

Laramie County Fire Authority

Board of Directors

Constitution and Bylaws



Adopted _____, 2021

Effective January 1, 2022

Preamble

Recognizing the mutual benefits of a larger, more robust organization and the subsequent benefits to the citizens of Laramie County, the leadership and Boards of Fire District 2 and Fire District 8 began exploring the union of the two districts in 2020.

Pursuant to WS § 22-29-304 (c) the respective Boards approved presenting the union to the citizens within the two districts by a Joint Resolution signed on April 12th, 2021. On May 4th, 2021 the Laramie County Commissioners approved a resolution approving the consolidation. A special election for qualified electors of Fire District 2 and Fire District 8 conducted on August 17th, 2021 further supported the union.

Article I – Name & Purpose

Pursuant to WS § 22-29-303, the former jurisdictions, boundaries, assets, and personnel of Fire District 2 and Fire District 8 were dissolved and reformed under Laramie County Fire Authority (LCFA), effective January 1, 2022. The area within the boundary of Laramie County Fire Authority, as governed by its respective Board of Directors, is henceforth referenced as the “District”.

Pursuant to WS § 35-9-201, Laramie County Fire Authority is hereby authorized to provide protection from fire and other public safety emergencies for persons and property within its boundaries.

Article II – Board of Directors

Section 1: Establishment

In accordance with the Joint Resolution of the Directors of Laramie County Fire District 2 and Laramie County Fire District 8, the composition of the board of directors shall be the combined board of directors of District 2 and District 8 until the next district election.

Pursuant to WS § 35-9-202, at the next regular district election those persons eligible to vote to select the board of directors shall select five persons to the board of directors.

Section 2: Board of Directors

Pursuant to WS § 35-9-202, the Board of Directors shall consist of five (5) members elected by the residents of the district and serve without financial compensation with the purpose of governing the affairs of the district. The Chief or his designee shall become ex-officio, non-voting member of the Board and attend board meetings to serve as an advisor to the board and shall carry out the directives of the Board.

Section 3: Powers and Duties of the Board

Pursuant to WS § 35-9-203, the Board shall administer the finances of the District according to the provisions of the Wyoming Uniform Municipal Fiscal Procedure Act. The Board shall establish "Standards and Guidelines" that will serve as the District's organizational Policies and Procedures. LCFA recognizes all county ordinances.

Section 4: Qualifications for Office

Pursuant to WS § 35-9-203, all Board members must be residents and registered voters within District boundaries and the District requires that all Board of Director members be

bondable and may not serve in a District operational position of the Department i.e., Firefighter or Fire Officer.

Section 5: Term of Office

Pursuant to WS § 35-9-202, at the January 1st, 2022, formation of LCFA and appointment of Board of Directors, two members of the board are appointed for two (2) years, and three members for four (4) years; so that Board member re-election years shall be staggered so that the terms of not more than three (3) members shall expire in any one (1) year. Thereafter, Board members shall be elected to a four (4) year term.

Section 6: Resignation

Pursuant to WS 22-29-201(a)(iii), a board member may resign if he or she submits a written resignation to the Board and the resignation is duly accepted by the Board.

Section 7: Vacancies

Pursuant to WS § 22-29-202, a vacancy created for any reason among the elected board members shall be filled by appointment by a majority of the Board. All appointments shall be evidenced by an appropriate entry in the minutes of the Board meeting at which the appointment was made. The appointee shall serve until the next regular election. In the absence of a majority vote by the Board, or in the event of two, or more, vacant positions, appointments shall be made by the Laramie County Commissioners within 30 days of being notified.

Section 8: Organization of the Board

The officers of the Board shall consist of a Chairman, a Vice-Chairman, and a Secretary/ Treasurer, elected by the Board members at the annual meeting following an election month. The office of Chairman is equivalent to the office of President referenced by WS § 35-9-202(a). No member shall hold more than one office at any given time. The Board, in its discretion, may elect one member to serve as the Secretary/ Treasurer, or elect one member to serve as Secretary and another to serve as Treasurer. The Board members may hire paid or volunteer administrative assistant in the discharge of their duties, provided that any paid assistance must be approved by the Board.

Article III - Elections

Section 1: Director Districts

Pursuant to WS § 35-9-202, and in an effort to provide equal representation from the diverse citizenship within the District, it shall be subdivided into three (3) Director Districts for the purpose of Board representation. The Board shall consist of one (1) representative who resides within each Director District and two (2) at-large representatives who reside anywhere within the district. No single Director District shall be represented by more than two (2) Board members. The Director District boundaries are shown in Figure 1.

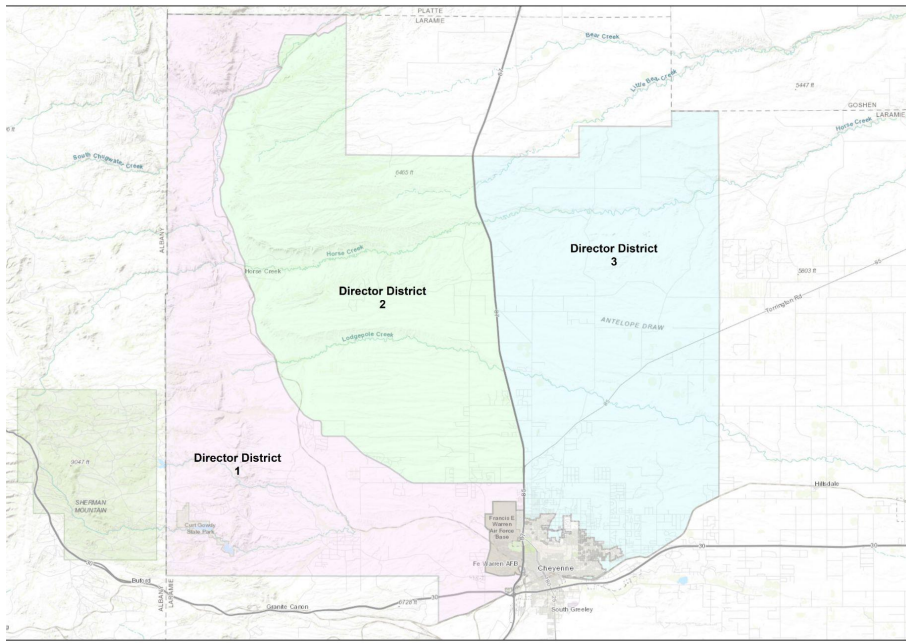


Figure 1

Section 2: Elections

Pursuant to WS § 22-29-112 through 22-29-116 and WS § 35-9-202 the District shall conduct regular Board elections and abide by all additional laws and regulations.

Article IV – Board Meetings

Section 1: Board Meetings

Regular Board meetings will be held a minimum of once per month. The meetings will be held at a time, date, and location to be determined by a majority of the board members.

Board members may attend meetings in person or telephone or like electronic connection.

Pursuant to the Wyoming Public Meetings Law, Board meetings will be open to the

public. At the first board meeting of the calendar year, the Board will determine the meeting schedule for the upcoming year. Publication of the Board of Directors meeting schedule shall be made as required by Statute.

Section 2: Special Meetings

Pursuant to WS § 16-4-404(b), a special meeting may be called by the Chairman or by a majority of the board members. Such special meetings shall be held after compliance with the public notice requirements provided by Wyoming law.

Section 3: Executive Session

Pursuant to WS § 16-4-405, any governing body of an agency may hold Executive sessions not open to the public. An Executive session may be requested by any Board member or the Chief. The Executive session must be convened during a regularly scheduled Board meeting. Minutes shall be maintained of any executive session except stated by statute.

Section 4: Quorum

Pursuant to WS § 22-29-119, three (3) of the five (5) elected Board members must be present, either in person or by telecommunications, to constitute a quorum for regular or special meetings.

Section 5: Official Acts

The act of the majority of the Board present at a meeting at which a quorum exists shall be the act of the Board. Confirmation of any recommendatory action may be obtained by electronic, or telecommunications vote of the Board when necessary.

Article V – Powers & Duties

Section 1: Powers and Duties of the Chairman of the Board

The Chairman of the Board shall preside at all meetings of the Board. The Chairman shall have general charge and control of all its business affairs and properties and may sign and execute all Board-approved contracts or other obligations in the name of the District.

Section 2: Powers and Duties of the Vice Chairman

In the absence of the Chairman, the Vice Chairman shall have general charge and control of all its business affairs and properties and may sign and execute all Board- approved contracts or other obligations in the name of the District.

Section 3: Powers and Duties of the Secretary/Treasurer

The Secretary/Treasurer shall have custody of all the funds and securities of the District. The Secretary/Treasurer shall deposit all monies and other valuables in the name of and to the credit of the District in such depositories designated by the Board. In the absence of the paid Administrative Assistant, the Secretary/Treasurer shall give notice of all Board meetings as required by Wyoming law and shall record all the proceedings of the meetings. The Secretary/Treasurer shall perform such other duties as may be assigned by the Board and shall perform all the duties generally incident to the office of Secretary/Treasurer.

Section 4: Selection, Tenure and Compensation of the Fire Chief

The Fire Chief (Chief) for the District is a full-time paid position. It is the responsibility of the Board to post notice, interview and make the selection for the position of Chief.

The Chief shall serve at the pleasure of the Board. Should the office of Chief become vacant, the Board shall appoint an interim Chief until such time that a new Chief is hired.

Section 5: Powers and Duties of the Chief

- A. The Chief shall have full control over the day-to-day operation of the District according to the Constitution, Bylaws, and Standard Operating Guidelines of LCFA, including the apparatus, properties, and members while in the fire station, at all fires, inspections, training, etc. The Chief is responsible for the keeping and filing of all records and reports and such other duties as stated in the job description. The Chief shall determine and appoint the number of officers at any rank, as required for an orderly and effective management of the department.
- B. The Chief shall make recommendations to the Board as to the number, rank, position, and compensation of employees of the District, as required for an orderly and effective management of the organization. The Board shall review and approve the Chief's recommendations insofar as District budget supports said recommendations. The Chief is solely responsible for the management of employees henceforth; but may delegate management responsibility downward in the organizational structure as needed to maintain span of control.

Section 6: Equal Opportunity Employer

LCFA follows the applicable guidelines of the Equal Opportunity Act as defined by State and Federal law.

Section 7: Amendment

Any Board member may recommend an amendment to the Bylaws. The recommendation will be in writing and submitted to the Board at the next scheduled board meeting at which time the recommendation will be discussed. The vote will be taken at the next scheduled Board meeting.

Article VI – Procurement Policy

The intent of this policy is to define the procurement policy for LCFA to ensure fiscal responsibility to the citizens of the District and to prevent misuse of funds.

Section 1: Credit card purchases

All credit card purchases must be accompanied with an itemized receipt that clearly states what was purchased. Those receipts are then categorized and balanced monthly with review by the Fire Chief and the Board of Directors. Credit card purchases are limited to any single item under \$5,000.00. Splitting a purchase into separate parts, or using multiple credit card transactions, to avoid exceeding the \$5,000.00 threshold should be avoided.

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Section 2: Purchase of items under \$5,000.00

All purchases will be made using fair market value and purchasing practices. The goal is to purchase from the best supplier. Best suppliers include price, service, delivery, and warranty. A reasonable effort should be put forth in an attempt to make a purchase from the best supplier, not just the most convenient supplier. All items purchased under \$5,000.00 must be accounted for in a line budget.

Section 3: Purchases over \$5,000.00

Any purchase of a single item over \$5,000.00 is required to have a minimum of three bids. All bids are reviewed, and the best supplier is chosen based on price, service, delivery, and warranty. The Board of Directors will approve all purchases over \$5,000.00 by reviewing the scope of the items to be purchased and the bids. They will also take staff recommendations on product selection. In the event that three bids cannot be obtained, a memorandum will be written to document all vendors contacted in an effort to obtain three bids. The memorandum will provide documentation of the attempt to provide three quotes, and will list any non-responsive vendors. A 5% in-state bid preference may be granted to vendors registered in the state of Wyoming. Purchases utilizing federal funds are exempt from the 5% in-state preference.

Section 4: Conflict of Interest

There shall be no conflict of interest between the purchasing agent and the supplier. No staff member of the District shall engage in any activity which would constitute a conflict of interest as related to this purchasing policy. In the event that the purchaser has a conflict of interest they are to be removed from the decision-making process.

Section 5: Fairness

All capital purchases are to be fairly advertised so that all suppliers have the opportunity to bid on the items.

Section 6: Suspension and Debarment

No purchases or services shall be awarded to a vendor who is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction nor from federal financial or non-financial assistance, nor are any of the participants involved in the execution of this contract/purchase suspended, debarred, or voluntarily excluded by any federal department or agency in accordance with Executive Order 12549 (Debarment and Suspension) and CFR 44 Part 17, or are on the disbarred vendors list at www.epls.gov. Further, Vendor agrees to notify the Agency by certified mail should it or any of its agents become debarred, suspended, or voluntarily excluded during the term of this contract.

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Article VII - Signatures

The Constitution and Bylaws of Laramie County Fire Authority, by and through its Board of Directors undersigned herein, are hereby adopted this ____ day of ____, 2022, with an effective date of January 1, 2022. This Constitution and Bylaws supersede all previous versions.

Board Chairman

Vice-Chairman

Secretary/Treasurer

Member

Member