

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF POLK COUNTY, NORTH CAROLINA  
ESTABLISHING  
THE FIRE RESCUE ADVISORY COMMITTEE (FRAC)  
AND BYLAWS**

**WHEREAS**, the Polk County Fire Chief's Association met, considered affirmatively voted for the creation of a fire and life safety advisory group whose mission would be to act as a liaison body between the individual fire and rescue departments and the County Board of Commissioners and to advise the County Board of Commissioners on implementation of strategies for attaining and maintaining the best fire and rescue services feasible to the citizens of Polk County; and

**WHEREAS**, the Board of Commissioners of Polk County have determined that it is in the best interests of all citizens of Polk County that the Board establish the Fire Rescue Advisory Committee.

**NOW THEREFORE**, be it resolved by the Board of County Commissioners of Polk County, North Carolina to create a life safety advisory group with the following bylaws:

**Article I:**      Name and Mission

**Section 1.**      The name of this fire and life safety advisory group, appointed to serve the Polk County Board of County Commissioners, shall be the Polk County Fire and Rescue Advisory Committee (hereafter referred to as the Fire and Rescue Advisory Committee).

**Section 2.**      The mission of the Fire and Rescue Advisory Committee shall be to act as a liaison body between the individual fire and rescue departments and the County Board of Commissioners and advise the County Board of Commissioners on implementation of strategies for attaining and maintaining the best fire and rescue services feasible to the citizens of the County. The Polk County Board of Commissioners recognizes that each fire and rescue department is a private non-profit corporation and as such, is governed by a Board of Directors, as set forth by state and federal statutes, therefore the Fire and Rescue Advisory Committee is empowered as advisory only.

**Article II:**      Purpose

**Section 1.**      The purpose of the Fire and Rescue Advisory Committee shall be to serve the fire and life safety interest of the citizens of Polk County as defined as follows:

Section 2. To review and make recommendations for fire and rescue service delivery funding and capital or lease purchase expenditures. Evaluate funding request and submit annual budget recommendations for fire and rescue services to the County Board of Commissioners.

Section 2.1. Advise the County on fire and rescue legislation, codes, municipal annexation, ordinances and related administration issues including, but not limited to, fire protection water delivery systems, fire and rescue vehicle road access and minimum levels of volunteer/paid staffing for fire and rescue service delivery.

Section 2.2. Advise the County on matters relating to fire protection contracts with the individual fire and rescue departments.

Section 2.3 Make recommendations on matters relating to fire district ratings, fire district boundaries, communications, insurance, fire district expansions, and other matters affecting fire and rescue service delivery.

Article III: Membership and Composition

Section 1. The Fire and Rescue Advisory Committee shall be comprised of seven voting members and one ex officio non-voting member appointed by the Polk County Board of Commissioners.

Section 2. Three at large members shall be appointed from the unincorporated County Community. Appointees shall not be affiliated with Polk County government nor have been affiliated members of such organization for the past three years. To be eligible, the applicant must own real property or business personal property that is subject to the Fire District Tax and must be a full-time resident of Polk County for at least five years.

Section 2.1 Three at large members shall be appointed from candidates submitted to the Board of County Commissioners by the Polk County Fire Chief's Association. Appointees will serve the fire protection delivery system without regard to jurisdiction or affiliation. To be eligible, the applicant must be subject to the Fire District Tax and a full-time resident of Polk County for at least five years.

Section 2.2 One member shall be appointed from candidates submitted to the Board of County Commissioners by the six Fire and Rescue Advisory Committee members appointed in accordance with Article III, Section 2 and Section 2.1.

Section 2.3 One member shall be the Polk County Fire Marshall which shall be a non-voting ex officio member.

Section 2.4 Replacements for members will be as prescribed in Article III, Section 2, Section 2.1 and Section 2.2

Section 2.5 Members of the Advisory Committee shall not have any financial conflict of interest in the operations of any fire and rescue department.

Article IV: Appointments

Section 1. With the exception of the *ex officio* Fire Marshall member, all members shall be voting members who will be appointed to three-year terms expiring on staggered years on June 30<sup>th</sup>. Members will serve at the pleasure of the County Board of Commissioners.

Section 1.1 The Fire Marshall shall be appointed to serve as a non-voting member in an *ex officio* capacity and shall serve at the pleasure of the County Board of Commissioners.

Section 1.2 To provide for the terms of the regular voting members to be staggered, the initial appointees shall be appointed as follows:

- One member appointed from candidates submitted to the Board of County Commissioners by the six Fire and Rescue Advisory Committee members appointed in accordance with Article III, Section 2 and Section 2.1 shall serve a one-year term;
- Three at large members appointed from the unincorporated County Community shall serve two-year terms; and
- Three at large members appointed from candidates submitted to the Board of County Commissioners by the Polk County Fire Chief's Association shall serve three-year terms.

Section 2. Members may be re-appointed by the County Board of Commissioners for one additional term, the total of which will not exceed two consecutive full terms.

Section 2.1 The Board of County Commissioners may, at its discretion, extend a member's term beyond two terms when it finds that it is in the best interest of the citizens of the County or, the Fire and Rescue Advisory Committee.

Section 2.2 Any person appointed by the County Commissioners to fill an unexpired term shall be appointed to serve for the duration of the term in accordance with Article III, Section 2, Section 2.1 or Section 2.2.

Section 2.3 All appointments shall comply with all established rules and procedures of the County Board of Commissioners for committee appointments to its Boards and Committees.

Section 2.4 All members will be required to attend an orientation program sponsored by the Polk County Fire Chief's Association and attend different fire and rescue department meetings.

Article V. Officers

Section 1. The officers of the Fire and Rescue Advisory Committee will be comprised of a Chairperson, Vice-Chairperson and Secretary. The officers will serve as the Executive Committee of the Fire and Rescue Advisory Committee.

Section 1.1 All business/meetings conducted by the Fire and Rescue Advisory Committee shall comply with the North Carolina Open Meetings Law.

Section 2. Officers shall be elected by a majority vote of the members of the Fire and Rescue Advisory Committee at the July meeting of each year, and shall assume office at the July meeting.

Section 3. Elected officers will serve for a one-year term and may serve consecutive or successive terms.

Article VI. Meetings

Section 1. The Fire and Rescue Advisory Committee will meet as needed to accomplish the mission of the Committee, as designated by the Chairperson, but no less than quarterly. The Fire and Rescue Advisory Committee normally meets on the third Thursday of each quarter at 7:00 p.m.

Section 1.2 The members shall be notified of the time, place, and changes or cancellations of all meetings in writing or by phone at least five (5) business days prior to the meeting.

Section 1.3 An agenda of business will be submitted to the members of the Fire and Rescue Advisory Committee, the Fire Chief's Association and the Fire Departments no less than five (5) business days prior to the next scheduled meeting.

Section 1.4 A summary of the meetings minutes shall be taken at each meeting and distributed to the Fire and Rescue Advisory Committee, the Fire Chief's Association and the Fire Departments no less than five (5) business days prior to the next scheduled meeting.

Section 1.5 A quorum will be required to conduct business. A simple majority of the full Fire and Rescue Advisory Committee is required to be present to attain a quorum of members.

Section 1.6 A recommendation to the County Board Commissioners for the removal of a member from the Fire and Rescue Advisory Committee, the removal of an officer, or for member disciplinary action will require a two thirds majority affirmative vote of all members of the Fire and Rescue Advisory Committee.

#### Article VII Miscellaneous

Section 1. Policies and Procedures: The Fire and Rescue Advisory Committee shall prepare and maintain a Policies and Procedures document for the administration of the Fire and Rescue Advisory Committee business. The policies, procedures or functions of the Committee, contained in said document, once approved by the Board of Commissioners, will serve as an addendum to these Bylaws.

Section 1.2 Amendments: The Bylaws, addenda or revisions may be amended or repealed and new Bylaws adopted by the affirmative vote of two-thirds of the total membership at any regular or special meeting called for that purpose. Advised changes, deletions or additions to the Bylaws will require the subsequent approval of the Polk County Board of Commissioners and the Polk County Fire Chief's Association. The Bylaws shall be effective upon approval of the County Board of Commissioners and the Polk County Fire Chief's Association.

Section 1.3 Attendance at meetings: Fire and Rescue Advisory Committee members missing three consecutive, regular meetings in a calendar year will be subject to an appointment review by the Board of Commissioners to determine if removal of the member is necessary or not, considering the circumstances which are existing at that time.

Section 1.4 Administrative and clerical expenses for the Polk County Fire and Rescue Advisory Committee will be provided by the Polk County Board of Commissioners.

These By-laws become effective upon adoption by the Polk County Board of Commissioners and the Polk County Fire Chief's Association.

Adopted by Board of Commissioners on this the \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Tommy Melton, Chairman  
Polk County Board of Commissioners

Attest:

\_\_\_\_\_  
Ange' High, Clerk to the Board

Adopted by the Polk County Fire Chief's Association on the \_\_\_\_ day of \_\_\_\_\_,  
2017.

\_\_\_\_\_  
Geoffrey Tennant, President

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Bobby Arledge, Secretary