

Oct. 20, 1999

EXEMPT ORGANIZATIONS SECTION
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO, CA 942857

Dear Sirs,

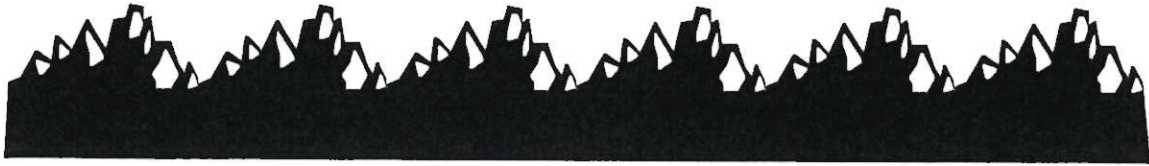
Attached to this letter is copy of the paperwork that was sent to you this past May. We have been waiting to heard from you and at this time I am a bit concerned. There may be a problem or perhaps the paperwork has been misplaced, either way please know you have all of the previously sent papers attached for your review.

Should you need anything to help with this process please feel free to call me directly. I realize you have many papers to process but if I can be of any help to move this request along please don't hesitate to ask!

I look forward to hearing from you very soon!

Sincerely,

WANDA MERTENS
FSCNC REPRESENTATIVE



FIRE SAFE COUNCIL

FSC OF NEVADA COUNTY
PO BOX 1477
Nevada City, Ca 95959

Telephone 530-470-9193
Fax 530-265-0530

Dear Sirs,

We are requesting tax exemption for our group. Attached you will find the following papers:

1. Application
2. Proposed Budget
3. Copy of our Articles of Incorporation
4. Copy of our Mission Statement
5. Copy of our by-laws
6. Sample of flyer we have already created
7. Letter explaining proposed methods of funding for our group
8. Statement explaining programs and activities planned
9. Payment of \$25.00 for this process

If you require any additional information please feel free to call me directly!

Sincerely,

WANDA MERTENS
FSCNC Representative
530-265-0621 Wk #

Exemption Application

Every organization filing an application for exemption from California corporation franchise or income tax must furnish the information and data specified and pay the required \$25 application fee. If the organization fails to comply with these requirements, the application will be denied. California Revenue and Taxation Code (R&TC) Section 19565 provides that this application, together with any supporting documents, shall be open to public inspection if the exemption is granted. Upon the organization's request, public disclosure of such documents may be withheld if the disclosure would adversely affect the organization or national defense.

Name of organization as shown in your organization's articles or declaration of trust <u>FIRE SAFE COUNCIL OF NEVADA COUNTY INC.</u>		Federal employer identification number (FEIN) <u>94-3317612</u>
Address (number and street) <u>P.O. BOX 1477</u>		Daytime telephone number <u>530-265-0621</u>
City, Town, or Post Office <u>NEVADA CITY, CA. 95959</u>	State <u>CA.</u>	ZIP Code <u>95959</u>
Name of representative to be contacted regarding additional requirements or information <u>WANDA MERTENS</u>		Daytime telephone number
Representative's mailing address <u>SAME AS ABOVE</u>		
City, Town, or Post Office	State	ZIP Code

ALL applicants must complete item 1 through item 6 and furnish the information requested on Sides 2 through 6 as applicable.

1 a Enter the California R&TC Section under which exemption is claimed. See General Information C 23701d
 b Primary activity of organization: EDUCATIONAL ACTIVITIES

2 a What is the form of the organization? Incorporated Currently being incorporated Unincorporated association Trust
 Date organized 1-14-99
 b If incorporated, furnish the following information:
 (1) Date incorporated 1-14-99 (3) Date qualified in California 1-14-99
 (2) If incorporated in another state, identify the state _____ (4) California corporation number _____

3 a Has this organization or its predecessor(s) previously applied for exemption? Yes No
 b If "yes," check the appropriate box(es) below and enter either "Granted" or "Denied." Also enter the date the exemption was "Granted" or "Denied" after the box(es) checked:
 California _____ Date _____ Federal _____ Date _____ Other State _____ Date _____
 c Enter the number under which the organization previously filed with the Franchise Tax Board (FTB) _____
Furnish copies of any determination letters received.

4 a Has the organization filed federal income tax returns? Yes No
 b If "yes," state type of returns and years filed. _____

5 Annual accounting period (must end on last day of the month). _____

6 a Is this a new organization? If "no," attach a statement indicating the name of the predecessor(s), the period during which it was in existence, the reasons for its termination and the number under which it previously filed with the FTB
 b Is this a membership organization? If "yes," attach a statement that fully explains the qualifications for members, the different classes of membership, the number of members in each class and the voting rights and privileges accorded each class.
 c Has the organization made, or are there plans to make, any distribution of its property or surplus to officers or members? If "yes," attach a detailed statement
 d Will any of the incorporators share any facilities with the organization? If "yes," attach a detailed explanation
 e Will any property be rented, purchased or transferred in any way from any of the incorporators? If "yes," attach a detailed explanation
 f Will any promoter, incorporator, founder or member be employed by the organization? If "yes," furnish complete details, including duties, responsibilities, qualifications and compensation
 g Will any member of the board of directors be compensated for services other than services performed as a board member, e.g., officer, and/or employee? If "yes," furnish the name(s) of the director(s), and the amount(s) of compensation for each. Also list the names of the other directors, indicating their blood or marriage relationship, if any, to the compensated director(s)

Yes	No
X	
	X
	X
	X
	X
	X
	X

Be sure to include the \$25 application fee. Make the check or money order payable to the Franchise Tax Board. Do not send cash. Allow 90 calendar days for processing.

Under penalties of perjury, I declare that I have examined this application, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete.

5/1/99 Wanda Mertens Comm Chair
 DATE SIGNATURE OF OFFICER OR REPRESENTATIVE TITLE

7 TO ENSURE THAT THE FTB WILL PROCESS YOUR EXEMPTION APPLICATION, ATTACH THE FOLLOWING INFORMATION TO YOUR APPLICATION.

- a A copy of the creating document. The type of document to be submitted depends upon the way in which the organization is (or is being) created. If the organization is:
- A California corporation that is already incorporated, submit a copy of the endorsed articles of incorporation and all subsequent endorsed amendments.
 - A foreign corporation that is already qualified through the SOS in California, submit a copy of the endorsed articles of incorporation and all subsequent endorsed amendments from the state or country in which incorporated.
 - An unincorporated association, submit either: a copy of the constitution; articles of association; bylaws or other document that contains the language required as shown in the samples on page 6 AND which is signed by the board of directors or other governing body.
 - A trust, submit a copy of the trust document and any subsequent modifications to it.

Notes:

1. If the organization is in the process of incorporating in California, follow the instructions under General Information D, 2.
 2. If the organization is in the process of qualifying to do business as a foreign corporation in California, follow the instructions under General Information E, 2.
- b A copy of the bylaws, proposed bylaws or other code of regulations.
- c Financial documents. The documents to be provided depend upon whether the organization has been operating or has not yet started to operate. If the organization has:
1. Been operating, furnish complete statements of receipts and expenditures, assets and liabilities for each accounting period that it has been in existence and **for which exemption is requested** (do not send bank statements or monthly reports). See the Receipts and Expense Statement on Side 6.
 2. Not yet started to operate, furnish a proposed budget showing the sources of income and areas of expenditures for the first year of operation. The budget is required before the FTB will process the application and should be based upon the most reasonable expectations. Refer to the Receipts and Expense Statement on Side 6.
- d A statement describing the specific purposes for which the organization was formed. A general nonprofit purpose statement will not be acceptable.
- e A statement describing in detail the programs and activities that the organization presently conducts or will conduct and how it will accomplish its specific purposes.
- f A statement describing in detail each type or source of funding, each fund-raising activity and each business enterprise the organization has engaged in or plans to engage in either alone or with other parties (accompanied by copies of all agreements, if any, for the conduct of each fund-raising activity or business enterprise).
- g A statement that fully explains any discontinued specific activities that the organization has engaged in or sponsored. Give dates of commencement and termination and the reasons for discontinuance. (Omit if this is a new organization.)
- h A copy of each lease, if any, in which the organization is the lessee or lessor of property (real, personal, gas, oil or mineral), or in which an interest is owned under such lease, together with copies of all agreements with other parties for development of the property.
- i Samples of any literature that the organization sells or distributes and samples of any organizational advertising.

Each item listed below refers to a separate California Revenue and Taxation Code (R&TC) section. Select the appropriate section under which your organization claims exemption and provide the requested information.

- 8 R&TC Section 23701a – Labor, agricultural or horticultural organization:** Submit an explanation of any services to be performed for members. Cooperative organizations applying for exemption under R&TC Section 23701a must submit a copy of the federal exemption letter showing exemption under IRC Section 501(c)(5).
- 9 R&TC Section 23701b – Fraternal beneficiary societies, etc.:**
- a State whether the organization operates, or plans to operate, under the lodge system or for the exclusive benefit of the members of a lodge system. Operating under the lodge system means carrying on activities under a form of organization that comprises local branches (called lodges, chapters or the like) that are largely self-governing and chartered by a parent organization.
 - b If the organization is a subordinate or local lodge, etc., attach a certificate signed by the secretary of the parent organization certifying that the subordinate lodge is a duly constituted body operating under the jurisdiction of the parent body.
 - c If the organization is a parent or grand lodge, attach a statement showing the number of subordinate lodges in active operation and whether periodic meetings are actually held.
 - d Attach a statement describing the types of benefits (life, sick, accident or other benefits) paid, or to be paid, to members.
- 10 R&TC Section 23701c – Cemetery company or corporation chartered solely for burial purposes:**
- a Attach these statements and/or documents:
 - (1) Complete copy of the sales contract or other document involved in the organization's acquisition of cemetery property.
 - (2) Complete copy of any contract designating an agent to sell the cemetery plots.
 - (3) Name(s) of officer(s) and director(s) of your organization from the date of incorporation to the present date, and the period for which each held office.
 - (4) Appraised value of cemetery property as of the date acquired (the appraisal should be obtained from sources other than the parties in interest).
 - b Does the organization have or plan to have a perpetual care fund? Yes No
If "yes," furnish a copy of the federal exemption letter, a copy of the fund agreement and a statement explaining the nature of such fund (cash, securities, unsold land, etc.). Also attach a statement that fully explains the manner in which the fund is or will be administered, the specific purposes for which the fund is to be used and the name(s) of the person(s) administering the fund.
 - c Does the organization operate a crematorium? Yes No

11 R&TC Section 23701d – Religious, charitable, scientific, literary or educational organization: Attach a statement explaining all "yes" answers in item 11a through item 11d.

Yes	No
	X
	X
	X
	X

- a Has the organization received, or does it expect to receive, 10% or more of its assets from any organization or group of affiliated organizations (affiliated through stockholding, common ownership or otherwise), any individual, or members of a family group (brother or sister whether whole or half blood, spouse, ancestor or lineal descendant)?
- b Is the organization now, has it ever been, or does it plan to be engaged in carrying on propaganda, or otherwise advocating or opposing pending or proposed legislation (this includes dissemination of such information to the general public while representing the organization)?
- c Has the organization participated in, or does it plan to participate or intervene in, any political campaign (including the publishing or distributing of statements) on behalf of, or in opposition to, any candidate for public office?
- d Does the organization hold, or plan to hold, 10% or more of any class of stock or 10% or more of the total combined voting power of stock in any corporation?
- e **If claiming exemption as a church, attach a statement including the information requested in item (1) through item (8) below:**
 - (1) Has a permanent place of worship been established? At what address? Who is the legal owner of this property? Describe the physical characteristics of your church buildings. Explain to what extent these buildings are used for purposes other than religious worship.
 - (2) Does the organization have a regular congregation or conduct religious services on a regular basis? How many usually attend the regular worship services? Attach samples of worship service programs and newspaper announcements of your activities. Where and how often are religious services held?
 - (3) Furnish information regarding the religious background and formal religious training of the religious leaders. Furnish a copy of each religious leader's certificate of ordination.
 - (4) What amount of the annual gross income will be received from incorporators, ministers, officers, directors or their families?
 - (5) What amount of the organization's proposed expenditures will be used for the personal living expenses of the individuals mentioned in item (4) above?
 - (6) How many hours per week will the religious or spiritual leader(s) devote to organizational activities? Will this person(s) engage in employment unrelated to the activities of the organization? If so, indicate the number of hours per week and describe the employment activity.
 - (7) List all the officers, directors, trustees, etc., of the organization and describe their qualifications for such office. Are any of the officers or directors related by blood or marriage? If "yes," explain.
 - (8) Will any founder, member or officer:
 - (a) Take a vow of poverty?
 - (b) Transfer personal assets to this organization, like a home, automobile, furnishings, business or recreational assets, etc., that will be made available for the personal use of the donor(s)?
 - (c) Assign or donate to the organization income that will be used in part or whole to pay the donor(s) as salary, stipend or living allowance (such as food, medical expenses, clothing, insurance, etc.)?

12 R&TC Section 23701e – Business league, chamber of commerce, etc.: Has the organization performed, or does it plan to perform, particular services for members, shareholders or others, such as furnishing credit reports or collection accounts, inspecting products, conducting advertising, purchasing merchandise or other similar undertakings? Yes No If "yes," attach a detailed statement, including income realized and expenses incurred in such activities. If engaged in advertising, attach samples of material.

13 R&TC Section 23701f – Civic leagues, social welfare organizations and local associations of employees:

- a If you are applying as a civic league or social welfare organization, you must attach a statement explaining how you will promote the common good or welfare of an entire community.
- b If you are applying as a local association of employees, attach a statement giving the names and addresses of employers that have employees who are eligible for membership in the association. If an employer has employees (who are eligible for membership) located in more than one plant or office, give the address of each plant or office.

14 R&TC Section 23701g – Social and recreational organization:

Yes	No

- a Has the organization solicited, or does it plan to solicit, public patronage of the facilities by advertisement or otherwise? If "yes," attach sample copies of such advertisements or other solicitations
- b Are nonmembers, other than bona fide guests of members, permitted, or will they be permitted, to use the club facilities or participate in or attend any functions or activities conducted by the organization? If "yes," attach a statement describing the functions or activities in which nonmembers have participated or will participate, or to which they have been or will be admitted. If nonmembers have participated in or have been admitted to any functions or activities, state the amount received from nonmembers. Provide a schedule in the statement detailing the expenses attributable to such nonmembers, the expenses attributable to such functions, and the disposition made of net profits, if any, derived from the functions.
- c Has the organization rented or leased, or does it plan to rent or lease, any part of the club's property to others? If "yes," attach a statement indicating the reason for such action, or proposed action, and the amount received, or to be received. Also attach copies of the rental agreements or leases
- d Has the organization derived or will it derive any income from nonmembers not explained above? If "yes," explain in detail
- e Furnish a statement separating the member and nonmember income for the past three years and a proposed budget separating member and nonmember income for the next period of operation.
- f Enter the total number of club members: _____. If there are different classes of membership, attach a statement explaining the dues and privileges of each class.
- g Provide copies of:
 - (1) House rules;
 - (2) All other documents used in considering or granting memberships, including agreements or contracts, if any; and
 - (3) Copies of corporate resolutions demonstrating adoption of policy or change of policy regarding membership or use of facilities.

15 R&TC Section 23701h – Title holding corporation:

- a Attach a statement giving the complete names and addresses of organizations for which title to property is held, the number of shares of capital stock held and whether shares of stock have ever been held by persons other than such organizations. If stock was so held, include the years held and the total number of shares of each class of stock.

Note: Section 23701h requires turning over net income to a parent organization periodically. Organizations with members, incorporating as a nonprofit corporation under the California Corporations Code, are precluded from exempt status under Section 23701h. Section 5410 and Section 7411 of the California Corporations Code prohibit any distribution to members of nonprofit public benefit corporations or nonprofit mutual benefit corporations unless the organization dissolves.

Organizations seeking exemption under R&TC Section 23701h that have members must incorporate under the for profit provision of the California Corporations Code.

- b State whether the annual income (less expenses) is, or will be, turned over to the organization for which title to property is held. Explain what disposition will be made of income that will not be turned over to the organization.
- c Attach a copy of an exemption letter (federal or California) for each organization for which property will be held. If property will be held for organization(s) located in California, you must furnish a California exemption letter.

16 R&TC Section 23701i – Voluntary employees' beneficiary organization: Furnish a copy of the federal determination letter showing exemption under IRC Section 501(c)(9).

17 R&TC Section 23701l - Fraternal society, etc.:

- a State whether the organization operates, or plans to operate, under the lodge system or for the exclusive benefit of the members of a lodge system. Operating under the lodge system means carrying on activities under a form of organization that comprises local branches (called lodges, chapters or the like) that are largely self-governing and chartered by a parent organization.
- b If the organization is a subordinate or local lodge, etc., attach a certificate signed by the secretary of the parent organization certifying that the subordinate lodge is a duly constituted body operating under the jurisdiction of the parent body.
- c If the organization is a parent or grand lodge, attach a statement showing the number of subordinate lodges in active operation and whether periodic meetings are actually held.

18 R&TC Section 23701n – Supplemental unemployment compensation trust: Attach a copy of the supplemental unemployment benefit plan and pertinent agreements and a copy of the federal determination letter.

19 R&TC Section 23701q – Group legal services plan: Furnish a copy of the federal determination letter showing exemption under IRC Section 501(c)(20).

20 R&TC Section 23701t – Homeowners' association:

- a Furnish a copy of the recorded Declaration of Covenants, Conditions and Restrictions.
- b Will any of the individual units/lots owned by the organization or its members be occupied for other than personal residential purposes?
 Yes No If "yes" provide the following information:
 - (1) What percentage of the units/lots will be used for nonresidential purposes? _____
 - (2) If the organization claims exemption as a condominium management association, enter square footage of all units and square footage devoted to residential purposes. All units _____ Residential _____
 - (3) If the organization claims exemption as a residential real estate management association, enter the local real property zoning for lots within the association. Total number of lots _____ Number of lots zoned residential _____
 - (4) What percentage of the organization's total gross income will be derived from dues, fees or assessments from nonresidential members? _____
- c Will this organization own, maintain or operate a mutual water company, well, electrical generating facility or other utility? Yes No
If "yes," describe in detail and answer these questions:
 - (1) Are the members/shareholders: the actual users of the utility or simply investors?
 - (2) Is this organization furnishing utilities to (check applicable box(es)): residential homes, commercial businesses (including agricultural enterprises)? If both, indicate what percent of this organization's total income will be derived from sale of utilities for nonresidential usage. _____
 - (3) How are members/shareholders assessed for utilities usage? Are they assessed equally or on the basis of square footage/acreage?
 - (4) Are meters utilized to determine charges to members/stockholders? Yes No.
If "yes," provide a detailed breakdown on how rates are determined.
- d Will any of the units/lots be rented by a person, or series of persons, for periods of less than 30 days that, when added together, equal more than half of the association's taxable year? Yes No If "yes," what percentage of the units/lots are rented in this manner? _____
- e What date was the first unit sold, or when will the first unit be available for sale? _____
- f What date did the association become active? _____ Provide details of these activities.

g When were (will) dues first collected? month _____ day _____ year _____

21 R&TC Section 23701u – Public facility financial corporation:

- a Attach samples of all certificates of participation or other securities to be issued.
- b Attach copies of all leases, contracts, trust agreements or other agreements that have been, or will be, entered into by this corporation.

22 R&TC Section 23701v – Mobile home park acquisition association:

- a Are all members of the organization owners of manufactured homes or mobile home tenants of the mobile home park? Yes No
If "no," explain the circumstances under which other individuals can become members of the organization.
- b Describe the mobile home park in which owner/tenant members reside.
- c Are all lots within the park rented or leased to mobile home or manufactured home owners? Yes No If "no," explain.
- d Does the rent paid by each owner include rental for the lot occupied by the mobile home or manufactured home? Yes No If "no," explain.
- e Will the organization carry on activities other than purchasing or preparing to purchase the mobile home park in which members reside? Yes No If "yes," describe in detail the other activities and indicate the percentage of total operations represented by such activities.

23 R&TC Section 23701w – War veteran’s organization:

To be completed by a post or organization of past or present members of the Armed Forces of the United States.

- a What is the total membership of your post or organization? _____
- b How many of your members are present or former members of the Armed Forces of the United States? _____
- c How many members are cadets (include students in college, university or armed services academies)? _____ How many are spouses, widows or widowers of cadets or past or present members of the Armed Forces of the United States? _____
- d Do you have a membership category other than the ones set out above? Yes No If “yes,” please explain in detail and enter the number of members in this category. _____

To be completed by an auxiliary unit or society of a post or organization of past or present members of the Armed Forces of the United States.

- e Are you affiliated with and organized according to the bylaws and regulations formulated by such an exempt post or organization? Yes No
- f How many members do you have? _____
- g How many members are past or present members of the Armed Forces of the United States, or have spouses or persons related to them within two degrees of blood relationship (grandparents, brothers, sisters and grandchildren are the most distant relationships allowable) that are past or present members of the Armed Forces of the United States (enter total)? _____
- h Are all of the members themselves members of a post or organization, past or present members of the Armed Forces of the United States, or spouses of members of such a post or organization, or related to members of such a post or organization within two degrees of blood relationship? Yes No If “no,” explain in detail.

24 R&TC Section 23701x – Title holding organization:

- a Attach a statement giving the complete names and addresses of organizations or trusts for which title to property is being held and the number of shares of capital stock held by each entity.
- b State whether the annual income (less expenses) is, or will be, turned over to the organizations for which title to property is held. Explain what disposition will be made of the income that is not or will not be turned over to the organizations.
- c Furnish a copy of a federal determination letter for each organization or trust for which property is or will be held.
- d For those organizations of trust for which property is or will be held and which do not have a federal determination letter, provide detailed information to show that each shareholder is:
 - (1) A governmental plan described in IRC Section 414(d); or
 - (2) The United States, any state or political subdivision thereof, or any agency or instrumentality of the foregoing.
- e State the total number of stockholders or beneficiaries.
- f Describe in detail each class of stock or beneficial interest.

Note: Section 23701x requires turning over net income to specified parent organizations periodically. Organizations with members incorporating as a nonprofit corporation under the California Corporations Code are precluded from exempt status under that section. Section 5410 and Section 7411 of the California Corporations Code prohibit any distribution to members of nonprofit public benefit corporations or nonprofit mutual benefit corporations unless the organization dissolves.

Organizations seeking exemption under R&TC Section 23701x that have members must incorporate under the for profit provision of the California Corporations Code.

25 R&TC Section 23701z – Self-Insurance pools for charitable organizations:

- a Provide a list of names, California corporation numbers and federal employer identification numbers (FEINs) for all participants in the pool.
- b Describe in detail the activities of each participating corporation.
- c Furnish a copy of the latest federal determination letter showing exemption under IRC Section 501 for each participating corporation.
- d Describe in detail all insurance services to be provided to members of the pool.

JAN 14 1999

ARTICLES OF INCORPORATION

FOR

Bill Jones
BILL JONES, Secretary of State

FIRE SAFE COUNCIL OF NEVADA COUNTY, INC.

A California Nonprofit Public Benefit Corporation

I. NAME

The name of this corporation is Fire Safe Council of Nevada County, Inc.

II. PURPOSE

A. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the California Nonprofit Public Benefit Corporation Law for public purposes.

B. The specific purpose of this corporation is to protect the citizens, property, and natural resources of the County from the effects of catastrophic wildland fires, to improve forest health, and to improve air and water quality. The mission will be accomplished through interagency and neighborhood coordination along with a strong public and private partnership focusing on public education, wildland fuel reduction, and fire hazard reduction and risk reduction.

III. TAX STATUS

A. This corporation is organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States internal revenue law. Notwithstanding any other provision of these Articles, the corporation will not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation, and the corporation will not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States internal revenue law, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code or the corresponding provision of any future United States internal revenue law.

B. No substantial part of the activities of this corporation will consist of carrying on propaganda or otherwise attempting to influence legislation, except as provided in section 501(h) of the Internal Revenue Code, and the corporation will not participate or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.

State of California



Handwritten initials

SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 7 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of



Bill Jones

Secretary of State

BYLAWS
OF
FIRE SAFE COUNCIL OF NEVADA COUNTY
A CALIFORNIA BENEFIT CORPORATION

ARTICLE I. OFFICES

Section 1. Principal Office: The corporation's principal office is fixed and located at the
The Board of Directors (herein called the Board) is granted full power and authority to change said principal office from one location to another. Any such changes shall be noted in the bylaws opposite this section and may be amended to state the new location.

ARTICLE II. MISSION STATEMENT AND OBJECTIVES

Section 1. Mission Statement : The mission of the Fire Safe Council of Nevada County is to protect the citizens, property, and natural resources of the County from the effects of catastrophic wildland fires, to improve forest health, and to improve air and water quality. The mission will be accomplished through interagency and neighborhood coordination along with a strong public and private partnership focusing on public education, wildland fuel reduction, fire hazard reduction and risk reduction.

Section 2. Objectives: The Fire Safe Council of Nevada County shall serve the community by :

1. Promote a healthy forest
2. Improve air and water quality
3. Reduce the potential for fire loss damage
4. Reduce dangerous fuel loads
5. Educate public of fire treat and fire prevention measures
6. Reduce waste stream to landfills
7. Coordinate a county wide Fire Plan with improved cooperation of local fire agencies
8. Improve circulation for evacuation
9. Serve community and neighborhood needs
10. Operate through in-kind donations and financial contributions

ARTICLE III. MEMBERSHIP

Section 1. Members: The Fire Safe Council shall have members from all elements of the community. All members are encouraged to participate and develop this council.

ARTICLE IV. DIRECTORS

Section 1. Powers; Subject to the limitations of the articles and these bylaws, the activities and affairs of this corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the board. The board may delegate management of the activities of the corporation to any person or persons, a management company, or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the board. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the board shall have the following powers enumerated in these bylaws.

- a) To select and remove all the other officers, agents, and employees of the corporation, prescribe powers and duties for them as may not be inconsistent with law, the articles, or these bylaws, and require from them security for faithful service.
- b) To adopt, make and use a corporate seal, and to alter the seal from time to time, as they seem best.

Section 2. Number of Directors: The authorized number of directors shall be no less than 5 and no more the 11 until changed by amendment to these bylaws. The exact number of directors shall be determined by the Board of Directors. The following list is for the purpose of listing various agencies, associations, cities, private sector professions and other job descriptions which are to be drawn from for this council's board. This list is merely a list and may be added to, changed, or reduced, by approval of the board.

- a. Local Fire Agencies
- b. State Agencies
- c. Federal Agencies
- d. Air and Water Management
- e. Private Business Sector
- f. Insurance Interests
- g. County Agencies
- h. City Agencies
- i. Truckee Area Representative
- j. Homeowners Associations (2

Section 3. Selection and Term of Office: a) Except for the first Board of Directors which shall be selected, Directors shall be elected bi-annual at any regular or special Board of Directors meeting held for that purpose. b) Each Director shall hold office for two (2) years until the second annual meeting for election of the Board of Directors as specified in these bylaws, and until his or her successor is elected and qualifies, or the Board of Directors declares that a Director's position is vacant by reason of the death, resignation or removal of the Director. The first board shall decide which Board members shall serve a one year term, and which will serve a two year term initially. This will effectively help the board to never be without experience members at any given time.

Section 4. Vacancies: Subject to provisions of Section 5226 of the California Nonprofit Public Benefit Corporation Law, any director may resign effective on giving written notice to the Chairperson of the board, the Vice-chairperson, or Secretary, unless the notice specifies a later time for the effectiveness of such resignation. If the resignation is effective at a future time, a successor may be selected before such time, to take office when the resignation becomes effective

Vacancies on the board shall be filled in the same manner as the Director(s) whose office(s) is(are) vacant was(were) selected, provided that vacancies to be filled by election by Directors may be filled by a majority of the remaining Directors, although less than a quorum, or sole remaining Director. Each Director so selected shall hold office until the expiration of the term of the replaced Director, and until a successor has been selected and qualified.

A vacancy or vacancies in the board shall be deemed to exist in the case of death, resignation, or removal of any Director, or if the authorized number of Directors is increased.

The Board may declare vacant the office of a Director who has been declared of unsound mind by a final order of the court, or convicted of a felony, or found by a final order of judgment of any court to have breached any duty arising under Article 3 of the California Nonprofit Public Benefit Corporation Law.

No reduction of the authorized number of Directors shall have the effect of removing any Director prior to expiration of the Director's term of office.

Section 5. Place of Meeting: Meeting of the Board shall be held at any place within the State of California which has been designated from time to time by the Board. In the absence of such designation, regular meetings shall be held at the principal office of the corporation.

Section 6. Annual Meetings: The Board shall hold an annual meeting for the purpose of organization, selection of Directors and Officers, and transaction of other business. Annual meetings of the Board shall be held with call or notice on a day in () set by the Board.

Section 7. Regular Meetings: Meetings of the Board shall be held with call or notice on such dates and at such time as may be fixed by the Board.

Section 8. Special Meetings: Special meetings of the Board for any purpose may be called at any time by the Chairperson, Vice Chairperson, the Secretary, or any two Directors.

Section 9. Quorum: A majority of the Directors constitutes a quorum of the Board for transaction of business, except to adjourn as provided in Section 10 of this article. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present shall be regarded as an act of the Board.

Section 10. Adjournment: A majority of the Directors present, whether or not a quorum is present, may adjourn a Directors meeting to another time and place. If the adjournment is for more than 24 hours notice, must be given to all Directors, present or not.

Section 11. Action without Meeting: Any action required or permitted to be taken by the Board may occur without a meeting. All Directors must consent to the action taken verbally, if not in writing. The action should then be added to the minutes of the preceding meeting of the Board.

Section 12. Rights of Inspection: Every Director has the rights to inspect all records, books, and documents of every kind of the corporation of which such person is a Director.

Section 13. Committees: The Board may appoint one or more committees, and delegate to such committees any of the authority of the Board, except with respect to:

- a) Approval of any action which the California Nonprofit Benefit Corporation Law also requires approval of the members or approval of a majority of all members;
- b) Filling of vacancies on the Board or any committee;
- c) Amendment or repeal of bylaws or adoption of the new bylaws;
- d) Amendment or repeal of any resolution of the Board which by its expressed terms is not so amendable or repealable;
- e) Appointment of other committees of the Board or the members there of.
- f) Approval of any self-dealing transactions, as such transactions are defined in Section 5233(a) of the California Nonprofit Public Benefit Corporation Law.

Any such committees must be created, and the members thereof appointed, by resolution adopted by a majority of the authorized number of Directors in office, provided a quorum is present. The Board may appoint, in the same manner, alternate members of any committee. Unless the Board or such committee shall otherwise provide, the regular and special meetings and other actions of any such committee shall be governed by the provisions in these bylaws. Minutes shall be kept of each meeting for each committee.

Section 14. Compensation; Directors shall serve without compensation.

ARTICLE V. OFFICERS

Section 1. Officers: The officers of the corporation shall be Chairperson, Vice Chairperson, Secretary, and Treasurer.

Section 2. Election: The officers of this corporation shall be chosen biannually, and shall serve at the pleasure of the Board, and shall hold their office until their resignation, removal, or other disqualification from service, or until their respective replacement is elected.

Section 3. Subordinate Officers: The Board may elect, and may empower the Chairperson to appoint, such other officers as the business of the corporation may require.

Section 4. Removal and Resignation: Any officer may be removed, either with or without cause, by the Board at any time, with total consent of all remaining Board members.

Any officer may resign at any time by giving written notice to the corporation. Any such resignation shall take effect at the date of the receipt of such notice, or at anytime thereafter, as stated in the resignation notice.

Section 5. Vacancies: A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for regular election or appointment to such office, provided such vacancies shall be filled as they occur, and not on an annual basis.

Section 6. Chairperson: The Chairperson is the general manager and chief executive officer of the corporation, and has, subject to the control of the Board, general supervisions, direction, and control of the business and officers of the corporation. The Chairperson shall preside at all meetings of the Board. The Chairperson has the general powers and duties of management usually vested in the office of Chairperson and general manager of a corporation, and such others powers and duties as may be prescribed by the Board.

Section 7. Vice Chairperson; In the absence or disability of the Chairperson, the Vice Chairperson shall perform all necessary duties of the Chairperson. The Vice Chairperson will also perform such other duties as from time to time may be prescribed by the Board.

Section 8. Secretary: The Secretary shall keep a book of minutes of all meetings of the Board and its committees. The Secretary shall keep at the principal office in the State of California the original or a copy of the corporation's articles and bylaws, as amended to date. The Secretary shall keep the seal of the corporation in safe custody, and shall have other powers and duties as prescribed by the Board.

Section 9. Treasurer: The Treasurer is the chief financial officer of the corporation, and shall keep and maintain adequate and correct records of all financial activities of the corporation. The books of account shall at all times be open to inspection by any Director or member of the Fire Safe Council.

The Treasurer shall deposit all funds and other valuables in the name and to the credit of the corporation with such depositories and may be designated by the Board. The Treasurer shall disburse the funds of the corporation as may be requested by the Board, and shall render all records to the Board as requested at any time. The Treasurer shall have any other duties as may be prescribed by the Board.

ARTICLE VI. OTHER PROVISIONS

Section 1.. Amendments; These bylaws may be amended or repealed by approval of the Board.

Section 2. Construction and Definitions: Unless the context otherwise requires, the general provisions, rules, construction, and definitions contained in the General Provisions of the California Nonprofit Public Benefit Corporation Law Shall govern the construction of these bylaws.

ARTICLE VII. INDEMNIFICATION

Section 1. Right of Indemnification: To the fullest extent permitted by law, this corporation shall indemnify it's Directors, officers, and other persons described in Section 7237(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any preceding as that term is used in that section, and including an action by or in the right of the corporation, by reason of the fact that the person is or was described in that section. Expenses, as used in these bylaws, shall have the same meaning as in Section 7237(a) of the California Corporation Code.

Section 2. Approval of Indemnity: On written request to the Board by any person seeking indemnification under Section 7237(a) or Section 7237(c) of the California Corporation Codes, the Board shall promptly determine under Section 7237(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met, and, if so, the Board shall authorize indemnification. If the Board can not authorize indemnification because the number of Directors who are parties to the preceding with respect to which indemnification is sought prevents formation of a quorum of Directors who are not parties to that preceding, the Board shall promptly call a meeting of members. At that meeting the members shall determine under Section 7237(e) whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met, and, if so, the members present at the meeting in person or by proxy shall authorize indemnification.

Section 3. Advancement of Expense: To the fullest extent permitted by law, and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under Sections 1 and 2 of this article, and of these bylaws, in defending and proceeding, covered by those sections, shall be advanced by the corporation before final disposition of the proceeding, on receipt by the corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the corporation for those expenses.

ARTICLE VIII INSURANCE

The corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, directors, or agent in such capacity, or arising out of the officer's, director's, or agent's status as such.

FIRE SAFE COUNCIL OF NEVADA COUNTY

FIRE SAFE COUNCIL MISSION STATEMENT

The mission of the Fire Safe Council of Nevada County is to protect the citizens, property and natural resources of the County from the effects of catastrophic wildland fires, improve forest health, and to improve air and water quality. This mission will be accomplished through interagency and neighborhood coordination along with a strong public and private partnership focusing on public education, wildland fuel reduction, fire hazard reduction and risk reduction.

**FIRE SAFE COUNCIL OF NEVADA COUNTY
BUDGET FOR 1999/2000/2001**

	MONTHLY	ANNUAL
TELEPHONE	50.00	600.00
POST OFFICE BOX	5.00	60.00
COMPUTER	DONATED	DONATED
COPIES	DONATED	DONATED
FAX MACHINE	DONATED	DONATED
POSTAGE	50.00	600.00
LIABILITY INSURANCE	45.00	500.00
OFFICE SPACE	DONATED	DONATED
OFFICE SUPPLIES	DONATED	DONATED
STATIONARY	DONATED	DONATED
MISCELLANEOUS	50.00	600.00
TOTAL	\$200.00	\$2400.00

The Fire Safe Council of Nevada County exists with the support of the community, this being from both the Fire Services and the Private Business Community.

PROGRAMS AND ACTIVITIES PLANNED FOR FIRE SAFE COUNCIL OF NEVADA COUNTY

1. We have formed a Education Committee that works on flyers, materials for business.merchants in our community and materials for the schools. They are working with various groups in our community such as the Master Gardeners to create list of fire safe plants/materials for our homes. In time we hope to have this committee involving all walks of live in our community so to keep everyone safe from fire loss!

2. We have already created the Fire Side Chats. This is material, speakers if requested, for groups of homeowners to help educate the homeowner. Various forms of material are handed out with the encouragement for the homeowners to clear their land of ladder fuels, clear the roof of tree limbs, etc. Being fire safe does not mean stripping the land, it simple means be fire smart and understand the nature of fire.

3. We have a Roads Committee that is manned by volunteers who are driving every road in our county correcting the County Maps! These folks are providing a service so badly needed by not only the emergency services but the public, they are unbelievable! At this time even the County Board of Supervisors are taking notice and thanking these fantastic folks for all their work. By the end of this year we hope to have most of the roads properly mapped and in place for future maps.

PROPOSED METHODS OF FUNDING FOR THE FIRE SAFE COUNCIL OF NEVADA COUNTY

1. Letters to the insurance agents/members in our community asking for financial support. Insurance carriers have a heavy burden when fire takes it toll, hence, they have a vested interest in the education process.
2. Letters to Developers/Contractors in Nevada County asking for their support. They have a vested interest not only for building but for the protection of their projects.
3. General Utilities Services will be approached to help with funding of support material for the Fire Side Chats, given to HomeOwners Associations and various public member groups.
4. CDF will be approached for a grant to help with office supplies, office space, computer, postage, etc. to make an office available for public use. Having a location that all parties needing help can centrally meet helps to bring parties together to accomplish fire safe goals.
5. In the future we are looking at perhaps having a Fire Safety Fair for the public. This would have merchants for all fire safe products on the fair groups demonstrating their products.

Creating your "Fire Wise Acre"

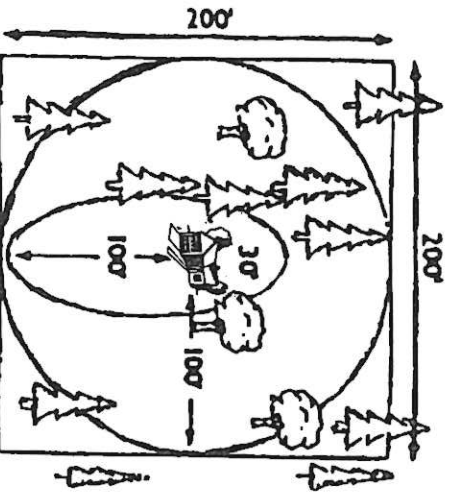
Keep the fire on the ground with low heat and low flames.

The Defensible Space Handbook recommends that all fuel up to 100 feet from homes be managed to create the Fire Smart Acre.

- ✓ Remove dead fuels and most brush.
- ✓ Eliminate ladder fuels and lower limbs.
- ✓ Shrubs less than 30' from the house should be less than 12" high.
- ✓ Prevent overcrowding by thinning trees.
- ✓ Use driveways and paths to break the fuel continuity.

Why create a "Fire Wise Acre"

- * Safety for firefighters
- * Reduce the risk of losing your home
- * See more wildlife in your yard
- * Improve the health of your trees



Partners in the Fire Safe Council:

- ◆ American Red Cross
- ◆ Bureau Land Management
- ◆ California Department of Forestry and Fire Protection
- ◆ Chambers of Commerce
- ◆ Concerned Citizens
- ◆ Insurance Industry
- ◆ Master Gardeners
- ◆ Neighborhood Associations
- ◆ Nevada County Board of Supervisors
- ◆ Nevada County Fire Departments
- ◆ Nevada County Resource Conservation District
- ◆ Northern Sierra Air Quality Management District
- ◆ Public Utilities
- ◆ Private Businesses
- ◆ US Forest Service, Tahoe National Forest



Fire Safe Council of Nevada County

To educate the citizens and protect the natural resources from the effects of catastrophic wildland fires, while improving forest health, air and water quality.



Example
...Public & Private partners working together to improve fire safety in Nevada County

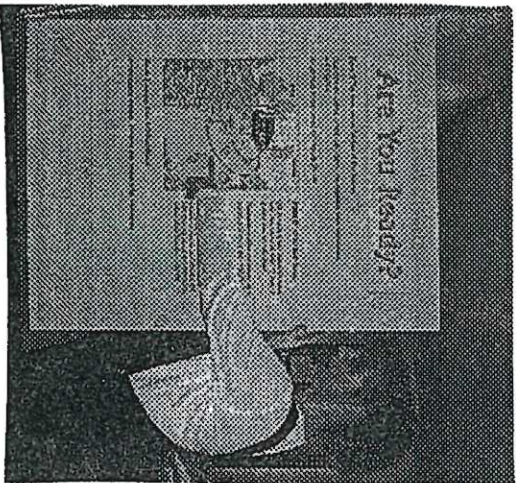
Who is the Fire Safe Council?

- * This organization brings together the private sector (neighborhoods and businesses) and Local, State and Government Agencies.
- * These partnerships combine expertise and resources to speak as one voice for community fire prevention.

What We Do

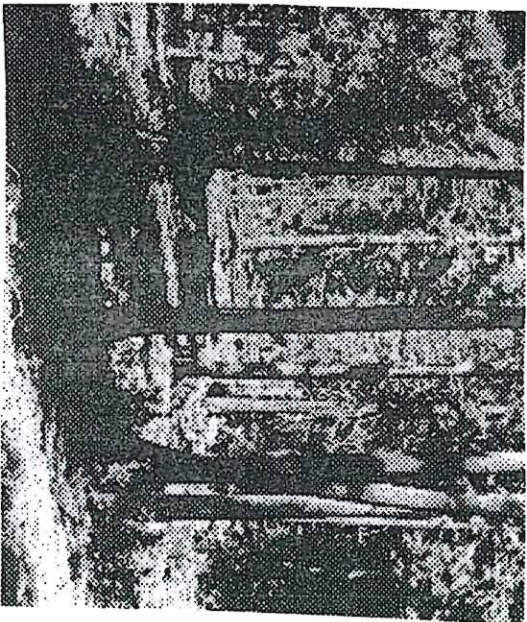
The council consists of a board of directors and three active working committees

1. Fire Wise Education Committee



Educates and develops programs for the community about fire safety and the Council's activities. Our activities include writing news articles, creating displays and staffing fire prevention events.

2. Fire Wise Project Committee



- * Develops community fire plans
- * Coordinates chipping programs
- * Sponsors neighborhood workshops
- * Community Awareness Presentations



3. Funding Committee

Identify's potential funding sources including donations and grants to fund the Council projects. Current contributions include community service from volunteers, and support from Federal, State and Local Agencies.

How the Council can help you!

- * Sponsor an educational workshop to teach you and your neighborhood how to become a fire wise community.
- * Help neighborhoods develop community fire safe plans.
- * In home presentations on fire preparedness.
- * Distribution of fire safety materials.

How you can help!

- * Create defensible space around your home.
- * Be active in your neighborhood.
- * Donate time or money.
- * Join a Fire Safe Council committee today!

Be a Part of the Solution!

Please Contact Us At:
Fire Safe Council of Nevada County
P.O. Box 1477
Nevada City, Ca. 95959

visit the State Fire Safe Council Web Page at:
www.firesafecouncil.org



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Memo _____

Wanda Mertens ^{MP}

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