

# Amended Articles of Incorporation of Ester Volunteer Fire Department

We, the undersigned natural persons of the age of 19 years or more, desiring to form a nonprofit corporation pursuant to the Laws of the State of Alaska, do hereby make, subscribe and adopt the following Articles of Incorporation.

## ARTICLE I

The name of the nonprofit corporation is ESTER VOLUNTEER FIRE DEPARTMENT.

## ARTICLE II

The duration of the Corporation shall be perpetual.

## ARTICLE III

The purposes for which the Corporation is organized are as follows:

- A. To preserve and protect lives and property from loss or damage by fire or other emergency such as ordinarily falls within the responsibility of an organized fire department, and to acquire and own fire apparatus for use by the Corporation for these purposes; and
- B. To own and acquire land and to construct, erect, and maintain buildings and units for the corporate purposes and for the use and efforts of the members of the Corporation in connection with the support of fire suppression and emergency response in our district and for the providing of places of meeting for the members of the Community; and
- C. To promote fire safety including educational programs not only for the members of the Corporation but also for all of the residents of the community; and to have the authority to enter into contracts for services; and
- D. To carry on any activity and to deal with and expend any such property or income therefrom for any of the foregoing purposes without limitation, except such limitations, if any, as may be contained in the instrument under which such property is received, the Certificate of Incorporation, the Bylaws of the Certificate of Incorporation, or any other limitations as are prescribed by law, provided that no such activity shall be such as is not permitted by a corporation exempt from federal Income Tax under Section 501(c) (3) of the Internal Revenue Code of 1954 or any corresponding future provisions of the Revenue Code, and that the Corporation shall not attempt to influence legislation by propaganda or otherwise, nor shall it intervene in, or participate in, any political campaign on behalf of any candidate for public office, and provided further that no part of the net earnings of this corporation shall inure to the benefit of any member or private individual and no member, director, or officer of the Corporation shall receive pecuniary benefit from the Corporation, except such reasonable compensation as may be allowed for services actually rendered to the Corporation; and
- E. This Corporation is organized exclusively for religious, charitable, scientific, literary, or educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code.

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## **ARTICLE IV**

The Corporation shall have and may exercise any and all powers, not inconsistent with the provisions of these Articles of Incorporation, which a nonprofit corporation lawfully may exercise under the laws of the State of Alaska.

## **ARTICLE V**

The General Membership will consist of the following classes of members:

- A. Regular members- The membership of EVFD will consist of property owners and renters, 18 years or older, in the Ester Fire Service Area. Paid employees are not eligible for "Regular" membership.
- B. Active Volunteer Members- Any person without regard to place of residence may be a volunteer with EVFD. The minimum extent of participation necessary to maintain Active Volunteer membership shall be defined in the Operating Procedure Manual which is approved by the Fire Chief.
- C. Honorary members- Honorary membership may be bestowed by a vote of the Board of Directors. An honorary member has all the rights and privileges of a regular member.
- D. Voting membership- The Voting Membership will consist of those eligible for General Membership present at the annual meeting. No proxies will be accepted.

## **ARTICLE VI**

Upon the dissolution or other termination of the Corporation, no part of the property of the Corporation or any of the proceeds shall be distributed to or inured to the benefit of any of the members of the Corporation. After paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to a non-profit fund, foundation or corporation which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

## **ARTICLE VII**

The address of the initial registered office of the Corporation is P.O. Box 208, Ester Alaska 99725, and the name of its initial registered agent at such address is David C. Dowler. (Current address is PO Box 229, Ester Alaska 99725)

## **ARTICLE VIII**

The number of directors constituting the initial Board of Directors is seven (7), each of whom shall hold office for a term of one (1) year or until his successor is elected and qualified, and the names and addresses of the persons who will serve as the initial Board of Directors are as follows:

Amended  
Articles of Incorporation  
of Ester Volunteer Fire Department

Name	Address
David Barker	Ester, Alaska
Paul E. Bartlett	Ester, Alaska
Donald B. Cameron	Ester, Alaska
Robert A. Grove	Ester, Alaska
Michael L. Musick	Ester, Alaska
Michael L. Tinker	Ester, Alaska
Kathleen W. Sisson	Ester, Alaska

**ARTICLE IX**

The names and addresses of the incorporators are as follows:

Name	Address
David Barker	Ester, Alaska
Robert A. Grove	Ester, Alaska
Michael L. Musick	Ester, Alaska
Michael L. Tinker	Ester, Alaska
Kathleen W. Sisson	Ester, Alaska

**ARTICLE X**

Except as otherwise specifically provided in these Articles, the internal affairs of the Corporation shall be governed by Bylaws to be adopted by the Members. The power to alter, amend or repeal the Bylaws is reserved to the Members.

**ARTICLE XI**

The provisions of these Articles of Incorporation may be amended, altered or repealed from time to time in the manner and to the extent permitted by the Laws of the State of Alaska.