

SEACOAST CHIEF FIRE OFFICERS MUTUAL AID DISTRICT

BY-LAWS AND CONSTITUTION Cont'd

Article I. Name

Section I.

The name of this organization shall be the Seacoast Chief Fire Officers Mutual Aid District, registered as a municipal corporation with the State of New Hampshire, and shall be a non-profit organization.

Article II. Purpose

Section I.

To promote an area concept for improved emergency facilities in fire and emergency medical services.

Section II.

To act as a group for discussion of mutual issues and for the development of future improvements for protection of life and property by fire and other hazards.

Section III.

To maintain a current mutual aid assistance agreement between members.

Section IV.

To promote and fund fire and EMS educational programs and seminars for all fire and EMS personnel, with first preference given to SCFOMAD member communities.

Article III. Scope

Section I.

Charter members of the new SCFO Mutual Aid District are Durham, Exeter, Fremont, Hampton Falls, Kensington, Kingston, New Castle, Newington, Newmarket, Newton, North Hampton and Portsmouth.

Section II.

Charter members of the original (old) SCFO Association are Amesbury, Exeter, Greenland, Hampton, Hampton Falls, New Castle, Newington, North Hampton, Portsmouth, Rye, Salisbury, and Seabrook.

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Section III.

Associate members shall be Pease Air National Guard Base, the Portsmouth Naval Shipyard, Seabrook Station (FPL) fire brigade and the U.S. Coast Guard Station Portsmouth and will be considered voting members with all privileges.

Article IV. Election of Officers

Section I.

Effective at the annual meeting of 2020, the Office of President shall be limited to one two year term. At the conclusion of that two year term, the 1st Vice-President shall assume the Office of President.

There shall be elected at the annual meeting of the even numbered years a 2nd Vice President and Secretary-Treasurer. Should no one (1) member wish to fill the Secretary/Treasurer position, the position may be split between two (2) members: one (1) Secretary and one (1) Treasurer.

Section II.

The Secretary-Treasurer shall be the official keeper of the records, financial accounts and funds and shall be authorized to disburse funds. Should the Secretary/Treasurer position be split between two (2) members, the Secretary shall be the official keeper of records of the organization and the Treasurer will be the official keeper of financial accounts, funds for the organization and shall be authorized to disburse funds for the organization. The Treasurer will have direct oversight and responsibility for the Business Coordinator. Should the Secretary and Treasurer positions be filled by one (1) person, that individual will be paid a stipend of six-hundred dollars (\$600.00) annually, payable by the organization every December, such payment to be co-signed by an appropriate board member. The Secretary-Treasurer or Treasurer shall be allowed cumulative discretionary spending in the amount of one thousand dollars (\$1,000.00) annually for office supplies and other items deemed necessary for the good of the organization.

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Article IV (cont)

Section III.

There shall be a six- (6) member Board of Directors as follows; three directors representing New Hampshire communities; one director representing a Maine community; one director representing a Massachusetts community and the immediate past president.

They shall be elected for three- (3) year terms with exception of the initial term of the first board. Terms shall expire on the date of the annual meeting. The Board shall have the rights, powers and duties as are conferred or imposed upon it by the SCFOMAD. One director will serve as the Chair of the START Board of Directors.

Article V. Support Staff

Section I.

The Executive Board will be composed of the President, Vice President, Secretary/Treasurer, and a six- (6) member Board of Directors.

Section II.

The Executive Board shall have the authority to, and may from time to time, employ the services of outside consultants and others with areas of expertise in a particular field when such action is deemed to be in the best interest of the organization. This will include, but will not be limited to, an accounting firm for annual review of the association's assets and tax preparation.

Section III.

Business Coordinator – The Executive Board will select and contract service of a part-time Business Coordinator to handle the day-to-day operation of the Seacoast Chief Fire Officers Mutual Aid District and its subsidiaries, including record keeping, financial records, archives, telephone inquiries and reports. The Business Coordinator will be responsible to the SCFOMAD's Treasurer.

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Article VI. Membership

Section I.

Membership of the SCFOMAD shall be comprised of Fire Chiefs, Assistant Chiefs, Deputy Chiefs, or second in command of member cities, towns and associate members.

Section II.

The voting membership of the SCFOMAD shall be comprised of Fire Chiefs, Assistant Chiefs, Deputy Chiefs, or second in command of member cities, towns and associate members or in his/her absence, a duly designated representative of his/her department. A city, town or associate member must have monthly meeting representation by a voting member at a minimum of four (4) meetings during the calendar year. Failure to attend the minimum meeting requirement may result in membership termination. A letter of termination notice will be sent to the fire chief and governing body of the member community or agency prior to any SCFOMAD vote to terminate. It shall be the duty of the secretary/treasurer to keep a record of attendance and report to the president when a member is out of compliance. It shall be the duty of the secretary/treasurer to keep a record of attendance and report to the president when a member is out of compliance. It shall be responsibility of each member city, town or associate member to insure proper representation at meetings.

Section III.

Each member city or town shall have one (1) vote on a polled vote. A polled vote may be requested by any active Chief, Assistant Chief, Deputy Chief or second in command, or any member of the Executive Board.

Section IV.

Any area city, town, federal or private fire department may apply for membership in the SCFOMAD by written request, including certified documentation of the department's authorization to give and receive mutual aid and implementation of the SCFOMAD Personnel Accountability System (PASS), and upon a majority vote of the SCFOMAD and payment of the annual dues, be entitled to all benefits of SCFOMAD.

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BY-LAWS AND CONSTITUTION Cont'd

Article VI (cont)

Section V.

Retired members shall have the rights and privilege of floor discussions and to make suggestions; however, they shall not have the right to vote. Retired members can hold elected office of Secretary-Treasurer but are not eligible for offices of President or Vice-President. They may be asked to serve as an advisor or technical consultant. A retired member serving on the Executive Board shall have voting privileges.

Section VI.

A lifetime member is one who has rendered conspicuous service to and been a member of the SCFOMAD for a minimum of ten (10) years. In the case of a disability, the 10-year rule may be waived. Lifetime membership privileges may only be offered by a majority vote of those present at any regular monthly meeting of the SCFOMAD, a quorum being present. A lifetime member shall be exempt from payment of any dues except costs associated with the annual meeting or other special events; shall have the right and privilege of floor discussion and to make suggestions; and may, due to expertise, be asked to serve as a consultant to any position (elected or appointed) or committee of the SCFOMAD. A lifetime member shall not have the right to make motions, seconds or vote, or hold an elected or appointed office unless otherwise specified by these By-Laws.

Section VII.

Advocate members may attend meetings, may provide information upon request, but will have no voting privileges. Advocate membership dues shall be \$100 per year to be paid by January 31 annually.

Article VII. Meetings

Section I.

Meetings shall alternate between 1900 hours on even calendar months and 1500 hours on odd calendar months. Other meetings may be held at the call of the President or by at least seven (7) voting members on forty-eight (48) hours notice. The annual meeting shall be held on the first Thursday of January at a location chosen by the Board of Directors.

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BY-LAWS AND CONSTITUTION Cont'd

Article VII (cont)

Section II.

A quorum shall consist of thirty-three (33) percent of the member departments of the SCFOMAD.

Article VIII. Committees

Section I.

The President may appoint committees to advise the SCFOMAD. The committees may be composed of members or others who have the expertise in the area of concern. Committees will be established by a vote of the SCFOMAD.

Section II.

Finance Committee. The President shall appoint annually a finance committee to make recommendations for the funding of the district and to annually, audit the financial records and shall give its report at the June meeting.

Section III.

Nominating Committee. The President shall appoint annually (in November) a Nominating Committee that shall report a slate of officers at the Annual Meeting.

Section IV.

START Board of Directors. The membership will approve appointments to the START Board of Directors. Only a member of the Seacoast Chiefs Executive Board shall be eligible to serve as Chair of the START Board of Directors. The Committee shall consist of seven (7) persons. The makeup of that committee will be as follows:

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|---------------------------------|---|
| ◆ One (1) Volunteer Chief | (appointed by SCFOMAD President) |
| ◆ Two (2) Career Chiefs | (appointed by SCFOMAD President) |
| ◆ Team Coordinator | (nominated by Team Leaders,
approved by START Directors) |
| ◆ SCFOMAD Member-at-Large | (appointed by SCFOMAD President) |
| ◆ Two (2) PFFNH representatives | (appointed by PFFNH) |

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Article VIII (cont)

Section V.

Training Committee. The President shall appoint, as necessary, a Training Committee, whose responsibility it will be to present an on-going continuing education series of programs, to be paid in part by profits from SCFOMAD's Annual Golf Tournament (June 2004).

Section VI.

By-Laws Committee. The President shall appoint, as necessary, members to fill three (3) seats on a By-Laws Committee. The Committee shall annually review the By-Laws, recommending changes at the November meeting for action at the annual meeting, or throughout the year as necessary.

Section VII.

Review Board. Should a conflict or situation arise between SCFOMAD communities in which a Chief Officer feels either safety and/or good ICS control has been affected then that Chief may ask the SCFOMAD Board of Directors to act as a mediator to help correct the problem. If a member of the Board is directly involved with the situation in question then they shall be removed from the process. The role of the Board of Directors is to help correct the problem and prevent future problems between communities by acting as a neutral mediator, which will help keep harmonious mutual aid available to all communities.

Article IX. Parliamentary Authority

Section I.

Robert's Rules of Order shall govern the SCFOMAD in all cases to which they are applicable, except in those cases where they may be inconsistent with these By-Laws.

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Article X. Amendments

Section I.

These By-Laws, including the SCFO's Mutual Aid District Agreement, the SCFOMAD Task Force/Strike Team Agreement, the SCFOMAD Shared Equipment, and the Memorandum of Understanding for the Air Trailers may be amended at any meeting of the SCFOMAD, provided that written notification of the proposed change is filed with the President and voting members at least thirty (30) days prior to said meeting.

Section II.

Adopted Guidelines and/or Policies may be amended at any regular meeting following discussion of such changes at any regular prior meeting of the SCFOMAD.

Article XI. Dues and Assessments

Section I.

Dues shall be established at the October meeting for the ending year.

Section II.

The dues formula and a community assessment matrix will be listed here as part of these By-Laws.

Section III.

The SCFOMAD shall have the right to assess all members for unusual expenses. Before any vote for a special assessment may be taken, thirty (30) days prior notice to all members must be given.

Article XII. Gifts

Section I.

The SCFOMAD may receive, hold and use gifts, bequests and devises, either outright or in trust for purposes consistent with the intent of the SCFOMA.

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Article XIII. Dissolution of the District

Section I.

In the event of the dissolution of the SCFOMAD hereinafter referred to as the "District", any remaining assets, after payment or the making provision for the payment of all liabilities of the District, shall be distributed as follows: (i) first, any capital assets owned or contributed to the District by a member city or town shall be returned to that community to be used for public purposes, and (ii) any remaining assets, including cash, shall be distributed to the member cities and towns then being served by the District for public purposes, pro rata based upon the ratio of (a) the total funds contributed to the District by the member community during the immediately preceding three years, and (b) the total funds contributed to the District by all member communities during the immediately preceding three years.

These By-Laws were adopted April 4, 1974.

Amended February 3, 1977.

Amended May 7, 1987.

Amended April 5, 1990.

Amended January 6, 2005.

Amended September 1, 2005.

Amended February 1, 2007.

Amended September 6, 2007.

Amended January 3, 2008.

Amended December 3, 2009 with the following motion: "To dissolve the Seacoast Chief Fire Officers Association and transfer all of the assets and liabilities if any, to the Seacoast Chief Fire Officers Mutual Aid District, a public municipal corporation, as defined in (NH) RSA154:30-a. Transfer is effective at the end of the business day, December 31, 2009." Passed by a roll call vote: 22-0-1.

Amended October 7, 2010.

Amended April 7, 2011.

Amended May 3, 2012.

Amended February 5, 2015.

Amended October 6, 2016

Amended June 7, 2018

Amended October 3, 2019

Amended January 7, 2021