

Broad and Gales Creek Community Association, Inc.
By-Laws

Revised: November 10, 2022

Article I (General)

- Section 1. The name of the Association shall be the Broad & Gales Creek Community Association, Inc.
- Section 2. The seal of the Association shall be shown.
- Section 3. No shares are authorized, and none shall be issued.
- Section 4. All meetings of the Association shall be conducted in accordance with “Roberts Rules of Order, Newly Revised.”
- Section 5. Any By-Laws, or parts thereof, contained herein, found to be in violation of North Carolina laws or Carteret County Regulations shall be deemed null and void.

Article II (Scope)

- Section 1. This Association shall be a Non-Profit Association established to benefit the community at large.
- Section 2. The Primary purpose of this Association is to maintain a Volunteer Fire Department and a Community Building Complex to serve the residents of Broad Creek, West Broad Creek, and Gales Creek areas of Carteret County North Carolina which is currently under contract between the County of Carteret and Broad and Gales Creek Community Association for Fire Protection Services.
- Section 3. Throughout the course of time, this Association may undertake other projects for the mutual benefit of the membership.

Article III (Membership)

- Section 1. Membership in this Association shall be open to any person, (18) eighteen years of age or older, residing or owning property within the area which is currently under contract between Carteret County and Broad and Gales Creek Community Association for Fire Protection Services.
- Section 2. Any person(s), (18) years of age or older, owning land, a dwelling, a business establishment, or other property subject to Fire Tax within the Broad and Gales Creek Fire District, is entitled to membership in this Association.

Section 3. The membership shall meet annually for the Election of a Board of Directors, to amend the Association By-Laws as required, and to transact such other business as called for. A two-thirds majority-passing vote by qualified members present at the Annual Meeting will be required for any Association By-Law Amendment. Notice of said meeting will be provided to the membership.

Article IV (Organization)

Section 1. Board of Directors – This board shall be the governing body of the Association. It will consist of (9) nine members. (8) Eight Board Members will be elected by and from the membership to serve a (2) two-year term of office. A Board Member must be (21) years of age or older, with no more than one Board Member residing in the same household. Election of Board Members shall be conducted at the Annual Business Meeting, with (4) four members each to be elected during odd and even calendar years. The remaining Board Member shall be the Chief of Broad and Gales Creek Fire Department. The Board of Directors at their next regular monthly meeting will fill any vacancy of any Board of Directors seat that may occur for any reason. The following methods will be used:

- (1) The nominee from the last annual meeting receiving the next highest number of votes.
- (2) Should that person no longer be willing or able to serve, the next nominee in line of succession.
- (3) If the list of nominees is exhausted, a member at large will be appointed.

Section 2. At the first regular business meeting of the newly elected Board of Directors, the Board shall elect from its (8) elected members the following officers: PRESIDENT, VICE PRESIDENT, SECRETARY, and TREASURER.

Section 3. Committees:

- (1) The President is authorized to appoint Standing Committees based on the needs of the Association and Community as listed in the Association Policy and Procedure Manual.
- (2) The Board of Directors is authorized to appoint a (3) three to (5) five-member committee to investigate charges of misconduct filed against any board member(s); then to recommend censure, disciplinary action, or dismissal of charges to the Board. The Board of Directors is empowered to take appropriate action on the committee findings. No member(s) of the Board who is/are a party to the findings shall be eligible to vote in judgement on the findings nor participate in subsequent board action. (NOTE: when applicable, ARTICLE V; Section 1, concerning a “Quorum” is suspended.)

Article V (Conduct of Business)

- Section 1. The normal conduct of Association business shall be exercised by the Board of Directors meeting in regular session on a monthly schedule as listed in the Association Policy and Procedures Manual. To conduct official business, a quorum consisting of (50) fifty percent of the qualified voting Board Members must be present and capable of participation in all issues involved.
- Section 2. Regular Meeting Format: Presiding Officer determines a quorum is present, then calls the meeting to order. The Secretary calls the roll, then reads and/or distributes the minutes for review of the previous meeting and the presiding officer initials same after Board approval; The Treasurer makes the financial report for the past month and the presiding officer initials same after Board approval; Standing and Special Committees Reports are called; Fire Department Report; Floor open to the membership; Old Business; New Business; and Adjournment.
- Section 3. Special Meetings: The Board of Directors are to be held at such time as the Board deems necessary. A quorum must be present, and the regular meeting format is in order.
- Section 4. All Association Meetings: except for the executive sessions, are open to the membership. All Association records are subject to perusal by the membership during reasonable hours.
- Section 5. Under Emergency Conditions: Association business may be conducted by the President or the Vice President in his absence via telephonic or virtual video meeting quorum. In all such cases, the officer conducting the business will report full particulars to the Board of Directors at the next meeting for entry into the Official Minutes.
- Section 6. No Member of the Board of Directors is permitted to vote by Proxy; however, a vote may be cast through a virtual video meeting.
- Section 7. The Board of Directors may sit in closed Executive Sessions to discuss personnel or other matters which involve the Integrity and/or the Reputation of the Association.

Article VI (Assets/Finances)

- Section 1. All Property: real and personal, acquired by this Association shall be used for community purposes and its usage and disposal shall be governed by the Board of Directors.
- Section 2. The Association Fiscal Year: shall extend from July 1 to June 30.

- Section 3. The Association depository for money and vital papers shall be determined by the Board of Directors as listed in the Association Policy and Procedure Manual.
- Section 4. The Board of Directors shall prepare an Annual Budget for approval by the date set by Carteret County notification. Subject budget will incorporate the Broad and Gales Creek Fire Department budget for planning purposes. This budget is intended to guide the Board of Directors on expenditures and to provide a platform for revenues.
- Section 5. All monies disbursed from this Association must be validated by a clearly marked, itemized, and dated receipt. Such receipts will be tendered to the Treasurer by the last day of the month for the inclusion in the monthly financial report to the Board of Directors.
- Section 6. The Association shall keep in force adequate insurance coverage to cover all losses to real and personal Association property and to cover claims against the Association for property damage liability and/or injury liability.
- Section 7. Upon the Dissolution of the Association, the Board of Directors shall, after paying or making provisions for the payment of all liabilities, dispose of all the assets of the Association exclusively to the North Carolina County of Carteret to be dispersed upon their discretion.

Article VII (Broad and Gales Creek Fire Department)

- Section 1. As Contained in Article II, Section 2, the Broad and Gales Creek Fire Department shall function as one of (2) two primary purposes of this Association. Its Mission: To promote fire prevention and provide fire protection within the Broad and Gales Creek Fire District as delineated by the Carteret County Board of Commissioners.
- Section 2. The Fire Department shall be headed by a Chief selected from within the Fire Department by its members.
- Section 3. The Chief shall be responsible to the Board of Directors for the total management of the department. The Board of Directors shall have the authority to reprimand the chief for cause; however, the relief of the Chief shall require a public hearing to be conducted within (30) thirty days for final resolution.
- Section 4. The Chief shall ensure that the fire department is ready, adequately manned, equipped, and able to provide fire protection to residents and property, within the Broad and Gales Creek Fire District; departmental personnel are proficiently trained in firefighting techniques in consort with current standards.
- Section 5. The Fire Department shall employ management practices as contained in applicable sections of these By-Laws.

The foregoing By-Laws were adopted in March of 1964, rewritten, and amended in November of 1995; November of 1998; November of 2000; November 11, 2021; November 10, 2022.

Authenticated By:

President	<u>Patrick A. Ballo</u>	Date <u>11/10/2022</u>
Vice President	<u>[Signature]</u>	Date <u>11-10-22</u>
Secretary	<u>Sallye Selter</u>	Date <u>11/10/22</u>
Treasurer	<u>[Signature]</u>	Date <u>11-10-2022</u>