

# **Tigerville Fire Department**

## **Board of Commissioners By-laws**

The purpose of this document is to declare the broad principles and operating procedures that will govern the Tigerville Fire Department Board of Commissioners in the conduct of its business activities. The broadly defined role of the Commission is one of stewardship, providing oversight of significant strategic, organizational, and operational issues.

### **I. Description of the Commission's Role**

On December 16, 1986, Greenville County Ordinance #1621 amended Ordinance #638, creating the Tigerville Fire District as a taxing district and conferred upon the Commission the following authority:

1. To establish, operate, and maintain a system of fire protection in the fire service area know as the Tigerville Fire Department.
2. To purchase, subject to funds available, such fire fighting equipment as it deems necessary for the purpose of controlling fires within said fire service area;
3. To select sites or places within the service area where the fire fighting equipment shall be kept;
4. To employ all necessary fire protection personnel and fix their compensation;
5. To employ and supervise the training of firefighters to insure that the equipment shall be utilized for the best interest of all service areas within the County;
6. To be responsible for the purchase, acquisition, upkeep, maintenance and repair of all fire fighting equipment and fire stations and the sites thereof;
7. To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is used to the best advantage of the County and to carry out the provisions of this ordinance;

8. To construct the necessary building to house the equipment authorized herein, and all fire stations necessary to provide an adequate fire protection system;
9. To appoint officers, agents, and employees, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties;
10. To exercise any and all other powers necessary to operating and maintaining a system of fire protection.

In addition to the functional powers contained in the original ordinance, the role of the Commission encompasses a number of managerial imperatives:

1. Assure Tigerville Fire Department resources are allocated in an efficient, equitable, and humane manner.
2. Assure that all outside purchases from suppliers are made in a manner consistent with Greenville County's purchasing procedures.
3. Oversee the formulation of a coherent strategic direction for the Tigerville Fire Department. This role will necessitate the preparation of a long-range strategic plan for the Fire District as well as supporting implementation plans and functional plans.
4. Construct annual operating and capital budgets that capture the Fire District's near-term objectives and establish performance targets for the budget year.
5. Monitor Tigerville Fire Department's financial affairs in order to assure its financial integrity.
6. Maintain sound financial controls.
7. Prepare development plans for senior operating management as well as establish compensation plans, succession plans, operating objectives, and performance assessments.
8. Communicate with external private and public entities. Contacts with the outside community may be varied in nature and content, but ultimately the Commission will have primary responsibility for determining how these inter-faces will be managed.

## **II. Election of Tigerville Fire District Board of Commissioners**

The public election of members of the Tigerville Fire Department Board of Commissioners will occur in the November general election in odd-numbered years. Once the results of the election have been certified by the County (approximately two weeks after the election), the newly elected commissioners will be administered the oath of office and will be sworn in. The newly elected Commissioners will be provided with a copy of the bylaws, a description of the standing committees, and will be requested to complete a committee assignment preference form. In December, the new commissioners will be expected to attend an orientation meeting(s) designed to provide background information on the operations of TFD.

Although their terms of office will not officially begin until January 1 following the year of the November election, and although having no voting power, newly elected Board members are expected to attend the November and December regular monthly Tigerville Fire District Board meetings as well as any special meetings.

Terms of office will commence and expire at midnight, December 31.

## **III. Commission Officers and Their Election**

The Tigerville Fire Department Commission shall have four officers with the following duties.

**Chairman**--the Chairman shall preside over all meetings of the Commission. The Chairman shall only vote in the event of tie votes. The Chairman shall affix his signature to any official document requiring the signature of the Chief Executive Officer of the organization.

**Vice-Chairman**--the Vice-Chairman shall preside over all meetings of the Commission in the absence of the Chairman and shall have the same prescribed responsibilities in his absence.

**Secretary**--the Secretary shall record the minutes of all regular and special called meetings of the Commission and make them available to Commission members at least one week prior to the next scheduled Commission meeting. After the reading and approval of minutes from the previous Commission meeting, the Secretary shall cause a true and attested copy of the minutes to be placed in the file in the Tigerville Fire Department Office.

**Treasurer**--the Treasurer shall serve as the Chief Financial Officer of the Tigerville Fire Department and shall cause the proper financial information to be formatted for presentation at Commission Meetings. The Treasurer shall

cause the documentation of the district financial records to be forwarded to the proper legal agencies, including (but not limited to) the US Internal Revenue Service, The South Carolina Department of Revenue, The South Carolina Secretary of State, and the Greenville County Auditor. The Treasurer shall cause a true copy of the financial report to be placed on file in the District Office. The Treasurer shall affix his signature to any official document requiring the signature of the Chief Financial Officer of the organization.

## **Terms of Office**

### **Chairman**

- Must have served for at least one year on Commission Board before being considered as a nominee.
- May serve consecutive terms.

### **Vice-Chairman**

- Must have served for at least one year on Commission Board before being considered as a nominee.
- May serve consecutive terms.

### **Secretary**

- No restrictions for consideration as a nominee.
- May serve consecutive terms.

### **Treasurer:**

- No restrictions for consideration as a nominee.
- May serve consecutive terms.

## **Election of Officers**

1. At the first January meeting of the Tigerville Fire Department Commission, new officers of the Commission shall be elected.
2. The presiding Officer shall accept a motion and receive a second for the nominations to each officer position.
3. Election of Commission Officers shall be by a secret written ballot with the positions selected by majority vote.
4. Officer terms will be one year in length. Elections will be held each year at a special organizational meeting on or after January 2 to elect officers and to swear-in newly elected commissioners. The terms of Officers will commence and expire at midnight December 31.

## IV. Management Structure

The Commission believes that a committee-based organizational structure constitutes the most effective structure for the management of the district's activities. Significant benefits flow from a team-driven approach. The management structure of the Commission is comprised of five standing committees, with each committee having more than one and less than four members:

**Personnel Committee:** The general responsibility of the Personnel Committee is to evaluate and make recommendations to the Board regarding all organizational programs affecting all Tigerville Fire District personnel. This effort is meant to insure that our human resources programs are fair to our employees, competitive with market rates of compensation, consistent with applicable legal and regulatory requirements, fiscally responsible, and dedicated to the personal growth and development of our employees. The Personnel Committee will also develop, with the assistance of the Fire Chief, the goals and objectives of the Fire Chief. Compensation of the Fire Chief will be determined in the most part by the results achieved by the Fire Chief against the agreed upon goals and objectives. The Chairperson of the Personnel Committee will be the Chairman of the Commission.

**Finance Committee:** The basic responsibility of the Finance Committee is to protect and nurture Tigerville Fire District's fiscal integrity by maintaining a rigorous system of financial control. The essential elements in this control mechanism are detailed operating and capital budgets, the formulation of performance measurement standards, and the preparation of periodic detailed reports on the fiscal condition of the Department. The Finance Committee also has responsibility for developing funding sources for the implementation of new projects that require external financing. The chairperson of the Finance Committee will be the Treasurer of the Commission.

**Public Affairs Committee:** The Public Affairs Committee has the lead responsibility in maintaining communications with all external entities. The Committee is expected to evaluate public issues that may impinge on the operations of Tigerville Fire District, and to make recommendations to the Board on appropriate courses of action. The committee will elect the chairperson.

**Facilities and Maintenance Committee:** The basic responsibility of the Facilities and Maintenance Committee is to assure that all capital is maintained in excellent working order to assure that the critical functions of the Department are not compromised. This implies the implementation of periodic detailed equipment and facility inspections, and the

development of a maintenance schedule. In the case of the construction of new facilities and the acquisition of new equipment, the Committee will have oversight responsibility in both the development and implementation of plans to grow the organization's capital stock. The Fire Chief will serve as Chairman of this committee.

**Policies and Procedures Committee:** The Policy and Procedures Committee is responsible of the formulation and periodic review of Tigerville Fire District's strategic plan. In addition, the committee has oversight over the Department's Policies and Procedures Manual. The Fire Chief, and Treasurer will sit on this committee. The committee will elect its chairman.

Individual committees will not be allowed to exercise authority in the name of the Board. Committees will be expected to bring issues to the full Board for final resolution.

The process for choosing committee members, other than those designated as Chairpersons, will be:

- In December of each year, the Chairman will ask individual Board members and Board members-elect to complete a Committee Preference Form to indicate which committees they would like to serve on for the following calendar year.
- Based on this input, the Chairman will select the members of each committee.

## **V. Key Management Processes**

**Strategic Plan:** The Policy and Procedures Committee has the lead responsibility for drafting the strategic plan for the district. The plan will be completely re-evaluated every five years to assure that long-range issues are addressed with regularity. In addition, the Policy and Procedures Committee shall conduct a review of the existing approved plan every two years to measure progress against stated goals and to assure that the plan continues to be relevant and timely.

**Annual Budget:** The finance committee has the responsibility for preparing a proposed draft of the annual budget. The budgeting process will run from March to June of the year preceding the budget year. The finance committee will present the recommended budget to the Commission for its approval at the May meeting.

**Major Job Objectives:** The Personnel Committee has the responsibility for developing and monitoring senior management objectives on an annual basis.

**Compensation Plans:** The Personnel Committee has the responsibility for developing and reviewing compensation plans to assure their effectiveness and fairness. The Committee also has responsibility for assuring that they are in full compliance with all federal and state laws.

**Facilities Management:** The Facilities and Maintenance Committee has oversight responsibility of departmental facilities to assure that all fire stations, rolling stock, and fire-fighting equipment are maintained in proper order. The Committee shall also have oversight of planning and implementation for the acquisition and divestment of facilities and equipment.

**Process of Issues Resolution:** The commission is solely responsible for determining those issues/policies that it will address. A formal vote is to be taken by the Commission to determine if a particular proposed issue will be undertaken for study and resolution. A simple majority vote will prevail. The Commission will, in turn, assign the approved-for-study issue to an appropriate committee for assessment and a recommendation. The responsible committee will provide a progress report each month in order to keep the Commission abreast of the committee's deliberations. Upon completion of the analysis, the committee will be expected to present a written and oral report summarizing its findings and recommendations. The Commission, in turn, will vote on whether or not the committee's recommendations will be adopted. A simple majority vote will be determinant

**Information Requests:** In instances where a Commissioner asks for information on departmental operations which place a heavy burden on available departmental resources, the Chief can, at his discretion, provide access to departmental files in order that the requesting Commissioner can collect the needed data himself or herself. The Chief will be expected to be particularly careful about allowing access to personnel files given the sensitivity of such information and recognizing the need to maintain the personal privacy of Tigerville Fire Department employees.

## **VI. Conduct and Order of Commission Meetings**

All Commission meetings shall be governed by the following rules of procedure:

### **Meetings**

**Meeting:** A quorum of the Commission assembled to discuss official business constitutes a meeting. All meetings are governed by the South Carolina Freedom of Information Act, Title 30, SC Code of Laws.

**Quorum:** A majority of the total membership (four of the total of seven members) of the Commission shall constitute a quorum for the purpose of conducting Commission business. Unless prohibited due to a conflict of interest with other provisions of SC Law, all members of the Commission, excluding the Chairman, are required to vote when called upon to do so. The Chairman of the Commission shall vote only in the event of a tie vote.

**Notice:** All meetings require an agenda that must be publicly posted at least 24 hours in advance of the meeting. Interested parties may request notification of regular or special meetings.

**Regular Meetings:** The Tigerville Fire Department Commission shall meet at least once a month. Regular meetings shall require an agenda posted at least 24 hours in advance. Regular meetings are scheduled for the second Thursday of each month and are to be conducted at the Headquarters station at 2605 Highway 414, Travelers Rest, SC unless voted upon and posted by the Commission in advance of the meeting.

**Special Meetings:** Special meetings may be called by the Chairman or by a majority of the Commission. Special meetings require a posted notice and an agenda and at least 24 hours formal notice.

**Commission Work Session:** Work sessions are to be treated as regular meetings and shall have an agenda.

**Open Meetings:** All meetings are open to the public. After properly convening a meeting, an **executive session** may be conducted as permitted by law (SC Code 30-4-70) for certain personnel, contractual, legal, and economic development matters.

**Executive Session:** An executive session shall only be convened by a majority vote of the Commission. The reason for the session must be announced prior to the session. No formal action and no vote may be taken in executive session.

## **Agendas**

**Regular Meetings and Work Sessions:** Agendas shall be posted at least 24 hours before the date of the regular meeting. Agendas are to be posted on the inside front glass window of the front door at the Headquarters Station.

**Special Meetings: Agendas** for *special meetings* shall be posted at least 24 hours in advance. Agendas are to be posted on the inside front glass window of the front door of the Headquarters Station. A special meeting notice and agenda shall be forwarded to Greenville County Council Clerk for display on the public bulletin board at Greenville County Square.

## **Conduct of Meetings**

Commission meetings shall be conducted according to Robert's Rules of Order.

The Chairman is the presiding officer for regular and special meetings. In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of both the Chairman and the Vice-Chairman, the Commission shall select a member to preside over the meeting.

The presiding officer shall ensure that all Commission members have an opportunity to express their views on matters properly presented for discussion. The presiding officer shall not abuse his or her position by controlling or directing debate to favor his or her views. The presiding officer may temporarily relinquish the chair to engage in active debate or discussion.

During a meeting, in accordance with Robert's Rules of Order, Commission members shall request permission of the presiding officer before speaking.

Commission members shall have the right and sometimes the responsibility to disagree, but shall maintain civil and respectful behavior towards each other at all times during meetings.

All citizens have a right to participate in, but not interrupt, Commission meetings. Therefore, a brief period of time (**citizen's agenda/public comment**) shall be set aside at each regular meeting to afford citizens an opportunity to speak on any District related subject. Citizens wishing to speak shall add their name and address to a roster maintained by the Secretary for that purpose. The Board has the prerogative to limit the total amount of time provided citizens to comment in order to allow sufficient time for the Board to conduct its business.

Citizens may also request to be added to the **regular agenda** at the next scheduled meeting. If a number of citizens wish to speak at any meeting, the presiding officer may reasonably limit the length of time allocated to each citizen and shall state the time limitations before public comments begin.

In special cases, the Commission may permit comments by the public on a special topic during the time period that this specific topic is under discussion by the Commission. Persons wishing to provide timely input on the topic currently under discussion should indicate their desire to speak by raising their hand. Permission to comment to the Commission may be granted by either the Chairperson, or by a majority vote of the Commission. When granted permission to comment, the individual shall be brief and limit his or her comments to 3 minutes duration. The Chairperson or a majority vote of the Commission may end comments by the public on a specific topic in order to allow for further Commissioners' discussion. Citizens who have been denied permission to speak

may be placed on the Citizen's Agenda.

Specific Rules of Procedure may be temporarily suspended during the meeting by a favorable two-thirds vote of the Commission members at the meeting.

### **Order of Business**

All regular meetings shall be conducted in the following order:

1. Call to order
2. Invocation
3. Reading and approval of Minutes from prior meeting.
4. Public Comment
5. Finance Reports
6. Chief's Report
7. Committee Reports
8. Old Business
9. New Business
10. Citizens' Agenda
11. Commissioner's Comments
12. Adjournment

### **VII. Dual Service & Immediate Family Commissioners**

Effective with the next election of a commissioner, newly elected commissioners shall be prohibited from serving at the same time as a volunteer or employed firefighter. If a firefighter should decide to run for the Board of Commissioners, and he/she is elected, he/she shall do so with the understanding that he/she will not serve as a firefighter until the completion of their term on the Board.

Also effective with the next election, volunteer and paid firefighters shall be prohibited from serving at the same time as an immediate family member (e.g., father, mother, wife, husband, son, daughter) serves as a fire commissioner.

Firefighters shall be prohibited from serving until the family member-commissioner's term expires or the family member-commissioner resigns. <sup>(1)</sup>

### **VIII. Conflicts of Interest**

Each Board member will provide the Secretary, a copy of the statement submitted by the commissioner to the SC Ethics Commission (due April 15) regarding any memberships or affiliations with other organizations that might pose a conflict of interest for the member. This information will be provided to all Board members at the April Board meeting by the Secretary or as updates become available. The Secretary will develop a method and have responsibility for collecting this information from the members.

Any members with a clear conflict of interest on any matter before the Board will be personally responsible for recusing themselves from proposing, amending, or voting on any motion what would create a conflict of interest or the appearance of a conflict of interest.

### **IX. Severability**

If any section or part of these by-laws is found by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect any other section or part and all sections and parts, are hereby declared to be severable.

### **X. Amending the Bylaws**

The Bylaws may be amended by any five Commissioners (including the Chairperson) at two consecutive meetings.

Done in proper meeting, duly assembled this 8<sup>th</sup> day of April 8, 2010

ATTEST:

CHAIRMAN \_\_\_\_\_  
Ann Trammell

SECRETARY \_\_\_\_\_  
Stephen Pasternack

<sup>(1)</sup> Amended September 9, 2010