BY-LAWS OF DUNNEGAN RURAL FIRE DEPARTMENT

Article I: Officers

The officers of this association shall be the President, Vice President, Secretary, Treasurer and three board members. The Fire Chief will be an Ex Officio member.

Article II: Elections

In *August* each year the Board will appoint a Nominating committee consisting of two current Board members and three members from the paid membership. This committee shall recruit and interview prospective Board members for consideration and present their recommendations at the annual meeting and publish their recommendation on the Departments Website not later than the last Monday in September.

Board members must be elected by the majority of the paid members present at the annual membership meeting or by mailed in sealed ballot which must arrive the day prior to the Annual Meeting or members who have delivered a sealed ballot to the secretary no later than the day prior to the annual membership meeting. There will be ONE vote per household.

Board member positions shall be as follows:

1. President (odd years)
2. Vice President (even years)
3. Secretary (odd years)
4. Treasurer (even years)

Board Member at Large:

5. Board Member 1 (odd years)
6. Board Member 2 (even years)
7. Board Member 3 (odd years)

The requirements for Board Membership are: Be 24 years old at the time they take office, be a United States citizen and a resident of Polk or Cedar county, and not have ever been convicted of a felony crime. Anyone interested in running for the Board should notify the Secretary one month prior to the Annual Membership Meeting and state what position they are interested in.

There will be no nepotism on the Board, that is members of the immediate family can not serve simultaneously on the Board. Two Active firefighters may serve on the Board, with the Fire Chief's permission and support.

Appointed Officers:

The Board will appoint the Fire Chief.

Article III: Board of Directors

The purpose of the Board is organized exclusively for the purpose of owning and operating fire-fighting and medical rescue equipment, to provide education and training to its members, and to provide assistance to other fire-fighting and rescue organizations in all phases. The Board shall provide financial oversight, assistance in preparing the annual budget and other administrative duties as needed.

If any board member misses more than three (3) board meetings in any twelve (12) month period without a valid reason or any officer or member shall resign or, for any reason become disqualified or unable to fulfill the duties of his/her office the board shall declare the seat vacant and shall appoint a replacement from the paid membership.

No Board member may sit on any other fire department board. Each officer elected at the Annual meeting shall assume the duties of his/her office effective January 1st.

Article IV: Membership & Dues:

Membership in the association is defined as having paid current dues and is entitled to one (1) vote per household at the Annual Meeting and other called Membership meetings.

Membership in the association shall be Seventy five dollars ($75.00) annually. New memberships shall be Seventy five dollars ($75.00) plus a one time Twenty-five dollar ($25.00) administrative fee. Active duty Fire Fighters, as certified by the Fire Chief, will pay no dues. New Fire Fighters will serve 12 months as Probationary. When the Fire Chief notifies the Board that probation is completed and they pay a $25.00 Administrative fee, they will be considered a paid member. Anyone who has not paid their current dues can not run for office or vote at the Annual meeting. Inactive Fire Fighters who wish to be members of the DRFD will pay the then current dues amount.

Dues are $75.00 for the first unit and $50.00 for each subsequent unit per individual or company per year payable by January 31st each year. Dues paid after March 1st, will be accessed a per unit Twenty-Five Dollar ($25.00) late penalty or services will be forfeited.

Section 1. Dues may only be raised by a 2/3 vote of the paid membership present at the annual meeting with 30 day advanced public notice.

Section 2. A unit is defined as:

One Unit

A parcel of land regardless of size, that is contiguous with or without buildings, which includes up to one (1) residence, and/or a business that is occupied by landowner or tenant.

Two Units

Same as above, except when an additional residence is added, ex. rental house, mobile home, business, etc, where the occupant is related or non-related to land owners

EXAMPLES:

- John and Jane Doe own a small lot in Dunnegan, MO (1 Unit) $75
- John and Jane Doe own forty (40) acres of contiguous land where they live in a two (2) story A frame house with out buildings, a large shop where John has a cabinet building business. (1 Unit)
- John and Jane Doe's mother moves a mobile home onto the property and Jane's mother moves in. (1 additional Unit)
- John and Jane Doe buys 10 acres that is $^1/_2$ mile down the road that is not contiguous with their other lot in Dunnegan or their 40 acre home place. (1Unit)
  John and Jane Doe have (4 Units) DRFD dues would be $75 for 1 unit and 3 times $50 for the other units totaling $225.

One member may own several units. If they are separate dwelling units occupied by different families or different businesses, each additional unit shall be fifty dollars ($50.00) per year in dues. New member dues will be prorated from March 1st at thirty seven dollars and fifty cents ($37.50) per unit to August 31st and September 1st to the end of February at thirty seven dollars and fifty cents ($37.50) per unit plus twenty-five dollars ($25.00) one time administrative fee.

Any unit outside the boundaries of the fire department will be considered on an individual basis and approved by the board of directors.

Any individual residing outside the Dunnegan Rural Fire Department boundaries, who owns property in the district, shall pay dues to receive covered services.

Section 3. Standard Billing for Non-members:

1. Volunteer fire protection associations may respond to any emergency within its area regardless of whether the property owner or individual is a member of or subscriber to the association. The provisions of RVSMO 320.302. Nonmembers, association may respond to any emergency, exception, liabilities and fees, shall prevail.

2. In responding to emergencies of nonmembers or nonsubscribers of the association, the association and its firefighters shall be subject to the same liabilities for claims for death or injury

to persons or property as those subjected to when responding to emergencies of members or subscribers.

3. in responding to emergencies of nonmembers or nonsubscribers, the volunteer fire protection association will notify the Fire Recovery USA, LLC, for services provided, Fire Recover will bill at the then current fees as provided for by Missouri State Statues.

4. Upon payment of the charges and fees set forth in subsection 3 of this section, the property owner or individual shall be deemed to be a member or subscriber in good standing until membership or subscriber payments are again due as prescribed by association rules and regulations.

Article V: Duties of the Officers

The **President**, or in the absence thereof, the **Vice-President**, shall preside at all meetings of the membership and the board, and shall appoint all standing committees and such other committees that he/she may deem necessary, to carry out the purpose of the Board of Directors. The Fire Chief is expected to attend all regular meetings or send a proxy.

The **Secretary** shall handle all correspondence of the board and keep a record of all proceedings of meetings, membership and the board. Minutes from the previous meeting will be typed and available at the next meeting. These records shall be available at all reasonable times for inspection by members and regulatory authorities..

The **Treasurer** shall collect, and under the direction of the board, disburse the funds of the association and keep regular accounts thereof, which shall be subject to examination by the board at any time. He/she shall present monthly statements at the regular meetings of the board and annual statements for the year immediately preceding, at the annual meeting. The Treasurer will be bonded.

All checks written shall require two (2) signatures, the Treasurer and one (1) board member, in lieu of the Treasurers absence, the President or Vice President and one (1) board member.

Article VI: Rules of Order

At regular or special meetings of membership, the order of business shall be

1. Call to Order and Reading of the minutes.
2. Report by the treasurer.
3. Fire Chief's report.
4. Old Business and Report from the committees.
5. New Business.
6. Other Business.
7. Adjourn.

Membership in attendance at any meeting of the board, to have a quorum, shall have a minimum of four (4) board members, the proceedings shall be governed by "Roberts Rules of Order", except as otherwise provided in the by-laws.. One (1) vote per member per household in good standing, dues paid.

Members of the board must be notified within three (3) days prior to a special meeting by a duly authorized person. Membership shall be notified of all meetings at least forty-eight (48) hours prior to a regular or a special meeting. The method of notification for the meetings will be a public notice via Face Book, Department website or local newspaper.

These by-laws can be amended by a affirmative vote of two-thirds (2/3) of all Board members present at a meeting of the board, provided the proposed change in by-laws are written and placed in public notice by the party or parties which called the meeting. The Exception is ARTICLE IV, Section 1, Dues.

Article VII: Dissolution

Upon dissolution of the association the Board of Directors shall pay or make provisions for payment of all liabilities of the association. It shall dispose of all assets of the association exclusively for the benefit of a non-profit Polk County based fire-fighting organization or a like organization as shall qualify as an exempt organization under Section 501c of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) as the Board of Directors shall determine.

Any such assets not so disposed of shall be disposed of by the Circuit Court of Polk County exclusively for such purpose or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes.

Article VIII: Conflict of Interest Policy

Article I – Purpose

The purpose of this policy is to protect the interests of the *DUNNEGAN RURAL FIRE DEPARTMENT* by: (a) preventing the personal interest of the Board, Employees, and Independent Contractors from interfering with their duties to the organization and (b) avoiding any unethical financial, professional, or political gain on the part of such individuals. The intent of this policy is to supplement, not replace, any applicable federal, state, or local laws regarding conflicts of interest.

Article II – Persons Concerned

This statement applies to Board Members, Officers, and all Fire Fighters who can influence the governance and actions of the *DUNNEGAN RURAL FIRE DEPARTMENT.* This includes anyone who makes financial decisions, might be referred to as "management personnel," or have proprietary information regarding the *DUNNEGAN RURAL FIRE DEPARTMENT.*

Article III – Procedures

1. Duty to Disclose
Each Member, Director, Officer, Fire Fighter, and any other Interested Person is under an obligation to disclose the existence or potential existence of a Conflict of Interest as it arises.

2. Investigating Conflicts
When a potential Conflict of Interest is disclosed, the Governing Board will then provide the individual with an opportunity to disclose all material facts. The Board will collect all pertinent information and question the involved parties. If it turns out that a conflict does not exist, the inquiry will be documented but no further action will be taken.

3. Addressing a Conflict of Interest
If the Board determines that a conflict of interest exists, they will take the appropriate actions to address the conflict. This may include (but not be limited to): (a) prohibiting any Interested Parties from voting on any matter related to said Conflict of Interest or (b) terminating association with the *DUNNEGAN RURAL FIRE DEPARTMENT.*

Affected parties both within and outside of the *DUNNEGAN RURAL FIRE DEPARTMENT,* including directors, volunteers, and independent contractors, will be notified. If the Conflict of Interest in question involves a member of the Board, that individual will be excused from deliberations.

4. Disciplinary Action
All conflicts of interest will be reviewed on a case-by-case basis. The board has full discretion to deem what disciplinary action is appropriate and necessary for disclosed conflicts of interest.

If the governing officers reasonably believe a member or staff member failed to disclose an existing or possible Conflict of Interest, it shall inform the individual of the rationale for such belief and grant the individual an opportunity to explain the alleged failure to disclose the Conflict of Interest.

After hearing the individual's response and investigating further as warranted by the circumstances, the governing officers may take appropriate disciplinary action, including removal from the position at the organization.

5. Notice of Annual Statements
Every Member, Director, Officer, and any other Interested Person must sign a Conflict of Interest Disclosure Statement upon said individual's term of office, employment, or other relationship with the *DUNNEGAN RURAL FIRE DEPARTMENT* and must do so annually. Failure to sign does not nullify the policy.

These By-Laws are effective on JANUARY 9, 2024 and replace any and all previous By-laws.

Nicholas J Petri _____ _____ _____

Ronald M. Simmons _____ _____

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