledger as a guide in maintaining the accounting records.
- 6) **He shall arrange for each audit of the club accounts to be completed by the President and one non-check signing Active Member over the age of eighteen or Active Emeritus Member. See schedule in Article #14, Section #10.**
- 7) He shall prepare and present periodic financial reports to the Executive Board for review and use in managing club finances

ARTICLE #5 – Executive Board

Section #1: The Executive Board shall consist of the elected and appointed officers of the Association whose membership on the Board shall coincide with their tenure of office. Officer positions that are shared by two people shall have only one vote at Executive Board meetings.

Section #2: The presiding officer of the Executive Board is the President of the Association, or in his absence, the Vice President.

Section #3: Duties of the Executive Board are defined in other sections of this Constitution (see Article 4) and the Falcon Wanderers Operating Handbook.

ARTICLE #6 - Administration

Section #1: The Association shall be administered in accordance with this approved constitution and bylaws of the Association and other applicable directives under the supervision of the Executive Board. These other directives include the rules and regulations established by the AVA and IVV. Unless otherwise provided herein or in the bylaws, all business shall be conducted in accordance with Roberts' Rules of Order (revised).

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Section #2: The Governing Body:

- a) The club's governing body shall consist of:
 - 1) The general membership assembly is the supreme governing body of the Association.
 - 2) The Executive Board.
- b) **Only Active Members over 18 years of age and Active Emeritus Members are eligible to hold office.**

Section #3: The Executive Board shall carry out the objectives of this Association by approving the transaction of its routine business in accordance with this constitution and established policies and shall make and enforce necessary bylaws, subject to approval by the membership.

ARTICLE #7 – Election of President, Vice President, Treasurer

Section #1: The elected club officers designated by this constitution shall be elected from and by the active membership at the general membership meeting held in November of odd numbered years. They will take office on the first day of the next **calendar** year and continue in office until their duly elected successors take office. The outgoing elected club officers are encouraged to attend at least the first meeting held by the incoming elected club officers to establish and maintain continuity of operations.

Section #2: **Only Active Members over eighteen years of age or Active Emeritus Members may serve as an appointed Executive Board (EB) officer, an appointed non-EB officer, a committee chairperson, or an event coordinator.**

Section #3: Terms of office:

- a) Elected club officers shall hold office during their term, unless sooner relieved of their responsibilities by resignation or a two-thirds (2/3) vote of the voting members present at a regularly scheduled general membership meeting.
- b) If an elected officer vacates his position during the elected term of office, the remaining members of the Executive Board can appoint an alternate to assume the vacant post, until the post can be filled by election at the next regularly scheduled general membership meeting. There shall be no term limitations on any elective office.
- c) Appointed Officer Positions (Executive Secretary, Publicity, Member-at-Large and Trailmeister) have the same term of office as the elected officers.

Section #4: **Election for each office may be by acclamation if there is only one candidate for the office. Election for each office shall be by secret, written ballot if there is an objection to**

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acclamation or if there is more than one candidate for the office. If there is a secret, written ballot, the nominee receiving the plurality of votes from the members present is elected.

ARTICLE #8 - Meetings

Section #1: General Membership Meetings:

- a) Regular general membership meetings will be scheduled at least quarterly throughout the calendar year. However, general membership meetings can be held as often as the president of the Association deems necessary or conducive to club operations.
- b) A special membership meeting can be held within fourteen (14) days, when called in accordance with one of the following methods:
 - 1) By action of the Executive Board.
 - 2) By written petition, stating the points to be covered on the agenda, mailed to the president and endorsed by at least 10% of the members entitled to vote.
- c) If a special general membership meeting is called on behalf of the Executive Board, the notifications or invitations to such meetings shall contain the points to be covered on the agenda and will be given to all active members in writing, either personally, by email, mail or through public announcements. A period of at least ten (10) days will be provided between the date of mailing or announcement and the date of the meeting.

Section #2: Executive Board meetings:

- a) The Executive Board shall meet at least quarterly or as designated by the president. The vote of the majority of the quorum present shall govern.
- b) **Individual Members of the Board may attend the Executive Board Meeting in a virtual manner by pre-arrangement. Members so attending are considered as present and may vote.**
- c) **Special Meetings of the Executive Board may be called at the discretion of the President or by request to the President by any of the other Executive board members.**

ARTICLE #9 - Resolutions

Section #1: Resolutions are adopted by the majority vote of the voting members present at a membership meeting. In case of a tie, the resolution is not adopted

Section #2: Resolutions concerning amendments to the constitution and bylaws are addressed elsewhere in this constitution. (Article #17)

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Section #3: Deleted

Section #4: Resolutions and/or amendments which are not part of the announced agenda can be presented to the assembled membership only if such items were received in writing by the Executive Board at least five (5) days prior to the meeting. Items submitted past the deadline can be considered only if the Executive Board determines it to be urgent.

ARTICLE #10 - Voting

Section #1: **All Active Members over the age of eighteen and all Active Emeritus Members are eligible to vote.**

Section #2: Results of voting are determined by a simple majority count of the votes from the voting members present.

Section #3: Voting by absentee ballot will not be permitted. Voting by proxy will be permitted only on matters pertaining to changes in the constitution and bylaws, and only upon written request by the member designating a specific proposal or issue, which is to be voted upon. The written proxy requests must be received by the Executive Board no later than five (5) days prior to the meeting.

ARTICLE #11 - Minutes

Minutes of general membership, Executive Board, and committee meetings must be recorded and signed by the Executive Secretary. The minutes of the general membership meetings will be reviewed, corrected as necessary, and approved by the members at the next successive membership meeting.

ARTICLE #12 - Code of Ethics

The basic code of ethics and requirements for all members of the Association are as follows:

- a) Members in good faith have accepted the responsibility for actively participating in the endeavors of the Association.
- b) Each member is expected to lend their time and/or talents in the accomplishment of a club project/activity/**meeting** at least once each **year or participate in a club sponsored volkssport event each year.**
- c) Members are expected to conduct themselves in a manner which is neither abusive nor offensive while participating with or on behalf of the Association.

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ARTICLE #13 - Disciplinary Actions

Section #1: Disciplinary action for members of the general membership:

- a) Disciplinary action may be taken against a club member for the following reasons:
 - 1) Violation of the constitution and bylaws.
 - 2) Refusal to comply with approved club policies.
- b) The procedure for such disciplinary action shall be conducted as follows:
 - 1) After due notification, the member shall be instructed to appear before the Executive Board to explain or defend his position or actions.
 - 2) Following the member's appearance before the Executive Board, a decision will be made as to whether disciplinary action is warranted.
 - 3) If the Executive Board determines that disciplinary action is warranted, it may:
 - a. Reprimand the member.
 - b. Suspend the member permanently from the club.

Section #2: Disciplinary action for officers of the Executive Board:

- a) Disciplinary action may be taken against a club officer for the following reasons:
 - 1) Negligence or refusal to carry out the responsibilities and duties of the office.
 - 2) Deliberate official actions which might bring unfair or uncomplimentary criticism upon the club or the office.
 - 3) Dishonesty.
- b) The procedure for such disciplinary action will be the same as for that against a club member, with the exception that the officer may be reprimanded, asked to resign his office, or suspended permanently from holding office.

ARTICLE #14 - Finances

Section #1: The revenue necessary to pursue the club objectives described in this constitution shall be derived from dues paid by the active membership and from revenue producing activities entered into by the Association when required, approved, and conducted under the guidance and supervision of the Executive Board.

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Section #2: Dues:

- a) All members, unless accorded honorary affiliation by unanimous vote of the Executive Board and as approved by the general membership, are required to pay club dues as referenced by Article #VII of the Falcon Wanderers Bylaws.
- b) The amount of club dues will be determined by a majority vote of the Executive Board and approved by the general membership voting in a duly constituted meeting. When approved, they become effective on the first day of the next month.

Section #3: Deleted

Section #4: The Executive Board shall not be held responsible for any financial obligations which were incurred prior to their constitutionally established term of office. Nor shall club officers incur any financial obligations, which extend beyond their term of office. The Association, as a whole, shall be responsible for any and all financial obligations of the Association.

Section #5: In no event shall the State of Colorado or the United States Government be held liable, in fact or in spirit, for any indebtedness incurred by the members of the Association.

Section #6: **The Executive Board may authorize any one expenditure of funds in an amount not to exceed \$300.00. Expenditures over that amount must be approved by the general membership.**

Section #7: The Association shall have one fund, the Falcon Wanderers Operating Fund. However, the Executive Board may approve the opening of a special account for the specific control of activities or events.

Section #8: Every reasonable effort shall be made to hold in reserve at least ten percent (10%) of the gross income of the present fiscal year for the succeeding year.

Section #9: The Executive Board shall expressly approve all expenditures essential for the operation of this Association, and shall ensure that all disbursements are within the purpose for which this Association was established in accordance with sound business practices, and within the budget.

Section #10: **The Treasurer shall present a personally prepared statement of club income and expenses not less often than once each quarter at the general membership meeting. Upon request of the President, a similar statement shall be prepared for discussion at Executive Board meetings.**

- a) **The Treasurer shall arrange for the annual audit of the club accounts to be completed not later than (NLT) four (4) months after the close of the club's fiscal year.**

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b) The Treasurer shall arrange for an audit to be conducted immediately prior to a newly elected Treasurer taking office.

c) The Treasurer shall arrange for an audit to be conducted upon request of the Executive Board

Section #11: All club work will be voluntary and without compensation.

Section #12: Expenses will be reimbursable based upon the specific guidelines established in the bylaws.

Section #13: Monetary donations from the club will be authorized by the general membership and used only for projects reflecting club objectives. Donations earmarked for specific projects must be used for the specific projects.

ARTICLE #15 - Property

Section #1: **The property of this Association shall consist of articles as may properly come into its possession. The property shall be accounted for by the Treasurer in accordance with sound business practices to prevent loss. Property shall be classified as either: Permanent; durable; or consumable..**

Section #2: An annual inventory of all club property, if any, shall be conducted by each elected club officer, appointed club officer, or member in whose possession the club property is maintained. A simple statement of inventory shall then be forwarded to the Treasurer for inclusion in a general inventory for presentation at the next general membership meeting.

Section #3: Club property maintained in a central storage facility shall be itemized by the Trailmeister and one other officer, for inclusion in the general inventory.

Section #4: **Property determined by the Executive Board to be excess to anticipated need shall be disposed of by sale to other organizations within the Rocky Mountain Region of the American Volksmarch Association and then by announced sale to Falcon Wanderers members. Usable property not purchased by these organizations and members shall be donated to other charitable organizations. Property not donated, after due diligence, shall be demolished and disposed of. Unusable property will shall be demolished and disposed of.**

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ARTICLE #16 - Records

Section #1: The Executive secretary will ensure a historical file, consisting of the following permanent records, is maintained:

- a) If available, the original club constitution with all subsequent revisions.
- b) If available, the original club bylaws with all subsequent revisions.
- c) If available, all records of approval of the constitution and bylaws and all amendments.
- d) A current list of membership, which shall be made available to the President at least once each quarter, during a meeting or upon his request, showing any additions, removals or trends from or to the membership during the current quarter.

Section #2: All records of the Association excluding the permanent files and the uncompleted checkbook, will be cut off at the end of the membership year and held at least seven (7) years, after which time they may be destroyed. The checkbook will be placed with related records when completed. The design and nature of any permanent files shall be at the discretion of the president, so as to ensure proper records and good business practices.

ARTICLE #17 - Amendments of the Constitution and Bylaws

Section #1: The constitution and bylaws shall be reviewed biennially in odd numbered years by a constitution committee or Executive Board. If amendment is necessary, the Executive Board will be notified and notice will be given to the general membership at the next duly constituted meeting.

Section #2: Notice of proposed amendments to the constitution and bylaws must be made, in writing, by the Executive Board and submitted to the general membership at least one month prior to voting at a regular or special general membership meeting. Urgent amendments may be submitted to the Executive Board for determination of urgency not later than fourteen (14) days prior to the general membership meeting.

Section #3: Due to the cost involved in producing a complete copy of the constitution and bylaws for each member, it will be acceptable to provide one complete copy to each Executive Board member and to make a copy available for examination and comment at every club meeting and at all sanctioned events sponsored by the club, except as noted in Article #19.

Section #4: Amendments must be approved by a two-thirds (2/3) vote of all active members present and voting in a duly constituted regular or special general membership meeting, or represented by signed Proxy.

ARTICLE #18 - Dissolution

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Section #1: The dissolution of the Association shall be in compliance with Article #2, Section #5 of this constitution.

Section #2: The decision for dissolution can be made by a two-thirds (2/3) vote of the members present at a special meeting called for this purpose.

ARTICLE #19 - Adoption

CERTIFICATE OF SECRETARY: I certify that I am the duly elected or acting secretary of the Falcon Wanderers Volkssport Association and that the forgoing Constitution comprises the Constitution of the Corporation. This constitution was duly adopted at a meeting of the members held on 10 October 2017.

This Constitution was amended at a meeting of the members held on 13 September, 2004 and further amended at a meeting of the members held 11 June, 2007 and further amended at a meeting of the members held 14 November, 2011.

This Constitution was amended at a meeting of the members held on 10 October 2017. Portions of the Constitution were changed to reduce the number of elected officers to three. Details of the elected officer duties were removed and were added to the Falcon Wanderers Operating Handbook.

This Constitution was amended at a meeting of the members held on 12 August 2019.

This Constitution was amended at a meeting of the members held on 12 August 2021.

This Constitution was amended at a meeting of the members held on 10 July 2023.

Felicia Stanton, Executive Secretary