

# CHICKALOON COMMUNITY COUNCIL

AS AMENDED AUGUST 8, 2012

## BYLAWS

### ARTICLE I NAME

The name of this organization shall be the CHICKALOON COMMUNITY COUNCIL (hereinafter referred to as the Council).

### ARTICLE II BOUNDARIES

The Chickaloon Community Council area is located within the Matanuska Susitna Borough east of Sutton. The Glenn Highway traverses the area with the western boundary at Kings River, Mile 66.5, and the eastern boundary at Purinton Creek, Mile 89.

CHICKALOON COMMUNITY COUNCIL BOUNDARY  
ALL WITHIN THE PALMER RECORDING DISTRICT  
3<sup>RD</sup> JUDICIAL DISTRICT  
STATE OF ALASKA

TOWNSHIP	RANGE	SECTION	SEWARD MERIDIAN
19N	4E	All	
		All of 12 thru 14 and 21 thru 24. Those portions of 1, 2, 10, 11, 15 and 16 lying southeasterly of the thread of Kings River.	
19N	5E		
19N	6E	All of 1 thru 24.	
19N	7E	All of 1 thru 18.	
		All of 4 thru 10 and 15 thru 18. That portion of 3 lying southwesterly of the thread of an unnamed stream that is shown on the USGS 1:63:360 Anchorage (D-4) Alaska Quadrangle map.	
20N	4E		

That 5E  
portion of 36  
lying 6E  
southeasterly  
of the thread of 7E  
Kings River.

All of 7 thru 36.

All of 7 thru 36.

20N

20N

20N

All of 7 thru 11, 15 thru 21, 27 thru 33.  
Those portions of 12, 13, 14, 22, 23, 26 lying  
westerly, northwesterly and southwesterly of  
Purinton Creek and that portion of 12 lying  
westerly of a line extending true north from  
the headwaters of Purinton Creek, that  
portion of 34 lying westerly of the unnamed  
stream that is shown on the USGS 1:63:360  
Anchorage (D-4) Alaska quadrangle map,  
and those portions of 26, 34 and 35 lying  
northwesterly of a line between the  
confluence of said unnamed stream with the  
Matanuska River and the confluence of  
Purinton Creek with the Matanuska River.

### ARTICLE III PURPOSE

The purpose of this Council is to provide Chickaloon residents a direct and continuing means of citizen participation in government and local affairs. The Council will:

- A. Serve to create, foster, promote and improve civic betterment, quality of life and social enjoyment.
- B. Establish and provide, on a continuing basis, a formal channel of communication between the local citizens, governmental agencies (borough, state and federal), and other concerned or interested parties/organizations.
- C. Provide a community forum for citizen involvement in local government decision-making, assignment of priorities for all capital improvements and other government programs affecting the development of the community.

#### ARTICLE IV MEMBERSHIP

- A. General Membership: Any person eighteen (18) years of age or older who resides and has lived within the community as a permanent resident for over one year.
- B. Limited Membership: Any person owning property within the Council boundaries, or any person who represents a business within the Council boundaries, or any person who resides within the Council boundaries but is less than eighteen (18) years of age is eligible for Limited Membership. Limited Members may not vote in Council meetings or election of Officers, but may otherwise participate in meetings and activities of the Council.
- C. Dues: There shall be no membership dues.

#### ARTICLE V GENERAL VOTING

- A. Any General Member is entitled to one (1) vote on each matter to be voted on.
- B. There shall be no proxy voting. There shall be no absentee voting.
- C. Any member who is absent to vote may send a personal letter to the Council detailing his/her position on the question to be voted on which shall be read by the Chairperson to the Council prior to the vote.
- D. Any vote may be challenged.
- E. For election of Officers, see ARTICLE IX.B.

#### ARTICLE VI MEETINGS, NOTICES AND AGENDA

- A. General meetings shall be held monthly on the second Wednesday of each month.

- B. Annual election of Officers shall take place at the November general meeting.
- C. Special meetings of the General Membership may be called by the Officers or by written petition of ten (10) or more General Members delivered to an Officer.
- D. Except as otherwise required by these By-Laws, meeting notices and agenda for all Council meetings shall be posted at least seven (7) days in advance of the meeting at commonly used public locations and commercial establishments in the community and at the community Post Office. In addition, annual election meeting notices shall be mailed to all General Members as may be reasonably determined from the State of Alaska Voting Register and all be placed in a newspaper of local circulation.
- E. A quorum shall consist of three (3) or more Officers and six (6) or more General Members.
- F. Except as otherwise required by these By-Laws, any action of the Council shall require a majority vote of the General Members present and voting.
- G. Meetings shall be as formal or informal as the Chairperson determines.

## ARTICLE VII FINANCES

- A. Funds collected by the Council shall be deposited into special account(s) at an established financial institution(s) approved by the Officers with the Treasurer being responsible for all deposits and accountings.
- B. The Council may receive contributions of no more than fifty (\$50.00) dollars per member per year from members to meet the cost of its operations. (Mat/Su Borough Code 2.76.030.3)
- C. The Council shall have the authority to sign all transfers, checks and withdrawals with the Treasurer and either the Chairperson or Vice Chairperson countersigning each transaction.

- D. An annual financial report signed by the Treasurer and the Chairperson showing all receipts and expenditures shall be made to the Council at the November general meeting.
- E. No part of the earnings of the Council shall accrue to the benefit of, or be distributed to its members, Officers, or other private persons, except that the Council shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distribution in furtherance of the purposes of the Council.
- F. The Council shall approve all capital expenditures and shall obtain bids for all capital expenditures in excess of two hundred dollars (\$200.00). The Officers shall determine the bidding procedures. All procedures and awards shall be filed with the Secretary.
- G. The Officers may declare an emergency and may waiver bidding procedures without the approval of the Council. All emergency proceedings shall be documented in writing and shall be presented to the Council as part of the Minutes of the next General Meeting.

#### ARTICLE VIII REPRESENTATION OF THE COUNCIL

- A. No officer or member of the Council shall purport to represent the views or interest of the Council or commit the Council to a position not previously voted on and approved by the Council.
- B. The Chairperson or his designee shall be charged with written communication or verbal testimony of any Council vote to the appropriate party. The communication must include:
  - 1. The date, type of meeting (general/special), when the vote was taken and how this meeting was advertised.
  - 2. How the vote or advisory opinion was arrived at (a meeting, telephone poll, and/or survey).

3. A clear statement of the question voted on.
4. The number of General Members present.
5. The number voting yes.
6. The number voting no.
7. An abstention shall be numbered in the voting only when a General Member requests that the abstention vote be recorded.

C. Copies of all communications shall be read as part of the minutes at the next general membership meeting following the sending of a letter, presentation of public testimony or other public communication, and shall be attached and presented as part of the minutes.

D. Written or oral responses to such communications, as well as any contact by a government official with a Council official concerning Council affairs, shall also be reported as old business at the next meeting following and shall be summarized in the minutes.

## ARTICLE IX      OFFICERS

A. The officers of the Council shall be the Chairperson, Vice-Chairperson, Secretary, Treasurer and one (1) Member-at-Large elected from the General Membership.

B. Elections:

1. Elections shall be by secret ballot at the November general meeting. There shall be no proxy voting. Absentee ballots shall be accepted.

2. Each term of office shall be two (2) years. In even years two officers will be elected and in odd years three officers will be elected.

2. For the purposes of election of officers, General Members, as defined by Article IV.A., must be registered to vote within the local Chickaloon voting precinct of the State of Alaska.
  3. Nomination of Officer candidates may be by a nomination committee, by a written petition of five (5) or more General Members, and/or by floor nominations.
  4. The Officers shall hold an Officers meeting not more than two (2) weeks after the election meeting to select Officer positions.
  5. In the event of a vacancy of an Officer position, nominations will be accepted until, but closed at, the next general meeting. Voting shall be by secret ballot at the next following meeting. The newly elected Officer shall serve the remainder of the vacated term.
  6. Absentee ballots will be available upon request by mail to PO Box 1145, Chickaloon, AK 99674 or contact with an Election Committee person. The absentee ballot packet will consist of the ballot, a small envelope to seal the ballot in, and a preprinted return envelope to mail the sealed ballot back to the CCC. Voter must sign and date the back of the return envelope. Ballots will remain sealed in the return envelope until election night. If for some unforeseen reason an absentee voter wants to change his/her vote prior to election night, this can only be accomplished by taking back his/her sealed envelope and voting at the general election in person. Any absentee ballots received after election night voting will not be counted.
  7. If a Chickaloon Community Council meeting is cancelled due to lack of quorum or any other reason the voting schedule shall be set forward accordingly.
- C. Duties of Officers: The Officers shall manage the affairs of the Council; shall direct the expenditures; shall audit the books and accounts of the Treasurer; shall invest the funds of the Council as

the General Membership shall direct by vote; and shall act for and as the representatives of the Council according to the will of the General Membership. Any decision of the Officers can be brought to a referendum vote upon the written request of ten (10) or more General Members.

1. Chairperson: The chairperson shall preside at all meetings of the Council; shall exercise general supervision and guidance over the affairs of the Council; shall ensure all activities of the Council are conducted in accordance with these By-Laws; and shall establish meeting agenda.
2. Vice-chairperson: The Vice-chairperson shall assume the duties of the Chairperson when the Chairperson is absent and shall provide an attendance log containing the name, mailing address and phone number of each person who attends every meeting.
3. Secretary: The Secretary shall ensure that copies of these By-Laws are available at every meeting; shall keep and report the minutes of all meetings; shall ensure proper distribution and posting of meeting notices and agenda; shall be responsible for the custody of and for maintaining of all records of the Council not so designated to another Officer; shall be responsible for doing correspondence of the Council; shall keep custody of the meeting attendance logs; shall ensure necessary documents regarding Council operations are filed annually or as required by government agencies; and shall obtain the latest print-out of the State of Alaska voter register for the use at all election meetings.
4. Treasurer: The Treasurer shall have charge of and custody of and be responsible for all funds of the Council; shall be responsible for all financial transactions of the Council; shall prepare and present a financial statement at every Council meeting; and shall prepare and file necessary documents as required by government agencies.
5. Member at large: The member at large shall perform duties as requested by the Chairperson.



#### D. Resignations, Vacancies, and Removals

1. Resignations shall be made in writing.
2. Three (3) consecutive absences by an officer shall constitute a vacancy.
3. Any officer may be removed for violation of the Council's rules by a two-thirds (2/3) vote of the General Membership present and voting at a general or special meeting provided:
  - a) Written notice has been given to the Officer(s) being considered for removal at least fourteen (14) days prior to the meeting at which a vote of confidence of the General Members present and voting will be taken.
  - b) The agenda provides for presentation of charges and for defense of the accused.

#### E. Meetings of Officers

1. Except for emergency meetings, all meetings of the Officers shall be reasonably posted.
2. All meetings of the Officers shall be open to public attendance.
3. Any action taken by the Officers shall be presented at the next Council meeting.

### ARTICLE X COMMITTEES

- A. Committees may be established by a vote of the General Membership present and voting at any time for whatever purpose deemed necessary. The nature and duties of the committees shall be determined by the Council. Committee members shall be appointed by the Chairperson, subject to acceptance by the appointee. All committees shall be open to members for

participation. All committee meetings shall be open attendance. A committee shall not obligate the Council on any position or shall not incur any debts to the Council without voted approval of the General Membership present and voting.

B. Election Committee: An Election Committee of not less than three (3) General Members shall be established at the October general meeting. Decisions of the Election Committee regarding voter eligibility and balloting shall be final except by referendum vote regarding the challenged election issue requested by a written petition by ten (10) or more General Members. The Election Committee shall:

1. Prepare and mail election meeting notices.
2. Prepare ballots and pencils for election.
3. Prepare a tally sheet for listing candidates and respective votes received.
4. Verbally and/or by signage, notify all voters prior to voting, that in case of a tie of ranking candidates qualified to assume office, that there will be run-off election prior to meeting adjournment.
5. Verify voter eligibility.
6. Certify and declare the winning candidates.
7. Preserve voting materials for a reasonable time in case of challenge.
8. Perform other directed and/or inherent duties.
9. Receive and process absentee ballots.

C. Nomination Committee: The Chairperson of the Council shall select a Nomination Committee of three or more General

Members at the August meeting. The Nomination Committee shall:

1. Qualify candidates and assure the community the selected candidates are willing to take on the responsibility of becoming an officer.
2. Submit their slate of nominations to the Council at the September meeting at which time additional candidates may be nominated through the other two methods – a group of five general members or floor nominations. After the nominations are closed at the September meeting any member wishing to run for a Council position will have to run as a write in.

#### ARTICLE XI AMENDMENTS

These By-Laws may be amended or repealed by a two-thirds (2/3) vote of the General Membership present and voting at a general or special meeting if at least fourteen (14) days written and posted notice is given of the intention to amend or repeal By-Laws at such a meeting. The notice shall include a statement regarding proposed changes. In case of repeal of By-Laws, the existing By-Laws shall remain in effect until the new By-Laws are adopted and effective upon vote and approval of the Chickaloon Community Council.

#### ARTICLE XII COMPLIANCE WITH BOROUGH CODE

ALL By-Laws shall conform to and shall not conflict with, but shall not be limited to the requirements of the Matanuska-Susitna Borough Code, Chapter 2.76, Community Councils.

#### ARTICLE XIII REGISTERED AGENT

The Registered Agent's duty is to receive and pass on to appropriate officers all legal notices served on the Chickaloon Community Council as soon as possible.

ARTICLE XIV      DISSOLUTION OF CORPORATION

In the event that the Chickaloon Community Council should ever be dissolved, all real property (land and structure) would revert to the Borough per the Quitclaim Deed. Any monetary assets would be transferred to a non-profit corporation(s) to be chosen by a vote of the general members at the time of dissolution.