

**BY-LAWS OF THE GEM & MINERAL SOCIETY OF FRANKLIN, N.C.**  
(Ratified by Membership November 17, 2022)

**ARTICLE I. PARLIAMENTARY AUTHORITY**

- A. Robert's Rules of Order governs the Society in all cases where the Constitution and By-Laws are silent.
- B. A Parliamentarian may be appointed by the President.

**ARTICLE II. BOARD OF DIRECTORS**

- A. The Board of Directors will be familiar with and abide by all provisions of the Constitution and By-Laws.
- B. The Board of Directors constitutes the governing body of the Society.
- C. Members of the Board of Directors shall participate in Board meetings and shall notify the President if unable to attend.
- D. A quorum of the Board of Directors shall consist of seven members.
- E. Any non-budgeted expenditure approved by the Board of Directors that exceeds \$1000.00 shall be voted on by the membership, except in an emergency so declared by affirmative vote of 75% of the entire Board of Directors.
- F. The immediate Past President shall automatically become a member of the Board of Directors.

**ARTICLE III. DUTIES OF OFFICERS**

- A. The duties of the **President** are as follows:
  - 1. Be familiar with and abide by all provisions of the Constitution and By-Laws.
  - 2. Preside at all meetings of the organization.
  - 3. Appoint chairpersons of all committees.
  - 4. Serve as ex-officio member of each committee except the Nominating Committee.
  - 5. By the first of August, appoint two members who are not serving on the Board of Directors to conduct a financial review each year. A written financial review report, signed by the two Financial Review Committee members shall be presented to the Board of Directors at its November meeting. After review by the Board of Directors, a summary of said Financial Review shall be presented to the membership. This review will cover the previous fiscal year, January 1 to December 31.
  - 6. Be empowered to initiate new business and form new committees.

7. If the immediate past President is not available, the President shall appoint a Board member (not an officer) to serve as the Nominating Committee chairperson.

B. The duties of the **Vice President** are as follows:

1. Be familiar with and abide by all provisions of the Constitution and By-Laws.
2. Perform duties of the President in his absence.
3. Perform such special administrative duties as the President may request.
4. Maintain a list of volunteer member hours.
5. Will use the volunteer member hours list to determine names for the drawing of a winner of a tuition scholarship to William Holland School of Lapidary Arts or the Southeast Federation of Mineralogical Societies (SFMS) Workshops at Wildacres.

C. The duties of the **Vice President (Museum Manager)** are as follows:

1. Serve as museum manager as outlined under “Committees, Museum Manager.”

D. The duties of the **Secretary** are as follows:

1. Keep a record and file complete minutes of each meeting of the Society and the Board of Directors.
2. The minutes of each Board of Directors meeting shall include the names of Board members and visitors present.
3. Transmit all minutes of the general membership meetings in a timely fashion to the Editor of The Mountain Gem in suitable form for publication.
4. If requested by the Secretary and accepted by the President, the minutes may be taken by another member.
5. Conduct routine correspondence of the Society including but not limited to thank you notes, appropriate cards, etc.
6. Prepare and transmit any other correspondence as directed by the President.

E. The duties of the **Treasurer** are as follows:

1. Receive and account for all monies.
2. Pay all bills and present a monthly financial statement at each meeting of the Board of Directors. At each regular meeting of the Society, the Treasurer will present a monthly income and expense report.
3. Work closely with the Assistant Treasurer to keep the Assistant aware of all financial transactions.

4. Pay all bills and other obligations of the Society by bank check, signed by two of the following officers: the Treasurer, the President, the Secretary or the Assistant Treasurer.
5. Provide all pertinent data to the Financial Review Committee members for the annual financial review.

F. The duties of the **Assistant Treasurer** are as follows:

1. Assist the Treasurer as needed and shall act in the absence of the Treasurer to carry out all financial duties for the Society.

#### **ARTICLE IV. MEETINGS**

- A. The regular meetings shall be at the time and place arranged for by the Board of Directors.
- B. Special meetings may be called by the President.
- C. To conduct business at a regular meeting there must be a quorum of 20 members.
- D. There shall be an annual Installation meeting held during the month of September at which time the newly elected officers and directors will be installed and awards will be presented.

#### **ARTICLE V. COMMITTEES**

A. Membership Committee

1. Shall be responsible for issuing application forms to prospective new members, receive completed applications forms and handle any correspondence relating to membership applications.
2. Shall welcome new applicants into the Society and, upon payment of dues, issue a current membership card signed by the Chairman of the Membership Committee.
3. Shall issue to each new member/household a copy of the Constitution, By-Laws, Standing Rules and Code of Ethics.
4. Shall keep an up-to-date record of the names and addresses of all current members and notify the Publications Editor of all additions and deletions to the list.
5. Shall publish a Directory of members before April 1 and periodically update as necessary to include new members or as requested by the President.

B. Publications Committee.

1. The Editor of the Society Publications shall be appointed to a two-year term by the President and approved by the Board of Directors, and may be reappointed. The Editor will serve as Chairman of the Publications Committee.
2. The Editor and President shall select members of the committee as deemed necessary by the Editor.
3. The Editor shall be encouraged to attend all meeting of the Board of Directors (as a non-voting member) and special meeting of the Society, and shall be notified of such meetings at the same time as all other members.
4. The Committee shall publish a monthly newsletter known as The Mountain Gem with articles, activities, meeting dates and other information pertaining to the Society.
5. The Publications Committee shall coordinate with the Membership Chair on determining members to receive the newsletter and maintain a list of other entities that receive the newsletter.

B. Field Trip Committee.

1. Shall plan and execute field trips to benefit the education and enjoyment of the members.
2. Shall plan and execute Dixie Mineral Council Field Trips as requested by the DMC.

D. Program Committee.

1. Shall be responsible for the programs at the regular monthly meetings. Exceptions are the months of September and December.

E. Youth Committee.

1. Shall plan and execute programs for the Junior members during the year.

F. Refreshment Committee.

1. Shall be responsible for refreshments at all regular meetings with the exception of special events.
2. Light refreshments will be served and paid for by the Society.
3. A temporary committee may be formed for the planning and implementation of each "special" event (i.e. February Anniversary, Installation meeting, End of Year Party, etc.).

G. Budget Committee.

1. Shall include the President, the Treasurer (or Assistant Treasurer), Museum Manager and Gift Shop Manager.
2. Shall submit the proposed budget for the fiscal year to the Board of Directors in October.
3. The Board-approved budget will then be presented to the Society membership for their vote in November.

#### H. Publicity Committee.

1. Shall be responsible for reporting the activities of the Society in newspapers, radio, television or other publications when applicable.
2. Shall be responsible for the mailing and distribution of museum brochures and other media.

#### I. Gem Show Committee.

1. The Chairman for the gem shows will be appointed at an October Board of Directors meeting. This Chairman is appointed for a two-year term and may be re-appointed.
2. The President and the appointed Chairman will select an Assistant Gem Show Chairman.
3. Subcommittee appointments shall be made as needed by the gem show Chairman.

#### J. Constitution and By-Laws Committee.

1. Is responsible for keeping the Constitution, By-Laws and Standing Rules up to date at all times, ensuring that all updates have been reviewed by an attorney or tax accountant familiar with 501 c 3 organizations and then properly filed with the Secretary of State.
2. Is responsible for ensuring a supply of copies of the Constitution, By-Laws, Standing Rules and Code of Ethics be available for members.

#### K. Education Committee.

1. Is responsible for changing and maintaining display cases in the public places.
2. Is responsible to maintaining a list of said places, as #1 above.
3. Is responsible for arranging museum tours, programs and/or exhibits as requested by schools or other organizations.

#### L. Museum Committee.

1. The Museum Manager (2nd Vice President) serves as the Chairman of the Museum Committee and shall submit to the Board of Directors for approval, candidates for the Assistant Museum Manager, Curator, Assistant Curator, Lapidary Workshop Manager, Librarian, Gift Shop Manager, Assistant Gift Shop Manager and Calendar Chairman, all to start November 1st.
2. No major work shall be done to the Museum without first being approved by the Museum Committee, and that work shall be included in the Museum Committee budget. If not in the budget, the Board of Directors must approve the work.
3. The Museum Manager shall be responsible for the distribution of museum keys and codes for alarm system.

M. Museum Manager and Assistant Museum Manager

1. Are responsible for the overall operation, maintenance and upkeep of the Museum in conjunction with other members of the committee including ordering necessary supplies and equipment.
2. The Museum manager may spend up to \$750 per instance for Museum repairs and upkeep without the approval of the Board of Directors, provided it is within the budget. Bids are required for all major items.
3. The Museum Manager may call and conduct meetings of the Committee.
4. Shall maintain an inventory of all Museum equipment of greater than \$25 value.

N. Museum Curator and Assistant Museum Curator.

1. The Curator is appointed by the Museum Manager, with the concurrence of the Board of Directors. The Curator may serve as many terms as reappointed and may hold an elective Office. The Assistant Curator is appointed by the Curator with approval from the Board of Directors.
2. The Curator is responsible for acquisition, maintenance, display and disposition of specimens with aid from the Assistant Curator.
3. Specimens not desired for retention should be offered to the Gift Shop Manager and to the Education Chairman. Surplus may be disposed of by trade, sale, auction or by other appropriate means.
4. Upgrade exhibits and specimens within limits of the budget.
5. Must have approval of the Board of Directors for loan of specimens outside of the Museum.
6. Keep a current inventory of all specimens on file in the Museum.

O. Lapidary Workshop Manager.

1. Is responsible for the maintenance of all workshop equipment.
2. May accept or refuse any equipment donated for the workshop.
3. May dispose of surplus equipment by sale or appropriate means with the approval of the Board of Directors.
4. The Lapidary Workshop Manager is responsible for assuring competence in the use of equipment and will post a list in the workshop of those members so qualified.

P. Gift Shop Manager and Assistant Gift Shop Manager.

1. Is responsible for the purchase of items to be sold in the Gift Shop, within the confines of budgetary constraints, with adjustments by the Board of Directors based on current sales and projections.
2. Maintains the Gift Shop and keeps adequate records on expenditures and inventory items.
3. Makes monthly status reports at the Board of Directors meetings.

Q. Librarian.

1. Maintains a lending library of books, magazines and other publications pertaining to the lapidary arts for the use of the Society members.
2. Maintains proper library records.
3. Is responsible for all audio-visual equipment and materials.
4. Is responsible for selecting books to be added to the Museum Library in memory of deceased members and shall maintain a list of said memorial books, with the list to be kept in the Museum Library.

R. Calendar Chairman.

1. Is responsible for arranging for the Museum Hosts.
2. Works closely with Museum Manager informing them of hosts and hours.

S. Awards Committee

1. The Awards Committee Chairman shall be an active life member appointed by the President.
2. The Awards Committee shall consist of five (5) people, preferably life members.
3. The Awards Committee is responsible for evaluating candidates for possible merit awards and/or Life Memberships. Recommendations shall be presented to

the Board of Directors prior to or no later than the August meeting for Board approval. Awards will be presented in September.

T. Scholarship Committee.

1. Is responsible for recruiting candidates in the field of Earth Sciences.
2. Will distribute and receive applications for submission to the Board of Directors for candidate selection.
3. Will establish contacts with local high schools, colleges and other appropriate institutions to inform them that our scholarship is available.

U. Historian.

1. The Historian collects and preserves written matter and pictures pertaining to the Society and the Museum with these items being mounted in albums to be maintained at the Museum, with necessary expenses to be provided for in the annual budget (i.e. film, developing costs, albums).
2. The Historian plans and presents an annual program of the Society to celebrate the anniversary of the Society.

**ARTICLE VI. MEMBERSHIP.**

A. Active Membership.

An active member is defined as one who has paid their current dues and has agreed to the eligibility and admission requirements as set forth in Article III, B. of the Constitution.

B. Honorary Life Membership

Upon recommendation by the Awards Committee and approval of the Board of Directors, an Honorary Life Membership is given to a Society member who has served the organization faithfully and well for at least 10 years. Honorary Life Membership includes voting privileges with annual dues waived. A Life Member is responsible for informing the Membership Chairman of their current address on an annual basis.

**ARTICLE VII. AMENDMENTS TO THE CONSTITUTION or BY-LAWS.**

- A. The Constitution or By-Laws may be amended only after being processed by the Constitution and By-Laws Committee, having been approved by the Board of Directors, having had proper legal review, and then having been approved by vote of the membership as required in Article VII, Paragraph B below. The revised Constitution must be submitted for approval and filing to the Secretary of State.



B. The proposed amendment(s) must be presented at one general membership meeting and voted on at the next general membership meeting. There must be a quorum (quorum = 20 members) present and approved by 2/3 of the quorum.

**ARTICLE VIII. STANDING RULES.**

A. Standing Rules of the Society may be changed at any regular meeting of the Society after the recommended changes have been reviewed by the Constitution and By-Laws Committee.

B. The Board of Directors must approve any changes to the Standing Rules before being submitted to the General Membership.

**Definition: Standing Rules enlarge upon the By-Laws and take into account things not covered specifically by them.**

**STANDING RULES PERTAINING TO THE MEMBERSHIP:**

1. There will be no smoking at meetings or in the Museum.
2. Elected officers and Museum Committee members shall have appropriate keys. The Museum Manager will decide upon the issuing of additional keys. All keys should be returned promptly at the request of the Museum Manager.
3. No sales by individuals may take place at the Museum except to the gift shop or curator.
4. No free memberships may be offered to individuals for services rendered.
5. Any incumbent officer shall not influence the Nominating Committee for Society officers in any way.
6. The Mountain Gem shall not be used to air grievances or for political issues.
7. Prospective members shall be offered an application on their first visit to a general meeting.
8. From May through August any new members, or members whose membership has lapsed, shall pay dues, which are half the amount for the current year, plus the amount for a full year. After August, the current dues shall be paid. In either case, these payments shall give the member active membership status until September 30th of the following year.
- 109Members who do not pay dues by September 30th shall be carried on the membership rolls and shall receive the monthly bulletin through the month of December. If dues are not paid by December 1st, all membership privileges will cease.
10. If a returning member chooses to reinstate his membership, they will not need to attend any prior meetings before retaining his membership.
11. When Chairmen are leaving town for a lengthy absence, they will notify the President, give information concerning the length of the absence if possible to predict, and give the name of the committee member who is taking over the job in their absence.
12. When a vote is taken on any measure, a member must be present in order to have his vote counted.
13. The President may contact a majority of the Board of Directors for a vote when it is impractical to call a meeting. The Secretary will incorporate the results of same into the minutes of the next Board Meeting.

14. Due to the time consuming nature of certain positions, if possible, no two of the following offices should be held by the same person: President, Curator, Museum Manager, Treasurer, Newsletter Editor.

15. The Society may not purchase any advertising for the Museum other than the Museum brochure and local telephone directory listing unless approved by the Board.

16. The Society's copier and computer are to be used by the members for official Society business only.

## **RETENTION SCHEDULE**

### **PERMANENT RECORDS RETENTION SCHEDULE:**

The following records are to be retained for the life of the Society:

1. Board Minutes.
2. Membership Meeting Minutes.
3. Minutes of Committee Meetings, if business is transacted.
4. Original Articles of Incorporation, including amendments.
5. Constitution and By-Laws.
6. Reports to State organizations or departments that oversee non-profit organizations.
7. Letters granting exemption by the Internal Revenue Service and N.C. Dept. of Revenue.
8. General ledgers, financial statements, sales tax reports, non-profit reports to the Internal Revenue Service and State of North Carolina.
9. Records of purchase of major assets and special payments.
10. Membership Records.
11. Newsletters of Society.
12. Correspondence regarding legal and other important matters.

### **RECORDS TO BE RETAINED FOR FIVE YEARS:**

1. Bank statements, deposit slips, financial advices, cancelled checks.
2. Cash receipts and disbursement records.
3. Correspondence – general in nature (does not include such items as thank-you notes, greeting cards, nor advertisements).
4. Insurance records, unless involved in litigation or other problems. If so, retain for five years after litigation or problem is resolved.

### **STANDING RULES PERTAINING TO THE MUSEUM**

1. The Museum shall be kept open as directed by the Board of Directors with the approval of the General Membership.
2. There must be a minimum of two hosts present for the Museum to be open.

3. Use of lapidary machines requires that at least two persons be present in the Museum. Hosts will not operate equipment during duty hours.
4. Flat lap machines and tumblers not ordinarily used in the workshop may be borrowed with the approval of the Museum Manager. Any other item borrowed requires the approval of the Board of Directors. This record of borrowed items shall be maintained in the Museum library.
5. The Society shall abide by Bob Schabilion's request that the three large beryl specimens, which he donated, remain in the possession of the Museum and never be cut.
6. No items shall be accepted for sale by the Gift Shop on consignment.
7. When a large number of visitors arrive at the Museum at the same time hosts shall call for assistance.
8. A properly drawn receipt, with no dollar amount specified, shall be given or mailed to anyone donating specified items.
9. Classes in the lapidary arts and natural sciences shall be provided by members on a voluntary basis. Instructors shall not be paid for their time and shall be reimbursed by students for any materials expended during the class. Current fees for classes and equipment use shall be posted in the Museum and are as follows:

Per person class fees shall be:

- 1 – Faceting: \$50
  - 2 – Introduction to Cabochons: \$10
  - 3 – Cabochons: \$50 (\$40 if taken the intro class)
  - 4 - \$10/day for any non-workshop class, i.e. beading, gem trees, micro-minerals, etc.
10. Workshop fees: Use of equipment in the workshop (Genies, saws, faceting machines) shall be \$5/day. Workshop equipment shall not be used for commercial purposes.
  11. The scheduling of school groups, or tour groups, shall be the responsibility of the Education Chairman with the knowledge of the Museum Manager.
  12. Non-members shall not be allowed to use any equipment.
  13. The Workshop Manager will post rules for the use of any equipment at the equipment location.
  14. Non-members of the Society shall not be permitted to go beyond the door located between the Gift Shop and the Meeting Room at the Museum UNLESS escorted by a Society member.
  15. In the interest of safety, no one under the age of 13 may use equipment in the Workshop. Age 13 and over, after being instructed in the proper and safe use of the Society's lapidary equipment,

may use those items on which they have been approved but only in the presence of an active member, approved by the Workshop Manager.

16. Members may use the Society's equipment only after having been instructed and approved in the use by the Workshop Manager or a designated alternate.

17. Suitable safety rules are to be posted in a prominent location in the Museum workroom and are to be read and understood by anyone wishing to use the equipment before instruction can begin.

18. As is the case with other items of Workshop equipment, the tumblers are under the jurisdiction of the Workshop Manager, or in the case of his non-availability, of his designated alternate. He will keep the tumblers in good repair and operational condition, ready for use at any given time. However, in general, the tumblers will not be operated on the premises of the Museum except at the discretion of the Workshop Manager.

19. Instruction as to the use and proper care of tumblers will be available, either as individual consultation or as formal classes to be arranged given a sufficient number of members.

20. Access to the Museum: With the exception of the Museum Manager and Curator, a minimum of two members shall be required to access the Museum outside of the normal hours of operation. In the event that access to the Museum is required by a single member then notification shall be provided to the Museum Manager via, email, text, or telephone.

Communication to the Museum Manager shall include reason for access. The member shall also notify the Museum Manager when they leave the Museum.

## **AMERICAN FEDERATION OF MINERALOGICAL SOCIETIES**

(Adopted by the Gem and Mineral Society of Franklin, N.C., Inc., as its official code of ethics for all members.)

I WILL respect both private and public property and will do no collecting on privately owned land without permission from the owner.

I WILL keep informed on all laws, regulations and rules governing collecting on public lands and will observe them.

I WILL, to the best of my ability, ascertain the boundary lines of property on which I plan to collect.

I WILL use no firearms or blasting materials in collecting areas.

I WILL cause no willful damage to property of any kind such as fences, signs, building, etc.

I WILL leave all gates as found.

I WILL build fires only in designated or safe places and will be certain they are completely extinguished before leaving the area.

I WILL discard no burning materials – matches, cigarettes, etc.

I WILL fill in all excavation holes that may be dangerous to livestock.

I WILL not contaminate wells, creeks, or other water supplies.

I WILL cause no damage to collecting material and will take home only what I can reasonably use.

I WILL support the Rockhound Project H.E.L.P. (Help Eliminate Litter Please) and will leave all collecting areas devoid of litter, regardless of how found.

I WILL cooperate with field trip leaders and those in designated authority in all collecting areas.

I WILL report to my Club or Federation Officers, Bureau of Land Management, or other proper authorities any deposit of petrified wood or other material on public lands which should be protected for the enjoyment of future generations and for public educational and scientific purposes.

I WILL appreciate and protect our heritage of natural resources.

I WILL observe the “Golden Rule”, will use good outdoor manners and will at all times conduct myself in a manner that adds to the stature and public image of rockhounds everywhere.