



Tonopah
"The other side of Phoenix"

Valley
Community Council

BYLAWS

PREAMBLE

ARTICLE I: GENERAL INFORMATION

- Section 1 – Name
- Section 2 – Powers, Duties, and Purpose
- Section 3 – Boundaries

ARTICLE II: INTERNAL STRUCTURE PROCEDURES

- Section 1 - Officers
- Section 2 - Duties of Officers
- Section 3 - Meetings
- Section 4 - Quorum
- Section 5 - Voting
- Section 6 - Fulfillment of Responsibilities
- Section 7 - Vacancies
- Section 8 - Committees

ARTICLE III: ELECTIONS

- Section 1 – Electoral Districts
- Section 2 – Pre-election Procedures
- Section 3 – Election Procedures

ARTICLE IV: PROPERTY OWNERSHIP/TRANSFER

ARTICLE V: AMENDMENTS

ARTICLE VI: PARLIAMENTARY AUTHORITY

PREAMBLE:

The Tonopah Valley Community Council (henceforth "the Council") came into being on February 2, 1996, by popular vote of the area residents. The Council is a representative body whose duties are outlined below. Representatives are elected for Districts 1-5. Seats 6 & 7 are elected as representatives at-large from the Tonopah area.

All members of the Council are expected to abide by these Bylaws, to maintain stability, integrity and dedication to the goals and objectives for which the Council was formed, and to hold *THE WELFARE OF THE TONOPAH VALLEY TO BE PARAMOUNT AT ALL TIMES*. The members of the Council will serve without compensation.

The Tonopah Valley Community Council shall be incorporated as a non-profit organization with tax-exempt status granted by the IRS.

ARTICLE I: GENERAL INFORMATION

Section 1 – Name

The name of this council shall be the ***Tonopah Valley Community Council***.

Section 2 – Powers, Duties and Purpose

This Council does not have the power to tax or govern.

The Council is a body which acts as an intermediary between the Tonopah Community (henceforth "*the community*"), and external bodies such as various county, state, and federal governments and agencies.

It has the responsibility and duty to research and study issues relevant to the community and to present the facts to the community at large.

It also has the purpose of:

- Developing civic consciousness in the residents of the community,
- Encouraging their active participation in constructive projects which will improve quality of life for all residents and visitors in the Tonopah area, and
- Maintaining the the rural character of the area for the continued enjoyment of the residents and visitors in this western section of Maricopa County.

Section 3 – Boundaries

The community served by the Council are those people residing within the boundaries of the Belmont Mountains, Hassayampa River, Elliott Road, and 459th Avenue(Saddle Mountain).

This community is divided into five (5) districts for the purposes of the election of the Council members. These districts are delineated in Article III. Changes to the boundaries must be approved by the community.

ARTICLE II: INTERNAL STRUCTURE PROCEDURES

Section 1 – Officers

The Council shall meet no later than the 15th of January, for the purpose of electing the following officers:

1. President; 2. Vice-President; 3. Treasurer; 4. Secretary

Section 2 – Duties of Officers

1. President:

The Council President is the chief executive officer of the Council. The President presides at all meetings and serves as ex-officio member of all committees.

2. Vice-President:

The Vice-President presides at Council meetings in the absence of the President. In the absence of the Secretary or Treasurer, the Vice-President serves in these roles.

3. Treasurer:

The Treasurer shall receive and disburse all Council funds and shall keep an accurate and detailed record of all receipts and disbursements, which records shall at all times be subject to inspection by any member of the Council. The Treasurer shall cause the maintenance of quarterly reports summarizing assets, treasury money, net worth, and supplies and equipment on hand, and shall cause them to be distributed to the TVCC in a timely manner.

- He/she shall deposit all Council funds coming into his/her hands in such bank or banks as may be designated by the Council.
- All checks, drafts, notes, or orders drawn against the accounts or funds of the Council shall be signed by any two of the following: President; Vice-President; Treasurer; Secretary
- The Treasurer shall cause the preparation and presentation of annual reports to the TVCC in conjunction with the informational tax and asset reports, and shall assure that TVCC funds and assets are not used to endanger the non-profit tax exempt status to TVCC or to violate the law.
- The Treasurer shall maintain the receipt of all revenues and assure that the word "non-profit" [with the IRS code] is affixed or stamped on all receipts or checks.
- When the treasury reaches five-thousand dollars (\$5,000.00), the Treasurer shall be bonded at the expense of the Council.
- The Treasurer will chair the Budget Committee.
- The Treasurer shall perform such other functions as directed by the TVCC.

4. Secretary:

The Secretary takes minutes of the Council meetings, provides all Council members with copies, and reads the minutes of the previous meeting unless the reading is waived. The Secretary shall give reasonable notice of any changes of regular and of any special meetings as hereinafter set forth.

- The Secretary shall make and maintain correspondence relating to functions of the Council, as instructed by the President.
- All Council members shall provide copies of their correspondence to the Secretary.
- The Secretary shall have a valid copy of the Bylaws available at every Council meeting for review.
- The Secretary shall serve as the Statutory Agent for the Council.

5. Absence of President and Vice-President:

In the absence or disability of both President and Vice-President, the Council shall appoint a President pro tempore.

Section 3 – Meetings

1. **Planning sessions** are administrative meetings normally held during the first week of each month.
 - **These meetings are open to observation by the public.** Public participation may be allowed at the discretion of the Council.
 - All Council members must be notified of any change to the regularly scheduled date/time and notice must be posted locally at least 24 hours before the meeting.

- Additional meetings may be scheduled on an as needed basis with notice posted locally and made to Council members at least 24 hours before the meeting.
2. The **regularly scheduled public meeting** shall be held during the third week of the month for the purpose of informing the community at large and soliciting their input.
- Notice of this meeting must be permanently posted in key locations within the community.
 - In the event of an emergency change of location, the President must appoint a person to stay at the original location and notify the public and Council members of the new location.
3. **Special public meetings** may be called at the request of two (2) Council members for the purpose of specified business only.
- The purpose of the meeting shall be set forth in a notice posted locally at least three days before the meeting.

No regular, special or any other Council meeting shall be held without advance public notice as outlined above.

Section 4 – Quorum

A quorum consisting of four (4) Council members is required for the legal convening of any Council meeting.

Section 5 – Voting

Planning Meetings – Council

Voting by Council Members in Planning Meetings on administrative issues shall be by simple majority vote.

Public Meetings

Council Members will vote as member of the community at large on any issues for which a community vote is taken.

Should any community member, as defined in Article 1 Section 3, not be able to attend a meeting:

- That member may provide any Council member with a written statement indicating his/her vote.
- The statement must be signed by the member and include the date and the member's name, address, district number and phone number for validation.
- Non-resident landowners must also provide the parcel number of the property they own within the community boundaries as defined in Article I Section 3, Boundaries, for validation of their vote.

The vote totals shall be tabulated and reported as resident, non-resident landowner, and district.

Section 6 – Fulfillment of Responsibilities

Council members are expected to attend all meetings and take an active part in all council activities. Any council member having two (2) consecutive unexcused absences will be deemed inactive and that district seat shall be considered vacated.

Recall of elected members may be initiated with a petition signed by a number of petitioners equal to twenty-five percent (25%) of the total number of votes cast in the previous Council election for the position subject to recall.

- The petitioners must all be eligible to vote for the position that is being petitioned for recall.
- If the necessary number of petition signatures is gathered to initiate a recall election of a Council member, that member shall continue to serve in that position until a recall election is held for that Council seat.
- The recall election shall be held within, 60 days of receipt of the valid petition by a Council member.

Section 7 – Vacancies

Should any Council member fail to fulfill his/her term of office for reasons of health, death, or resignation a new Council member shall be appointed from the same district by the Council for the duration of the vacancy term.

- In the event that no Council member is elected or a vacancy cannot be filled from a District, the Council shall appoint a temporary member, by majority vote of the Council, to fill that vacant seat on the Council from the community at large.
- This appointment shall be for the remaining term of the vacancy.
- In the event of an approved absence of a Council member, that Council member may appoint an interim Council member from his/her district for a specified period of time. The interim member to be approved by the Council.

Should a Council member no longer be a resident in the District in which he/she was elected or appointed due to relocation within the Council area, that Council member shall be deemed to be representing the District for which he/she was elected or appointed for the duration of his/her term, but shall not be reelected to represent the District in which they no longer reside.

Section 8 – Committees

- The Council President shall appoint all Committees and Chairs.
- The Standing Committees and Liaisons shall serve for the duration of the year or at the discretion of the Council.
- All appointments must be members of the Tonopah Valley Community Council community.
- Council members shall recommend Committee members to the President.

The Standing Committees are:

1. Ways and Means Committee

This committee shall attend to the procurement of funds for the operation of the Council. All fund raising efforts and / or events shall have prior approval of the Council. The Treasurer or designated Council member shall be a member of this committee.

2. Election Committee

This committee is responsible for the timely and proper annual election of *Council* members. Only non-candidates are eligible to serve on this committee.

- Each polling place shall have not less than two (2) persons at all times.
- Ballots shall be counted at the close of the polls by not less than three (3) persons in a central location.

- After the votes are tallied, ballots shall be placed in envelopes, sealed and signed by all parties and delivered to president within twenty-four (24) hours.
- In the event of a dispute, a recount must be submitted in writing to the election committee within ten (10) days.

3. Budget Committee

This committee is responsible for setting the Council Budget. The Treasurer will chair this committee. The committee will present a proposed budget for the new fiscal year to the Council before the completion of the current fiscal year, the fiscal year being January 1 to December 31.

4. Audit Committee

- The Audit committee is composed of three (3) members.
- This committee shall audit all books before the end of each fiscal year, and as deemed necessary by the Council.
- Audit committee members shall not be members of the Council. The Treasurer shall provide support as needed to the Audit Committee.

The Liaisons are to represent the Council to the various Federal, State, and County agencies and other organizations.

ARTICLE III: ELECTIONS

Section 1 – Electoral Districts

There are five (5) electoral districts which shall have boundaries shown on the attached map:

District Boundaries:

District 1 - Northwest South of the Belmont Mountains, West of 379th Ave, North of 1-10, East of 459th Ave.

District 2 - Northeast South of the Belmont Mountains, East of 379th Ave, North of I-10, West of the Hassayampa River.

District 3 - Southwest South of I-10, West of 395th Ave, North of Elliot Road, East of 459th Ave.

District 4 - South Central South of 1-10, East of 395th Ave, West of 355th Ave, North of Elliot Road.

District 5 - Southeast South of I-10, East of 355th, West of the Hassayampa River, North of Elliot Road.

- One member shall be elected to represent each district.
- In addition, two representatives, called representatives-at-large, are to be elected from the aggregate community.
- Each of the representatives shall be elected for a two-year term.
- Terms shall be staggered to preserve continuity.

Section 2 – Pre-election Procedures

The elections of Council members shall be held on the first Tuesday in November. In preparation of the

election, the Council shall set the exact locations, date and time. The Council shall make appropriate announcement of these facts thirty (30) days prior to the election date.

All candidates must:

- Be a resident, for a minimum of six months, of the district they seek to represent.
- Be a registered voter of the Council District (Article 1, Section 3).
- Submit a notarized statement declaring the candidate has not been convicted of a felony or crime involving fraud. Specifications appear in the Arizona Corporation Commission Certificate of Disclosure (ARS §§10-128 & 10-1088).

Section 3 – Election Procedures

Council members are elected by receiving a simple majority of the resident votes in their districts. In case of a tie vote, lots shall be cast to determine the winner. The election shall be overseen by a disinterested body.

At the time of election, voters must:

- Be a registered voter of the Council District (Article 1. Section 3).
- Be a resident of the designated district, voting only for Council members from that district and for the representatives-at-large.
- Be eighteen (18) years of age or over, showing proof of age and proof of voter registration, if required.

Residents may vote by absentee ballot. Absentee ballots must be standard forms provided by the Election Committee. The results of the election (names, districts, votes received) shall be posted within twenty-four(24) hours and published in the local news media as soon as possible. The newly elected Council takes over their responsibilities from the outgoing Council on January 1.

ARTICLE III: ELECTIONS(cont.)

The Election Committee:

This committee is responsible for the timely and proper annual election of Council members. Only non-candidates are eligible to serve on this committee.

ARTICLE IV PROPERTY OWNERSHIP/TRANSFER

Any and all property purchased with Council funds or donated for Council use shall become the property of the Council throughout its existence.

- Should the Council dissolve, funds and property shall then pass to such public service department as may be replacing the Council.
- In the absence of a replacement organization, any and all funds remaining in the Council Treasury shall, upon dissolution, be donated to a public department or non-profit organization as designated by the Council and approved by the Community at large prior to the dissolution of the Council.

ARTICLE V: AMENDMENTS

- If amendments to the Bylaws have been proposed, these amendments shall be voted on at the annual election except as outlined in Item 2 (below).
- ALL amendments shall be approved by the community at large.

- There shall be thirty (30) days published notice of proposed changes in the Bylaws.
- Amendments shall be proposed, in writing, by any "community member" (as defined within this document).
- Proposed amendments shall be submitted to the Council no later than the 15th day of September.

Special amendments may be made, at a time other than the annual election, to meet the requirements of regulatory agencies or due to special circumstances provided the requirements of Item 1 (above) are met.

ARTICLE VI PARLIAMENTARY AUTHORITY

ROBERT'S RULES OF ORDER NEWLY REVISED may be deferred to by general consensus or by order of the Chair.