

BY-LAWS OF THE DEARBORN FIRE SERVICE AREA

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Paulette DeHart Clerk & Recorder, Lewis & Clark MT

ARTICLE I PURPOSE



SECTION 1: The Dearborn Fire Service Area (DFSA) of Cascade and Lewis and Clark Counties is organized to give assistance to the DFSA and the adjoining communities by responding to actual or potential fire situations and providing traffic and assistance to EMS providers at motor vehicle accidents, thereby reducing loss of life and property, and to promote community good will in the DFSA and adjoining communities.

SECTION 2: This organization is authorized by the respective County Commissioners to receive funds to finance its functions. In addition to the funding provided by the County Fire Service Area Fees, the DFSA, with Board approval, may lease or rent DFSA-owned property, and the DFSA may accept donations. The DFSA may not solicit donations.

ARTICLE II MEMBERSHIP

SECTION 1: Any resident 18 years or older of the Dearborn Fire Service Area shall be eligible to become a volunteer firefighter. A member is defined as a volunteer firefighter.

SECTION 2: There shall be two classes of firefighter: active and auxiliary. An active member is defined as any member of DFSA who has fulfilled or is fulfilling a minimum of thirty hours of training each year. Fifteen of the thirty hours must be fulfilled within the local fire department. Active firefighter membership shall be open to a maximum of 28 firefighters, not including auxiliary firefighters.

SECTION 3: Auxiliary firefighter's duties are designated by the Fire Chief. Auxiliary firefighters may have firefighting experience and equipment or may be able to support firefighting efforts at the Chief's discretion. Auxiliary firefighters do not vote in FSA elections.

ARTICLE III APPOINTMENT OF OFFICERS

SECTION 1: As the Board of County Commissioners has resolved to establish an Administrative Board pursuant to MCA laws 7-1-202 and 7-1-203, the Board of Trustees shall consist of the five persons appointed by the County Commissioners. Four of the appointed Board Members shall be elected by The Board as Chair, Vice Chair, Recording Secretary and Treasurer. These parties

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will be responsible for answering to the County Commissioners regarding the business affairs of the fire department.

SECTION 2: The Board shall appoint the Fire Chief with the recommendation of the firefighters. The Fire Chief shall serve for one year at a time. Nominations for the position of Fire Chief shall take place at the June Fire Training meeting and will be voted upon at the July Fire Training meeting. All active firefighters are eligible to nominate and vote for the Chief's position. Any active firefighter may submit his or her name for nomination. Upon Board approval, the elected Fire Chief assumes responsibility immediately.

SECTION 3: The Fire Chief will report DFSA activities to the Board each month. The Board Chair or his/her designee shall prepare the monthly Board meeting agenda in accordance with M.C.A. public meeting standards.

SECTION 4: The five appointed Board members shall be the only ones to vote on issues brought before the Board.

SECTION 5: Board meetings shall be conducted in accordance with the M.C.A. Any member of the Dearborn Fire Service Area may come to a meeting and discuss any matter that may involve the fire department. The Board shall take said matters under consideration.

SECTION 6: The regular meeting of the DFSA Board shall be held at the Dearborn Fire Station each month as governed by the M.C.A. Meeting dates will be posted on the FSA bulletin board and in local newspapers.

SECTION 7: More than fifty percent (a minimum of three of the total of five) board members shall constitute a quorum for the transaction of business at regular or special meetings.

SECTION 8: Should a Board member miss three meetings in a year without notifying the Board of his/her impending absence he/she will be dismissed from the Board.

ARTICLE IV DUTIES OF THE CHAIR

SECTION 1: The Board Chair or his/her Board member designee shall preside at all meetings of the Fire Department. If the Fire Chief or any other Board members want to convene a special meeting, he or she needs to acquire the permission of 3 additional voting members. Upon their

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approval, the public and all board members shall be notified of said meeting as governed by the M.C.A.

SECTION 2: The Chair shall have the power to appoint all special Board committee members.

SECTION 3: Should the Chair be incapacitated or unavailable, the Vice Chair, Secretary, or subsequently, the Treasurer, shall become the presiding officer.

ARTICLE V DUTIES OF THE SECRETARY

SECTION 1: It shall be the duty of the Secretary to notify all voting members of the regular meetings in a manner determined by the Board.

SECTION 2: It shall be the duty of the Secretary to keep the minutes of all regular and special meetings and submit them for approval to the Commissioners in both Cascade and Lewis and Clark Counties.

SECTION 3: It shall be the duty of the Secretary to perform any clerical work in connection with the Fire Department as it pertains to the office.

SECTION 4: It shall be the duty of the Secretary to take attendance at all meetings and record minutes which will be retained at the fire station.

SECTION 5: It shall be the duty of the Secretary to send in a list of all members to the Cascade County Clerk and Recorder on or before September 1st of each year, according to State Law.

SECTION 6: It shall be the duty of the Secretary to deliver all books and papers belonging to and pertaining to the DFSA to his/her successor in office at the completion of his/her term of office.

ARTICLE VI DUTIES OF THE TREASURER

SECTION 1: It shall be the duty of the Treasurer and/or appointed assistant to handle all monies of the Fire Department and perform any financial duties as they pertain to the DFSA.

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SECTION 2: At the beginning of each Fiscal year, the Treasurer shall set up and track the annual budget. In May of each year the Fire Chief will submit to the Board a proposed budget which will be reviewed by the Treasurer. The Treasurer and Fire Chief will present their budget to the Board of Trustees for approval at their June meeting. The Board has the authority to modify the budget at any time during the fiscal year as need arises.

SECTION 3: The Treasurer in cooperation with the Fire Chief shall keep track of capital assets.

SECTION 4: The Treasurer shall deliver to his/her successor in office all books and papers belonging to and pertaining to the DFSA at the expiration of his/her term of office.

SECTION 5: It shall be the duty of the Treasurer to keep a written account of all monies received and expended. Such written account shall be open at any and all times for inspection by the DFSA Board. The Treasurer shall make monthly reports and full and detailed reports as required by the County Commissioners and the State of Montana.

SECTION 6: Fire Department money shall be deposited in an accredited banking institution with the signatures of either the President or the Treasurer necessary for any withdrawals. All bills will be paid promptly.

ARTICLE VII DUTIES OF THE FIRE CHIEF

SECTION 1: The Fire chief shall present a proposed annual budget to the Treasurer before the May Board meeting each year.

SECTION 2: The Fire Chief or his/her designee shall be responsible for accounting for all goods and services received by the F.S.A. and for forwarding all receipts to the Treasurer.

SECTION 3: The Fire Chief shall have control and supervision of the fire-fighting apparatus at all times. It shall be his or her duty to see that such apparatus is kept in serviceable working order.

SECTION 4: The Fire Chief shall see to it that Fire Training classes are conducted. During a fire drill, the Fire Chief shall be in charge unless a Training Officer has been appointed by the Fire Chief. If appointed, the Training Officer shall be in charge of drills and other training.

SECTION 5: It shall be the duty of the Fire Chief to inquire into the cause of every fire occurring within the Dearborn Fire Service Area and to keep the records thereof or to appoint an active

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member of DFSA to do the same said duties and to aid in the enforcement of all fire ordinances duly enacted. When directed by the State Fire Marshall and/or his duly qualified acting deputies, the Fire Chief will perform such duties as may be imposed by the State Fire Marshall and his duly qualified deputies.

SECTION 6: The Fire Chief shall attend all fires with the department insignia conspicuously displayed and see that all regular firemen of the DFSA procure and wear proper department insignia.

SECTION 7: The Fire Chief shall take reasonable steps to prevent injury and to take charge of and preserve all property rescued from fires and return the same to the owners.

SECTION 8: The Fire Chief shall have the authority to sign a mutual aid agreement with adjoining fire districts and to act accordingly.

SECTION 9: The Fire Chief shall keep a book of the running history of the DFSA, a record of fires attended by DFSA members and other information of value to DFSA including, but not limited to, training hours and active response hours.

SECTION 10: The Fire Chief will participate in and implement the National Incident Management System and apply all standards of the system to our operation.

SECTION 11: The Fire Chief is responsible for reporting active firefighters' status to the State Fireman's Retirement System.

SECTION 12: The Fire Chief is responsible for reporting to the State Worker's Compensation System.

SECTION 13: The Fire Chief or his/her designee shall be solely responsible for media communications unless media inquiries are directed to the Board of Trustees, in which case the Board Chair or his/her designee shall be the sole spokesperson for the Board.

ARTICLE VIII BOARD OF TRUSTEES

SECTION 1: The Board of Trustees shall attend all business meetings and address and act upon any business brought before the Board.

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SECTION 2: The Chair shall have authority to make expenditures in emergencies and appoint an Executive Board. The Executive Board shall consist of the Chair and at least two elected Board Members.

SECTION 3: The Board shall have authority to make large expenditures for plant, apparatus and equipment.

SECTION 4: Any action taken by the Board at a specially called meeting is subject to review by the entire Board at the next regularly scheduled meeting.

ARTICLE IX DUTIES OF THE FIREFIGHTERS

SECTION 1: It shall be the duty of each Member of the DFSA to attend all regular meetings and all fire training, and to familiarize themselves with the use of all DFSA equipment and the by-laws of the Fire Department.

SECTION 2: On the general page of the DFSA it shall be the duty of every Member to report for duty to the fire station, the Fire Chief or the Incident Commander.

SECTION 3: It shall be the duty of each Firefighter assisting at a fire or page call to work as directed by the Incident Commander until released by the Fire Chief or Incident Commander.

ARTICLE X FUNDS AND APPLICATION

SECTION 1: The General Fund of the DFSA shall be kept in either checking and/or savings accounts as the Board of Trustees determines.

SECTION 2: The General Fund shall be used to pay all expenses of the DFSA.

SECTION 3: Any Member authorized by the Fire Chief may be reimbursed for reasonable expenses incurred in travel or business for the DFSA. The State of Montana Standard Rate for Mileage will be used for reimbursement of private vehicle travel.

SECTION 4: Other monies may be handled by the Treasurer as specified by the Board of Trustees at any regular or special meetings.

BY-LAWS OF THE DEARBORN FIRE SERVICE AREA**ARTICLE XI AMENDMENTS**

SECTION 1: Amendments to these by-laws shall be made in the following manner, to wit: A Motion shall be made at a regular monthly meeting that article ____ section ____ of the by-laws of the D.F.S.A. be amended as follows: (statement of the amendment.) The proposed amendment shall have been drafted and submitted by a committee of three Board Members, appointed by the Presiding Officer. The amendment shall be considered for the final adoption or rejection at the next two regular meetings of the Board of Trustees. Said motion shall be deemed carried upon a majority vote of the Board Members present at the third regular Board Meeting after of the passing motion. The proposed amendment shall be deemed enacted and adopted by a majority vote of the Board Members present.

ARTICLE XII RULES OF ORDER**SECTION 1:**

- a.) Minutes of the last meeting shall be given to all Board Members and Officers at the start of the meeting.
- b.) The Treasurer's report shall be given to all Board Members and Officers at the start of the meeting.
- c.) The Fire Chief's report shall be given to all Board Members and Officers.
- d.) The Training Officer's report shall be given to all Board Members and Officers.
- e.) Old Business will be discussed.
- f.) New Business will be discussed.
- g.) The meeting will adjourn.

SECTION 2: Any question coming before the Board for which no provision has been made in the by-laws, the Presiding Board member shall make the final decision.

SECTION 3: No motion shall be subject to debate until seconded and stated by the Chair or by his/her designee in the absence of the Chair.

SECTION 4: On call of majority of the Board Members present debate shall cease and a vote taken on the question under discussion.

SECTION 5: When 2 or more people rise to speak, the Chair shall decide who is entitled to the floor.

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SECTION 6: Every Board Member shall vote on any question unless he is excused.

SECTION 7: Robert's Rules of Order shall be the authority on all matters and procedures not otherwise provided for in these by-laws.

ARTICLE XIII DISCIPLINE

SECTION 1: Any firefighter who shall refuse, without good reason, or who shall neglect to serve the DFSA at fires or fire drills, or who shall act in a manner which brings the Fire Department disrepute, shall be dropped from the rolls of the Fire Department upon recommendation of the Fire Chief and majority vote of a quorum present at a duly called and convened regular or special meeting of the Board of Trustees.

SECTION 2: Any firefighter being absent for three meetings without good cause may be suspended from the Fire Department by a vote of the Board. They may be reinstated upon recommendation of the Fire Chief and majority vote of the Board of Trustees at any meeting upon the written application for reinstatement.

SECTION 3: A majority of active firefighters may petition the Board of Trustees to intervene in conflicts between firefighters and the Fire Chief. Conflicts will be addressed at regular or special meetings of the Board of Trustees.

SECTION 4: Should the Fire Chief violate section one restrictions or refuse to act on Board of Trustees directives, he/she may be suspended by majority vote of a quorum present at a duly called and convened regular or special meeting of the Board of Trustees.

SECTION 5: Sickness, absence from the community or required presence at work shall be considered a valid excuse for non-attendance at meetings, drills, clean up and fires.

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I, Louise Watson, as President and Chairman of the Board of Trustees attest that these are the by-laws of the Dearborn Fire Service Area.

Signed *Louise Watson*
Louise Watson

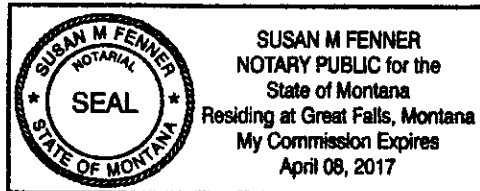
Dated 10/25/16

On this date before me the undersigned, a Notary Public in and for the State of Montana, personally appeared Louise Watson on behalf of the Dearborn Fire Service Area identified to me on the basis of satisfactory evidence to be the person whose name is inscribed above and who acknowledged to me that she executed the same on behalf of the Dearborn Fire Service Area.

WITNESS MY HAND AND OFFICIAL SEAL

Susan Fenner *[Signature]* (Signature)
Printed Name

Notary Public in and for the State of Montana
Residing at Great Falls
My Commission expires April 8, 2017



(SEAL)