

**BY LAWS
OF THE
GERONIMO VOLUNTEER FIRE DEPARTMENT, INC.
GERONIMO, TEXAS
ORGANIZED--APRIL, 1980**

**REVISED--1983
REVISED--1998
REVISED--2001
REVISED--2005**

PREMBLE:

We, the officers and members of the Geronimo Volunteer Fire Department, Inc., believing such an organization to be a public necessity in our community and impressed from past experience with the importance of having certain rules and regulations for the preservation of order and defining of duties, recommend the adoption of and pledge ourselves to abide by the following By-Laws.

BY LAWS:

ARTICLE I: NAME

This organization shall be known by the name of Geronimo Volunteer Fire Department, Inc., hereafter referred to as the "Department".

ARTICLE II: OBJECTIVES

The objectives for which this Department is organized shall be:

Section 1. To acquire, operate and maintain equipment, commonly associated with the fire service.

Section 2. To teach, educate and train the citizens the art of fire preventions and safety that is commonly associated with the fire service.

Section 3. To provide emergency services that is commonly associated with the fire service.

Section 4. To raise funds essential to the successful operation thereof.

Section 5. To provide training and educational opportunities for department members to further the knowledge and skills necessary to be effective and contributing members of the Department.

ARTICLE III: POWER AND JURISDICTION

This Department shall have power to make and enforce such By-Laws as it may deem expedient; to elect officers; to preserve order and decorum; define the duties of officers and members; regulate trials and punishments; reprimand, suspend, and expel members and enforce such laws as may be necessary.

ARTICLE IV: OFFICERS

Section 1. The elected officers of this Department shall be: Fire Chief, First Assistant Fire Chief, Second Assistant Fire Chief, President, Vice-President Secretary, Treasure, Chaplain, and Three Trustees, who shall be elected at the first regular meeting in May of each year and whose duties shall be defined by the By-Laws of the Department.

Section 2. Appointed officers shall be those as deemed necessary by the executive board. These officers shall be appointed to serve a one year term concurrent with the term of the elected officers.

Section 3. All officers shall be installed by the County Judge or an Authorized representative at the first regular meeting in the month of June every year.

ARTICLE V: MEMBERSHIP

Section 1. The Department shall be composed of those persons wishing to serve the community in a voluntary capacity, in the area of fire prevention and education, fire suppression, emergency medical service, rescue, or any other active commonly associated with the fire service. A member shall be of good moral character.

Section 2. Membership in the Department shall be either active, reserve, or probationary.

Section 3. Active members shall be those members wishing to take an active part in the operations and functions of the Department. They shall be at least eighteen (18) years of age. They shall pay \$10.00 initiation fee, but pay no dues. Active members shall be entitled to vote at all meetings, hold office, and are expected to fulfill the requirements for active members as set forth in these By-Laws. Application for active membership shall be made on Departmental application form. Membership shall be recommended by at least one active member and elected by a two-thirds majority vote of those members present and voting at a regular meeting.

ARTICLE V: MEMBERSHIP continued

Section 4. Reserve members shall be those members who desire membership in the Department, but do not wish to take an active roll in the operation of the Department, or who do not fulfill the requirements for active membership. They shall be eligible to participate in all the Department functions. They shall be entitled to voice at all departmental meetings, but shall not have the power to vote or hold office. Reserve members shall be at least eighteen (18) years of age. Reserve members shall pay a \$10.00 initiation fee and shall pay no dues. Application and election for reserve membership shall be of the same format as for for active membership.

Any member dropped from the active membership roll to the reserve membership roll wishing to be reinstated to active status must request such reinstatement in writing to the Executive Board. If reinstatement is approved by the Executive Board, the member shall be placed on probationary member status. Any active member, in good standing, may request to be put on the reserve member roll. This member may request, in writing, to be reinstated as an active member at any regular meeting. This member may wish to keep up any training, certifications, etc. at his or her own expense while being on the reserve roll with the Department endorsing such representation.

Section 5. Probationary members shall be newly elected members or those members who were dropped from the active membership roll to the reserve membership roll and who seek reinstatement to active status. They shall meet all of the qualifications of an active member. Probationary membership status shall be for an initial period of ninety (90) days member, but they shall not have the power to vote or hold office. When the probationary member has finished the ninety (90) day probationary period, the Executive Board will review his/her record and recommend at the next regular meeting, that he/she becomes an active member, reject membership or extend the probationary period for another ninety (90) days. After the second ninety (90) day period, and before the next regular meeting, the Executive Board shall again review the record of the probationary member and recommend that he/she becomes an active member or is rejected for membership. A rejected member may reapply for membership no sooner than three hundred-sixty five (365) days from this persons last application.

Section 6. A member may be moved from the active member list to the reserve list or removed from any membership roll after the Department has tabled a motion to do so until the next regular meeting. Removal shall require a two-thirds (2/3) vote of the membership present and voting.

ARTICLE VI: QUORUM

Eight (8) active members or two-thirds (2/3) of the active members if the membership falls below 12 shall constitute a quorum for the transaction of all business at regular and called sessions or meetings. A proxy will not be allowed. (Amended 5/14/08)

ARTICLE VII: DISSOLUTION

Section 1. The Department shall not be dissolved while ten (10) active members desire its continuance, but in case of dissolution, all assets shall vest in Guadalupe County, Texas after liabilities have been settled.

Section 2. No dissolution shall be effective, unless, all eligible voting members and a public notice to the residents of the area served by the Department and Guadalupe County Commissioners Court are notified in writing at least twenty (20) days prior to the dissolution meeting.

ARTICLE VIII: COMMITTEES

Section 1. An Audit committee shall be appointed annually at the regular meeting in April to review the financial records of the Department. They shall make a report of their findings at the regular meeting in May.

Section 2. A Nominating Committee shall be appointed annually at the regular meeting in March for the nomination of the elected officers. They shall make a report of their nominations at the regular meeting in April.

Section 3. The President or Vice President in the absence of the President at a regular meeting shall appoint any committees deemed necessary.

ARTICLE IX: FUNDS

The Department shall maintain a general fund and other such special funds as deemed necessary.

Section 1. The General Fund shall be the operating fund of the Department. It shall handle income received from all sources including, but not limited to, contributions, sale of properties, dues, support from governmental agencies, or other fund raising activities. Funds shall be disbursed for expenses incurred in the normal operations of the Department, for the purchase of equipment and/or supplies or for other purposes as deemed necessary by the membership.

Section 2. Special funds may be established for a specific purpose as approved by the membership.

Section 3. The Treasure shall disperse all funds unless directed otherwise by a vote of the membership.

Section 4. All financial documents will require the two signatures of the President and /or the Treasure and/or a designated representative. If the Treasure or President is unable to sign, the Vice President will sign in the absence of that officer.

ARTICLE X: MEETINGS & TRAINING

Section 1. The regular business meeting of the Department shall be held on the second Wednesday of each month at 7:30 p. m.. A training session shall be held on the fourth Wednesday of each month at 7:30 p. m. with the exception of the month December when no training session will be held. Other training sessions may be held as deemed necessary. Any deviation of these times must be approved by the Executive Board or a vote of the Department.

Section 2. Special business meetings may be called by the President or the Executive Board whenever deemed necessary or by petition of ten (10) active members of the Department. An attempt shall be made to notify all members of a special business meeting at least twenty-four (24) hours prior to the time of the special meeting by the person(s) requesting the special meeting.

Section 3. All meetings will be conducted under the rules contained in Robert's Rules of Order, Revised 1951 Edition, and revisions thereafter. These rules shall govern the Department in all cases to which they are applicable and in which they are not inconsistent with the By-Laws of this Department. A set of these rules will be available at all meetings.

ARTICLE XI: DUTIES OF MEMBERS

Section 1. It shall be the duty of all members of this Department to obey all commands of their officers while at any Department functions or incidents.

Section 2. It shall be the duty of all active members to be present at any Department functions and/or incidents designated. An active member shall be enrolled and actively participate in the Department training program which can lead to certification as a firefighter or other certification related to the fire service. Members are encouraged to seek fire service training outside of this Department that will enhance their knowledge and be of a benefit to this Department. All outside training shall be approved by the Department Training Officer or in his/her absence the Fire Chief prior to the training.

The following guidelines will be followed for cost sharing for any training.

A. The Department may sponsor any member desiring to attend a no cost training or any training funded by another source.

B. The Department may reimburse an active member in good standing for at least one (1) year but less than two (2) years fifty (50) percent of the fee after the member has presented evidence of successfully completing the approved training for payment approval, nonapproval or a percentage there of.

C. The Department may reimburse an active member in good standing for at least two (2) years but less than five (5) years for full training cost after the member has presented evidence of successfully completing the approved training.

D. The Department may advance the training fee in advance for an active member in good standing for five (5) years or more.

ARTICLE XI: DUTIES OF MEMBERS continued

Section 2 continued

E. There shall be a \$750.00 per member limit on department spending for training per calendar year. All reimbursements for training shall be paid to the department. (12/03)

F. Reimbursement for reasonable expenses incurred for travel and lodging to the training programs requiring overnight stays away from home will be considered on a per case basis. An estimated expense request should be presented to the Training Officer or in his/her absence the Fire Chief prior to the training session with final expenses presented to the Executive Board for recommendation to the membership for payment approval, non-approval or a percentage thereof.

G. The Executive Board may waive Article XI, Section 2, Paragraphs B. & C if so deemed necessary

Section 3. Any active member may receive an excused absence at a meeting or training session when the member notifies the President, Fire Chief, or the Training Officer in advance that the member has a family emergency, family illness, job requirement, or other circumstances. An unexcused absence may be corrected to an excused absence after the meeting or training session upon petition to the Executive Board for the correction and the board approves. If a member is representing the Department at another function, the member will be considered present.

Section 4. All members shall refrain from using indecent, insulting, or profane language, or conduct unbecoming of a firefighter at any Department function or incident. It is the duty of every member to cast a good image for the Department.

Section 5. No active member shall leave a function or an incident without the approval of the person in charge.

Section 6. No member of the Department shall use any property of the Department, except in the line of duty with the exception of the property that has been approved to be loaned out.

Section 7. Any active member absent from three consecutive meetings or training sessions without a valid excuse as listed in section 3 of this article or not completing a minimum of ten (10) hours of approved training within a twelve (12) month period will be dropped from active membership roll of the Department to the reserve membership roll.

Section 8. Any member has the right, unless ordered not to do so, to make public the proceedings of any meeting, training session, or Department function. No specifics concerning emergencies should be made public.

ARTICLE XII: ELECTION OF OFFICERS

Section 1. Officers shall be elected by written ballot, unless the office is uncontested, at the regular meeting in May and installed at the regular meeting in June of each year. A nominating committee of three (3) active members shall be appointed by the President annually. The nominating committee shall nominate at least one (1) person for each office. The nominee having the majority of all the votes cast, shall be declared elected, except for the office of trustee/director, wherefore in the initial election or if more than one Trustee/Director office is to be elected, they shall nominate three (3) or two (2). The nominee for trustee/director receiving the largest number of votes shall serve a three (3) year term. If more than one trustee is elected, the incumbent shall serve the remainder of a three year term. The nominee receiving the second largest number of votes shall serve a two (2) year term. The nominee receiving the third largest number of votes shall serve a one (1) year term, there after, one trustee/director shall be elected each year for a three (3) year term. The nominating committee shall make a report of nominees at the regular meeting in April. Members shall have the privilege of making additional nominations from the floor on the night of the election, and nominations shall not be closed until at least thirty (30) seconds has elapsed after the chair has declared nominations in order and has announced the nomination or nominations of the committee. All members nominated for a office shall be contacted and agree to their name being placed in nomination prior to their name being placed in nomination to assure their willingness to serve if elected.

Section 2. In case of a vacancy in the office of President, the Vice-President shall fill the position for the unexpired term. In case of a vacancy in Fire Chief or First Assistant Chief, the lower rank chief(s) shall move forward to fulfil the unexpired term(s). Any vacancy occurring in any other office shall be filled by appointment by the Executive Board.

Section 3. In the event an election is not held at the specified time or the newly elected officers are not installed, the incumbent officers shall remain in office until such an election or installation is held. If the incumbent officers refuse to conduct the election or installation, the Department may hold such election and/or installation under the auspices of temporary officers elected by the Department for the purpose of holding such an election and/or installation.

Section 4. An elected officer may be removed from an office by a two-thirds(2/3) vote of the members present after a motion to do so has been tabled until the next regular meeting.

Section 5. All active members in good standing shall be eligible for election to an office in the department as defined in this article. An active member in good standing may be elected to and hold more than one office, however, may not be elected to and hold more than one office which has a seat on the executive board. (Amended 12/14/05)

ARTICLE XIII: DUTIES OF OFFICERS

Section 1. The Fire Chief shall be the chief operations officer of the Department and shall command the Department during emergency operations. It shall be the duty of the Fire Chief, with the force and apparatus at their command, to carry out all of the objectives as set forth in Article II and to prevent as far as possible the destruction of life and property within the area serviced by the Department. The Fire Chief shall exercise full authority on the premises of an incident according to such laws as the County or State may ordinance or enact. The Fire Chief shall have the power to call out the Department as the Fire Chief deems necessary. It shall be the duty of the Fire Chief to at least once a month make a thorough inspection of all the Departments assets, to see that the assets are at all times kept in good order and in good condition. The Fire Chief shall receive from any member of the Department communications on the subject of repairs or preventative maintenance required to the Department's assets and other needs. He/she shall report the same to the proper parties responsible for providing such repairs or maintenance and shall recommend that such needs be addressed at once. The Fire Chief shall ask the Executive Board for approval of the creation of a subordinate officer not named in these by-laws and shall appoint such subordinate officers as deemed necessary. The Fire Chief shall maintain a correct list of the officers appointed.

Section 2. It shall be the duty of the First Assistant Fire Chief to assist the Fire Chief in carrying out duties and to perform such duties as may be assigned to the First Assistant Fire Chief by the Fire Chief. The First assistant Fire Chief shall assume the duties of the Fire Chief in the absence of the Fire Chief.

Section 3. It shall be the duty of the Second Assistant Fire Chief to assist the Fire Chief in carrying out duties and to perform such duties that may be assigned to the Second Assistant Fire Chief by the Fire Chief. The Second Assistant Fire Chief shall assume the duties of the Fire Chief or the First Assistant Fire Chief in their absence.

Section 4. The President shall be the chief executive officer of the Department. It shall be the duty of the President to preside at all meetings, regular or special, to sign all banking transactions along with the treasure or Vice-President, to persevere order, to decide all points of order that may be raised, to see that other elected officers do their duties and to give the deciding vote in case of a tie. The President shall serve as the head of the executive board. The President shall enforce and carry out these By-Laws to the best of the President's ability. The President shall give a copy of the By-Laws and any other policies to all newly installed members.

Section 5. It shall be the duty of the Vice-President to perform the duties of the President during the President's absence. The Vice-President may sign all banking transactions in the absence of the President or Treasure.

ARTICLE XIII: DUTIES OF OFFICERS continued

Section 6. It shall be the duty of the Secretary to keep a record of the Department proceedings and when approved, post a copy in the meeting room prior to the next regular meeting. A permanent copy shall be placed in a bound "Minute Book", to be provided by the Department, with the previous twelve (12) months put in a permanent file for future reference at the regular meeting in June. It shall be the duty of the Secretary to keep the official calendar of the Department with meeting transactions that are needed noted, to notify all officers of their election, to notify every committee of its appointment through the chairman, to keep a roll of the Department and record those members present at all meetings and training sessions. The Secretary shall notify the President and the Fire Chief of those members who are not in compliance with the requirements for active membership as listed in Article XI, Section 7 and post same. The Secretary shall notify in writing every person dropped from the Department within seven(7) days thereafter and place said person on the reserve roll. The President or Vice-President shall appoint a temporary Secretary in the Secretary's absence at a meeting. The Secretary shall have a current copy of the By-Laws at all meetings.

Section 7. It shall be the duty of the Treasure to administer the financial affairs of the Department unless otherwise directed by a vote of the department. The Treasure shall receive and pay out all funds on behalf of the Department. He/she shall maintain a General Fund for normal Department incomes and expenditures and such Special Funds as he/she may be directed by a vote of the membership to establish. The Treasurer shall make an itemized report of receipts, disbursements and current balances of all active accounts a regular monthly meetings of the Department. He/she shall maintain a written record of all financial transactions in an accounting ledger format and have it available for viewing at all regular meetings. If the Treasurer so desires, he/she may request the Executive Board permission to maintain the records on any accounting format. If the Executive Board approves a variation and electronic records are kept, a back-up copy of the data will be kept off premise of the working copy and updated before every monthly meeting. A copy of all records shall be made available upon request to any person unless otherwise directed by the Department or legal service. All written and/or hard copies of electronic financial records of the previous year fiscal year shall be placed in a binder and placed on file at the fire station prior to the regular meeting in June of each year. If electronic records are kept, a copy of such records shall also be placed on file. The Treasurer shall submit all financial records and documents to an Audit Committee at the regular meeting in April of each year for review. The Audit Committee shall make a report of their findings at the regular meeting in May. The Treasurer, along with the President and/or Vice President and/or designated representative shall sign all financial documents.

ARTICLE XIII: DUTIES OF OFFICERS continued

Section 8. It shall be the duty of the Chaplain to give spiritual guidance to the Department.

Section 9. It shall be the duty of the Trustees to oversee all actions and assets of the Department. They shall make an annual report at the regular meeting in January of every year and intermediate reports when they deem necessary stating such conditions that may exist and their recommendations for correction of same.

Section 10. It shall be the duty of the Training Officer/coordinator to conduct training sessions as deemed necessary by the Department. These training sessions should be limited to training commonly associated with the fire service, any fire service certification the membership so directs, or any training for the good of the membership and/or community. The Training Officer\Coordinator shall notify the Secretary prior to the next regular meeting of the members present, excused or absent.

ARTICLE XIV: EXECUTIVE BOARD

The President, Fire Chief, and the three(3) Trustees/Directors shall comprise the voting members of the Executive Board.

It shall be the duty of the voting members of the Executive Board to serve as a review committee for the activities of the Department, to sit as a review board for all grievances and disciplinary matters and consider other matters as may be directed by the membership. The decision of the Executive Board in matters of grievance or discipline shall be final unless reversed by a three-fourths(3/4) vote of active members voting at a meeting. The Executive Board shall make recommendations to the Department for final action on all other matters unless directed otherwise by a vote of the membership.

ARTICLE XV: AMENDMENTS

No part of these By-Laws shall be altered without a written resolution to that effect, to be submitted to the Department at a regular meeting. Any such alteration or addition to become part of the By-Laws, shall require the vote of two-thirds(2/3) of the voting members present at a meeting. A written amendment when presented shall be tabled to the next regular meeting before a vote is taken. When an amendment is offered and defeated, it shall not again be brought up before the Department for a period of six(6) months.

ARTICLE XVI: FORCE AND EFFECT

These By Laws shall have full force and effect from and after their approval by a two-thirds(2/3) vote of the active members, in good standing present and voting at a regular meeting. All By Laws and amendments to the By-Laws previously in effect shall be withdrawn and considered void from the date of the above mentioned approval.