

**FORT MORGAN
VOLUNTEER FIRE
DEPARTMENT
BYLAWS**

Fort Morgan Volunteer Fire Department Bylaws

Table of Contents

Article 1: The Corporation.....	2
Article II: Purpose.....	2
Article III: Taxes & Tax Funded Expenditures.....	3
Article IV: Membership.....	3
Article V: Board of Directors.....	4
Article VI: Board Positions.....	7
Article VII: Board Meetings.....	10
Article VIII: Contract Services.....	12
Article IX: Committees.....	12
Article X: Finances.....	12
Article XI: Emergency Vehicles.....	15
Article XII: Release of Information.....	15
Article XIII: Indemnification.....	15
Article XIV: Membership in Other Entities.....	15
Article XV: Parliamentary Authority.....	16
Article XVI: Officer and Member Status.....	16
Article XVII: Recognition and Appreciation.....	17
Article XVIII: Dissolution.....	18
Article XIX: Amendments.....	18
Article XX: Penalties.....	19

Fort Morgan Volunteer Fire Department Bylaws

Article I: The Corporation

Section 1 - Name

The name of the Corporation shall be "Fort Morgan Volunteer Fire Department, Inc.," hereinafter referred to as the "Corporation."

Section 2 - Location

The principal office of the Corporation shall be located in the State of Alabama in the County of Baldwin on Alabama Highway 180 West. The Corporation may have such other offices as the Board of Directors, hereinafter referred to as the "Board" may determine, or as the affairs of the Corporation may require from time to time.

Section 3 - Offices

The Corporation shall have and continuously maintain in the State of Alabama a registered office and a registered agent whose office is identical with such registered office, as required by the Alabama Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office in the State of Alabama, and the address of the registered office may be changed from time to time by the Board.

Section 4 - Definitions

For the purpose of these Bylaws, the term "Community" shall refer to and encompass all individuals identified in Article IV, Section 2, paragraph one below and the Corporation. The term "Corporation" shall refer to and encompass the "Board of Directors" and the "Department." The term "Board of Directors" or "Board" shall refer to that body of individuals duly elected as representatives of the Community to direct the activities of the Corporation. The term "Department" shall refer to that body of individuals who are active firefighters, emergency medical technicians, support personnel, or are carried as inactive Life Members.

For the purpose of these Bylaws, the term "Directors" shall, in accordance with the Webster's Collegiate Dictionary, mean or be defined as: "those who direct"; "the heads of an organized group"; or, "those who supervise, lead, or administer."

Article II: Purpose

The primary purpose of the Corporation shall be to provide fire safety and protection, emergency response services and to protect life and property from fire and other disasters. This Corporation shall further provide basic life support assistance to members and visitors of the Fort Morgan Community (hereinafter referred to as the "Community" which is located in the County of Baldwin, State of Alabama), assistance with medical emergencies and traffic control in incidents involving motor vehicles, assistance to law enforcement agencies as the situation may dictate or occur on Fort Morgan Peninsula west of the Gulf Shores City limits, and mutual aid (assistance), when requested, to surrounding communities and fire jurisdictions.

Fort Morgan Volunteer Fire Department Bylaws

Article III: Taxes & Tax Funded Expenditures

This Corporation shall be operated under the laws of the State of Alabama and the County of Baldwin. The Corporation is organized under the Alabama Non-Profit Corporation Act and as such is Tax exempt.

On October 12, 2010, the Corporation met the criteria for classification as an affiliate of a government unit, as described in Revenue Procedure 95-48, IRB 1995-47, 13. This classification exempts the Corporation from both paying and filing Federal income taxes.

All expenditures of tax acquired funding shall be expended in accordance with the Code of Alabama 1975, Section 45-2-242 and any other existing Federal, State, or County laws affecting not-for-profit incorporated organizations. All such expenditures of tax acquired funding must be clearly and concisely documented and be readily available for audit by any authorized entity.

Any purchase of contracted service involving or exceeding existing State legal limitations must be executed in accordance with the Code of Alabama 1975, Chapter 16, Article 2.

Article IV: Membership

Section 1 - General

Membership in the Corporation is open to those who fall in the eligibility categories listed below who wish to promote the mission and purpose of the Corporation, agree to abide by the provisions of these Bylaws and of the Fort Morgan Fire Department's (hereinafter referred to as the "Department") Standard Operating Procedures with all amendments and revisions appertaining thereto.

Section 2 - Eligibility

Any individual paying annual dues to the Department, if applicable, paying property taxes on any property located in the Fort Morgan fire jurisdiction, and/or residing in the Fort Morgan fire jurisdiction either as owner-residents or as long-term renters /tenants will be considered members of the Community, and eligible as members of the Corporation.

Eligibility as active firefighter members of the Department shall consist of: any law abiding citizen of the United States residing in or within five (5) miles of the Fort Morgan fire jurisdiction either as owner-residents or as long term renters/tenants; working or having a place of business within the Community; having attained the age of eighteen (18) years; and, being in good physical condition. The Fire Chief will document regulations regarding the driving of Company vehicles in the Department's Standard Operating Procedures.

Any law abiding citizen of the United States, not yet having attained the age of eighteen (18) years but being not less than fourteen (14) years of age, residing in the Community, and being in good physical condition, shall be eligible for membership as a "Cadet in Training" with the Department, upon the acceptance of the Fire Chief, hereinafter referred to as the "Chief."

Persons interested in joining the Department as a firefighter, cadet, or support personnel should apply through the Fire Chief as detailed in the Standard Operating Procedures.

Fort Morgan Volunteer Fire Department Bylaws

Section 3 - Dues

The Board may determine from time to time by resolution duly adopted, what amount if any, will be charged as Corporation membership dues. In the event the collection of dues is authorized, the resolution establishing said dues shall establish the amount of dues, the time of payment, and the penalties, if any, of failing to pay such dues.

Article V: Board of Directors

Section 1 - Board

The Board shall consist of a minimum of four (4) and a maximum of seven (7) Directors. Directors shall consist of and be elected from the Volunteer Fire Department's Active members roster (minimum of 3) and from full time residents of the Community as defined in Article IV, Section 2 (minimum of 2) who are in good standing. In addition, the Fire Chief shall serve on the Board in an ex-officio capacity without vote. No decrease in the number of Directors shall have the effect of shortening the term of any incumbent Director.

The Board, as its primary responsibility and obligation, shall serve as the representative of the people of the Community and in that capacity provide close oversight of the Corporation's finances, operations, and affairs.

Section 2 - Elections

Each nominee for a Directorship position must be a full-time resident of the Community as described in Article IV, Section 2 above, a full-time employee within the Community, or a member of the Corporation, and have been so for a minimum of one (1) year. Community members who have been terminated as volunteers, employees, or contractors from the Corporation, or who resigned from the Corporation while charge(s) or potential termination was pending are not eligible for nomination to a Directorship position.

The number of Board members to be elected annually shall be determined by the number of expired terms. Nominations may be put forth by an existing member of the Board or may be made by the general membership in attendance of the Board's Annual Meeting held on the second Tuesday of January.

All Board Directors shall be elected by open ballot at the Annual Meeting held on the second Tuesday in January of each year. Each position being filled will be voted on separately, one at a time, to eliminate any possibility of confusion or misunderstanding. The nominee receiving the majority of votes of those "Members of the Community" as identified in Article IV, Section 2, who are present at the Annual Meeting shall be deemed elected to that respective position for a term of three (3) years.

Section 3 - Board Officers

The Board of Directors will elect the Officers of the Board consisting of President, Vice President, Secretary, and Treasurer and those posts will be elected in that order. These positions may only be held by members of the Board. No Board member may hold two Board Officer positions at one time.

Fort Morgan Volunteer Fire Department Bylaws

Section 4 - Terms of Service

Directors shall hold Directorship positions for three (3) years with elections being held at the Corporation's Annual Meeting to which all Community members shall be invited. The Corporation's Annual Meeting shall occur on the second Tuesday of January of each year. Directorship positions will be voted on by those Community members in attendance. Elected Directors shall assume office and become members of the Board at the close of the Corporation's Annual Meeting but no later than January 31st. Their term shall end three (3) years later after the January Annual Meeting or when their respective successor(s) shall be duly elected and installed.

Board Officer positions shall be held for a one (1) year period with elections for these positions being held at the Corporation's Annual Meeting which shall occur on the second Tuesday of January of each year. Only those Directors of the Board in attendance shall be allowed to vote for

Board Officers. Board Officers shall assume office at the close of the Corporation's Annual Meeting but no later than January 31st. Their term shall end one (1) year later after the January Annual Meeting or when their respective successor(s) shall be duly elected and installed.

Section 5 - Purpose

The Board shall establish Policies and Procedures for the overall oversight and general management of the Corporation, and conduct the business of the Corporation as prescribed in the Articles of Incorporation and the Bylaws.

The Board shall provide general management and oversight of the operations and finances relative to the Corporation as a whole and examine all accounts pertaining to finances; assure that the Department's operational policies and procedures are being implemented and enforced to assure that the Department is functioning in the most effective, efficient, and safe manner possible; and to act as a standing committee to review membership appeals of any Fire Chief disciplinary decisions, resource requirement decisions, and/or complaints and grievances against the Fire Chief or the Corporation.

Section 6 - Resignation

Any member of the Board may resign at any time by giving thirty (30) days written notice to the President. Such resignation shall take effect at the time specified therein, or, if no time is specified, thirty (30) days from the date of receipt.

Section 7 - Vacancy

Any vacancy occurring among the Directors elected in accordance with existing Bylaws shall be filled by the affirmative vote of a majority of the Board of an individual who is a member in good standing of the Community as put forth by the Board to complete the unexpired time.

Fort Morgan Volunteer Fire Department Bylaws

Section 8 - Member Relocation

If a member of the Board moves out of the Community or the area within five (5) miles of the Department's Fire Jurisdiction, ceases to work or to have a place of business within the Community, the Board shall remove that Director within thirty (30) days of such action and replace such individual according to Section 7 above.

Section 9 - Removal for Cause

Any member of the Board may be removed from the Board or an Officer's position within the Board for cause. Cause shall include, without limitation, failure to perform the duties of their position, failure without excuse to attend two consecutive meetings of the Board or the Executive Committee, or any action which may injure the Corporation's reputation or hamper its work.

Section 10 - Process

A member of the Board may be removed from office for disruptive and/or uncooperative behavior during a Board Meeting, as well as any of the other causes detailed in Section 9. An affirmative two-thirds majority vote of the members present will result in the immediate removal of that member from the Board.

Any member of the Board may file written charges against any Board member to the Board of Directors, specifying the grounds for removal from office. The Board shall hold a hearing regarding the charges in Executive Session. The Board shall within thirty (30) days prior to such hearing, deliver in person or send by certified or registered mail, written notice of impending hearing. Notice shall include the time and place of the hearing and the charges against the member. The Board member so charged is entitled to: be present at the hearing; be represented by counsel (who must be a member of the Community unless otherwise approved by unanimous vote of Board members present); and, to present their defense. The Board member is not entitled to be present during the Board's deliberations, or to vote. If the Board determines, by a two-thirds vote of those present, that cause for removal exists, the member shall be removed from office effective immediately upon notice to that member.

Section 11 - Appeal

The Board's decision is final; however, per Article XX, "Penalties," a removed Director may appeal to the State Examiner's Office or the State Attorney General, whichever is appropriate.

Section 12 - Compensation

No members of the Board shall receive compensation for their services as members of the Board of the Corporation.

Fort Morgan Volunteer Fire Department Bylaws

Article VI: Board Positions

Section 1 - Officers of the Board

Officers of the Board shall consist of a President, Vice-President , Secretary and a Treasurer , elected by the members of the Board at the Annual Meeting each year and may include such other Board positions as deemed necessary and so approved by two-thirds vote by the Board . No member shall hold more than one Board position.

Section 2 - Terms of Office

Board Officers shall serve a term of one (1) year or until a successor shall be duly elected or appointed by the members of the Board of Directors. Officers of the Board shall assume office at the close of the January Annual Meeting but no later than the 31st day of January of that year.

Section 3 - Duties of Officers

Section 3.1 - President

The President of the Board shall prepare the Agenda for all meetings of the Board. The President shall preside at all meetings of the Board, preserve order, and decide all points of order that may arise, subject to appeal by two-thirds of the members present. The President shall further have general knowledge of and responsibility for supervising the business of the Corporation.

The President shall be responsible for assuring the enforcement of the Bylaws and Articles of Incorporation, appoint such standing or special committees as may be required by these Bylaws or as deemed necessary and approved by a two-thirds majority of the Board, and shall also perform such other duties as the Board may from time to time designate.

Section 3.2 - Vice President

The Vice President of the Board shall perform all duties incumbent upon the President during the absence or disability of the President and shall perform such other duties as the Board and the President may, from time to time, designate.

Section 3.3 - Secretary

The Secretary shall attend all meetings of the Board , shall be responsible for the taking of written minutes of the meetings of the Board, keeping and preserving the books of the Corporation and for distributing accurate minutes of the proceedings of all such meetings to the each Director and the Fire Chief and assuring that a copy is maintained in the Corporation's official files.

Fort Morgan Volunteer Fire Department Bylaws

The Secretary shall initial each page of the Corporation's copy of the Board Meeting minutes and sign the final page. The Secretary shall present this copy of the minutes to the President to obtain their initials and signature.

The Secretary shall be the custodian of the SEAL of the Corporation, and see that the seal of the Corporation is affixed to all official Corporation documents. The Secretary shall ensure that all notices given are in accordance with the Bylaws and ensure that all donors receive appropriate thank you and tax letters in a timely manner.

Whenever any notice is required to be given under the provisions of the Laws of Alabama , under the provisions of the Articles of Incorporation, or the Bylaws of the Corporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before, or after the time stated therein, shall be deemed equivalent to the giving of such notice.

The Secretary shall have access to the post office addresses of all members of the Community through the Baldwin County Revenue Commissioner' s office. The Secretary shall in general, perform all duties incident to the office of Secretary, and such other duties as from time to time may be assigned by the President and the Board of Directors.

The duties of the Secretary may be performed by contracted administrative services, as covered under Article VIII. The Secretary shall be responsible for oversight and supervision of all duties performed by contracted personnel.

Section 3.4 - Treasurer

The Treasurer shall be responsible for developing and reviewing the fiscal policies of the Corporation and shall establish an accounting method to account for all monies received and expended by the Corporation. Accounting method must be approved by the Board.

The Treasurer shall have charge, custody and be responsible for, under the supervision of the President of the Board, all funds and securities of the Corporation. The Treasurer shall receive and give receipts for monies due and payable to the Corporation from any donated source, deposit all such monies in the name of the Corporation, in such banks, trust companies, or their depositories , as shall be selected in accordance with the provisions of these Bylaws, or as determined by unanimous vote of the Board. The Treasurer shall ensure that all monies of the Corporation are deposited in financial institutions approved by the Board, and that only authorized disbursements are made therefrom.

The Treasurer shall a sure that all funds of the Corporation are deposited within five (5) days of receipt to the credit of the Corporation in such banks, trust companies, or other depositories as the Board shall designate. This place of deposit shall be FDIC insured.

At the Annual Meeting of the Corporation, or when requested by the President or Board, the Treasurer shall report all receipts and expenditures of the Corporation for the current year and shall prepare any accounting requested by the Internal Revenue Service (IRS) and any other legal issues.

The Treasurer shall perform such other duties as the President or Board may, from time to time, designate.

If required by the Board, the Treasurer shall give a bond for the faithful discharge of their duties in such sum and with such surety or sureties as the Board shall determine.

Fort Morgan Volunteer Fire Department Bylaws

The duties of the Treasurer may be performed by contracted administrative services, as covered under Article VIII. The Treasurer shall be responsible for oversight and supervision of all duties performed by contract personnel.

Section 4 - Fire Chief

The Corporation's "Fire Chief" shall be appointed by two-thirds vote of the Board. The Fire Chiefs position may be appointed as a Volunteer or may be compensated as determined by a two thirds majority of the Board. The Fire Chief shall serve at the convenience of the Board and may be dismissed by two-thirds vote of the Board at any time that it is deemed in the best interest of the Corporation.

The Fire Chief shall serve a term of two (2) years. The position will be voted on by the Board of Directors at the Annual Meeting each even numbered year and requires a two-thirds majority in favor of the individual appointed to fill the position. The Active firefighters shall vote for their nomination to fill the Fire Chief position on the first Monday in December of each odd numbered year. The Assistant Chief will present the firefighter's nomination to the Board of Directors at the Annual Meeting. Members of the Community, individual Board Directors, and individual firefighters may also make nominations for the Fire Chief position at the Annual Meeting.

If multiple candidates are nominated for the Fire Chief position, the Board has the option to delay the election until the February Board Meeting, so that the Board may review the resumes of the candidates.

Any law abiding citizen of the United States may apply or be nominated for this position who: is residing, working, or has a place of business within the Fort Morgan Community, County of Baldwin, State of Alabama; resides in or within five (5) miles of the Fort Morgan Fire Jurisdiction; has attained the age of twenty-one (21) years; has a minimum of five (5) years firefighting experience; is preferably (however, not required to be) certified as a Firefighter 1 or higher through an accredited institution; possesses the leadership and communication skills necessary to supervise firefighters and EMT personnel and manage a Fire Department; and, is in good physical condition.

The Fire Chief shall be an ex-officio member of the Board and provide monthly reports on the state of the Department and its activities. The Fire Chief shall have full membership rights to make and debate motions but will have no right to vote on any issue, matter or motion. The Fire Chief may serve on but not Chair committees and shall also serve as Sergeant at Arms at all meetings.

The Fire Chief shall be responsible for all operational aspects of the Department as it relates to the primary mission of the Corporation as specified under Article II above. The Fire Chief is responsible for establishing all necessary and comprehensive Standard Operational Procedures for fireground and incident procedures, and for the recruitment, retention, training, equipping and disciplining of all firefighters, emergency medical personnel, and support personnel, which includes termination when found appropriate. These Standard Operating Procedures shall be maintained in a comprehensive written manual form and a copy of the Standard Operating Procedure manual shall be maintained at Station One in a place accessible to all Corporation members.

Fort Morgan Volunteer Fire Department Bylaws

The Fire Chief shall be responsible for the maintaining of all firefighting and rescue equipment in a state of readiness and assure that Department firefighting and rescue equipment is "State-of-the Art" to the extent possible based on available funding.

The Fire Chief shall carry full responsibility for all operational aspects of the Department and will answer only to the Board, which will provide general management and oversight. The Board shall not interfere with the day-to-day operational aspects of the Department unless clear and convincing evidence is presented indicating that the Fire Chief may be guilty of: wrong-doing , negligence , incompetency, disregard for the Bylaws of this Corporation, or willful neglect for the safety and well-being of the firefighters under the Fire Chiefs supervision.

Should any member of the Department feel specific equipment is needed by the Department, they shall present their request in writing to the Fire Chief. Once the request is presented to the Fire Chief, it will be the Fire Chiefs responsibility to bring it before the Board for discussion and action, as appropriate. The decision of the Board is final and binding.

The Fire Chief shall further be responsible for strongly encouraging all volunteer firefighters and Emergency Medical personnel to have the Hepatitis "A" and Hepatitis "B" inoculations as further protection when dealing with EMS situations. Inoculations shall be paid for by the Corporation.

Article VII: Board Meetings

Section 1 -Annual

There shall be an Annual Meeting of the members of the Community (Article IV, Section 2) held on the 2rd Tuesday of each year in the month of January. It shall be at this meeting that:

The election to fill the positions of those members of the Board whose terms have expired shall be held by the members of the Community in attendance;

Board Officers will be elected by members of the Board;

Any administrative service contracts, as noted in Article VIII, shall be presented and voted on by the Board of Directors;

Every even numbered year, the Board shall elect a Fire Chief for a two (2) year term; and,

The presentation and approval of the Department's annual budget shall occur and a general overview of the Department's past year's activity will be presented by the Fire Chief to the general public in attendance.

Fort Morgan Volunteer Fire Department Bylaws

Section 2 - Regular

Regular meetings of the Board shall be held monthly on the second (2nd) Tuesday of each month at 1730 hours (5:30PM) at Fire Station One (1) for the purpose of transacting such business as may come before it. The Board may, by resolution, provide for the holding of additional regular meetings.

Any member of the Community in good standing may attend Board Meetings and will be provided a maximum of five (5) minutes each, prior to adjournment of the meeting, to bring forth concerns or recommendations to the Board, but may not otherwise participate in the proceedings or vote on any motions. Additional time, as determined by the Board, may be granted by two-thirds vote of the Board, if the member speaking so requests.

Section 3 - Special

Special meetings of the Board may be called at the discretion of the President, written request signed by a minimum of four (4) members of the Board, the Fire Chief, or by petition signed by ten (10) percent of the members of the Community. Special meetings of the Board shall be held at such time, day, and place as shall be designated by the President.

Section 4 - Place

The President of the Board may designate any place within the County of Baldwin as a place of meeting for any Annual Meeting, or for any special meeting of the Board called in accordance with Section 3 above.

Section 5 - Quorum

A quorum to conduct business shall constitute a minimum of four (4) members of the Board. No member of the Board shall leave the room during the meeting unless permission is granted by the President. Any Board member unable to attend a monthly Board Meeting due to an unavoidable situation shall so advise the President prior to the meeting.

Any Board member unable to attend a monthly Board Meeting due to an unavoidable situation may vote on a particular issue by an assigned proxy vote received in writing by the President of the Board prior to the meeting. No proxy vote will be allowed at the Annual Meeting. Members must be present at the Annual Meeting in order to vote.

Fort Morgan Volunteer Fire Department Bylaws

Article VIII: Contract Services

The Board, if deemed necessary by two-thirds majority vote, may hire contract administrative services to be utilized by the Corporation. These services shall consist of office administrative duties, recording of Board Meeting minutes, managing income and accounts payable, bookkeeping, and preparing financial statements for the monthly Board Meetings.

The Board shall enter into a contractual agreement when appropriate or necessary but preferably at the Annual Meeting. Contracts shall clearly specify contract duties and compensation for such duties.

Article IX: Committees

Section 1 -Ad Hoc Committees

Ad hoc or special committees, as may be deemed necessary for the effective operation of the Corporation, may be appointed by the Board of Directors or by the President with two-thirds majority vote of Board members present.

Section 2 - Chairpersons

Unless otherwise specified in these Bylaws, one member from the Corporation shall be appointed chairperson by the President of the Board with two-thirds majority vote of Board members present.

Section 3 - General Duties of All Committees

To consider, investigate, take action on, or report on any matter as charged by the Board or the President. To formulate recommendations for consideration by the Board.

Article X: Finances

Section 1 - Fiscal Year

The fiscal year of the Corporation shall begin on the first day of January of each year, and end on the last day of December of that year.

Section 2 - Checks, Deposits, and Funds

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such Officer, or Officers, agent, or agents of the Corporation and in such manner as shall from time to time be determined by resolution of the Board. In the absence of such determination by the Board, such instrument shall be signed by the Treasurer and countersigned by the President of the Corporation. Any Board Officer may sign in the absence of the President or Treasurer. At each Board Meeting prior to payment of any bills, all Board members shall examine said bills and initial same. Any bills requiring payment between Board Meetings to avoid late fees shall have checks signed by two (2) Board Officers and the remaining Board members shall examine and initial those bills at the next Board Meeting.

Fort Morgan Volunteer Fire Department Bylaws

Section 3 - Depositories

All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such financial institutions as the Board may select.

Section 4 - Books and Records

The Corporation shall keep and maintain in accordance and in compliance with Federal, State, and County laws, correct and complete books and records of account(s) and shall also keep minutes of the meetings of members (Annual Meeting) and meetings of the Board. Such books and records of account and minutes, in addition to a record giving the names and addresses of the Directors, or copies of such records shall be kept at the registered office. All books and records of the Corporation may be inspected by any Director, or their agent or attorney for any proper purpose at any reasonable time. Books and records can be maintained by contract administrative services under the oversight and supervision of the Board's Secretary and Treasurer.

Section 5 - Signatures

The Treasurer and the President shall be the primary authorized signatories on checks and other instruments of negotiation on behalf of the Corporation except as otherwise specified in these Bylaws or by the Board. In the absence of the Treasurer and/or the President, any Officer of the Board is also an authorized signatory. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by at least two (2) Board Officers, as required by the Alabama State Examiners Office, in such manner as designated by these Bylaws or by resolution of the Board.

Section 6 - Contracts

The Board may authorize any Officer, or Officers, agent, or agents of the Corporation, in addition to any Officer, or Officers, so authorized by these Bylaws to enter into any contract, or execute and deliver any instrument, in the name of, or on behalf of the Corporation. Such authority may be general, or confined to specific instances. Such authority includes the issuance of "credit cards" to the Fire Chief, Assistant Fire Chief, Station Captains and Lieutenants and a monthly allowable expenditure, in an amount to be periodically determined by the Board via a Standing Rule, for use by the Fire Chief for Department purchases. Further, by a two-thirds majority vote of the Board, the Board may approve the assignment of a "credit card" to the contract administrator for the purpose of purchasing office supplies.

Receipts for all expenditures, including the Fire Chiefs "allowable expenditure," must be submitted to the Treasurer for accounting purposes. All "allowable expenditures" by the Fire Chief must be documented under the appropriate budgeted line item report by the Treasurer and reported on at the monthly Board Meeting. Receipts will be reviewed by the Treasurer for appropriateness and/or discrepancies and findings reported to the Board monthly. The Treasurer shall bundle and copy all the receipts that the Fire Chief turns in and label them as Fire Chiefs expenses for the month with a Board signature card attached, in order that all Board members may initial as " reviewed and approved."

Fort Morgan Volunteer Fire Department Bylaws

Section 7 - Reimbursement

Officers, Directors, and/or member delegates to Fire Department associated conventions or meetings shall be reimbursed for reasonable expenses as approved in advance by the Board.

Department members who qualify for reimbursement for Privately Owned Vehicle (POV) usage are those listed on the active duty roster as "Active Firefighters " and who have: completed their six (6) month probationary period; are currently certified for CPR and AED; attend a minimum of 70% of scheduled training drills for the quarter ; and respond to a minimum of twenty-five percent (25%) of emergency or non-emergency Baldwin Central (911) page-outs for the quarter.

Section 8 - Bonding

All Officers of the Corporation may be furnished a fidelity bond in such sums as the Board may prescribe.

Section 9 - Gifts and Grants

The President or any such person as may be designated by the President , may accept on behalf of the Corporation any contribution(s), gift(s), bequest(s) , or device(s) for general purpose, or for a specific purpose of the Corporation, as long as such donation is in compliance with Federal, State, and County Internal Revenue Law.

Section 10 - Charitable Contributions

No funds that have been paid or donated to the Corporation may be used for charitable contributions to outside causes. Funds raised by the Corporate Ladies Auxiliary may be used for such purposes if approved by a two-thirds majority of the Board of Directors. Any expenses incurred by the Ladies Auxiliary may be paid for by the Corporation from the Public Relations Fund with two-thirds Board approval.

Fort Morgan Volunteer Fire Department Bylaws

Article XI: Emergency Vehicles

Fire Department vehicles are those vehicles owned and maintained by the Department. They are to be used for emergency response and Fire Department business only. They cannot be used for personal activities, to transport family members or friends, or to tow personal trailers, boats or other towable objects not owned by the Department. These vehicles may not be taken outside the fire jurisdiction except on Fire Department business and must be housed at a Department fire station unless an emergency exists that dictates otherwise.

Fire Department vehicles are to be operated only by Fire Department members listed as "Active Firefighters" on the active duty roster. Only the driver and other members of the Department are insured as occupants of these vehicles. Transport of "others" is allowed only if the vehicle is on an emergency call and the "other" occupant is officially involved in that emergency. No log is required of emergency vehicle use.

The Board of Directors by a two-thirds majority vote may assign a Department vehicle to an individual firefighter, who will be allowed to keep that vehicle at their residence and take it to their place of employment. The Corporation must have a signed written agreement between the Board and the driver of the assigned vehicle with the rules clearly stated for vehicle use to conform with current IRS, insurance, and ad valorem tax regulations.

Article XII: Release of Information

Any member approached by an attorney, and/or by a member of the press, referencing any business of the Corporation, shall refer that individual to the President of the Board of Directors, the Fire Chief, the Assistant Fire Chief or the Public Relations Officer.

Should a member be summoned to appear before a lawyer referencing any 9-1-1 alarm, they shall notify the Fire Chief and President of the Board "before" discussing anything with any lawyers.

Article XIII: Indemnification

Board Directors, Fire Officers, Volunteers, Employees, and agents of the Corporation shall be indemnified as specified herein for any costs, expenses or liabilities necessarily incurred in connection with the defense of any action, suit or proceeding in which they are made a part by reason of being or having been a member serving in an elected, appointed, volunteer, or employee capacity. The Corporation shall maintain an insurance policy to cover any liability suit brought against any member of the Board resulting from any action while discharging the duties of the Board. No member or employee shall be indemnified when adjudged in the action or suit to be liable for negligence or misconduct in the performance of duties.

Article XIV: Membership in Other Entities

This Corporation may hold membership in other firefighter corporations as approved by the Board. The delegates and alternates may be elected annually or appointed as necessary during the year by the Board, to attend firefighter events.

Fort Morgan Volunteer Fire Department Bylaws

Article XV: Parliamentary Authority

These Bylaws constitute the Code of Rules adopted by the Corporation for the regulation and management of its affairs. The latest edition of *Robert's Rules of Order, Newly Revised* shall guide the proceedings of the Corporation and the Corporation Board and shall govern all parliamentary action not specifically covered herein. ***Robert's Rules of Order, Newly Revised*** shall only be preceded by: The Code of Alabama 1975 Section 10A-3-1 and 10A-3-2 which addresses "Non-Profit Incorporated Board Meetings and Functions"; the Alabama Open Meetings Act - Act Number 2005-40; and these Bylaws.

Article XVI: Officer and Member Status

Section 1 - Active Status

The Officers of the Department shall consist of a Fire Chief who shall be selected by the Board of Directors, an Assistant Fire Chief, Captain of Station #1, Captain of Station #2, Lieutenant of Station #1, and Lieutenant of Station #2, who shall all be selected by and serve at the convenience of the Fire Chief. The Fire Chief may add additional officer positions if they become necessary to improve the efficiency of the Department. Upon selection of an Officer, the Fire Chief shall announce his Officer selection(s) to the Board of Directors before making the selection(s) official. Lieutenants, engineers and other critical coordinator positions may be selected by and serve at the convenience of the Fire Chief or be selected by members of the Department in a manner determined by the Chief and so documented in the Standard Operating Procedures.

The appointment of an individual to the position of Assistant Fire Chief shall be made by the Fire Chief, but shall require the approval of the Board of Directors. The Assistant Fire Chiefs term shall be at the discretion of the Chief.

Section 2 - Sick Leave Status

A member placed on Sick Leave for physical or mental illness shall not return to duty until receiving a Fit for Duty report from an approved physician as determined by the Board of Directors. The person on leave shall not respond to, or participate at any alarm. The member may attend all social functions and training sessions; however, at training sessions member shall only observe.

Section 3 - Inactive Status

No active member shall be allowed more than six (6) months leave of absence at any one time, except when called to military duty in an emergency, or when such absence is approved by the Board.

Any member returning to active duty within six months of the date entering inactive status will not be required to re-apply for membership in the Department; otherwise the member must reapply for membership through the Chief.

Fort Morgan Volunteer Fire Department Bylaws

Section 4 - Disciplinary Action

Any member of this Department may be reprimanded, suspended, or expelled from said Department for just cause as determined by the Chief. Any member so reprimanded, suspended or expelled has the right to appeal the Chiefs decision and/or action to the Board. The Chief shall issue Standard Operating Procedures (SOPs) identifying those offenses which may lead to reprimand, suspension or expulsion and shall further assure that members are aware of those Standard Operating Procedures and of the means by which they may file an appeal of such actions to the Board.

Section 5 - Life Membership

Any member of the Department, after having served as an active member in good standing for a minimum of ten (10) years, and/or having reached the age of seventy (70) years after having served with the Department for at least eight (8) years may request from the Board to be placed on "In active Life Membership" status. If approved by the Board, the member shall then be considered a life member in good standing.

Article XVII: Recognition and Appreciation

Section 1 - Recognition and Appreciation

There shall be an "Annual Recognition and Appreciation Dinner" held each year in the month of December. The purpose of the dinner will be for fellowship, a show of appreciation, unity and camaraderie. A presentation of the "Firefighter of the Year" award and the presentation of other appropriate plaques and certificates of recognition and/or appreciation will be presented at this event.

The Chief shall issue Standard Operating Procedure (SOP) clarifying eligibility and requirements for consideration of any award to be presented at the annual recognition and appreciation dinner.

Section 2 - Committee

The Chief shall form a committee consisting of the Chief, the Assistant Chief, and the previous year's "Firefighter of the Year" recipient to plan the dinner, presentations, make arrangements for a Speaker, and do whatever else is necessary in the planning of the event.

Section 3 - Guests

All Firefighters and the members of the Ladies Auxiliary, with one guest each, shall be invited free of charge. There will be a minimum fee (to be determined by the committee) to be charged if any member wishes to bring any other guest(s). The Committee shall have the right to extend invitations to "special" guests and their spouses, free of charge, as a way of expressing gratitude for support and/or assistance.

Fort Morgan Volunteer Fire Department Bylaws

Article XVIII: Dissolution

Section 1 - Notice

A published or served notice of a pending meeting for the purpose of dissolution shall be given at least one month (30days) in advance of any vote of Dissolution by the Board. All members of the Corporation and the Community shall be given an opportunity to express their approval and/or disapproval, and a discussion shall take place prior to any vote. This input from the membership shall be given the utmost consideration by the Board.

Section 2 – Vote

The Corporation may be dissolved with the assent given in writing and signed by not less than two-thirds of all sitting Directors.

Section 3 – Assets

Upon dissolution of the Corporation, other than incident to a merger or consolidation, the assets of the Corporation shall be dedicated to an appropriate public agency(ies) to be used for the purposes similar to those for which the Corporation was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit Corporation, corporation, or trust to be devoted to such similar purposes.

Article XIX: Amendments

Section 1 – Amendment of Bylaws

These Bylaws may be amended at any annual, monthly or special meeting of the Board by a two-thirds vote of the members of the Board present and voting, provided there is a thirty (30) day written notice of intent with the proposed amendments published.

Section 2 – Changes

No change to these Bylaws may contain any provision for the regulation and management of the affairs of the Corporation inconsistent with Internal Revenue Code, or the corresponding provision of any future United States Internal Revenue Law, or the Alabama Non-Profit Corporation Act.

Section 3 – Amendment of Policies, and Procedures

Policies and Procedures may be amended by a two-thirds vote of the members of the Board present and voting.

Section 4 - Origin of Amendments

Amendments to the Bylaws may be originated by a two-thirds majority of the Board of Directors.

Fort Morgan Volunteer Fire Department Bylaws

Article XX: Penalties

Any member violating any of the provisions of these Bylaws shall be expelled from the Board of Directors and/or the Corporation, whichever applies, as per the decision of the governing body. The governing body shall be the Board of Directors or the Chief Examiner for the State of Alabama. If the Director refuses to resign, an investigation by the State Attorney General would determine if dismissal is appropriate.