

By-Laws of the Pt. Mackenzie Community Council

Article 1: Name

The name of this community council shall be the Pt. Mackenzie Community Council

Article 2: Boundaries

The boundary of the Pt. Mackenzie Community Council shall be that which is on record with the Mat-Su Planning Department

Article 3: Purpose

The purpose of the Pt. Mackenzie Community Council shall be to improve communications between the Matanuska-Susitna Borough and citizens in local government matters which affect them.

Article 4 Membership

A: General Member. Any person of age 18 years or older, whose principal residence, as listed on their voter's registration card, is within the Pt. Mackenzie Community Council Boundaries as required by MSB ordinance 2.76.030, and who makes payment of any dues established annually by a vote of the membership of the council is eligible for general membership. In case of dispute over residency, the burden of proof lies with the applicant, which is the presentation of their voter's registration card.

B: Membership may be established by attending at least one meeting of the Community Council and by paying the dues established. Membership shall be for one year period running from May 1 through April 30 of any year or the remaining portion of the membership year.

C: Limited Member. Any person who owns property or who represents a business within the boundaries of the council, or is a resident of the council area of at least 16 years of age but less than 18 years of age, is eligible for a limited membership. Limited members may not vote in decisions affecting the community council, but may otherwise participate in meetings and activities of the council. Limited members are not required to attend a meeting to establish membership.

D: Anyone can address the council on any issue. The ability to address and persuade the council is not predicated upon membership.

Article 5: Voting

A: Every general member present is entitled to vote on all voting matters of the community council. There shall be no absentee or proxy voting.

B: The election of board members and officers shall be conducted by secret written ballots subject rules and procedures established by the council board.

C: Voting on other matters considered by the council may be by a show of hands if such a vote will permit accurate counting of votes. Each general member present is entitled to vote.

D: The council board shall establish and maintain a written voting list of general members.

E: When an issue is brought before the Council and has been previously voted on and passed, it can only be overturned by a vote of 2/3 of the general members present at that meeting.

Article 6: Dues

The council board may establish dues at the annual meeting of the community council. The dues established by the board shall not exceed \$10.00 per year. Other funds may be raised by donations, grants, or fundraising activities.

Article 7: Qualifications of council board members

General members of the community council only are eligible to be nominated or hold a position on the council board. If a board member should lose general membership status during the term of office, that board position shall immediately become vacant. The remaining board members may appoint a general member to fill the position for the remainder of the term or may hold a public meeting, with notice, to elect a new board member.

Article 8: Council Organization

A: Council board. The council board shall consist of five general members of the community council.

Pt. MacKenzie Community Council Bylaws

B: Election of board members. The members of the council board shall be elected by the general membership of the community council at an annual meeting to be held in April of each year. Officers shall be selected by the council board following the election of members to the board or at any time an officer position becomes vacant.

C: The council board shall select a president, vice-president, secretary, and treasurer from among themselves. Officers of all community councils shall all be members of the board. However, one board member may hold both the position of secretary and treasurer.

D: Council Committees. The council board may create special committees to act in areas of special interest on behalf of the community council. Members of the committee shall be appointed by the board, but shall be open to any general or limited member wishing to serve on the committee.

Article 9: Elections

A: At the April annual meeting, the president of the council shall conduct elections for all 5 board members for the following year.

B: Prior to the annual meeting the President shall appoint a nomination committee of at least three members, approved by the board, to nominate members for election to the board. Nominations may also be made and seconded from the floor by general members.

C: Board members shall be elected by write in ballots. Each general member present shall be entitled to vote once for each board position to be filled. The members who receive the most overall votes shall be seated as members of the council board.

D: Elected board members shall serve for a term of one year. The names of all board members and officers shall be provided to the Borough Clerk.

Article 10: Responsibilities

A: President. The president is responsible for running the general membership meetings, calling and presiding at council board meetings and in representing the interests of the community council.

B: Vice-President. The vice-president is responsible for the duties of the president during the president's absence and shall otherwise assist the president in representing the community council.

C: Secretary. The secretary is responsible for keeping minutes of membership meetings and council board meetings.

D: Treasurer. The treasurer is responsible for keeping financial records of the community council and preparing statements for the council board and general membership, a year-end report, and a proposed budget for council activities.

Article 11: Removal of council board members from office.

A member of the council board may be removed by the board from office for unexcused absences from three consecutive meetings, or by the general membership by a two-thirds vote of those present at a general meeting with notice.

Article 12: Meetings

A: General meetings shall be held at least quarterly or 4 times a year, in April and at other times as set by the council board. A general meeting may also be called by the written petition of 8 or more general members.

B: The council board may meet at other times and more frequently but shall call a general meeting for matters of general interest to the community.

C: Notice. General meetings shall require notice within the community council area. Notice shall be posted at all Pt. Mackenzie Community Council area public buildings. For the annual meeting and all other meetings, if the dues collected are sufficient to pay postage, notice shall be mailed to all general members and to limited members who have paid dues.

D: Quorum. A quorum shall consist of at least twenty (20%) percent of the current general membership or eight general community council members, whichever is less. Any action of the community council shall require a favorable vote of a majority of the general members present, or a quorum, whichever is greater.

- **Pt. MacKenzie Community Council Bylaws**

Article 13: Treasury

A: Council funds shall be disbursed only for the legitimate purposes of the community council. Funds as necessary shall be reserved to pay the cost of mailing notices of meeting in the council membership. The president, vice-president, and treasurer shall be authorized to sign checks of the council.

B: Council funds may be used to maintain a PO Box at the nearest facility to provide the council with a consistent address for all official mailings regarding council business.

Article 14: Representation of the Community Council

A. No officer or member of the community council shall purport to represent the views or interests of the Pt. MacKenzie Community Council without express authorization of the council board. Action of the council board shall require a vote of the general membership, or other actions taken to obtain the opinions of a majority of the general membership. The council board is authorized to carry out the necessary steps to conduct action authorized by the general membership.

B: Where a designated representative speaks on behalf of the council, the representatives shall be prepared to provide information showing how the action was taken, including the results of any votes at meetings, telephone opinion polling, or other action of the council.

C: Any member of the community council shall always retain the right to appear on his or her behalf and take any position consistent or different from the community council on any matter.

Article 15: Amendments

These by-laws may be amended only at the annual council meeting, unless the council board finds an emergency to exist, requiring an earlier general meeting. Notice of any general meeting in which the bylaws are amended must include notice mailed to each general council member as it is required for the annual meeting. Such notice must include notice of the proposed changes to the by-laws. Changes to the by-laws shall require a vote of at least 10 members or two-thirds majority of the general members present at the meeting, whichever is greater.

Article 16: Compliance with Borough Code.

All by-laws shall conform to the requirements of the Matanuska-Susitna Borough Code, Chapter 2.76 for community councils.

Article 17: Change within the area of the Pt. Mackenzie Community Council

As the interests within the council area may change due to increased development or other actions likely to occur, the residents in the council area may choose to start a new council or councils which may serve a narrower area than is included within the Pt. Mackenzie Community Council. Members of this council are encouraged to start this type of action at any annual meeting of the community council, subject to approval by the general membership.

Article 18: Liability

A: It is implicitly understood that PMCC assumes no responsibility or liability for the well-being of any member or representative of a member attending, managing or participating in meetings or any other functions of PMCC.

B: No Officer or Board member, former Officer or Board member, nor any authorized agent of PMCC shall be liable in any manner to PMCC of any person or group for any loss or damage sustained as a result of action taken or omitted to be taken by said Officer, Board member or agent in good faith, if he or she exercised or used the same degree of care and skill as a prudent person would have exercised or used under the circumstances in the conduct of his or her own affairs.