

# UNITED PROSPECTORS INC

Locating gold gems and minerals ©

## 2022 BYLAWS



OFFICIAL PUBLICATION  
OF  
UNITED PROSPECTORS INC.

THIS PUBLICATION IS DEDICATED TO ALL OF THE VOLUNTEERS OF THE  
UNITED PROSPECTORS INC. WHO HAVE KEPT A DREAM ALIVE AND  
WELL FOR OVER 60 YEARS.

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## LOCATING GOLD GEMS AND MINERALS

©



Published Since 1947

Issued by United Prospectors Inc., an organization dedicated to:

Promoting mineral exploration of all types;

Encouraging family oriented opportunities in prospecting and allied earth sciences;

Providing information on mineral locations and instructions on prospecting and recovery methods;

Collecting and studying mineral specimens; and

Encouraging the study of the history of the United States especially related to the great emigration to the  
west and the gold rushes

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We currently have claims available on eight waterways in California, for a total of over 1200 acres. Claims are located in Plumas County, Mariposa County, and Tuolumne county. Most are RV accessible. We are actively searching for more claims.

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Our Board of Directors and appointed committees are volunteers. We also have volunteers to assist UPI County Chapters in California and hope to form new chapters in other states.

UPI PUBLICATION 8-22-2022  
PUBLISHED AND EDITED BY DAN DICARLO

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Others have contributed to this years publication, whose help is greatly appreciated, and it couldn't have been done without their contributions large or small.

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The By-laws revised and approved  
January 2009

ESTABLISHED 1947

Non-Profit Organization Incorporated November 29, 1949

UNITED PROSPECTORS INCORPORATED BY-LAWS  
ARTICLE I

NAME

The name of the Organization shall be:

UNITED PROSPECTORS INCORPORATED

ARTICLE II

PURPOSE

The purpose of the Organization is: To promote prospecting of all types and encourage members to prospect for gold, gems and other minerals. To encourage family oriented small scale mining opportunities in prospecting and allied earth sciences. Provide information on prospecting locations, instructions on prospecting and recovery methods and to collect and study all types of gem and mineral specimens.

ARTICLE III

MEMBERSHIP

SECTION 1. There shall be two (2) classifications of memberships. The membership shall be open to any person (s) willing to abide by the bylaws of the Organization.

A. Regular: Regular members shall have full Organization rights and privileges.

1. Single: An individual 18 years of age or over.

2. Family: One or two adults, 18 years or older, with or without minor children residing at the same address. Minor children do not have the right to vote, hold office or make motions.

3. Lifetime: An individual or family who has paid the lifetime membership fee or has been awarded membership by the Board of Directors. A lifetime membership cannot be sold or passed on to heirs.

B. Honorary: Honorary members shall be entitled to all privileges of the Organization except the right to hold office.

1. Honorary membership may be conferred by unanimous vote of the Board of Directors for a period of one (1) year on any member or person that is not a member of the Organization that has made an unusual or outstanding contribution to the welfare of the Organization.

SECTION 2. Member Responsibility

A. Each member shall be responsible for understanding and obeying the By-laws and Mining Rules as established by the Board of Directors. These are published each year in the Members Guidebook and are found on the UPI Website.

B. Each member shall be responsible for the actions of their minor children, guests and pets when attending Organization functions or using Organization claims.

SECTION 3. Forfeiture of Membership

A. Forfeiture of membership in the Organization may be forfeited for conduct prejudicial to the general welfare and prestige of the Organization which tends to injure the good name of the Organization, disturb its well being or hamper it in its work, and/or for violation of the organizations mining and camping rules and regulations as adopted by the Board of Directors. Membership may also be forfeited for violation of the laws, rules and regulations of the governing authorities

of each claim site.

It is the member's responsibility to obtain and verify this information before using a claim.

SECTION 4. Forfeiture (Grievance) Procedure

A. Grievances shall be submitted to the President of UPI. After an investigation, if the President finds the charges to be legitimate, a report will be submitted within 30 days to the Board of Directors charging the member with violation of the Organization's By-Laws.

B. Charges under paragraph "A" must be in writing, in duplicate, dated, and signed by the President. One copy must be presented to the member charged and one copy filed with the President, within one (1) week after the Grievance was received by the Board of Directors.

C. If the Board concurs with the findings of the President then the President shall call a special Board of Directors meeting within sixty (60) days, at which time a trial shall be conducted following procedures recommended in Roberts Rules of Order.

D. If, after the trial, the Board finds by two-thirds vote that the member shall be formally reprimanded or their membership shall be forfeited immediately, depending on the nature of the offence, the member shall be notified of what, if any action was taken. The member shall be notified in no more than thirty (30) days.

E. Any person whom has been removed from membership for cause shall not be allowed to rejoin the Organization at a later date.

ARTICLE IV

OFFICERS

SECTION 1. The elected officers shall be a President, Vice-President, Secretary and Treasurer. Such officers shall be elected by the general membership and shall take office and assume all responsibilities of the office on the second Saturday of January.

SECTION 2. No officer may hold more than one office except the offices of Secretary and Treasurer, which may be combined.

SECTION 3. Officer Duties

A. President:

1. The President shall preside at all meetings of the organization with the Board of Directors, and shall be a member ex-officio of all standing committees which shall perform all such duties as usually pertain to this office.

2. Subject to the approval of the Board of Directors, the President shall appoint all standing and special committees.

3. In case of a Board vacancy, the President may make a temporary appointment to fill the position pending election by the General Membership. However, if less than six (6) months service remains the vacancy shall be filled by the President, subject to approval by the Board of Directors.

4. The President may request reports as he deems necessary.

5. Write articles for the newsletter that pertain to, and include any updates, regarding changes to the mining laws and/or public land.

6. Monitor legislation that may affect the Organization.

7. Handle all formal complaints by any UPI Member. Complete Complaint Forms and submit them to the Board of Directors.

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B. Vice-President:

1. The Vice-President shall assist the President, and in the absence of the President shall perform all the duties pertaining to that office. In case of a vacancy in the President's position, the Vice-President shall assume the role of President.
2. The Vice-President will oversee the Chapters. Form new Chapters. Perform the duties as outlined in the Chapter's Director's Handbook.

C. Secretary:

1. The Secretary shall keep the minutes of all Board of Directors and General Membership meetings.
2. A tape recorder may be used at meetings for the purpose of recording the minutes. All tapes should be kept for a year.
3. The Secretary shall maintain all original documents of the Organization as required by law.

D. Treasurer:

1. The Treasurer shall receive all monies and deposit them in the name of the organization in a bank approved by the Board of Directors.
2. The Treasurer shall keep an accurate record of all receipts and disbursements and shall present a statement of accounts at each Board meeting, and shall make a full annual report following the close of the organization's fiscal year, which is October 31st.
3. The Treasurer shall arrange for an annual audit after the books are closed at the end of the fiscal year.
4. Upon completion of the annual audit, the Treasurer shall forward all books and financial records to the incoming Treasurer, which shall be no later than the first Board meeting of the year.
5. Subject to the approval of the Board of Directors, the Treasurer shall arrange for the preparation of all required tax reports.
6. Organization checks shall require two (2) authorized signatures. The President, Vice-President and Treasurer shall be authorized to sign bank documents. No two members of the same family (husband and wife, brother and sister, etc.) shall serve as signatories for the Organization bank accounts at any one time. In the event that two family members become elected officers in the same year, only one of them shall be allowed to sign bank documents. If needed, the Publisher/Editor-in-Chief shall then become the third signatory on all Organization bank documents.

ARTICLE V

BOARD OF DIRECTORS

SECTION 1. The Board of Directors shall consist of the four (4) elected officers and five (5) elected directors.

SECTION 2. Elected Directors shall be elected to a specific Director Chair.

SECTION 3. The elected Directors may assume the chairmanship of one or more standing committees.

SECTION 4. The Board of Directors shall have general supervision and control of all activities of the organization.

SECTION 5. The Board of Directors may adopt mining rules; regulations and handbooks to accomplish the purposes of these By-laws provided they do not conflict with State or Federal laws.

SECTION 6. If a Board of Director position becomes vacant the position shall be filled as stated in Article IV, Sec. 3, A, 3.

SECTION 7. If a member of the Board of Directors misses Board Meetings in a year without the approval of the Board of Directors the position shall be declared vacant and Section 6 above shall be put into effect.

SECTION 8. Any Board of Director member may call a Board of Directors meeting provided all members of the Board have been notified as to the purpose of the meeting. If immediate action is necessary, a telephone call or E-mail poll may be taken and the results shall be recorded in the minutes. Prior to calling for a meeting, the nature must be discussed with the officers of the organization to determine if the issue warrants a meeting.

SECTION 9. All members of the Board of Directors shall maintain membership in United Prospectors Inc. for their tenure in office.

SECTION 10. Each Board of Director, upon the expiration of their term of office, shall forward all records, books, funds, or other materials pertaining to their office to their successor on or before the January Board of Directors meeting.

SECTION 11. Each member of the Board of Directors present at an outing shall make himself or herself known to the membership.

ARTICLE VI

ELECTED DIRECTORS

(See Handbook for position for specific details of chairmanship duties.) Elected Directors shall be appointed to one of the following chairmanships:

SECTION 1. Duties of Elected Directors

A. Claims

1. Examine and recommend new claims to the Board of Directors.
2. Complete all necessary filings and reports as required by mining laws.
3. Perform the duties as outlined in the Claims Director's Handbook.
4. Provide as required, claims information, rules, regulations and limitations to the organization publications people.

B. Membership

1. Promote new memberships.
2. Process all membership applications and submit a report at each Board Meeting.
3. Perform the duties as outlined in the Membership Director's Handbook.

C. Publisher/Editor-in-Chief

1. Publish the official Organization newsletter.
2. Oversee all organization publications.
3. Provide Newsletters to all advertisers.
4. Publish the annual Member Claim and Rules Guidebook
5. Update and print membership information (tri-folds) as needed.
6. Perform the duties as outlined in the Publisher/Editor-in-Chief Director's Handbook.

D. Outing Coordinator

1. Maintain outing schedules.
2. Coordinate outing activities and events.
3. Submit a schedule of general membership outings for

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publication in the annual Member Claims and Guidebook.

4. Post signs directing members to outing locations and assist members with parking, if needed.

5. Have a port-a-potty delivered at least two days before each outing.

6. Perform the duties as outlined in the Wagon Master Director's Handbook.

7. Give instructions to members on the operation and use of mining equipment.

8. Perform the duties as outlined in the Technical Advisor Director's Handbook.

#### E. Ways and Means

1. Conduct a raffle at each outing.

2. Buy prizes as needed for the outings and chapter meetings.

3. Purchase Organization logo sale items.

4. Update Advertisers Handbook and secure advertising for the newsletter.

5. Perform the duties as outlined in the Ways and Means Director's Handbook.

### ARTICLE VII

#### STANDING COMMITTEES

The Standing Committees shall be: Assistant Claims, Auditor, Education, Historian, Librarian, Web Master and Elections. Refer to the Standing Committee Handbooks for their respective duties.

### ARTICLE VIII

#### MEETINGS

##### SECTION 1. Installment Meetings

1. The installment meeting of the organization shall be held in January.

2. The Officers shall be sworn in and assume their positions on the Board at this meeting.

##### SECTION 2. Regular Meeting

1. Meetings shall be held throughout the year as needed.

2. The meeting dates and locations shall be determined by the Board of Directors and published in the Organization newsletter: "Locating Gold, Gems & Minerals".

##### SECTION 3. Special Meetings

1. Pursuant to Article V, Section 8, a special meeting of the Organization may be called by the President, or upon the call of the Board of Directors. Notice of time, place, and purpose of the special meeting shall be given all Officers and Directors. Notice should be received no later than ten (10) days prior to the called meeting date. If immediate action is necessary; a telephone/fax/e-mail poll may be taken of the Board.

### ARTICLE IX

#### ELECTION OF OFFICERS/DIRECTORS

##### SECTION 1. Elections and Absentee Ballots

###### A. Elections

1. Elections shall be held at the scheduled meeting/outing in November.

###### B. Absentee Ballots

1. Absentee ballots shall be accepted for the scheduled meeting/elections in November.

2. Absentee ballots must be received at the mailbox of the Chair of the Nominating Committee no later than 14 days prior to the scheduled election date to allow time for verification of member status or they will be discarded.

rejected.

4. Absentee ballots must have the absentee voters UPI member number on it and must be signed by the member to be valid. Spaces will be provided.

5. The absentee ballot will be first class mailed, or e-mailed to you, upon your timely request for such, by phone, by land mail, or e-mail, approximately one month before the scheduled Election. To use the absentee ballot, refer to the above. Place your postage stamp where indicated on the ballot and mail.

6. Write-ins will be accepted on Election Day with the member's authorization and check of membership status.

### SECTION 2. Nominations

#### A. Nominating Committee

1. At the first outing a nominating committee of three (3) members, which consists of one (1) Election committee person, who will chair the committee and two (2) members shall be selected in the following manner: Election committee person appointed by the President and two (2) members selected by the general membership.

2. The duties of the Election/Nominating Committee shall be to solicit and nominate one (1) or more candidates for each elective Officer and/or Director vacancy and report to the members at the July meeting.

3. The Election/ Nominating Committee shall present a proposed slate of nominees at each general membership meeting. Members present in good standing at such meeting may make additional nominations. The Committee shall then forward its report together with any additional nominations from the floor to the Editor-in-Chief for publication in the next newsletter.

4. No nomination will be accepted without approval from the member.

5. The cut-off date for Nominations will be the printing of the last Newsletter before the November Election.

#### B. Nominees

1. To be eligible for office a person shall be a member in good standing for one year or more at the time of the election.

### SECTION 3. Terms of Office

A. The terms of office shall be two (2) years.

1. The President, Secretary, and two (2) Directors, which are Outing Coordinator and Publisher/Editor-in-Chief shall be elected in odd-number years (2003, 2005, etc.)

2. The Vice President, Treasurer and three (3) Directors, which are Claims, Ways and Means, and Membership shall be elected in even-numbered years (2004, 2006, etc.).

### SECTION 4. Election Procedures

The election of Officers shall be conducted in accordance with the procedures outlined in Roberts Rules of Order.

### ARTICLE X

#### DUES

SECTION 1. The annual membership dues shall be established by the Board of Directors.

SECTION 2. Dues of Single/Family membership shall fall due and be payable once a year on their anniversary date. The anniversary date is the first of the month when a member joins United Prospectors Incorporated. Dues of all

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Single/Family memberships must be paid by mail or given to any Board Member and then passed on to the Membership Director.

SECTION 3. There shall be no refund of dues under any circumstances for members who terminate their membership.

SECTION 4. No member of the organization who is in arrears shall be eligible to vote or to enjoy any privileges offered by this organization. Members who have not paid their dues within Thirty (30) days after their anniversary date shall be automatically dropped from membership. They may be reinstated by payment of their full current year's dues; however, their anniversary date will not be changed.

ARTICLE XI

ORGANIZATION COLORS

The Organization colors shall be goldenrod, black and gray, and all Organization printed materials shall include the United Prospectors Incorporated logo.

ARTICLE XII

BY-LAWS AMENDMENTS

These By-laws may be amended by a majority vote (50% + 1) of the members present at any general meeting, provided written notice has been given thirty (30) days before the meeting at which such amendments are to be voted upon.

ARTICLE XIII

QUORUM

SECTION 1: Members present shall constitute a quorum at all general meetings.

SECTION 2. A majority (50% + 1) of the elected members of the Board of Directors shall constitute a quorum at all Board of Director meetings.

ARTICLE XIV

RULES OF ORDER

In all cases, not otherwise provided for in these By-laws, Roberts Rules of Order, "Newly Revised" shall be the parliamentary guide for proceedings of this Organization.