Frenchtown Rural Fire District

Board of Trustees By-Laws

Adopted July 14, 2014

FRFD Electronic Version
Formatted for Double Sided Printing
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MEMORANDUM

DATE: August 20, 2015

FROM: Joe Calnan, Fire Chief

TO: Distribution

SUBJECT: CHANGE 1 TO JULY 14, 2014 BY-LAWS

On August 11 and 18, 2015, the FRFD Board of Trustees approved several changes to the by-laws. To update existing manuals, the following should be accomplished:

<table>
<thead>
<tr>
<th>Remove</th>
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<tbody>
<tr>
<td>n/a</td>
<td>Change Log (insert between cover page and Table of Contents)</td>
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<td>Page 3</td>
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<td>Pages 4 through 6, CHANGE 1</td>
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</tbody>
</table>

The individual replacing the above sheets should also enter the information on the Change Log.

Summary of Changes

Table of Contents: Corrected page numbering.

Section 109, Board Meetings and Records: Revised to reflect new board meeting schedule.

Section 110, Committees: Updated to incorporate the Occupational Safety and Health Committee.
Note that all lines and paragraphs that have changes from the previous version are marked with a bar in the margin.

#

Distribution:
Master
frenchtowfire.org
FRFD network
Chief’s Office
Front Office
Station 1 Residents
Station 5
Station 7
Station 8
Board Chair
Board Vice Chair
Board Secretary/Treasurer
Trustee
Trustee
MEMORANDUM

DATE: July 14, 2014

FROM: FRFD Board of Trustees

SUBJECT: JULY 2014 ADOPTION OF POLICIES AND BY-LAWS

Enclosed are the policies and by-laws adopted by the Board of Trustees at the July 14, 2014 Regular Board Meeting. These new documents replace the policies and by-laws that were issued January 13, 2014 in their entirety.

FRFD maintains a limited number of official versions, as listed below. As subsequent changes are approved, only these official versions will be maintained up-to-date.

- Master
- frenchtownfire.org
- FRFD network
- Chief’s Office
- Front Office
- Station 1 Residents
- Station 5
- Station 7
- Station 8
- All Board Members

Records of the incorporated changes are maintained at FRFD Station 1.

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## CHANGE LOG – JULY 14, 2014 BY-LAWS

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<td>August 11 &amp; 18, 2015</td>
<td>Calnan - 8/20/2015</td>
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Board of Trustees By-Laws: July 14, 2014
Updated: N/A
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Mission Statement

The mission of the Frenchtown Rural Fire District is to provide residents, within the established legal boundaries of the Fire District, services supplied by all members which may include, but are not limited to, fire suppression, fire prevention and emergency medical aid, with the resources available to the Fire District.
101 THE PURPOSE OF THE BOARD OF TRUSTEES BY-LAWS ARE TO;
A. To define how the Board of Trustees governs it actions.
B. To implement the Mission Statement of the FRFD.
C. To provide guidance to the Board of Trustees, all members and the public on Frenchtown Rural Fire District By-Laws and Policies.

102 ARRANGING AND AMENDING
These polices may be amended at any time by the Board of Trustees. Amendments, additions and deletions to these policies after approval by the Board of Trustees shall be added to the master copy by the Office Manager. Amendments to the policies should be updated as necessary to keep copies current.

103 AUTHORIZATION
The FRFD was created by the Board of County Commissioners of Missoula County in accordance with 7-33-2101; M.C.A.

104 THE TERMS
“District” or “FRFD” shall always refer to Frenchtown Rural Fire District.
“Board” shall mean the Frenchtown Rural Fire District Board of Trustees.
“Commissioners” shall mean the Board of County Commissioners of Missoula County, Missoula.

105 POWERS, DUTIES AND RESPONSIBILITIES
The Board shall be the policy-making body of the District and the Board shall appoint a chief. In accordance with 7-33-2105 Montana Code Annotated, the powers and duties of the trustees are:

1. The trustees shall prepare and adopt suitable By-Laws and Policies;
2. The trustees have the authority to provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities, for the protection of the district.

The Board has the power to:

A. Establish, equip, and maintain a fire department.
B. Appoint or employ necessary members and provide compensation where applicable in a reasonable sum for the performance of such duties with consideration or recommendations from the Fire Chief.
C. Enter into and perform all necessary contracts for the furnishing of necessary service to or the receipt of such services from another district.
D. Provide and maintain any and all special service functions necessary for the protection of life and property from fire and panic, including the investigation of fire and crimes of arson.
E. Establish, equip, maintain, and operate rescue and medical and ambulance services within and outside the district.
F. Enter into mutual-aid agreements.
**Frenchtown Rural Fire District Policies**

G. Insure its members against accidental death or injury in the performance of their duties.

H. The Board may maintain membership in any appropriate local, state, or national group or associations organized and operated for the promotion of the preservation of life and property from the hazards of fire and panic.

I. Authorize the attendance of its members and employees at professional or vocational meetings and authorize payment of reasonable expense thereof including transportation to and from such meetings.

J. Keep a record of all its acts and of all money received and disbursed by it.

K. Authorize the use of apparatus, equipment and fire fighting force of the district for the purpose of extinguishing any fire occurring outside the territory of the district, upon such terms and conditions as the district board may prescribe and upon the requirements of state law.

L. Enter into loan agreements to finance the acquisition of equipment and facilities needed by the district for fire protection.

M. Prepare annual budgets and request special levies thereof.

N. Enter into contracts for services, supplies and equipment.

**106 BOARD OF TRUSTEES**

**SELECTION AND TERM** - The trustees of the district shall be the governing body of the affairs of such district. Each trustee shall be elected or appointed in accordance with Montana Law, specifically section 7-33-2106, Section 13-1-104(3), and Section 13-1-401, M.C.A.

**107 BOARD OFFICERS AND DUTIES**

A. The Board shall elect from its members the following officers: a Chairman, a Vice-Chairman, and a Secretary. Election of officers shall take place at its regular meeting following the annual Board of Trustees election.

B. The Chairman shall preside at all meetings and shall perform all other duties as may be allowed by law and prescribed in the By-Laws or by Board action.

C. The Vice-Chairman shall have the authority to act as Chairman in his absence or disability.

D. The Secretary shall be responsible to see that the minutes are kept and shall act as Chairman in the absence of the Chairman and the Vice-Chairman.

E. The terms of the officers shall be for a period of one (1) year commencing the May Board meeting and ending April 30 of each year.

F. The Board may at any time remove, with cause, a Board officer from his/her duties upon a majority vote of the Board.

G. When vacancies occur on the Board of Trustees the positions shall be filled in accordance with MCA 7-33-2106.

**108 BOARD OF TRUSTEES CODE OF ETHICS**

Upon being sworn in as a Trustee of the Frenchtown Rural Fire District, he/she will follow the Code of Ethics:

1. Understand that his/her basic function is decision making not administrative.
2. Takes into consideration the recommendations of all sub-committees, however recognizes that sub-committees are subordinate to the Board and cannot nullify the Board decision making responsibility.

3. Respects the rights of the constituency and others to be heard at public hearings in the proper forum.

4. Recognizes that authority rests only with the Board in official meetings.

5. Recognizes that the Board member has no legal status to act for the Board outside official meetings unless so designated to act on its behalf by the Board.

6. Refuses to make commitments on any matters which should properly come before the Board as a whole.

7. Makes decisions only after all available facts bearing on a question have been presented and discussed.

8. Respects the opinion of others and graciously accepts the principle of majority rule in Board decisions.

9. Recognizes that the Chief should have full administrative authority for properly discharging professional duties within the limits of State Laws.

10. Acts only after hearing the recommendations of the Chief in matters of employment, discipline, or dismissal of personnel at an official meeting.

11. Recognizes that the Chief is the advisor to the Board and should be present at all meetings, excluding any executive session pertaining to the Chief.

12. Refers all complaints or problems to the proper administrative channels and if there is a failure of administrative solution, the problem will be brought to the attention of the board. All complaints or problems need to be executed in written form and signed on the formal level; see policy.

13. Insists that all of the organization’s business transactions be on an ethical basis.

14. Gives the departmental staff respect and consideration that is due skilled professional personnel.

15. A member of the Board who may have a financial or personal interest in an item under consideration by the Board shall declare that he/she may have a conflict. That member shall be excused from the Board vote on the item of conflict. Such member may participate as part of the public in attendance in providing information to the Board on the item. Any disqualification shall be entered in the minutes of the meeting.

16. The Board is subject to Frenchtown Rural Fire District Policy regarding discrimination, harassment and grievance as it applies to discrimination and harassment.

109 BOARD MEETINGS AND RECORDS

A. REGULAR MEETINGS - The Board shall fix the time for holding regular meetings and it shall be published according to legal requirements. Unless otherwise scheduled, meetings shall be held on the second Tuesday of each month, at 6:00 p.m. The location shall be as per the yearly schedule approved during the December regular meeting.
B. SPECIAL MEETINGS - Special meetings of the Board may be called by the Chairman or by the quorum. The Chairman shall give all members, at least two (2) days in advance notice of the special meeting. Special meetings must be given notice as required by law.

C. QUORUM - A majority of members of the Board shall constitute a quorum. If only three (3) members are present, a unanimous vote is required to approve a motion.

D. RULES OF ORDER - Roberts Rules of Order shall be used as a guideline in all matters except where these By-Laws may state otherwise.

E. RECORDS – The Board Secretary shall see that a record of all proceedings of the District Board meetings is kept. The record shall be filed in chronological order in a book provided for that purpose. Official record of FRFD Board meetings shall be audio recordings as stipulated in 2-3-212 Montana Code Annotated. The official District records shall not leave the Frenchtown Rural Fire District Station One (1) building, except when requested for litigation purposes. All records must be returned to the District.

110 COMMITTEES

SPECIAL COMMITTEES - Special committees of the Board may be appointed by the Chairman.

The Committee Chairman of all District special committees shall be responsible for submitting written minutes on all meetings to the Board. The report shall include:

1. Date, time, and attendance.
2. Summary of committee proposals signed by committee members in favor of majority proposals, or any minority proposals.

STANDING COMMITTEES – Standing committees of the Board shall be appointed by the Chairman. Standing committee appointments are for 1 year.

1. Policy and By-Law Committee – Appointed by the Board Chair to study and review By-Laws and Policy annually.
2. Occupational Safety and Health Committee – One board member shall be appointed to the district’s Occupational Safety & Health Committee by the Board Chair.

111 LEGAL ASSISTANCE

The Board of Trustees may seek legal assistance from the County Attorney and/or private counsel.

112 BY-LAW AMENDMENTS

Amendments may be introduced by any member of the Board at a regular or special meeting called for that purpose. All amendments proposed must be in writing before they are adopted. The Administrative Assistant shall be responsible for updating District By-Laws.
113 NEW BOARD MEMBERS

All new board members shall be presented with a ring binder containing By-Laws, Policy, and all other manuals or forms required for members of FRFD, and be asked to become knowledgeable of contents. It is requested that members attend appropriate classes presented in the local area in order that they improve their ability in boardsmanship.