



## REQUEST FOR BOARD ACTION

ITEM NO. 18.

**DATE OF MEETING:** October 21, 2013

**REQUESTED BY:** Pender County Fire Commission/Scott Sills, President

**SHORT TITLE:** Resolution Authorizing Approval of Changes to the Constitution of the Pender County Firefighters Association.

**BACKGROUND:** The Pender County Firefighters Association Board of Directors serves as the Pender County Fire Commission. The Constitution is referred to as the By-Laws and provides an organization through the members. Departments can discuss mutual problems and difficulties to assist the County in all related matters. The Fire Commission will act as arbitrator in disputes and will assist the County in administrating, planning and legislation relating to the fire service, and will serve as an appeals board in matters relating to the Fire Marshal.

**SPECIFIC ACTION REQUESTED:** To consider a resolution approving the changes to the Constitution of the Pender County Firefighters Association.

**COUNTY MANAGER'S RECOMMENDATION**

Respectfully defer to the Board of Commissioners for approval

**RESOLUTION**

**NOW, THEREFORE BE IT RESOLVED** by the Pender County Board of Commissioners that:

the Board hereby approves the changes to the Constitution of the Pender County Firefighters Association.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS

YEA VOTES: Brown \_\_\_ McCoy \_\_\_ Tate \_\_\_ Ward \_\_\_ Williams \_\_\_

\_\_\_\_\_  
George R. Brown, Chairman

10/21/13  
Date

\_\_\_\_\_  
ATTEST

10/21/13  
Date

# CONSTITUTION

## PENDER COUNTY FIREFIGHTER'S ASSOCIATION

### PENDER COUNTY, NORTH CAROLINA

#### ARTICLE I

##### NAME, OBJECTIVES, AND PURPOSE

**Section 1.** **Name.** This organization shall be known as the Pender County Firefighter's Association. The Board of Directors of the Association will also serve as the Pender County Fire Commission.

The rules and regulations set forth in this document shall govern the operations of the Pender County Firefighter's Association. Throughout this document, the Pender County Firefighter's Association shall be referred to as the Association and the Board of Directors of the Association shall be referred to as the Fire Commission. It is not the intent of the contents of this document to discriminate due to color, sex, religion, race, or national origin. These Bylaws are adopted by the Association and are approved by the Pender County Board of Commissioners.

**Section 2.** **Objectives.** The objectives of the Pender County Firefighter's Association are to provide an organization through which the member departments can discuss mutual problems and difficulties and to assist the County in all fire related matters.

The Fire Commission will act as arbitrator in disputes, will assist the County in planning and administering fire districts, will advise the County of new and changed legislation relating to the fire service, will have recommendations regarding the applications for any County position relating to the fire service, and will serve as an appeals board in matters relating to the Fire Marshal.

**Section 3.** **Purpose.** The purpose of the Association is to bring the Fire Departments of Pender County together more effectively and to insure that every citizen of Pender County is protected from loss of life and property due to any life threatening events.

## ARTICLE II

### MEMBERSHIP

- Section 1. Membership.** Membership in the Association shall be limited to the fire departments, within the confines of Pender County. Also, a County Commissioner, the County Fire Marshal, and two (2) members at large will be appointed by the County Commissioners to the Fire Commission as voting members.
- Section 2. Membership Privileges.** Each member department shall have voting privileges in any Association business with each Commissioner having one (1) vote.

## ARTICLE III

### OFFICERS, BOARD OF DIRECTORS, ELECTION

- Section 1. Officers.** The officers of the Association shall be the President, Vice President, and the Secretary/Treasurer.
- Section 2. Officers- Election and Term of Office.** The President and Vice President shall be elected, from the Fire Commission, by the Fire Commission on staggered two (2) year terms. With the Vice President being elected for a one (1) year term for the first term with each term thereafter a two (2) year term. The Secretary/Treasurer shall be appointed by the President and Vice President.
- Section 3. Vacancies.** Vacancies for any cause shall be filled by the Fire Commission at their next meeting after the vacancy occurs.
- Section 4. Board of Directors/ Fire Commission.** The Fire Commission shall be made up of one (1) voting member from; each County fire department, one (1) County Commissioner, the Fire Marshal, and two (2) members at large.

The Fire Commission can appoint non voting members to attend the Commission meetings. They shall include a member of the North Carolina Forest Service and a representative of the County EMS. The Fire Commission shall also appoint an Association chaplain.

- Section 5. Member Representatives.** Each fire department will appoint one (1) representative to the Fire Commission. All appointees will be approved by the County Commissioners.

If a member is to be absent from a meeting, he/she may appoint an alternate to fill his/her place while absent.

Members who are absent from two (2) or more consecutive meetings, without having an alternate present, may be removed from office by the majority vote of the members present. If a Commissioner has to be absent from a meeting he shall submit in writing an excuse to the Chairperson. The Secretary will keep an accurate record of the attendance and inform the Chairperson of any delinquent member.

Commissioners and member Departments that fail to participate in Commission Meetings and Association functions may, at the discretion of the Commission, not share in the proceeds that were derived from said functions.

- Section 6. Term of Office.** Members will be appointed to serve a three (3) year term. The terms will be on a staggered basis beginning on July 1. Each Fire Commissioner may succeed him/herself.
- Section 7. General Provisions.** Subject to this Constitution, any questions of policy which may arise during the interval between meetings shall be determined by the Fire Commission. The Fire Commission shall meet at such time and place as may be designated by the Chairperson or any three (3) commissioners.
- Section 8. Voting.** Each member of the Fire Commission shall have one (1) vote on any question coming before the Fire Commission. The Secretary/Treasurer is not a voting member.
- Section 9. Quorum.** No action shall be taken by the Fire Commission at any meeting unless a quorum be present. A quorum shall be at least sixty percent (60%) of the total members of the Fire Commission.

#### ARTICLE IV DUTIES OF OFFICERS

- Section 1. President.** The President shall preside over all meetings and shall appoint all committees. He/she shall perform such other duties as are usually incumbent upon that officer or may be directed by the Fire Commission.

He/she shall also serve as Chairperson of the Fire Commission.

- Section 2. Vice President.** The Vice President shall, in the absence of the President, exercise all the duties normally performed by the president.

**Section 3. Secretary/Treasurer.** The Secretary/Treasurer shall keep a record of all business of the Association and shall notify each member department one (1) month in advance of any regular meeting and the Fire Commission at least one (1) week before any meeting of the Fire Commission. He/she shall also give at least one (1) days notice, by mail or by other means, of any called meetings of the Association or of the Fire Commission. His/her duties shall also include the collection and disbursement of all money and funds of the Association as directed by the Association. He/she shall keep a record of all monies received and disbursed, His records may be audited at any time at the request of the Fire Commission or the Association and shall be audited at expiration of the Secretary/Treasurer term. The Secretary/Treasurer shall place on file with the County Fire Marshal a copy of the approved minutes of each meeting.

## ARTICLE V

### COMMITTEES

**Section 1. Committees.** The Fire Commission or the President may establish any committees as they deem necessary. The President shall make all appointments to committees so established.

**Section 2. Committee Meetings.** A majority of each committee shall constitute a quorum thereof, and any questions may be decided by a majority vote of those present. Vacancies shall be filled by appointment by the President.

## ARTICLE VI

### MEETINGS

**Section 1. Association Meetings.** The Association shall hold four (4) general meetings annually, on the 4<sup>th</sup> Tuesday in January, April, July, and October.

**Section 2. Board of Directors/Fire Commission.** The Fire Commission shall hold a meeting on the 4<sup>th</sup> Tuesday of every month.

**Section 3. Location.** General meetings shall be rotated among member departments. The schedule of which shall be decided by the Fire Commission.

**Section 4. Notification.** Upon receipt of notification of a general meeting, the host department shall be notified not later than one (1) week prior to the scheduled meeting, indicating the number of members from the respective departments which will be present at the concerned meeting.

## ARTICLE VII

### FINANCIAL AFFAIRS

- Section 1. Fees.** For the support of the Association, the Fire Commission may establish membership dues for the members in such amounts as they deem appropriate. The Fire Commission may authorize other charges for special services, meetings, publications, or other purposes as deem appropriate.
- Section 2. Dues.** The yearly membership dues shall be payable at the first regular meeting of each calendar year.

## ARTICLE VIII

### AMENDMENTS

- Section 1. Amendments.** This constitution may be amended by a vote of the Fire Commission. The new constitution becomes effective at the time of the approval of the Pender County Board of Commissioners.

5/9/00

rev 5/22/01

retyped 8/21/13



Proposed Changes

ARTICLE III

OFFICERS, BOARD OF DIRECTORS, ELECTION

Change 1

**Section 2. Officers- Election and Term of Office.** The President and Vice President shall be elected, from the Fire Commission, by the Fire Commission on staggered two (2) year terms. With the Vice President being elected for a one (1) year term for the first term with each term thereafter a two (2) year term. The Secretary/Treasurer shall be appointed by the President and Vice President. The election of the President and Vice President shall be held at the June meeting, with each term starting July 1 of each year.

Change 2

**Section 4. Board of Directors/ Fire Commission.** The Fire Commission shall be made up of one (1) voting member from; each County fire department, the Fire Marshal, one (1) County Commissioner, and four (4) members at large. The County Commissioner and the four (4) at large members will come from each of the five (5) voting districts in Pender County, giving each district one (1) representative on the Commission.

Change 3

The Fire Commission can appoint non voting members to attend the Commission meetings. They shall include a member of the North Carolina Forest Service, Pender County 911, and the Pender County Sheriff. The Fire Commission shall also appoint an Association chaplain.

Change 4

**Section 5. Member Representatives.** Each fire department will appoint one (1) representative to the Fire Commission. All appointees will be approved by the County Commissioners.

If a member is to be absent from a meeting, he/she may appoint an alternate to fill his/her place while absent.

Members who are absent from two (2) or more consecutive meetings, without having an alternate present, may be removed from office by the majority vote of the members present. If a Commissioner has to be absent from a meeting he shall notify the chairperson of his absence. The Secretary will keep an accurate record of the attendance and inform the Chairperson of any delinquent member.

Change 5

ARTICLE IV

DUTIES OF OFFICERS

**Section 3. Secretary/Treasurer.** The Secretary/Treasurer shall keep a record of all business of the

Association and shall notify each member department one (1) month in advance of any regular meeting and the Fire Commission at least one (1) week before any meeting of the Fire Commission. He/she shall also give at least one (1) days notice, by mail or by other means, of any called meetings of the Association or of the Fire Commission. His/her duties shall also include the collection and disbursement of all money and funds of the Association as directed by the Association. He/she shall keep a record of all monies received and disbursed, His records may be audited at any time at the request of the Fire Commission or the Association and shall be audited at expiration of the Secretary/Treasurer term. The Secretary/Treasurer shall place on file with the County Fire Marshall a copy of the approved minutes of each meeting. The position may be filled with two (2) persons, one (1) being Secretary, and one (1) being Treasurer.

## Change 6

### ARTICLE VI

#### MEETINGS

**Section 2. Board of Directors/Fire Commission.** The Fire Commission shall hold a meeting on the 4<sup>th</sup> Tuesday of every month, except the month of December. The December meeting will be held on the first Tuesday in January.