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J. D. Johnson

# **LAKE ARROWHEAD VOLUNTEER FIRE DEPARTMENT, INC. BY-LAWS**

## **ARTICLE I**

### **NAME**

The name of this body shall be the **“LAKE ARROWHEAD VOLUNTEER FIRE DEPARTMENT, INCORPORATED”**, hereinafter referred to as the Fire Department.

## **ARTICLE II**

### **PURPOSE**

The purpose of the Fire Department shall be the prevention and extinguishment of fire and the protection of life and property at Lake Arrowhead, Cherokee County, Georgia. The Fire Department shall, as well, act as a reserve support to the other fire departments in the county. It is expressly provided that the Fire Department shall not realize any profit from its activities.

## **ARTICLE III**

### **OFFICE**

The principal office of the Fire Department shall be located at Lake Arrowhead in Cherokee County, Georgia.

## **ARTICLE IV**

### **CONTROL**

The control of the Fire Department shall lie exclusively with its Board of Directors, four of whom shall be duly elected by its voting membership, herein defined as being composed of the active members of the Fire Department and those residents at and property owners of Lake Arrowhead. A fifth Director shall be selected from the property owners of Lake Arrowhead, as provided in Article VII, 7.2 of these by-laws.

## ARTICLE V

### FISCAL YEAR AND FUNDING

- 5.1 The fiscal year shall be January 1, through December 31.
- 5.2 It is expected that funds shall be donated by Lake Arrowhead residents and property (lot) owners. The Board of Directors shall solicit non-profit contributions and shall also engage in other appropriate fund raising activities.
- 5.3 The annual budget shall be prepared by the Treasurer of the Board of Directors and presented for approval at the Annual Meeting of the Fire Department.

## ARTICLE VI

### MEMBERSHIP

- 6.1 Regular active membership shall be open to all residents at Lake Arrowhead and those persons, though not actually residing at Lake Arrowhead, who serve as active volunteers in the Fire Department. The regular active membership shall be organized into Fire Fighters and any other specific groups, such as First Responders (to medical or accident emergencies), determined by the Fire Chief as being desirable for the needs of the community or conducive to the most efficient functioning of the Fire Department. It is expected that each member of the Fire Department shall make a commitment for maintaining an adequate training status in accord with the Fire Department standards of Cherokee County and the State of Georgia Fire Academy. Persistent failure to maintain such status by any active member shall constitute ground for dismissal of such a member.
- 6.2 Voting membership shall be accorded to all active fire department personnel and Lake Arrowhead resident and property owner and other contributors to the Fire Department for the current calendar year as proscribed in Article IV.

## ARTICLE VII

### BOARD OF DIRECTORS

- 7.1 There shall be a Board of Directors who shall oversee the general operation of the Fire Department. The Board of Directors shall have the responsibility of ultimate authority of decision in matters of major concern to the Fire Department, fiscal matters, major equipment purchases and matters of the Fire Department policy.
- 7.2 There shall be five Directors, four of whom shall be elected by the voting membership and one, not an active member of the Fire Department, who is (a) selected from the property owners of Lake Arrowhead (b) approved by the four elected Board Members. The Board Members shall elect their Chairman, Vice-Chairman, Secretary, Treasurer and Member at Large at their first meeting following the Annual Meeting of the Fire Department. Each of these five Board Members shall have an equal vote in determining the affairs of the Fire Department. The Fire Chief and his highest subordinate shall be non-voting ex-officio members of the Board of Directors. The Board of Directors shall meet monthly at a time determined by consensus.

- 7.3 The duties of the individual Directors shall be the following:
- (a) **The Chairman** shall be the chief executive officer of the Fire Department and shall preside over all Board of Directors meetings and the Annual Meeting. He/she shall, with the approval of the Board of Directors, form any committees, which he/she deems necessary or desirable, and, either personally or by delegation, appoint their chairman and members. He/she may call such meetings of the Board of Directors, as he/she deems necessary or desirable.
  - (b) **The Vice-Chairman** shall have and exercise all the powers, authority and duties of the Chairman during the absence or incapacity of the Chairman. He/she shall perform such other duties as may be requested by the Chairman.
  - (c) **The Secretary** shall act as Secretary to the Board of Directors, keep minutes of all meetings of the Board of Directors, including records of all Board decisions, and give all notices as required by these by-laws.
  - (d) **The Treasurer** shall have custody of all funds, checkbooks and books of account of the Fire Department. He/she shall collect revenues and make disbursements in satisfaction of Fire Department obligations. He/she shall maintain full and complete records of all assets and liabilities of the Fire Department. He/she shall file taxes annually and obtain an independent audit annually and file such with the Secretary. He/she shall prepare and present the annual budget at the annual meeting. Any of the Directors shall have the power to sign checks of the Fire Department in circumstances of inability or unavailability of the Treasurer.
  - (e) **The Member at Large**, shall be the member responsible for cooperation with the community at large. He/she shall be concerned with assessing the feelings of the community towards the Fire Department and be prepared to bring matters of community concern to the attention of the Board of Directors. In the event of resignation or other occasion of separation from the Fire Department of one of the other Board Members, (a): the Member at Large may be asked to temporarily assume the duties of that ex-Member, or (b): the Board may immediately select an interim member (ref. Article X, 10.6).

## **ARTICLE VIII**

### **ACTIVE VOLUNTEER FIRE DEPARTMENT OFFICERS**

- 8.1 The highest-ranking active officer of the Fire Department shall be the Fire Chief. He shall be responsible to and appointed by the Board of Directors. The Fire Chief shall determine the organizational structure of the entire Fire Department active staff and formulate necessary and desirable departmental policy with the authority herein delegated to him by the Board of Directors. Such authority shall be exercised with the proviso that he is responsible to the Board of Directors who, in instances of potential serious impairment of functional efficiency of the Fire Department, retain their ultimate authority of consultation, review and decision.
- 8.2 The Fire Chief shall structure and appoint his subordinate officer staff, as he feels will provide the best functional efficiency of the Fire Department. He shall submit the structure and appointments of his staff to the Board of Directors as such evolve.

8.3 The Fire Chief shall have the final responsibility for the training of all personnel consistent with the Cherokee County Fire and Rescue Service and the State of Georgia Fire Academy guidelines as may evolve in the future, (ref. Article VI, 6.1)

## **ARTICLE IX**

### **MEETINGS**

9.1 The Annual Meeting of the Fire Department for the purposes of electing the Directors and presentation of the annual budget shall be held in February of each year. Any other business needing to be brought before the Fire Department may be transacted at that time. A quorum at said meeting shall consist of the voting membership who is either attending the meeting or are represented by proxy. Motions brought to vote before the assembly shall be passed by an affirmative vote of a simple majority of the herein-defined quorum.

9.2 The secretary shall send written notice of the Annual Meeting to each Voting Member at least ten days prior to the scheduled meeting. Such notice shall include an offer of proxy privilege and a proxy form.

## **ARTICLE X ELECTION AND TERMS**

### **OF OFFICES**

10.1 A nominating committee of 3 shall be appointed from the voting membership by the Chairman of the Board of Directors, for the purpose of drawing up a slate of candidates for two Board of Directors positions, it being desirable to elect 2 Board Members not up for election in order to maintain continuity of experience and philosophy of the Fire Department,

10.2 The Directors of the Board shall serve for a term of two years.

10.3 If needed, ballots will be given out for the elections at the meeting. Proxy votes will be cast as indicated on the proxy vote forms.

10.4 The Fire Chief and subordinate officer staff shall serve for a term of one year.

10.5 The Board of Directors, Fire Chief and his subordinate officer staff shall take office immediately following the election.

10.6 (a) A vacancy occurring in the Board of Directors or in the position of the Fire Chief shall be filled by appointment by the Board of Directors and the successor shall serve until the expiration of the term of his predecessor. It is expressly herein provided that the Board of Directors is empowered to solicit and replace an unoccupied Board Member position without recourse to election by the entire voting membership.

(b) Following the replacement term of a Board of Directors member selected in accord with the immediately preceding paragraph, the aforesaid Board Member shall be immediately eligible for election to a de novo two year term.

10.7 No restriction is placed upon the number of terms a Board of Directors member or the Fire Chief may serve. No proscribed sequence of such service is mandatory.

## ARTICLE XI

### REMOVAL OF OFFICERS

Any Director may be removed from office by a simple majority vote of the voting membership who is present or is represented by proxy at either the annual or a called meeting. The Fire Chief may be removed from office by a majority vote of the Board of Directors. Subordinate Fire Department officers may be removed from office by the Fire Chief.

## ARTICLE XII

### AMENDMENTS

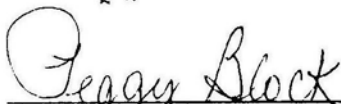
Amendments to the by-laws shall be by affirmative vote of a simple majority of the voting members present or represented by proxy at the annual or a called meeting. The changes to be made should be explained at said meeting.



**Danna Pendleton**, Chairperson  
Board of Directors



**Nyle Srok**, Vice-Chairperson  
Board of Directors



**Peggy Block**, Treasurer  
Board of Directors

  
**Jim Bennett**, Secretary  
Board of Directors

**Allyn Olmstead**, Member at Large  
Board of Directors

### HISTORY OF AMENDMENTS

Dated 01/01/82  
Revised 11/01/82  
Revised 02/10/86  
Revised 06/02/88  
Revised 02/01/90  
Revised 02/08/97  
Revised 02/02/02