



# **LAUGHLIN NEVADA CHAMBER OF COMMERCE BYLAWS**

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# LAUGHLIN NEVADA CHAMBER OF COMMERCE BYLAWS

## GENERAL

### Name

This organization is incorporated under the laws of the State of Nevada and shall be known as the Laughlin Nevada Chamber of Commerce dba Laughlin Chamber of Commerce (hereinafter referred to as “Chamber”). The Chamber is incorporated in Nevada as a *501(c)(6)* non-profit organization in accordance with the provisions of Title 82 of the Nevada Revised Statutes (NRS) as amended. It has been chartered with the IRS under the provision of the Department of Treasury as a non-profit *501(c)(6)* organization.

### Method

The Chamber shall observe all local, state and federal laws which apply to a *501(c)(6)* non-profit, non-partisan and non-sectarian organization. Its fiscal year coincides with the calendar year – commencing on the first day of January and ending on the last day of December. The Chamber shall take definite stands on local and legislative issues that affect the welfare of its members and/or the mission of this organization. Legislative activities shall focus on Nevada and also support efforts of the Arizona and California chambers within our Colorado River **Region** (hereinafter referred to as “Region”).

### Mission

The Chamber’s mission is to support our members and community by identifying and addressing the changing needs of our region, focusing on building a vibrant and prosperous resort town, increasing tourism, promoting recreation, educating our youth and business owners, and giving back to those in need.

### Definitions

Definitions provides a list of words and terms that have a unique meaning when associated with the Chamber’s Bylaws; these words will be italicized bold.

Definitions may be revised at any time by the **Board** of Directors (hereinafter referred to as “Board”) without approval of the membership. Revisions shall be addressed at a Board meeting, documented in the minutes, and disseminated to members.

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## Purpose

To the extent authorized by the Board, the Chamber shall perform tasks that a non-profit corporation might do including but not limited to the following:

- Obtain as necessary for the benefit of all, water, sewage, electricity, refuse collections, etc.
- Enter into, perform, and carry out leases and contracts of any kind necessary to, in connection with, or incidental to the accomplishment of any one or more of the objectives and purposes of this corporation.
- Act as a surety or guarantor, agent, trustee, insurance broker, or any other capacity when appropriate to the fulfillment and furtherance of its objectives and purposes.
- Conduct events, fundraisers, joint chamber mixers, legislative and community briefings, and other activities authorized by the Board.
- Committed to encouraging and participating with government and other industries in creating and attracting business, tourism and jobs.
- Building infrastructure to support business and support members.
- Act as a community advocate in the region by ensuring that the needs and challenges of the population are addressed and solutions are developed and maintained throughout the region.
- Provide support for members with access to resources, education, networking, and sponsorship opportunities.

## Organizational Structure

The affairs of the Chamber shall be under the direction of the Board, who shall be elected during the annual membership meeting.

The Board shall consist of approximately sixteen (16) directors elected by the membership, appointed by position, or appointed by the current Board to remedy a vacancy.

The composition of the Board will be as follows:

- Eight (8) +/- permanent seats from Chamber supporting resort properties.
- Four (4) +/- two-year seats from Laughlin businesses that are Chamber members.
- Four (4) +/- two-year seats from remaining *regional* areas that are chamber members.

There shall at no time be two (2) board members representing one (1) business.

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When any vacancy occurs, except at the expiration of a director's term, the Board shall appoint a new director to finish the term. A term is two years.

Each Year approximately four (4) board members shall be elected from Laughlin and other regional areas. The actual number of board members to be elected will be determined by terms and/or early vacancies.

The **Executive Board** shall consist of a **Chairman, Vice Chairman, most recent past Chairman** (for guidance only) that is available, **Secretary**, and **Treasurer**. All shall be members of the Board and elected to offices by the Board annually. The **President/CEO** (hereinafter referred to as "CEO") shall be a non-voting member of the Executive Board for the purpose of authorizing Chamber business.

With two-thirds majority, the Board shall have the authority to hire and terminate the CEO. The Board will determine compensation for this position and approve any subsequent salary increases.

The Board shall meet no less than six (6) times a year, and the Executive Board shall meet no less than quarterly.

Chamber staff shall be under the direction of the CEO. The CEO takes direction from the board.

## Financial Structure

The Board shall set membership fees and dues structure.

The Chamber shall maintain three (3) bank accounts to house finances as follows:

- Primary checking account for regularly collected dues, support fees, fundraisers, donations and events as well as payroll and other accounts payable.
- Reserve account for savings/emergency funds.
- Special events account for all funds related to the Volunteers in Partnership.

The operating budget shall be generated annually by the Finance Committee.

During Board meetings, the Treasurer shall provide a financial status report.

All funds expended in operational activities shall be within the budget established for each given activity. Expenditures for given budgeted items that reach 90% of the proposed budget shall be discussed during the financial status report. An action may be taken to increase funding, curtail spending or require a report outlining mitigating processes to reduce the risk of exceeding budgeted limits.

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Checks written in payment for Chamber activities shall be prepared by the **CPA** and presented to the CEO who shall be responsible for obtaining two (2) signatures. Recurring budgeted expenses may be paid via electronic funds transfer (online bill pay) with bills and receipts for payments presented to an authorized account signer for review.

The CEO shall be issued a credit/debit card for use in paying for ancillary expenditures associated with daily operations. Receipts for these expenditures shall be provided to the CPA twice monthly.

An employee of the Chamber shall not create any indebtedness for a non-budgeted sum in excess of five hundred dollars (\$500) per transaction without first securing approval from any member of the Executive Board. All non-budgeted expenditures shall be discussed at the next Board meeting to determine a funding source.

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## Membership

Chamber membership shall be based on criteria as defined in Definitions. Only resort supporters, organizations and individuals meeting the requirements defined in Definitions will be approved for membership.

Application for membership shall be in writing and be accompanied by advanced payment. For organizations, a copy of the business license from the governing state will be required prior to becoming an active member. For individuals, applications must include their reason for wanting to be a member, and their application must be approved by the Board.

Membership may be denied at the discretion of the Board, and any *member* may be terminated by a majority vote of the Board for conduct unbecoming a member or prejudicial to the aims or repute of the Chamber. Any terminated member shall be permitted an appeal hearing in front of the Board if a request is received in writing within thirty (30) days of notice. After thirty (30) days, no hearing shall be granted and membership will be permanently terminated.

Any member may resign from the Chamber upon written request to the Board of Directors.

Any member whose dues shall become delinquent for a period of three (3) months shall receive written notice of delinquency. If they are still delinquent after thirty (30) additional days, the member shall receive a termination letter. If they are still delinquent after another thirty (30) days, their membership will be terminated. These members are eligible for reinstatement once their dues are current.

## Management

Management of the Chamber shall be under the direction of the Board. They have the fiduciary responsibility of managing Chamber resources and ensuring that all operations are within the bounds of the Bylaws.

The CEO shall be responsible for carrying out policies, directions and programs as established by the Board, hire, develop and supervise staff, and advise the Board on all matters pertaining to the Chamber. The Board shall not be involved in the daily operations of the chamber.

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## Directors and Executive board

With exception to those Board members who hold a permanent **Supporting Member** seat, the remainder of the Board of Directors shall be elected annually from, and by, supporting, organization, and individual members. The executive board shall be elected by the Board annually and consist of a Chairman, Vice Chairman, Secretary, Treasurer, and Most Recent Past Chairman. Duties of executive board are as follows:

- Chairman: Preside over all meetings of the Board and membership, advise the CEO, and countersign official documents.
- Vice Chairman: Act in the absence of the Chairman and perform all duties of the Chairman's office in their absence.
- Secretary: Approve agenda and minutes for distribution, and ensure proper records retention for all meetings including collateral. Agenda for all Board meetings should be sent at least five (5) business days before the meeting.
- Treasurer: Responsible for monitoring the financial activity of the Laughlin Chamber of Commerce staff, prepares monthly Board financials and reports variances to the Board for discussion at the Board meetings.
- Past Chairman: Advise and help with transition of the new Chairman and chair the Finance Committee.

Within (10) days after the annual election of the new directors, the Nominating Committee for Directors shall nominate a slate of the executive board for the next year. All executive board members must be members of the Board of Directors; however, an outgoing Director who would otherwise be ineligible for re-election, may be elected Chairman of the Board and serve on the Board during his/her term of office. The Immediate Past Chairman shall also serve on the Board during his/her term of office. All executive board members shall serve for a term of one (1) year or until a successor assumes the duties of office and they shall be voting members of the Board.

Any Director may resign, effective immediately or at a later time specified by the Director, by a written notice to the Chairman, or the Board of Directors. If the resignation is effective at a future time, a successor may be selected in advance to fill the vacancy when the resignation becomes effective.

Persons to fill vacancies on the Board of Directors, or among the executive board, shall be nominated by the Chairman of the Board and confirmed by a majority vote of the Board of Directors, except that a vacancy created by the removal of a Director by the members may be filled only by the members, in the manner provided for election of a Director. A Director elected in either manner to fill a vacancy on the Board shall complete the balance of the term to which elected.



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## Meetings

The Chamber shall utilize five (5) types of meetings within its operational processes

- **General Membership Meetings** - The Chamber shall conduct at least one (1) general membership meeting annually. Additional meetings may be called at the discretion of the Board.

An annual membership meeting shall be conducted at a location in Laughlin, NV on the fourth (4<sup>th</sup>) Thursday of January. The purpose of this meeting shall be to elect directors for the upcoming year and for the transaction of such other business as may be brought before the meeting.

A written reminder of the annual meeting, the agenda, and the slate of Board candidates shall be mailed at least ten (10) days prior to the meeting to each member business address as it appears in Chamber records. A failure to mail such notice or any irregularity in such notice shall not affect the validity or proceedings of the annual meeting.

Members who are unable to attend may vote by proxy. Voting is open to all support, organization and individual members. A proxy vote shall be in writing and delivered to the office of the CEO no later than two (2) business days prior to the meeting (in person, faxed, mailed, or electronically).

- **Board Meetings** - After annual elections, the new Board shall meet within five (5) business days to elect executive board for the fiscal year.

The Board shall meet a minimum of six (6) times per calendar year. These meetings will generally be held at the Chamber, but may be held elsewhere.

The purpose of these meetings is to ensure the Chamber is meeting its obligations and objectives, both operationally and financially.

The Chairman, Vice Chairman, or any two other directors may call special meetings of the Board for any purpose at any time. The CEO shall be responsible for notifying Board members. Notice of the time and place of any special meeting shall be provided to each director by email, telephone, or fax no later than two (2) days prior to the meeting, and need not specify the purpose of the meeting.

A quorum is hereinafter defined as either eight (8) members of the Board or a majority of those in attendance at a meeting – either in person or via telephone.

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A meeting at which a quorum is initially present may continue to transact business notwithstanding director withdrawal if any action taken is approved by a majority of the required quorum for the meeting. Every act or decision made by a majority of the directors' present is an act of the Board. A quorum may be attained by a director's proxy given to the CEO or another director prior to the meeting.

A majority of directors' present may adjourn any meeting to another time and place. If the meeting is adjourned for more than 24 hours, absent directors will be notified of the new meeting time and place.

If there is a tie when voting, the CEO shall serve as the tie breaker for any financial matters, and the Treasurer shall serve as the tie breaker for any operational matters.

Any action required or permitted to be taken by the Board may be taken without a meeting if all members consent in writing. Written consents shall be filed with the minutes of the first meeting after the action is approved.

Understanding the importance of regular attendance at Board meetings, a director missing three (3) consecutive meetings without prior notification to the Chairman may be removed at the discretion of the Board.

- **Executive Board Meetings** - The executive Board shall meet no less than once per quarter.

The purpose of these meetings is to review the activities of the CEO for the quarter and establish direction for the upcoming quarter.

The Executive Board shall review interim committee reports; and based on this review provide instructions to the Committee Chairmen for further action.

- **Committee Meetings** - The committee Chairman shall be responsible for creating the agenda as well as scheduling meeting dates and locations.

Chairman shall also be responsible for recording minutes for each meeting.

The Chairman shall be responsible for securing secretarial support from Chamber staff if needed.

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- **Staff Meetings** - The CEO shall conduct staff meetings periodically to review ongoing activities, provide guidance, and review scheduled events. These meetings are informal and do not require minutes. All executive board, directors and committee members serve without compensation (excluding the CEO). This shall not preclude a director or member from serving the Chamber in any other capacity and receiving compensation for those services.

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## Committees

### General Information

The Board Chairman shall be an ex-officio member of all committees and shall be responsible for forming all standing and special committees. Each committee shall consist of one Board Member to be known as the Chairman (appointed by the Board Chairman) and other Chamber members as required. In conjunction with the Board Chairman, the Committee Chairman shall be responsible for selecting members to serve on the committee.

It shall be the function of committees to make investigations, conduct studies and hearings, make recommendations to the Board, and any other activities the Board delegates.

Recommendations for expenditures of budgeted funds by committees for planned programs shall be submitted to the Board for approval.

The Committee Chairman shall be responsible for providing a written status report at each Board meeting.

No action by any member, committee, director, or officer shall be binding (or constitute an expression of Chamber policy) until approved by the Board.

Money raising or self-funding events planned during the year by committees must have prior approval by the Board. All funds collected and expended for such events must be deposited and paid by the Chamber through the primary checking account. Committee fund balances are treated as restricted or unrestricted assets of the Chamber and are not the property of individual committees.

The Board Chairman may dissolve any committee at any time, and shall approve or re-approve all Committee Chairmen at the beginning of each fiscal year.

- **Special Committees** - Special committees will be formed to investigate or resolve Chamber issues that may arise throughout a fiscal year.

The Board shall define the purpose of the committee, required completion date, budget requirements, and other assets necessary to fulfill its mission.

At the completion of committee activities, a final report shall be generated detailing findings, conclusions and recommendations. This report shall be provided to the Board of Directors for action as required.

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- **Standing Committees** - The committees defined below shall be formed annually from members of the Board and members-at-large.
- **Finance Committee** - Formed annually with the purpose of generating the annual budget and revising as required. This committee shall have three (3) members – CEO, Treasurer, and the Past Chairman as Chairman. The Chairman may request assistance from members for additional support. This committee shall become effective on the first day of February.

The following process shall be established for generating the fiscal budget:

Four (4) months prior to the start of the fiscal year they shall meet and lay out the format, generate the listing of accounts for the budget, and generate a time line for the completion.

Three (3) months prior to the start of the fiscal year they shall prepare a draft budget. The draft budget shall include two sets of variance data shown in both percentage and dollars up or down; **a)** comparison of current year-to-date actuals vs budgeted amounts, and **b)** upcoming year budget vs current year actuals. The committee shall prepare a narrative explaining any significant changes for presentation to the Board.

Two (2) months prior to the start of the fiscal year the proposed budget shall be presented to the Board. The Board shall have two working weeks to review the budget and return any comments and/or recommendations.

The Board shall have two working weeks to review the budget and return any comments or recommendations.

One (1) month prior to the start of the fiscal year the committee shall present the final budget to the Board for approval.

Approved budget shall be briefed at the first meeting of the newly elected Board.

Amendments to the approved budget throughout the year shall be submitted to the Board for approval. Expenditures of funds prior to approval shall only be made with consent of the executive Board.

This committee shall recommend Chamber staff salaries. The Board must approve salaries before they are offered to employees.

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- **Legislative Committee** - Formed annually for the purpose of monitoring state and county legislative action. Primary monitoring will be of Nevada activities with secondary emphasis on Arizona and California legislation that affects our region.

This committee shall consist of five (5) members of which three (3) will be directors and two (2) from the membership-at-large. Of the three directors, one (1) will be Chairman, one (1) will be from a Laughlin organization, and one (1) from an Arizona business.

The function of this committee shall be to monitor any legislative activity that has the potential to impact the region. Once identified, the committee shall conduct an analysis of the impact, generate a presentation, and brief the Board. Based on this briefing, the Board shall assign tasks to either the committee or CEO. The progress of these tasks shall be documented and reported monthly at following Board meetings.

- **Nomination Committee** – Formed annually for the purpose of generating a slate of executive board for the election held at the annual membership meeting.

The Vice Chairman shall chair this committee. This committee shall include two (2) Board members and two (2) members-at-large. One Board member and one member-at-large shall be from Laughlin businesses and the remaining two will be from businesses within the remaining region.

The following process shall be used by this committee to select the slate of executive board.

No later than twenty days (20) before the election, the nominating committee shall present to the CEO a slate of (number of vacancies) candidates to serve two-year terms to replace the directors whose regular terms are expiring. Each candidate must be an active member in good standing and must have agreed to accept the responsibility of a directorship. Upon receipt of the report of the nominating committee, the CEO shall immediately notify the membership by mail of the names of persons nominated as candidates for directors and the right of petition.

Additional names of candidates for director positions can be nominated by a petition bearing the genuine signatures of at least ten (10) current members of the Chamber. Such petition(s) shall be filed with the nominating committee within ten (10) days after notice has been given of the names of those previously nominated. The determination of the nominating committee as to the legality of the petition(s) shall be final.

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If no petition is filed within the designated period, nominations shall be closed, and the nominated slate of candidates shall be declared elected by the Board at the annual meeting.

If a legal petition shall present additional candidates, the names of all candidates shall be arranged on a ballot in alphabetical order. Instructions will be to vote for (number of vacancies) candidates only. The CEO shall mail this ballot to all active members at least fifteen (15) days before the regular (monthly) Board meeting. The ballots shall be marked in accordance with instructions printed on the ballot and returned to the Chamber within ten (10) days. The Board shall at its regular monthly meeting declare the candidates with the greatest number of votes elected.

The Nomination Committee will act as inspectors at the meeting or any adjournment of the meeting.

The Inspectors shall:

- (1) determine the existence of a quorum
- (2) receive votes or ballots
- (3) hear and determine all challenges and questions arising in connection with the right to vote
- (4) count and tabulate all votes
- (5) determine the results
- (6) do any other acts that may be proper to conduct the election or vote with fairness to all members.

Any action that may be taken at any annual regular meeting or special meeting of members may be taken without a meeting and without notice, if a written ballot is distributed to every member entitled to vote on the matter on the day that the first written ballot is mailed or solicited. Such distribution of written ballots shall be in the manner provided for giving notice of a meeting of members.

The written ballot shall

- (1) set forth the proposed action
- (2) provide an opportunity to specify approval or disapproval of any proposal
- (3) provide a reasonable time within which to return the ballot to the Chamber
- (4) indicate the number of responses needed to meet the quorum requirement
- (5) state the percentage of approvals necessary to pass the measure submitted

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- (6) specify the time by which the ballot must be received by the Chamber to be counted. A matter shall be approved by written ballot if the number of votes by written ballot received within the time period specified equals or exceeds the quorum required to be present at a meeting authorizing the proposed action and the number of approvals received equals or exceeds the number of votes which is required for approval at a meeting at which the total number of votes cast is the same as the number of votes cast by written ballot. Any written ballot received by the Chamber may not be revoked. All written ballots shall be filed with the CEO of the Chamber and maintained in the records of the Chamber. The results of the written ballot shall be stated in the Chamber's next mailing to members.

The terms of the elected Board shall be two years and newly elected Board members shall assume their duties in the month following the election.

- **Planning Committee** – Formed annually for the purpose of generating or updating a five-year plan for the Chamber. This plan shall be produced and/or updated to provide both short and long-term goals including proposed activities, tasks, funding requirements, and anything else dictated by the *Chairman*.

The committee shall consist of the CEO, four (4) members of the Board and (2) members from the membership-at-large.

The planning period shall be ongoing throughout the fiscal year. The plan shall be briefed to the Board annually at the November Board meeting, approved at the December meeting, and presented to the members at the annual membership meeting.

- **Volunteers in Partnership** - The Chamber volunteers are officially called "Volunteers in Partnership". They provide volunteer support for the Chamber as well as many other community needs.

The VIP committee shall operate in accordance with its member guidelines as periodically amended and approved by the Chamber Board.

Funds raised shall be maintained in a separate bank account under the name of the Chamber, and all funds going into or out of this account shall pass through the Chamber financial system.

All volunteers must pass a background check.



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## **Indemnification**

No member, officer, director or employee of this Chamber shall be personally liable for its debts or other liabilities, and the private property of such individuals shall be forever and wholly exempt from any debts or liabilities of every kind and character of this corporation.

## **Dissolution**

The Chamber shall use its funds only to accomplish the objectives and purposes specified in these Bylaws and no part of said funds shall be distributed to Chamber members. Upon dissolution all funds and Chamber property shall be distributed to one or more qualified 501(c) organization selected by the Board.

## **Parliamentary Rules**

The proceedings of all Chamber meetings shall be governed by and conducted according to the latest edition of "Robert's Rules of Order".

## **Amendments**

Amendments made to the Bylaws shall be summarized under this article and reference the edition of this document. Each revision summary shall be a separate entry within this Article.

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## Definitions:

**Region** – described as the Colorado River Region: Kingman, Dolan Springs, Chloride, Golden Valley, Bullhead City, Fort Mohave, Mohave Valley, Willow Valley, Topock, Needles, Lake Havasu, Laughlin, Cal-Nev-Ari and Searchlight.

**Board** – Approximately 16 Directors consisting of Resort Support Members and elected General Members representing Businesses, Organizations, Government, and Schools. A group of people constituted as the decision-making body of the Laughlin Chamber of Commerce.

**Executive Board** – 5 Board Members voted to office by the Board to fill the position of Chairman, Vice Chairman, Most recent Past Chair, Secretary, and Treasurer. The Executive Board is a recognized group of people who jointly oversee the activities of the Laughlin Chamber of Commerce. Such a board's powers, duties, and responsibilities are determined by the organization's own bylaws.

**Chairman** – The Board Member voted to the position, by the Board, and designated to preside over a meeting.

**Vice Chairman** – The Board Member voted to the position, by the Board, and designated to preside over a meeting when the Chairman is not present. May be assigned to Chair a committee by order of the Chairman.

**Most Recent Past Chairman** (Available) – The Board Member voted to the position by the Board and who has previously held the seat of Chairman of the board who shall assist with transition and provide historical data.

**Secretary** – The Board Member voted to the position, by the Board, and is responsible for documenting the minutes of all Executive Board Meetings and the Board of Directors meetings. The Secretary ensures that all minutes, financials and supportive documents for discussions are adequately maintained and distributed. Coordinates final distribution, collection of supporting documents and ensures retention with staff.

**Treasurer** – The Board M/ember voted to the position, by the Board, and is responsible for monitoring the financial activity of the Laughlin Chamber of Commerce staff, prepares monthly Board financials and reports variances to the Board for discussion at the Board meetings.

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**President/CEO** - The Chief Executive Officer (CEO) is considered the highest-ranking officer in an organization's staff and the president is second in charge. As such, greater communication and contact can be achieved between the board of directors that sets policies, and the president who oversees the day-to-day Chamber of Commerce operations.

**CPA Certified Public Accountant** - Responsible for reconciling financials, writing checks for all approved AP and payroll, preparing tax and license documents for reporting agencies, and meeting with the CEO once a month to discuss the financial condition of the Chamber.

**Organizations** – A licensed Organization, Business, Agency, or Government Office.

**Individuals** - A single person being as distinct from a group, class, or family who has an individual interest in the mission statement of the Laughlin Chamber of Commerce and desires to be a member, support, and participate in the chamber's activities.

**Members** - A licensed Organization, Business, Agency, Government Office or person who has an individual interest in the mission statement of the Laughlin Chamber of Commerce and desires to be a member, support, and participate in the chamber's activities.

**Supporting Member** – A defined Laughlin Resort business, who makes a large financial investment in the Laughlin Chamber of Commerce and maintains a permanent position on the Board of Directors.