

**Lake Arrowhead Volunteer Fire Department, Inc.**  
**By-Laws**

**Article I**  
**Name**

The name of this body shall be called: "Lake Arrowhead Volunteer Fire Department, Incorporated", hereinafter referred to as the "Fire Department."

**Article II**  
**Purpose**

The purpose of the Fire Department shall be train to the highest certification possible and maintain an effective force to be the first response for the prevention and extinguishment of structure, wildland, and vehicle fire, conduct land and water search and rescue operations, conduct victim extrication from vehicle accidents, to render appropriate aid in medical or accident emergencies, and coordinate disaster mitigation operations as well as and the protection of life and property at Lake Arrowhead, Cherokee County, Georgia. The Fire Department shall also act as automatic aide and or mutual aide to other fire departments as assigned by Cherokee County Fire-Emergency Services. The Fire Department is a 501(c)(3) organization.

**Article III**  
**Office**

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

**Article IV**  
**Control**

IV.1. The control of the fire department shall lie within its voting membership. The control shall be exercised through the Board of Directors which is elected by the voting membership in collaboration with the active volunteer members.

IV.2. Lake Arrowhead Volunteer Fire Department voting membership is limited to homeowners/property owners of Lake Arrowhead. The membership is allowed one ballot for each maintenance-assessed unit as identified by the Lake Arrowhead Purcell/Johnson management. The voting membership is allowed only one ballot for a home or one owned lot, not both a home and additional lots or multiple homes or lots.

**Article V**  
**Fiscal Year and Funding**

V.1. The fiscal year shall be January 1, through December 31.

V.2. It is expected that funds to support training, equipment acquisition and operational maintenance shall be donated by Lake Arrowhead residents and property (lot) owners and or accumulated through fund raising activities.

V.3. The Board of Directors shall solicit "non-profit" contributions and shall also engage in other appropriate fund raising activities.

V.4. Checks issued by the department will be signed by two directors.

V.5. The Chairman in coordination with the Treasurer will appoint a budget committee. The committee will consist of one board member and two active members of the department. The fire chief will not be a member of the committee. The annual budget will address capital and operating expenditures. The annual budget shall be submitted by the Treasurer of the Board of Directors and presented for approval at the Annual Meeting of the Fire Department.

V.6. The annual budget shall emphasize the amount of money needed and dedicated toward training of active volunteers and the acquisition of equipment to provide for the safety of the active volunteers and best possible service to the community.

V.6.1. The annual budget shall include a Balance Sheet as of the closing of the previous year, specifying capital assets (equipment presently owned by the fire department and its value, and quantity of money that is presently available to the fire department), an Income Statement (how much money has been donated or raised during the past year), expenditures (how money has been used), value of real estate, value of financial instruments as Certificates of Deposits, and the Annual Budget (projected funding requirements, and liabilities.) The budget will specify yearly cash allotments for the purchase of equipment and volunteer supplements from Cherokee County Fire-Emergency Services. An example of a monthly and annual analysis is at Appendix A.

V.6.2. Cherokee County funds used to purchase equipment designated for use by LAVFD is the property of Cherokee County per the county manager.

V.7. All expenditures over \$100 will be approved by the Board of Directors and majority vote of the active volunteer fire department members. Chief and or Assistant Chief advises active volunteer fire department members of proposed expenditures during department training meetings or by telephone call or by email.

## **Article VI**

### **Active Volunteer Fire Department Membership**

VI.1. Regular active membership to the Lake Arrowhead volunteer fire department shall be open to all fulltime residents and long-term renters at Lake Arrowhead and those persons who reside in the immediate vicinity of the Lake Arrowhead property.

VI.2. Qualification for active membership is defined as training a minimum of 60 hours with the LAVFD per fiscal year, attendance at and participating in at least two hours of training at three out of four Thursday evening training meetings per month, and responding to calls in the Lake Arrowhead community fire district when on or near the property. The requirement for attending 60 hours of training with the LAVFD is mandated to facilitate the best possible common knowledge of fire, rescue, and medical operational procedures within the active members and assigned duty fire fighters. Reasons for not being able to attending the minimum number of hours, training meetings, or calls will be submitted in writing by the active member to the fire chief and fire department board. Hours compiled in other related training may be submitted the fire chief for approval to increase the active member's total training hours.

VI.3. The active membership shall be organized into Fire Fighters and any other specific groups, such as First Responders (to medical or accident emergencies), Emergency Response Team, and

Department Specialists determined by the Fire Chief as being desirable for the needs of the community and conducive to the most efficient function of the Fire Department.

VI.3.a. A fire fighter is an active volunteer whose minimal qualification is the Georgia Module I certificate or equivalent. Each active volunteer fire fighter is encouraged to attain the highest fire fighter certification possible.

VI.3.b. A First Responder is an active volunteer whose minimal qualification is a Georgia First Responder certificate. Each active volunteer First Responder is expected to attain the highest First Responder level medical certification possible.

VI.3.c. An Emergency Response Team (ERT) member is an active volunteer who assists the department. The ERT responds with the department to assist at emergency scenes with tasks within the safety zone of the incident. ERTs may drive vehicles (with Class B license and approval by Training Officer) and complete training in areas such as Incident Command and Cherokee County's Objective Based Driver's Training.

VI.3.d. The board and fire chief may request the assistance of the voting membership and other personnel with unique qualifications that may be of service to the department. Examples include but are not limited to web site operation, financial management, training, fund raising, and inventory control.

VI.4. Current certification is the personal responsibility of the volunteer fire fighter, First Responder, or Emergency Response Team member. Failure to maintain current certification status by any active member shall constitute ground for suspension or termination of the member.

## **Article VII Board of Directors**

VII.1 There shall be a Board of Directors that is elected by the Lake Arrowhead voting membership.

VII.2. There shall be five Directors, three of whom shall be active fire department volunteers and one shall be a fulltime resident not affiliated with the active fire department, who all will be elected by the voting membership. The four elected Board Members will appoint one member who is not an active member of the Fire Department and who is a full-time resident of Lake Arrowhead. The newly elected board will make the selection of a property owner who lives on the property.

VII.3. The Board Members shall elect their Chairman, Vice-Chairman, Secretary, Treasurer, and Member at Large at their first meeting following the Annual Meeting of the Fire Department. Each of these five Board Members shall have an equal vote in determining the affairs of the Fire Department. The Fire Chief and his highest subordinate shall be non-voting ex-officio member of the Board of Directors.

VII.4. The Board of Directors shall meet monthly on the second Monday of each month at 7PM. The meetings will be conducted in accordance with Robert's Rules of Order and open to the public in accordance with the Sunshine Laws. Meetings will be advertised with signs at the front and rear gates of Lake Arrowhead. Minutes will carefully be recorded, including detailed financial report to date, a summary of training accomplished since the last board meeting

including the names of volunteers who attended training, and a summary of the calls since the last board meeting including the names of volunteers who attended each call.

VII.5. The Board represents the Fire Department in Lake Arrowhead community matters as well as representing the Fire Department in matters involving the Cherokee County Commission and the Cherokee County Fire and Emergency Services.

VII.6. The Board shall post minutes of each board meeting in Stations 17 and 27, email to all active volunteer members, and post minutes on the Lake Arrowhead VFD website.

VII.7. The Board nominates the Fire Chief from the active volunteer members. The Board will present the nomination to the active volunteer members at a stated training meeting. Approval of the nominee will be expressed by majority vote of the members of the Board and active volunteer members.

VII.8. The duties of the individual Directors shall be the following:

VII.8.a. The Chairman shall be the chief executive officer of the Fire Department and shall preside over all Board of Directors meeting and the Annual Meeting.

VII.8.a.1. He/she shall, with the approval of the Board of Directors, form any committees, which he/she deems necessary or desirable, and, either personally or by delegation appoint their chairman and members.

VII.8.a.2. He/she may call such meetings of the Board of Directors, as he/she deems necessary or desirable.

VII.8.a.3. The Chairman is the primary interface to the Lake Arrowhead community through the Member at Large to gain and maintain the confidence of the community.

VII.8.a.4. The Chairman is the primary interface to the County Board of Commissioners (through the Post 3 Commissioner) to ensure Cherokee County Fire-Emergency Services provides the Lake Arrowhead community with the best possible Fire and Rescue services. The Chairman may also express concerns with service through the Fire Chief. The Fire Chief may express community concerns during the monthly County Fire Chief meeting.

VII.8.b. The Vice-Chairman shall exercise all the duties of the Chairman during the absence or incapacity of the Chairman. He/she may perform such other duties as may be requested by the Chairman.

VII.8.c. The Secretary shall act as Secretary to the Board of Directors, keep minutes of all meetings of the Board of Directors, post them in both Fire Stations (17 & 27), e-mail the minutes to the active volunteer members, and post to the LAVFD web site, including records of all Board decisions, and give all notices as required by these by-laws. Secretary ensures insurance for personnel, vehicles, equipment, and other property is properly insured through the Cherokee County Fire-Emergency Services.

VII.8.d. The Treasurer shall have custody of all funds, checkbooks and financial books of account of the Fire Department. He/she shall collect donations and other funds such as bank interest and make disbursements in satisfaction of Fire Department obligations. He/she shall maintain full and complete records of all assets and liabilities of the Fire Department. He/she

shall file taxes annually and obtain an independent review annually by a Certified Public Accountant and file such with the Secretary. He/she shall prepare annual budget as described above as chair of the budget committee and present the annual budget at the annual meeting. Any two of the Directors shall have the power to sign approved checks of the Fire Department, according to these By-Laws, in circumstances of inability or unavailability of the Treasurer. The Treasurer will determine and track the usage of the funds Cherokee County Fire-Emergency Services designates for the fire department and ensure all is recorded in board minutes.

VII.8.e. The Member at Large shall be the member responsible for cooperation with the community at large. He/she shall be concerned with assessing the feelings of the community towards the Fire Department and be prepared to bring matters of community concern to the attention of the Board of Directors for action by the Chairman of the Board. In event of resignation or other occasion of separation from the Fire Department of one of the other Board Members, (a) the Member at Large may be asked to temporarily assume the duties of that ex-member, or (b) the Board may immediately select an interim member (ref. Article X, 106).

### **Article VIII Active Volunteer Fire Department Officers**

VIII.1 The highest-ranking active volunteer officer of the Fire Department shall be the Fire Chief. The Fire Chief is an active volunteer and will not be a paid member of the Cherokee County Fire and Emergency Services.

VIII.1.a. The Fire Chief shall be nominated by the Board and approved by a two-thirds affirmative vote of the active volunteer department members, which include fire fighters, First Responders, and Emergency Response Team members and be responsible to the Board of Directors.

VIII.1.b. The Fire Chief is responsible for the readiness of active volunteers and equipment to meet the expectations specified in Article II.

VIII.1.c. The Fire Chief shall determine the organizational structure of the entire Fire Department active staff and formulate necessary and desirable departmental policy with the authority herein delegated to him by the Board of Directors. Such authority shall be exercised with the proviso that he is responsible to the Board of Directors who, in instances of potential serious impairment of functional efficiency of the Fire Department, retains their ultimate authority of consultation, review, and decision.

VIII.2. The Fire Chief shall structure and appoint his subordinate officer staff, as he feels will provide the best functional efficiency of the Fire Department. He shall submit the structure and appointments of his staff to the Board of Directors as such involve.

VIII.3. The Fire Chief is responsible for the training of all personnel consistent with the Cherokee County Fire and Emergency Service and the State of Georgia Fire Academy guidelines as may evolve in the future.

VIII.4 The Fire Chief shall appoint an officer or other selected volunteer to be responsible for each of the following tasks:

VIII.4.a. Assistant Fire Chief or next veteran active volunteer shall exercise all the powers, authority and duties of the Chief during the absence or incapacity of the Chief. He/she performs duties as requested by the Chief.

VIII.4.b. Personnel Officer. Maintenance of personnel files, ensures documentation of certifications of each active volunteer

VIII.4.c Training Officer. Identifies training requirements, plans and organizes training. Maintains yearly training calendar. Training Officer or representative attends local courses and conducts training based on recent information in accordance to the Georgia Fire Academy and Cherokee requirements.

VIII.4.d. Operations Officer. Actions orders from Fire Chief and or Assistant Fire Chief. Organizes fire department personnel in event of emergency situation or other fire department activity as the Golf Tournament or Santa Parade.

VIII.4.e. Project Officers. Designated by Fire Chief and or Assistance Fire Chief to prepare necessary documents and plans for fire department operations or fund raising as the Golf Tournament.

VIII.5. The fire chief will provide a monthly readiness report to the board. The report will indicate the number of training meetings and hours for the previous month, members who attended and did not attend, number of calls, and a by-name roster of active volunteers who attend the call.

## **Article IX Annual Community Meeting**

IX.1. The Chairman of the Board convenes an Annual Meeting of the Fire Department open to the residents of Lake Arrowhead in February of each year. The primary purpose of the meeting is to announce the newly elected Directors to Fire Department Board as the result of ballot count, present the annual Fire Department budget, and service related activity of the Fire Department to the Lake Arrowhead residents. Any other business needing to be brought before the Fire Department may be transacted during the meeting. A quorum at said meeting shall consist of the voting membership who is either attending the meeting or are represented by a ballot, which has been mailed to the member. Motions brought to vote before the assembly shall be passed by an affirmative vote of a simple majority of those in attendance.

IX.2. The secretary shall notify the voting membership of the Annual Meeting, provide a ballot and information about each candidate as described in Article IV.

IX.3. Voting membership is described in Article IV.

## **Article X Election and Terms of Officers**

X.1. It is desirable to replace two of the four elected Board Members by election each year in order to maintain continuity of experience and philosophy of the Fire Department on the board. In collaboration with the board, the Chairman will select a Nominating Committee in November of each year. The Nominating Committee will consist of one active volunteer member who is not a current member of the board and who does not desire to be nominated for a board position.

The other two members of the nominating committee will be fulltime residents of the voting membership.

X.1.a. The Chairman will announce the nominating committee to the active volunteer members during November at a stated training meeting.

X.1.b. The nominating committee will post the biographies of active volunteers and full-time residents who are interested in being a fire department board member in the December issue Lake Arrowhead newspaper and on the department website.

X.1.c. The nominating committee will present the names of their candidates to the Chairman during monthly December board meeting and at a training meeting of the active volunteers.

X.1.d. Residents will vote for board candidates based on their biographies/resumes/vitas posted in the Lake Arrowhead newspaper or department website and by marking their names on a ballot sent out with the Annual Meeting notice. The ballot shall not be a proxy granting voting power to the fire department board. Specific candidates must be identified.

X.2. The Directors of the Board shall serve for a term of two years.

X.3. If needed, ballots will be given out for the elections prior to the meeting.

X.4. The Fire Chief and subordinate officers staff shall serve for a term of one year.

X.5. The Board of Directors, Fire Chief and his subordinate officer staff shall take office immediately following the election.

X.6.a. A vacancy occurring in the Board of Directors or in the position of Fire Chief shall be filled by appointment of the Board of Directors and the successor shall serve until the expiration of the term of the predecessor. The Board of Directors is empowered to solicit and replace an unoccupied Board Member position without an election by the entire voting membership as long as the remaining board has at least three elected members. In case of resignation of the majority of the Board, a new election shall be called.

X.6.b. Following the replacement term of a Board of Directors member selected in accord with the immediately preceding paragraph, the aforesaid Board Member shall be immediately eligible for election to a de novo two-year term.

X.7. No restriction is placed upon the number of terms a Board of Directors member or Fire Chief may serve. No prior service is mandatory.

X.8. Ballots.

X.8.a. Ballots will be sent out to property owners whose names appear on the Purcell/Johnson maintenance assessment mailing list by the incumbent LAVFD board. Ballots will list the names of fire department member and full-time resident candidates who are interested in serving the community as a board member of the fire department.

X.8.b. Active fire department personnel who do not own property are allowed one vote.

X.8.c. A returned ballot must have the printed name of the property owner, signature, address of Lake Arrowhead property and be mailed or given to the fire department board members who are conducting the yearly election.

X.8.d. Biographies/resumes/vitas of active member and full-time resident candidates and a brief explanation of why they want to and how they can serve the community will be provided to the property owners by the incumbent board through redundant means to provide property owners necessary information to select a candidate of their choice. Distribution of candidate information will at a minimum be posted on the Lake Arrowhead VFD website. Candidate information may be posted in the Lake Arrowhead newspaper. The chairperson of the nominating committee will make candidate information to any voting member who may make a request.

X.8.e. The Board of Directors or an active volunteer may propose the revision of By-Law articles. Revised articles will be approved by majority vote of the Board of Directors and active volunteers.

## **Article XI Removal of Board and Fire Department Members**

XI.1. Any board member may be removed from office or the board may be recalled in accordance with Title 14 of the Official Code of Georgia by the voting membership who is defined in Article IV.

XI.2. An active or inactive volunteer member may be reprimanded in writing or terminated for a single act, or more, that endangers the safety of members of the department, the confidence of the voting membership in the department, or cohesion of the members of the department. Repetitive conduct that negatively affects the morale, safety, or reputation of the department is also grounds for termination. The Fire Chief will document a serious negative act, or acts in writing.

XI.2.1. The Fire Chief may provide the offending member a warning in the form of a written reprimand. A copy of the reprimand will be provided to the board. Termination of fire department active and inactive members will be conducted through the following due process.

XI.2.2. The fire chief will notify the member and the board of the reason for the member's termination in writing with the reason for termination. The written termination notification will be submitted to the board.

XI.2.3. The notified member may appeal the termination. The appeal will be in writing and provided to the board and fire chief before the next scheduled board meeting. The appeal will be addressed by the board in a session closed to property owners but open to active volunteers before or after the next scheduled board meeting.

XI.2.4. If the notified member desires to appeal the termination, the member will submit their appeal to the chairman of the board before the next scheduled board meeting. The board chairman will provide each member of the board a copy of the termination-notified member's appeal.

XI.2.5. The termination-notified member appear at the next scheduled board meeting after receiving the termination notification to personally present their appeal in writing and explain to and reason for remaining a member during a closed session as described above. The board will

consider the chief's reason/s for termination and the member's appeal and render a decision within seven days. Termination will be made if the member does not personally appear

XI.3. The Fire Chief may be removed from office by a majority vote of the Board of Directors. The active members may submit an appeal to the Board to remove the Chief. The chief will be afforded the above appeal process in a closed session as described above.

XI.4. The Fire Chief may remove subordinate Fire Department officers from their appointed office. The fire chief will provide the removed subordinate an appeal, which may be presented in closed session as described above.

## Appendix A

### (Draft) Monthly and Annual Meeting Financial Analysis

#### 1. Assets:

- a. Funds brought forward from previous month/year.
- b. List of equipment purchased with donated funds and funds earned through fund-raising event (provided on ancillary spreadsheet).
- c. Value of equipment purchased with donated funds and funds earned through fund-raising event.
- d. Interest bearing financial instruments (CDs).

#### 2. Liabilities:

- a. Outstanding loan/s and method of payment (i.e. paid by fire department or paid by Cherokee County.)
- b. Reoccurring bills and method of payment.

#### 3. Operating expenses:

- a. Supplies, i.e. stationary, stamps
- b. Fire department specific clothing, i.e. LAVFD T-Shirts and other unique clothing.
- c. Service and or repair of equipment not supported by Cherokee County.  
Community out-reach costs, i.e. Golf Tournament, Santa Parade, Other Activities

#### 4. Donated money and money from fund-raising use:

Safety of department personnel, i.e. thermal imager  
Mission essential equipment, i.e. valves, hose  
Mission oriented equipment, i.e. Gator and accessories, headsets for radios  
Facility improvement, i.e. stove for Station 27  
Training, i.e. tuition expense for CPR Instructor course.  
Training aids and facilities, i.e. plywood for maze panels.

#### 5. Projection of expenses:

- a. What is expected cost of mission related goals for the year?
- b. What is expected cost of training goals for the year.
- c. Other uses of fire department funds to be used for the coming year?