

BLACK DIAMOND
RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

BY-LAWS

ARTICLE I

NAME

The name of the organization that these by-laws govern is the “Black Diamond Resource Conservation and Development Council” and is to be known as the “Black Diamond RC&D”.

ARTICLE II

PURPOSE

The purpose of the Council is to educate and assist the citizens of the Black Diamond RC&D area in implementing programs of environmental protection, forest resource utilization, woodland management, agricultural protection and expansion, recreation and wildlife development, and resource conservation in such a manner as to improve environmental quality through optimum use of natural resources; provide a favorable climate for expanding industry, commerce and community services; and enhance the area as an attractive place to live, work, play and visit.

ARTICLE III

POWERS

The organization shall be governed by a Resource Conservation and Development Council. The place of business for this organization shall be the RC&D office.

ARTICLE IV

SPONSORS

The sponsors of the RC&D are:

County Board of Supervisors

Buchanan County Board of Supervisors
Dickenson County Board of Supervisors
Lee County Board of Supervisors
Russell County Board of Supervisors
Scott County Board of Supervisors
Wise County Board of Supervisors

City

Norton City Council

Soil and Water Conservation Districts

Big Sandy SWCD
Clinch Valley SWCD
Daniel Boone SWCD
Lonesome Pine SWCD
Natural Tunnel SWCD

Planning District Commissions

Cumberland Plateau PDC
LENOWISCO PDC

ARTICLE V

MEMBERSHIP

Section 1

The RC&D Council shall consist of representatives from the sponsoring organizations and at-large-members appointed by the Council. Each sponsor shall appoint a representative to the Council.

Section 2

The RC&D Council shall have the option of appointing one (1) at-large- member from each county in the RC&D area for a term of one year. The RC&D Council Executive Board shall submit a potential appointee at a regular council meeting. Approval of the RC&D Council shall constitute formal appointment.

Section 3

Sponsors may name alternates for their representatives. The alternate will have full privileges of membership in the absence of the regular member. Alternates may not serve in the absence of officers.

Section 4

Sponsors will determine the length of term that their appointee serves on the Council. At-large-members may serve subsequent one-year-terms at the discretion of the RC&D Council.

Section 5

The membership of the RC&D Council Executive Board shall consist of the currently elected Council officers and the Past Chair. Initially, the Council will appoint a member to serve the Past Chair position of the Executive Board.

ARTICLE VI

OFFICERS

- (a) The Council Officers shall consist of a Chair, Vice Chair, Secretary and Treasurer. The term of each office shall be for one year.
- (b) The officers shall be elected by the council members annually at the first meeting of the fiscal year. The nominating committee shall prepare a slate of candidates, and this slate shall be mailed prior to the first meeting of the fiscal year. Nominations may also be made by petition signed by at least three (3) members besides the nominee. In the event of nominations by petition, election will be by secret ballot. The nominating committee shall consist of three Council members appointed by the Chair.
- (c) Chair - It shall be the duty of the Chair) to preside at all meetings and to enforce all laws and regulations relating to the administration of the organization in accordance with the constitution and /or approved policies when he/she deems it necessary.
- (d) Vice Chair - In absence of the Chair, the Vice Chair shall have all powers and responsibilities of the Chair. If the Chairship is vacant for any reason, the Vice Chair shall act as Chair until an election is held to fill the office of Chair.

- (e) Chair Pro Tempore - In the event of the absence of the Chair and Vice Chair from any meetings of the organization, the Secretary shall in turn preside.
- (f) Secretary - Resolutions and proceedings of the meetings of the organization shall be recorded by the Secretary. The Secretary shall conduct correspondence relating to the organization, shall cause to have issued notices of meetings, and shall perform duties pertaining to the office of Secretary. The Secretary shall keep a register of the appointed members of the RC&D Council and of the organization.
- (g) Treasurer - Monies of the organization shall be received and managed by the Treasurer. The Treasurer shall be prepared to report at each meeting of the organization the conditions of the treasury. The Treasurer will expend funds collected only under direction of the RC&D Council. Financial records of the RC&D Council shall be audited annually.
- (h) The RC&D Council officers may serve no more than two (2) successive full terms pursuant to active participation and attendance at a minimum of fifty percent (50%) of the Council meetings.
- (i) Vacancies in any of the offices because of resignation or disability shall be filled by the Council Executive Board from the existing Council members.

ARTICLE VII

ORGANIZATION

(a) - The RC&D organization shall include persons, groups, enterprises, agencies and other elements of the public in the RC&D area. The RC&D Council shall represent the organization.

(b) - Membership of the Council will be automatically terminated by absence from three successive Council meetings, unless the RC&D office or a Council Officer has been notified. Attendance by named alternate is encouraged; an alternate will be empowered to be a voting member in the absence of the regular member. This attendance policy is not affected by attendance of the alternate.

(c) - Vacancies on the Council may be filled by named alternates on a temporary basis until such vacancy is filled by a permanent Council member.

ARTICLE VIII

MEETINGS

- (a) The Council will hold open meetings on a quarterly basis, unless otherwise indicated on notice of meeting.
- (b) The Executive Board shall meet at least quarterly. A specially called meeting of the Executive Board may be called by the Chair in lieu of the regular meeting, or in consideration of convenience, business-at-hand, weather conditions, summer vacation months, etc.
- (c) Five Council members, or their designated alternates, or 3 officers of the Executive ***Board***, attending any regular or special meeting shall constitute a quorum.
- (d) Notice of all meetings shall be mailed at least ten (10) days before the meeting, indicating time, place and a brief agenda.

ARTICLE IX

COMMITTEES

Standing and “ad hoc” committees can be established as needed for special purposes by appointment of the Chair.

ARTICLE X

FISCAL YEAR

The Black Diamond RC&D fiscal year is July 1 through June 30.

ARTICLE XI

DISBURSEMENTS

No part of the net proceeds of the Council shall inure to the benefit of, or be distributable to its members or other private persons, except that the Council shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.

The Chair or the Treasurer shall approve all disbursements, not itemized in the annual budget. In absence of either, the Vice Chair will act in their capacity.

ARTICLE XII

EQUAL EMPLOYMENT OPPORTUNITY

The programs conducted will be in compliance with all requirements respecting nondiscrimination as contained in the Civil Rights Act of 1964, as amended, and the regulations which provide that no person in the United States shall, on the grounds of race, color, age, sex, handicap, religion, marital status, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving assistance from the Black Diamond RC&D Council.

ARTICLE XIII

FUNDING

Contributions may be solicited as needed to carry on the operations of the Council. An annual budget will be prepared by the Executive Board and approved by the Council.

ARTICLE XIV

AMENDMENTS

These By-laws of the Council may be amended only by a two-thirds vote of the entire membership of the Council.