



RESOLUTION TITLE: AMEND RESOLUTION 2022-140 AND ADOPT THE BY-LAWS AND RULES OF PROCEDURE FOR THE GASTON COUNTY FIRE COMMISSION

WHEREAS, the Gaston County Board of Commissioners established and defined the Gaston County Fire Protection Service District on March 22, 2022, Resolution 2022-066, effective July 1, 2022; and,

WHEREAS, the Gaston County Board of Commissioners established the Gaston County Fire Commission on April 26, 2022, Resolution 2022-140, effective July 1, 2022; and,

WHEREAS, the Gaston County Fire Commission adopted its By-laws and Rules of Procedure on July 26, 2022 and has submitted them for consideration and approval by the Board of Commissioners. During the drafting of the by-laws, an error was detected in the membership structure of Resolution 2022-140 for the six (6) Township positions and three (3) At Large positions, which required those members to live in the *unincorporated area* of the County.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners hereby amends Resolution 2022-140 to remove the requirement that members in the six (6) Township positions and three (3) At Large positions must live in the *unincorporated area* of Gaston County.

BE IT FURTHER RESOLVED that the Board of Commissioners adopts the By-laws and Rules of Procedure of the Gaston County Fire Commission (Exhibit A).

Adopted this the 23rd day of August, 2022

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	CBrown	AFrale	BHovis	KJohnson	TKelgher	TPhilbeck	RWorley	Vote
2022-252	08/23/2022	TK	AF	A	A	A	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

ARTICLE I NAME

The name of this board appointed to serve the Gaston County Board of Commissioners shall be referred to as the Gaston County Fire Commission (hereinafter referred to as the Fire Commission).

ARTICLE II MISSION

The mission of the Fire Commission shall be to make formal recommendations to the Gaston County Board of Commissioners on fire protection and emergency services delivery applicable to those departments covered under the venue of the Fire Commission.

The roles of the Fire Commission members as approved by the Gaston County Board of Commissioners (BOC) are:

- Review and making recommendation on non-governmental fire department contracts.
- Reviewing and making recommendations on operating budget requests.
- Reviewing and making recommendations on CIP budget requests.
- Reviewing requests for grant requests from departments and making recommendations for implementation.
- Reviewing and supporting firefighter and volunteer incentive retention and recruitment programs.
- Development and reviewing of demonstrated performance measurement metrics for (contract) compliance.
- Making recommendations to the Gaston County Board of Commissioners for continuing improvement of the fire protection system.
- Review and development of non-governmental fire department response standards.
- Reviewing ISO and consultants reports and recommending action for improvement as deemed necessary.
- Developing and providing overview of all service district operational regulations and guidelines for the Gaston County fire protection service district.

ARTICLE III MEETINGS

Section 1. Regular Meetings. The Fire Commission shall meet a minimum of quarterly for regular meetings. The following is a suggested month / topic schedule:

- January / Fire Department Budgets
- April / Budget Continuations if necessary & Capital Improvements Planning
- July / Collaborative Purchasing
- October / Contracts & Election of Chairman

Section 2. Special Meetings. Special meetings may be requested by any member of the Fire Commission 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. Meeting Location. Unless otherwise noted, all meetings for the Gaston County Fire Advisory Board shall take place in the Emergency Operations Center (EOC) at the Office of Emergency Management and Fire Services (OEMFS) located at 615 N. Highland Street / Gastonia, NC 28052 unless otherwise scheduled elsewhere and will be scheduled to begin at 6:00 PM.

Section 4. Quorum. 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 (i.e., teleconference, video conferencing, or other virtual options) 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. Notice of Meetings. 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. Single Vote. Each voting Fire Commission member, including the Chairman, shall be entitled to one vote per action requiring such vote.

Section 2. Proxy Votes. No member shall vote by proxy.

Section 3. Abstentions. 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. Determination of Actions. 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 Fire Commission 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. Orientation. Appointees to any County Advisory Board shall undergo an orientation by the Department for which the Advisory Board provides advice.

Section 2. Number of Members. The Fire Commission shall consist of as many members as deemed necessary by the BOC. Current membership consists of 13 members:

- One (1) member of the Gaston County Board of Commissioners is to be appointed by the Full Board of Commissioners to serve a one-year term (ex-officio/voting).
- Six (6) members who are fire and emergency services “subject matter experts” (SMEs). Current Board of Directors members or Fire Chiefs of fire departments contracting with the County, shall not be appointed to any of these seats. SMEs shall reside in Gaston County and will serve in at-large seats from the Gaston Townships as follows:

- (1) Cherryville Township
- (1) Dallas Township
- (1) Riverbend Township
- (1) Crowders Mountain Township
- (1) Gastonia Township
- (1) South Point Township
- One (1) member who resides in one of the municipalities who are part of the Gaston County Fire Protection Service District. Current Board of Directors members or Fire Chiefs of fire departments contracting with the County, shall not be appointed to this seat.
- Three (3) members who are citizens at-large. Citizens shall reside in Gaston County and current Board of Directors members or Fire Chiefs of fire departments contracting with the County, shall not be appointed to any of these seats.
- The Gaston County Fire Marshal (ex-officio/non-voting).

Section 3. Officers. The officers for the Fire Commission shall include a Chairman, Vice-Chairman and a Secretary.

- **Chairman.** The Chairman shall be the chief executive officer and shall preside at all meetings of the Commission, 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 Commission requiring such signature. The Chairman shall be selected annually by the members of the Fire Commission either by show-of-hands or ballot at the beginning of the 4th 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 Fire Commission can vote for a new chairman. The Vice-Chairman shall be selected annually by the members of the Fire Commission either by show-of-hands or ballot at the beginning of the 4th quarter meeting.

- **Secretary.** The Secretary shall have charge of all books, papers, records, and other documents of the Fire Commission; shall keep the minutes of all meetings of the Commission; 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 Commission 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 of OEMFS.

Section 4. Election and Term of Office. 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. County employees in specified positions are exempt from staggered terms.

Section 5. Attendance Requirements. With the exception of declared 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 75% annual attendance record at fire commission meetings.

Section 6. Attendance Reports. 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. Conflict of Interest. 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. Removal of Members. All members of the Fire Commission shall serve at the pleasure of the BOC and are subject to removal for any cause deemed acceptable to the BOC.

Section 9. Committees. To the extent needed, the Fire Commission may appoint from its members a committee(s), temporary or permanent, and designate the duties, powers, and authorities of such committees.

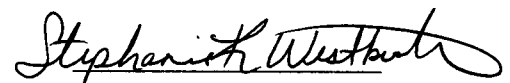
Section 10. Member / Officer Changes. All member and/or officer changes to the Fire Commission shall be reported to the BOC Clerk for appointment book changes.

ARTICLE VI AMENDMENTS

These by-laws may be amended or replaced upon the affirmative vote of a majority of the Fire Commission 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, Stephanie Westbrook, Secretary of the Fire Commission do hereby certify that the foregoing is a true and accurate copy of the by-laws of the above-named organization, duly adopted by this Commission on August 23, 2022.


Signature

Certification

I, Donna S. Buff, Clerk to the Gaston County Board of Commissioners, do hereby certify that the above is a true and accurate copy of the Gaston County Fire Commission By-laws/Rules of Procedure as adopted by the Board of Commissioners on August 23, 2022 and effective upon its adoption.



Donna S. Buff, Clerk

SEAL



Gaston County

Gaston County
Board of Commissioners
www.gastongov.com

Emergency Management and Fire Services

Board Action

File #: 22-342

Commissioner Hovis - Emergency Management and Fire Services - Amend Resolution 2022-140 and Adopt the By-laws and Rules of Procedure for the Gaston County Fire Commission

STAFF CONTACT

Kevin Gordon - Emergency Management Director - 704-866-6240

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

The Gaston County Fire Commission adopted its bylaws and rules of procedure on July, 26, 2022 and has submitted them for consideration and approval by the Board of Commissioners. During the drafting of the by-laws, an error was detected in the membership structure of Resolution 2022-140 for the six (6) Township positions and three (3) At Large positions, which required those members to live in the *unincorporated area* of the County. Approval of this Board Action request 1) amends Resolution 2022-140 removing the above-mentioned requirement and 2) approves the Gaston County Fire Commission's By-laws and Procedures.

POLICY IMPACT

N/A

ATTACHMENTS

Resolution; By-laws/Rules of Procedure

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