

Missouri Valley Division of the IAFC



Constitution and Bylaws
2010

MISSOURI VALLEY DIVISION OF THE IAFC

CONSTITUTION AND BYLAWS

2010

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SUBJECT: Article I, General

Section 1. Name

This organization, a division of the International Association of Fire Chiefs, shall be known as the Missouri Valley Division of the International Association of Fire Chiefs, herein called the Division.

Section 2. Purpose

The purpose of this organization is to provide career and volunteer managers of emergency service organizations throughout the region with information, education, services, and representation to enhance their professionalism and capabilities to protect citizens from the devastation of fire, environmental, natural, and technological emergencies. To carry out this purpose, the Division shall:

- A. Conduct research and studies of major problems affecting the fire service at local, state, and divisional levels.
- B. Develop and effectuate an active program dedicated to the continual well being of the fire service.
- C. Serve as the recognized organization for the exchange of ideas, information, knowledge, and experience in areas affecting the safety of life and property from fire.
- D. Encourage and develop public education in fire prevention for the preservation of human life and material resources from destruction by fire.
- E. Cooperate with all organizations to promote programs that further the goals and objectives of the fire service.
- F. Support and encourage the delivery of pre-hospital emergency medical services by the fire service to relieve human trauma.

Section 3. Dissolution of Division

In the event of the dissolution of this Division, ownership of all assets owned by the Division shall be relinquished to the International Association of Fire Chiefs.

Section 4. Affiliation

This Division shall be a division of the IAFC and shall be bound by the constitution and bylaws of the IAFC.

Section 5. Bonding of Officers

The secretary-treasurer and officers authorized by the board of directors shall be bonded by the Association in an amount approved by the board of directors.

SUBJECT: Article II, Membership

Section 1. Membership

The Division shall be composed of members residing in the states of Colorado, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, and Wyoming.

Section 2. Specialty Sections

Subject to the approval of the board of directors, a group of members having specialized interests may, on attaining not less than eight (8) active and/or associate members, form a section of the Division. Sections shall select their own executive committees. Sections shall have ex officio, non-voting, representation on the Division board of directors. Sections shall operate within the corporate structure of the Division and the board of directors shall approve their constitution and bylaws.

Section 3. Membership and Membership Privileges

The individual membership of the Division shall consist of:

A. Regular Members

Regular members shall include:

1. The chief of the department and all chief officers, as designated by the chief, of regularly organized public, private, governmental or industrial fire departments. "Chief of the department" includes that person responsible for management of a regularly organized public, private, governmental or industrial fire department who bears a title other than chief, including, but not limited to, Fire Commissioner and Chief Engineer.
2. Department, city, county, state, provincial, and territorial fire marshals and their immediate subordinates as designated by the fire marshal.
3. All regular members in retirement.

Regular members, who maintain current dues-paying status shall be entitled to hold elective office, serve on the board of director and vote on all matters requiring a vote of the general office, serve on the board of directors and vote on all matters requiring a vote of the general membership unless otherwise prohibited herein. New regular members shall be entitled to voting privileges fifteen (15) days after receipt of initial membership dues.

B. Members other than Regular Members

1. Departmental Members

- a) Departmental members shall include any Fire/EMS departments serving populations of 10,000 or less.
- b) Departmental members shall be entitled to the same privileges as a regular member with the exception of service in elected position.
- c) Dues for departmental members shall be the same as for regular members.
- d) Departmental members shall be entitled to vote on all matters requiring a vote, but are entitled to only one vote.

2. Life Members

- a) Life members shall include Regular members who have retired from the fire service and who have been a member continuously for a period of at least ten (10) years.
- b) Life members are not required to pay dues but may be charged for association services.

- c) Application for life membership shall be made to the executive director of IAFC.
- d) Life membership shall not be conferred or continued for individuals who are eligible to be a regular member of the Association through their employment or involvement with the fire service.
- e) Life members shall be entitled to vote on all matters requiring a vote, but are not eligible to hold elective office or serve on the board of directors.

3. Associate Members

- a) Associate members shall be individuals, associations, individual employees or officers of corporations and businesses that are interested in the goals and objectives of the Association who are not eligible for regular, affiliate or departmental membership. Present or past elected or appointed officials (i.e., members of a fire commission or board, city or county managers, mayors and city or town council members) shall be eligible for Associate Membership.
- b) Associate members shall have all the benefits of Regular membership, except they are not eligible to hold elective office, serve on the board of directors, have voting privileges, or be eligible for life membership.

4. Affiliate Members

- a) Affiliate members shall be individuals interested in the affairs of the IAFC and the fire service who are employed by (or members of) a fire department, or emergency medical services or equivalent emergency-services delivery agency, or work for an agency which performs direct services in support of a fire department's primary missions (e.g., local or state safety code enforcement, federal, state or local fire service training delivery agencies), and who are not eligible for regular membership.
- b) Affiliate members shall have all the benefits of Regular membership, except they are not eligible to hold elective office, serve on the board of directors, have voting privileges, or be eligible for life membership.

5. Honorary Life Membership

- a) Honorary life membership may be conferred upon a person who has rendered conspicuous service to the Division, its aims and purposes, provided that such membership shall be unanimously recommended by the executive committee and approved by the board of directors.
- b) Honorary life members shall be entitled to participate fully in the affairs of the Division except they are not eligible to hold elective office, serve on the board of directors or have voting privileges.
- c) Honorary life members shall not pay annual dues.

Unless otherwise specified herein, dues and membership services for members other than Regular members shall be established by the MVD Board of Directors. Nothing herein precludes the MVD Board of Directors from establishing promotional memberships, including, but not limited to, trial memberships. Promotional members shall not have the right to vote or hold office.

Section 4. Corporate Sponsorships

Corporate sponsorship status shall be available to persons and/or businesses engaged in the manufacture or sale of emergency apparatus, supplies or service and/or persons or businesses otherwise interested in the field of fire or emergency services, upon payment of an annual fee which shall be determined by the board of directors.

Section 5. Suspension or Revocation of Membership

The Board of Directors may, after notice and an opportunity for presentation, temporarily suspend or revoke the membership of any member for conduct unbecoming a member of the Association.

(Covered in Section 3 A.3)

Subject: Article III, Officers

Section 1. Eligibility

Any member of the Division seeking election to any of the elective offices specified in Article III of the constitution shall:

- A. Be the chief of a fire department and an active member in good standing of the Division.
- B. In the event that a member retires from the fire service while holding an elective office, the member may continue to hold said office until the next annual conference when a successor shall be elected.

Section 2. Elected Officers

The elected offices of the Division shall consist of a president, first vice president, and second vice president, all of whom shall be elected at the annual conference. The president, first vice president and second vice president shall each have a term of office for one (1) year or until the next annual conference when their successors are selected. In addition, one (1) state director from each member state and one (1) international director shall be elected every three years to serve three (3) year terms.

Section 3. Board of Directors

There shall be a board of directors, which shall consist of the president, first vice president, second vice president, immediate past president, the international director, the state director from each state in the Division, and the secretary-treasurer who shall serve as an ex officio member with no vote.

Section 4. Executive Committee

There shall be an executive committee, which shall consist of the president, first vice president, second vice president, and the immediate past president. The president shall serve as the chair and the secretary-treasurer shall serve as an ex officio member with no vote.

Section 5. State Directors

There shall be a state director representing each state in the Division. He/she shall be elected for a term of three (3) years by a majority of the Division members from each state voting at the annual conference.

Section 6. Vacancies and Resignations

In the event of a vacancy occurring in the office of the president or successors, the next officer in line shall immediately assume all duties and authorities of the vacant office and, upon approval of the board of directors, shall serve for the unexpired term; an acting second vice president shall be named by the president, and upon approval of the board of directors, shall serve for the unexpired term.

In the event of a vacancy occurring in the office of international director, an acting director shall immediately be appointed by the president and upon approval of the executive board shall serve until the next annual Division conference when a director shall be elected to fill the unexpired term.

In the event of a vacancy occurring in the office of state director, an acting state director shall immediately be appointed by the president and upon approval of the executive board shall serve until the next annual Di-

vision conference when a state director shall be elected to fill the unexpired term.

Section 7. Secretary-Treasurer

There shall also be an appointed secretary-treasurer who shall serve at the pleasure of the board.

Section 8. Approval of Expenditures

No officer or member of the Division shall incur any expenses in the name of the Association without the approval of the board of directors except that, in case of emergency, the president is empowered to authorize the expenditure of sufficient funds to meet the emergency with the approval of the majority of the executive committee.

Section 9. Removal from Office

In the event that an officer is convicted of a felony while holding office, that officer shall be deemed to have forfeited his/her office, and shall be removed from that office.

SUBJECT: Article IV, Duties of the Officers

Section 1. Duties of Elected Officers

The duties of the elective officers are as follows:

The president shall:

- A. Be the official representative and spokesperson for the Division.
- B. Serve as the chair of the executive committee.
- C. Preside at meetings of the Division and at meetings of the board of directors.
- D. Report on the activities and state of the Division at the annual conference.
- E. Ensure that all committees, work groups, or task forces operate according to the Constitution and Bylaws and Division policies.
- F. Cause a listing of committees, committee chairs, and members to be published electronically within forty-five (45) days after assuming office.
- G. Appoint a division representative to the IAFC Elections Committee as necessary to serve a three-year term.
- H. Appoint a division representative to the IAFC Constitution, Bylaws, and Resolutions Committee as necessary to serve a three-year term.
- I. Promote membership in the organization.

The first vice president shall:

- A. In the absence or inability of the president to perform the duties of the office, be directed to assume the duties of the president.
- B. Assist the president in conducting the business and policies of the Division.
- C. Coordinate with and assist the host chief of the next Divisional Conference and provide the executive board with updates as necessary.
- D. Perform such other duties as are prescribed by the board of directors.

The second vice president shall:

- A. Assist the president and first vice president in conducting the business and policies of the Division.
- B. In the absence or inability of the president and first vice president to perform the duties of the office, be directed to assume all the duties and responsibilities of the president.
- C. Oversee the audit of the Division's financial records for the fiscal year ending during the term of his or her office.
- D. Coordinate with and assist the host chief of the Divisional Conference two years out and provide the executive board with updates as necessary.
- E. Perform such other duties as are prescribed by the board of directors.

The international director shall:

- A. Represent the division as official spokesperson at the IAFC board of directors' meeting.
- B. Review the work of the IAFC at its annual meeting and help develop policy for the operation of the Association.
- C. Participate in the review and adoption of the IAFC budget.
- D. Serve as an active member of both the Division and the IAFC board of directors.
- E. Aid and assist the president of the Division and the President of the IAFC.

- F. Report the proceedings of the IAFC board of directors to the members of the Division.
- G. Report the proceedings of the Division at the IAFC annual board meeting.

The state directors shall:

- A. Be the main contact within each state for the second vice president.
- B. Be the main contact for Division members within each state. This includes securing new members and following up on delinquent members.
- C. Be the main contact and liaison between the Division and their state organizations.
- D. Maintain a file on the activities of his or her office and pass same onto his or her successor.

In addition to all duties required by the office held, elected officers shall perform such other duties as may be required of them by majority vote of the Division assembled in conference or by policy direction of the board of directors.

Section 2. Duties of Secretary-Treasurer

The duties of the secretary-treasurer shall be:

- A. Keep complete and true records of the meetings of the board of directors and executive committee and to report the actions taken at meetings of the executive committee to all members of the board of directors not later than thirty (30) days after said meeting.
- B. Maintain a policy manual for guidance of all officers and committees.
- C. Support, administer and maintain the policies established by the president and the board of directors.
- D. Prepare an annual budget for review and adoption by the board of directors.
- E. Expend or authorize the expenditure of any funds for the normal operation of the Division as provided for in the budget.
- F. Supervise the collection and disbursement of all funds in accordance with the bylaws of the Division and the policies established by the board of directors.
- G. Determine that all monies of the Division are deposited in proper accounts and, where applicable, draw the highest rate of return consistent with the greatest safety for the Division funds.
- H. Be responsible for the custody of all assets of the Division with the advice and approval of the executive committee.
- I. Prepare a financial report, including a detail of revenues and disbursements for presentation at the annual conference.
- J. Prepare an annual audit report for the board of directors at the annual meeting.
- K. Prepare an agenda for each meeting of the board of directors or executive committee showing the business to be transacted. Said agendas shall be presented to elected officers at least ten (10) days prior to the meeting. To have an item placed on the agenda, it must be communicated to the secretary-treasurer thirty (30) days prior to the meeting.

Section 3. Board of Directors

It shall be the duty of the board of directors to:

- A. Appoint a secretary-treasurer who shall serve at the direction of the board of directors and who shall be subject to removal from office, at any time, by a majority vote of the board.
- B. Have general charge of the affairs of the Division.
- C. Review the work of the Division at the board of directors' meetings and develop broad policy for

the operation of the Division.

- D. Approve, adopt, change or amend all budgets as recommended by the secretary-treasurer and the executive committee.
- E. Cause to be made an audit of all books and present such audit to the board of directors and members at the annual conference.
- F. Establish the date and place of the annual conference of the Division and cause to have the dates and place of the annual conference published in the official publication of the Division at least ninety (90) days prior to the opening date of the conference.
- G. Establish the registration fee for the annual conference.
- H. Determine reimbursement of expenses for all authorized meetings.
- I. Require that the president call a special meeting of the board of directors or executive committee on the request of a majority (eight [8] members) of the board.
- J. By majority vote (eight [8] members) remove any officer or member of the association for cause.

Section 4. Executive Committee

The duties of the executive committee shall be:

- A. Provide administration and overall supervision of the work of the Division. The president of the division shall be the chair of the executive committee.
- B. Review the annual budget as proposed by the secretary-treasurer and make recommendation to the board of directors for its approval, disapproval or change.
- C. Serve as the budget and audit committee.
- D. Carry out other duties assigned by the board of directors.

SUBJECT: Article V, Meetings

Section 1. Annual Conference

There shall be an annual conference of the Division at a location approved by the board of directors.

Section 2. Board of Directors' Meetings

There shall be a board of directors' meeting to approve, adopt, change or amend all budgets as recommended by the secretary-treasurer and the executive committee. The board of directors shall select the date and place of the annual meeting of the board of directors prior to the annual conference and may call other special meetings as necessary.

Section 3. Reimbursement

The board of directors shall determine reimbursement of expenses for all authorized meetings.

Section 4. Rules of Order

For the purpose of orderly administration, *Robert's Rules of Order* shall be the authority for all meetings.

Section 5. Quorum

A simple majority shall constitute a quorum for the transaction of business at all meetings of the board of directors or the executive committee. Business may be conducted over phone or computer networks as long as the secretary-treasurer keeps complete and true records of such meetings.

SUBJECT: Article VI, Amendments

Section 1. Revision of Constitution

The Division shall have full power to alter, amend or revise this constitution, providing that notice of such alteration, amendment or revision shall have been given in writing to the secretary-treasurer of the Division at least one hundred twenty (120) days prior to the annual conference. The secretary-treasurer shall see that notice of the proposed changes shall be printed, in a form prescribed by the constitution and Bylaws Committee, in the official publication of the division at least thirty (30) days prior to the date set for the opening of the annual conference. A two-thirds (2/3) vote of the members entitled to vote who are present and voting combined with mailed-in absentee vote shall be necessary for the adoption of such alteration, amendment or revision.

Nothing contained in the preceding section shall prevent the Division in conference regularly assembled from altering or revising any part of the constitution upon a four-fifths (4/5) majority vote of the members entitled to vote who are present and voting, provided, however, that notice of any such action shall be given in writing in a form prescribed by the Constitution and Bylaws, and printed copies made available to all active and active life members present at least forty-eight (48) hours previous to the time when such proposed alteration, amendment or revision shall be read in open conference when first presented. Amendments with less than forty-eight (48) hours notice shall be referred to the board of directors for its consideration and recommendation to the next annual conference for action.

Section 2. Effective Dates of Amendments

All amendments, alterations or revisions of the MVD Constitution and Bylaws shall take effect immediately upon approval of the IAFC Board of Directors

SUBJECT: Bylaws Section I, General

Subsection 1. Dues

The dues for regular, departmental, and associate members are a minimum of \$20.00 and are due and payable by members' anniversary date. Adjustment of dues shall be determined by a majority vote of members present at an annual meeting of the Division.

Subsection 2. In Arrears

No members in arrears for dues or assessments shall be eligible to vote. Any member in arrears ninety (90) calendar days after the member's renewal date shall, after dues notice of such arrears, be removed from the membership roll and from the mailing list by the secretary-treasurer.

Subsection 3. Retired Active Members

All regular members in good standing may, after retirement from active duty, continue to be regular members by a continuance of the payment of the annual dues and assessments.

Subsection 4. Applications

Application for regular, associate, departmental, life, and sustaining membership shall be made to the Division through the executive director of the IAFC.

Subsection 5. Duly Registered Member

No member shall be entitled to register for the annual conference until such member has first paid the registration fee and all other dues and assessments owed.

Invited speakers, distinguished visitors and members of the news media shall be permitted to register and receive the courtesies of the conference without cost upon the approval of the president of the division. On request of the host chief, badges will be issued for the purpose of identification to those connected with exhibits or instruction.

Subsection 6. Fiscal Year

The fiscal year of the Division shall extend from the first day of January through the thirty-first of December.

Subsection 7. Adopting Amendments to Bylaws

No amendment to these bylaws or rules of order shall be made except when written notice of such amendment has been received and read in open session of the conference or as provided in Article VI of the constitution; a two-thirds majority vote of the members voting shall be required to adopt such amendment.

Subsection 8. Effective Date of Amendments

All amendments, alterations or revisions of any part of these bylaws or rules of order shall take effect immediately upon approval of the IAFC Board of Directors.

SUBJECT: Bylaws Section II, Committees

Subsection 1. Permanent Committees

In addition to those committees provided for in the constitution, the following permanent committees are established, whose chairpersons and members shall be appointed annually by the president of the Division.

- A. Constitution and Bylaws Committee
- B. Membership Committee
- C. Nominations and Elections Committee
- D. Resolutions Committee

Subsection 2. Committees and Committee Membership

The president may name additional committees, work groups, or task forces for his term of office to accomplish the goals and objectives of the Division. All members are eligible for such committee appointments and all members are entitled to vote as members on such committees.

SUBJECT: Bylaws Section III, Election of Officers

Subsection 1. Candidates

The Nominations and Elections Committee shall solicit candidates for the various offices of the Division in the official publication of the Division. Members who desire to be candidates and are qualified in accordance with Article III, Section 1, of the constitution, shall submit their name, membership number, office being sought, a profile of their qualifications, and their platform (not to exceed 500 words) to the secretary-treasurer, in writing at least 120 days prior to the date set for the opening of the annual conference.

The Nominations and Election Committee shall present their report during the afternoon session of the first day of the annual conference giving a complete list of the nominations for the elective offices of the Division. In the event that no candidates for a given elected office meet the 120-day deadline described in Subsection 1 above, the presiding officer shall call for nominations from the floor for that office. Nominations from the floor shall require the nominee's concurrence in writing or verbal concurrence from the floor at the time of nomination. After calling three (3) times for any further nominations, the presiding officer shall declare the nominations closed.

Subsection 2. Publication of Candidate Information

The secretary-treasurer shall see that the profile and platform submitted by candidates be printed in the official publication of the Division in a manner consistent with the policy that shall be established by the Board of Directors.

Subsection 3. Withdrawal of Nominee

Any nominee who desires to withdraw their name may do so at any time prior to the election. Candidates withdrawing shall not make any address in support of any other candidate in the contest from which they withdraw.

Subsection 4. Unanimous Ballots

For any office for which there is only one (1) nomination, the presiding officer shall declare such nominee elected.

Subsection 5. Candidate Speeches

Any candidate for office shall be allowed to address the conference prior to the election. Such speech shall not exceed five (5) minutes.

Subsection 6. Absentee Votes

If a member is unable to attend the annual conference, that member may request an absentee ballot from the secretary-treasurer no later than sixty (60) days prior to the annual conference. Such requests must include member's name and membership number. Upon verification of eligibility, the secretary-treasurer shall mail a ballot and return envelope to the member making the request. The secretary-treasurer must receive all absentee ballots no later than thirty (30) days prior to the first day of the annual conference for those absentee ballots to be included in the vote totals.

Subsection 7. Election Process

For all offices for which there are two (2) or more nominees, the Nominations and Elections Committee shall cause to be prepared or printed, ballots showing the name of the nominees and the office for which they are nominated. The Nominations and Elections Committee shall prepare or cause to be prepared a suitable place where eligible members may cast their ballot on the day the elections is set between the hours of 8:00 A.M. and 9:00 A.M. on the second day of the conference. After the polls close at 9:00 A.M. the Nominations and Elections Committee shall count the ballots cast at the conference combined with mailed-in absentee votes and report immediately to the conference assembled.

Subsection 8. Election

The candidate receiving the highest number of votes for an office shall be elected. In the event of a tie vote, a second ballot shall take place between the hours of 1:00 P.M. and 2:00 P.M. on the same day of the original balloting. Voting shall be limited to the nominees so tied. In the event that a tie remains after the second ballot, the Board of Directors shall select the winner from the candidates tied.

Subsection 9. Conduct of Elections and Disputes

The complete conduct of the elections and decisions in any matters of dispute that may arise during such elections shall be in the hands of the Nominations and Elections Committee. The Committee shall nominate a chair from among its members to serve as its spokesperson to announce its decisions and ruling to the conference.

Subsection 10. Election Campaign Practices

Election campaigns are expected to be conducted on the highest level. Any questions concerning ethics of the campaign should be referred to the Nominations and Elections Committee.

Subsection 11. Election Without a Conference

In the event the Division Annual Conference is not held, the president shall notify all members of the Division that a Business Meeting will be held at the IAFC Annual Conference at which time the election of officers and other business shall be transacted.

SUBJECT: Bylaws Section IV, Miscellaneous

Subsection 1. Installation of Officers

The installation of officers shall take place at the annual membership meeting with appropriate ceremonies and officers shall swear to the following oath of office:

“I swear that I will support the Constitution and Bylaws and at all time bear true allegiance to the goals and purposes of the Missouri Valley Division of International Association of Fire Chiefs. I will perform the duties and responsibilities of my office to the best of my ability, so help me God.”

Subsection 2. Mail Ballots

In the event of an urgent question arising which necessitates an expression of opinion by the members, and such question is not of sufficient importance to summon an emergency meeting of the Division, the president shall have the authority to instruct the secretary-treasurer to have printed and mailed to each member entitled to vote, a ballot, and to name a date upon which said ballot shall be returned to the executive director. The president shall appoint three (3) members of the board of directors to count said ballots and report the results to the president. All ballots shall be preserved until the close of the next annual conference in case a recount should be required.

SUBJECT: Bylaws Section V, Rules of Order

Subsection 1. Preservation of Order

The presiding officer shall preserve order and decorum and shall take no part in debates while presiding. All questions of order shall be subject to an appeal to the conference, and upon such an appeal the vote shall be taken without debate. The presiding officer may state the reasons for the decision given and shall put the question as follows: "Shall the decision of the chair be sustained?" A two-thirds majority of those present and voting shall be necessary to reverse the decision of the chair.

Subsection 2. Members Speaking

Every member when speaking or offering a motion shall rise, state his or her name and place of residence, and respectfully address the presiding officer, and when finished speaking shall at once resume his or her seat.

Subsection 3. Presiding Officer Decides

When two (2) or more members rise to speak at the same time, the presiding officer shall decide who is entitled to the floor.

Subsection 4. Point of Order

A member called to order shall immediately cease speaking and resume his or her seat until the point of order in question has been decided, when he or she shall again be entitled to the floor.

Subsection 5. Calling the Question

A motion to take the previous question shall always be in order except when a member is in possession of the floor, and must be put without debate and if supported by a majority vote of those present, voting shall be declared carried and no further debate or amendments shall be in order until the main question shall have been decided.

Subsection 6. Motion to Adjourn

A motion to adjourn shall always be in order, except when a member is in possession of the floor or a vote is being taken or it has been decided that vote shall now be taken. A motion to adjourn is not debatable, but a motion to adjourn to a given time is open to debate.

Subsection 7. First Business Day

Presentation of all proposed amendments to the constitution, bylaws or rules of order of which notice has been given prior to the opening of the conference shall be on the first business day of the conference.

Subsection 8. Question Without Provision

Any question coming before the conference for which no provision has been made in the constitution, bylaws or rules of order, the presiding officer shall be guided by the rules laid down in *Robert's Rules of Order*, revised.

