



McHenry County Road Pirates, Inc.

Articles of Agreement



ARTICLE 1 - MISSION STATEMENT:

The McHenry County Road Pirates, Inc. ("MCRP", "Pirates") riding group is a conglomeration of individuals who have banded together to ride & enjoy our motorcycles; have a good time as friends; and savor the open road and the many eating establishments along the way.

The Pirates' mission statement incorporates the above; along with our desire to reach out to the community, to support charity organizations in the area and to assist in making their events successful. This is accomplished thru volunteering our assistance and providing other support, as available. All members mutually support fellow Pirates and the charitable organizations thru respect for each other and the honorable causes for which assistance is given.

The Pirates are:

- Registered with the State of Illinois as a Not-For-Profit Corporation
- Registered with the IRS, for tax exempt purposes, as a 501(c)7 – Social Club
- Registered with the Patent and Trademark office with regard to the group logo
 - o To protect the trademark status of the McHenry County Road Pirates logo, the "Logo Depiction Requirements" document was adopted and incorporated herein by reference

ARTICLE 2 - GATHERINGS:

It is the intention to have a Gathering of the Pirates ("Gathering") once per calendar month. A Host for the next Gathering(s) will be determined at a prior Gathering by requesting a volunteer(s) to take the Host role. The date, time and location of the Gathering will be determined by the Host. The Host will be responsible, with the assistance of the Committee (see Article 3 below), for soliciting agenda items to be covered and publishing to the membership; prior to the Gathering, if possible; a list of the items ("Agenda"). The Agenda may be modified at the time of the meeting, as needed, based on circumstances, at the discretion of the Host.

ARTICLE 3 – STEERING COMMITTEE

In order to facilitate the communications and record keeping of the group, the membership eligible to vote shall elect (method of voting to be determined from time-to-time; the candidate(s) receiving the most votes wins) five (5) members to fill the Steering Committee ("Committee"). The Annual election shall take place at the November Gathering; or as voted upon following a position being vacated; with nominations being presented at a prior Gathering, as necessary. Only members present, and eligible to vote, at the election Gathering, will have a vote – no absentee voting.

Any member wishing to be considered as a candidate must express their intention by giving a brief presentation either:

- a) Orally to the membership at a Gathering, prior to the election Gathering, or,
- b) In written form to a member of the Committee, or the Gathering Host; in a timely manner to allow the Committee member or Host to present the member's presentation to the membership at a Gathering, prior to the election Gathering.

Any candidate must be willing to answer any questions posed by the membership relating to the candidate's desire to hold a Committee position. Questions addressed outside a Gathering should be recapped at the election Gathering by either the candidate or the member asking the question, prior to the vote.

One member of the Committee is to be designated (determined by the Committee members) the Committee Chair – someone to run the Committee meetings; and be responsible for coordinating Committee communication.

The Committee, as a group, shall be considered the Board; and the Committee Chair shall be considered the Board Chair; for purposes of the status as a not-for-profit organization registered with the State of Illinois.

Term lengths are for the lesser of 2-years; or as long as the Committee member wishes to continue, and is properly fulfilling the duties. A position holder may be re-elected for an unlimited number of terms. A Committee member's term will be considered voluntarily vacated if the Committee member has unexcused absences (as determined by the other Committee members) from three successive Committee meetings called.



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ARTICLE 3 – STEERING COMMITTEE (Con't)

All five of the members are charged with making themselves available to members to communicate with to: voice concerns; issues; or praise for the group and/or other members. All communications with the Committee that requires any action on the part of the group shall be presented to the group, by the Committee, at the earliest opportunity at a Gathering.

Any group member may issue a recall request, which would require a majority vote of members eligible to vote at a Gathering to be considered. Reasons must be stated for the request to the membership. The recall vote would take place at the Gathering following the request approval and would require a 2/3-majority vote of those present and, eligible to vote, to recall a position holder.

Neither the Committee, nor the individual Committee members, unilaterally makes any Rules or Regulations (see Article 4 below).

Any member of the Committee may call for a Committee Meeting with appropriate notice. The date, time & place of Committee meetings shall be announced to the group as soon as scheduled, but in no event less than 48 hours prior to the meeting time. Committee meetings shall be open to any interested member to attend as an observer; and to participate, if requested by a Committee member.

ARTICLE 3(a) – QUARTERMASTER

To keep the records and effect required filings of the Pirates, there shall be the position of Quartermaster. This position:

- Is not required to be held by a Steering Committee member.
- Is an elected position with a 2 year term length, with no limit to the number of terms.
- Shall be subject to a recall request under the same terms as previously defined for the Steering Committee.

Duties of the Quartermaster:

- Maintain the Membership roster
- Track Event participation
- Prepare and post the monthly cash report for all members to review.
- Maintain the Articles of Agreement and Voted Items List and serve as document historian
- Provide the Gathering Agenda format to the Gathering Host
- Prepare and post the Gathering Minutes
 - o In the absence of the elected Quartermaster, someone will be asked to take the Minutes of the Gathering to forward to the Quartermaster for distribution
- Filing required Illinois and Federal documents

ARTICLE 4 - ESTABLISHMENT OF RULES AND REGULATIONS:

In addition to this document; the 'Voted Items List', along with the results of the voting; and 'Group Email Site Guidelines' (see Article 7) will be maintained. These documents shall comprise the rules and regulations of the Pirates. If appropriate, these Articles of Agreement will be revised periodically with items on the 'Voted Items List' incorporated herein, as noted in the revision date notation in the page footer.

Any member can bring up any item from the Voted Items List for review and request a new vote to overturn the original vote result. The new vote to overturn shall not be taken, at the earliest, until the second Gathering following the Gathering when the original vote was taken. To successfully overturn a previous vote, the new vote must take place at the appropriate Gathering and a 2/3 majority of those in attendance, and eligible to vote, is required to make the change. Any new vote shall be by either a show of hands or closed ballot (at the discretion of any member in attendance).

Any member may propose a rule to the Committee at any time. Proposals will be discussed only at Gatherings. Proposals do not become binding until voted on at a Gathering; with passage determined by a simple majority of those present, and eligible to vote, at the Gathering; by either a show of hands or closed ballot (at the discretion of the maker of the proposal). Any proposal (other than exceptions noted below) must be presented to the Gathering Host at least two weeks prior to the Gathering at which the vote is to be requested (with a copy to the Steering Committee). The Host shall notify the group of the nature of the proposal as soon as possible after receipt, but not less than one week prior to the Gathering, by sending a group email.



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Exceptions: Votes required for routine items do not require advance notice. For example, but not all inclusive – approval of Minutes; approval of expense reimbursements or requests for authorization to spend Ship Funds; and establishment of the annual dues amount.

A cease and desist statement may be made by the Committee during the interim between Gatherings, until such time of the next Gathering, at which time the issue will be presented on the agenda and discussed and voted upon by the membership present and eligible to vote.

The Committee may (upon the consensus of 4/5ths of the Committee members) make minor decisions they deem inconsequential and bothersome to bring before the membership or where time does not permit a prior presentation of the issue at a Gathering. Any such decision will be presented, discussed at the next Gathering and voted upon, if appropriate.

ARTICLE 5 - RESPECT FOR PRIVACY:

Each member is charged with the responsibility of respecting the privacy of other members of the group, as well as the group itself. No member is authorized to disclose any personal information regarding another member (for example, but not limited to – name, phone number, email address, address, etc) without express consent from the member. No member is authorized to disclose privileged group communications to anyone outside the group without membership approval as voted upon at a Gathering. Information regarding publicized rides and events are not considered privileged. If any doubt exists, a member of the Steering Committee should be asked if the determination cannot wait until the next Gathering.

Specifically regarding the Membership Directory or other posting on the Group Email Site – personal information of any member contained in any posting is not to be communicated outside of the group. The information in the Directory or other postings are exclusively for use only within the group. Only information expressly OK'd by a member can be shared with anyone, inside or outside the group.

ARTICLE 6 - RIDES & EVENTS:

Any member can suggest and/or lead a ride. It is to their discretion as to how much detail regarding the ride is shared prior to the ride. No formal ride brief is required, nor is it discouraged. Communication regarding an upcoming ride is up to the ride leader.

Charity Events – The Pirates Mission Statement is "to support charity organizations in the area and to assist in making their events successful". Any time prior to the January Gathering, a Pirate member may bring a proposal to assist and/or support any charity event in the area. This proposal should include the degree of involvement:

- Assist
 - o actively planning the ride with the organizer and/or executing the ride plan. Assisting as needed by the sponsoring & organizing party(ies), as determined during the planning stages for the event
- or –
- Support
 - o by attending the organizer's event as a registered rider

Additionally, the proposal should provide information regarding who benefits from the charity action, along with time and place of the charity event. The person who proposes a charity event will be the main person in charge of the event coordination with the charity organization, along with other they recruit to assist them.

From the list of events proposed, up to three (3) can be voted on at the January Gathering to be considered as the 'Pirate Charity Events' for the next calendar year. By virtue of being a 'Pirate Charity Event', members will be encouraged to participate (assist or support, as appropriate) and Pirate funds may be authorized as an additional donation.

All assistance/support to these organizations is strictly voluntary; no member is ever required to participate. Everyone is encouraged to assist/support to benefit the chosen honorable charities.

Nothing contained herein prevents any member from posting any charity event to the group as an opportunity to ride and support the charity.

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ARTICLE 7 – INTERNET PRESENCE

Website:

The group owns the domain names mchenrycountyroadpirates.org & mchenrycountyroadpirates.com. An informational website is associated with these domains. The Keeper of the Cash is responsible for the domain registration renewals, and maintains the informational website as needed.

The website is to contain information regarding the MCRP for referral to potential members, and contain a contact form to allow anyone to contact the group. The Quartermaster shall act as gatherer of these contacts, which shall be handled as determined by the nature of the contact; including, but not limited to, referring to the Committee or general membership as necessary.

Group email site:

Joining the group email site is by invitation only, to help protect the privacy of our members, and is strictly voluntary.

The group email site is to be used by MCRP members to easily communicate to the group any items that might be of interest, including upcoming rides and events, as well as information regarding motorcycling issues in general. Please refrain from posting messages that others might consider obscene, inappropriate or personally offensive. The Committee will also act as moderators of the site and reserve the right to restrict or refuse posting rights to anyone that abuses this privilege, until such event can be brought before the membership at the next Gathering for resolution.

Upon joining the site, it is strongly requested that everyone provide their first & last names so it is possible to determine who belongs to what email address. It is requested that a phone number also be provided to the Quartermaster in case of the need to make immediate contact.

Facebook:

A public Facebook page and a private (Pirate members only) Facebook group will be administered by at least 3 active MCRP members, with the Steering Committee serving also as moderators. These sites will be used for public information to promote the events supported by the MCRP and as an additional resource for potential members to contact the group. Any pictures posted shall only be those taken at public events and shall not be 'tagged' with individual names without their express permission; and individual members can request that pictures of them not be posted to either the page or the group.

The following guidelines will apply to all members with regard to the above internet sites:

(Note: The following text is consistent with standard guidelines and policies of *nearly all* sites and forums across the internet, and is considered the accepted norm.)

The basic ground rules for discussions on the Group Internet Sites are simple: be polite, use common sense, and don't break the law.

It is not the intention to censor messages based on the opinions expressed within posts, but the guidelines outlined here will be enforced. Please feel free to contact any site moderator if any of the guidelines outlined below is not understood.

Take "Be Polite" very seriously. While debating and discussion is fine; rudeness, insulting posts, personal attacks or purposeless inflammatory posts will not be tolerated. Such posts can actually be counterproductive to 'free speech' by intimidating and silencing some members that might otherwise constructively contribute to the group.

Privileged information is not to be misused, in any manner. Personal e-mail addresses, names, phone numbers, etc are considered privileged information, and are only provided to improve communication within the group. Use of the information for private communication between members is permitted. Under no circumstances should privileged information be intentionally released to any 'third-party' without the knowledge and consent of the individual member(s).

What is posted on the sites will remain within the group membership. Forwarding or attaching any in-house posts to non-Pirate third-parties is strictly prohibited. (e.g. Forwarding messages posted to these sites, even if ultimately distributed from these sites to individual members, to any another group without permission).



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Personal attacks are prohibited. Commonly known as *flaming*, personal attacks are posts which are designed to personally berate or insult another. Text of this nature is not beneficial to the community spirit and will not be tolerated. *Keep personal disputes private and off these sites.*

Trolling is prohibited. Trolling is the word used to describe a post that is deliberately designed for the purpose of angering and insulting the members of the forum community. Posts of this nature are disruptive and do not convey a friendly attitude.

Ranting is prohibited. A rant is a post which is long-winded, redundant and filled with angry, non-constructive comments. A free exchange of ideas is essential to building a strong sense of community and helpful in the development of the group, but rants are disruptive and incite flaming and trolling. Please post your thoughts in a concise, clear manner and avoid going off on rambling tangents.

Any posts that encourage illegal intent will be removed. The sites are hosted in the USA and so is subject to US law. Please do not expose the membership to any avoidable legal liability.

While these guidelines cover most common situations, it is not possible to anticipate everything. Consequently the right to take any actions deemed appropriate to ensure these group sites are not disrupted or abused in any way will be maintained.

Specific to the Pirates – posts should be confined to motorcycle related activities, group activities, other activities in the spirit of ‘family’ (for example, but not all inclusive: posting items for sale to or wanted to buy from group members).

Certain administrative actions will be taken when the above-stated guidelines are not adhered to:

Any threads/posts not in compliance will result in the responsible member being placed on ‘moderated’ status. This can be accomplished by any one of the site moderators. Under this status, all messages submitted from the ‘moderated’ member will not appear on the site(s) until reviewed and approved by one of the Moderators. Any message not in compliance will be deleted, without notice.

Continued and persistent messaging attempts from a ‘moderated’ member that fail to comply with these guidelines will result in the removal of the offending member from the site(s).

Moderators reserve the right to ban from the site(s) anyone willfully and continually violating any of these guidelines, as access to the group site(s) is (are) a privilege and not a right.

A banned member will still be entitled to participate in other group functions, i.e., Gatherings, group rides, group events, unless otherwise voted on by the general membership at a Gathering.

ARTICLE 8 - MEMBERSHIP:

Dues are mandatory, with the amount determined annually. Expenditures from Pirate funds are only upon approval of the majority of members, present and eligible to vote, as voted upon at a Gathering. Annual dues are set by vote of the membership eligible to vote, subject to change from time to time. Dues are not pro-rated and are not refundable, except in the case of a new member who is not accepted for full membership after the probationary period (see below). Members paying dues in Nov or Dec shall be considered to have paid dues for the remainder of the current year, as well as for the next calendar year. Dues are due to be paid no later than the last day of February each year. Members not paying their dues timely will be removed from the membership roster and the email group until such time as dues are paid.

For a guest of a member attending Pirate events:

- No voting privileges in Pirate matters
- Will be charged an Event Fee to attend a Sponsored Event (i.e. an event paid for in whole, or in part, from Pirate funds) (e.g. dessert ride, picnic, and other events as approved by member vote). This Event Fee is established as one-half the Dues amount and is not credited toward paying Dues later. Full Dues can be paid prior to attending first Sponsored Event to avoid the Event Fee. If there is an event with a charge for paid members, the Event Fee will be in addition to the paid member fee.



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To help preserve the quality of riders within the membership – an existing qualified member (sponsoring member) must sponsor any new member candidate. The sponsoring member is responsible for making sure the member candidate is:

- Aware of this Articles of Agreement and the Voted Items List
- A safe rider
- Willing to be a Pirate, with all that it entails.

So that the Pirate membership has a chance to review the skill and safety of the member candidate's riding; and fit with the Pirate philosophy; a member candidate's continuation in the group shall be probationary until after the candidate has attended three riding events (defined as a day's riding, i.e. each day of a multi-day trip would count as a ride event). If during the probationary period any Pirate member has a concern about the member candidate, the Pirate should present the concern to the Steering Committee. The Steering Committee shall investigate and, if appropriate, and if agreeable to the Pirate reporting the concern, mediate a discussion between the Pirate and the member candidate to first see if differences can be rectified in a private setting. If the Pirate reporting the concern prefers to remain anonymous, the Steering Committee, after investigation, will act as go between to attempt to rectify the differences by meeting with each party individually. If unable to settle the issue, the member termination process as outlined below will be followed.

If no concerns are brought forward, the member candidate becomes a full member after the completion of their third riding event and payment of dues. Should a member candidate fail to be accepted as a regular member; dues, if paid, will be refunded – less any Event Fees that would have been charged, for events they may have attended. i.e. - If a member candidate pays their Dues when they join, they would be entitled to a refund of only the Dues amount less the appropriate Event Fee(s).

Any member may have their membership terminated for conduct that is undesirable or for violation of any rule of the Pirates. The procedure includes –

- discussing the issue with the member, at a scheduled Gathering, in an attempt to rectify the situation
- if not rectified; or the member does not appear at the scheduled Gathering; a 2/3-majority vote of eligible members at the Gathering in favor of the member's removal.

Only members may purchase patches or flags with the group logo. Other uses of the logo must be approved by a majority of the membership prior to any such use (use in connection with the annual voted upon 'Pirate Charity Events' is hereby approved).

By paying their annual dues – members acknowledge and agree:

- Each member will have, for any vehicle operated at/during any Pirate event:
 - o The appropriate driver's license endorsement for the type of vehicle being operated.
 - o Proper insurance coverage as required by law.
- Members hereby knowingly, voluntarily and freely:
 - o Accept the risks of all personal injury and property damage to themselves, their passengers, and to others arising from their participation with the McHenry County Road Pirates, Inc. (MCRP).
 - o Release, waive, discharge, hold harmless and agree that their dependents, heirs, successors, executors and assigns do release, waive, discharge and hold harmless against, and indemnify the MCRP, Steering Committee members and other fellow members and assigns (collectively, "released parties") from any and all claims, whether civil or criminal, including claims of death, bodily injury, illness, property damage or loss, however caused, arising from or related to activities of the MCRP, even if arising from the failure to act or negligence of the released parties or others.

ARTICLE 9 - AMENDMENTS:

The group may see fit to amend these Articles of Agreement at any time. Any amendment proposal shall be presented to the members at a Gathering for review and comments prior to being voted upon. Comments will be included in the discussion of the amendments prior to voting.

A 2/3 majority vote of the members present and eligible to vote is required for approval of the amendment.

See also ARTICLE 4.

ARTICLE 10 - DISTRIBUTION:

A current copy of these Articles of Agreement shall be provided to all group members. Posting on the group website shall fulfill this requirement.

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