



# Hyalite Rural Fire District

## Bylaws

### DOCUMENT INFORMATION

<b>Document Type:</b>	Board Governance
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### VERSION CONTROL

Version	Approved By	Approved Date	Summary of Changes
1.0	Board of Trustees	June 20, 2016	<ul style="list-style-type: none"> <li>Original, unknown document number.</li> </ul>
2.0	Board of Trustees	September 18, 2018	<ul style="list-style-type: none"> <li>Document number assigned.</li> <li>Modified section 3.5 to reflect use of recorded minutes.</li> <li>Standard formatting applied.</li> </ul>

### ARTICLE ONE

#### Creation of District

**Section 1.1 Statutory Authority.** The Hyalite Rural Fire District is established under Montana law in accordance with [7-33-2120 MCA](#).

### ARTICLE TWO

#### Board of Trustees

**Section 2.1 Authority.** Members of the Board of Trustees, five (5) in number, are elected or appointed pursuant to [7-33-2106 MCA](#). (Use of “Board” or “Trustees” is synonymous with Board of Trustees.)

**Section 2.2 Powers and Duties.** Powers and Duties of the Board of Trustees are pursuant to [7-33-2105 MCA](#), or as set forth in these bylaws.

The Fire Chief serves under the direction of the Board of Trustees. Powers and duties of the Fire Chief are specified by [7-33-2001 MCA](#). The Board of Trustees shall require that the Fire Chief maintain job descriptions of all positions, both compensated and volunteer, and shall direct the Fire Chief to maintain an Organizational Chart which clearly delineates the chain of authority/responsibility among all District positions.

**Section 2.3 Conflict of Interest.** A decision in which one or more Trustees have a conflict of interest may be approved by an affirmative vote of a quorum of Trustees. This vote is made only after the material facts of the conflict of interest have been disclosed. Trustees who have the conflict will abstain from

voting. Names of Trustees that are in conflict, as well as the name and vote of each voting Trustee shall be recorded in the minutes.

A Trustee of the Hyalite Rural Fire District may not concurrently serve as a compensated employee or as an active volunteer firefighter as this is considered an inherent conflict of interest.

**Section 2.4 Officers of the Board of Trustees.** Trustees shall elect Board officers at the Annual meeting in May of each year. Officers shall serve until the next annual meeting. Officers of the Board elected to fill vacancies shall serve until the next Annual meeting.

- A. **Chair.** The Board shall elect a Chair who shall conduct all meetings of the Board. The Chair, being a co-equal member of the Board, shall in addition to presiding, have a right to make motions, participate in debate and vote on all motions.
  
- B. **Vice Chair.** The Board shall elect a Vice-Chair who shall conduct all meetings of the Board in the absence of the Chair.
  
- C. **Treasurer.** The Board shall elect a Treasurer who shall be responsible for financial transactions and financial records of the District utilizing the Budgetary Accounting and Reporting System for Montana Cities, Towns, and Counties (BARS 2-7-501, subsection 5 MCA). Audits of the District's finances by a qualified accountant will be made pursuant to 2-7-503 MCA. Results of the most recent audit will be presented at the first Regular meeting after the completion of the audit.
  
- D. **Secretary.** The Board shall elect a Secretary who shall be responsible for the recording of minutes of all Board Meetings in accordance with 2-3-212 MCA. The Secretary shall be responsible for posting all meeting notices in accordance with the provisions of these Bylaws and as required by Montana Law. The Secretary is responsible for having a copy of District's Bylaws, a printed copy of the Montana codes cited in the bylaws, and a copy of Robert's Rules of Order at every meeting. The secretary shall also be responsible for having these bylaws listed on the Hyalite RFD website with all Montana Code Annotated references accessible as a Hyperlink.
  
- E. **Concurrent Officers.** With the exception of the Chair, the Board may elect one of its members to hold any two (2) officer positions.

## ARTICLE THREE

### Meetings

**Section 3.1.** The Board of Trustees of this District shall conduct all meetings in accordance with Montana Code and in conformance with Robert's Rules of Order. Meetings shall be held at the Hyalite Rural Fire District Station located at 4541 South Third Road unless previously indicated by public notice.

**Section 3.2. Notice of Meetings.** The Secretary shall notify all Trustees of all meetings either in person, telephonically, electronically or in writing. Public notice of any meeting shall be in accordance with Montana law and these Bylaws. The Board of Trustees shall select a day, time and location for Regular meetings and this will be included in all Meeting Notices. All meeting notices including the agenda shall be published on the District's Website and posted on the door of each District Fire Station and published as a legal notice no later than 48 hours prior to each meeting.

**Section 3.3. Quorum.** Three Trustees constitute a quorum for all meetings. If there is less than a quorum, those Trustees present may take testimony, Trustee and staff reports, and discuss District business matters that do not require a vote. Minutes must be taken, reviewed, and approved at the next Board meeting.

If a Trustee is not able to attend a Board Meeting in person, that Trustee may participate as part of the quorum by audible means as long as all written testimony and other pertinent documents are provided to that Trustee before such meeting or read aloud at the meeting for that Trustee to consider.

**Section 3.4. Open Meeting Requirements.** All meetings of the Board of Trustees are open to the public in accordance with the Open Meeting laws of the State of Montana. The Chair may close the meeting where the demands of individual privacy clearly exceed the merits of public disclosure or to discuss a strategy to be followed with respect to litigation as described 2-3-203 MCA.

**Section 3.5. Minutes.** Minutes of all Board of Trustee meetings shall be kept by the Secretary or designee in accordance with 2-3-212 MCA. All meetings shall be audio recorded and these recordings are designated as the official minutes. A written record (synopsis) must also be made according to 2-3-212 MCA, subsection 2. A copy of Official minutes and the synopsis shall be available at the Fire District Administrative office and on the District's Website within 5 business days after the meeting. The written synopsis shall be signed by the Secretary and by the Chair after approval at the next regular meeting.

**Section 3.6. Regular Meetings.** At least eight (8) Regular Meetings shall be held each year to conduct the usual and necessary business of the District with a quorum of Trustees present. The order of business of the Regular Meetings, as far as possible, shall be:

- (a) Opening of Meeting
- (b) Public comment in accordance with 2-3-103 MCA
- (c) Consent Agenda (including approval of minutes and acceptance of financial report)
- (d) New business
- (e) Trustees and Staff Reports
- (f) Announcements
- (g) Adjournment

**Section 3.7 Annual Meeting.** The Annual meeting shall be the first Regular meeting after the 2<sup>nd</sup> Monday of May. The agenda will include but is not limited to, these items:

- (a) Introduction of District Trustees, Staff, and Volunteers
- (b) Installation new Trustees
- (c) Election of Board Officers
- (d) Board Presentation and discussion of current and possible future District finances, issues, and concerns.
- (e) Review of Bylaws
- (f) Review of Board Policies

**Section 3.8 Special Meetings.** Special meetings may be called by the Chair or by the request of three Trustees to consider District business that cannot wait until a Regular Meeting. Special meetings may be held at other locations within the community. Special Meeting notices shall conform to Section 3.2 of these Bylaws.

**Section 3.9 Emergency Meetings.** An emergency meeting may be called to deal with an emergency situation affecting public health, welfare, or safety (2-3-112 MCA). This meeting may be called by any trustee. All reasonable effort shall be made to notify all Trustees. Any action requiring a vote shall be made by a quorum of those Trustees present. Any vote conducted during an emergency meeting shall be ratified during the next regularly scheduled Board meeting.

#### **ARTICLE FOUR**

##### **Warrant Signatory Authority for Budgeted Expenditures**

**Section 4.1 Warrant Signing.** Will comply with board policy and will be subject to public review.

#### **ARTICLE FIVE**

##### **Changes to Bylaws**

**Section 5.1** These Bylaws may be altered, amended, updated or repealed. Motions to change these Bylaws shall be made only at a regular scheduled meeting. Such proposals shall be continued until the next Regular monthly meeting which shall be advertised for Public comment on the proposal to change Bylaws. Voting on motions to change Bylaws may take place no sooner than the first Regular monthly meeting after the meeting designated for Public Comment. Sixty (60) days shall be the minimum period required for proposal, public hearing, and voting to change these Bylaws. An affirmative vote of four (4) Trustees shall be required to pass changes to Bylaws.

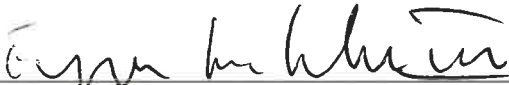


# Hyalite Rural Fire District

## Document Approval Form

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Approved by motion of the Hyalite Rural Fire District Board of Trustees, as reflected in the Board Meeting minutes of Sept. 18, 2018.

  
Chair Signature

Eugene M. Geddes, III  
Printed Name

Approved by the Hyalite Rural Fire District Fire Chief.

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Fire Chief Signature

Jason Revisky  
Printed Name