

Attachment B

WESTERN WAYNE COUNTY FIRE DEPARTMENT MUTUAL AID ASSOCIATION

BY-LAWS adopted 10-20-11

ARTICLE I NAME AND PURPOSE

Section 1. Name - This organization shall be known as the Western Wayne County Fire Department Mutual Aid Association, hereinafter referred to as the "Association." The name of the Association shall not be used publicly by any member community or agency without express permission of the Association Board. This shall not restrict either the member communities or agencies or the Association Board in the use of the name to carry out the purpose of the Association.

Section 2. Purpose - The purpose of this Association shall be:

- a) To render reciprocal aid between the member communities or agencies in fire protection, emergency medical service, hazardous materials response, technical rescue and other emergency services.
- b) To provide professional leadership and training in the fire service.
- c) To promote fire prevention, education, and safety in the fire service.
- d) To establish and implement cooperative programs and activities in the field of fire protection, fire prevention and emergency medical service that will enhance public safety.
- e) To provide a forum for the free exchange of ideas by Fire Chiefs.

ARTICLE II MEMBERSHIP

Section 1. Request for membership – Requests for membership in the Association subsequent to the signing of the interlocal Agreement by the founding member communities or agencies shall be made by the Chief Executive Officer and the Fire Chief of the prospective community or agency. Such request shall be made in writing to the Secretary of the Association stating all particulars relating to the community or agency's ability to meet all requirements as set forth in the Reciprocal Fire Aid Agreement and the By-Laws of this organization. Communities or agencies wishing to join the Association and benefit from its services shall be required to pay a fee, determined by the Association at the time of the request. Any metropolitan Detroit community or agency in close proximity to Wayne County ~~is shall be~~ eligible to submit a request for membership in the Association. Approval of the request shall be within the sole discretion of the membership and may be denied for whatever reason.

Section 2. Receipt of request for membership - The Secretary shall send a copy of the request for membership to the Fire Chief of each member community or agency. The request shall appear on the agenda for discussion at the first regular or special meeting held after receipt of the request.

Section 3. Approval – Approval of membership shall be granted by 2/3 or more of the current membership.

Section 4. Removal – of membership shall be granted by 2/3 or more of the current membership.

Section 5. Representation - Each community or agency member shall be represented by the Fire Department Chief Officer or designee.

Section 6. Voting - Each member community or agency present at the meeting shall have one (1) vote on all issues brought before the membership. This vote shall be cast only by the Chief Fire Executive Officer or designee.

Section 7. Refusal of Service – No member community or agency shall unreasonably refuse service to any member community or agency requesting service so long as the responding member has resources available to commit to the requesting member. Resources are not “available” within the meaning of this Section if additional personnel or equipment would have to be purchased, leased or acquired for the express purpose of responding to a request nor are resources deemed “available” if personnel or equipment are currently engaged in meeting the emergency services needs of the responding community or agency. The determination as to whether an Incident qualifies as a “public emergency, conflagration or disaster” under Section 1.13 of the interlocal Agreement shall be within the sole discretion of the requesting member and may not be challenged by any responding members. The membership understands that the severity of an Incident cannot be accurately gauged at the outset of an Incident. Responding members cannot, therefore, be afforded the opportunity to question the wisdom of an initial request for services. Any unreasonable refusals of service, as determined by the Association Board, shall constitute grounds for forfeiture of membership in the Association.

Section 8. Insurance – Insurance covering the activities of the Association will be obtained, if possible and feasible. However, it is recognized that such insurance may be financial untenable or non-existent. Therefore, each member community or agency shall be responsible for insuring its activities as they relate to the Association. The Association may choose to require each member community or agency to provide Certificates of Insurance naming the Association as an additional insured as an additional qualification for membership in the Association.

Section 9. Party Contribution – As specified in Section 8.01 of the Interlocal Agreement, cost for the Fire Fighters is to be borne by the member community providing the Fire Fighters. This sentence should not be interpreted to mean that the Fire Fighters are to be provided to the Association or any other party. The contributions of fire apparatus or fire equipment by the member communities or agencies as required by Section 8.02 of the Interlocal Agreement shall be limited to the existing resources and current capabilities of the member communities or agencies. Under no circumstances shall a member community or agency be required to acquire additional resources to provide services to a requesting member.

ARTICLE III OFFICERS

Section 1. Officers – The officers of this Association shall consist of: President, Vice-President, Secretary and Treasurer.

Section 2. Term of office – The terms of office of all officers of the Association shall be from January 1 to December 31 of each year.

Section 3. Election of officers – The election of officers shall be conducted at the first regular scheduled meeting where a quorum is present after September 30th of each year. If there is not a quorum at a regular scheduled meeting between September 30th and December 31st of any year, the officers of the Association shall be elected at the first regular meeting when a quorum is present after January 1st, and officers shall commence their terms in all respects as if they had been elected prior to January 1st.

Section 4. Duties of officers - The President shall be the Chief Officer of the Association and must be a Chief Officer of the Department he/she represents. He/she shall preside at all meetings of the Association. He/she shall call meetings as he/she deems necessary or as requested by a simple majority of the membership.

The Vice-President shall assume the duties of the President in his absence or unavailability for any cause.

The Secretary shall assume the duties of President in the absence of the President and Vice-President at any regular scheduled meeting. The Secretary shall keep the records and minutes of the Association and shall maintain the roster of members, the Mutual Aid Agreement, By-Laws, and all other documents. It shall be his duty to receive and acknowledge all communications of the Association addressed to him or that may be submitted to him by officers of the Association, and perform such duties as assigned by the President.

The Secretary shall provide each member department a copy of the minutes of each past meeting ten days prior to the next regular scheduled meeting.

The Treasurer shall be custodian and sole depositor of the funds of the Association and shall disburse such funds by check as herein authorized or upon approval of the membership. He/she shall render a complete summary of all income, disbursements and balances whenever requested by the Board, and to the membership at each regular meeting. A written copy shall be made available to any member upon request. The Treasurer shall invoice and collect all dues, assessments and fees from the membership.

ARTICLE IV MEETINGS

Section 1. Regular meetings – The regular meetings of the Association shall be on the third Thursday of each month, except the months of July and August and those months specifically omitted by a majority vote of the members present at a regular scheduled meeting.

Section 2. Special meetings – The special meetings of the Association may be called by the President of this Association, or by a majority of the member communities or agencies who petition the President. The place and time shall be determined by the President. Proper notice of at least five days shall be given to all member communities or agencies.

Section 3. Rules of Order – All meetings shall comply with the procedural guidelines set forth in Robert's Rules of Order. A quorum for the conduct of business at all regular and special meetings shall be 1/3 or more of the current membership of the Association.

Section 4. Meeting Agenda - The subject of meetings shall be to implement the intent and purpose of the Western Wayne County Fire Department Mutual Aid Association and to promote a system of response in the areas of manpower, equipment, communications, and related items which will promote the best interest of mutual aid.

Section 5. Attendance - Any member community or agency whose board member fails to attend three regular meetings of the Association within one calendar year shall require the Secretary to submit a written notification of such absence to the Fire Chief and their direct supervisor of such member community. Failure to attend regular meetings may be cause for removal from the Association.

Section 6. Fiduciary Duties - In the event that any members of the Association Board are faced with a conflict between their fiduciary duty to the Association and the duty owed to their respective municipalities or agencies, those members may act solely in the best interests of the municipality or agency without violating their duty to the Association.

ARTICLE V DUES, ASSESSMENTS, AND FEES

Section 1. Dues – Dues will be based on the following items;

- a) The annual dues for the Association shall be \$1,000.00 per member community or agency.
- b) An amount equal to \$.055 per capita based on the most recent census.
- c) Communities that are in Wayne County will be assessed a HEMS fee
 - a. \$1000 flat rate
 - b. \$.025 per capita for non-transporting agencies or \$.055 per capita for transporting agencies based on the most recent census.

Section 2. Assessments – Assessments may be levied in the following manner:

- a) An assessment proposal may be submitted, in writing, by any member community or agency to the Secretary.
- b) This proposal shall be placed on the agenda at the next regular scheduled meeting. The proposal shall be read and placed on the floor for discussion, but no vote shall be taken.
- c) The proposal shall be entered in the minutes and published.

- d) The proposal shall be brought to the floor for further discussion and voted upon at the next regular scheduled meeting.
- e) Assessment motions must include a commencement date and indicate when the assessment expires.
- f) All assessments shall be reviewed prior to the date of expiration for the purpose of possible continuance.

Section 3. Fees – Fees or other charges shall be brought before the membership for approval in the same manner as assessments.

Section 4. Timeliness of Payments – Dues, fees, assessments and other charges are due in advance by each member community or agency. Prospective new member communities or agencies shall submit dues, assessments and fees prior to acceptance for membership.

Section 5. Failure to pay – The failure of any member community or agency to pay all dues, assessments, or fees within 90 days of the start of the fiscal year shall forfeit membership in the Association. Reinstatement is conditioned on approval of the membership and payment of all arrears.

Section 6. Prorating of Charges - When new member communities or agencies are accepted for membership, Dues and all Assessments shall be prorated in accordance with their official fiscal year. All other fees, however, shall be paid in full.

Section 7. Expenditures – Non-budgeted expenditures exceeding \$1,000.00 shall be approved at a regularly scheduled meeting.

ARTICLE VI COMMITTEES

Section 1. Special committees – Special committees shall be appointed by the President as he/she deems necessary.

Section 2. Standing committees and appointments – Representatives of standing committees shall be appointed by the President on January of each year. All Committees shall be published by the Secretary. These committees are:

- a) Association liaison representative to "Downriver Fire Mutual Aid Group".
- b) Nomination's Committee
- c) Special Operations Group Committee

**ARTICLE VII
AMENDMENT**

Section 1. Requirements - The By-Laws or the Mutual Aid Agreement may be amended at any regular or special meeting of the Association by a vote of two-thirds of the members present in the following manner:

- a) Any member in good standing at a regular meeting may propose an amendment, alteration, revision or addition to the By-Laws of this Association.
- b) A written copy of the amendment, alteration, revision or addition shall be filed with the Secretary.
- d) The Secretary shall publish the proposed amendment, alteration, revision or addition in the minutes, and read the proposal at two successive meetings, and it shall be voted upon at the second meeting.
- e) Once adopted, the Secretary shall forward a copy of the approved document to the Chief of every member department.

Section 2. Effective date - If the By-Laws or the Agreement is amended, the change shall be effective on the first of the month following the vote.

**ARTICLE VIII
RESPONSE GUIDELINES**

The purpose of this Article is to clearly state the organizational structure, policies, procedures, and scope of the Western Wayne County Fire Department Mutual Aid Association Hazardous Materials Response Team (HMRT) and the Technical Response Team (TRT). These teams form the Special Operations Group and shall be governed by the Rules the Western Wayne County Fire Department Mutual Aid Association Special Operations Group.

By-Laws revised and amended effective this date: _____