PENNINGTON COUNTY FIRE SERVICE BOARD
BYLAWS
OPERATING POLICIES AND PROCEDURES

1) GENERAL

A) These policies and procedures supersede any prior constitution, by-laws, policies, and procedures of the Pennington County Fire Service Board, hereinafter referred to collectively as “the FSB.”

B) The FSB is a non-profit organization, formed by the Pennington County Board of Commissioners on September 11, 1973.

C) The objective of the FSB shall be to promote and develop all segments of fire protection in Pennington County, to include hazardous materials control and preparation for support in other public emergencies.

D) The function of the FSB shall be to act as a coordination body between Pennington County fire departments, other agencies related to fire protection, and the Pennington County Board of Commissioners.

E) The FSB shall make recommendations, including dispersal of the Pennington County Fire Protection Funds, to the Pennington County Board of Commissioners.

2) FSB STRUCTURE

A) All representatives on the FSB must be Pennington County residents and/or an active member of a department with jurisdictional authority.

B) The FSB shall consist of not less than thirteen (13) members.
   i) One (1) representative of the Pennington County Board of Commissioners.
   ii) One (1) representative of the Rapid City Fire Department.
   iii) One (1) representative of the United States Forest Service.
   iv) One (1) representative of the South Dakota Wildland Fire Division.
   v) One (1) representative of the Rapid City-Pennington County Emergency Management Office.
   vi) The Pennington County Fire Administrator
   vii) Two (2) representatives elected from each of the following districts and each district representative shall be elected on alternating years.:
   (a) East
   (b) East Central
   (c) West
   (d) West Central
   viii) The representative of the Pennington County Board of Commissioners, Ellsworth Air Force Base Fire Department, Rapid City Fire Department, United State Forest Service, South Dakota Wildland Fire Division shall be appointed by their respective agencies.
C) The following FSB voting and non-voting members:
   i) Voting Representatives:
   ii) Non-Voting Representatives
D) The District representatives in 2) B) above may serve consecutive staggered terms.
   i) Any vacant or unfilled district representative position will remain vacant or unfilled until the affected district fills the position in accordance with the FSB bylaws.
   ii) A representative elected to fill a vacant position shall serve the unexpired term of the vacant position.
E) All other members shall serve until a replacement is appointed by their respective agencies.
F) For the purposes of electing member to the FSB, the fire departments will be divided into the following Districts:
   East: Wall VFD, Wasta VFD, Quinn VFD, Scenic VFD and Interior VFD
   East Central: Box Elder VFD, Rapid Valley VFD, North Haines VFD and New Underwood VFD
   West Central: Black Hawk VFD, Doty VFD, Johnson Siding VFD, Whispering Pines VFD and Rockerville VFD
   West: Battle Creek Fire District (Hermosa, Keystone, Hayward), Hill City VFD, Rochford VFD and Silver City VFD.
G) Elected members shall be seated as the first order of new business at the regularly scheduled January meeting.
H) The officers of the FSB shall consist of a Chair and Vice-Chair.
   i) These officers shall constitute the Executive Board of the FSB.
   ii) The Chair and Vice-Chair shall be elected annually, as the second order of new business, at the regularly scheduled January meeting.
   iii) Election of officers shall be by majority vote of the FSB members present.
   iv) The Fire Administrator shall act as financial officer.
I) Seven (7) voting members of this board shall constitute a quorum.

3) ELECTION OF DISTRICT REPRESENTATIVES
A) During the month of November, the Fire Chiefs, or their equivalent rank or duly appointed representative, of each District shall meet in an agreeable manner and/or location to elect their district representatives.
B) Any fire department or agency unable to attend the election meeting shall not be allowed to vote by proxy or absentee.
C) Each fire department or agency shall be entitled to only one (1) vote for representative at the election meeting.
D) After the district election meetings, each district shall report who they have elected as representative to the FSB. This report shall be due to the FSB at the first regularly scheduled meeting in December. The FSB shall note this in the official minutes of the meeting along with the term expirations.
E) In accordance with the above requirements, in the event a vacancy occurs, the affected district shall meet at their earliest convenience to elect a representative to fill the unexpired term.

4) BOARD MEETINGS

A) Regular meetings of the FSB shall be held on the second Wednesday of each month, at a time and location as determined by the FSB, and in accordance with South Dakota’s open meetings law, SDCL 1-25.
   i) The FSB may reschedule meetings to an alternative date, by majority vote, with 24-hour notice. In accordance with SD’s open meetings law, SDCL 1-25-1.1, a copy of the rescheduled meeting notice will be posted at the Pennington County Administration Building main entrance bulletin board 24-hours immediately preceding the meeting; and emailed to local news media.
   ii) The Chair, Vice-Chair or Fire Administrator may call special meetings for good cause, outside of the regular schedule, with a 24-hour notice.

5) FISCAL RESPONSIBILITIES

A) The Fire Administrator will prepare a draft County Fire Protection Fund budget in accordance with Board of Commissioners and County Auditor’s Office direction and present it to the FSB for their approval. The draft budget shall include expenses and long-range budget considerations. The FSB shall then accept/modify/approve the draft budget for submittal to the Board of Commissioners.

B) The FSB Chair, Vice-Chair and/or Fire Administrator shall have the authority to expend County Fire Funds during an emergency.

C) The Fire Administrator shall review all disbursements for compliance with South Dakota Statue and policies and procedure specified by the Pennington County Board of Commissioners and County Auditor.

D) Regardless of the above, the Pennington County Board of Commissioners retains the full and ultimate authority and responsibility in the administration of the Fire Protection Fund.

6) ELIGIBILITY FOR ASSISTANCE

A) To be eligible to request assistance through the FSB, an organization may be requested to:
   i) Submit a budget for the fiscal year under consideration.
   ii) Submit a membership roster.
   iii) Submit a vehicle list.

B) Pursuant to the above, the following organizations are eligible to request financial assistance through the FSB.
   i) Battle Creek Fire District
   ii) Black Hawk VFD
   iii) Box Elder VFD
   iv) Doty VFD
   v) Hill City VFD
   vi) Interior VFD
   vii) Johnson Siding VFD
viii) New Underwood VFD
ix) North Haines VFD
x) Quinn VFD
xi) Rapid Valley VFD
xii) Rochford VFD
xiii) Rockerville VFD
xiv) Scenic VFD
xv) Silver City VFD
xvi) Wall VFD
xvii) Wasta VFD
xviii) Whispering Pines VFD

C) Other requests from outside agencies/organizations for funding assistance for specific
equipment and services may be considered by the FSB.

D) Requests for equipment or services received prior to board action will not be considered,
with the exception noted in Section 11) Emergency Vehicle Repair.

E) Request for assistance under the Title IV Volunteer Fire Assistance Grants, Rural Fire
Assistance Grants, Assistance to Fire Grants, SAFER grants, and similar programs will not
be considered by the FSB, unless it is a regional application.

7) REQUEST PROCEDURE

A) All requests must be made in writing, with the exception noted in Section 11) Emergency
Vehicle Repair. Verbal requests for assistance will not be considered by the FSB.

B) All requests must be submitted in writing and include the following information:

i) Organization name, address, phone number.

ii) Indication of request classification.

(a) Non-Emergency - request for funding assistance for equipment or services
essential to the organizations function, but not of such nature that immediate
procurement is necessary.

(b) Emergency - request for funding assistance for equipment or services essential
to the organizations function, required on an immediate basis, and without
which the organizations capabilities are severely affected.

iii) Quantity and description of item(s), listed in priority order, for which assistance is
requested.

iv) Estimated costs of both County and organizations share of expense.

v) Justification of the request, to include the following:

(a) Description of the organization’s need for the items(s) requested.

(b) Description of the organization’s capabilities to utilize the item(s) requested.

(c) Justification of the request classification.

(d) Any other information pertinent to the request.

vi) Dated signature of the organization’s official submitting the request.
C) All requests shall be submitted to the FSB Chair, Vice-Chair or the Fire Administrator.
   i) The FSB may defer Non-Emergency request to a later date for formal action.
   ii) Emergency requests may be submitted at any time.
   iii) Emergency Vehicle Repair requests may be made verbally, to the Chair, Vice-Chair or the Fire Administrator, but must be followed by a written request submitted prior to, or during, the next regularly scheduled meeting of the FSB (see Section 11) Emergency Vehicle Repair of these bylaws).

D) Requests with insufficient information shall be returned to the requesting organization for clarification. For a request to be considered by the FSB, the requesting organization must have a representative at the meeting for discussion as follows:
   i) Non-Emergency: An organization representative must attend the regularly scheduled meeting at which request(s) will be initially presented to the FSB.
   ii) Emergency: Same as Non-Emergency, or at the next meeting immediately following submission of the request to the FSB Chair, Vice-Chair or the Fire Administrator.

8) BOARD ACTION ON REQUEST – GENERAL

A) The FSB shall consider each request based on the policies and procedures established for the request classification.

B) The FSB’s goal in considering requests shall be to assist organizations to maintain or attain a minimum level of adequacy in areas essential to effective and safe fire protection.

C) In considering any request the FSB shall consider:
   i) The needs and priorities of the requesting organization.
   ii) The needs and priorities of the County Fire Service as a whole.
   iii) The potential utilization of the requested item(s).
   iv) The potential benefits to the organization, the County Fire Service, and the County citizens.
   v) The compatibility of the request with the organization’s budget, submitted for the fiscal year under consideration.
   vi) The fiscal responsibilities and constraints necessary to assure cost effective use of budgeted funds.
   vii) The organization’s existing level of adequacy for the item(s) requested.
   viii) The 5-Year Plan goals, and if the request meets these goals.
   ix) Any other factors considered pertinent to the request.

9) BOARD ACTION ON REQUEST(S) – NON-EMERGENCY

A) Non-Emergency request(s) received after the regularly scheduled meeting shall not be considered for funding assistance until the next regular meeting.

B) At the regularly scheduled meeting, the FSB shall read and discuss all valid non-emergency request(s) received and shall defer action until the next regularly scheduled meeting.

C) At the next regularly scheduled meeting, the FSB may act on any non-emergency request(s).
D) The FSB may act on non-emergency request(s) at any regularly scheduled meeting if deemed in the best interest of Pennington County to do so.

10) BOARD ACTION ON REQUEST(S) – EMERGENCY

A) The FSB shall determine if the emergency classification for equipment or service is appropriate to the request.
   i) If the FSB determines that the request is inappropriately classified, the FSB may downgrade the request to a non-emergency and consider it per Section 9.

B) At the regularly scheduled meeting following the submission of an emergency request, or during the meeting at which the request is submitted, the FSB may act on the request.

11) BOARD ACTION ON REQUEST – EMERGENCY VEHICLE REPAIR

A) Definition: An emergency vehicle repair request is a request for funding assistance for the repair of a vehicle which is out of service due to a major vehicle component or pump malfunction and which is critical to the organization’s function.

B) On receipt of a verbal or written emergency vehicle repair request, the Chair, Vice-Chair or Fire Administrator will determine if the emergency classification is appropriate.

C) The Chair, Vice-Chair or Fire Administrator may act on an emergency vehicle repair request, prior to the next regularly scheduled meeting.

D) If the request is verbal, the requesting organization must submit a written request prior to, or during, the next regularly scheduled meeting.

E) At the next regularly scheduled meeting the FSB shall review the written request and acknowledge and record any action taken by the Chair, Vice-Chair or Fire Administrator in the meeting minutes.

F) The FSB shall not consider an emergency vehicle repair request which is the result of abuse or neglect of the vehicle involved.

12) BIDDING PROCESS

A) All supplies and/or equipment purchased will comply with Pennington County Commissioner policies and/or State law, and the FSB 5-Year Plan.

B) The FSB may adopt minimum specification(s) for item(s) procured through the County Fire Fund.

13) PERSONNEL

A) The FSB through the Chair shall act as immediate supervisor to the Fire Administrator.

B) The FSB shall adopt a job description for the Fire Administrator position.

C) The Chair shall:
   i) Review and sign the bi-weekly Fire Administrator time sheets.
   ii) Complete a written employee performance appraisal on the Fire Administrator, as per County policy.
   iii) Complete request for performance pay forms, for the Fire Administrator, as per County policy.

D) The Vice-Chair will assume the duties of the Chair in their absence.
14) AMENDMENTS

A) These Bylaws may be amended at any regularly scheduled meeting, by majority vote of the FSB, after all Board members have received a minimum 20-day notice of such proposed change(s). This notification must be in writing.

B) These Bylaws shall be reviewed, on an annual basis, at the regularly scheduled December meeting.