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On October 17, 1989 a special meeting of the Dry Valley Volunteer Fire and Rescue Department was held by the Community. A vote was taken by secret ballot to change the By-Laws as proposed by the Board of Directors.

The meeting was publicized in the Shelby County Reporter for four consecutive weeks prior to the meeting. A register of qualified voters was kept. Twenty people voted. There were eighteen votes for the proposed change. One blank ballot and one vote not to change the By-Laws.

William Murray, Chairman of the Board and Dianne Rutz, Board Member, gave out the ballots and counted the end results.

As of October 17, 1989 these new By-Laws take precedence over the old By-Laws and shall be recorded in the court house of Shelby County after this date.

*Edith L. Reid*

Edith L. Reid  
Secretary, Dry Valley Volunteer Fire and Rescue

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*Bill's Contracting Service, Inc.*  
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BY-LAWS

DRY VALLEY FIRE AND RESCUE

ARTICLE I

PURPOSE

Section 1. Purpose:

(a) The purpose of the Dry Valley Fire and Rescue, hereafter called D.V.F.D., is to prevent fire, protect life and property and provide emergency medical protection on a non-profit basis to its members. D.V.F.D. will operate under standards and requirements as established by the Southeastern Underwriters Association and the State of Alabama Department of Health and its agencies.

(b) The Dry Valley Fire and Rescue Department is organized under the laws of the State of Alabama. No member of this department shall be liable for the obligations of the Department beyond the dues and fees accrued to or owed by him for his pro-rata share of the net worth of the department.

ARTICLE II

MEMBERSHIP, DUES AND FEES,

MEETINGS

Section 1. Membership:

(a) Members of D.V.F.D. shall be those individuals or organizations who pay the dues prescribed and who are a member in good standings, (with no more than two months in arrears). Members shall elect the Board of Directors and shall vote on issues pending at special meetings. While the Board of Directors shall be the governing body of the department, the membership may overrule the board by a majority vote of the entire current membership. Majority vote prevails except where otherwise provided. The membership subscribers shall have no more than two (2) votes per household or organization, and must be 18 or older and/or married, and shall be hereafter know as the membership.

Section 2. Dues and Fees:

(a) The amount of dues for members and fees for services of non-members will be set by the Board of Directors and approved by the membership at a regular meeting.

Section 3. Meetings:

(a) The President will advertise all meetings called for the purpose of changing the By-Laws, approving dues and fees, acquainting the membership with problems and accomplishments, passing on business recommended by the Board of Directors or passing upon proposals of the membership.

(b) The annual meeting shall be held in November of each year at which time election of the Board of Directors shall be held. The President shall advertise the meeting by letter, circulars or some other appropriate method at least 30 days prior to such meeting. The Board of Directors will set the day of the month and the time such meetings are to be held.

(c) A special meeting may be called by the membership when a petition by at least 10% of the general membership is presented to the Secretary or President. The petition must be presented to the Secretary or President at least 15 days prior to the date of the special meeting.

ARTICLE III

RULES OF ORDER

Section 1. Rules of Order:

(a) Roberts Rules of Order revised shall govern the proceedings of all membership, Board of Directors, and committee meetings when not inconsistent with the By-Laws of D.V.F.D.

(b) A Parliamentarian shall be appointed by the Board of Directors who shall be called upon to settle any disagreements and his or her decision shall be final.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Board of Directors:

(a) The Board of Directors shall be the governing body of D.V.F.D and shall consist of ten (10) members elected from the membership who are in good standings at large. There shall be a total of ten (10) directors which shall include the immediate past President and present Fire Chief, unless the membership shall vote at an annual meeting to increase or decrease the number of directors.

Section 2. Term of Directors:

(a) The President shall be elected by the Board of Directors in December following the annual membership meeting each year to take office in the succeeding month of January. All Directors shall be elected for a term of one year.

Section 3. Vacancies:

(a) Vacancies of any office of director occurring between annual meetings shall be filled by a majority vote of the Board of Directors, the appointee serving until the next annual meeting.

Section 4. Meetings:

(a) The Board of Directors shall meet monthly or at the call of the President to handle such business of D.V.F.D. as necessary.

Section 5. Attendance:

(a) Any officer or director absent at three (3) consecutive Board of Director meetings or fifty (50) percent of all Board meetings within one year, can automatically be removed from the Board of Directors unless shown due cause to the Board of Directors. Any vacancies shall be filled as required by Article IV, Section 3.

Section 6. Compensation:

(a) All Directors will act in the best interest of D.V.F.D at all times and shall serve without compensation for service rendered with the exception of reimbursement of expenses incurred on behalf of D.V.F.D. as authorized and approved by the Board of Directors.

Section 7. Voting:

(a) Only members of the Board of Directors and officers shall vote at Board of Directors meetings with the President voting only in the case of a tie vote.

ARTICLE V

DUTIES AND POWERS OF THE

BOARD OF DIRECTORS

Section 1. Board of Directors:

(a) The Board of Directors shall adopt such rules and regulations for the operation of the board as it shall deem

necessary, not inconsistent with these By-Laws and shall have the power to alter or amend the rules at its discretion. It shall authorize all expenditures, shall have the authority to buy and sell property and equipment in the name and for the department in furtherance of the objects and purposes of this department, shall approve any changes in the geographical area of fire and emergency rescue service and is generally authorized and empowered to do all such things as are reasonable to carry out and further the objects and purposes of this department.

(b) The Board of Directors is authorized to enter into written agreements or contracts with nearby incorporated communities or governing bodies of other organizations to establish a mutual aid system(s) and provide such needed services.

(c) A quorum of the Board of Directors required for the transaction of business shall be six (6) members of the Board including two officers.

(d) A majority vote of the Board of Directors is necessary for purchases of over the amount specified monthly by the Board of Directors. All purchases and expenditures will be approved by a majority vote of the Board of Directors.

#### ARTICLE VI

#### DUTIES AND POWERS OF

#### THE OFFICERS

##### Section 1. President:

(a) The President shall be the chief executive officer. He shall preside at all meetings and shall serve as chairman of the Board of Directors.

##### Section 2. Vice President:

(a) The Vice President shall preside at the meetings in the absence of the President and if for any reason, the President is unable to perform his duties, the Vice President shall occupy the position and perform the duties of the President with the authority of such office.

##### Section 3. Secretary:

(a) The Secretary shall keep the records, a roster of the membership, minutes of all membership and board meetings, handle

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all membership and board correspondence, and perform such other duties as may be prescribed by the Board of Directors.

Section 4. Treasurer:

(a) The Treasurer shall receive all funds and deposit the same in a bank or banks designed by the Board of Directors, shall pay out checks only on the authority of the Board of Directors, shall keep and report to the Board of Directors monthly, an accurate detailed account of all department funds received and disbursed.

Section 5. Fire Chief:

(a) The Chief shall direct the Fire and Emergency rescue department and shall have full authority of the department. He shall be responsible to the Board of Directors for the personnel, equipment, training, and general efficiency of the department.

(b) The Chief shall report monthly to the Board of Directors the condition of the equipment, the number of calls with full information on purpose, location, date, cause, department members responding and any loss sustained.

(c) The Fire Chief is authorized to spend an amount set by the Board of Directors, each month for purchases of minor items of equipment, supplies, training aids, and personal expenses included in the duties of chief. These expenses are not cumulative and must be approved by the Board of Directors before reimbursement.

ARTICLE VII

COMMITTEES

Section 1. Committees:

(a) Committees shall be appointed by the President as needed, subject to the approval of the Board of Directors. Committee chairman should be appointed from the Board of Directors if possible. Committees shall be responsible to and report to the Board of Directors.

ARTICLE VIII

NOMINATION AND ELECTION OF BOARD OF DIRECTORS

Section 1. Nomination:

(a) Nominations shall be from the floor for Board of Directors at the annual meeting held in November.

Section 2. Election:

- (a) Election shall be by secret ballot.
- (b) Only members in good standing shall serve on the Board of Directors.
- (c) The President/Acting President shall determine how votes are to be counted.

ARTICLE IX

NOMINATION AND ELECTION OF OFFICERS OF THE

BOARD OF DIRECTORS

Section 1. Nomination:

(a) Nominations shall be from the floor at the meeting in December and officers shall be selected from the newly elected Board of Directors.

Section 2. Election:

(a) Election of officers of the Board of Directors shall be by secret ballot with the President determining how votes are to be counted.

Section 3. Election of Fire Chief:

(a) The Fire Chief shall be elected by active members of the Fire and Emergency Rescue Service Department, which shall include the chief in office, who will preside over the election. The election will be held in November, after the general membership meeting, but prior to December 1st. The new chief shall take office on January 1st.

(b) Nominations will be made from the floor for the office of Fire Chief. Voting for Fire Chief by all active members shall be by secret ballot. A majority of the votes cast shall elect.

(c) The Chief shall be elected by the Department but is subject to the approval of the Board of Directors.

Section 4. Removal:

(a) Any officer or Board member of D.V.F.D. may be removed for just cause prior to the expiration of his term, after a hearing, by the Board of Directors.



## ARTICLE X

### FIRE AND EMERGENCY RESCUE SERVICE DEPARTMENT

#### Section 1. Personnel:

(a) The Chief shall have full authority of the department which shall determine the number of officers and kind of companies of which the department is to be composed.

(b) Members of the Department shall consist of such persons as may be appointed by the Chief and shall be able-bodied citizens residing in and around the Dry Valley Fire and Rescue environs, preferable property owners whose business activities are normally in or near the confines of the covered areas. Determination of whether candidates for appointment are able-bodied shall be made by the Chief.

(c) Any member of the Department may be suspended or discharged from the Department by the Chief at any time he may deem such action necessary for the good of the Department. On written request of such member to the Board of Directors he shall be given a hearing on the charges brought by the Chief.

#### Section 2. Duties of Fire and Emergency Rescue Officers:

(a) The Assistant Chief will report to the Chief at fires or other situations which the Department may be called to, and assist him in the discharge of his duties. The Assistant Chief and all other Fire Department officers shall be approved by the Board of Directors from nominations from all active Fire and Emergency Medical Service personnel.

(b) In the absence of the Chief, the Assistant Chief shall assume command in the order of their proficiency as determined by the Chief and will be held responsible therefore in all respects with the full powers and responsibilities of the Chief.

(c) In the absence of both the Chief and the Assistant Chief, the Captain and the Lieutenant shall command the Department, with all power and responsibilities of the Chief.

#### Section 3. Equipment:

(a) The Department shall be equipped with such apparatus and other equipment as may be required from time to time to

maintain its efficiency and properly protect life and property from fire and other emergencies. The criterion for this equipment shall in general be that equipment as required by the Southeastern Underwriters Association and the Department of Health to maintain the present department rating and additional equipment needed to qualify or which would help to qualify for a lower rating(s) and better service.

(b) All equipment of the Department shall be safely and conveniently housed in such places as may be presented by the Chief and approved by the Board of Directors. Such places shall be heated during the winter season as required.

(c) Suitable arrangements or equipment shall be provided for citizens to turn in an alarm, and for notifying all members of the Department so that they may promptly respond to fires or emergency situations.

(d) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person, member, officer, or fireman willfully and without proper authority take away or conceal any article used in any way by the Department. No person not a member of the Department, unless authorized by the Department officer, shall be allowed to ride on the apparatus or to handle equipment.

(e) Drivers shall be qualified and licensed in Alabama and shall have taken a high performance and defensive driving course.

#### Section 4. General:

(a) The Chief shall see that the citizens are kept informed on fire hazards in the community and that each fire is carefully investigated to determine its cause, and in case of suspicion of incendiarism shall secure and preserve all possible evidence for future use in the case.

(b) The Department shall inspect, by the members of the Department, the fire hydrants, the cisterns, and other sources of water supply at least twice each year.

(c) The Chief shall maintain a library of the publications on fire prevention and for protection and emergency medical services

and shall make use of it to the best advantage of all members.

(d) The Chief shall at least twice a month conduct suitable drills or instructions in the operation and handling of equipment, emergency medical calls, first aid, rescue work, salvage, a study of buildings in the covered area, fire prevention, water supplies and all other matters generally considered essential to good firemanship and safety to life and property from fire or other emergency.

(e) Annual dues to associations, tuitions and other related expenses shall be legitimate expenditures of the Department and its personnel upon approval of the Board of Directors.

#### ARTICLE XI

#### AMENDMENTS

These By-Laws may be amended at any regular or special meeting of the membership by affirmation of two-thirds of the membership present, that are in good standing; provided that public notice of such amendments shall have been made available to each member to read and study at least ten (10) days prior to such meeting. Public notice to be: advertising in the local paper and or by local radio station of the place where proposed amendments may be read or copies available.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

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*Thomas A. Snowden, Jr.*  
JUDGE OF PROBATE

*Recd 10.00*  
*Jud 3.00*  
*13.00*

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