

Berry Creek Community Association

By-Laws

ARTICLE I

Name and Area Definition

This organization shall be known as: The Berry Creek Community Association (Association). The geographical boundaries of the Association shall be that area within the state of California, County of Butte, designated as of this date by the United States Postal Service as the ZIP Code 95916.

ARTICLE II

Purpose

The purpose of the Association shall be to represent the citizens of the greater Berry Creek area to Federal, State, and County agencies and boards, and other entities as it chooses, to advocate on behalf of the citizens for the maintenance and improvement of the quality of life in the defined area.

Section 1. Mission

The Berry Creek Community Association (BCCA) is a community-oriented, volunteer organization dedicated to serving the Community of Berry Creek by providing access and support for philanthropic, educational, and community activities and services. To that end, the BCCA is committed to protect, maintain, upgrade, and enhance the Feather River Recreation and Park District's' Berry Creek Community Park and Center.

Section 2. Use and Access

The Berry Creek Community Park (BCCP), grounds and facilities will be open to use by all BCCA members during operational hours. The BCCA continues to reserve the right to have short-term events throughout the year that may preclude open usage.

Section 3. Collected Funds

Any funds collected by the BCCA are to remain part of the BCCA coffers and not to be gifted or granted to any individual or group unrelated to the benefit of the park or beyond the grounds of the BCCP.

ARTICLE III

Membership

All residents and/or real property owners within the defined area are members of the Association.

ARTICLE IV

Meetings of the Members

Published notice of meetings of the members of the Association shall be given, stating a place, time, and, in the case of a special meeting, the purpose of the meeting.

ARTICLE V

Executive Council

The Executive Council (Council) shall be composed of five (5) members elected by the membership. The Council, in turn, shall elect a Chairperson, Vice Chairperson, Secretary and Treasurer. No officer of the Association shall receive any type of compensation for services rendered.

ARTICLE VI

Committees and Task Forces

Section 1. The council shall form, from time to time, Standing Committees for on-going areas of concern, and *ad hoc* Task Forces for specific, shorter-term issues and projects. The chairperson of the Council shall be an *ex officio* member of each Standing Committee and Task Force.

Section 2. The Standing Committees of the Association shall be:

1. Public Safety and Health.
2. Roads.
3. Water Shed and Environment.
4. Parkland and Trails.

ARTICLE VII

Meetings of the Council

Section 1. The Council meets twice a month: the 2nd Saturday of each month at 9 a.m., and the 4th Wednesday of each month at 9 a.m. If there is another event scheduled in Berry Creek on the 2nd Saturday of the month, the meeting will then take place on the 3rd Saturday of that month at 9 a.m.

Special meetings of the Council shall be held at the time and place decided by a council member on a 24-hour notice to Council and Association members.

Emergency meetings of the Council shall be held at the time and place decided by a council member on a 1-hour notice to Council and Association members.

Closed session meetings of the Council shall be held at the time and place decided by a council member on a 24-hour notice to Council members only.

Section 2. A majority of the Council shall constitute a quorum (3 council members) for the purpose of holding meetings and making decisions.

Section 3. In emergencies, after notice to all Association members, the Council may take action without a formal meeting.

Section 4. Council and Association members are to be notified of meetings by e-mail, and/or signs, and/or marquee, and/or by telephone.

ARTICLE VIII

Powers and Duties of the Council

Section 1. The Council shall have the power to commit the Association to the support of any issue, goal, or project deemed to be beneficial to the members of the Association.

Section 2. The Council shall make public its policy statements, recommendations, or requests.

ARTICLE IX

Powers and Duties of Officers

It shall be the duty of the officers on the Executive Council, both individually and collectively, to:

(a) Uphold and promote the mission, purpose, by-laws, policies and procedures of the BCCA and Berry Creek Community Park (BCCP);

- (b) Perform any and all duties imposed on them collectively or individually by law, by these By-Laws, and by the membership;
- (c) Maintain the integrity of the BCCA and exercise due diligence in carrying out their legal and fiduciary responsibilities for the BCCA;
- (d) Meet at such times and places as required by these By-Laws, regularly attend Council and membership meetings, and participate actively in events and fundraisers.

A. Additional Duties of the Chairperson:

1. The Chairperson of the Council shall preside at all meetings of the Association, and at all meetings of the Council; shall sign written instruments and make oral statements representing the consensus of the Council; shall, in consultation with the Council, appoint Standing and *Ad Hoc* Committees; and shall have the power to sign checks drawn against the bank accounts of the Association.

B: Additional Duties of the Vice Chairperson:

1. The Vice Chairperson shall act in the place of the Chairperson in the latter's absence, inability or refusal to act, and shall have such other duties as may be assigned by the council or the Chairperson.

C: Additional Duties of the Secretary:

1. The Secretary shall record the votes and keep the minutes of all meetings of the Association and the Council, keep appropriate records of the Association, keep current mailing addresses, email addresses, and telephone numbers of Council members, and shall perform such other duties as may be required by the Council;
2. certify and keep at the Berry Creek Community Center the original, or a copy of these By-Laws, as amended to date;
3. post minutes online to the community, in advance of the next meeting of the Executive Council;
4. maintain a record of said minutes, as well as the minutes and reports of all committees established by the Executive Council or by these By-Laws, at the Berry Creek Community Center

D: Additional Duties of the Treasurer:

1. The treasurer shall collect and disburse funds of the Association;
2. shall deposit all funds in bank accounts in the name of the Association;

3. shall keep books and records of the funds;
4. shall report on the finances of the Association at Council and Association meetings;
5. shall have the power to sign checks drawn against the bank account of the Association;
6. shall receive, and give receipt for, all monies due and payable to the BCCA from any source whatsoever;
7. exhibit at all general meetings, the books of account and financial records;
8. at the conclusion of his or her term, deliver all monies, books, records and papers to his or her successor in good order and in a timely fashion.

ARTICLE X

Council Elections

Section 1. The members of the Council shall be elected by the members of the Association at a meeting held annually in May.

Section 2. The members of the Council shall serve terms of two (2) years, but the terms shall be staggered.

Section 3. A vacancy in the Council may be filled by appointment of the Chairperson with the approval of the Council. The appointee to such a vacancy shall serve the remainder of the term of the Council member replaced. The vacancy shall be filled within 60 days, if possible. The Council will give public notice by communication via email and posting at the post office. All potential appointees must live or own property within the 95916 zip code.

ARTICLE XI

Amendments to By-Laws

These By-Laws may be amended by the Council provided that the notice of the Council meeting specifies the proposed amendments and that the proposed amendments do not change the Purpose of the Association as set forth in Article II above. Any change in the purpose of the Association shall require a simple majority vote of the membership of the Council.

Adopted by consensus this 17th day of November, 2007, at Maidu Meadow Conference Center, 70 Graystone Lane, Berry Creek, California 95916.

Roger Cutler, Council Chairperson

Loren Gill, Council Vice-Chairperson

Dori Hamill, Council Secretary and Treasurer

Skip Gross, Council Member

Members of the Association present.

These By-Laws were amended on the 9th day of January, 2016, at 300 Rockerfeller Road, Berry Creek, CA 95916.

Loren Gill, Council Chairperson

Bonnie Leschner, Council Vice-Chairperson

Dori Hamill, Council Secretary

Bonnie Vincent, Council Treasurer

Will Cotter, Council Member

These By-Laws were amended, on the 28th day of September, 2016, at 300 Rockerfeller Road, Berry Creek, CA 95916.

Loren Gill, Council Chairperson

Bonnie Leschner, Council Vice-Chairperson

Dori Hamill, Council Secretary

Bonnie Vincent, Council Treasurer

Will Cotter, Council Member