

Original

Job Development Authority By-Laws

Buffalo, North Dakota

ARTICLE 1

Duties of Officers

Section 1. Chair. The Chair of the Job Development Authority shall be the presiding officer at all of the meetings of the members of the Job Development Authority. The Chair shall sign all deeds, mortgages, leases, conveyances, contracts, notes and obligations, and perform such other duties as are prescribed by the Job Development Authority. The Chair shall have the general power of management of the Job Development Authority and shall be authorized to sign all contracts, deeds, mortgages, leases, notes and other papers and conveyances as may be necessary for the transaction of the business of the Job Development Authority in accordance with Section 11-11.1-03 of the North Dakota Century Code.

Section 2. Vice-Chair. The Vice-Chair of the Job Development Authority shall exercise the functions of the Chair in the event of his or her absence or of his or her disability to act for any cause.

Section 3. Treasurer. The Treasurer of the Job Development Authority shall keep accurate and complete records of all receipts and disbursements and shall be custodian of all funds of the Job Development Authority subject to control and of the Job Development Authority. The Treasurer shall deposit all funds of the Job Development Authority with the bank or banks as shall be designated from time to time by resolution of the Job Development Authority; and he or she shall make reports of the financial condition of the Job Development Authority monthly and at such other times as may be required by the Job Development Authority. The Treasurer shall countersign all vouchers certified by the Chair for the withdrawal of funds.

Section 4. Secretary. The Secretary shall keep a full and permanent record of all meetings of the members of the Job Development Authority. The Secretary shall countersign all deeds, mortgages, leases, conveyances and contracts. He or she shall perform such other duties as may be prescribed by the Job Development Authority.

Section 5. Bonds. Bonds may be required from any officer or employee for the faithful performance of his or her duties, as specified and required by the Job Development Authority.

ARTICLE II

Meetings of Members

Section 1. The monthly meeting of the members of this Job Development Authority shall be held in the City Hall, as the Job Development Authority may determine. Special meetings of the members may be called at any time upon request of five (5) members or by the Chair. All meetings of the members must be held in the City Hall unless otherwise determined by the Chair. Notice shall be sent to each member at least 24 hours in advance of special meetings. The Chair may determine the time and place of the holding of such meetings within said city. At the January meeting of the Job Development Authority, the members shall elect a Chair, Vice-Chair, Secretary and Treasurer of the Job Development Authority.

Section 2. A majority of the members shall constitute a quorum at all meetings, provided, however, that a two-thirds affirmative vote of all members is required upon an amendment of the Bylaws.

Section 3. Membership in the Job Development Authority shall be limited to those individuals appointed by the City Council in accordance with Chapter 11-11.1 of the North Dakota Century Code. At November JDA meeting, JDA determines new or renewing members for term of service ending December 31 to advance to City Council for December City Council meeting for approval and installation of members for new term starting in January. Seven (7) persons shall constitute the original members for this Job Development Authority with the original membership being appointed, with two (2) members having a one-year term; two (2) members having a two-year term; and three (3) members having a three-year term. After that original term, the members appointed to the Job Development Authority shall serve for a term of three (3) years or until their successors are duly qualified. Terms of the office shall begin on January 1 and shall be arranged so that terms of office of approximately one-third of the members shall expire on December 31 of each year. Each member of the JDA shall qualify by taking the oath provided for civil officers. The oath shall be filed with the City Auditor. The City Council shall appoint any vacancies occurring throughout the year.

ARTICLE III

Management of the Job Development Authority

Section 1. The management of the affairs of this Job Development Authority shall be vested in the members composed of seventeen (7) members selected as provided in Chapter 11-11.1 of the North Dakota Century Code. Members may be reimbursed from funds available to the Authority for mileage and expenses as provided in the North Dakota Century Code but shall receive no compensation for service. Salaries and compensation for employees of the Job Development Authority for services rendered shall be fixed and determined by the JDA.

Section 2. A person is eligible to be a member of JDA if residing within a ten (10) mile radius, unless special considerations exist, and with an active role in the community.

Section 3. Termination of a JDA member may be by letter of resignation, majority vote of JDA, absence of 3 consecutive meetings and/or absence of six (6) monthly meetings per year. City Council will be notified of any type of terminations.

Section 4. All minutes from meetings to be turned into City Auditor to be posted on the JDA website as pending upon approval.

Section 5. All official documents to be stored in City Hall, with the exception of abstracts to be stored at The Title Company/Cass County Abstract, and if checked out, must be approved by an officer of JDA.

Section 6. Conflict of interest disclosures must be divulged at the beginning of each meeting based on the agenda and the member must abstain from the vote.

Section 7. The same person may not hold both JDA and City Council positions at the same time.

Section 8. The Chair does not make motions and does not have voting privileges, unless a tie vote needs to be broken. All voting procedures will follow Roberts Rules of Order.

Section 9. No By-Laws shall be adopted, altered, amended or repealed except by a two-thirds vote of the members.

ARTICLE IV

Executive Committee

Section 1. The members of the Job Development Authority may appoint from its membership an Executive Committee of three (3) members, which shall consist of the Chair and two (2) members selected by the JDA. The Executive Committee must be approved by City Council to conduct urgent, time sensitive business and make financial decisions of up to and not exceeding \$500 for this Job Development Authority when not in regular session; such Executive Committee, if appointed, shall have the same authority as the full JDA in the ordinary conduct and management of the regular and ordinary and routine business of the affairs of the Job Development Authority, and such Executive Committee, if appointed, shall keep a record of its proceedings to present to the JDA members at its regular meetings.

ARTICLE V

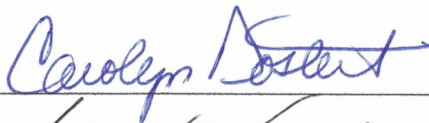
Finance


Section 1. The four (4) officers appointed by the JDA members will be authorized to sign checks at the approved financial institution. Any legal documents needing to be signed shall be signed by Chair and/or Vice-Chair.

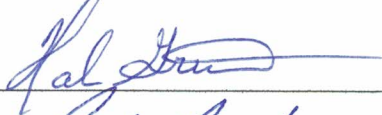
Section 2. An annual financial review will be completed in the month of January with prior year end financial report due by April meeting.

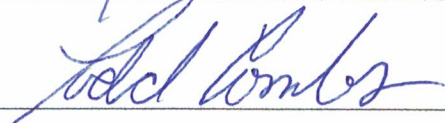
Section 3. Fiscal year of JDA will be January 1 to December 31 for all reporting purposes.

The undersigned constituting the membership of the Buffalo Job Development Authority do hereby adopt the within and foregoing By-Laws and certify that the same are hereby adopted for the government of the affairs of this Job Development Authority.


_____ Chair


_____ Vice-Chair


_____ Secretary


_____ Treasurer

DATED at Buffalo, North Dakota, this 12th day of June,
2019.