

Proposed Bylaws of the Avery Firefighter's Association.

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Avery County Firefighter's Association, Incorporated

By-Laws

Article I

Terms of Office

The President, Vice President, Secretary, and Treasurer shall take office at the close of the August meeting at which they are elected and shall serve for **two years**.

Article II

Duties of the Officers

Section 1

President: The President shall preside at all meetings of the Association and the Board of Directors. He/she shall appoint all committees not otherwise provided for and perform such other duties as may be required of him/her by the Association or Board of Directors. He/she shall be an ex-officio member of all committees except as otherwise provided in these By-Laws.

Section 2

Vice President: In the absence of the President, the Vice President shall perform all the duties of that office.

Section 3

Secretary: The Secretary shall be responsible for all the recordings of the proceedings of the annual meeting, and at any regular or special meeting as directed by the President and shall perform such other secretarial duties as may be required by this office. **The secretary shall preside at all meetings in the absence of the President and Vice President.**

Section 4

Treasurer: The Treasurer shall be responsible for the funds of the Association. He/she shall present to the Association at the annual meeting and all regular meetings, a complete statement of the status of all monies of the Association. All checks issued against the Association shall be drawn by the Treasurer according to the direction and approval of the Board of Directors. The Treasurer shall perform such duties as may be required of this office.

Section 5

Board of Directors: It shall be the duty of the Board of Directors to conduct all the business of the Association. Regular meetings shall be held on a monthly basis. The Board of Directors shall also meet at the call of the President. Following each meeting of the Association, member organizations shall be given a full report by their respective Directors. Fifty percent of the

Board of Directors shall constitute a quorum at Board of Director's meetings. The President shall be a member of the Board of Directors as an Executive Director for **one year** following his/her term of office.

Section 6

Fire Commission Appointees: Fire Commission Appointees shall serve on the Avery County Fire Commission and shall represent the Avery County Firefighter's Association's interest as part of that commission. Appointees shall give a full report to the Avery County Firefighter's Association following each meeting of the Avery County Fire Commission.

Article III

Membership

Section 1

Active Members. The Active Membership shall consist of:

1. Organizations qualified under **Article III, Section 1**, of the Constitution and who meet the training requirements and other prerequisites as established by the Board of Directors.
2. Persons holding membership in member organizations as qualified under **Article III, Section 1**, of the Constitution and who meet the training requirements and other prerequisites as established by the Board of Directors.

Article IV

Committees

Section 1

General: The composition of all standing and special appointive committees, the members of which shall be appointed by the President, shall also be determined by the President.

Article V

Election of Officers

Section 1

Officers: The officers of the Avery County Firefighter's Association shall consist of President, Vice President, Secretary, and Treasurer.

Section 2

Elections:

1. The President, Vice President, Secretary, and Treasurer shall be elected by the Board of Directors present at the August Board of Directors meeting and shall take office at the close of the August meeting at which they are elected. Officers shall serve for a term of **two years**.
2. Each member organization qualified under **Article III, Section 1**, shall be entitled to a maximum of **one** vote cast by those Directors previously designated in writing by each member organization. **A maximum of one vote per Director shall be permitted for each election.**
3. Secret Ballots: Election for each officer position shall be by secret ballot, unless a single nomination for a position is presented after the close of nominations. Secret ballot votes shall be collected and tallied by a teller committee composed of three Directors appointed by the President who are not running for office. The teller committee shall present their ballot counts to the President for report to the membership. A simple majority shall be required for election to office.

4. Nominations: there shall be an opportunity for nominations for each officer position from the floor at the August meeting. There shall be one minute of time after the last nomination of a name for a position before a motion to close nominations may be accepted by the presiding officer.
5. Qualifications of Officers: All officers (President, Vice President, Secretary, Treasurer, and Board of Directors) shall be a member of a member organization in the Avery County Firefighter's Association complying with **Article III, Section 1, 2**. If an officer becomes disassociated with a member organization, their office shall be declared vacant and an election shall be held at the next regular Board of Directors meeting to fill the vacancy. In the event an officer's member organization disbands or ceases to qualify for membership in the Avery County Firefighter's Association, the officer may continue in that office until the term expires, at which time the office will be declared vacant.

Section 3

Removal of Officers: Officers (President, Vice President, Secretary, Treasurer, and Board of Directors) may be removed from office for cause below:

The officer does not attend a minimum of 50% of the regular monthly meetings in a consecutive twelve-month period .

1. Does not perform the duties of office in compliance of **Article II**.
2. The officer engages in acts that damage the public perception of the Avery County Firefighter's Association.

Officers shall be placed on a ninety-day (90) day probation to give the officer allowance to correct any violations mentioned in this section. Failure to correct shall result in an election for removal of the officer from his/her office. Officers may be removed by the Board of Directors present at the first regular meeting after the ninety (90) day probation has passed. Removal from office shall be by two-thirds (2/3) majority present and voting.

Section 4

Board of Directors: There shall be a Board of Directors which shall be comprised of **one** Director from each member organization qualifying under **Article III, Section 1, 2**, as determined by that member organization. Each member organization shall report in writing to the President the names of the **one** Director and one alternate, by the start of the August meeting to be eligible to vote.

Article VI

Election of Member Organizations

Section 1

Member Organizations: Organizations desiring membership in the Avery County Firefighter's Association shall conform to **Article III, Section 1**, of the Avery County Firefighter's Association's Constitution. Organizations shall submit a request for membership in writing to the President of the Avery County Firefighter's Association specifying the organization's non-profit status and mission statement.

1. How the organization will contribute to **Article III, Section 1**, of the Avery County Firefighter's Association Constitution.
2. Name of one Director and one alternate chosen by the organization.

Section 2

Elections: Organizations shall be elected at a regular meeting by the members of the Board of Directors present. Election to membership in the Avery County Firefighter's Association shall be by two-thirds (2/3) majority present and voting. Organizations elected shall begin their membership at the close of the meeting.

Section 3

Removal of Member Organizations: Member Organizations may be removed from the membership for cause below:

1. No longer contributes to **Article III, Section 1**, of the Avery County Firefighter's Association's Constitution.
2. The member organization engages in acts that damage the public perception of the Avery County Firefighter's Association.

Member Organizations shall be provided written notice by the President specifying the nature and cause to be voted upon for removal from the Association. Organizations may be removed by the members of the Board of Directors present at the first regular meeting after notice to the member organization. Removal from the membership of the Avery County Firefighter's Association shall be by two-thirds (2/3) majority present and voting.

Article VII

Order of Business

Section 1

Unless provided herein, all meetings of the Avery County Firefighter's Association shall be conducted under "Robert's Rules of Order".

Section 2

Proposed amendments to the By-Laws shall be presented in writing to the Secretary not less than sixty days prior to the meeting at which action will be taken on the proposed amendment(s). The secretary shall submit a copy of all proposed amendment(s) to the membership not less than thirty days in advance of the date set for action on the proposed amendment(s). Such action may be taken at any regular meeting of the Board of Directors. A two-thirds vote of the Board of Directors present and voting shall be required for the adoption of an amendment(s). All such amendment(s) become effective upon ratification by the Board of Directors.

Article VIII

Ladder Truck Company

Section 1

Authority: The Avery County Firefighter's Association shall maintain for the use of the member organizations a Ladder Company, which shall be subject to the By-Laws of the Association and such rules and regulations as may be hereinafter adopted.

Section 2

Purpose: The Ladder Company shall be formed to acquire, operate, and maintain special ladder equipment, **and to support Avery County Fire Departments through personnel, and surplus equipment.**

Section 3

Any active member of any fire department in Avery County shall be eligible to participate in the Ladder Company upon agreeing to conform to the rules, regulations, and requirements thereof.

Section 4

Supervision: The Ladder Company shall be operated under the supervision of the officers of the Ladder Company, in accordance with the rules, regulations, and budget which will be subject to the approval of the Board of Directors of the Avery County Firefighter's Association.

Section 5 Ladder Company officers: The Ladder Company shall be directed by a Chief appointed by the Board of Directors. The Ladder Company Chief shall be empowered to appoint other officers that may be required for the proper operation of the Ladder Company. The Ladder Company Chief shall report in writing to the Board of Directors the officers he/she has appointed.

Section 6

Qualifications of Ladder Company Officers: All Ladder Company Officers shall be an active member of a member organization in the Avery County Firefighter's Association complying with **Article III, Section 1, 2**. Any Ladder Company Officer who becomes disassociated with a member organization, or their organization disbands/ceases to qualify for membership in the Association, their office shall be declared vacant and the Ladder Company Chief shall appoint a qualified replacement.

Avery County Firefighter's Association Incorporated Constitution

Article I

The name of the organization shall be the **Avery County Firefighter's Association, Incorporated**, and shall hereinafter be referred to as the "**Association**".

Article II

The objectives of the Association shall be:

1. To promote the concept of organized emergency fire protection, first response/medical, and rescue services for Avery County.
2. To promote and assist the establishment of fire protection, first response/medical, rescue services, and training.
3. To promote to the fullest possible extent the objectives of accident and fire prevention.
4. To develop and maintain a code of high ethical standards among fire service personnel.
5. To promote the general welfare of the members of the Association.
6. To bring together in the Association all non-profit organizations committed to the above objectives.

Article III

Section 1

Membership in the Association shall be open to any non-profit organization actively engaged in fire protection, first response/medical, rescue services, and its membership, which supports and sustains the objectives set forth in **Article II** of this constitution, and which conforms to the requirements hereinafter set forth in the By-Laws.

Article IV

Section 1

The officers of the Association shall consist of President, Vice President, Secretary, and Treasurer.

Section 2

The President, Vice President, Secretary, and Treasurer shall be elected at the August meeting of the Association and shall hold office as provided in the By-Laws.

Section 3

There shall be a Board of Directors which shall be composed of the President, Vice President, Secretary, Treasurer, Executive Director, and **one Director** and **one alternate** from each member organization as elected by their respective organization. Directors elected to officer's positions shall be replaced by their respective departments for their term of office. The Board of Directors is charged with the responsibility and vested with the authority to transact any and all business of the Association. Such business may be conducted at any and all the regularly scheduled meetings including the annual meeting of the Association. **Each member organization** shall have one vote, except for the officers who are elected annually. Each member organization shall report in writing to the President the names of **one Director** and **one alternate**, by the start of the August meeting to be eligible to vote.

Section 4

There shall be two members of the Association elected by the Board of Directors to represent the Association as members of the Avery County Fire Commission. Fire Commission appointees shall serve two-year terms and shall be elected in alternating years at the August meeting of the Association. Should an appointee become disassociated with their organization and not associated with any other organization holding membership in the Association, their office shall become vacant and an election shall be held to fill the vacancy at the next meeting of the Board of Directors.

Article V

Section 1

A quorum for the conduct of Association affairs shall be fifty percent of the members of the Board of Directors present.

Article VI

Section 1

Proposed amendment(s) to this constitution shall be presented in writing to the Secretary not less than (30) days prior to the meeting at which action will be taken on the proposed amendment(s). The Secretary shall submit a copy of all proposed amendment(s) to the membership not less than (30) days in advance of the date set for action on the proposed amendment(s). Such action may be taken at any scheduled regular meeting of the Board of Directors. A two-thirds (2/3) vote of the Board of Directors present and voting shall be required for the adoption of an amendment. All such amendments become effective upon ratification by the Board of Directors.