

Fire Marshal

## **Board Action**

#### File #: 16-474

Commissioner Brown - Fire Marshal - To Approve the Fire Advisory Board By-Laws

#### STAFF CONTACT

Eric Hendrix - Fire Marshal - 704-862-3231

#### BACKGROUND

The Fire Advisory Board met on February 15, 2017 and approved the by-laws in accordance with Resolution 2009-313, Appointment Policy. The Fire Advisory Board is submitting the attached by-laws for approval by the Board of Commissioners.

#### **ATTACHMENTS**

Fire Advisory Board By-Laws

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# THE BYLAWS OF THE GASTON COUNTY FIRE ADVISORY BOARD

615 N. Highland Street Gastonia, NC 28052

## ARTICLE I NAME

This organization shall be known as the Gaston County Fire Advisory Board (FAB).

## ARTICLE II PURPOSE

The purpose of the Gaston County Fire Advisory Board shall be to serve in an advisory capacity to the Gaston County Board of Commissioners (BOC) in matters relating to the provision of fire protection services throughout the County's jurisdictional boundaries and includes such duties as, but not limited to, those listed below:

- Review fire service contracts annually to recommend changes that would enhance service delivery and maximize funding
- Review annual fire department budgets and district tax rates for BOC approval
- Review Certificate of Need requests on all purchases requiring an issuance of title, and/or the securing of financing and make recommendations on such purchases to the BOC
- Review Reserve Fund transfer requests
- Review and authorize requests to change apparatus response cards
- Review and authorize ways of standardizing procedures and seek to leverage collaborative purchasing power among Fire Departments to enhance service delivery and maximize funding
- Provide planning for capital improvements and future fire protection services
- Conduct Fire Department inspections with the Gaston County Fire Marshal's Office pursuant to the requirements specified within the fire service contracts
- Review and act upon any particular BOC and/or Fire Department requests

## ARTICLE III MEETINGS

**Section 1.** <u>Regular Meetings</u>. The Fire Advisory Board shall meet a minimum of quarterly for regular meetings. The following is a suggested month / topic schedule:

- March / Fire Department Budgets
- June / Budget Continuations if necessary & Capital Improvements Planning
- September / Collaborative Purchasing
- December / Contracts & Election of Chairman

**Section 2.** <u>Special Meetings</u>. Special meetings may be requested by any member of the FAB as need arises and, as with regular meetings, should be coordinated with the Chairman and Secretary for the earliest and most convenient possible scheduling.

**Section 3.** <u>Meeting Location</u>. Unless otherwise noted, all meetings for the Gaston County Fire Advisory Board shall take place in the Emergency Operations Center (EOC) at the Gaston County Fire Marshal's Office located at 615 N. Highland Street / Gastonia, NC 28052.

**Section 4.** <u>Quorum</u>. A simple majority of the voting members (currently 7) shall constitute a quorum at a meeting. Due to shift schedules members may utilize electronic media (ie. teleconference or video conferencing) if necessary to participate in a scheduled meeting. In the absence of a quorum, a majority of the members may adjourn the meeting to another time without further notice. If a quorum is represented at an adjourned meeting, any business may be transacted that might have been transacted at the meeting as originally scheduled. The members present at a meeting represented by a quorum may continue to transact business until adjournment, even if the withdrawal of some members results in representation of less than a quorum.

**Section 5.** <u>Notice of Meetings</u>. Notice of time, place, and agenda items to be considered at each meeting shall be given in writing at least 48 hours prior to each meeting to all members, the "Sunshine List", and to the Clerk to the Gaston County Board of Commissioners in accordance with GS 143-318.12.

## ARTICLE IV VOTING

**Section 1.** <u>Single Vote</u>. Each voting FAB member, including the Chairman, shall be entitled to one vote per action requiring such vote.

Section 2. <u>Proxy Votes</u>. No member shall vote by proxy.

**Section 3.** <u>Abstentions</u>. Members may register their abstention on any vote which shall be reflected in the minutes and, members are encouraged to abstain on matters which pose for them a conflict of interest.

**Section 4.** <u>Determination of Actions</u>. All final actions, committee positions, or policy recommendations shall require the favorable vote of a majority of those Board / committee members present at a duly called meeting. Any member at a meeting of the FAB at which action on any Board matter is taken, shall be presumed to have assented to the action taken unless their dissent shall be entered in the minutes of the meeting. The Board shall keep written minutes of its proceedings in its permanent records.

## ARTICLE V MEMBERS / OFFICERS / COMMITTEES

**Section 1.** <u>Orientation</u>. Appointees to any County Advisory Board shall undergo an orientation by the Department for which the Advisory Board provides advice.

**Section 2.** <u>Number of Members</u>. The Fire Advisory Board shall consist of as many members as deemed necessary by the Gaston County Board of Commissioners. Current membership consists of 15 members:

- One (1) member of the Gaston County Board of Commissioners is to be appointed by the BOC and any vacancies and/or alterations shall be made at any time the BOC deems necessary
- The current President of the Gaston County Volunteer Fireman's Association, Inc. (hereby known as "the Association") is to be appointed for a term simultaneous with the term of his/her Presidency of the Association
- Seven (7) Gaston County firefighters, one from each of the fire station zones as represented by the station number category (ie. 10s, 20s, 30s, etc.). In the case of a zone vacancy, a committee of each of the affected Fire Chiefs shall meet and recommend a new representative and present him/her to the Association for formal selection. In the event a representative cannot be clearly decided upon the election responsibility will revert back to the BOC.
- Four (4) Gaston County citizens will serve in at-large seats. Appointments will be selected by the BOC from those applicants to the Board using the current appointment policy / application process.
- The Gaston County Fire Marshal shall serve as an ex-officio non-voting member.
- The Gaston County Attorney shall serve as an ex-officio non-voting member.

**Section 3.** <u>Officers</u>. The officers for the Gaston County Fire Advisory Board shall include a Chairman and a Secretary.

- Chairman. The Chairman shall be the chief executive officer and shall preside at all meetings of the Board, preserve order during its meetings, appoint all subcommittees and sign all minutes, and such records, vouchers, or other documents connected with the work of the Board requiring such signature. The Chairman shall be selected annually by the members of the FAB either by show-of-hands or ballot at the beginning of the 4<sup>th</sup> quarter meeting. The current Chair shall continue to serve as such until the end of the calendar year unless otherwise determined by the Board.
- Vice-Chairman. The Vice-Chairman shall serve primarily to discharge the duties of the Chairman as required in his/her absence. The Vice-Chairman may also share any additional responsibilities assigned by the Chairman. Should the Chairman be removed from their position or unable to complete their responsibilities as such, it shall be the duty of the Vice-Chairman to immediately assume the role of Chairman until such time when the FAB can vote for a new chairman. The Vice-Chairman shall be selected annually by the members of the FAB either by show-of-hands or ballot at the beginning of the 4<sup>th</sup> quarter meeting.
- Secretary. The Secretary shall have charge of all books, papers, records, and other documents of the FAB; shall keep the minutes of all meetings of the Board; shall conduct all correspondence pertaining to the office of the Secretary; shall compile statistics and other data as may be required for the use of the members of the Board and shall perform such other duties as may be directed by the Chairman. Unless otherwise noted the Secretary position will be filled by the current Administrative Assistant to the Fire Marshal / Emergency Management Office.

**Section 4.** <u>Election and Term of Office</u>. See ARTICLE V Section 2 & 3 for election of members, position appointments, and/or the filling of vacancies. No County employee is to serve on a BOC appointed body unless that body requires specified staff representation. County employees shall serve in an ex officio/advisory/non-voting capacity. Terms of office shall be on a three (3) year staggered basis. County employees in specified positions are exempt from staggered terms.

**Section 5.** <u>Attendance Requirements</u>. With the exception of medical reasons, any member of a BOC appointed body may be removed from office if he/she is absent from

three (3) consecutive advisory board meetings, and/or has less than a 60% annual attendance record at advisory board meetings.

**Section 6.** <u>Attendance Reports</u>. Each BOC appointed body shall submit a monthly cumulative attendance report for the calendar year to the BOC Clerk within one (1) week of each meeting or related committee meeting. Appointed bodies shall submit written reports to the BOC Clerk from January through March outlining the next year's course of work. The BOC Clerk shall forward these reports to the Assistant County Manager for budget consideration. The BOC may schedule Work Session presentations if needed.

**Section 7.** <u>Conflict of Interest</u>. Prior to any appointment, each Commissioner shall determine and report to the full BOC if his/her appointee has a substantial material conflict of interest in the related appointed body, or is serving on any other county appointed Board. If any member voting on any issue, were to feel there may be the appearance of a conflict of interest, that member should abstain from voting and contact the County Attorney's Office at 704-866-3400. His/her abstention shall be noted in the meeting minutes.

**Section 8.** <u>Removal of Members</u>. All members of the FAB shall serve at the pleasure of the Gaston County Board of Commissioners and are subject to removal for any cause deemed acceptable to the BOC.

**Section 9.** <u>Committees</u>. To the extent needed, the FAB may appoint from its members a committee(s), temporary or permanent, and designate the duties, powers, and authorities of such committees.

**Section 10.** <u>Member / Officer Changes</u>. All member and/or officer changes to the Gaston County Fire Advisory Board shall be reported to the BOC Clerk for appointment book changes.

## ARTICLE VI AMENDMENTS

These by-laws may be amended or replaced upon the affirmative vote of a majority of the FAB members at any regular or special meeting of the Board, provided that any proposed changes have been circulated to all members a minimum of thirty (30) days prior to any action thereon.

## ARTICLE VII CERTIFICATION

I, <u>HI-35 3. Haney</u>, Secretary of the Gaston County Fire Advisory Board do hereby certify that the foregoing is a true and accurate copy of the by-laws of the abovenamed organization, duly adopted by this Board on <u>February</u> 15, <u>2017</u>.

#### **Certification**

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate cop of the Fire Advisory Board By-laws as adopted by the Board of Commissioners on March 28, 2017.

Donna S. Buff, Clerk to

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