

CONSTITUTION AND BY-LAWS  
OF THE

LIBERIAN COMMUNITY ASSOCIATION  
OF  
ASSOCIATION

CONSTITUTION AND  
BY-LAWS

OF THE  
LIBERIAN  
COMMUNITY

OF  
METROPOLITAN CHARLOTTE  
METROPOLITAN CHARLOTTE



NORTH CAROLINA, UNITED STATES OF AMERICA  
NORTH CAROLINA, UNITED STATES OF AMERICA

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## **PREAMBLE**

We, the citizens and descendants of the Republic of Liberia, residing in the Charlotte Metropolitan areas, the State of North Carolina, United States of America are aware of the necessity to foster unity amongst us, provide for our common good by pursuing the goals of economic, education and social advancements, considering our diversity as our strength, and respecting the rights of every Liberian residents to equally participate in the Association without discrimination on the basis of creed, ethnicity, religion, gender, or sexual orientation, do hereby constitute this body to be known as the "LIBERIAN COMMUNITY ASSOCIATION OF METROPOLITAN CHARLOTTE" and hereafter refer to as "LIBAC".

## **ARTICLE I- THE ASSOCIATION**

Section 1. NAME: The Name of the Association shall be called, THE LIBERIAN COMMUNITY ASSOCIATION OF METROPOLITAN CHARLOTTE, and shall be referred to as "LIBAC."

Section 2. MOTTO: The Motto of LIBAC shall be "United for a Common Good"

Section 3. COLORS: The Colors of the "LIBAC" shall be RED, WHITE and BLUE reflecting the official colors of the flag of The Republic of Liberia.

## **ARTICLE II: PURPOSE AND OBJECTIVE**

The Liberian Community Association of Metropolitan Charlotte, a 501c3 nonprofit, shall be, but is not limited to the following:

**1:1** To promote peace, unity, social wellbeing and awareness amongst Liberians residing in the Charlotte Metropolitan area, North Carolina;

**1:2** to recognize and respect our diversity with a commitment to unity, peace and progress;

**1:3** to promote the maintenance and retention of our cultural and traditional heritage and values;

**1:4** to build partnership(s) with public, private, religious and other professional groups in the furtherance of the purposes set forth herein;

**1:5** to serve as a forum for the exchange of views amongst Liberian residing in the Charlotte Metropolitan area, North Carolina and

**1:6** to identify, lobby and promote awareness programs in support of the welfare of members residing in the Charlotte Metropolitan area, through immigration symposiums, job fairs, health awareness, etc.

### **ARTICLE III - HEADQUARTERS**

**1:1** LIBAC shall be headquartered in Charlotte, North Carolina, USA.

**1:2** The permanent address of the Association shall be Post Office Box 5031 Charlotte, NC 28299.

### **ARTICLE IV- JURISDICTION OF THE ASSOCIATION**

**1:1** The jurisdiction of LIBAC shall encompass the listed areas of the Charlotte Metropolitan Area Cabarrus, Chester, Gaston, Iredell, Lancaster, Lincoln, Mecklenburg, Union, and York counties

### **ARTICLE V- POWERS OF THE CONSTITUTION**

**1:1** This Constitution is the supreme law of the LIBAC, and its provisions shall have binding force and affect all its Members and Organizations.

**1:2** All laws, rules, regulations, procedures, and activities found to be inconsistent with this constitution shall be void and of no legal effect.

### **ARTICLE VI – MEMBERSHIP**

Membership: Membership of the association shall be conferred upon individuals, other Liberian associations, and organizations within the Charlotte Metropolitan area of North Carolina according to the following categories:

- Regular Membership
- Special Membership
- Organizations / Associations Membership
- Affiliate Membership
- Honorary Membership

#### ***SECTION 1: REGULAR MEMBERSHIP:***

**1:1** Regular Membership shall be open to all Liberians, their descendants, and spouses residing in the Charlotte Metropolitan area of North Carolina who request membership and abide by this Constitution & By-Laws. Regular members should be duly registered by completing an application and submitting a one-time non-refundable fee of \$25.00 (twenty-five dollars). Membership dues shall be \$120.00 (one hundred and twenty dollars) annually or \$10.00 (ten dollars) monthly.

**1:2** Regular Members shall vote during elections and meetings and shall receive full benefits provided by LIBAC, if active and have met all financial obligations to the Association.

**1:3** The voting age shall be eighteen years (18) or over.

**1:4** Regular members' dues should be current within the fiscal year.

1:5 He or she should attend at least three-fourth (3/4) of the regular general meetings.

1:6 He or she must support at least half (1/2) of LIBAC fundraising functions

1:7 Regular members who do not meet the requirements of ARTICLE VI; Section 1(4 - 1:6) CAN NOT vote in any election, hold elected office, or chair a Standing Committee.

## **SECTION 2: SPECIAL MEMBERSHIP**

2:1 This category shall consist of senior citizens, minors, and other membership considerations.

2:2 Senior (*sixty-five (65)* years and above) shall be assessed annual membership dues of half the amount assessed regular members sixty dollars (\$60);

2:3 Minors (ages seventeen (17) and below) shall be exempt from all dues and voting privileges

2:4 Special Membership dues may be waived at the discretion of the Board of Directors for the elderly, those on a fixed income, and the disabled. The Board may request verification from those seeking this waiver.

## **SECTION 3: ORGANIZATION / ASSOCIATION MEMBERSHIP**

3:1 The Administration shall, upon approval of the Board of Directors, bestow the rights of membership to a local Liberian ethnic associations/organizations including, but not limited to, social organizations, religious organizations, etc., comprising of eight or more members, who abide by the Constitution of LIBAC, and request membership through written communication.

3:2 Liberian associations/organizations shall benefit from and participate in good standing and have met their financial obligations to the Association.

3:3 LIBAC shall not permit into membership multiple representations of an identical association /organization operating within the city of Charlotte.

## **SECTION 4: AFFILIATE MEMBERSHIP**

4:1 Affiliate Membership shall be opened to non-Liberians who support this Constitution & By-Laws and is prepared to actively work toward the attainment of LIBAC's goals and objectives;

4:2 Affiliate Members shall not have the rights to vote or eligible for elective offices, but MAY qualify for appointive positions;

4:3 An Affiliate member shall actively participate in discussions, meetings, consultations, programs, etc., for the common good of LIBAC.

4:4 Affiliate members shall make voluntary contributions.

**SECTION 5: HONORARY MEMBERSHIP**

**5:1** Honorary Membership shall be opened to or conferred upon non- Liberians who have made significant contributions toward the goals and objectives of LIBAC;

**5:2** such recognition shall be given by the President with the approval of the Board of Directors.

**5:3** Honorary Members shall not have the right to vote nor hold any elective office.

**ARTICLE VII- MEMBERSHIP DUES / CHARTER FEES**

**SECTION 1- Membership d**

**ues:**

1.1. \$10.00 (Ten Dollars) a month per member – totaling the amount of \$120.00 (One Hundred and Twenty Dollars) a year. A discounted rate of \$100 applies if dues are paid by January 31<sup>st</sup> of each calendar year.

1.2. Senior Citizens under Special membership shall be assessed dues of \$5.00 per month or \$60.00 per year, while minors under this category will be exempt from due payment. A discounted rate of \$50 applies if dues are paid by January 31<sup>st</sup> of each calendar year.

1.3 Charter fee to LIBAC for an Organization or Association shall be \$50.00 (Fifty Dollars) per fiscal year.

1.4 Affiliate members shall make voluntary contributions.

1.5 Regular/Registered members who do not meet the requirements of ARTICLE VI; Section (1:1 - 1:6) CAN NOT vote in any election, hold elected office, chair a Standing Committee, or receive any benefits from LIBAC.

**ARTICLE VIII- STRUCTURE OF THE ASSOCIATION**

The Liberian Community Association of Metropolitan Charlotte shall consist of five (5) entities:

- Section 1: The General Assembly herein referred to as the Assembly;
- Section 2: The Board of Directors herein referred to as the Board;
- Section 3: The Executive Leadership herein referred to as the Administration;
- Section 4: The Constitution & Grievance Council and
- Section 5: Five (5) Standing Committees

**ARTICLE IX-THE GENERAL ASSEMBLY**

The General Assembly is the aggregate body of people that make up the general membership of the association.

**Section 1: The General Assembly**

**1:1** The General Assembly shall be the highest decision-making body; it shall approve new policy decisions of the Association and shall be presided over by the President.

**1:2** Liberians and friends of Liberia shall participate in the deliberations of the Assembly, but the right to vote shall be reserved for only members who meet all voting requirements specified in Article VI Section 1.

**1:3** All decisions of the Assembly made by two-thirds of the Association's total registered members in attendance and in good standing shall be BINDING on all Members and Organizations, the Board, the Administration, and all other Organizations of the Association.

**1:4** The Assembly shall elect members of the Board of Directors, the Executive Leadership of LIBAC and the Constitution & Grievance Council.

**1:5** The Assembly shall set priorities and approve policies, programs and projects for LIBAC. All projects, except Emergency Projects, shall be approved by the Assembly. Emergency Projects are defined as unforeseen and unanticipated projects that become crucial due to prevailing circumstances and determined by the President and Board to require immediate attention.

**1:6** The Assembly shall receive a bi-annual report from the President on the state of LIBAC, and this report shall include an Audited Financial Report.

**1:7** The Assembly shall have the power to suspend and/or impeach general officers for violation of the constitution and by-laws of LIBAC

**1:8** The General Assembly meetings shall be held monthly and/or as deemed necessary by the President in collaboration with the board.

**1.9** The General Assembly meeting shall be conducted in person, virtually, or via Teleconference.

## **ARTICLE X- THE BOARD OF DIRECTORS**

### ***Section 1: Responsibilities of the Board of Directors***

**1:1** The Board shall have oversight and advisory functions in regards to the affairs of the Association.

**1:2** No member of the Board shall be appointed to any standing Committee.

**1:3** The Board shall have investigatory powers in regards to malfeasance or incompetence of any officer of the Association.

**1:4** The Board shall have powers to require any member of the Executive Committee to appear before it or to furnish documents requested in the event of removal proceedings.

**1:5** The Board shall receive updates from the president regarding the affairs of the Association at its scheduled meeting or an emergency call meeting.

**1:6** The Board shall provide advice and consent to the President on financial matters of LIBAC, shall approve the Annual and Supplemental Budgets submitted by the President, shall approve all Dues and Fees proposed by the President, and shall seek the ratification

of the General Assembly before said Dues and Fees can come into effect.

**1:7** The Board shall advise and consent to all appointments of the president.

**1:8** All Appointments, Recommendations, Annual or Supplemental Budgets, or Proposal of the President that is rejected by the Board, shall be sent back to the President for reconsideration and resubmission. The Board shall provide reasons for the rejection and may make recommendations.

**1:9** The Board shall approve election guidelines promulgated by the Elections Commission. Election guidelines shall not contravene this Constitution.

**1:10** The Board shall grant permission and approval to the President to enter into contracts on behalf of LIBAC and shall work with the President to ensure the terms of the contract benefits LIBAC. Any and All contracts not approved by the Board shall not be binding on LIBAC. The Board shall not enter into any contract(s) on behalf of LIBAC.

**1:11** The Board shall approve Emergency Projects submitted by the President after making a determination that the project is critical and in the interest of LIBAC and requires immediate attention. Emergency Project shall not exceed fifteen hundred (\$1,500.00) dollars.

**1:12** The Board shall assist the Administration with fundraising and shall identify sources of funds for LIBAC. It shall actively work with the Executive Leadership to develop funding programs and projects for LIBAC.

**1:13** The Board shall advise and consent to all appointments of the Executive Leadership

**1:14** In the absence of a Constitution & Grievance Council, the Board shall interpret the Constitution and shall adjudicate all Constitutional Issues, Grievances, and Disputes.

**1:15** The Board shall resolve all election irregularities, grievances, and disputes not satisfactorily resolved by the Election Commission. All allegations shall be in writing and shall state the specific issue(s) and reason(s) for the perceived violation.

**1:16** If a complaint about an impending election is being heard by the Board of Directors, the elections shall NOT be held until a decision is reached by the Board. Also, if a complaint arises out of an election that has already been held, NO officers elected in the disputed elections shall be installed or take office until a decision is reached by the Board of Directors.

**1:17** The Board shall grant permission and approval to the President to enter into contracts on behalf of LIBAC and shall work with the President to ensure the terms of the contract benefits LIBAC. Any and All contracts not approved by the Board shall not be binding on LIBAC. The Board shall not enter into any contract(s) on behalf of LIBAC.

**1:18** The Board shall determine and adopt its rules and proceedings consistent with this Constitution, establish its leadership structure, and elect its own officers. It shall set criteria and determine causes for which, and the extent to which, disciplinary actions shall be taken against its Members and shall with the concurrence of a two-thirds majority of its members voting in person, discipline a Member(s).

**1:19** Any officer of the Board of Directors may also be removed through a signed petition of a two-thirds majority of active members of the Association. Such petition must be communicated to the Board of Directors by the President of the Association no later than seventy-two hours after such petition has been approved by a two-thirds majority vote of the total registered in good standing members of the Association from the General Assembly.

## **Section 2: OFFICERS OF THE BOARD OF DIRECTORS**

**2:1** The Board of Directors shall comprise of 7 members duly elected by the General Assembly.

**2:2** The elected members of the Board of Directors shall elect the officers of the Board.

**2:3** The Officers of the Board shall consist of a Chairperson, Vice-Chairperson, and a Secretary.

## **Section 3: OFFICERS' DUTIES**

**3:1-** Chairperson -The Chair of the Board shall call and preside over all meetings of the Board of Directors.

**3:2** – Vice Chairperson-In the absence of the Chairperson, or in the event of his/her inability or refusal to act, the Vice-Chairperson will perform the duties of the Chairperson.

**3:3** – Secretary- The Secretary shall keep minutes of the proceedings of all Board meetings and shall be responsible for sending out notices of all meetings of the Board of Directors.

## **Section 4: BOARD MEETINGS**

**4:1** The Board shall meet quarterly in regular sessions during the calendar year. A simple majority of the Board members in attendance shall constitute a quorum for the conduct of business.

**4:2** All decisions of the Board shall be in the form of resolutions published and circulated to members, organizations, and the general public.

**4:3** The Board shall establish its rules and regulations and elect its officers for the conduct of business. No rule or regulation of the Board shall be in violation of this constitution.

**4:4** The Chairperson of the Board shall convene an emergency Board meeting as a vital interest of LIBAC demands.

**4:5** The Chairperson, through the Board's Secretary, shall send out notice of the date, time, and place of holding the meetings. Only members of the Board who are in good financial standing shall be eligible to vote on decisions at these meetings.

**4:6** The Chairperson of the Board shall convene emergency Board meeting(s) as the vital interest of LIBAC demands. Said meeting(s) shall be called by the Chairperson of the Board, or at the request of a two-thirds majority of the members of the Board of Directors.

Notice of any Emergency Meeting(s) of the Board shall be given at least seventy-two hours prior to the meeting. Only members of the Board who are in good financial standing shall be eligible to vote on decisions at these meetings.

**4:7** A two-thirds majority of members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. All decisions taken by a majority two-thirds (2/3) of the Board of Directors present at a meeting shall be binding.

4:8 Any vacancy occurring on the Board of Directors resulting from resignation, incapacitation, impeachment, or death will be appointed by the President in consultation with the Board of Directors and the Constitution and Grievance Council if it is an election year to complete the term; if it is not an election year a By-Election will be held. The chairperson of the Board of Directors shall inform the Chairperson of the Election Commission, in writing, within thirty days after said vacancy occurs. The election commission shall cause an election to be held at the subsequent general meeting of the Association.

### **Section 5: BOARD ELECTION, TENURE & QUALIFICATIONS OF MEMBERS**

**5:1** Only Liberians who are legal residents of the United States, meet the requirements of Article VI, Section 1 of this legal document, and shall have resided within the Charlotte Metropolitan Area for a minimum of one year and is eligible for election to the Board.

5:2 The Term of the office will be for three and two years, except for those members appointed to fill vacancies, in which case such member shall serve the remainder of the uncompleted term. The first four (4) Members elected with the highest votes shall serve a term of three (3) years and may be elected but not for more than two consecutive terms. The three (3) members elected with the lowest votes shall serve a term of two (2) years and may be elected but not for more than two consecutive terms.

**5:3** In the event where a Member is elected by acclamation, the Members of the Board in good standing shall vote to determine the tenure of office.

5:4 No member of the Board shall serve for more than two consecutive terms. All elections should be held within three (3) months after elections for the Executive Leadership at the annual meeting.

5:5 No Member of the Board shall simultaneously hold another elected office or appointed position in the Administration while serving on the Board. If any Board Member wishes to hold an elected or appointed position in the Administration, s/he shall resign from the Board within thirty (30) days of running for an elected position or accepting an appointed position. A letter of clearance signed by the current board leadership of LIBAC must accompany the application.

## **Article XI- THE EXECUTIVE LEADERSHIP**

### **Section 1: Members**

**1:1** The Executive Leadership shall be composed of eight elected officers: the President, the Vice President, the Secretary, the Treasurer, the Financial Secretary, the Chaplain,

and the Parliamentarian.

**1:2** The leadership shall be comprised of regular/registered members in good standing in the Association and shall be elected by a simple majority of members who are also in good standing for the term of three (3) years; The President may seek reelection but shall not serve for more than two (2) consecutive terms.

**1:3** all members of the Executive Leadership shall reside in the Charlotte Metropolitan Area in the State of North Carolina. Members of the Executive Leadership shall report to the President.

**1:4** The Administration shall be responsible for the design, development, and implementation of programs and projects approved by the Board and the General Assembly.

**1:5** To be eligible to run for Executive Leadership, candidates must reside in the Charlotte Metro area for at least one year.

**1:6** Additionally, candidates must have been prior due paying members in good standing and actively involved in a core committee for at least ninety (90) days.

## **Section 2: THE PRESIDENT**

**2:1** The President shall be elected during a general election for a term of three (3) years and can seek reelection but shall not serve for more than two (2) consecutive terms.

**2:2** The President shall be the Chief Executive Officer and the official spokesperson for LIBAC; he/she shall be responsible for the daily operations of LIBAC including all internal and external affairs.

**2:3** The President shall preside over all meetings of LIBAC including duly scheduled general assembly and Administration meetings.

**2:4** The President shall NOT enter into contracts on behalf of LIBAC without the approval of the Board. Any Contract(s) entered into by the President without the consent and approval of the Board, shall not be binding on LIBAC.

**2:5** The President shall create and appoint members to Ad Hoc committees with specific terms of reference and duration. The functions and responsibilities of Ad Hoc Committees shall not conflict with that of the Standing Committees. Ad Hoc Committees shall be created at the discretion of the President. The creation of and appointment of members to Ad Hoc Committees shall not require the consent and approval of the Board.

**2:6** The President shall appoint the chairpersons and members of Standing Committees and Autonomous Commissions, the Assistant General Secretary, the Assistant Financial Secretary, the Assistant Treasurer, the Assistant Parliamentarian, and the Assistant Chaplain. All of these appointments shall require Board approval.

**2:7** The President shall submit an Annual Operating Budget to the Board within sixty (60) days upon his/her election into office detailing the sources of revenues and expenditures and the appropriation of funds for projects and programs to be approved.

**2:8** The President shall submit the Supplemental Budget to the Board for Emergency Projects and shall provide an explanation as to the nature of the emergency, the benefits to LIBAC, and how success will be measured.

**2:9** Proposed changes in the amount of Dues and/or Fee shall be recommended to the Board by the President upon recommendation from the Ways and Means Committee.

**2:10** The President shall submit a written bi-yearly report to the General Assembly on the State of LIBAC. The bi-yearly report shall include an internal audited financial report highlighting the financial position of LIBAC. Within ninety (90) days after the close of the fiscal year, the President shall forward an external Audited Financial Report to the Board for consideration.

**2:11** The President shall cite the Executive Leadership and the Board to a special session to discuss critical issues impacting the interest of LIBAC and shall at the time of the citation provide written information about the issues to be considered and discussed. The member of the executive leadership shall preside over the special session.

**2:12** The president shall be one of the three signatories to the LIBAC bank accounts and shall approve all vouchers for the disbursement of funds.

**2:13** The president shall serve as the chief spokesperson for the Association and shall approve all communications of the Association before it is published.

**2:14** The president of the Association shall be an ex-officio member of the Board, shall attend all Board meetings, and shall have no voting rights.

### ***Section 3: THE VICE PRESIDENT***

**3:1** The Vice President shall be the principal deputy to the President and shall act in the absence of the President;

**3:2** shall carry out duties assigned by the President;

**3:3** shall serve as Ex-Officio on all Standing and Ad Hoc Committees;

**3:4** shall report to the President.

**3:5** shall meet the same eligibility requirements for office as the Vice President and shall be elected during general elections for a term of three (3) years and may seek reelection; however, he/she shall not serve for more than two (2) consecutive terms;

### ***Section 4: THE GENERAL SECRETARY***

**4:1** The General Secretary shall be the chief custodian of all documents, minutes, proceedings and records of LIBAC;

**4:2** He/she shall head the secretariat, be responsible for all correspondence, prepare all minutes of the general assembly and other meetings of LIBAC and shall disseminate same to all LIBAC members;

4:3 shall report to the President and shall assist with responding to correspondences, announcing meetings and carrying out other duties as assigned by the President.

4:4 shall report to the President

4:5 The General Secretary shall be elected during the general elections for a term of three (3) years and can seek reelection; however, he/she shall not serve for more than two (2) consecutive terms.

### **Section 5: THE TREASURER**

5:1 The Treasurer shall serve as the chief custodian of all financial records, funds, financial assets, and instruments of LIBAC;

5:2 shall receive all LIBAC funds from the Financial Secretary and ensure funds are deposited within the specific timeframe provided by this Constitution;

5:3 shall exercise responsibility for safeguarding the financial and other assets of the Association;

5:4 shall provide quarterly and annual financial reports to the President; Coordinate with the Financial Secretary to prepare timely, meaningful, and accurate financial statements.

5:5 He /she shall Compile and keep records of all financial transactions and advise the Administration on the anticipated financial needs of LIBAC;

5:6 shall serve as a member of the Ways and Means Committee and shall report to the President;

5:7 shall report to the President

5:8 shall meet the same eligibility requirements for office as the and shall be Treasurer elected during general elections for a term of three (3) years and may seek reelection; however, he/she shall not serve for more than two (2) consecutive terms;

### **Section 6: THE FINANCIAL SECRETARY**

6:1 The Financial Secretary shall serve as financial consultant of the Association; he/she shall collect, receive and receipt all funds, dues, donations, contributions, fees, grants, and payments for LIBAC and shall deliver same to the treasurer; he/she shall develop and maintain the Association's financial management system;

6:2 shall keep the financial records of LIBAC and shall collaborate with the treasurer to reconcile the financial records;

6:3 the Financial Secretary in collaboration with the treasurer shall submit a monthly financial statements and reports on the Association's financial status; they shall develop plans for the investments, disbursements and collections of the Association's funds;

6:4 the Financial Secretary shall serve as a member of the Ways and Means, Planning, and Program Committee.

6:5 He/she shall report to the President and shall be elected during the General Elections for a term of two (3) years and can seek reelection; however, he/she shall not serve for more than two (2) consecutive terms.

### **Section 7: THE CHAPLAIN**

7:1 The Chaplain shall provide guidance and leadership to LIBAC on religious and spiritual matters;

7:2 shall lead worship and other religious activities;

7:3 shall open and close all meetings of the Association with a prayer;

7:4 shall report to the President;

7:5 shall be elected for a term of three (3) years during the general elections and can seek reelection; however, he/she shall not serve for more than two (2) consecutive terms.

### **Section 8: THE PARLIAMENTARIAN**

**8:1** The Parliamentarian shall establish rules of parliamentary procedures during the general assembly;

**8:2** shall call the Assembly to order and establish perfect decorum;

**8:3** shall address all questions regarding parliamentary procedures and shall impose fines on members for disruption; however, fines are not to exceed five dollars (\$5.00) for the first offense and ten dollars (\$10.00) for each subsequent offense; continuous disruption of the meeting or refusal to pay the imposed fines shall be grounds for the removal of the member(s) from the meeting;

**8:4** shall report to the President; shall be elected for a term of three (3) years and can seek re-election; however, s/he shall not serve for more than two (2) consecutive terms.

## **ARTICLE XII - THE CONSTITUTION & GRIEVANCE COUNCIL**

The Constitution & Grievance Council shall comprise of five (5) members duly elected during the General Elections for a term of three (3) years and can be reelected, but not for more than two consecutive terms.

**1:1** Members of the Council shall reside in the Charlotte Metropolitan Area of North Carolina

**1:2** The Constitution & Grievance Council shall interpret the Constitution and shall adjudicate all Constitutional Issues, Grievances, and Disputes.

**1:3** The Council shall be an independent body whose work shall be reviewed and supervised by the General Assembly.

**1:4** The Administration or the Board shall not interfere with the duties and responsibilities of the Constitution & Grievance Council.

**1:5** It shall advise the Board, the President, and the General Assembly on Constitutional issues.

**1:6** It shall resolve all election irregularities, grievances, and disputes not satisfactorily resolved by the Election Commission. All allegations shall be in writing and shall state the specific issue(s) and reason(s) for the perceived violation.

**1:7** If a complaint about an impending election is being heard by the Constitution & Grievance Council, the elections shall NOT be held until a decision is reached by the Constitution & Grievance Council.

**1:8** Also, if a complaint arises out of an election that has already been held, NO officers elected in the disputed elections shall be installed or take office until a decision is reached by the Constitution & Grievance Council.

**1:9** Appeals of the decision(s) of the Constitution & Grievance Council shall be made in writing to the General Assembly. All appeals shall state in writing why the parties or party disagrees with the decision of the Constitution & Grievance Council.

**1:10** The General Assembly shall also seek from the Constitution & Grievance Council reasons why it made the decision.

### **ARTICLE XIII: AMENDMENT & RATIFICATION**

**1:1** This Constitution & By-Laws shall be amended by a two-thirds majority of the registered members in GOOD STANDING with the Association, voting affirmatively on the proposed amendment (s) at the General Assembly or at a special session of the Assembly called for that purpose.

**1:2** The proposed amendment(s) shall be accompanied by reason(s) why the amendments are necessary and shall be circulated to the Membership of the LIBAC prior to the General Assembly.

**1:3** All proposed amendments shall be in written form and presented by the author(s) of said proposals.

**1:4** Proposed amendments to this Constitution shall be submitted to the President at least thirty (30) days prior to the published date of the next General Assembly;

**1:5** the amendment(s) shall be published and circulated by the General Secretary to all

active members and organizations of the Association at least thirty (30) days before a referendum is held on the said amendment(s).

**1:6** This revised constitution shall come into effect upon ratification by a two-thirds majority of registered Members in GOOD STANDING with the Association at an Assembly.

**1:7** The Constitution of the Association as drafted in 1998, used by the General Assembly but was never adopted along with all succeeding proposed amendments to this document is hereby abrogated. Notwithstanding all provisions of the drafted 1998 Constitution that are consistent with this Constitution shall be deemed lawful and in effect.

## **Article XIV: By-Laws**

### **Section 1: COMMITTEES**

LIBAC shall consist of five (5) Standing Committees. The five Standing committees shall be the Membership Committee, the Planning and Program Committee, the Ways and Means Committee, the Public Relations Committee, and the Information Technology Committee.

#### **Section 1a: THE MEMBERSHIP COMMITTEE**

**1:1** The Membership Committee shall comprise five (5) members, who report to, are appointed by, and serve at the pleasure of the President;

**1:2** it shall establish clear criteria and strict guidelines for categorizing members' intake and providing assistance to members; these guidelines shall be forwarded to the President who shall present same to the Board for approval;

**1:3** it shall develop programs to cater to the needs of LIBAC;

**1:4** it shall undertake social services programs that provide assistance to members in times of bereavement, sickness, and disasters within and out of our community;

**1:5** it shall recommend appropriate responses on behalf of the Association for individual(s) or collective emergencies of affliction upon the directive of the Administration;

**1:6** also, it shall be responsible for acknowledging and observing events such as graduations, birthdays, weddings, etc.

**1:7** The Membership Committee shall collaborate with the Planning and Program Committee to plan social events for the Association.

**1:8** there shall be a Benevolence Committee which shall be a subset of the Membership Committee. Members shall similarly serve at the will and pleasure of the president.

#### **Section 2a: THE PLANNING & PROGRAM COMMITTEE**

**2:1** The Planning & Program Committee shall comprise five (5) members, who report to, are appointed by, and serve at the pleasure of the President;

**2:2** it shall serve as the official planning unit of LIBAC;

**2:3** it shall provide leadership in planning and implementation of all programs and projects of LIBAC;

**2:4** it shall research, design, and implement development projects in education, health care, and economic empowerment as approved by the Assembly.

**2:5** There shall be a Social Committee which will be a subset of the Planning and Program Committee.

**2:6** The Social Committee shall, (list the role and responsibilities here).k

**Section 3a: THE WAYS & MEANS COMMITTEE**

**3:1** The Ways and Means Committee shall comprise five (5) members, who report to, are appointed by, and serve at the pleasure of the President;

**3:2** it shall serve as the official fund-raising unit of LIBAC;

**3:3** it shall develop short and long range financial and investment plans;

**3:4** it shall review applications for grants, the amount of dues and fees in determining the financial needs of LIBAC and report its findings to the President.

**Section 4a: THE PUBLIC RELATIONS COMMITTEE**

**4:1** The Public Relations Committee shall comprise five (5) members, who report to, are appointed by, and serve at the pleasure of the President;

**4:2** it shall develop and disseminate information and educational materials that promote and market LIBAC;

**4:3** it shall create awareness among and encourage the participation of all registered members of LIBAC.

**Section 5a: THE INFORMATION TECHNOLOGY COMMITTEE**

**5:3** The Information Technology Committee shall comprise three (3) members, who report to, are appointed by, and serve at the pleasure of the President;

**5:1** it shall be responsible for the development and maintenance of LIBAC website, [www.libac.org](http://www.libac.org).

**5:2** the committee shall work in collaboration with the Public Relations Committee and President.

**Section 6a: AUTONOMOUS COMMISSIONS**

LIBAC shall consist of two (2) Autonomous Commissions. The two (2) Autonomous Commissions shall be the Elections Commission and the Audit Commission

**Section 6a: THE ELECTION COMMISSION**

A:1 It shall comprise five (5) members – the Chairperson, Vice Chairperson, Secretary, and two other members - all nominated by the President, confirmed by the Board and

serve a term of three (3) years;

A: 2 it shall be responsible for conducting the elections of Officers, Board Members, and Members of the Constitution & Grievance Council;

A: 3 it shall be responsible for conducting Special Elections as they arise;

A: 4 the Election Commission shall report to the Board;

A: 5 it shall develop rules, guidelines, and procedures for the conduct of elections and submit these election rules, guidelines, and procedures to the Board for approval.

A: 6 The Election Commission shall be independent and free from the interference and influence of the Board and Administration in the discharge and execution of its responsibilities. However, it shall be monitored by the Board to ensure compliance with the Constitution and approved election guidelines.

### **Section 6b: THE AUDIT COMMISSION**

B:1 The Audit Committee shall comprise three (3) members, all nominated by the President and confirmed by the Board and shall serve a term of two (2) years; the Audit Commission shall report to the Board.

B: 2 it shall conduct quarterly and Annual Financial and System Audits of the Administration;

B: 3 it shall provide quarterly and Annual Audited Financial Statements and Reports to the President and Board;

B: 4 it shall provide Annual Audited Financial Statements and Reports to the general Assembly; the Board, or the President shall direct the Audit Commission to conduct Special audits of Regular Member(s) and/or Officers entrusted with LIBAC Funds;

B: 5 it shall be authorized by the General Assembly to audit the Board;

B: 6 it shall be directed by Board or General Assembly to conduct special audits of the Administration;

B: 7 it shall be independent and not interfered with by the Board or Executive Leadership in the execution of its responsibilities.

### **Section 7: AD HOC COMMITTEES**

**7:1** The President shall create and appoint members to Ad Hoc Committees to perform specific duties and functions

**7:2** the President shall state in clear and concise terms of reference the mandate of the committees, and the time frame within which goals shall be attained;

**7:3** the Ad Hoc Committee shall be created at the discretion of the President and its terms of reference shall not conflict with the responsibilities of Standing Committees or that of any other responsibilities herein ascribed;

**7:4** the creation of and appointment of members to Ad Hoc Committees shall not require the consent and approval of the Board. The Ad Hoc committees shall report to the President ONLY.

## **SECTION 8: FINANCIAL POLICY**

**8:1** The Financial Management Practices and Procedures shall constitute practices and procedures consistent with generally accepted accounting principles and sound financial management;

**8:2** LIBAC shall maintain accounts at a national federally insured banking and financial institution approved by the Board; LIBAC accounts shall not be closed or funds transferred or withdrawn without the approval of the Board;

**8:3** the accounts shall not be closed, funds transferred, or withdrawn without the approval of the Board;

**8:4** LIBAC funds shall be deposited in the association's account(s) within twenty-four (24) hours of receipt or the next business day;

**8:5** all funds including Dues, Fees, Fines, Donations, Grants, Contributions, or any other Funds received by any member shall be documented and turnover to the Financial Secretary who shall turnover same to the Treasurer for deposit;

**8:6** all LIBAC financial records shall be made available to both the Financial Secretary and the Treasurer;

**8:7** the President shall be the Principal signatory to all LIBAC's accounts;

**8:8** the Treasurer and the Financial Secretary shall be signatories to LIBAC accounts;

**8:9** all withdrawal from LIBAC's account shall require the signatures of the President and that of either the Treasurer or the Financial Secretary;

**8:10** the Financial Secretary and the Treasurer shall be made aware of all withdrawals and financial transactions;

**8:11** funds allocated in the approved Annual Budget or Supplemental Budget shall not require additional Board approval for disbursements and expenditures to be made.

## **SECTION: 9 FUNDING**

**9:1** LIBAC shall generate funds from fund-raising activities, dues, fines, donations, contributions, grants, etc. The President shall recommend to the Board for approval fund-raising activities, request for grants and contributions, and funding programs of any kind;

**9:2** The Board shall also develop fund-raising projects and collaborate with the

Administration in fund-raising for LIBAC. Donations and contributions from Honorary and Affiliate Members shall be encouraged and acknowledged; however, the Board shall be made aware of the request and receipt of funds.

## **Section 10: ELECTIONS**

**10:1** Elections of Officers including the Board, the Administration, and the Constitution and Grievance Council shall be conducted by the Elections Commission based on the guidelines, rules, and procedures adopted by the Elections Commission and approved by the Board. All election guidelines, rules, and procedures shall be in agreement with this Constitution;

**10:2** the Election Commission adopts the electoral process and shall have such process explained to the executive and at a general meeting of the Association;

**10:3** no member(s) or organization of the Association shall stop, impede, suspend, postpone or cancel the General Elections of the Association, EXCEPT through the Constitution and Grievance Council;

**10:4** the election of Executives of LIBAC shall be held every three (3) years. The election shall be held no later than October of the election year;

**10:5** elections shall only be nullified for gross violations of the Constitution;

**10:6** all election complaints shall be decided by the Elections Commission, EXCEPT complaints made against the entire Elections Commission;

**10:7** the Board shall hear the complaints against the Elections Commission. Elections complaints brought before the Board shall be decided by a simple majority vote, except in the case of the nullification of an election which shall require a resolution signed by a Two-Third Majority vote of the Board.

**10:8** LIBAC voting system shall be a straight-ticket election process.

## **Section 11: VOTING**

**11:1** Only regular and special members, except minors who meet the requirements of Article VI Section 1 can vote in any election of the Association;

**11:2** each member must possess a valid North Carolina Driver's License or state-issued Non-Driver License as proof of residence; any person not possessing a valid North Carolina Driver's License or state-issued Non-Driver License, should provide a valid passport or other forms of ID along with a valid or current utility bill showing the voter current address.

**11:3** Members under eighteen years of age are not allowed to vote in any election of the Association;

**11:4** all voting will be exercised by means of secret ballots.

**11:4** LIBAC voting system shall be a straight-ticket elections process.

## **Section 12: QUALIFICATIONS TO HOLD ELECTED POSITIONS**

**12:1** Elections of Officers including the Board, the Administration, and the Constitution and Grievance Council shall be conducted by the Elections Commission based on the guidelines, rules, and procedures adopted by the Elections Commission and approved by the Board;

**12:2** all election guidelines, rules, and procedures shall be in agreement with this Constitution.

**12:3** Any Member of LIBAC contesting elected position shall be a legal resident of the Charlotte Metropolitan Area, North Carolina for one (1) year;

**12:4** ONLY Liberians who are citizens by birth or naturalization and their descendants who are legal residents of the United States shall seek elected position;

**12:5** each candidate MUST be at least twenty-one (21) years of age or older.

**12:6** Each candidate MUST possess a minimum of an Associate Degree or its equivalent from an accredited institution, relevant working or business experience.

**12:7** candidates for the positions of President or Vice President MUST possess organizational leadership experience or its equivalent;

**12:8** each candidate MUST be in GOOD STANDING with the Association;

**12:9** candidate for the position of General Secretary along with the above qualifications MUST have some secretarial skills;

**12:10** candidate for the position of Treasurer in addition to the above qualifications MUST possess basic Accounting Knowledge;

**12:11** candidate for the position of Financial Secretary in addition to the above qualifications MUST possess Basic Knowledge of day-to-day transactions and entry of financial data;

**12:12** candidates for the position of Chaplain MUST be of good moral character and capable of providing spiritual guidance for the organization.

**12:13** Additionally, candidates must have been prior due paying members in good standing and actively involved in a core committee for at least ninety (90) days.

**12:14** *No candidate shall contest for more than one (1) elected position/office simultaneously.*

## **Section 13: TRANSITION**

**13:1** The outgoing Administration shall immediately after the induction of the New Administration turnover to the New Administration all LIBAC's Financial Documents, Bank Accounts, Financial Instruments, and all other documents in possession of the outgoing administration;

**13:2** in cases where legal documents, i.e., Signatories to Bank Accounts, Financial Instruments, etc. are required, both sides shall then reach an agreement on the HOW, WHEN, and WHERE the turnover shall take place;

**13:3** notwithstanding, the turnover of these documents shall be completed within ten (10) business days from the date of induction of the New Administration. The turnover process shall be supervised by the Board to ensure a smooth and transparent transition;

**13:4** anyone in possession of LIBAC's documents shall turn over these documents to the New Administration through the President.

**13:5** Board Documents shall be turned over to the new leadership of the Board.

#### **Section 14: OATH OF OFFICE**

Executive Leadership of LIBAC shall take an oath of public trust:

"I, \_\_\_\_\_, do solemnly swear that I will support, uphold, protect and defend the constitution and by-laws of the Liberian Community Association of Charlotte Metropolitan and that I will faithfully discharge the duties and responsibilities of the office of \_\_\_\_\_ to the best of my ability, so help me God."

#### **Section 15: SUCCESSIONS**

**15:1** In case of removal of the President from office because of impeachment, death, resignation, or inability to discharge the functions, duties, and responsibilities of said office, the Vice President shall become the President and serve the unexpired term of the President; he or she may be elected into such office at the next General Elections;

**15:2** Whenever vacancies are created in the offices of the President and Vice President due to impeachment, death, resignation, or inability to perform the functions, duties, and responsibilities of their offices, the Board in consultation with the Constitution & Grievances Council shall appoint the Secretary-General to act as President, who shall within fifteen (15) days nominate a member of LIBAC to the Board to be confirmed as the Acting Vice President; they shall both serve the unexpired terms of the President and the Vice President. These officers may be elected into such offices at the next General Assembly;

**15:3** Whenever a vacancy is created in the office of the Vice President, the Board shall appoint the General Secretary to act as the Vice President. If the General Secretary is legally incapable or otherwise unable to serve as Vice President, the responsibility shall devolve on the Treasury. The Financial Secretary shall be next in line of succession;

**15:4** in case of removal from office due to impeachment, death, resignation, or inability to discharge the functions, duties, and responsibilities as the Treasurer, the General Secretary, the Financial Secretary, the Parliamentarian, Chaplain, or member(s) of the Constitution or Grievance Council, the President in consultation with the Constitution or Grievance Council, shall nominate to the Board for approval regular member(s) of LIBAC to fill the vacated position(s).

## **Section 16: QUORUM**

Two-third (2/3) of attendees present MUST be registered members at the start of a scheduled General Assembly to constitute a quorum; simple majority of members present at the start of a scheduled Board Meeting, Administration Meeting, Joint Meeting of the Board and Constitution & Grievances Council, Committee Meeting, Autonomous Commission Meeting, or the Constitution & Grievance Council Meeting shall constitute a quorum for the conduct of business.

## **Section 17: IMPEACHMENT**

**17:1** Gross violation code will and wanton disregard for this Constitution shall be considered impeachable offense; misappropriation of the LIBAC's funds or resources, abuse of power, misfeasance and malfeasance, felony conviction, and conduct detrimental to the vital interest of LIBAC shall constitute grounds for impeachment;

**17:2** all cases of impeachment shall originate with the signing of a Bill of Impeachment by a two-third majority of members of the Board; Members in GOOD STANDING shall have the right to petition the Board to commence impeachment proceedings against any elected officer(s); however, the petition shall be signed by fifty (50%) percent of the registered membership in GOOD STANDING and submitted to the Chairperson of the Board, a special session of the Board shall convene to hear the petition within thirty (30) days of the petition date; if the petition is against the member(s) of the Board, the Board shall forward the petition to the Constitution & Grievance Council where the impeachment proceedings shall take place; officer(s) brought up for impeachment shall be allowed Due Process of Law.

**17:3** No elected National Officer shall be impeached and removed from office except by a two-third (2/3) majority vote of members in GOOD STANDING at the General

Assembly. A special session of the General Assembly may be called by the Board or Constitution & Grievance Council to consider the impeachment and removal from office of elected officer(s);

**17:4** the Association shall pursue legal actions against member(s) who are impeached and removed from office for misappropriation of the LIBAC's funds.

## **Section 18: COMPORTMENT OF OFFICERS & MEMBERS**

### **1. OFFICERS**

**1:1** Officers of LIBAC shall serve with the highest standard of moral decency, efficiency, competence, and integrity;

**1:2** Officers shall refrain from action(s) that may bring embarrassment or disrepute to LIBAC;

**1:3** Officers shall exercise patience, maturity, tolerance, discipline, composure, and respect for one another at all times, including the discharge of official duties and responsibilities.

2. General Comportment:

2:1 Members shall develop and display a high sense of Duty, Maturity, Tolerance, Discipline, and respect for one another at all times. Disruption of the meeting shall be grounds for punishment and may lead to removal from the meeting.

**Section 19: FIDUCIARY MATTERS**

19:1 As a not-for-profit organization formed under the non-profit corporation laws of the State of North Carolina, and operating under the nonprofit corporation laws, rules and regulations of the United States of America:

19:2 This Association shall not carry on any activities not permitted to be carried out by a corporation exempt from Federal income tax under 501 (C) (3) of the Internal Revenue Code of 1954, as amended or corresponding provision of any future U.S. Internal Revenue Law;

19:3 or contribute to a corporation, whose contributions are deductible under 179 (C) (2) of the Internal Revenue Code of 1954, as amended or corresponding provision of any future U.S. Internal Revenue Law.

19:4 LIBAC shall refrain from any and all external political activities and discussions prior to and during meetings.

## **GLOSSARY**

**Benefits-** to receive help or an advantage.

**Binding-** The definition of binding is something that limits or holds someone to an agreement.

**Federal laws -** the United States Federal laws guiding the activities of a nonprofit public organization and their subsequent amendments.

**Charter Fee -** the fee paid to become a Member Organization of the Association.

**Member Due -** the yearly fee paid by Member is a partial requirement for active membership.

**Good Standing -** Member and Organizations who paid all annual dues/fees; settled any outstanding debts, and carried out their obligations to LIBAC in accordance with this Constitution.

**Member Organizations –,** organizations/institutions that have been chartered as a member of the Association and have paid the required charter fee.

**Liberia -** the Republic of Liberia.

**Liberian -** any person, who is a citizen of Liberia by birth, marriage, or naturalization, Liberian Descendant - one who has Liberian lineage.

**Fiscal Year -** a period of twelve (12) calendar months from the date of the General Election.

**Due Process of Law -** ensures that one who is accused has the right to confront his accusers, present evidence and witnesses in his own defense, and shall not be coerced to provide self-incriminating evidence.

**Fiduciary -** A person legally appointed and authorized to hold assets in trust for another. **Comportment -** The way or manner in which one conducts oneself.

**Impeachment -** A process that is used to charge, try, and remove public officials for misconduct while in office.

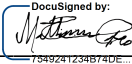

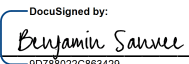

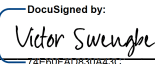
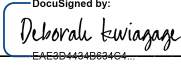
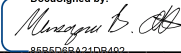
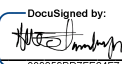
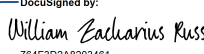
**Malfeasance-** Wrongdoing, especially by a public official.

**Misfeasance** is the willful inappropriate action or intentional incorrect action or advice.

**Successions -** is the act or process of following in order or sequence.

DRAFTED THIS 27<sup>th</sup> DAY OF NOVEMBER, A.D. 2022, IN THE CITY OF CHARLOTTE, STATE OF NORTH CAROLINA, UNITED STATES OF AMERICA

The Constitution Review & Amendment Committee

1. Reverend Methuselah Dixon, Chairperson   
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Methuselah Dixon  
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2. Ms. Precious Gibson, Co-Chairperson   
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Precious Gibson  
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3. Mr. Benjamin Sanvee, Secretary   
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4. Mrs. Meatta Dubar, Member   
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5. Mr. Victor Swengbe, Member   
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6. Mrs. Deborah Kwiagage, Member   
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7. Ms. Marsaynee Attia, Member   
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8. Mr. Octavius Obey, Member   
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9. Mr. Zacharius Russ, Member   
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