

Ballooning Society of Pikes Peak (BSOPP)

Club Balloon Constitution

INTRODUCTION

GENERAL

The Constitution, By-Laws and Operations Rules which are hereinafter recited, are designed to govern the club ownership and operation of initially one LTA, Lighter Than Air Hot Air Balloon system and in the future, possibly other balloons and items of equipment associated therewith. Consequently, it is expected that when any member is in possession or control of Program equipment, they will conduct themselves in a manner which will guarantee, to the greatest extent possible, the safety of the aircraft, radio and other equipment. No member should take unnecessary chances with equipment of which they rent only a part, and no member should usurp more than their reasonable share of flying time. Each member should and must act responsibly as a lessee of the equipment. In consideration of the above recited premises and in order to protect the rights all participating members, the following Constitution, By-Laws, and Operations Rules are hereby adopted.

NAME

The name of this club shall be "The BSOPP Club Balloon Program" (hereafter referred to as the "Program").

OFFICES

The principal offices of the Program shall be located at 703 Point of the Pines Drive, Colorado Springs, CO 80919 or some other location as may be approved by the directors.

PURPOSE

The purpose of this program shall be to provide for its program members, a convenient means for private flying LTA balloons at economical rates, and to promote aviation safety, education and camaraderie among members.

MEMBERSHIP

Program Members – These Members are those persons who have elected to subscribe to the terms of the "Operating Regulation" and Approved Pricing schedule.

Program Members shall have the initial priority for reserving and using the program equipment. General BSOPP Club Members shall hold the second highest priority with regard to the use of Program balloon and equipment.

Applicants for membership shall upon approval by the Directors, become Members in good standing upon the payment of the current membership fee as is determined and amended from time to time by the Directors. Upon receipt of the membership fee, the Program shall issue to each member a copy of the Constitution, and any other documentation deemed appropriate by the Program Directors. Members must be current on all dues and assessments in order to remain Members in good standing.

It shall be each member's responsibility to know and obey the Program's Operations Rules. Violations in these rules shall result in penalties and are more fully set forth in the Operations Rules.

A Member in good standing shall be entitled to all of the membership rights, including voting for officers/directors and personal use of the aircraft.

MEETINGS OF MEMBERS

1. The annual meeting of the Program Directors/Officers shall be held during November, or at such time as the Program Participants shall determine. If possible, this scheduled meeting will be held as an annual BSOPP club activity. Maximum participation of the membership is encouraged but not required. At the discretion of the Directors, the date and location may be changed to encourage greater participation. At the annual meeting of the Directors, the Directors/Participants shall elect by ballot the Officers.

2. Regular meetings of the Directors shall be called by the President on a quarterly basis or special meetings as needed may be called by the President.

3. Special meetings of the members may be held at such time and place as the President may determine, or may be called by a majority of the Directors or by written petition of at least two members. It shall be the duty of the Secretary to call the meeting within thirty days of such a demand.

4. Notice of all meetings of the Directors and the general purpose thereof shall be given by written or electronic notice and mailed to each Director at their last known residence or email address on file at least five days before such meeting. E-mail is an acceptable notification of meetings.

5. Attendance of each Director will be encouraged at all meetings.

6. The President or, in the absence of the President, the Secretary, or, in the absence of the President and Secretary, the Treasurer shall call the meeting of the Directors to order and shall act as the presiding officer thereof. If Directors are not able to attend in person, electronic attendance is deemed appropriate.

7. At every meeting of the Directors, each Director shall have only one vote.

8. For the purpose of this section, the Program will utilize technology to the maximum extent possible to accomplish Director Meetings via the Internet or, if deemed appropriate, telephonically, to accommodate members that live beyond a reasonable distance.

OFFICERS

The executive office of the Program shall have a President, Secretary, Safety Officer and Treasurer. These officers shall be elected from the General BSOPP Membership at the annual meeting of BSOPP. The term of office being two calendar years, commencing upon the date of election. The officers shall be on a rotating basis annually with two officers elected bi-annually after the initial two year period.

PRESIDENT

1. The President shall be the chief executive officer of the Program. This person shall preside at all meetings of the Program. The President may call any special meeting of the Directors, and shall, subject to the advice and consent of the Program Participants, have general charge of the business of the Program, shall execute with the Secretary, in the name of the Program, all certificates of membership, contracts, leases and instruments other than checks which have been first approved by the Directors.

2. The President shall be responsible to the Directors and Participants for the operation of the Program. The President shall make and enforce decisions regarding the suitability of all equipment and his qualifications of all participants for every type of flight operation. The President shall recommend for approval to the Directors all operational rules of the club and shall report with recommendations all violations of such rules by any Participants in the Program.

SECRETARY

1. The Secretary shall keep the minutes of all proceedings of the Directors. This person shall keep a proper Participant book showing the name of each Participant of the Program, the book of by-laws, the Program Seal (if any) and such other books, Log Books and papers as the Directors may direct. The Secretary shall execute with the President, in the name of the Program all certificates of Participation, contracts, leases and instruments which have been first approved by the Directors.
2. The Secretary shall also perform all duties incident to the Office of Secretary, subject to the control of the Participants.
3. The Secretary shall keep an up to date record of Participants with physical addresses, e-mails and telephone numbers.
4. The Secretary shall be responsible for the notification of all Directors of the meetings and other functions of the Program.
5. The Secretary shall also perform such duties connected with the operation of the Program as they may undertake at the suggestion of the President.

AIRCRAFT SAFETY OFFICER

1. The Aircraft Safety Officer shall be responsible for maintaining current information in the logbooks of the aircraft.
2. The Aircraft Safety Officer shall be responsible for the scheduling of all maintenance and repair work with certified service facilities
3. The Aircraft Safety Officer shall be responsible for all papers required to be carried in the aircraft.
4. The Aircraft Safety Officer shall also perform such duties connected with the operation of the Club as they may undertake at the suggestion of the President.
5. The Aircraft Safety officer will investigate any aircraft damage, the cause and render a determination as to recommendations for repairs to the Secretary and any potential actions to the PIC renter.

TREASURER

1. The Treasurer shall execute in the name of the Program all checks for the expenditures authorized by the Officers. This person shall receive and deposit all funds of the Program in the bank selected by the Directors, which funds shall be paid out by check only as herein provided. This person shall also account for all receipts, disbursements, and balance on hand
2. The Treasurer shall perform all duties to the Office of Treasurer subject to the control of the Directors.
3. The Treasurer shall also perform such duties connected with the operation of the Program as they may undertake at the suggestion of the President.

REMOVAL OF OFFICERS

1. In the event of the motion for removal of an officer or advisor for any reason, the motion shall be automatically tabled until the next scheduled meeting.
2. A majority vote of the Participants present at the next meeting scheduled shall be necessary to instigate impeachment proceedings.
3. A two-thirds vote by secret ballot of the Directors and Participants present at said meeting shall be necessary for the removal of the impeached officer or advisor.
4. The removed officer shall remain as a member in good standing in the Program.

AMENDMENTS

1. Sections of this Constitution may be repealed or amended the following manner:

- a. A motion for the repeal, amendment or addition shall be made at any regular meeting of the Program. This motion shall then be automatically tabled until the next regularly scheduled meeting of the club.
- b. Participants and Directors shall be informed in writing of proposed amendments.
- c. At the next regularly scheduled meeting of the Program the motion shall be presented to the Participants.
- d. The amendment must be approved by a two-thirds vote of the total Directors and Participants.
- e. Any amendment shall be distributed to all Participants and directors and a copy shall be attached to the original Constitution of the Program

Approved by a majority of the Membership, at a duly called meeting, a majority then being in attendance.


Secretary

Date: 7-19-2025

Footnote: Initial Officers shall be:

President: Skip Howes

Secretary: Terry Cleaveland

Safety Officer: Jesse Harden

Treasurer: Stephen Blucher

BSOPP PROGRAM BY-LAWS

BY-LAWS CONTENTS

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I. ORDER OF THE MEETINGS

The Order of Business at all meetings of the Program shall conform to the standard procedure as given by Roberts Rules of Order or such other rules of procedure as may be agreed upon by a two-thirds majority of the Board of Directors.

II. AUTHORITY FOR SETTTLING DISPUTED POINTS

In a case where a disputed point cannot be settled by the Program Directors at two consecutive Program Participant meetings, the president shall be called upon for the deciding vote.

III. OPERATIONS RULES

1. The Program shall have a set of general operations rules covering all aircraft.
2. The Program shall have a set of specific operations rules for each aircraft.
3. A copy of these rules shall be maintained at the Program Office.
4. These rules shall be promulgated by the officers of the Program.

IV. SAFETY BOARD

1. A Safety Board shall be designated by the officers to investigate each aircraft accident or incident involving equipment belonging to the Program.
2. The Safety Board shall consist of five Pilot members of the program and or BSOPP Club Members who were not involved in the accident or incident, including the President, provided the President was not involved in the accident.
3. The Safety Board shall take all steps necessary to ascertain the facts, conditions, and circumstances of the accident/incident; shall arrive at conclusions regarding the probable cause of the accident/incident, and shall make known to the Officer, and to all parties involved in the accident/incident, its findings in the form of a written report.
4. The terms "accident" or "incident" shall have the same definitions as those terms are given in the Federal Aviation Regulations (FAR's)
5. The officers, upon receipt of the findings of the Safety Board, shall offer to all parties involved in the accident/incident the opportunity for a hearing, in accordance with the procedure set forth in Article V. HEARINGS.

V. HEARINGS

1 All hearings before the Officers shall be conducted in accordance with the following procedure:

- a. The Participant Member will be sent a notice signed by the President, by email and regular mail, notifying them of the intended action of the Officers, together with any documentation supporting or relevant to the intended action.
- b. The Participant will be advised that they have ten, (10) days within which to notify the Secretary in writing that the Participant requests a hearing to appeal the intended action of the Officers.
- c. In the event that a hearing is requested, the Secretary shall arrange for a hearing, at a time and place convenient to the participants and shall give written notice of same to all parties.
- d. The Participant shall have the right to be heard either in person or by a counsel at the hearing.
- d. The President may appoint a Committee of the Officers or a Hearing Officer to conduct any hearing requested by a Participant.
- e. After the hearing the decision of the Committee of the Officers, or the Hearing Officer, as the case may be, shall be approved by a majority vote of Participants present at a regular Program meeting.

VI FINANCIAL RESPONSIBILITY

1. The Directors shall not impose financial responsibility on any one Participant in excess of the deductible portion of the collision insurance for any one accident unless the damage results from a violation which is not covered by insurance carried on the aircraft. In that event, the party responsible for the damage shall be liable for the full amount.
2. All financial obligations imposed on any Participant as a result of the decision of the Directors shall be satisfied within thirty days of a written notice.

VII. SINKING FUND

1. The Program shall have a sinking fund for the insurance, maintenance and purchase of new equipment. The money for this fund shall come from the Participant fees collected. The Participant fee shall go into the sinking fund and shall be used for the maintenance and/or purchase of new equipment except in the case of financial emergency in which case the money from the sinking fund may be appropriated by a two - thirds vote of the Officers and total participants currently in the Program.
2. Written notice with request for conformation shall be presented to Participants.

VIII. SURPLUS

The net savings or surplus of the Program remaining after all operation costs and other expenses have been paid shall remain in the Program's sinking fund for the purchase of new equipment. At the recommendation of the Treasurer, a special assessment may be made to raise additional funds for Program deficiencies. A 2/3 vote of the Program Participants is required for a special assessment.

IX. AMENDMENTS

Sections of these by-laws may be repealed or amended or additional sections added in the following manner.

- (a) A motion for the repeal, amendment or addition to the By Laws shall be made at any regular meeting of the Program. This motion shall then be automatically tabled until the next regularly scheduled meeting of the Program.
- (b) Participants shall be informed in writing of impending amendments.
- (c) At the next regularly scheduled meeting of the Program officers the motion shall be presented to the Program Participants.
- (d) The amendment must be approved by a majority vote of the Participants present at a regular meeting.

X. UNCONSTITUTIONALITY

Should any part of these by-laws or amendments to these by-laws be determined by a court of competent jurisdiction to be illegal or unenforceable, then only that part or section shall be invalidated. The remaining sections of these By-Laws, not so affected, shall remain in full force and effect.

Approved by a majority of the Board at a duly called meeting, majority then being in attendance.



Secretary

Date: 7-19-2025