

# **BY-LAWS**

## **LINVILLE CENTRAL RESCUE SQUAD, INC.**

### **I. Article I - Purpose**

Section 1. This organization shall be a joint member of Linville Rescue Squad and Avery Central Rescue Squad; hereafter called Linville-Central Rescue Squad, Inc. and referred to as the Squad. This organization shall be incorporated pursuant to the Statutes of North Carolina as a non-profit organization.

Section 2. The purpose of the Squad is to protect lives and property and assist other agencies in the protection of lives and property in Avery County, North Carolina. In addition, the Squad will endeavor to assist agencies in neighboring counties and states as the need arises upon request and with the approval of the Chief of Assistant Chiefs.

### **II. Article II - Membership**

Section 1. Membership of Linville-Central Rescue Squad, Inc. shall not exceed 75 members. In addition to the senior membership, there shall not be more than 8 members or 10% of the active membership elected to be Junior Members.

Section 2. There shall be five (5) classes of membership as follows: Senior Member, Probationary Member, Junior Member, Honorary Member, and Lifetime Member.

#### **1. Senior Member**

- a. Must be 18 years of age or older and of good moral character.
- b. Will be certified as a North Carolina Emergency Medical Technician or a North Carolina Rescue Technician.
- c. Maintain at least 36 hours of medical/rescue training per calendar year. Of these 36 hours, 18 hours will be obtained in house by attending training provided by Linville-Central Rescue Squad, Inc.
- d. In order of a Senior member to vote on any matter they must have attended one (1) out of the last three (3) business meetings.

## 2. Probationary Member

- a. Must be 18 years of age or older and of good moral character.
- b. Maintain at least 24 hours of medical/rescue training per calendar year. Of these 24 hours, 12 hours will be obtained in house by attending training provided by Linville-Central Squad, Inc.
- c. At a period of three (3), six (6) and twelve (12) months after admission a new member shall undergo and pass an exam demonstrating their ability to competently operate the equipment of the Squad.
- d. A Probationary Member shall have, from the date of admission, two (2) years to meet the requirements of a Senior Member or their membership will be revoked. However, this period may be extended for up to twelve (12) months for a total of three (3) years if voted on and approved by a majority of the active membership.
- e. Probationary Members will not have voting privileges.

## 3. Junior Member

- a. Must be between 16 and 18 years of age and of good moral character.
- b. Must provide the Squad a signed permission letter from their parents/guardian.
- c. Junior members will serve in a support capacity only and will not be allowed to operate vehicles or equipment.
- d. Junior Members will not have voting privileges.

## 4. Honorary Member

- a. To qualify for honorary membership a person must be a member in good standing and have distinguished himself outstanding to his fellow members and his community. This honor will be bestowed by a recommendation of the Board of Directors and a vote of three-quarters majority of the regular membership.
- b. Honorary members will not have voting privileges and will not be responsible for pulling regular duty; however, if they pull regular duty and attend one (1) of the last three (3) business meetings, their voting power will be restored.

## 5. Lifetime Member

a. To qualify for lifetime membership, the person must have been a member in good standing and have distinguished himself by his outstanding contribution to his fellow members and his community. This honor will be bestowed by a recommendation of the Board of Directors and a vote of three-quarters majority of the active membership.

b. To qualify for lifetime membership, member must be one of the following: 65 years of age, disabled, or served in rescue for twenty or more years.

c. Lifetime members will not have voting privileges and will not be responsible for pulling regular duty; however, if they attend one (1) of the last three (3) business meetings, their voting power will be restored.

### **III. Article III - Application for Membership**

Section 1. Before their Application can be brought before the Membership, a prospective new member shall provide the following information:

1. Completed application.
2. Not less than two written references from former employers, teachers, or friends must be furnished except when applicant is known by two (2) or more active members who will speak on their behalf to the membership at the time of voting.
3. A signed release must be obtained from each applicant to obtain any personal, school, medical, criminal, driving or employment records needed by the Membership Committee.
4. A signed permission letter from their parents/guardian (junior members only).

Section 2. The application of prospective members shall be brought before the active membership and voted on for the application process. If approved, the applicant will be asked to attend the next regular business meeting. At which time a vote will be taken by secret ballot. If approved, the applicant will become a probationary member for a period of up to three (3) years, but in no case shall the probationary period be less than six (6) months.

Section 3. When a candidate files an application for membership they will receive an up-to-date copy of the By-Laws. The Membership Committee will at this time interview the candidate and explain what is expected of them and what benefits are offered.

#### **IV. Article IV - General Rules**

##### Section 1. General rules of the organization

- A. All members must be neat and clean in appearance.
- B. All members on duty/stand-by shall display squad identification at all times.
- C. The Squad will furnish one shirt and two (2) Squad patches to each new member. All additional patches that are needed can be purchased.
- D. No member will take a piece of equipment out of service without notifying an officer.
- E. No member shall use vehicles, equipment or supplies for any reason other than the protection of life and property, or other official squad business.
- F. No member shall possess any equipment or property not issued to him or her by the appropriate Officer.
- G. Any member willfully destroying or misusing equipment or property of the Squad shall be brought before the Board of Directors and fined an amount sufficient to replace or repair damaged property.
- F. Keys, badges, uniforms, tags, papers, lights, chargers, radios, monitors, T-shirts, or other Squad property or other Squad identification shall remain the property of Linville-Central Rescue Squad, Inc.
- G. Any member leaving the service of the Squad for any reason shall turn in all equipment within five (5) days or remand replacement cost within thirty (30) days.
- H. At no time shall any member operate a Squad vehicle in excess of or in violation of the State of North Carolina Emergency Vehicle Codes. Squad members shall at all times observe traffic regulations when responding on a call in their private vehicle.
- I. The Squad will make every effort to assist, rescue, and protect agencies in neighboring counties, but in no event is more equipment or members be taken that is deemed absolutely necessary to handle the situation. In no case shall the safety or property of Avery County be jeopardized by these actions.
- J. No members shall make any purchase, transaction or business of any nature in the name of Linville-Central Rescue Squad, Inc. without first obtaining written authorization in the form of a purchase order from the Treasurer. This rule may be waived in extreme circumstances in which case, the Board of Directors would review said action.

- K. Any Squad member who happens to be present at the scene of an accident or other emergency is to immediately take action as the circumstances demand within the bounds of common sense and good judgment. Any action will be done in the name of Linville-Central Rescue Squad, Inc. As soon as practical the member is to contact Avery County Communications so the closest unit will respond.

## **V. Article V - Meetings**

Section 1. The regular business meeting shall be held the first Monday of each month. The training will be the second and fourth Mondays of each month. Meetings will begin at 7:00 p.m. during winter months and 7:30 during summer months when daylight savings is in effect.

A. In the event that special drills are necessary, the Chief or Assistant Chiefs shall call them at such time and as may be designated by them, provided that forty-eight (48) hours notice is given to the membership.

B. In the event that special business meetings are necessary, the President or two (2) Directors shall call them, provided that forty-eight (48) hours notice is given to the membership.

C. Any member absent from three consecutive trainings, drills or business meetings without being excused by the Chief shall be brought before the Board of Directors to explain their absence.

D. All meetings shall be conducted in accordance with Robert's Rules of Order.

E. Any member who feels that the Chief's review of this situation for missing meetings is unfair, may request a review by the Board of Directors.

Section 2. For action to be taken by the general membership, a quorum shall be defined as 33% of members eligible to vote, unless other wise specified in the By-Laws or Articles of Incorporation.

## **Article VI - Conduct of Members**

Section 1. A Squad member shall conduct himself at all times in such a manner to command respect of his fellow members and that of the general public.

Section 2. Squad member shall be subject to automatic dismissal if found to violate any of the following when acting in the name of Linville-Central Rescue Squad, Inc.:

- A. Being in an intoxicated/impaired condition.
- B. Possessing an open alcoholic beverage or a controlled substance.
- C. Using profanity or offensive language.
- D. Wearing or displaying offensive material.

### **Article VII - Officers**

Section 1. The Board of Directors shall consist of the President, Vice-President, Secretary and Treasurer.

Section 2. Operations Officers shall be the Chief, Assistant Chief of Administration, Assistant Chief of Operations, Captain/Training Officer and Captain/Equipment Officer.

Section 3. Appointed Officers by the Chief are the Lieutenant/Supply Officer, Lieutenant/Communications Officer, Lieutenant/Uniform Officer, Chaplin and any other officers as needed.

Section 4. Operations Officers shall serve a one-year term and shall then stand for re-nomination.

Section 5. Officers may be removed from office for violation of rules or incompetence. Removal is to be at the suggestion of the Board of Directors and with the approval of two-thirds majority of active membership.

Section 6. In the case where an officer takes a leave of absence, his position is to be re-elected immediately.

### **Article VIII - Board of Directors**

Section 1. Seven members shall be elected to the Board of Directors to provide long-time guidance and stability to the Corporation.

Section 2. Six (6) Directors shall be elected as follows:

- A. Of the non-officer Directors, one (1) shall serve a two-year term and one (1) shall serve a three-year term.

Section 3. The election of the following officers shall constitute the election of those same individuals as Directors:

- A. President - Three (3) year term.
- B. Vice-President - One (1) year term.
- C. Secretary - One (1) year term.
- D. Treasurer - Two (2) year term.

Section 4. One (1) Director, the immediate past President, shall be automatically appointed each year to serve as chairman of the Board of Directors, who shall not be entitled to vote provided that, should the remaining Directors be deadlocked by vote, the Chairman may vote to resolve that deadlock. If the immediate past president is unable to serve on the Board then the immediate past Chief shall be automatically appointed to serve as Chairman.

Section 5. The existing Chief will always be ex-officio and non-voting member of the Board.

Section 6. The Directors shall hold monthly meetings at such time and place as they may determine from time to time, and may hold special meetings at any time upon the call of the President or any two (2) Directors.

Section 7. Notice of time and place of all special Board meetings shall be given by the Secretary to each Director in writing at least forty-eight (48) hours before the meeting, provided however, that meetings may be held at any time without notice if all Directors are present and take part in the meeting. Presence at the meeting shall constitute a waiver of notice for that meeting.

Section 8. A majority of the Board of Directors shall constitute a quorum for the transaction of business. If a quorum is not present at any meeting then the meeting shall be adjourned and no business can be transacted.

Section 9. The Board of Directors shall have control and management of the affairs of the corporation. The Board shall provide the general membership with a report at every business meeting.

Section 10. The Board of Directors shall act as Personnel Director for all paid Employees of the Corporation.

Section 11. A paid full time employee shall not be elected or appointed to the Board of Directors.

Section 12. A paid part time employee, who is on the Board of Directors, shall not be allowed to vote on any matter that deals with, either directly or indirectly, personnel.

Section 13. Action taken by the Board of Directors at any regular or special meeting, a quorum being present, requires only a simple majority vote, unless otherwise specified in the By-Laws or Articles of Incorporation.

Section 14. The Board of Directors is charged with the responsibility of long-term planning for the Squad. The directors shall accept suggestions; make recommendations on all policies pertaining to operations and finances of the Squad. All policies shall be voted on and approved by the membership.

Section 15. Directors maybe removed from office for violation of regulations or for incompetence. Removal is to be at the suggestion of the Board and with the approval of two-thirds majority of the active membership. The membership will immediately elect a member for the remaining term.

### **Article IX - Duties of Officers**

Section 1. Duties of the President shall be as follows:

- A. Shall supervise the corporation's affairs, both internal and external.
- B. Shall preside over all business meetings.
- C. Shall, at the Board's approval, sign and execute all official documents for the Corporation.
- D. Shall be an ex-officio member of all committees of the Corporation.

Section 2. The duties of the Vice-President shall be as follows:

- A. Shall assist the President in the affairs of the Corporation.
- B. Shall serve as President in the absence of the President.

Section 3. The duties of the Secretary shall be as follows:

- A. Shall keep accurate typed minutes of all regular and special Board and business meetings, and make said minutes available for all members to inspect and read.
- B. Responsible for posting minutes on board by the following Monday after the meeting.
- C. Shall have custody of the official records of the Corporation and ensure that the records are kept at the General Offices of the Corporation.
- D. Shall call role and keep an attendance record for all business meetings.

Section 4. Duties of the Treasurer shall be as follows:

- A. Shall receive and disburse all of the corporate funds.
- B. Shall not disburse any corporate funds to any given individual, partnership, corporation, or charity without the approval of a majority of the Board of Directors, or the general membership; and shall secure the signature of the President, Vice-President, or Chief on all amounts disbursed by the corporation.
- C. Shall keep accurate records of all loans and debts accrued by the corporation.
- D. Shall keep a Treasurer's report sheet, which will include all deposits, check numbers, amounts, to whom checks are made, receipts, and vouchers.
- E. Shall present a written monthly Treasurer's report at monthly business meetings and Board meetings for the past month, which must be approved, posted, and filed.
- F. Shall keep accurate records and copies of all receipts, invoices, and donations made to the Squad.
- G. Shall be responsible for the above items for the previous three (3) years.
- H. Shall make all records available for financial audit in January of each year.
- I. Shall serve as Chairman of the Finance Committee.

Section 5. Duties of the Chief are as follows:

- A. Shall direct all Squad operations.
- B. Shall assign duties for other officers.
- C. Shall perform other duties as assigned by the Squad.
- D. Shall present to the Board of Directors for approval a proposed yearly budget for the corporation by February first of each year.

Section 6. Duties of the Assistant Chief of operations are as follows:

- A. Shall assist the Chief with direction of Squad operations.
- B. Shall direct all Squad operations in absence of the Chief.
- C. Shall serve as Chairman of Equipment Committee.
- D. Shall be in charge of directing Training and Equipment Officers.

Section 7. Duties of the Assistant Chief of Administration are as follows:

- A. Shall assist the Chief with direction of Squad operations.
- B. Shall help direct all Squad operations in absence of Chief.
- C. Shall be responsible for all coordination and processing of incoming applications.
- D. Shall serve as chair of the Membership Committee.
- E. Shall ensure that all ACRS sheets and squad records are kept up to date.
- F. Ensure that an up-to-date file is kept on each member. This file shall include application, current medical form, and training records as required by the Squad.

Section 8. Duties of the Captain/training Officer are as follows:

- A. Shall be responsible for coordinating all training activities as set forth by Squad.
- B. Shall be responsible for keeping an accurate and up-to-date training file on all personnel to include, date time, instructor, and course description. Records shall meet all guidelines as set forth by the State of North Carolina for training.

Section 9. Duties of the Captain/Equipment Officer are as follows:

- A. Shall be responsible for over-seeing the care and maintenance of all equipment and vehicles.
- B. Shall be responsible for investigation of perspective equipment for future purchases.

Section 10. Duties of the Lieutenant/Supply Officer are as follows:

- A. Shall be responsible for ordering necessary supplies and equipment needed for Squad operations.

Section 11. Duties of the Lieutenant/Communications Officer are as follows:

- A. Shall be responsible for all communications equipment.
- B. Shall be in charge of assignment of all communication equipment to members, such as pagers, monitors, and radios.
- C. Shall, with the assistance of the Training Officer, be responsible for training on the use of communication equipment, record keeping and placement of radios and pager.

Section 12. Duties of the Lieutenant/Uniform Officer are as follows:

A. Shall be responsible for all uniforms, including purchase and maintenance.

B. Shall be in charge of assignment of all uniforms and patches to members.

Section 13. Duties of the Chaplain are as follows:

A. Shall be responsible for all spiritual activities in the Squad.

B. Open all Squad activities and given time for comments.

C. Be available for any member or any family for counseling.

### **Article X - Elections**

Section 1. All officers shall be elected at the regular business meeting on the first Monday of March of each year. Officers will take office on the first meeting in May.

Section 2. The newly elected officers shall begin their elected office duty on the first day of July each year.

Section 3. The Nominating Process will be as follows.

1. Nominations will be by secret ballot.
2. A list of the members eligible for each office position will be handed out to all members present.
3. Nominations from the floor will be proper.

Section 4. All voting will be done by secret ballot unless nominee has no opposition.

Section 5. For a candidate to be elected into an officer's position they must receive a majority (more than 50%) of votes of the active members present at the meeting. If there are more than two candidates running for one position and neither receives a majority vote. The two highest receiving votes will have a run off election.

## **Article XI - Committees**

Section 1. Committees are Membership, Finance, Equipment and SOG.

Section 2. All other committees can be added or deleted as the Board of Directors sees fit or as needed.

## **Article XII - Military Leave of Absence**

Section 1. Involuntary induction or voluntary enlistment into the branches of the Armed Forces of the United States of America or the State of North Carolina constitutes grounds for automatic leave of absence.

Section 2. Within 60 days after discharge from military leave of absence, one must give formal notice to the Membership Committee if he desires to renew his active membership.

Section 3. Should a member fail to give notice of his desire to return to active membership, the Membership Committee shall, after proper investigation, report its finding and recommendations to the Squad.

## **Article XIII - Non-Military Leave of Absence**

Section 1. A member shall request a non-military leave of absence from the Membership Committee not to exceed ninety days.

Section 2. Non-Military leave of absence shall not be continued more than a six-month period.

Section 3. If the request for leave has merit, the Membership Committee shall grant leave and investigate the status of the leave every three months to determine its continuing merit.

Section 4. There shall not be more than ten members on any type leave other than military at any given time.

#### **Article XIV - Amendments**

Section 1. These By-Laws may be amended or repealed by a majority vote of the members present after said Amendment or repeal action has been put before the membership and posted within the Squad facility at two (2) regular business meetings.

Section 2. The Secretary is to retain the original copy of all Amendments under lock and key.

Section 3. The Secretary shall make available a copy of all Amendments and post them in a conspicuous location inside the Squad facility within thirty days of approval.

Section 4. By-Laws are to be reviewed and updated as needed at the May business meeting each year.

#### **Article XV - Suspension or Dismissal**

Section 1. Any member found to be in violation of any of the aforementioned provisions shall, after investigation and recommendation by the Board of directors and a two-thirds majority vote of the active membership, be subject to such suspension and/or dismissal.

Proposed to Membership	August 16, 2007
Posted in Building	August 16, 2007
Approved by Membership	October 1, 2007