



## By-Laws

EFFECTIVE DATE: June 11, 2009

APPROVED: Cabarrus County Firemen's Association Board of Directors

### Purpose

The purpose of the Cabarrus County Firemen's Association is generally to provide for the association of Firemen, Rescue and Public Safety personnel in Cabarrus County. The association is non-partisan, non-sectarian, and non-profit organization for civic, charitable, social and educational purposes to include the coordination of efforts for the education of the citizens of Cabarrus County in fire prevention, the provision of the uniform and current training of firemen, the promotion of good will and cooperation among firefighters and rescue personnel necessary for an effective county wide program and the provision of food, clothing and other tangible items to victims of fire or disaster and other persons in need.

### ARTICLE I Offices

- Section 1     Principle Office: The principle office of the corporation shall be at PO Box 1292, Concord, NC 28026.
- Section 2.     Other Offices: The Corporation may have other offices at such other places, within Cabarrus County, North Carolina, as the Board of Directors may from time to time determine, or as the affairs of the corporation may require.

### ARTICLE II Membership

- Section 1a.    Members: The Corporation is to have class of member who shall consist of the active or retired members of the participating units of Cabarrus County, North Carolina. Each member shall also be of good moral character and interested in the general welfare of their community. Eligibility for membership under this article shall be determined by the participating units.
- Section 1b.    Honorary Members: An honorary member shall be defined as an individual who has made a substantial contribution to and supports the ideas of the fire and rescue service. Honorary members shall be classified as non-voting members. Cabarrus County Sheriff's Office Communications shall be recognized as honorary members.



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- Section 1c **Life Membership** - Life membership may be conferred upon retiring Active Members provided that they have been members of the Cabarrus County Firemen's Association continuously for five years immediately preceding their retirement date **and provided further that they are not identified with fire protection from a commercial standpoint.** The names of all candidates for Life Membership must be submitted in writing to the President of the association at least forty-five (45) days prior to the Board of Directors September meeting of each year to determine their eligibility. Once said person/s applying for Life Membership has been confirmed, then the President will present his/her findings to the Board of Directors for their vote at the September Board meeting of each year. Any qualified Active Member who has declared their intention to retire may have Life Membership conferred upon them at the Annual meeting which precedes their retirement date. Life Membership carries with it all the privileges of Active Membership without the payment of dues, voting privileges and shall eat free at all general membership meetings in which they attend. Life members may not hold elected office within the Association. **NOTE: MEMBERS THAT HAVE ALREADY RETIRED FOR ANY REASON WILL BE GRANDFATHERED AS LIFE MEMBERS AND WILL HAVE THE PRIVILEGES ADDRESSED IN THIS SECTION.**
- Section 1d **Honorary Life Membership** - Individuals interested in the protection of life and property against fire shall be eligible for Honorary Life Membership upon the recommendation of the Board and approval by a majority of the members present at any general meeting of the Cabarrus County Firemen's Association, and any member so elected shall thereafter be exempted from the payment of annual dues for life. Honorary Life Members may not hold an elected office within the Association or enjoy voting privileges. Honorary Life Membership may also be conferred on any person who has rendered conspicuous service to this Association, provided that such membership shall be recommended by the President and the Board of Directors, and receive a majority of votes of the association at any meeting assembled during the FY.
- Section 1e **Associate Membership** - May be conferred upon City and County Officials, or any other individuals that supports the goals and objectives of the organization. Associate Membership carries no voting privileges.
- Section 1f **Corporate Membership** - Corporate Membership is an annual membership for firms and corporations interested in fire protection. This membership is without voting privileges.



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- Section 1g Retired Members: A retired fire or rescue personnel will not be required to pay yearly assessments.
- Section 1h. Any person who has given twenty-years (20) of service or has disability, upon request to the Board of Directors of the Association may gain membership upon their approval.
- Section 1i Ex Officio Members: The Cabarrus County Fire Marshal's Office and its personnel shall be Ex Officio Members. The office of the Fire Marshal shall serve as an advisor and liaison for the county. They will still continue to pay dues and assessments, bring issues before the board for consideration, and advise the board of county policies that will be affecting the participating units. In no way would this affect the FMO responsibility under the county fire ordinance as far as approving what becomes county policy.
- Section 2.** Participating Units: Those volunteer fire departments, municipal fire departments, Cabarrus County Public Safety and rescue squads from within Cabarrus County or fire department's that have response area that lies within the county of Cabarrus, which are current with annual dues and assessments shall constitute the participating units.
- Section 3. Term of Membership: A person's membership shall constitute until such person is no longer a member of a participating unit, or until such person resigns or otherwise becomes disqualified.

### Article III Membership Meetings

- Section 1. Place of Meetings: All meetings shall be held at the principle office of the corporation or such other place as shall be designated in the notice of meetings.
- Section 2. Annual Meeting: The annual meeting of the members shall be held on the second Thursday of October of each year for the election of Officers and the transaction of such business as may be properly brought before the meeting.
- Section 3. Quarterly Meetings: A quarterly meeting of the members shall be held on the second Thursday of January, April, July and October of each year for the transaction of business as may be properly brought before the meeting.



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- Section 4. Special Meetings: Special meetings of the members may be called at any time by the President, Secretary or a majority of the Board of Directors of the corporation.
- Section 5. Notice of Meetings: A radio announcement or printed notice stating the time and location of the meetings shall be delivered.
- Section 6. Voting and Delegates: Each member present of a participating unit, which has paid the yearly assessments, shall be entitled to vote upon business brought before the membership.
- Section 7. Quorum: A majority of the participating units represented by at least one (1) member shall constitute a quorum at the membership meeting.

### ARTICLE IV DIRECTORS

- Section 1. General Powers: The affairs of the corporation shall be managed by its Board of Directors. The Board of Directors shall have the authority to and responsibility for the adoption of the annual budget, the adoption of programs or projects for the following year. Provided that if a proposed program or projects shall require an assessment of the membership, then the same shall be approved by a majority of the delegates at a regular or special membership meeting.
- Section 2. Number, Term and Qualification: The board of Directors shall consist of three (3) members from each participating units. Each director representing a participation unit shall hold office for a period of one (year beginning January 1, or until his earlier death, resignation, retirement, removal or disqualification.
- Section 3. Election and Appointment of Directors: Prior to the annual membership meeting, each participating unit shall designate two of its members, plus one (1) alternate to serve on the Board of Directors for the following year. Furthermore, the Fire Chief of each participating unit shall serve as the third director member of each unit until he/she is no longer Fire Chief of that unit.
- Section 4. Vacancies: Any unexpired term resulting from a vacancy occurring in the Board of Directors, except with regard to Ex-Office members shall be filled by the participating unit from which the vacancy occurs.



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Section 5. Ex-Officio Members: The election, term and the filling of vacancies of Ex-Officio members of the Board of Directors shall be governed by Article VI of the By-Laws.

**ARTICLE V  
Meetings of Directors**

Section 1. Regular Meetings: Board of Directors may provide, by resolution, the time and location for the meetings.

Section 2. Special Meetings: Special meetings of the Board of Directors may be called by or at the request of the President or any two (2) directors.

Section 3. Notice of Meetings: Regular meetings of the Board of Directors may be held without notice. The person or persons calling a special meeting of the Board of Directors shall at least two (2) day prior to the meeting shall give notice thereof to each director by any unusual means of communications. Such notice need not specify the purpose for which the meeting is being held.

Section 4. Waiver of notice: Any director may waive notice of any meeting. The attendance by a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting isn't lawfully called or convened.

Section 5. Voting Delegates and Their Right to vote: Each participating unit may have up to three votes depending on the attendance of said unit's delegates during the previous year. They must have attended at least 50 % of meetings during the previous year. If less than three delegates were in attendance then the number of eligible delegates will be the average of those in attendance for the previous year.

Section 6. Quorum and Action by Directors: A one-fourth of the number of eligible directors as stated by these By-laws shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The act of a majority of the eligible directors present at the meeting which a quorum is present shall be the act of the Board of Directors.



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- Section 7     Quorum and Action by Directors: A one-fourth of the number of directors as stated by these by-laws (the number shall include directorships which are vacant) shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The act of the majority of the directors present at the meeting which a quorum is present shall be the act of the Board of Directors.
- Section 8.     Informal Action by Directors: Action taken is a majority of directors without a meeting is nevertheless board action if written consent to the action in question is signed by all the directors and filed with the minutes of the board, whether done before the action so taken.

### ARTICLE VI Officers

- Section 1.     Officers of the Corporation: The officers of the corporation shall consist of a President, First Vice President, Second Vice President, Secretary, Treasure and Chaplain and such Assistant Secretary and Assistant Treasure may be elected by the delegates at the annual meeting.
- Section 2.     Election and Term: The initial officers of the corporation shall be elected at the organizational meeting of the Board of Directors and shall hold office until December 31, 1985. Thereafter, the officers of the corporation shall be elected by the vote of a majority of the delegates in attendance at the annual meeting.
- Section 3.     President: The President shall be the principal executive office of the corporation. He/She shall preside at all meetings when present, and he shall represent the corporation when a representative of the corporation is required to be present at public meetings. He/She shall sign contracts Agreements and other legal documents which the Board of Directors has authorized to be executed, except in cases where the signing and the execution thereof shall be delegated by the Board of Directors or by these by-laws to some other officer or agent of the corporation, or shall be required by law to be otherwise signed or executed.



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- Section 4. Vice Presidents: The Vice Presidents shall assist the President in order of their rank shall act as the executive officer in the absence of the President. All of the Vice Presidents who are present at a meeting, but not presiding shall act as marshals to determine the presents of a quorum, the number of qualified voters for each participating unit and to determine the number of votes for each candidate for office or, for-or-against any motion which is voted on. Additional marshals shall be appointed by the presiding officer as any is necessary.
- Section 5a. Secretary: The secretary shall keep the minutes of the meetings of the membership and the Board of Directors and shall see that all notices are duly given in accordance with the provisions of these by-laws. He/She shall be the custodian of the corporate records and of the seal of the association.
- Section 5b. Treasurer: The treasurer shall have charge and custody of and be responsible for all funds of the corporation and shall deposit all such monies in the name of the corporation at any bank in Cabarrus County, North Carolina. All such funds shall be checked and signed by the Secretary or Treasurer. All transactions will be reported at the next quarterly meeting.
- Section 6. Any unexpired term resulting from a vacancy occurring in any office, except Secretary to Treasurer, shall be filled by the Board of Directors. A vacancy in the offices of the Secretary or Treasurer shall be filled by the Board of Directors until a successor is elected at the next annual membership meeting and take office for a three (3) year term beginning January 1, following such annual meeting.

### ARTICLE VII Committees

- Section 1. Committees: The committees of the corporation shall be as follows: Membership, Program, Fire Insurance Rating and special committees designated from time to time by the President or the Board of Directors.
- Section 2. Appointment: The chairman and members of each committee shall be appointed by the President.



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### ARTICLE VIII Dues and Assessments

- Section 1. Dues: The annual dues shall be fixed by vote of the Directors at the organizational meeting of the Board of Directors. Thereafter, annual dues may be changed by vote of a majority of the voting members present at the annual meeting, upon recommendation of the Board of Directors.
- Section 2. Assessments: Assessments may be levied by a majority of the voting members present at the annual meeting or at any special membership meeting provided that notice of such proposed assessment has been given at least seven (7) days prior to such special meeting.
- Section 3. Payment: Dues and Assessments shall be paid by the participating unit within the first month of the fiscal year of the corporation.
- Section 4. Delinquent Dues: Members of participating units which are delinquent in the payment of dues or assessments shall be suspended from membership in the corporation until said payment is paid by the participating unit.

### ARTICLE IX General Provisions

- Section 1. Fiscal Year: The fiscal year of the corporation shall be the calendar year.
- Section 2. Audit of Books: The books of the corporation shall be audited annually by an independent auditor.
- Section 3. Amendments: Except as otherwise provided herein, these By-Laws may be amended or repealed and new By-Laws may be adopted by the affirmative vote of a majority of the Board of Directors at any regular meeting or special meeting of the Board of Directors, provided that notice of such proposed amendments have been given seven(7) days prior to the meeting.



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### Article X Awards Program

The Cabarrus County Firemen's Association Awards Program is designed to honor particularly meritorious service and conduct performed by members of the Association, individuals or entities interested in and contributing to the protection of life and property against fire, or any person who has rendered conspicuous service to this Association.

The **Second Vice President** will chair a committee, [with members of the committee made up from members of the Cabarrus County Fireman's Association](#). Nominations can be made by any member of the Association, or by the Board of Directors, and should be submitted to the Chairperson of the committee. To be eligible for any award, the conduct must be in keeping with sound judgment and reflect honorably upon the Cabarrus County Firemen's Association. Nomination must be submitted to the committee Chairperson within thirty (30) days of the Board of Directors occurring prior to the October general meeting for the year in which the recognized act occurred. Any award given will be recognized, whether in attendance or not, by the committee Chairperson or designee at the October meeting.

Recipients may choose one of three methods in which their award will be presented and must notify the committee Chairperson in advance of their wishes.

- A. Recipients are to be encouraged to attend the meeting October General meeting to receive their award during a business session of the Association.
- B. The award may be presented by a member of the Board of Directors of the Cabarrus County Firemen's Association at a locally sponsored function.
- C. If the recipient does not wish a public presentation, the award will be mailed to an address provided by the recipient.

	
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### Duties

The purpose of the Awards Committee is to review nominations involving meritorious service and make a determination for proper recognition.

- A) Duties of the Awards Committee will be as follows:
  - i) Coordinate and make preparations for presentation of awards.
  - ii) Convene, as needed, at the direction of the Chairperson, to review details of nominations submitted.
  - iii) Through a review process, approve or disapprove nominations for awards and, if merited, determine the type of award to be given.
  - iv) Based upon the findings of the committee, submit recommendations for award presentations to the President.
  
- B) There will be a minimum of six (6) members excluding the Chairperson for a total of seven (7) members of the awards committee. In all matters coming before the Committee for review and decision, a quorum of three quarters of the members must be present before business can be conducted and matters voted on. Each member's vote is of equal value. A majority is required to render a decision.

### Award Classifications

#### Firefighter of the Year

Candidates who are nominated for this award shall be Fire Fighter I or II and a member in good standing with their department having served more than two years with their department. The nomination shall be in narrative form and describe the positive contribution that this individual makes to their department and community, highlighting the person's qualities, contributions, achievements and leadership as a firefighter.



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### **Officer of the Year**

Candidates who are nominated for this award shall be an officer of their department (Lieutenant or higher) and a member in good standing with their department having served more than two years with their department as an officer. The nomination shall be in narrative form and describe the positive contribution that this individual makes to their department and community, highlighting the person's qualities, achievements and leadership as an officer in their department.

### **Medical Responder of the Year**

Candidates who are nominated for this award shall be North Carolina Medical Responder, EMT, EMT-I or EMT-P and a member in good standing with their department having served more than two years with their department. The nomination shall be in narrative form and describe the positive contribution that this individual makes to their department and community, highlighting the person's qualities, achievements and leadership as a pre hospital medical responder.

### **Rookie of the Year**

Candidates who are nominated for this award shall be a member in good standing with their department having completed their probationary period, and served less than two years with their department remaining in the training phase of their affiliation. The nomination shall be in narrative form and describe the positive contribution that this individual makes to their department and community, highlighting the person's qualities, and achievements as a new emergency services provider.

### **Outstanding Achievement Award of the Year**

Candidates nominated for this most coveted award shall be a member in good standing with their department and the Cabarrus County Fireman's Association. The nomination shall be in narrative form, and be accompanied with letters of support and recommendation extensively describing the extraordinary event and or this candidate's outstanding commitment to the advancement of their department, association, and fire service detailing the specifics of how they have displayed, courage, leadership, personal sacrifice and dedication defining the excellence that sets this person apart.



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**Effective and supersedes any other By-Laws prior to this date.**

Adopted by Cabarrus County Firemen's Association, Board of Directors @ the June 11, 2009 meeting held at Mt. Mitchell VFD

\_\_\_\_\_  
President David O. Montague, Jr.

\_\_\_\_\_  
Allen Burnett, Secretary

**SIGNED BY THE PRESIDENT AND SECARTARY AND SEALED WITH THE CORPRATE SEAL.**



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Amendments:

Date

Amendment to Article II Membership Section 2  
Participating Units

6/11/2009

Article XI Awards Program added to By-Laws

6/11/2009