

TEAYS VALLEY FIRE DEPARTMENT

BY-LAWS OF GOVERNANCE

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TEAYS VALLEY VOLUNTEER FIRE DEPARTMENT

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TEAYS VALLEY VOLUNTEER FIRE DEPARTMENT

PREAMBLE

We the members of the Teays Valley Volunteer Fire Department, do hereby solemnly declare and proclaim, that we shall, to the best of our abilities, dutifully provide for the public good, and the good of the members of our community, those works within our power and resources, to help the common man in times of struggle, despair and need. We recognize the capacity of fire and peril to endanger life and property of those we serve to protect. To that end, we resolve to perform within the reach of our abilities whatever is necessary and possible to aid those we are charged to serve and protect.

ARTICLE I
NAME

SECTION I- The name of this organization shall be the Teays Valley Volunteer Fire Department, Inc. The organization shall additionally operate under the trade names of "Teays Valley Fire Department," "Teays Valley Fire and Rescue," "TVVFD" and "TVFD". Hereinafter, the organization shall be referred to as "TVVFD."

ARTICLE II
MISSION STATEMENT

SECTION I- The mission of this organization shall be the prevention of fire and the preservation of life and property during any emergency situation which may occur in the Teays Valley Volunteer Fire Department's protection district and to provide mutual aid to other fire departments or agencies when called upon.

ARTICLE III
GOVERNMENT

SECTION I- The TVVFD shall abide by the laws of the State of West Virginia, bylaws, rules and policies of the organization and authorities having jurisdiction.

SECTION II - The TVVFD shall be governed by a Board of Directors whose members are elected by the membership at the first regularly scheduled business meeting in November of each year.

SECTION III - Board of Directors Membership

SEC III, A - The Board of Directors shall consist of seven (7) members. They shall serve for a term of three (3) years with each in staggered succession. Three (3) members will serve concurrent terms, two (2) members will serve concurrent terms, and the remaining two (2) members will serve concurrent terms.

SEC III, B - Board members must be in good status in the Teays Valley Volunteer Fire Department and in good standing.

SEC III, C - The Officers of the Board of Directors shall consist of the President, Vice President, Secretary and/or Treasurer. These Officers will be elected by the Board of Directors at the first scheduled meeting of each New Year. The Chief shall be an ex-officio member exempt of voting privileges except in the event of a tie.

SEC III, D - The election of members to the Board of Directors shall occur on the first general business meeting of the general membership in November of each year. The general membership of the department will nominate candidates and the vote will be taken by secret ballot. In order to be eligible for nomination a member must have been a member of TVVFD and have remained in good standing for a minimum of two (2) years.

SEC III, E - Vacancies occurring between elections shall be filled by majority vote of fire department members present at the next regularly scheduled business meeting. Vacancies will only be filled for unexpired terms.

SECTION IV - Board of Directors Meetings

SEC IV, A -The Board of Directors shall meet a minimum of once each month. Any Board member shall have the right to call special meetings as needed. The date and time of a regularly scheduled meeting shall be posted no less than two (2) weeks in advance.

SEC IV-B - Board meetings shall be open to all members and the public except during Executive Session. Executive Session may be requested by any member at any meeting to address issues of discipline, protected privacy issues or issues of privilege (i.e. attorney/client).

SEC IV -C - All Board meetings must consist of a quorum. A quorum shall consist of no less than four (4) board members.

SECTION V - Board of Directors Responsibilities

SEC V-A - The Board is hereby authorized to enter into agreements and/or contracts with area fire departments and other agencies to provide and arrange for supplemental protection.

SEC V-B - The Board shall have the authority to buy, lease or sell fire department equipment or real estate, and to build such building, or purchase such equipment as deemed necessary, and to enter into contracts to fulfill or to obtain funding for these needs.

SEC V-C - The Board shall be responsible for all expenditures made by the department and shall review all expenditures and revenues made for or to the department on a regular basis. The Board shall set annually the amount for discretionary fund money which the Chief may use without board approval for any specific instance.

SEC V-D - The Board shall assure that departmental policies are legal, and meet specific regulations and mandates of all governing agencies encompassing the purposes of the department, and to see that such policies are carried out.

SEC V-E- The Board shall have the final authority on all matters concerning the department except those powers it delegates to the Chief.

SEC V-F- The Board shall set fees for services and witness testimony provided by officers and members of the department and for copies of legal documents as may be requested.

SEC V-G- At all times, the Board of Directors shall have a fiduciary duty to the membership and handle all monetary issues in a fiscally responsible manner.

SECTION VI - Board of Directors Discipline

SEC VI-A - A member of the Board may be removed by a seventy-five percent (75%) vote by the general membership at any regularly scheduled business meeting. A Board member may also be removed by a one-hundred percent (100%) vote of the remaining six (6) board members at any regularly scheduled board meeting.

SEC VI-B- In the event a board member resigns or is removed from his or her position by a membership or board vote, his or her position shall be filled in a manner consistent with Article 111- Section III-D, E.

SECTION VII - Fire Chief

SEC VII - A - The Fire Chief shall be selected by a nomination of the general membership and approval of the candidate through a majority vote of the membership. The nomination and selection of the Fire Chief shall occur on the first general business meeting of the general membership in November of alternating calendar years. The general membership of the department will nominate candidates and the vote will be taken by secret ballot.

SEC VII - B - In order to be eligible for nomination to the position of Fire Chief, a member must have been a member of TWFD and have remained in good standing for a minimum of two (2) years. In addition, the member MUST be a Certified Fire Officer Level I by the West Virginia Fire Commission, West Virginia University Fire Service Extension or the National Board of Fire Service Professional Qualifications.

SEC VII - C - The position of Fire Chief shall be a term of two (2) years commencing from the time of election to the appointment of a successor Fire Chief.

SEC VII - D - The Fire Chief may be removed by a seventy-five percent (75%) vote by the general membership at any regularly scheduled business meeting. The Fire Chief may also be removed by a one-hundred percent (100%) vote of the seven (7) member Board of Directors at any regularly scheduled board meeting.

SEC VII - E - In the event the Fire Chief resigns or is removed from his or her position by a membership or board vote, his or her position shall be filled in a manner consistent with Article VI Section VI; A ; C.

ARTICLE IV
TWFD MEMBERSHIP

SECTION 1-Membership Introduction

SEC I-A - The department shall be composed of not less than fifteen (15) members and as many in excess of fifteen (15) as may be necessary for adequate fire protection and rescue services to be provided to the community.

SEC I-B- The department shall recognize four (4) categories of membership. They shall be: (1) active firefighter, (2) junior firefighter, (3) inactive/support staff, and (4) honorary member.

SEC I-C- All voting for membership shall be done by secret ballot. A white ball denotes a yes vote and a black cube denotes a no vote. The votes shall be counted by the highest ranking officer present and a witnessed by a randomly selected member.

SECTION II - Membership Requirements

SEC II- A - Any person of at least eighteen (18) years of age and of good character who resides, works, worships, or engages in other activity within the protection district of this department or that of a neighboring department shall be eligible for active membership in the department. All new members shall complete an application for membership and shall be subject to a background and/or reference check prior to having his/her application accepted.

SEC II-B- Upon having the application accepted a new member will be placed on probationary status by a fifty-one percent (51%) yes vote of all members present at the business meeting. This probationary period shall be no less than one-hundred eighty (180) days and no more than one full year. Each probationary member shall be assigned a senior member as a mentor to assist in the professional development of the probationer. During this probationary period all new members shall be required to successfully complete the Firefighter Level I, obtain a CPR/First-Aid card, and

successfully complete the awareness level courses for auto extrication and hazardous materials. Additionally, the probationer must meet any other requirements as set forth by the department to ensure proficiency in the position of firefighter. The applicant will also be evaluated by the Chief and three (3) line officers as to their performance as a potential department member. Applicants who are on probationary status shall have no voting privileges. An applicant who fails to receive enough votes to obtain probationary status may re-apply in three (3) months from the time of the unsuccessful vote.

SEC II-C - After the above requirements have been met, the applicant will be voted on for membership into the department. The applicant will be accepted to full membership after a fifty-one percent (51 %) yes vote of all members present. An applicant who fails to obtain full membership shall be eligible to re-apply in three (3) months.

SEC II-D - Active members shall have full voting privileges and shall be permitted to engage in all department functions within their scope of practice or certification. Active membership status shall require the following:

- (1) A member makes at least fifty percent (50%) of meetings and drills within a six month period.
- (2) A member makes at least five percent (5%) of all calls encoded by pager or detailed by a line officer in a six month period.
- (3) A member complies with all rules and regulations set forth by the Chief, Officers, Membership, or Board of Directors.
- (4) A member attends at least sixteen (16) hours of certifiable training in a one year period.

SEC II-E- Any member who leaves the department on active status may re-apply to the department after they are evaluated by the Chief and three (3) line officers. The applicant shall return to full membership of the department after a ninety (90) day probationary period and by a fifty-one percent (51%) yes vote by members present.

SECTION III - Junior Firefighters

SEC III-A - Any person who is between sixteen (16) and eighteen (18) years of age and in good character who resides, works, worships, or engages in other activity within the protection district of this department or that of a neighboring department shall be eligible for junior membership in the department. All new members shall complete an application for membership and shall be subject to a background and/or reference check prior to having his/her application accepted. Any person applying for junior membership must obtain parental consent prior to applying.

SEC III-B - Upon acceptance of the application the applicant will be placed on junior membership status by at fifty-one percent (51%) yes vote by members present. Upon approval, a junior member must adhere to the rules governing junior firefighters and the General Rules of Conduct for TVVFD members.

SEC III-C - A separate set of rules shall govern junior firefighters. An officer shall be appointed by the Fire Chief to oversee the junior program to insure that members are in compliance with the junior firefighter rules and policies.

SECTION IV - Membership Conduct

SEC IV-A - Membership conduct shall be outlined as TVVFD Policy listed as EXHIBIT I.

ARTICLE V **TVVFD MEETINGS**

SECTION I - Meeting Time

SEC I-A - Meetings and training activities shall take place at 19:00 hrs. on the Thursday of every week unless recognized holiday or cancelled by the Fire Chief.

SECTION II - Meeting Process

SEC II-A - All TVFD business meetings shall be guided and generally conducted in accordance with "Robert's Rule of Order".

SEC II-B - At the beginning of all TVFD business meeting, the Pledge of Allegiance and a Moment of Silence shall be observed.

SEC II-C - At the beginning of all TVFD business meeting, after the opening protocols, all guests shall be introduced by their host.

SEC II-D - During TVFD business meetings, all persons part of the quorum shall be seated at tables and chairs provided.

SEC II-E - There shall be no deliberate use of excessive profanity or slander, sexist, ethnic or racist remarks at TVFD business meetings.

SEC I-F - There must be at least one (1) line officer present for a quorum.

ARTICLE VI
TVVFD BUILDINGS and GROUNDS

SECTION I - Outside and Parking Lots

SEC I-A - The American Flag shall fly at full staff at all times unless a proclamation is made by the nation's Commander in Chief Of their designate. Additionally, and at the discretion of the membership, the flag staff may fly in addition to the flag of the United States of America, the flag of the State of West Virginia and the flag of the County of Putnam.

SEC I-B- All personal vehicles are to be parked properly in the marked spaces provided.

SEC I-C- The ground and building may be used and rented by outside agencies or groups. The decision and management will be made by a line officer appointed by the Fire Chief to administer the same. Rates will be set in accordance to the individual need basis.

ARTICLE VII
TVVFD FINANCES

SECTION I - Fiscal Year - The fiscal year of the TVVFD shall commence on the first day of July and expire on the thirtieth day of June to comply with the fiscal year of Putnam County Fire Service Board.

SECTION II - Financial Accounts - The TVVFD must maintain a checking account. All checks must be signed by one of the persons approved by the Board of Directors and listed on the account eligible to sign for said funds. There are at present time three (3) checking accounts. They are listed as:

1. Firefighter's Discretionary Fund ("Fireman's Fund")

a. The Fireman's Fund is controlled by the TVVFD membership and can be for any expense granted approval by the membership with quorum present by a majority vote. The account shall be funded by rental of the ground and buildings, donations and a percentage determined by the Board of Directors of monies received from call billing.

2. "State Fund"

a. This account shall be funded through monies received by the State of West Virginia (*vis-a-vis* the State Fire Commission) and is to be used in accordance with their criteria. This criterion is provided by the State Auditor's office and the TVVFD Treasure will maintain an updated copy of the same for reference.

3. General Fund

a. This account shall be funded through all monies not earmarked and designated for deposit to the "Fireman's Fund" or the "State Fund."

SECTION III - Insurance - The TVVFD must maintain insurance in accordance with state and local guidelines for Volunteer Fire Organizations.

ARTICLE VIII
TVVFD AMMENDMENTS

SECTION I - These Bylaws may be repealed, modified, altered or amended, or new Bylaws may be adopted at any regular or special meeting of TVVFD, provided that due notice electronically or by mail of the proposed changes shall have been sent to all members of TVVFD at least ten (10) days preceding the date of said meeting. A two thirds (2/3) vote of the department members in good standing present and voting shall be required to make an amendment to these Bylaws. All proposed amendments to these Bylaws shall be submitted in advance for review and approval by the TVVFD Board of Directors and do not become effective until they are so approved by both bodies.

EXHIBIT I
General Rules of Conduct

1. All children at any TVVFD station shall be accompanied by an adult.
2. Any child under the age of 12 shall be "IN HAND" of an adult when an apparatus is in motion,
3. Possession, purchase or consumption of alcoholic beverages shall not be permitted while wearing a TVYFD uniform.
4. Alcoholic beverages or any illegal controlled substances shall not be transported inside or on a TVVFD apparatus.
5. Alcoholic beverages shall not be openly stored or consumed on TVYFD property.
6. The use of tobacco is not permitted inside any TVVFD station excluding the open bay area and not within fifteen feet (15') of any other place of occupancy.
7. Firearms or ammunition shall not be permitted on or inside any TVYFD apparatus or inside any TVYFD station exempting those members actively employed in a law enforcement capacity.
8. It is illegal and against TVVFD policy for any employee, to harass, another employee in any way, including but not limited to, making unwelcome sexual advances, favors, verbal or physical conduct of any sexual nature or using an employee's submission to or rejection of such sexually harassing conduct as the basis for, or as any factor in any decision affecting the individual or otherwise creating an intimidating, hostile or offensive work environment by such sexually harassing conduct.
9. All members shall be attired in an appropriate manner when in an area of public view.

10. Violence will not be tolerated. The TVVFD will not condone nor permit any type of violence by its members, guests or visitors upon members, guests or visitors.

11. No member, guest or visitor will be subject to any form of retaliation or discipline for pursuing a legitimate sexual harassment or violence complaint.

12. No member, guest or visitor is exempt from this policy.