

JUNALUSKA ASSEMBLY COMMUNITY COUNCIL
CONSTITUTION AND BYLAWS

Approved by The Southeastern Jurisdictional Administrative Council, November 29, 2005
Amended by the Junaluska Assembly Community Council September 1, 2009

CONSTITUTION

PREAMBLE

As the Lake Junaluska Assembly grows in both numbers and diversity, so do the challenges and opportunities to maintain and expand a viable sense of neighborliness and partnership among property owners, full-time residents, agencies of The United Methodist Church who have offices here, and the Lake Junaluska Assembly, Inc.

We the stakeholders of this Community cherish the unique and sacred role that the Lake Junaluska Assembly has had over the years and continues to offer as an extension of the ministry and mission of The United Methodist Church. We intend that the Council established by this Constitution will contribute to friendly, secure neighborhoods serviced by a responsive Office of Assembly Public Works, and that it will enhance the spirit of community and partnership among all those who call this place home or otherwise have a stake in the life of this Assembly.

Article I: NAME

The name of this organization shall be the Junaluska Assembly Community Council, hereafter referred to as JACC.

Article II: PURPOSE

- Section 1. To address the needs and concerns of the various stakeholders of the Lake Junaluska Assembly Community.
- Section 2. To work within the framework of the Lake Junaluska Assembly, Inc Board of Directors (hereafter LJ BofD) rules and regulations for property owners.
- Section 3. To support and advise the Office of Assembly Public Works with the authority of elected leadership.
- Section 4. To provide a forum for dialogue and communication within the Lake Junaluska Assembly Community.
- Section 5. To be an advocate for the issues, concerns, and opportunities of the Lake Junaluska Assembly Community.

Article III: MEMBERSHIP

- Section 1. JACC shall consist of five (5) elected members from their respective districts, plus two (2) members elected at large, for a total of seven (7) members.
- Section 2. The Director of Assembly Public Works and another staff representative from LJ BofD shall serve as ex officio members, without vote.
- Section 3. When a voting seat on the Council becomes vacant, JACC shall appoint by majority vote an interim person to serve the balance of the term, respecting the district or at-large status of the vacant seat. Vacancy shall be defined in the Bylaws.
- Section 4. Elected members shall normally serve terms of two years, shall serve no more than three consecutive terms, and shall serve without compensation.

Article IV: JURISDICTION AND AUTHORITY

- Section 1. The territorial jurisdiction addressed by JACC shall be the boundaries of the Lake Junaluska Assembly as defined by those protecting covenants recorded in Deed Books of the Haywood County Registry, as specified in the Bylaws.
- Section 2. JACC shall function in compliance with the rules and regulations of Lake Junaluska Assembly as adopted by LJ BofD.
- Section 3. Expenses for the work of JACC shall be considered a cost of the administration of the Office of Assembly Public Works.
- Section 4. JACC shall have authority to:
- a. advise the Office of Assembly Public Works with regard to budgeting and policy;
 - b. budget the funds allotted for the work of JACC;
 - c. review and change district boundaries as provided in Article VI, Section 3;

- d. name periodically an Election Board, as provided in Article VII, Section 2;
- e. elect its officers as provided in Article VIII and in the Bylaws;
- f. fill vacant seats as provided in Article III, Section 3, and in the Bylaws;
- g. carry out other duties defined in this Constitution or the Bylaws;
- h. otherwise seek to accomplish the purposes outlined in Article II.

Article V: VOTING RIGHTS

- Section 1. The right to vote shall be an entitlement belonging to all resident and non-resident property owners whose names are recorded on deeds.
- Section 2. In addition to those in Sec 1, persons who reside on Assembly grounds, who are registered voters in Haywood County, and who register with the Office of Assembly Public Works, shall have the right to vote. Persons who are connected to Assembly water and/or sewer service shall also be entitled to vote.
- Section 3. No person shall have more than one (1) vote.
- Section 4. Appeals concerning voting rights shall be made to the Election Board.

Article VI: DISTRICTS

- Section 1. The Assembly shall be divided into five (5) geographically contiguous and compact districts. An eligible voter from each district shall be elected a voting member of JACC.
- Section 2. Initial establishment of districts shall be made by the Task Force on Community Representation. JACC shall periodically review, and may change, district lines.

Article VII: ELECTIONS

- Section 1. An Election Board consisting of five (5) members, one from each district shall oversee elections. Members shall not be members of JACC, nor shall they be candidates for election.
- Section 2. JACC shall name the Election Board. A provisional Board to oversee the first election shall be named by the Task Force on Community Representation.
- Section 3. The duties and powers of the Election Board shall be spelled out in the Bylaws.
- Section 4. Elections shall be held every other year.

Article VIII: OFFICERS

- Section 1. At the first meeting of a new term, the voting members of JACC shall elect from their number a Chairperson and a Vice-Chairperson, each for a term of two (2) years. Procedures for this first meeting shall be provided in the Bylaws.
- Section 2. In the event that the Chairperson or Vice Chairperson cannot complete his or her term, the voting members of JACC shall elect a new Chairperson or Vice Chairperson for the remainder of the term.
- Section 3. Other officers may be elected as provided in the Bylaws. The duties of all officers shall be as provided in the Bylaws.

Article IX: MEETINGS

- Section 1. JACC shall meet at least ten (10) times annually. Meetings shall be duly announced and, with some exceptions, shall be open. Details, including procedures for closed sessions and for special called meetings, shall be provided in the Bylaws.
- Section 2. JACC shall convene at least one (1) Community Meeting each calendar year for the purpose of sharing information and concerns. The Chairperson of JACC shall preside.
- Section 3. The Bylaws shall provide for procedural matters for meetings, including quorum and parliamentary authority.

Article X: AMENDMENTS AND BYLAWS

- Section 1. Amendments to this Constitution shall first be proposed to JACC.
- Section 2. Consideration and possible revision of a proposed amendment to this Constitution shall take place at an open special meeting of JACC, called for this purpose with thirty (30) days advance notice.

- Section 3.** A proposed amendment to this Constitution shall be submitted to the Community when approved by an affirmative vote of five (5) members of JACC.
- Section 4.** Amendments to Article III, Section 2 and Article IV of this Constitution, and any other amendment affecting the role or authority of JACC or its officers with relation to SEJAC shall also require approval by LJ BofD before submission to the voters.
- Section 5.** Final ratification of a proposed amendment to this Constitution requires approval by the Community, by a majority of those voting by ballot, in a referendum conducted by the Election Board.
- Section 6.** Bylaws shall be appended to govern the operation of JACC and Community Meetings. The Bylaws and amendments thereto shall remain subordinate to this Constitution. Requirements for amendment of the Bylaws shall be stipulated therein.

BYLAWS

Article I: ELECTIONS AND ELECTION BOARD

- Section 1.** Candidates for JACC shall file with the Election Board through the Assembly Public Works Office. All candidates must be qualified voters under the Constitution, as verified by the Board.
- Section 2.** Elections shall be held in order that terms begin on September 1. The initial term shall begin upon the completion of the first election and shall continue until August 31, 2008.
- Section 3.** Voters in their respective districts shall vote for the JACC member from their district and for two (2) at-large members. Election shall be by a plurality of those voting.
- Section 4.** The powers and duties of the Election Board shall be to:
- a. publicize the date and times of elections, the district boundaries, the process for filing for office, and related deadlines;
 - b. receive and publicize the names of those who file for office;
 - c. provide for publication of brief statements by or about candidates;
 - d. establish voting procedures, which shall include the option of mailed ballots;
 - e. prepare and distribute ballots, including provision for write-in votes;
 - f. provide for election workers;
 - g. provide the process for counting and verification of ballots;
 - h. in case of tie, to determine the winner by coin toss;
 - i. notify those elected and prepare and publicize a declaration of election;
 - j. conduct any referendum required by the Constitution or Bylaws;
 - k. set deadlines for, and hear and decide appeals concerning voting status or other issues relating to the voting process;
 - l. carry out other duties specified in the Constitution or Bylaws.

Article II: VACANCIES

- Section 1.** When a vacancy in the voting membership of JACC occurs, JACC shall at its next meeting appoint a replacement, as provided in Article III, Section 3, of the Constitution.
- Section 2.** The seat of a voting member who has two consecutive unexcused absences from regularly scheduled meetings of JACC shall be declared vacant by a majority vote. JACC shall be the sole judge of the adequacy of excuses. JACC shall then appoint a replacement as provided in Article III, Section 3, of the Constitution.

Article III: OFFICERS, COMMITTEES, AND DUTIES

- Section 1.** JACC shall elect a Secretary, and may elect other officers it deems advisable. The Secretary and these other officers need not be members of JACC.
- Section 2.** JACC may establish committees, which shall consist of at least one member of JACC, and which may include persons not members of JACC.
- Section 3.** Duties of Chairperson:
- a. to preside at meetings of JACC and at Community Meetings;
 - b. to appoint committees as authorized by JACC;
 - c. to carry out other duties normally falling to such an office;
 - d. to represent JACC, or designate a representative, when JACC approves a request from another body for a representative from JACC.

- Section 4. Duties of Other Officers**
- a. The Vice-Chairperson shall preside in the absence of the Chairperson.
 - b. The Secretary shall keep minutes of meetings of JACC and shall publicize a summary of these minutes. The Secretary shall also keep minutes of Community Meetings, and receive and maintain the records of the Election Board. At an appropriate time the minutes and all records shall be placed in the archives of the Southeastern Jurisdiction.
 - c. If JACC should choose to elect other officers, their duties shall be specified when they are elected.

Article IV: MEETINGS OF JACC

- Section 1.** Meetings of JACC shall ordinarily be held monthly. The date, time, location, and agenda of each meeting shall be publicly announced.
- Section 2.** Meetings shall be open, with a portion of each meeting designated as open to community input and response including the receiving of written petitions. JACC shall have the right to declare a closed session for the purposes of considering legal and personnel matters.
- Section 3.** Called meetings of JACC may be ordered by the Chairperson or by four (4) voting members.
- Section 4.** The first JACC meeting of each new term shall be convened within two (2) weeks of the beginning of the term, with advance notice, by the Director of Assembly Public Works. The Director shall preside solely for the election of the Chairperson.
- Section 5.** A quorum of JACC shall consist of four (4) voting members present. When vacancies occur, a quorum shall be a majority of the remaining voting members until the vacancies are filled. If a quorum is not present the majority of those present may adjourn the meeting from time to time until a quorum is present.

Article V: COMMUNITY MEETINGS

JACC shall announce the date, time, place, and agenda of each Community Meeting at least thirty (30) days in advance.

Article VI: RULES OF ORDER

Robert's Rules of Order, latest edition, shall be recognized as the authority governing meetings of JACC and Community Meetings, except where such rules conflict with the Constitution or Bylaws.

Article VII: JURISDICTIONAL AUTHORITY

The boundaries of the Lake Junaluska Assembly are defined by protecting covenants recorded at the Haywood County Registry.

Article VIII: AMENDMENTS TO BYLAWS

- Section 1.** Proposed amendments to these Bylaws shall be submitted to JACC.
- Section 2.** Proposed amendments shall become public thirty (30) days prior to a special meeting of JACC called to consider them.
- Section 3.** At this open special meeting written comments shall be received from voters unable to be present, and those voters present shall be invited to make comments and suggestions. JACC may revise any proposed amendment.
- Section 4.** Any amendment affecting the role or authority of JACC or its officers with relation to SEJAC, shall require approval of SEJAC before ratification by JACC.
- Section 5.** Ratification of a proposed amendment to the Bylaws shall require an affirmative vote of five (5) of the voting members.

Article IX: SUBORDINATION TO CONSTITUTION

These Bylaws are subordinate to the Constitution, and any provision of the Bylaws or any amendment thereto contrary to the Constitution is null and void.

END