

## **Bylaws and Constitution**

### **ARTICLE I – ORGANIZATION**

#### **Section 1**

This organization shall be known as the North Haines Volunteer Fire Department Inc., hereinafter referred to as the department. A non-profit organization within Meade and Pennington Counties of South Dakota.

#### **Section 2**

The purpose of this organization is to provide fire protection (safety) services to protect Life, Property, and the Environment from the effects of fire and other perils and provide non-transport emergency medical services for the preservation of human life and property to residents and businesses in the North Elk Fire Protection District.

### **ARTICLE II – OFFICERS**

#### **Section 1**

There shall be a Chief, Assistant Chief Operations, Assistant Chief Administration, Operations Captain, Administrative Captain, two operations lieutenants, and two administrative lieutenants. The Chief and Assistant Chiefs shall be elected by a majority vote of the members of the department present at any given election meeting and will hold office for two (2) years. The Chief and Assistant Chief Administration will be elected in odd-numbered years and the Assistant Chief Operations in even-numbered years. The exception to this would be when an office is vacated at unscheduled times. There is no set limit on the number of terms a person may serve. A two-year term of office will run from the regular business meeting in January after the election is held, to the regular business meeting in January two years later. Letters of intent to run for an office will be presented at the regular November business meeting or from the floor at election time. Elections will be held at the regular business meeting in December. In the event that any Officer's position would become vacant, an election will be held at the next scheduled business meeting after a minimum of 48-hours' notice of vacancy.

#### **Section 2**

There shall be two (2) Captains. The captains shall be elected by a majority vote of the members of the department present at any given election meeting. The Captain of Administration will be elected in even-numbered years; the Captain of Operations will be elected in odd-numbered years. Captains will hold office for two (2) years. The exception to this would be when the terms of office are vacated at unscheduled times. There is no term limit. A two-year term of office will run from the regular business meeting in January after the election is held, to the regular business meeting in January two years later. Letters of Intent to run for office will be presented at the regular November meeting or from the floor at election time. Elections will be held at the first regular meeting in December. All officers must meet the minimum qualifications for the intended office.

### **Section 3**

There shall be four (4) Lieutenants. The Lieutenants shall be appointed by the Chiefs and Captains after the election meeting at the December Executive Board Meeting. One lieutenant with operations responsibilities and one lieutenant with administrative responsibilities will be appointed in even-numbered years. One lieutenant with operations responsibilities and one lieutenant with administrative responsibilities will be appointed in odd-numbered years. Lieutenants will hold office for (2) years. The exception to this would be when the terms of office are vacated at unscheduled times. There is no term limit. A two-year term of office will run from the regular business meeting in January after the election is held, to the regular business meeting in January two years later. Letters of intent for appointment for office will be presented to the Executive Board at the November business meeting. Appointment will occur at the December Executive Board Meeting. All officers must meet the minimum requirements for the intended office.

### **Section 4**

Voting for Officers of the department shall be by secret ballot. Election order is determined by office rank. Rank shall be Chief, Assistant Chief Operations (Chief 2), Assistant Chief Administration (Chief 3), Captain Operations (Capt 1), and Captain Administration (Capt 2). An officer may only hold one office. Any two full members present at the meeting that are not included in the particular ballot being tallied will count election ballots. The officers will be responsible for all emergency operations and normal day-to-day operation of the department. Proxy voting and absentee ballot voting is strictly prohibited. However, secure online poll votes via Webex or similar platform may be used if an in-person meeting is not practical or possible.

### **Section 5**

There shall be a Secretary and Treasurer elected from the active members by a majority of those present at the election meeting. Each will hold office for two years. Treasurer will be elected in odd years and Secretary will be elected in even years. Letters of intent to run for office will be presented at the regular business meeting in November or from the floor at election time. Elections will be held at the first regular meeting in December. Term of office will run from the regular business meeting in January after elections are held, to the regular business meeting in January two years later.

### **Section 6**

There shall be an Executive Board, which shall consist of the following members: the Chief, Assistant Chief Operations, Assistant Chief Administration, two Captains, four Lieutenants, Secretary, and Treasurer. The Executive Board shall have the authority to enter in agreements to purchase equipment, make long-term agreements, and authorize the expenditure of department money. The Executive Board shall meet at least every two months to review the progress of the department.

## ARTICLE III – MEETINGS

### **Section 1**

The department will hold monthly meetings for the purpose of training and general information. The meeting place will be the North Haines Fire Station or as designated.

### **Section 2**

The Chief or either Assistant Chief may call any special meeting by giving 24-hours' notice of such meeting to all firefighters.

### **Section 3**

Six Executive Board members shall constitute a quorum for the Executive Board meeting. A quorum will not be required to hold the regular monthly Department meeting and conduct business.

### **Section 4**

Proxy voting and absentee ballot voting is strictly prohibited. However, secure online poll votes via Webex or similar platform may be used if an in-person meeting is not practical or possible.

### **Section 5**

Prospective, probationary, or suspended members are ineligible to vote on any departmental matters or participate in any elections.

## ARTICLE IV – MEMBERS

### **Section 1**

Any able-bodied person of good moral character over the age of eighteen (18) with a valid driver's license may become a firefighter upon presentation of a written application. All probationary member firefighters must receive a majority vote of the member firefighters after the probation period to be accepted.

### **Section 2**

All prospective firefighters, at a regular monthly meeting, may be placed on a waiting period from the time their application is presented to the firefighters until the following business meeting. This waiting period will be used to add the prospective members to workers compensation and vehicle insurance policies and check the applicant's background and references. After the waiting period, the majority of the members present at the next regular meeting may place the prospective member on a probation period with the approval of application. During the probation period the probationary firefighter will complete the New Member Orientation Program, issue available equipment, and be expected to start his/her training. Any returning firefighter that left the department in good standing or new firefighter that meets member criteria may have a probationary period of six (6) months, but no less than three (3) months as determined by the membership.

### **Section 3**

Any firefighter or officer is subject to disciplinary action for not taking the required training, negligence, not complying with the guidelines as set forth by the department personnel policies and general operating guidelines, or for conduct unbecoming a North Haines Firefighter.

### **Section 4**

Any member who fails to maintain a valid driver's license will notify the Chief immediately. Failure to maintain a valid driver's license may result in disciplinary action.

### **Section 5**

No members will respond to any calls when under the influence of alcohol or drugs. Failure to comply may result in disciplinary action.

### **Section 6**

There shall be four general classifications of membership in the department:

*Prospective firefighter:* shall be from the time an application is submitted to the membership for acceptance until voted on as a probationary member. This time period shall run from the business meeting where the application is presented to the next business meeting.

*Probationary firefighter:* Shall be from the time an applicant is accepted by the membership after the prospective period. A prospective firefighter with no experience shall remain on probation until Article IV, Section 7 of the bylaws is met, not to exceed two years on probation. Prospective members that meet Article IV, Section 7 shall be placed on probation that may be less than six months, but not less than three months.

*Member firefighter:* shall be any firefighter who has completed their probationary time period. Firefighters shall have full voting rights and be entitled to all other benefits.

*Fire Corps Members:* Shall be any person who desires to be a member of the department in a support role. Fire corps members shall not be required to maintain the same certification listed in Article IV, Section 7. Fire Corps members who wish to be department voting members must meet department training requirements in Article IV, Section 7.

### **Section 7**

Members are recognized as being trained to the South Dakota Certified Firefighter level upon completion of the following training:

- South Dakota Certified Structural Firefighter Part I and II
- Wildland NWCG S-130/S-190 and L-180 certificates
- ICS 100, ICS 200, and ICS 700
- Current CPR Standards
- NHVFD Inc. New Member Orientation.

## **Section 8**

Confidentiality: Confidential information is information, of a proprietary or sensitive nature, about the department, or any individual member, or the citizens we serve. During the course of operations (be it normal day-to-day operations or at an emergency scene), officers or members may have access to confidential information; confidential information will be transmitted only to those North Haines VFD Inc. members who need the information to discharge their duties or for the protection of those members involved. Any dissemination of confidential information without proper authorization will be considered serious misconduct and could result in disciplinary action.

## **Section 9**

Disciplinary Action: Any member is subject to disciplinary action for negligence, gross misconduct, safety violations, failure to comply with established personnel policies and standard operating procedures, reckless endangerment of life, or for conduct unbecoming a North Haines member. Disciplinary actions of personnel are such, and shall always be done with the auspices Article IV, Section 8 in mind during all matters. The four (4) types of disciplinary action are: 1. Verbal reprimand.

2. Written reprimand
3. Suspension
4. Dismissal

Any member with a complaint will contact the ranking firefighter, officer if available, and present the case. It shall be followed up in writing as soon as possible after the occurrence. Any officer may discipline a member of the department with one (1) of the four (4) disciplinary actions as immediately appropriate to the violation. As soon as possible after the incident the officer shall put the disciplinary action in writing. If it is a verbal or written reprimand, the disciplinary matter shall be brought to the next E-board meeting for discussion, and then the letter shall be put in the member's file. If the disciplinary action is suspension or dismissal, the officer shall as soon as possible put the disciplinary action in writing, shall notify the member of the action with a copy of the letter, and shall contact the highest Chief officer available so that an E-board meeting can be convened within 48 hours of the offense. E-board shall meet with the officer handing out disciplinary matters and the member being disciplined and give both sides an opportunity to present his/her side of the issue. The E-board may approve or change the disciplinary action as deemed appropriate. The officer whom has handed out the disciplinary action shall not be allowed to vote on the actions of the meeting. Final dispositions of the E board shall be put into writing to the member being disciplined and a copy shall be put into the member's file. If any member does not believe the actions of the E-board are appropriate, the matter may be taken to the full membership at its next regular meeting by requesting to be put on the agenda. Both parties will be given an opportunity to present their side of the issue, and the matter may be voted on by the membership. Any disciplinary action being brought to the general membership meeting shall be discussed in the executive session of the general membership present at the meeting.

### **Section 10**

Any member suspended for disciplinary action shall not be allowed to participate in any department functions (i.e., incidents, training, meetings, or any functions of the department) during the suspension. All equipment belonging to the department shall be turned into the department and shall be locked into storage until the suspended member has met all conditions set forth by the disciplinary action.

### **Section 11**

All persons authorized to conduct financial business on behalf of the department must be bondable by the department's insurance company. The premium of bond to be paid for by the department. The Executive Board must approve the bond.

## **ARTICLE V – QUALIFICATIONS AND DUTIES OF CHIEFS, CAPTAINS, AND LIEUTENANTS**

### **Section 1**

The Chiefs, Captains, and Lieutenants will be responsible for all emergency operations and normal day-to-day operation of the department.

### **Section 2**

The Chiefs, Captains, and Lieutenants shall have control and be responsible for all members and have the authority to discipline any member for misconduct while performing duties as a North Haines Firefighter.

### **Section 3**

It shall be the duty of the Chief to preside at all meetings, appoint all committees not ordered, see that all committees perform their duties, and mediate disputes among members that involve the fire department. The Chief must meet the minimum training requirements of the department. The Chief must be an active member of the department for at least two (2) years. In addition, the Chief must have served as Assistant Chief for at least one (1) year within the department and must have certificates of completion for one (1) National Fire Academy Leadership Course, one (1) National Fire Academy Incident Management Course and ICS 400. One (1) National Fire Academy Residency course is desirable.

### **Section 4**

The Chief or designated member shall investigate all fires for possible cause and keep a record of all fires, which will remain the property of the department. The Chief will also report all fires and calls to the South Dakota State Fire Marshall on the forms provided by the South Dakota State Fire Marshal in a timely manner.

### **Section 5**

It shall be the duty of the Chief to ensure that all vehicles and equipment are in proper working order.

**Section 6**

The Chief must approve all bills under \$1,000. The officers will request approval from the Executive Board to expend money over \$1,000 for the purchase of like items unless it involves emergency repair expenditures. The Executive Board will request approval from the members to expend money over \$2,500.00 for the purchase of like items. The requests for approval will be in writing. Bills will be approved by the Chief and given to the Treasurer for payment.

**Section 7**

It shall be the duty of the highest-ranking officer available to officiate in all the above matters in the absence or resignation of the Chief.

**Section 8**

The Assistant Chief Operations is responsible for operational functions of the department and shall oversee the Captain of Operations. The Assistant Chief of Operations must be an active member of the department for at least two (2) years, shall have served as a Captain for at least.

one (1) year within the department and must have certificates of completion for one (1) National Fire Academy Leadership Course, one (1) National Fire Academy Incident Management Course, and ICS 300 and 400. One (1) National Fire Academy Residency course is desirable.

**Section 9**

The Assistant Chief Administration is responsible for administrative functions of the department and shall oversee the Captain of Administration and Fire Corps Commander. The Assistant Chief must be an active member of the department for at least two (2) years, shall have served as a Captain for at least on (1) year within the department, and must have certificates of completion for one (1) National Fire Academy Leadership Course, one (1) National Fire Academy Incident Management Course and ICS 300 and 400. One (1) National Fire Academy Residency course is desirable.

**Section 10**

The Captain of Operations is responsible for operational functions of the department and shall oversee the two operations lieutenants. The Captain of Operations must be an active member of the department for at least two (2) years and must have certificates of completion for South Dakota Fire Officer, and South Dakota Fire Apparatus Driver Operator or equivalent within one (1) year of his/her election. This position will report directly to the Assistant Chief of Operations.

### **Section 11**

The Captain of Administration is responsible for the administrative functions of the department and shall oversee the two administrative lieutenants. The Captain of Administration shall also function as the department Infection Control Officer as required by law. The Captain must be an active member of the department for at least two (2) years, and must have certificates of completion for South Dakota Fire Officer, and South Dakota Fire Apparatus Driver Operator or equivalent within one (1) year of his/her election. This position will report directly to the Assistant Chief of Administration.

### **Section 12**

Lieutenants must be an active member of the department for at least one (1) year and must meet the minimum training requirements of the department. This position shall require the lieutenants to attend L-280 and ICS 300 within one (1) year of his/her appointment.

### **Section 13**

The Fire Corps Commander shall be appointed by the Fire Chief to oversee the operations of the department Fire Corps. The Fire Corps Commander shall be familiar with the department rules and regulations. This position shall report directly to the Assistant Chief of Administration.

## **ARTICLE VI – QUALIFICATIONS AND DUTIES OF SECRETARY**

### **Section 1**

It shall be the duty of the Secretary to keep a record of all meetings in a binder and/or computer provided for that purpose; to keep a roll call of all members; to provide the County Fire Administrator with a list of all North Haines Firefighters and Officers; and other duties as requested by the Fire Chief.

### **Section 2**

Eligible candidates for the office of Secretary must be a full-voting member. This position shall report directly to the Fire Chief

## **ARTICLE VII – QUALIFICATIONS AND DUTIES OF TREASURER**

### **Section 1**

It shall be the duty of the Treasurer to keep a fair and regular account of all monies received and paid out by him/her; sign all check drawn on the department funds; keep a record of accounts in a book and/or computer provided for that purpose; report to the firefighters at the monthly meeting; and to submit the records to the auditing committee for its audit as required by the Fire Chief.

**Section 2**

All fire department funds must be deposited in a financial institution and no funds will be paid out except on approved bills or invoices. The Treasurer, or authorized person(s) who shall be appointed by the fire chief, and approved by the membership will sign all financial documents. If the Treasurer is absent, one signature-approved member may sign warrants for approved bills.

**Section 3**

Eligible candidates for the office of Treasurer must be a full-voting member. This position shall report directly to the Fire Chief.

**Section 4**

The Membership of the Executive Board shall appoint an Auditing Committee of three (3) firefighters, not on the Executive Board, to audit the books of the treasurer at the termination of his/her office. The Membership or Executive Board may request an audit at any time if approved by a majority vote of the Membership or Executive Board. The Auditing Committee will report to the Executive Board and the committee’s audit must be submitted to firefighters at the next regular monthly meeting for approval. A copy of the audit will be filed with the Executive Board.

**ARTICLE VIII – GENERAL**

**Section 1**

This department was organized June 22, 1976, under the provisions of the South Dakota Code.

**Section 2**

Amendments to these by-laws may be made at any regular monthly meeting but may not be voted on until the next regular monthly meeting after all firefighters have been contacted and advised of the proposed amendments. A majority vote of full-voting firefighters present will be sufficient to amend the by-laws.

**Section 3**

All business not provided for in these by-laws shall be governed by Robert’s Rules of Order governing deliberating bodies.

**Section 4**

The North Haines Volunteer Fire Department Inc. hereby adopts these revised by-laws and are in force from the date signed by the Fire Chief and Secretary

**Section 5**

The North Haines Volunteer Fire Department is an “Equal Opportunity Employer.” The employer will not discriminate and will take “affirmative action” measures to ensure against discrimination in employment, recruitment, and advertisements for employment, compensation, termination, upgrading, promotions, and other conditions of employment against any employee or job application on the bases of race, creed, color, national origin, or sex.

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Revised: January 2, 2020, Revised: November 2, 2022

Revised: August 2, 2023

Signed:

Jason White August 2, 2023,

Jim Russell August 2, 2023

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