

# Constitution and By-Laws



## Chisholm Trail Fire Rescue

Effective October 1<sup>st</sup>, 2009

Revised Edition Effective on November 11, 2015



PRIDE

# Chisholm Trail Fire Rescue

9835 FM 1854  
Dale, Texas 78616

“The Few Dedicated To Many”

COMMITMENT



SERVICE

## Preamble

***WHEREAS:** The Success of a Volunteer Fire Department depends greatly upon being firmly established, dependable, efficient, and respectable.*

***WHEREAS:** Certain Rules and Regulations are necessary for good order and the well being of all associations.*

***WHEREAS:** It is necessity to define duties, establish discipline, and maintain harmony, for the full promotion of the object for which we are associated together.*

***Therefore:** We, the members of Chisholm Trail Fire Rescue, in order to secure the necessary rights and privileges for the success of the department, render ourselves a nonpartisan organization, do ordain and adopt the following constitution, bylaws, and standard operation guidelines for our regulation and government, and do hereby pledge ourselves to cheerfully submit to the legally expressed will of the majority, and to support our officers in the discharge of their duties.*

## Article I: Name and Mission

### **Section 1: Name**

- a. This department shall be known as Chisholm Trail Fire Rescue (CTFR) Inc.

### **Section 2: Mission**

- a. We shall continually strive to be the most successful fire department, which provides superior services that satisfies our customers' needs.
- b. We shall maintain a highest level of ethics, teamwork and professionalism, while demonstrating a caring attitude toward employees, members, and customers.

### **Section 3: Vision**

- a. We manage our department's values to provide a productive, fulfilling work environment for members, legendary service for customers, enhanced value for our community, and mutually beneficial outcomes for all stakeholders.
- b. We are committed to stability and effective strategic growth.
- c. We are recognized for leadership in our industry and by those we serve.

### **Section 4: Values**

- a. Ethical “By doing the right thing”
- b. Success “By consistently achieving targeted goals”
- c. Excellence “By continually getting better”
- d. Commitment “By being here to stay”



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- e. Dynamic “By pursuing strategic opportunities”

## Section 5: Discriminatory Clause

- a. No member shall be excluded from membership due to age, race, ethnicity, religion, gender, or sexual orientation

## Section 6: Equipment

- a. All CTFR equipment shall be given out in accordance with 501 C (3) rules if dissolved.

## Section 7: Charitable Organization

- a. CTFR is a charitable organization and shall operate as such in accordance with local, state, and federal regulations. CTFR shall also require having all forms with the IRS filed every year.

## Section 8: Whistleblower Clause

- a. Any member of CTFR who, in good faith reports to the Board of Directors that another member has broken any rules or regulations to include fraud, unethical behavior, or a local, State or Federal Violation shall be protected from threats of retaliation.

## Article II: Membership

### Section 1: General Membership Requirements

- a. To be a member in good standing an individual shall make a commitment to participate in the activities of the department, including but not limited to fundraisers, meetings, training, and emergency responses.
- b. There shall be seven classifications of membership: Probationary Member, Responding Member, Support Member, Leave of Absence, Honorary, Cadet, and Mascot.
- c. All prospective new members shall live or work within five (5) miles of CTFR district line. If a prospective member does not live within these boundaries they may appeal the ruling to the Board of Directors.
- d. All new members shall submit an application, current (within ninety (90) days) driving record, and criminal background check (with in ninety (90) days) prior to be voted into the department. Once a prospective member has been voted into the department, all cost associated with obtaining driving and criminal records may be reimbursed by CTFR with proper documentation turned into the treasurer.
- e. All prospective members shall attend two regular business meetings prior to being voted into the department. The first meeting a prospective member attends, they shall be recognized by the president and introduced to the general membership. At the second meeting the prospective member shall be voted on for membership.



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- f. The Fire Chief shall receive the application, driving and criminal records to review prior to the prospective member attending their second meeting. The Fire Chief shall then make the recommendation to the membership for an approval for a person to become a probationary member.
- g. All prospective members shall have a majority vote of the membership in order to be voted into the department.
- h. All new members shall be placed on probationary status for a period of 6 months.
- i. The Fire Chief has the authority to require a drug screen at anytime the member has shown cause for suspension. Any member that causes more than \$500 damage to any property of CTFR or Caldwell/Hays Emergency Service District (ESD) #1 shall be required to get a drug screen within twenty four (24) hours of the incident.
- j. The results of all drug screens shall go directly to the Fire Chief for review.
- k. The Board of Directors may terminate any member for cause by unanimous vote.

## Section 2: Probationary Membership

- a. A probationary member shall not have voting privileges.
- b. The Fire Chief may, at any time during a member's probationary period, make a request to the Board of Directors that the member's probation period may be amended and that the member is allowed to become a support member or a responding member. The Fire Chief may also, recommend that the membership be terminated during the probationary time.
- c. The Fire Chief shall review the new member's training records, regular business meeting attendance, response to emergency calls, and attendance at special functions during their probationary time and submit his or her recommendation to the Board of Directors by the last month of the probation.
- d. Upon recommendation of the Fire Chief, the membership in attendance shall vote to move the member into another membership category.
- e. Any former member of the department may apply for membership and shall fall under the same guidelines as a new member.
- f. Members transferring from or affiliated with another department shall furnish training records and certifications to be eligible for early termination of probation with approval of the Fire Chief.
- g. Upon recommendation of Fire Chief the probation may be extended for no more than an additional 6 months.
- h. Any member not accepted may reapply after twelve (12) months.

## Section 3: Responding Members

- a. Shall be at least 18 years of age.
- b. Shall be a citizen of the United States.
- c. Shall possess a Valid Texas ID or Drivers License.
- d. May only operate department vehicles if they possess a valid class B exempt or higher Texas Driver License, have a driving record acceptable by our insurance company, and be at least 21 years of age. Each member is required to complete the required vehicle training and be cleared by the Fire Chief to operate and drive any vehicle.



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- e. Should not have been arrested within the last 3 years, or have any other criminal history as outlined by the county(s) or department Standard Operating Guidelines.
- f. To be a voting member all responding members must attend a minimum of six (6) activities over a three (3) month period. Activities shall include at least one business meeting and one training session. It may also include special called meetings and/or emergency calls.
- g. Failure to comply with requirements may be cause to be placed on Leave of Absence.

## Section 4: Support Members

- a. Shall be at least 18 years of age.
- b. Shall be a citizen of the United States.
- c. Should not have been arrested within the last 3 years, or have any other criminal history as outlined by the county(s) or department Standard Operating Guidelines.
- d. Shall possess a valid Texas ID or Drivers License.
- e. May only operate department vehicles if they possess a valid class B exempt or higher Texas Driver License, have a driving record acceptable by our insurance company, and be at least 21 years of age.
- f. Shall be able to assist in the support activities of the department, which may include, but may not be limited to: fundraising, rehab, training, maintenance and/or equipment/station repair.
- g. May hold a position on the Board of Directors.
- h. To be a voting member all support personnel are required to attend 2/3 of the regular scheduled business meetings.
- i. Failure to comply with requirements may be cause to be placed on Leave of Absence.

## Section 5: Honorary Members

- a. Honorary members shall be nominated for honorary membership by any member in good standing of the department.
- b. Nomination shall be made in writing and submitted to any member of the board.
- c. Nomination shall include reason for awarding honorary status and may be read during award ceremony.
- d. Shall receive a majority vote of the membership in attendance.
- e. Honorary members may be announced at the yearly appreciation dinner and a plaque may be awarded.
- f. Honorary members shall not have voting privileges.
- g. Honorary members shall not be held to the general membership requirements.

## Section 6: Cadet Members

- a. Shall be nominated by a member in good standing.
- b. Shall be at least 14 years old and still in school.
- c. Shall be a citizen of the United States.
- d. Shall not have any criminal history as outlined by the county(s) or department Standard Operating Guidelines.



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- e. Shall maintain all passing grades in school.
- f. Shall have all skills checked off by the Fire Chief before being allowed to operate on any scene.
- g. Shall not have voting privileges.
- j. Shall be at all trainings that are required by the Fire Chief.
- k. Failure to comply with requirements may be cause to be placed on Leave of Absence.

## Section 7: Leave of Absence

- a. A member in good standing may request in writing, to any board member, to be on leave of absence for any period of time up to one (1) year.
- b. A Responding Member, Support Member, or Cadet may be placed on Leave of Absence for failure to comply with requirements or for disciplinary reasons by the Fire Chief or The Board of Directors
- c. The leave of absence shall include all activities.
- d. Any member that is on leave of absence may request to the Board of Directors be back on active status. Approval of the Board of Directors is required to be placed back on active status.
- e. Once placed on leave of absence status, the member shall turn in all property belonging to CTFR. The property shall be turned into a CTFR Officer or a Board Member within seventy two hours (72).

## Section 8: Mascot

- a. The Mascot may be nominated during the nomination period each year and then voted on during the September elections.
- b. The Mascot shall be at least 6 years, but no more than 13 years of age at the time of the election.
- c. The Mascot may ride in CTFR Fire apparatus for all parades.
- d. The Mascot may draw names for prizes during CTFR events.
- e. The Mascot may participate in any activities approved by The Fire Chief and Parent/Guardian.
- f. The Mascot shall maintain passing grades in school to participate in activities.

## Article III Meetings

### Section 1: General Guidelines

- a. All business meetings of the department shall be conducted using Roberts Rules of Order as a guideline unless state law prevails.
- b. A quorum of the majority of the Board of Directors shall be present to conduct business.
- c. The fiscal year of the department shall be from October 1st thru September 30th.

### Section 2: Regular Meetings

- a. Regular meetings shall be held monthly at a time and place determined by the Board of Directors.
- b. The time and place for next regular meeting shall be announced during the ongoing meeting.



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- c. An agenda shall be distributed for each meeting. For an item to be brought before the board, a request to the secretary shall be made at least twenty four (24) hours prior to the start of the meeting.
- d. A round table discussion shall be available for members and citizens to bring concerns before the board.
- e. If for any reason the meeting cannot be held on the scheduled date, the President shall reschedule, giving membership at least seventy two (72) hours notice.
- f. For a member to be eligible to vote they are required to meet the standards set forth in Article II of the by-laws.
- g. A voting member shall be present in order to vote.
- h. In the case of an emergency, the Board of Directors may do a phone/email vote of the board, in matters that cannot wait till the next business meeting. All emergency voting shall be brought to the membership and explained why the matter could not wait till the business meeting.
- i. All voting shall be a majority vote of The Board of Directors unless otherwise specified.

## **Section 3: Special Business Meetings**

- a. The President, two (2) board members, or a written request of at least 20% of eligible voting members, may call a special business meeting of the department.
- b. At least seventy two (72) hours notice shall be given for a special meeting and all members shall be informed.
- c. An agenda shall be distributed for each meeting.

## **Article IV Board of Directors**

### **Section 1: Overview**

- a. The Board of Directors shall consist of the President, Vice President, Secretary, Treasurer, and Board Member at Large.
- b. The Board of Directors shall meet monthly to conduct the business of the department as outlined in these by-laws.
- c. The Board of Directors shall be voted or appointed into office as outlined in these by-laws.
- d. The Board of Directors shall be chosen from the responding or support members in good standing with CTFR for at least six (6) months.
- e. Members of The Board of Directors shall be at least 21 years of age at the time of their election.
- f. Any member of The Board of Directors may be charged, impeached and removed from their office on the grounds of dereliction of duty, misconduct in office, abuse of authority, misappropriation of departmental property or funds, or disobeying any order in the by-laws.
- g. The Board of Directors, by majority vote, may bring charges against a board member. The accused board member shall not have a vote. The Board may bring such charges on its own motion or upon the written petition of twenty percent (20%) of the general membership.
- h. The Board of Directors may elect to have one of the members of the board to investigate all charges and bring all results to the board during the business meeting.



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- i. If the Board does find the board member guilty of charges, the Board may recommend removal from office and refer the matter to the general membership, which by majority vote of those present, may remove the board member from office.
- j. Members of The Board of Directors not reelected, shall be transferred back to their original membership classification unless otherwise requested.

## Section 2: Complaints

- a. Formal complaints shall be made in writing to any member of the Board of Directors.
- b. Complaint shall state specific nature of complaint, time and/or duration of incident and any other necessary information needed to pursue complaint.
- c. It shall be the responsibility of the President to assign a board member to investigate the complaint. The investigator may use other members of the department to assist with the investigation.
- d. The investigative board member shall turn in a full report to the board members for further review.
- e. Votes shall take place in open session.
- f. Copies of all complaints and decisions shall remain with records of the department.
- g. All complaints shall remain confidential unless otherwise specified by the complainant.

## Section 3: Appeals

- a. Appeals of the decisions of the Fire Chief or his/her representatives shall be made in writing to the Board of Directors.
- b. Appeals of the decisions of the Board of Directors shall be made in writing to the Caldwell Hays ESD1 Board of Commissioners (ESD)
- c. The appeal must state the decision needing review, any arguments that would assist the Board/ESD in reviewing the decision, and shall be signed by the member making the appeal.
- d. If requested, a special executive session of the Board of Directors/ESD may be called where the person making the appeal may present his/her case.
- e. The decision of the ESD is final.
- f. A written confirmation of the decision shall be delivered to the individual making the appeal.
- g. Copies of all appeals and decisions shall remain with the records of the department.

## Article V Duties of the Board of Directors

### Section 1: Duties of the President

- a. The President shall preside at all meetings of the department and all meetings of the Board of Directors.
- b. The President shall sign all approved minutes, resolutions, orders, and summons of the department, as well as these by-laws and amendments thereto.
- c. The President shall appoint committees and officers not otherwise provided for.





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- d. The President shall hold, as a trustee for Chisholm Trail Fire Rescue, Inc. title to all property belonging to the department, and shall execute all conveyances of such properties.
- e. The President shall perform such other duties as directed by the Board of Directors.

## Section 2: Duties of the Vice President

- a. The Vice President shall act and have all the authority for the President in his/her absence.
- b. The Vice-President shall be chairman for the nomination committee.
- c. The Vice-President shall perform such other duties as directed.

## Section 3: Duties of the Treasurer

- a. The Treasurer shall have custody of all department funds and maintain an accurate account of all receipts and disbursements.
- b. The Treasurer shall deposit all monies and/or other valuable effects in the name of the department in such depositories as may be designated for that purpose. Those deposits shall be done within 72 hours of receiving any monies.
- c. The Treasurer shall give a monthly report at the regular meeting as to the fiscal status of the department, including a report of expenses and revenue.
- d. The Treasurer shall present the proposed budget for the next fiscal year at the August business meeting.
- e. At the request of the Board, the Treasurer must submit all financial records for review.
- f. There shall be two signatures on all checks written and shall consist of the President, the Vice-President, or the Treasurer.
- g. The Treasurer shall maintain a security sheet of all accounts and passwords accessible to the Board of Directors.
- h. The Treasurer shall be in charge of all accounts and credit/debit cards. The Treasurer is responsible for the department's policy for the use of credit/debit cards. The Treasurer shall be the primary name on all accounts.
- i. The Treasurer shall pay all bills against the department, when approved by the department, with the exception of normal operating expenses, which are to be paid when the bill is due.
- j. All receipts shall be kept by the Treasurer in a secure location.
- k. At the end of each fiscal year the Treasurer shall have all required documents needed to turn in to the auditor. The final report of the auditor shall be presented to the membership for approval. After the membership has approved the final report the Treasurer or a representative shall give a presentation of the final report to Caldwell/Hays ESD 1 Commissioners at their next ESD meeting.

## Section 4: Duties of the Secretary

- a. The Secretary shall keep a current roster of the membership, including phone number, current address and status with the department and report changes at the monthly meeting.
- b. The Secretary shall keep a true record of the proceedings and transactions of the department.



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- c. The Secretary shall keep minutes of each meeting of the Board, and be able to read the minutes of the previous meeting at each monthly meeting.
- d. The Secretary shall serve as a point of contact for the department to receive and keep accurate records of such correspondences and reporting them at the monthly business meeting.
- e. The Secretary shall notify each newly elected member within 10 days of his/her acceptance and furnish him/her with the new membership policy.
- f. The Secretary shall notify members whose membership has been rejected, suspended, or terminated in writing within 10 days of the action.
- g. The Secretary shall maintain the records of the department, including all historical documents and legal documents (with the exception of the financial records).

## Section 5: Duties of the Board Member at Large

- a. The Board Member may assist any other member of the Board of Directors as needed.
- b. The Board Member at Large shall perform such other duties as directed by the President.

## Article VI

### Duties of the Fire Chief

- a. The Fire Chief shall adopt a set of Standard Operating Procedures, Standard Operating Guidelines, and all rules and regulations dealing with the operational side of the department. All rules adopted by the Fire Chief shall be presented at the next business meeting to the membership. All changes, additions, and subtractions shall also be presented at the next business meeting. The Board of Directors shall vote on all rules and regulations.
- b. The Fire Chief shall assume full charge of all operational members, apparatus, and equipment while at parades, drills, conventions, fires or any emergencies requiring the devices of the department.
- c. The Fire Chief shall determine such personnel and equipment that is necessary for each fire or emergency.
- d. The Fire Chief shall assume full responsibility for the proper care and maintenance of all Department equipment. The Fire Chief is authorized to make necessary expenditures for the care and maintenance of vehicles within the budget approved by the Board of Directors.
- e. The Fire Chief shall make recommendations on the purchase and replacement of equipment.
- f. The Fire Chief shall maintain proper discipline with all members and may suspend or discipline a member. The Chief shall make sure that all discipline is documented and signed by the member receiving the discipline. The Fire Chief shall notify The Board of any member placed on Leave of Absence within twenty four (24) hours.
- g. Fire Chief shall appoint Assistant Fire Chiefs, Captains, and Lieutenants as needed. Upon making the appointment, he shall present the new officers at the next business meeting.
- h. The Fire Chief shall be responsible for recording of all fires and emergencies. All reports shall be reported to the Texas Fire Incident Reporting System.



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- i. The Fire Chief shall prepare a monthly report of all emergencies responded to by CTFR. This report shall be given by the Chief or a representative at all business meetings and at all ESD meetings. The report shall have number of incidents, mutual aid incidents given and received, and responding times.
- j. The Fire Chief has the authority to spend up to \$500.00 without Board approval for an emergency purchase. An emergency purchase is any purchase that cannot wait till the next business meeting. All emergency spending is to be reported to the Board of Directors at the next business meeting. It is to be used as an “up to” expenditure authorization not as a reoccurring expenditure authorization. The purchase shall be then classified to the appropriate operational line item. The Board of Directors shall have the authority to suspend this privilege if the board has justification such as an abuse of power.

## Articles VII- Elections of the Board of Directors

### Section 1: Overview

- a. Elections shall be held at the business meeting in September and shall be the last item on the agenda.
- b. Elections shall be by closed ballot.
- c. The Board of Directors shall be elected biannually, and shall serve a two-year term beginning on October 1st. On odd numbered years, President, Treasurer, and Board Member at Large shall be elected. On even numbered years, the Vice-President and Secretary, shall be elected.
- d. Upon the election of the successor, each officer must turn over all papers and property of the department, as well as any other items pertaining to the duties of the office.
- e. The newly elected board members shall take office on October 1st of the year in which they are elected.

### Section 2: Nominations

- a. Nomination committee shall receive nominations beginning on August 1st and end 7 days prior to the start of the September business meeting.
- b. The appointed head of the nomination committee shall post all accepted nominations to the membership five (5) days prior to the September business meeting.
- c. Probationary members may make nominations.
- d. The nomination committee shall review all nominations for eligibility as stated in these by-laws.
- e. All nominees shall be in good standing for at least 6 months at the time of the election.
- f. All nominees shall not be on Leave of Absence.
- g. All nominees must be at least twenty-one (21) years of age.

### Section 3 Nomination Committee

- a. The nomination committee chairperson shall be the Vice-President.
- b. The nomination committee shall consist of no less than 3 and no more than 5 members.



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- c. The nomination committee shall accept nominations from the membership, and verify all nominees for eligibility.

## Section 4: Voting

- a. The nomination committee chairperson shall preside over the elections at the annual meeting. With the exception of the Vice-Presidential election, in which the President shall temporarily take charge.
- b. If the President and Vice President are unavailable and/or nominated for a position, any other board member may preside over that vote.
- c. Every responding and support member in good standing of the department shall have a vote.
- d. All voting shall be by closed ballot.
- e. In the event of a tie, a runoff election shall take place immediately.

## Section 5: Vacancies

- a. If a vacancy occurs in any office, the President shall appoint a qualified member to fill the vacancy.
- b. If no qualified member is available the president may assume the role until a qualified member becomes available.
- c. If the President's position becomes available, the Vice-President shall assume the role of President and then appoint a new member to fill the Vice-President's position.

## Section 6: Appointment of the Fire Chief

- a. The Chief selection committee shall consist of five (5) personnel: two (2) members of the Board of Directors, two (2) voting members, and one (1) Caldwell/Hays ESD Commissioner. All members shall be in good standing at the time of the appointment.
- b. The Board of Directors shall appoint their representatives. The membership shall vote on their representatives. The ESD shall appoint their representative.
- c. The Chief selection committee shall meet, at a minimum, during the month of August each year. The committee may interview prospective Chiefs.
- d. The committee shall adhere to all requirements for Chief set forth in these by-laws. At the August meeting of the CH ESD1 Board, the committee chair shall report their recommendation to the CH ESD1 Board.
- e. The CHESD1 Board shall appoint the Fire Chief.

## Article VIII Amendments

### Section 1: Overview

- a. Any proposed amendment to these by-laws may be presented at any meeting, in writing to the Secretary of the department.



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- b. The proposed amendment(s) shall be read to the membership and shall be read two more times, at subsequent meetings.
- c. Changes to the proposed amendment(s) may be requested by any voting member. That change may be then voted on by the membership and, if passed, shall become part of the proposed amendment(s). Any such change at the second, or third reading, shall restart the readings.
- d. After the third reading a vote shall take place on the proposed change(s), if change(s) passes it shall go into effect imminently.
- e. A proposed amendment shall require 2/3 majority vote of the voting members present to pass.
- f. All approved amendments shall then immediately become a part of these by-laws, and shall be enforced as such.

## Article IX

This constitution and by-laws are hereby approved and adopted this November 11, 2015, as evidenced by the voting members present at the meeting held on this date and signed by the current Board of Directors.

Current Board Members Signatures:

President	Date	Treasurer	Date

Vice-President	Date	Secretary	Date

Board Member at Large	Date