

**CANYON CREEK
RURAL FIRE DISTRICT
Board of Trustees
By-Laws**

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MISSION STATEMENT

~~ADOPTION CLAUSE~~ Move to

BOARD OF TRUSTEES BYLAWS

ADOPTION CLAUSE

Draft Document for Public Comment until November 17, 2024

Adopted on November 21, 2022

(Adopted on November 21, 2022)

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Mission Statement

REMOVE To provide fire suppression, fire prevention information, and emergency medical services within the District boundaries for the purpose of protecting the safety of human life and property.

ADD Provide adequate safety gear, equipment and other resources to our Volunteer Fire Fighters to ensure they are properly equipped to provide fire suppression and medical services to our community members and community partners.

Revise to read Ensure we have the manpower and resources to Provide assistance to other rural fire districts, fire service fee areas, county, state and federal agencies under Montana Mutual Aid Agreements and other legal agreements as approved by the Trustees.

The Trustees and Fire Company members will operate as a team to protect the life and safety of each member while fulfilling this MISSION. All members will work within the team and follow the add guidance of the Board of Trustees and the direction of the Fire Company officers and all Incident Commanders.

Board of Trustees By-Laws

SECTION 101 - The purpose of the Board of Trustees By-Laws are:

1. To define how the Board of Trustees governs and manages the CCRFD Volunteers and the Fire Chief and Assistant Fire Chief while providing guidance for the management of the Fire Company Volunteers. Remove it actions.
2. To implement the Mission Statement of the Canyon Creek Rural Fire District
3. To provide guidance to the Trustees, all volunteer fire company members and the public on the Canyon Creek Rural Fire District rules, and policies.

SECTION 102 - Arranging and Amending

These by-laws may be amended at any time by (add) a quorum of the Board of Trustees. Amendments, additions and deletions, after approval by the Board of Trustees shall be added to the master copy by the Secretary of the Board of Trustees. Amendments should be added and new copies distributed as necessary to keep all trustees, fire company members, and the public informed.

SECTION 103 - Authorization

The Canyon Creek Rural Fire District was created by the Board of County Commissioners of Lewis and Clark County under the adoption of the resolution as noted in the Commissioner's Journal No. 30 on Monday – August 10, 1959.

SECTION 104 - The Terms

"District" or "CCRFD" shall mean the Canyon Creek Rural Fire District.

"Board" shall mean the Canyon Creek Rural Fire District, elected or duly appointed Board of Trustees.

"Commissioners" shall mean the Board of County Commissioners of Lewis and Clark County

"Volunteer Fire Company" shall mean an organization of volunteer firefighters created under the authority of the board of trustees.

"Fiscal year" shall mean the 12 month period that begins on July 1 and ends on June 30 thereafter.

"Incident" shall mean any event for which the Volunteer Fire Company is officially dispatched to provide emergency medical service, fire fighting services, structure protection services, or other appropriate services directed by the Chief or an Incident Commander.

SECTION 105 – Powers and duties of trustees.

The Board shall add adhere to MCA Title 7-33-2105 Which states the Powers and Duties and Responsibilities of Trustees and is entrusted to be the policy-making body of the District REVISE and duties of the trustees are: Those powers and duties include but aren't limited to:

1. Revise shall prepare and adopt suitable bylaws to establish, equip and maintain a fire district and will enforce rules and regulations for the administration, operation and maintenance thereof.
2. Revise shall provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities for the protection of the district.
3. Remove May form a volunteer fire company to accomplish our mission and to serve the community at the direction and pleasure of the Board. ADD Enter into mutual aid and assistance agreements

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4. Remove may form a fire company that has the same duties, exemptions, and privileges as other fire companies for retirement purposes only; ADD Provide Insurance Coverage for all volunteers through State Fund or Private Carrier against accidental death or injuries in performance of their duties.
5. Remove shall prepare annual budgets and request special levies for the budgets. The budget laws relating to county budgets must, as far as applicable, apply to fire districts. ADD The Board of Trustees shall be the governing body of all affairs of the district.
6. Remove may enter into contracts as provided in 7-33-2107; ADD A Trustee of the CCRFD may not concurrently serve as an active volunteer firefighter as this is considered an inherent conflict of interest.
7. Remove may pledge income to secure financing of the district as provided in 7-33-2109. ADD The Chair and Fire Chief shall have access to all volunteer personnel files as needed for Department business. A national background check to include fingerprinting will be conducted on all new recruits and those results will be kept confidential by the Fire Chief after informing the Board of the results.
8. All money received by the trustees must be add properly accounted for and deposited in the county treasurer's office and credited to the fire district.

ADD 9 Trustee Board will be responsible for any and all disciplinary actions taken against the Fire Chief and Assistant Fire Chief; violations of non-conformance will result in a written letter of counseling ; if a member receives a second letter of counseling for the same offense the member will appear before the Chair and Vice Chair for a performance review. If the member is unable to adhere to the standards and is in violation again; the member will be subject to release from the department. Furthermore; any disrespect towards the board or another volunteer will result in that member receiving a letter of reprimand and a performance review will be set up to discuss the violation of our SOG's .

ADD 10 All Trustees will have access to all areas of the Fire Station at all times to ensure compliance with cleanliness standards and the protection of district assets. The Station Security System will be monitored by the Fire Chief at all times and any violation of theft, damage, etc. to the station will be recorded and reported to the board of trustees immediately.

ADD 11 All volunteers shall follow all bylaws, SOG's, SOPS's, handbook and training materials. Furthermore, as the Trustees are the governing and managing body of the district, the volunteers shall show the upmost respect to the Trustees and their positions and shall work together to ensure we are all good representatives for our community members.

ADD 12 The Board of Trustees will accept applications for the position of Fire Chief and Asst Fire Chief when there is a vacant position. The Board will select a qualified person from applications submitted. The Board will convene a special or emergency meeting to fill the vacancy. The board will review submitted resumes and by majority vote will select a new Fire Chief or Assistant Fire Chief as needed. Details of the process are also spelled out in the SOG's.

SECTION 106 - Board of Trustees

SELECTION AND TERM - Each trustee shall be elected or appointed in accordance with Montana Law. Generally the law states those terms shall be for 3 years and that not more than two positions will expire each year. If a trustee resigns before the end of his/her term, the board may appoint a successor. add County Commissioners will appoint the successor from qualified candidates. The successor will serve until the next regular election and then may run for election to complete the term of the trustee who resigned. ADD Trustees are not compensated for their time, other than reimbursement for necessary expenses of less than \$50 or if approved by the board.

SECTION 107 – General Description of Trustee Duties

Each trustee will assist the other board members in conjunction with the Fire Chief and Assistant Fire Chief to manage the development and implementation of Fire District and Fire Company goals, objectives, policies, and priorities. The trustees will oversee the budget of the Fire District as provided by revenues from taxes and other source of funding allowed under state law paid by the property owners of the District and/or through donations. The trustees will elect officers from their members at the first meeting after the annual general election, that currently being the May meeting of the board of trustees. (Remove) add is certified and the newly elected trustee(s) are sworn in. If appointed by the commissioners an appointee shall hold office until the next regular election and if elected at this time will serve the unexpired term of the vacant post. Individuals shall not simultaneously serve on the Fire Department as a volunteer or employee while in service to the community as a Trustee.

Examples of Important and Essential Duties:

1. Coordinate with other board members to acquire information needed to make decisions on topics brought before the board by the trustee Chairman and/or the Fire Chief.
2. Provide other board members with assistance in their duties when required.
3. Participate in decision making process on issues pertinent to the fire district and volunteer fire company
4. Must be able to attend scheduled monthly meetings held at the Canyon Creek Fire Station and special

Board meetings and public information meetings as approved by the Board, except when excused for personal matters of priority.

5. Have a clear understanding of the legal responsibilities of the board of trustees under MT law.

OFFICERS OF THE BOARD ELECTED BY THE TRUSTEES:

Trustee Chairperson

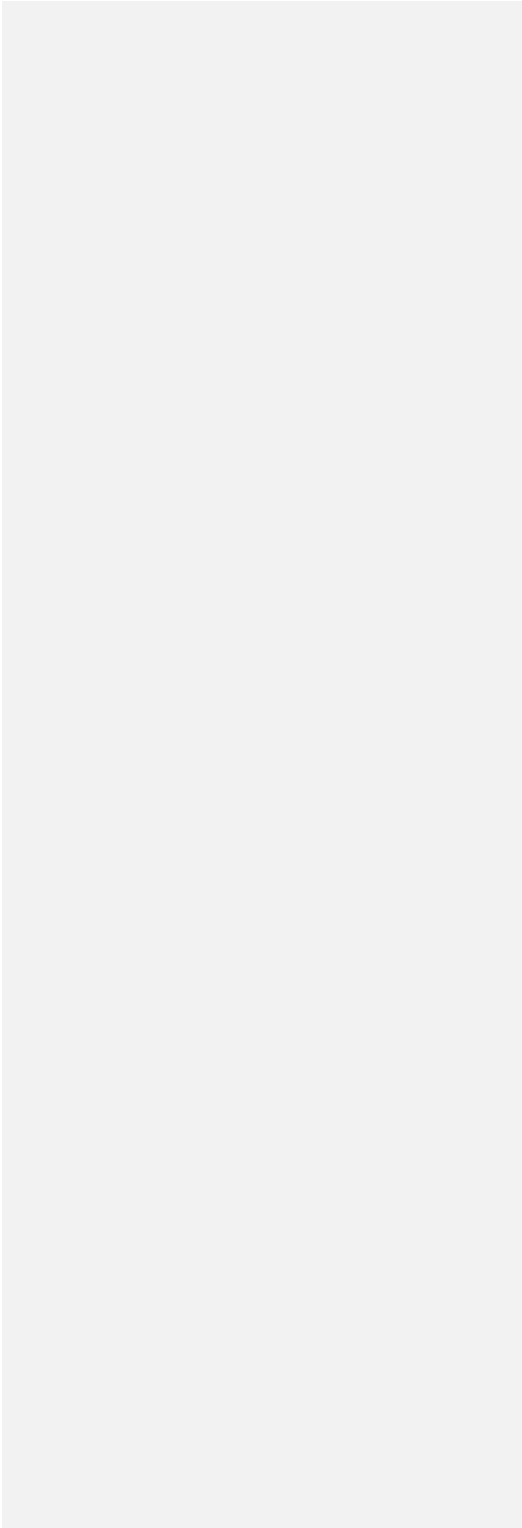
General Description:

The trustees will elect a chairperson from one of the five (5) serving trustees for a one year term of office. The Chairperson will establish an agenda for each board meeting with input from the trustees and will administer all meetings of the Board of Trustees. Coordinate with the Fire Chief and Assistant Fire Chief to determine necessary expenditures for training needs for the membership and maintenance and operation of the district equipment. The chairperson will work with the Trustees and the fire company in the development and implementation of district goals, objectives, policies, and priorities..

Examples of Important and Essential Duties:

1. Coordinate with the Fire Chief and Assistant Fire Chief to correct deficiencies, implement discipline and termination procedures to be presented to the board for discussion and necessary action by the board.
2. Coordinate with the Fire Chief on matters pertaining to fire fighting personnel equipment needs and present those matters to the board of trustees for discussion and necessary action by the board.
3. Serve as liaison between the community and fire company to continuously monitor and evaluate the efficiency and functions of the department and identify opportunities for improvement.
4. Represent the Board of Trustees to other related agencies and community leaders.
5. Participate in decision making process on issues pertinent to the district and be willing to research and obtain information necessary to make knowledgeable decisions when required by the Board of trustees.

Trustee Vice Chairperson



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General Description:

The trustees will elect a vice chairperson from one of the five (5) serving trustees for a one year term of office. The vice chairperson will manage and administer monthly meetings of the Board of Trustees, along with other duties necessary in the absence of the chairperson.

Trustee Secretary

General Description:

The trustees will elect a secretary from one of the 5 serving trustees for a one year term. The secretary will record the minutes from all meetings of the board of trustees and any other necessary documentation of district activity, provide copies of the minutes from the previous months meeting to the trustees for approval, maintain records of the minutes to be safely kept in a **remove locked** file at the fire station for public record.

Examples of Important and Essential Duties:

1. Keep accurate and up to date minutes of every **add Special, Emergency or Regular** monthly Board of Trustee meeting.
2. Coordinate with other board members to provide them with any necessary files or documents necessary to deal with pertinent issues.
3. Participate in decision making process on issues pertinent to the fire department and be willing to research and obtain information necessary to make knowledgeable decisions when required by the board.
4. **ADD** Make minutes available, upon reasonable request, for public inspection and copying.
- ADD 5.** The Secretary or designated representative will schedule the zoom meeting and forward the meeting information to the Chair for input on the upcoming agenda. The ZOOM meeting will be recorded in the Cloud and will serve as the OFFICIAL BOARD MEETING MINUTES. A written synopsis of the meeting will be submitted to the board at the next Regular Board meeting and the Chairperson will sign and date if approved by the board. Once approved the Secretary or Representative will deliver that signed copy to the County Recorder for processing. The Recorder will send the stamped copy back to the Secretary for filing at the station in the properly labeled book located in the unlocked file cabinet.

Trustee Treasurer

General Description:

The trustees will elect a treasurer from one of the 5 serving trustees for a one year term. The Treasurer will manage and administer the financial operations of the district business as directed by the board.

Examples of Important and Essential Duties:

1. Keep accurate and up to date records of financial transactions within the district
2. Pay all debts incurred by the district and approved by the board, in a timely manner
3. Coordinate with other trustees to provide them with any necessary records pertaining to financial transactions.
4. Provide the trustees with timely financial statements, bank records, transactions, and the general financial status of the fire district. **ADD Treasurer will provide the Trustees with the financial statements 48 hours prior to the Regular monthly Board meeting for review.**
5. Prepare a draft budget for review and approval of the trustees at the May board meeting to be submitted to the Lewis and Clark County Treasurer by July 1.
5. Coordinate with Lewis and Clark County treasurer on records of allotted tax revenues.
6. Make timely reports as required by insurance carriers, pay all premiums.
7. Participate in decision making process on issues pertinent to the fire district and be willing to research and obtain information necessary to make knowledgeable decisions when required by the board.

Section 108 – Open Meetings, Public’s Right to Know and Public Participation

Procedures for permitting the public to participate in CCRFD board meetings must follow the Montana Open Meeting Laws. **ADD In accordance with MCA 2-3-103.**

These procedures shall assure adequate notice and assist public participation before a final board action is taken.

Secretary.

(Adopted on November 21, 2022)

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A notice of a regularly scheduled board meeting and the agenda for that meeting should be posted three days or not less than 48 hours in advance. The notice should be posted on the fire station West side door and at the Canyon Creek General Store. ADD If a website is available the agenda shall be posted on the site no less than 48 hours in advance of the meeting date. If website is unavailable the official Trustee Facebook page will be used as a backup only to advertise the meeting. The website will be managed by at least one Trustee who will ensure that the meeting agenda is posted in a timely manner.

Assist public participation:

The content of an agenda needs to contain enough information to enable the reader to understand the subject matter to be discussed at the meeting.

The agenda for a meeting must include an item allowing public comment on any matter on the agenda or public matter that is not on the agenda of the meeting and that is within the jurisdiction of the CCRFD. However, the board of trustees may not take action on any matter discussed unless specific notice of that matter is included on an agenda and public comment has been allowed on that matter.

Delete Agenda items will be placed on the agenda at the request of two (2) trustees. Trustees must submit the agenda item to the chairperson no later than 24 hours prior to the posting of the agenda. ADD The Chair will communicate with all Trustees in the performance of compiling the agenda and their intentions of calling a meeting and the dates of those meetings as far in advance as possible to allow all members to submit agenda items.

No person shall be deprived of the right to examine documents or to observe the deliberations of all public meetings. Documents may be examined by appointment at the Fire Hall in the company of a least two trustees. Copies of documents may be provided for a suitable fee. Document request form must be sent to the CCRFD Board add

SECTION 109 - Board of Trustee Principles of Civil Dialogue

We provide a safe environment where individual perspectives are respected, heard and acknowledged.
We respect diverse opinions as a means to find solutions based on common ground.
We encourage creative approaches to engage in public participation.
We value informed decision-making and take personal responsibility to educate and be educated.
We believe that respectful public dialogue fosters healthy community relationships, understanding, and problem solving.
We acknowledge, consider and respect the natural tensions created by collaborations, change and transition.
We follow the rules and guidelines established for each meeting.

SECTION 110 - Personnel Ethics

1. The Board shall provide an equal opportunity for volunteer membership without discrimination, to all people regardless of race, color, creed, religion, national origin, political affiliation, sex, sexual preference, marital status, or any factor that is not directly related to the essential functions of the Fire Company. Sexual harassment is a form of discrimination.
2. The Board and the Fire Company will respect the individual's right to privacy under the Health Insurance Portability and Accountability Act (HIPAA).
3. Members will not use their status in the CCRFD for personal gain.
4. Board members and Fire Company members may not be intoxicated or impaired by any ADD legal or illegal substance when present at any Fire Company training sessions, emergency calls, other official CCRFD meetings, or while operating any equipment or apparatus.
5. Board members and Fire Company members will comply with MT law regarding smoking in public places. Add No smoking within 50 feet of the building; No smoking, vaping or chewing tobacco is allowed in any CCRFD building or apparatus at any time.

SECTION 111 - Board Meetings and Records

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(Adopted on November 21, 2022)

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1. 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 third Monday of each month, at 6:30 p.m. at the Fire Station at 7960 7560 Duffy Lane. ADD or Via Zoom. Trustees will coordinate with the Chair if unable to make a meeting in person they will make every effort to appear via zoom.
2. SPECIAL MEETINGS - Special meetings of the Board may be called by the Chairperson or by the quorum. The Chairperson shall give all members at least two (2) days advance notice of the special meeting. Special meetings must be given public notice as required by law.
3. EMERGENCY MEETINGS – During an Incident or when it is properly deemed that time is of the essence, the chairperson or any other officer of the Board may conduct an emergency meeting of the Trustees by telephone, email, or in person with as many trustees participating as are available under the circumstances. Minutes will be kept. Normal quorum requirements do not apply.
4. MISSED MEETINGS – Board members and the public who are unable to attend a Regular, Special, or Emergency meeting may present their views regarding any item on the agenda in writing, by email or hardcopy delivered to any officer of the board for general circulation to all board members. These emails or letters, sent within 15 days before or after the meeting at the discretion of the sender, will become part of the minutes of the missed meeting.
5. VOTING ON AGENDA MATTERS - In the case of Regular or Special Meetings, a trustee may vote on motions and agenda items only if he/she is present at the meeting.
6. QUORUM - A majority of members of the Board shall constitute a quorum to conduct a meeting. A majority of the quorum will decide all matters.
7. RULES OF ORDER - Roberts Rules of Order shall apply unless the board approves another legal means of conducting meetings under parliamentary procedure.
8. 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. The official District records shall not leave the Canyon Creek Rural Fire District Fire Station, except when required for litigation purposes. All records must be returned to the District. ADD All meetings will be recorded via ZOOM video and audio; the ZOOM recording shall constitute the official recording of the meeting minutes. The written minutes need not have detailed reports of discussions but shall have all motions and votes thereon and other such information required under MCA 2-3-212. The minutes after approved will be signed by the Chair and dated. Minutes will be submitted to the L&C County Recorder within 30 days after approval.

SECTION 112 - Committees

SPECIAL COMMITTEES - Special committees of the Board may be appointed by the Chairperson . The Committee Chairperson 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.

SECTION 113 – Purchases for the Fire District

No trustee may obligate the District for any purchase in excess of \$50 without board approval. ADD Two Trustees are authorized to sign all warrants. All signed warrants must be reviewed and approved by a quorum of the board at the next regular board meeting.

Replacement of expendable EMS or fire fighting supplies and the purchase of new equipment are addressed in the Standard Operating Guidelines and Policies.

SECTION 114 - Legal Assistance

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

SECTION 115 – 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 Board Secretary shall be responsible for updating District By-Laws. ADD An annual review of the bylaws shall be accomplished prior to November of each year to annotate all amendments throughout the year. If amendments are needed they will be accomplished and the Secretary will highlight the add/change/delete on the master copy of the Bylaws/SOG's with the date that the vote was taken to approve the amendment. If more than three amendments are made a total revision will take place and the Secretary will revise the entire document; ask for the adoption clause to be signed by all members and will distribute new updated copies to all trustees and community members requesting a copy.

SECTION 116 – New Board Members

ADD The Chairperson will provide 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 the Board, and be asked to become knowledgeable of contents.

SECTION 117 – Use of District Buildings, Equipment and Grounds

For liability reasons, risk of property damage or loss, and for the safety of the general public, the fire company building and grounds shall not be used by the general public for any reason other than district related events. A fire company officer or trustee shall be present at all times during any such events. ADD These events include but aren't limited to fundraisers; cleanup days; inventory; etc.. If the Fire Chief request assistance with cleaning, inventory, yard work, maintenance, etc. he or she will coordinate the request with the Chair and the Chair will have the authority to advertise the request for help with the community in any means that would facilitate that request. A security system is installed in use at the station for the exterior and interior of the station to ensure compliance with safety and theft concerns.

ADD

SECTION 118 – Use of Quick Response Unit/Command Vehicle

The Fire Chief may be appointed a Quick Response Unit (QRU) Command Vehicle (CV) if the Fire District has a QRU/CV in its inventory. The QRU Shall only be used for official CCRFD matters. The QRU/CV will be staged at the CCRFD Station for use in CCRFD and automatic And Mutual Aid agreements. If there is ever a doubt as to the proper use of any CCRFD asset the Board of Trustees will be the determining party as to its proper use.

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REVISE ADOPTION CLAUSE

BOARD OF TRUSTEE BY-LAWS

ADOPTION CLAUSE

THE PRECEDING BY-LAWS WERE ADOPTED BY THE BOARD OF TRUSTEES ON

CHAIRPERSON _____ DATE _____

VICE CHAIRPERSON _____ DATE _____

SECRETARY _____ DATE _____

TREASURER _____ DATE _____

TRUSTEE _____ DATE _____

Draft Document for Public Comment until November 17, 2024

(Adopted on November 21, 2022)

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BOARD OF TRUSTEE BY-LAWS

ADOPTION CLAUSE

The following By-Laws were adopted by the Board of Trustees on the

November 21, 2022

Regina J. Justice

CHAIRPERSON

Signed May 16, 2023

Lyndee

VICE-CHAIRPERSON

Barbara

SECRETARY

Gene Bagle

TREASURER

Richard E. Brady

TRUSTEE

Signed June 11, 2023

(Adopted on November 21, 2022)