

# STONE POINT FIRE DEPARTMENT INC.

## Stations 13 & 19

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January 18, 2011

SUBJECT: Minutes of the Monthly Board of Directors Meeting January 18, 2011

The monthly meeting of the Stoney Point Fire Department Inc., Board of Directors was called to order by Chairman Brown and was let in prayer by Director Angus Pate at 7:30 PM. The meeting was conducted at Station 13.

### A: Roll Call:

#### Members Present:

Daniel C. Brown	Chairman
Larry Townsend	Vice Chairman
Alan Grupy	Treasurer
Angus Pate	Secretary
Joel Siles	Member
Jerry Hall	Member
Freddy L. Johnson Sr.	Fire Chief
Freddy Johnson Jr.	Deputy Chief

#### Members Absent:

James Bullard	Member
Matthew Williams	Asst. Chief

### B: ANNUAL/SPECIAL/PUBLIC HEARING MEETING:

Not Applicable

### C: READING AND APPROVAL OF THE MINUTES OF THE LAST MEETING:

Secretary Pate, presented the minutes from the December 21, 2010 Board of Directors meeting for review and approval. Chairman Brown called for the approval of the presented minutes.

**MOTION** A motion was made by Director Larry Townsend to approve the December 21, 2010. The motion was seconded by Director Alan Grupy and **APPROVED** by all members present.

### D: REPORT OF THE FIRE CHIEF:

#### General Information:

Guests: None

#### Personnel:

1. Chief Johnson stated that Firefighter John Marshburn started full time on January 1<sup>st</sup> as scheduled. He is currently attending the City of Fayetteville Fire Training Academy along with volunteer firefighter Kevin Sponaugle. They will graduate in May of this year.

2. Several of our officers attended the Fire Officer II class in Pender County and hopefully we should be able to make some promotions. Promotions are based on qualifications and NFPA 1021. Lieutenant Wendell Lee will be promoted to Captain on February 1, 2011, and I have several Firefighters that now meet the Fire Officer I criteria and will be promoted to Lieutenant also on February 1, 2010 to fill current shift vacancies. Chief Johnson presented several certificates of promotion for President Brown for his signature.

#### Vehicles:

1. Engine 1932 is still out of service due to the water tank issue. The cold weather is a major hold up on this project.
2. Engine 1931 is back in service and hopefully H&H Garage fixed the problem with the fuel injectors
3. Command Unit 1991 is ready to be placed in service and will be housed at Station 19.

#### Grounds and Buildings:

No Report

#### Fire Conditions:

1. Chief Johnson Sr. that during the calendar year 2010 we answered 1535 calls. This represents a 12% increase. The trend is continuing and our calls for service will only rise.

#### Training Report:

1. Chief Johnson stated that an annual training report for 2010 is still being completed and will be disseminated at a later meeting.
2. The entire Chief's will attend the new Chief's 101 class this weekend. The course is being held at the Stoney Point Elementary School due to the large number of attendees. There will be about 70 chief officers from Cumberland and surrounding counties attend this course.

#### Accreditation:

1. Chief Johnson advised that the core Accreditation members are scheduled to meet this upcoming weekend. <sup>1</sup>

**E: REPORT OF THE TREASURER:**

1. Treasurer Grupy presented the treasurers and financial report for review and approval.

Current Fund Balances:	As of today is \$	<b>801,037.92 Checking</b>
	CD \$	151,788.73 North State Bank
	Total Cash Flow Available \$	<b>952,826.65 Available Funds<sup>2</sup></b>
<hr/>		
Approved County FY 10/11 Budget	\$	790,321.00
County Budget Funding Received YTD	\$	719,000.00
County Budget Funding Pending YTD	\$	71,321.00
County Budget Collected over approved budget	\$	0.00
<hr/>		
Approved Fayetteville FY 10/11 Budget	\$	310,584.41
Fayetteville City Funding Received YTD	\$	181,174.21
Fayetteville City Funding Pending YTD	\$	129,410.20
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Combined City & County Approved Budget	\$	1,100,905.41
Combined City & County Budget Received YTD	\$	900,174.21
Combined City & County Budget Pending	\$	200,731.20
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Other Income Hope Mills	\$	0.00
Other Income CCFCA	\$	0.00
Other Income Miscellaneous (Sales & Fuel Tax)	\$	2,688.90
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Safer Grant Approved for FY 10/11	\$	TBD
Safer Grant Income Received FY 10/11	\$	56,782.66
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<b>Total Board Funds received FY 10/11 all Sources</b>	<b>\$</b>	<b>959,645.77</b>

2. Director Townsend informed the board members that due to his work schedule he was not able to conduct his monthly oversight for the month of December. He will complete this task when he conducts the January 2011 review. Treasurer Grupy stated that he conducted his review of all the transaction and everything was in order for December. The board tabled the December 2010 and January 2011 financial report until the February 15, 2011 meeting.
3. The Auxiliary reported that the current auxiliary fund balance is \$ 116,272.51.
4. Chief Johnson stated that the Ice/Can Trailer fund is \$ 5,100.00

**F: REPORT OF COMMITTEE'S:**

1. Policy Committee - No Report
2. Equipment & Vehicle Replacement Committee - No Report
3. Building & Grounds Committee - No Report
4. Small Tools & Gear Committee - No Report

<sup>2</sup> Monthly SPFD Board of Directors Meeting January 18, 2011 Page 3 of 5

5. **Budget Committee** - No Report<sup>3</sup>

**G: OLD BUSINESS:**

1. There has been no change with the implementation of our mobile data computers. We are still waiting for the COF to finalize the project. Chief Nichols stated that sometimes early next year is the new target date.
2. The Chief stated that the Christmas Dinner this past Sunday was a very nice gathering with 284 in attendance, with Director Townsend, Pate, Grupy and Siles in attendance. Chief Benny Nichols was the guest speaker, with Cumberland County Emergency Services Director Kenny Currie and Fort Bragg Deputy Fire Chief Mark Melvin also in attendance. Plaques for years of service, Incident Attendance, and Firefighter of the Year were presented. A special presentation was made to the Trapp family for their community volunteerism on behalf of our annual Trail of Terror.
3. Chief Johnson presented the updated and revised By-Laws DATED January 18, 2011 to the members of the Board for their review. Chief Johnson stated that we updated our By-Laws to bring them in line with our current operations, changing the Principle Office of the Corporation to Station 19, updating our Officer pre-requisites to meet the NFPA 1021 Fire Officer Professional Qualifications, Alternating our meetings between Station 13 & 19, and updating our Junior Firefighter's Program to include the new North Carolina Junior Firefighters Standard. After a discussion between all members Director Joel Siles made a **MOTION** to approve and incorporate the New By-Laws effective today. The motion was seconded by Director Larry Townsend and **APPROVED** by all members present. (See Enclosure # 1)

**H. NEW BUSINESS:**

1. Chief Johnson advised that our Volunteer Christmas Re-Imbursement Checks were handed out during the Christmas Dinner. These checks represent payment for incident response as well as overnight duty. Our current rate is \$ 5.00 for every night spend at the fire station for overnight duty as well as \$ 3.00 per call re-imbursement. Our officers receive \$ 5.00 per call.
2. Chief Johnson stated that on January 6, 2011 we conducted an official re-naming ceremony of our training room here at Station 13 to the Jarvis (Wallace) Smith Training Room. This was done in honor of Wallace Smith who provided 38 years of dedicated and loyal service to our organization, county and state. The ceremony was attended by our members, Wallace's family and friends. A proclamation (See Enclosure # 2) in naming the room in honor of Wallace Smith was placed on the wall along with a large portrait of Wallace and his black helmet was permanently mounted on the rear wall. Directors Townsend and Grupy attended and represented the Board. His wife and all the family members thanked us for our kindness and gratitude on behalf of Wallace.

**I: CLOSED SESSION - WHEN APPLICABLE:**

Not Applicable

<sup>3</sup> Monthly SPFD Board of Directors Meeting January 18, 2011 Page 4 of 5

**J: ADJOURNMENT:**

There being no further business, a **MOTION** was made by Director Larry Townsend to adjourn. The motion was seconded by Director Joel Siles and **APPROVED** by all members present. The meeting adjourned at 2030 hours. The next meeting is scheduled for February 15, 2011 at Station 19.

Respectfully Submitted:

*Angus R. Pate*

ANGUS R. PATE  
Secretary

**3 Enclosure:**

1. By-Laws dated January 18, 2011 Board Member Attendance Roster January 18, 2011
2. Proclamation in Honor of J. Wallace Smith
- 3.<sup>4</sup> Board Member Attendance Roster January 18, 2011

STONEY POINT FIRE DEPARTMENT, INC.  
Stations 13 & 19  
2190 Lake Upchurch Road  
Parkton, North Carolina 28371-8405

January 18, 2011

ARTICLE I

The name of the corporation shall be Stoney Point Fire Department, Inc. The corporation may also be known familiarly as the "Stoney Point Fire District".

ARTICLE II

1. The principal business of the corporation shall be the furnishing of emergency rescue and fire protection services in the Stoney Point Fire District, the boundaries of which are set forth in a map and description filed in the Office of the Land Records Department of Cumberland County, under contract to the County of Cumberland. To accomplish this business the corporation shall maintain two (2) fire stations: to wit, Fire Station 13 located at 7221 Stoney Point Road, Fayetteville and Fire Station 19 located at 2190 Lake Upchurch Road, Parkton.

2. The principal office of the corporation shall be Station 19, located at 2190 Lake Upchurch Road, Parkton, NC 28371. (The primary administrative functions of the corporations shall continue at Station 13 until such times and dates the Board of Directors deems it necessary to relocate all administrative functions to Station 19).

ARTICLE III

1. Membership: Members of the corporation shall be those taxpaying owners of real or personal property located within the Stoney Point Fire District who register and vote at the annual meeting of the membership.

2. Place of Meetings: Meetings of the membership shall be rotated between Station 13 and Station 19 or as held at the principle office of the corporation.

3. Meetings of the Membership:

a. Annual meetings: The membership shall meet annually on the third Tuesday of June at a time set by the President. The

Secretary of the Corporation shall cause to be published in a newspaper of general circulation in the County of Cumberland a notice of the time, date, place, and purpose(s) of the annual meeting. Such notice shall be published at least two weeks prior to the date of the annual membership voter registration deadline. (During election years voters registration deadline shall be two (2) weeks prior to the election/annual meeting date.) One purpose of the annual meeting during election years shall be the election of the Board of Directors of the corporation. Other business of the membership may be transacted, provided that the purpose of Such business is included in the published notice of the annual meeting. ALL annual meetings will be conducted at the Principle office of the Corporation Station 19.

b. Substitute annual meeting: If, in the discretion of the President, the annual meeting of the corporation cannot be held on the day designated by these by laws, a substitute annual meeting may be held at the call of the President any time during the month of June. The Secretary shall provide notice of the meeting as set forth in Section 3, a., of this Article III. A substitute meeting so held shall be designated and treated for all purposes as the annual meeting of the corporation.

c. Special meetings: Special meetings of the membership may be called at any time at the call of the President or the Board of Directors upon published notice as set forth in Section 3, a., of this Article III, to include notice of the purpose(s) of such meeting.

d. Registration of Members: Persons qualified to be members in order to attend and vote at meetings of the membership shall first register in a roll book maintained at the principal office of the corporation, on or before the date of the voter registration deadline, and thereafter shall have the rights and privileges of members as such meeting. The roll book shall be maintained as a permanent record of the corporation.

e. Quorum: Any number of members at an annual, substitute annual or special meeting shall constitute a quorum.

f. Rules of Order:

(1) Order of Business: The order of business shall be as follows:

- (a) Roll call
- (b) Reading and approval of the Minutes of the last meeting
- (c) Report of the Fire Chief(s)
- (d) Report of the Treasurer

- (e) Reports of Committees
- (f) Old business
- (g) New business
- (h) Elections (if applicable)
- (I) Adjournment

(2) Other Rules: In the conduct of business Roberts Rules of Order, latest edition, shall be used.

#### ARTICLE IV

1. The corporation shall be managed by a Board of Directors, acting in accordance with these by-laws and the laws of the State of North Carolina and Cumberland County.

2. Number of Directors: There shall be seven (7) directors on the Board of Directors. Three of the directors shall be owners of real or personal property located in the Lake Upchurch community, the boundaries of which are the same as the boundaries of the area of responsibility of the former Lake Upchurch Volunteer Fire Department, Inc. Four of the directors shall be owners of real or personal property located in the former area of responsibility of the Stoney Point Volunteer Fire Department, Inc., prior to the consolidation of such areas into the unified Stoney Point Fire District. In the event that there are no qualified candidates nominated to fill a director position(s) in either category, any candidate qualified to be a member of the corporation may be nominated and elected to fill such position(s).

3. Election of Directors: Only members of the corporation may be nominated and elected as directors. Four directors shall be elected for a four (4) year term at annual meetings held on national election years (2012, 16, 20, etc). Three (3) directors shall be elected for a four (4) year term at annual meetings held on state and local election years (2014, 18, 22, etc). Two of the director positions to be held by persons with property located in the Lake Upchurch community shall be filled in different election years. Directors shall assume their office immediately upon election. The following rules shall govern the conduct of the election:

- a. Elections shall be by secret ballot.
- b. Ballots in election of directors shall not be cast by proxy.
- c. Nominations shall be made from the floor at the commencement of the election business during the designated



annual election meeting.

d. All members registered in the roll book will vote on all nominees.

4. Vacancies: In the event of a vacancy in a director's position, the Board of Directors shall appoint a member either from the roll book of the last annual meeting, or if a qualified member cannot be found on the roll book, appoint a taxpaying owner of real or personal property located within the Stoney Point Fire District to fill the unexpired term of that position.

5. Meetings of the Board:

a. Regular meeting: Regular meetings of the Board of Directors shall be held on the third Tuesday of each month at 7:30 PM. Regular meetings will be rotated between the two (2) Stations (Station 13 & 19) of the corporation.

b. Special meetings: A special meeting of the Board of Directors may be called by any Board member upon giving two days notice to all other Board members and Fire Chief. The notice shall specify the date, time and purpose of the meeting. Special meetings shall be held at the principle office of the corporation.

c. Quorum: A majority of the members of the Board of Directors constitutes a quorum at any meeting of the Board.

d. Action: The vote of a majority of the members present at a meeting of the Board of Directors, if those present constitute a quorum, shall be action of the Board. Any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all the directors entitled to vote on such action and filed with the Secretary of the corporation to be kept in the minute book as a permanent corporate record.

e. Rules of Order: The order of business and parliamentary rules for the Board of Directors shall be as set forth in Section 3., e., of Article III for meetings of members of the corporation.

6. Powers of the Board: The Board of Directors shall have all those powers necessary to affect the general control and management of the corporation, to include by way of example and not limitation, the power to make leases, purchases, contracts, and agreements the Board deems proper. The Board shall take such

action as it deems necessary to carry out the fundamental purpose of the corporation to provide rescue and fire protection to the Stoney Point Fire District and otherwise to act in the best interest of the corporation, but not inconsistent with the charter and bylaws of the corporation and the laws of the State of North Carolina and the County of Cumberland.

7. Duties of the Board: The Board of Directors shall:

a. Appoint officers of the corporation as set forth in Article V below.

b. Appoint a Fire Chief and Assistant Fire Chiefs to carry out the duties of their office set forth in Article VI, below.

c. Conduct such inspections, audits and examinations necessary to ensure that the monies, equipment and facilities of the corporation are used and maintained exclusively for the purposes of the corporation.

d. Appoint committees and designate the duties thereof as it deems proper to assist in the management of the corporation.

8. Removal of Directors: Board members can be removed from the board of directors by the following actions.

- a. Render a Resignation or quit.
- b. Death
- c. Felony Criminal Charges/conviction as a result of misconduct. (Requires a review of directors and board action).
- d. Missing three (3) consecutive meetings without being duly excused. (The President/Fire Chief shall have the authority to excuse members from meetings)
- e. Voted out of office.
- f. Minutes should reflect roll call indicating excused and unexcused absences.

ARTICLE V

Officers of the corporation shall consist of the following persons with the following duties:

1. There shall be one each of the following officers:
  - a. President
  - b. Vice-president

- c. Secretary
- d. Treasurer

2. The foregoing officers shall be appointed by the Board of Directors from among the members of the Board of Directors. No director may hold more than one office. Officers shall serve at the will of the Board of Directors. Vacancies among the officer positions shall be filled by appointment by the Board as such vacancies occur. Corporate officer shall be elected to a two (2) year term, with elections of corporate officer being held immediately following general elections.

3. The duties of the officers of the corporation shall be as follows:

a. President: The president shall preside at meetings of the members of the corporation and, as Chairman of the Board of Directors, at meetings of the Board. He shall have such other duties otherwise prescribed in these bylaws and as may be from time to time assigned to him by the Board.

b. Vice-president: The vice-president shall serve in the capacity of the President, in the latter's absence, assist the president in the discharge of the duties of such office, and discharge such other duties as may be from time to time assigned to him by the Board.

c. Secretary: The secretary shall take, transcribe, record and certify minutes of meetings of the members of the corporation and of the Board of Directors; maintain these and other permanent records of the corporation; to prepare, send and receive the correspondence of the corporation; attest to signatures of officers and agents of the corporation; maintain and affix the seal of the corporation; and give and publish notice of meetings as prescribed in these bylaws.

d. Treasurer: The treasurer shall take and maintain custody of the funds of the corporation; shall pay the accounts payable to the corporation upon approval of such payment by the Board of Directors; to prepare an annual budget for the corporation; to cause to be made an annual audit of the financial condition of the corporation to be presented at meetings of the members of the corporation and the Board of Directors; to be bonded in the amount specified by the Board of Directors.

## ARTICLE VI

1. The fire protection services of the corporation shall be performed by a Fire Chief, Assistant Fire Chiefs, Line Officers (Captains and Lieutenants) and active Firemen/Emergency Rescue and Medical Technicians. Such officials, including active rescue, emergency medical technicians and firemen, shall not serve concurrently as directors or officers of the corporation. The manner of appointment and duties and authority of these officials shall be as follows:

a. Appointment: The Fire Chief is appointed by and serves at the will of the Board of Directors. No person shall be appointed Fire Chief unless that person is qualified in accordance with the National Fire Protection Association (NFPA) 1021 Standard for Fire Officer Professional Qualifications (Minimum Level III) and has a minimum of ten (10) years active membership with the Stoney Point Fire Department Inc., or another qualified/rated department and has received training or equivalent experience in all aspects of emergency medical, rescue, emergency management and fire protection services, and has served in a senior leadership capacity in fire protection services. The newly appointed Fire Chief will have 18 months from the date of appointment to obtain Fire Officer Level IV Certification. The Fire Chief must reside within 20 road miles of either fire station of the Stoney Point Fire District or as approved by the Board of Directors.

b. Duties of the Fire Chief: The duties of the Fire Chief shall be determined by the Board of Directors and shall include, but not be limited to, the following:

(1) Call and preside at all meetings of the line officers and active members of the corporation.

(2) Establish fire protection standard operating procedures for the fire District, supervise the conduct of emergency service protection operations to ensure compliance with such standards, and render all reports concerning such operations required by law. The Fire Chief is expected to be present at all major and significant fire protection operations.

(3) Establish and supervise training programs for line officers and active firefighters/rescue and emergency medical technicians.

(4) Attend all meetings of the corporation and Board of Directors and render such reports as these bodies may from

time to time require.

(5) Supervise the daily administration of the corporation's activities in accordance with the Charter and bylaws of the corporation.

(6) With approval of the Board, purchase equipment and supplies to be used for fire protection services; establish property accountability performance and repair and maintenance activity.

(7) Perform all other supervisory and managerial tasks assigned by the Board of Directors.

(8) Attend required fire chiefs, rescue and EMS meetings at county and state levels.

2. Assistant Fire Chiefs: There shall be sufficient Assistant Fire Chiefs for the District. (1-Deputy Fire Chief & 3-Assistant Fire Chief in order to sufficiently cover the two (2) station) district.

a. Appointment: The Assistant Fire Chiefs shall have the same qualifications as the Fire Chief. Assistant Fire Chiefs will be nominated by the Fire Chief to the Board for confirmation and appointment. Assistant Fire Chief's must meet the requirements of Fire Officer Level III as outlined in NFPA 1021. If nominees made by the Chief are not acceptable to the board, the board may nominate and appoint as appropriate. Assistant Fire Chiefs will also serve at the will of the Board of Directors.

b. Duties of Assistant Fire Chiefs:

(1) Establish and supervise training programs for line officers and active firemen in accordance with laws and insurance regulations of the State of North Carolina.

(2) Attend all meetings called by the Fire Chief and make any reports required by the Chief; when requested, attend all meetings of the members of the corporation and Board of Directors and render such reports as these bodies may from time to time require in the absence of the Fire Chief.

(3) Attend meetings of the County Fire Chief's Association and represent the fire district on various association committees' assigned by the association president.

(4) Supervise the daily administration of the station in accordance with directives of the Fire Chief and the

Charter and bylaws of the corporation.

(5) Assist the Fire Chief in the performance of his duties and perform all other supervisory and managerial tasks assigned from time to time by the Fire Chief. All Chief Officers are also required to participate in a weekly rotating duty officer shift as outlined by the fire chief and are expected to respond to all major fires/incidents within the fire district and neighboring districts when multiple resources from SPFD are dispatched and requested.

(6) When directed by the Fire Chief or, in the event of the incapacity of the Fire Chief, when directed by the President, act in the capacity of Fire Chief.

(7) Of the three (3) Assistant Chief's positions One will serve as the Department's Training Officer, One will serve as the Department's Safety Officer and one will serve as the department's inspections officer.

3. Line Officers: Line officers shall consist of Captains and Lieutenants. Positions for line officers shall be established from time to time for each fire station by the Board of Directors. Line officers shall be appointed and perform duties as follows:

a. Appointment: Appointed by the Fire Chief and effective with these By-Laws all current and future Line Officers must be qualified in accordance the National Fire Protection Association (NFPA) 1021 Standard for Fire Officer Professional Qualifications Level I & II. All current members have eighteen months from the adoption of these By-Laws to meet the new adopted standards. If multiple qualified members apply for open positions, a promotional assessment phase prior to the appointment of any line officer will be administered. Qualified candidates for line officer may also be nominated by the Assistant Chiefs to the Fire Chief. Line officers shall serve at the will of the Fire Chief. Vacancies in line officer positions shall be filled by the foregoing process. Line officers must be qualified to be active firefighters in the station in which they shall serve.

b. Duties of line officers:

(1) Captains: Captains shall command a duty shift and shall control and supervise all rescue, ems and fire protection operations, station administration, and other station activities conducted during such shift, as set forth in the

station standard operating procedures. All Captains shall perform their duties IAW the adopted, SOG's, NFPA standards, ISO training requirements and the laws of Cumberland County and North Carolina. They shall submit to the Chief required reports as required by the Chief. When directed by the Fire Chief or the Assistant Fire Chiefs, they shall act in the capacity of Assistant Fire Chief or the Fire Chief; each captain shall act in the capacity of Assistant Fire Chief.

(2) Lieutenants: Lieutenants shall be second-in-command of a duty shift, which appointed and shall assist the captain of the shift in the performance of the captain's duties. Lieutenants shall act in the capacity of shift captain in the absence of the captain. They shall also perform additional duties as assigned by the Fire Chief or Assistant Fire Chiefs.

4. Active Firefighters/Rescue and Emergency Medical Technicians: The Board of Directors shall determine from time to time the number of active firefighters/ rescue and emergency medical technicians required to perform the fire protection business of the corporation. Active firefighters/rescue and emergency medical technicians shall be appointed and perform duties as follows:

a. Appointment: Active firefighters/rescue and emergency medical technicians shall be appointed by the Fire Chief. Any qualified person may make application for nomination and appointment as an active firefighter/rescue and emergency medical technician. Applications shall be made to the Fire Chief. For appointment active members should reside within the Stoney Point Fire District and all volunteers who participate in the overnight duty crew program, may reside outside of the Stoney Point Fire District. Active members (Firefighters/Rescue and Emergency Medical Technicians) shall serve at the will of the Fire Chief. Vacancies in active membership positions shall be filled by the foregoing process.

b. Duties and obligations of active firefighters/rescue and emergency medical technicians.

(1) FF=s/EMT=s/ERT=s shall obey the lawful commands of their line officers, Assistant Fire Chiefs and the Fire Chief and perform fire protection, rescue and emergency medical services in accordance with the standard operating procedures of the corporation and with the charter and bylaws of the corporation.

(2) Each active member shall undergo the minimum

training required by North Carolina law and insurance regulations or as required by the DOI/ISO rating bureau in order to maintain current ISO rating.

(3) Active firefighters, emergency medical technicians and emergency rescue technicians shall attend all meetings called by their Assistant Fire Chief and the Fire Chief.

(4) No active member shall appear at meetings or perform duties under the influence of alcohol or other drugs nor shall active members use insulting, indecent or improper language or otherwise engage in conduct (Sexual Misconduct or Harassment) which would bring discredit upon the corporation.

(5) Each active member answering the alarm shall remain on duty or at the emergency scene until relieved by proper authority and shall return to the fire station to ready equipment for further service, unless relieved of such duty by proper authority. Any member not answering roll call at the fire station after equipment returns without being properly excused will not receive credit for attendance at the fire. The officer in charge of the Incident may excuse and relief members and is responsible for the completion of the National Incident Fire Report (NFIRS).

#### ARTICLE VII

Fiscal controls of the corporation shall be as follows:

1. Books and Records: The Corporation's Treasurer shall account for and maintain records of all receipts and disbursements of funds and other financial transactions of the corporation, including accounts receivable and payable, in accordance with generally accepted accounting procedures. The Fire Chief shall keep records of the receipt and disposition of all equipment and supplies provided to his stations. (The corporation secretary / bookkeeper will maintain these records, receipts, and perform duties so delegated by the President, Treasurer and Fire Chief).

2. Deposits: All monies received by the corporation shall be deposited into and disbursed from the account of the corporation in such depositories as the Board of Directors from time to time may designate, provided that the Board of Directors may authorize a petty cash fund which shall be managed by the Fire Chief in accordance with generally accepted accounting procedures. The Board of Directors shall from time to time designate by resolution to the depository concerned the persons who shall be authorized to issue checks, drafts, or other orders



for the payment of money in the name of the corporation.

3. Contracts: Except as may be otherwise provided in these bylaws, no contract or agreement, for goods, services, loans, or other purpose, may be entered into and no instrument obligating the corporation or encumbering its property may be executed and delivered on behalf of the corporation by a director, officer, fire chief, assistant fire chief, line officer, active firefighters, emergency medical technicians, emergency rescue technicians, and any other member of the corporation, or any other person unless such person has express written authority from the Board of Directors to perform such acts.

4. Purchasing: With the exception of vehicle and equipment repairs purchases in excess of \$1,500 shall have at least three written bids for each item. Fax bids are acceptable for these bid responses. A NO BID from a known supplier of the items on the purchase request is considered a valid bid. In the event of a NO BID by a supplier, another supplier shall be sought to obtain three bids.

When it serves the Fire Department's interest best, purchases may be best affected by utilizing Federal or State of North Carolina contracted pricing schedules rather than going to the expense of conducting the department's bid process on items or commodities contained on these established contracts. Cooperative bidding and the resulting purchase agreements issued jointly with other North Carolina Fire Departments, Counties and Cities is encouraged where it financially benefits our Department. Such "Co-op" agreements are subject to Board approval where required.

5. Audit: From time to time, but no less than once a fiscal year in the last month thereof, the Board of Directors shall cause an audit to be made of the financial and property accounts and records of the corporation. The auditor shall be a person of appropriate experience in conducting audits and shall have no business or personal relationship with the person responsible for the accounts or records being audited.

#### ARTICLE VIII

The corporation is subject to the Workmen's Compensation laws of North Carolina and shall purchase Workmen's Compensation insurance, as by law allowed or required, covering all persons actively engaged in fire protection services, to include active firemen, line officers, Assistant Fire Chiefs and Fire Chiefs.

All persons actively engaged in fire protection, emergency

medical and rescue services should be members of the North Carolina Firemen's Association so as to be covered by the Firemen's Relief Fund.

All persons actively engaged in fire protection services, which are qualified to do so, shall be encouraged, but not required, to join the North Carolina Firemen's Association Fraternal Insurance Program and the North Carolina Firemen's Pension Fund.

#### ARTICLE IX

If the corporation loses its contract for fire protection services with the County of Cumberland for any reason or the Board of Directors determines the corporation no longer desires to provide such services, the Board of Directors shall cause the dissolution of the corporation. In the event of the dissolution of the corporation, all property and assets of the corporation shall be conveyed either to another not for the profit corporation providing fire protection services in the Stoney Point Fire District or to one or more like corporations or public bodies in the sole discretion of the Board of Directors. In no event shall any property or assets of the corporation be disbursed to any director, officer, or other official, including active firemen, of the corporation or to any other person financially interested in the corporation.

#### ARTICLE X

##### Junior Firefighter Program:

1. General. This article is to set forth the general guidelines for those personnel actively participating in the Stoney Point Fire Department's Junior Firefighter program. This program is intended to promote a safely conducted and managed training program, to instill a sense of responsibility and civic consciousness and safe Firefighting techniques for selected young citizens.

2. Membership. Membership is open to those young persons in Junior High School and High School having passed their 16th birthday and not yet reached their 18th birthday. All prospective Junior Firefighters shall be appointed by the Fire Chief. Any qualified Junior Firefighter may make application for nomination and appointment as an active Junior Firefighter. Applications shall be made to the Fire Chief. For appointment active Junior Firefighters must reside within or a reasonable distance of the Stoney Point Fire District. On a case by case basis as approved by the board of directors, other qualified Junior Firefighters

that reside in another fire district that does not sponsor an active Junior Firefighter program which district borders the Stoney Point Fire District may apply in the Stoney Point Fire Department's Junior Firefighting Program. All Junior Firefighters shall serve at the will of the Fire Chief. All Junior Firefighters that are in good standing on their 18th birthday will automatically be appointed active firefighter.

3. School Grade Requirements. Junior Firefighters will be required to maintain good grades in School. A "**C**" average or better is required. Failure to maintain these grades or show any drop in grades will be subject to dismissal from the program. This dismissal shall last for a period of 9 weeks or until the next reporting period. Participants will be required to furnish a copy of their report card to the chief after the close of each grading period on the weekly Thursday night meeting.

4. Duties and obligations of active junior firefighters. Junior firefighters will obey and follow the Junior Member Standard established by the NC Fire and Rescue Commission 2<sup>nd</sup> Edition dated January 01, 2008. Especially the Guidelines for Minors 16 and 17 Years of Age.

## ARTICLE XI

### Stoney Point Auxiliary

1. General. This article is to set forth the general guidelines for those members who actively participate in the Stoney Point Auxiliary. The auxiliary is intended to provide the required and essential non-fire, rescue and emergency medical support to the Department as directed by the Fire Chief. Furthermore the Auxiliary provides and instills a sense of responsibility, pride and civic consciousness to its members along with a sense of community involvement.

2. Membership. Membership is open to those who actively apply to the President of the Auxiliary. (The Fire Chief prior to any membership vote by the auxiliary must approve all new applications.) All Auxiliary applicants must complete a general department application and a Firehouse Personal Information Form for data processing.

a. Appointment. Auxiliary members after attending two (2) meetings will by a majority vote of the active auxiliary membership present be voted on by secret ballot. All auxiliary members serve at the will of the Fire Chief and the Board of Directors of the corporation. For appointment auxiliary members must reside within a reasonable distance of the Stoney Point Fire

District. The auxiliary falls directly under the direct supervision of the Fire Chief.

b. Duties and obligations of the Auxiliary.

- (1) Auxiliary members shall obey the lawful commands of their appointed officers, and the Fire Chief and the chain of command of the Fire Department in the absence of the Fire Chief.
- (2) Auxiliary members shall attend all meetings called by their president or Fire Chief. Be present at all functions and committee meetings as called for by the President. Any member who misses three (3) functions in a row will be terminated without notice. In order to become re-instated as a member, the terminated person will have to go through the same process as a new member and approved by the majority. All meetings of the auxiliary shall be held at the principle office of the corporation (Station 13). Specific meetings such as dinner meetings may be held as voted on by the majority of the members present at a duly scheduled meeting of the auxiliary.
- (3) No auxiliary member shall appear at meetings or perform duties or other services under the influence of alcohol or other drugs nor shall they use insulting, indecent or improper language or otherwise engage in conduct, which would bring discredit upon the Fire Department and Corporation. All auxiliary members in addition to these By-Laws must comply with all administrative Standard Operating Procedures pertaining to the overall operation of the Fire Department.
- (4) Quorum - A majority of the members of the auxiliary constitute a quorum at any meeting of the Auxiliary.

3. Number of Officers: Officers of the auxiliary shall consist of the following persons with the following duties:

- (a) There shall be one each of the following officers:
  1. President
  2. Vice President
  3. Secretary

#### 4. Treasurer

(b) Election & Annual Meetings: The foregoing officers of the auxiliary shall be elected by secret ballot by majority vote of the members present. If those members present constitute a quorum, it shall be action of the auxiliary. Officers will be elected by-annually on the second (2<sup>nd</sup>) Wednesday in June during the annual meeting at a time set by the President. Officers will serve a two (2) year term and then must be re-elected by the auxiliary membership. Only members of the auxiliary may be nominated and elected as officers. Members of the auxiliary must complete one (1) year of membership with the auxiliary before being eligible to apply or be nominated for office. Officers shall assume their duties immediately upon election. The following rules shall govern the conduct of the election.

1. Election shall be by secret ballot.
2. Ballots in election of officers shall not be cast by proxy.
3. Nomination shall be made from the floor at commencement of the election.
4. All members of the auxiliary will vote on all nominees.
5. In the event of a vacancy of an officer's position the President shall appoint a member from the membership to fill the unexpired term of that position.

(C) Notification: The Secretary of the auxiliary shall hold in May of an election year a reminder of the by-annual auxiliary election meeting. The secretary will also insure that all members of the auxiliary are notified who were not present at the May meeting preceding an election meeting. Notification shall be at least three (3) days prior to the date of the election meeting. The primary purpose of the by-annual June meeting of the auxiliary shall be for the election of auxiliary officers of the organization. Other business of the membership may be transacted after the annual meeting.

(D) Substitute Annual Meeting: If, in the discretion of the President, the election meeting of the auxiliary cannot be held on the day designated by these By-Laws, a substitute election meeting may be held at the call of the President any time during the month of June. The

Secretary shall provide notice of the meeting as set forth in Section (d) of this Article XI. A substitute meeting so held shall be designated and treated for all purposes as the annual meeting of the Auxiliary.

3. Duties of the officers of the Auxiliary shall be as follows:

a. President: The president shall preside at meetings of the members of the auxiliary and attend and supervise all activities associated with the auxiliary. Appoint committees as needed and serve as liaison with the Fire Chief.

b. Vice-President: The Vice-President shall serve in the capacity of the President, in the latter's absence, assist the president in the discharge of the duties of such office, and discharge such other duties as may be from time to time assigned to him/her by the president.


c. Secretary: The Secretary shall take, transcribe, record and certify minutes of the meetings of the auxiliary. Maintain these records of the auxiliary, prepare, send and receive the correspondence of the auxiliary. Publish notices of meetings as prescribed by these By-Laws.

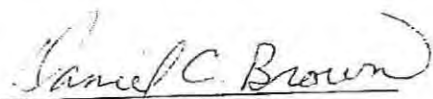
d. Treasurer: The treasurer shall take and maintain custody of the funds (Accounts) of the Auxiliary. Shall disperse payments As authorized by the membership and or the president. Will give complete financial report at all monthly meetings of the auxiliary to the entire membership.

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The foregoing bylaws of the Stoney Point Fire Department, Inc. were duly adopted during a regular meeting of the Board of Directors held on the 18th day of January 2011.

This 18th day of January 2011.

ATTEST:

  
\_\_\_\_\_  
ANGUS D. PATE  
Secretary

  
\_\_\_\_\_  
DANIEL C. BROWN  
President

SEAL)



ENCL # 1

# **STONEY POINT FIRE DEPARTMENT INC.**

## **A Proclamation by the Board of Directors & Fire Chief**

**WHEREAS**, Engineer J. Wallace Smith was a loyal and dedicated public servant who provided 38 years of outstanding service to the Stoney Point Fire District and the Citizens of Cumberland County, North Carolina; and

**WHEREAS**, the Stoney Point Fire Department recognizes his exceptional achievements throughout his long extraordinary volunteer service, and commends him for unsurpassed service extremely well done; and

**WHEREAS**, Engineer J. Wallace Smith began his exceptional service with the Stoney Point Fire Department as a Volunteer Firefighter, rising to the rank of 1<sup>st</sup> Assistant Fire Chief and culminated his volunteer service as Fire Investigator and Engineer on March 20, 2010; and

**WHEREAS**, Engineer J. Wallace Smith in addition to his volunteer fire service served as a sworn law enforcement officer with the Cumberland County Sheriff's Office as a Fire / Arson Investigator serving all Cumberland County Fire Districts; and

**WHEREAS**, Engineer J. Wallace Smith a devoted husband, father and grand-father, is memorialized by his contemporaries, friends and co-workers as a caring true friend, positive in all aspects, professional, helpful, understanding and always available, and a pleasure to be around, and as one through his actions consistently set the professional, personal and spiritual example for all to follow; and

**WHEREAS**, Engineer J. Wallace Smith will be greatly missed, both professionally and personally by all who had the pleasure to have known him and the good fortune to work with him; and

**WHEREAS**, on behalf of the members of the Stoney Point Fire Department, Cumberland County and the Great State of North Carolina, we thank and honor Engineer J. Wallace Smith for his many years of devoted and honorable service to our Fire District, County and State;

**NOW, THEREFORE, I, DANIEL C. BROWN, PRESIDENT OF THE STONEY POINT BOARD OF DIRECTORS, ALONG WITH FREDDY L. JOHNSON SR., FIRE CHIEF OF THE STONEY POINT FIRE DEPARTMENT INC., do hereby jointly proclaim henceforth the Stoney Point Fire Department Station 13, Training Room "The J. Wallace Smith Training Room" in honor of**

### **Engineer Jarvis "Wallace" Smith**

*In Witness Thereof this 6<sup>th</sup> day of January 2011*

  
FREDDY L. JOHNSON SR.  
Fire Chief



  
DANIEL C. BROWN  
President

SPFD BOARD Minutes 1/18/11 ENCLASUR # 2

**ENCLOSURE # 3 SPFD Board Minutes January 18, 2011**

**2011**

**BOARD OF DIRECTORS  
ATTENDANCE ROSTER**

#	NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
01	Daniel C. Brown - President(2012)	P						N/A	N/A				
02	Larry Townsend V-President (2014)	P						N/A	N/A				
03	Alan R. Grupy - Treasurer (2012)	P						N/A	N/A				
04	Angus Pate - Secretary (2012)	P						N/A	N/A				
05	Joel Siles – (2014)	P						N/A	N/A				
06	James Bullard – (2014)	A						N/A	N/A				
07	Jerry Hall – (2014)	P						N/A	N/A				
08	Freddy Johnson Sr. - Chief	P						N/A	N/A				
09	Freddy Johnson Jr. - Deputy Chief	P						N/A	N/A				
10	Matthew W. Williams - Asst Chief	A						N/A	N/A				
11	Sean Johnson – Asst Chief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
12	Kevin Murphy – Asst Chief	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**P-Present - A-Absent - N/A – No Meeting Conducted A-E – Absent & not required to attend by invitation only. N/A No Meeting**