

Constitution

Be it resolved by the Liberty County Fire Fighters Association

Section I - The membership of this association shall be confined to "active" membership among the fire departments of Liberty County and to any "honorary" membership to be granted to fire service organizations outside fire departments that may be included in mutual aid, and training.

Section II - Active membership with voting privileges, shall be granted to all Liberty County rural and suburban fire departments and LC HAZ-MAT, in good standing, and serving Liberty County (TX), including the County Fire Marshall, and such departments as may be organized within Liberty County at future dates, upon application for membership.

Section III - Honorary membership without voting privileges shall be granted to other organizations and/or individuals as may be elected to honorary membership by a majority of the active membership present.

Section IV - Sustaining members shall consist of suppliers, dealers, manufactures (or their representatives or agents) of fire equipment and suppliers that wish to be supporters of this association.

Section V - For the purpose of expediting the handling of all business that may be referred to, or initiated by, the Liberty County Fire Fighters Association, the "active" membership in the association shall be the chief or representative of each department eligible for "active" membership and one additional representative from each department to be selected by the departments chief and/or departments members in conformance with each department's by-laws governing selection of delegates to represent the department.

Section VI - For the purpose of assuring equal representation for all member departments, each "active" department shall have one vote - said vote to be cast by the chief of the department, or in the chief's absence, by the department's representative.

Be it further resolved that no changes to be made in the membership provisions provided for in this resolution nor in the voting provisions established by the adoption of same, at any future date, unless approved by 2/3 majority of eligible "active" membership, and that its provisions be included into any by-laws that may be adopted

APPROVED AT LIBERTY, TEXAS THIS 21 DAY OF July, 2020.

President:



Vice President:



Secretary:



BY-LAWS OF THE
LIBERTY COUNTY FIRE FIGHTERS ASSOCIATION

PREAMBLE

Having felt the need of a county-wide coordinating organization, the fire chiefs of fire departments operating in Liberty County, Texas, organized the Liberty County Fire Fighters Association. The organization having been perfected, the association does adopt the following by-laws governing its membership, meetings, and operations, to-wit:

ARTICLE I - NAME

The name of this organization shall be the Liberty County Fire Fighters Association, here after called the "ASSOCIATION".

ARTICLE II - MEETINGS

Section I - Regular Meetings: The regular meeting of the association shall be on the third Tuesday night of each calendar month, except December, at a place and time to be designated at a prior meeting of the association.

Section II - Special Meetings The president, whenever he/she deems necessary, may call a special meeting of the association, at a time and place to be designated by him/her, if the president of the association shall receive a request signed by 25% of the "active" membership that he/she call a special meeting for the purpose specified in the request, or if he/she shall receive a request from the executive committee of the association in which the president concurs, the president shall call a special meeting. No other business other than that embraced in the call for the special meeting shall be transacted by consent of a 4/5 majority of the membership of the association.

Section III - Quorum: A quorum of the members of the association shall be a simple majority of the active members, as shown by the records of the secretary of the association. There may be a meeting of the association when fewer than that number of members are present, but no business shall be transacted without the presence of a quorum in the meeting room at the time of a proposed action.

ARTICLE III - MEMBERSHIP

Section I - The membership of the association shall consist of any and all members of an organized fire department operating and contracted within the bounds of Liberty County, Texas: one voting representative of each department to be selected by the contracted area. Each department should also select at least one alternate voting representative.

Section II - Classes of Membership: Membership in the association shall be four classes, namely: active members, inactive members, honorary members and sustaining members. Only active members shall have the right to the floor at any time and shall otherwise participate in all the activities of the association except voting.

- A. The "active" members shall be voting representative of the departments which have a 911 jurisdiction and contract with the county.
- B. The "inactive" members shall be representatives of the departments, not under contract with the county.
- C. The "honorary" members shall be elected by majority vote of the active members present, and shall be selected from among the following classifications:
 1. The former officers of the association
 2. The active heads (or duly designated representatives) of affiliated organizations
 3. Individuals who are rendering or have rendered valuable services to the association or its affiliated organizations. A letter of application from an "active" member shall nominate persons eligible for honorary membership. No vote shall be taken until such letter of application is on file with the secretary of the association.

Section III - Affiliated organization shall be designated by majority vote in attendance at a regular meeting of the "active" members, and shall be selected from the following classifications of the organizations:

1. Fire Service
2. Fire Prevention
3. Texas Forestry Service

4. Military Fire and Rescue Services
5. Plant Protection
6. Liberty County Emergency Corps Mutual Aid
7. Disaster Relief
8. Liberty County Peace Officers

And such other organizations giving substantial cooperation or assistance to the association or its work.

Section VI - Termination of Membership

- A. Membership of an "active" department, or the representative from any department, may be suspended or terminated at any regular meeting by a $\frac{3}{4}$ majority vote of the active members present, under the following conditions:
 1. Continued inactivity of the affairs of the association after due notification by the executive committee of the association.
 2. Incident of insulting or improper language is prohibited and a member conducting himself/herself unbecoming a (Professional) gentleman/lady or otherwise bringing disgrace upon the association shall be subject to termination.
- B. Membership of honorary members may be suspended or terminated at any regular meeting by a $\frac{3}{4}$ majority of the active members present, after due written notice has been given to the members by the executive committee.

Section I - Officers

- A. The elected officers of the association shall consist of:
 1. President
 2. First Vice President
 3. Second Vice President
- B. The appointed officers shall consist of:
 1. Committee Chairman
 2. Secretary-Treasurer
- C. All officers of the association must be active members of departments which are active members of the Liberty County Fire Fighters Association at the time of their election
- D. The election of the 2nd Vice President shall be held in October to take office in January. The remaining officers will progressively move up. (etc. In January the 2nd Vice President moves to 1st Vice President, 1st Vice President moves to President).
 1. For any reason an officer leaves before his/her term, the next line office will assume the duties of the above officer. The officers will progressively move up. The executive committee will appoint a 2nd Vice president to an interim position.
 2. The officers of the Liberty County Fire Fighters Association shall not be paid for their services.

Section II - Duties of the President

The President shall be the chief administrative officer of the association. It shall be the duty of the President to preside over the meetings of the association, to call special meetings as herein provided, and to perform such other special duties as shall be committed to him by the association. He shall conduct the business of the meetings in accordance with the parliamentary rules to be found in the Robert's' Rules of Order, unless these conflict with provisions of the by-laws, or unless modified by standing or special rules of the association. He shall sign all official papers requiring execution on the part of the minutes thereof. He will also sign checks and attend Commissioners court when applicable, keep updated on current Fire contracts and the current status of upcoming yearly County Budgets

Section III - Duties of the Vice Presidents

The Vice President shall assist the President in carrying out the work of the association. The Vice President shall, upon death, absence, resignation, disability, or disqualification of the President,

perform the duties of the President until the President shall resume his office or his successor shall have been elected as herein provided.

- A. The duties of the 1st Vice President will be as administrative assistant to the President
- B. The duties of the 2nd Vice President will be chairman of the mutual aid committee. He shall also be responsible for meeting programs when requested by the president or host department.

Section IV - Duties of the Secretary of the Association

The Secretary, appointed by the Association President, shall give due notice of all meetings to all members, and shall keep proper minutes of the meetings of the association. He/She shall file, and carefully preserve all papers and documents pertaining to the business, proceedings, and history of the association. He/She shall perform such duties as the association, or its executive committee, may then authorize or direct.

The Secretary shall also act as the treasurer of the association. The secretary shall receive all monies coming into the association from all sources and shall be the custodian thereof. He/She shall make a surety bond in an amount sufficient to cover the entire liquid assets of the association at any time. The cost of such surety bond shall be paid from the funds of the association. He/She shall complete and submit to the association an annual (IRS) financial statement during the month of January of each year. The secretary shall maintain proper records of receipts and disbursements of all fiscal assets of the association. All checks will require 2 signatures. All disbursements must be made by check and no bill or claim shall be paid unless authorized by one of the following methods:

1. By 2/3 majority vote of the membership present at any meeting.
2. By 2/3 majority vote of the executive committee.

Section V - Trustees of the Association

Upon incorporation of the association under the laws of the State of Texas, a Board of Trustees of the Association shall be created to consist of five members, each to serve for three calendar year terms. The first five trustees will serve 2-, 2-, and 1-year terms, so that the term of service of at least one trustee will terminate at the end of each fiscal year. A new trustee shall be appointed by the incoming Executive Committee in March to serve their term.

1. Duties include but not limited to:
 - a. Mediate grievances between departments or outside individuals against departments or association that cannot be resolved amongst themselves.
 - b. Grievances mediated between any association member and the executive committee.

Article V - Committees

Section I - The Executive Committee

Shall be composed of the four officers of the association above designated (President, 1st Vice President, 2nd Vice President and Secretary/Treasurer)

Section II - Membership of Standing Committee

The membership of all committees except the executive committee, shall be appointed by the President

Section III - Authority of Committee

The committee of the association shall consider such matters as are referred to them by the association, by its executive committee, or by its president. Until approved by the association, no action taken by a committee shall have specific power to finally act for the association as shown by the minutes of the association or by its by-laws

Section IV - Duties of the Executive Committee

The President of the association shall serve as ex-officio chairman of the executive committee. It shall be the duty of this committee to execute orders as shall be directed to it in any meeting of the association or as provided for by the by-laws. In the event of an emergency requiring immediate

action arising during the intervening time between the regular meetings of the association, the executive committee shall immediately proceed to take such provisional action, as the existent emergency shall require. At each regular meetings of the association, the executive committee shall report, for the approval of the association, all action by the committee.

Section V - Mutual Aid Committee

The Mutual Aid committee shall be the top priority committee and shall be the most vigorously supported function of this organization. Although the actions of this committee are subject to review, every effort should be given to support its operations. Appointments to this committee must be done with the utmost concern for continuous and harmonious operation of the mutual aid program.

ARTICLE IV - HANDING OF BUSINESS

Section I - Order of Business

When the association shall meet in a regular session, the order of business shall be as follows:

- A. Call to order
- B. Roll Call
- C. Reading, correction, and approval of minutes
- D. Treasurer's report
- E. Reports and recommendations of the President
- F. Reports of committees
- G. Unfinished business
- H. New business not previously referred to committee
- I. Adjourn

Section II - Executive Meeting of the Association

Meetings of the association shall be opened to the public, unless specifically declared to be an executive session by a 2/3 majority vote of the association. Representative of the press shall be allowed at all meetings, which are not executive sessions.

Section III - Forms of Resolutions and motions

All resolution shall be presented in writing, signed by the member and his second. The president will recognize proper motions made from the floor.

Section IV - Method of Voting

- A. For the purpose of assuring equal representation for all departments, each "active" department shall have only one vote, to be cast by the delegate of the department. This delegate shall identify himself during the roll call. In case of the absence of the delegate, the alternate representative from the department shall cast the vote.
- B. Voting on minor motions shall be by acclamation unless a count is call for.
- C. Voting on formal resolutions or amendments to the by-laws shall be by standing vote. At the request of the President, any voter shall identify himself by name and department.
- D. Voting on the election of officers shall be by acclamation or written vote. A clear majority of all votes cast shall be required for election to any office. In cases where there are three or more candidates for the same office and the leading candidate does not have a majority, the two leading candidates shall have a run-off.
- E. Voting on the suspension or termination of membership shall be written ballot.

Section V - Purpose(s) Clause:

The organization is organized exclusively for charitable, religious, educational, and scientific purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

• Section VI- Activities not in furtherance of tax-exempt purposes:

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes described in section 501(c)(3). No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any of her activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section VII- Dissolution Clause:

Upon the dissolution of this organization, assets shall be distributed for one or more exempt organizations within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose.

ARTICLE VII - AMENDMENTS TO THE BY-LAWS

Section I - Manner of making Amendments:

These by-laws of this association shall be added to, deleted, or amended, only by affirmative vote of at least $\frac{3}{4}$ of the active members of the association in attendance at any regular meeting. Any proposed additions, deletions, or amendments to the by-laws shall be filed before such meeting and shall be signed by nine active members of the association; it shall be the duty of the secretary to mail a copy to each member of the association. Any such additions, deletions, or amendments to the by-laws shall not become effective until further ratification by a $\frac{3}{4}$ majority vote of the members present at a subsequent regular meeting of the association.