



# **SUNRISE BEACH**

## **FIRE PROTECTION DISTRICT**

DISTRICT BY-LAWS  
ADOPTED 17 July 2023

**ARTICLE I**  
**THE FIRE DISTRICT BOARD**

**1.1 Fire District Governing Authority**

The Sunrise Beach Fire Protection District was established January 1, 1983. The Fire District is a local government district of the State of Missouri with taxation and code enforcement authority pursuant to Missouri Statute RsMO 321.

**1.2 Policy Adopting Governing by Policy**

The policy of the Board recognizes that one of its major functions is to serve as the policy-making body of the Fire District and to govern the activities and shape the future of the Fire District. At the same time, the Board preserves for the Fire Chief and the professional staff the responsibility of the day-to-day administration and operations of the District in a manner consistent with the policies and rules of the Board of Directors.

It is, therefore, the intent of the Board of Directors of the Sunrise Beach Fire Protection District to set forth a series of policies and board meeting procedural rules to govern the conduct and deliberations of the business conducted. These policies and procedures will also serve as a guide for the professional staff in carrying out the daily functions of the Fire District. In addition, these policies are intended to:

- Reflect the Board's commitment to order, consistency, responsiveness, and transparency in its actions.
  
- Make clear and readily available to the residents of the District all relevant information about the operations of the Board.

**1.3 District Board Policies**

It is the intent of the Board to be governed by a set of policies. The policies shall be adopted by the Board and made available as public documents. The Board is also governed by a set of Rules of Order for conducting meetings.

The policies of the Board shall be drafted, adopted, and amended with full consideration for the Board's desire to provide life safety protection of the best obtainable quality for the residents of the District within the limitations of the District's ability to support it.

The Board of Directors, as the governing body representing the people of the District, determines all questions of policy to be employed in the operation of the District.

If a Board Policy is found to conflict with state or federal law or the rules of a higher authority, that portion of such policy is automatically null and void without Board action and shall be deleted from the accumulated body of policies and rules.

If disagreement over the application, extent, or interpretation of a policy arises, the resolution of the conflict will be based on the majority opinion of the Board, at a public meeting. If such an interpretation is deemed to have future significance, an amendment to the applicable policy shall specify the intent of the Board in interpreting the policy.

Policy Adoption, Changes, Deletions, Additions, and Review: In its deliberations leading to the establishment or amendment of Board Policy, the Board's central concern will be for increased efficiency and effectiveness in carrying out the legally mandated tasks and general policies in the interest of the public good.

The District recognizes that all Board policies should remain flexible and subject to review or change as needed.

## **ARTICLE II BOARD OF DIRECTORS**

### **2.1 Basis of Authority**

The Board of Directors is the unit of authority within the District. Apart from their normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, expenditure, or give individual direction to the Fire Chief, Staff, or the District's Legal Counsel.

### **2.2 Duties**

The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are delegated to professional staff members of the District. The members of the Board of Directors have the ultimate responsibility to ensure the lawful and efficient operations of the District.

The majority of the members of the Board of Directors set the official policies of the District. Said policies are to be mindful of the legal and constitutional rights of all employees and are to be set with care and in accordance with the law.

Board members must disclose disqualifying interest and should not be involved with Board Meeting agenda items that pose potential conflicts of interest.

Board members are required to file an Annual Filer's Statement with the Missouri Ethics Commission.

### **2.3 Attendance of Meetings**

Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. This shall include all Committee meetings to which the Director has been assigned.

The time and location of meetings is set by the majority of the Board and shall only be changed when the majority of the Board deems necessary.

### **2.4 Attendance at Meetings via Teleconference**

A Board member may attend meetings via Teleconference if the following requirements are met. If a Board Member determines that any or all of these requirements cannot be met, he/she shall not participate in the meeting via teleconference.

The following are approved Teleconference guidelines for Board Members:

1. Forty-Eight Hours prior to the meeting, written notice must be given by the Board Member to the Fire Chief; the notice must include the location at which the teleconference meeting will occur.
2. All votes taken at the meeting shall be by roll call vote during Teleconference attendance
3. During a teleconference meeting, a quorum of the Board must attend at the Headquarters Building.
4. In rare instances, such as in times of the pandemic, the Board may elect to hold a Teleconference meeting of all Directors, so long as access to the video conference has been posted on the agenda and the meeting is available to the public.

## **ARTICLE III MEMBERSHIP OF THE FIRE DISTRICT BOARD**

The Board of Directors of the Sunrise Beach Fire Protection District shall consist of five (5) members serving six-year, staggered terms.

### **3.1 Board Orientation**

The Fire Chief and the Board President (or designee, should the current Board President be a candidate for re-election) are responsible for the appropriate orientation of new Board Members.

## External Training

In the event a Board Director desires to attend training for the District, the request should be made to the Board at a public meeting. The request will then be voted on and approved by the majority of the Board. The Fire Chief shall have discretion in special cases to approve such training and will report to the Board the training topic and reasons for approval at the next regular meeting.

The Training Officer is responsible for arranging for Directors for conference and registration expenses, and for per diem (at Fire District mandated per diem allowance.) Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for reimbursement shall be submitted to the Office Manager, together with validated receipts.

1. Utilizing hotel(s) recommended by the event sponsor to obtain discounted rates, Directors traveling together whenever feasible and economically beneficial, and requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.
2. A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that, they will not retain their seat on the Board.
3. Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the sessions that will be of benefit to the District. Materials from the sessions may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

## Internal District Training

Board members are encouraged to observe fire ground and disaster training events, to foster a better understanding of the knowledge, skills, and abilities required of Command Staff and Line personnel in performing their duties. Request for attendance shall be submitted to the Fire Chief in advance of the training for approval.

### **3.2 Director Compensation and Reimbursement**

Pursuant to RsMO 321.190 - *Attendance fees authorized — reimbursement for expenses — secretary and treasurer, additional compensation, how set, limitation.*

The District shall provide compensation in accordance with RsMO 321.190.

Directors shall receive \$100.00 per meeting not to exceed two meetings per month. Any additional meetings greater than two in a month will not be compensated.

Directors holding positions of office within the Board shall be compensated additionally for their duties for the first meeting of the month, for all subsequent meetings directors shall be compensated as prescribed above:

President	-	\$150.00
Secretary	-	\$120.00
Treasurer	-	\$120.00
Director	-	\$100.00

**3.3 Directors Apparel and Equipment**

Each Director shall receive one long sleeve polo shirt and one short sleeve polo shirt. Polos may be worn while conducting official District business and for each meeting. The Board may elect to adopt a business casual appearance for special meetings such as emergency meetings and workshops.

Directors shall not be issued, pagers, radios, or any device that is capable of two-way communication on local, county, state, or federal emergency frequencies or channels. For safety reasons, Board members shall not use two-way communications devices on emergency frequencies or channels without proper license, training, and authorization from the Board.

Directors shall be issued an iPad for conducting official business, all Board packets will be uploaded to the Board’s One Drive folder prior to Board Meetings.

The District’s electronic alerting application (Active 911) may be installed on the District iPad at the request of the Director.

District issued ID cards, iPads and Polo shirts are to be returned to Fire District upon completion of service.

**ARTICLE IV  
OFFICERS AND COMMITTEES OF THE DISTRICT BOARD**

**4.1 Board Officers**

The first Board Meeting following the General Election, the Board shall hold officer election.

The President and Vice President shall be elected for a two-year term. The Secretary shall become President upon the death, incapacitation, resignation, or removal of the President.

In the case that the Secretary succeeds to the Presidency, the Board shall elect a new Secretary at its next meeting.

#### **4.2 President Duties**

The duties of the President shall include but are not limited to:

1. Presiding Officer of the Board meetings.
2. Shall collaborate with the Fire Chief to determine the agenda for each Board meeting.
3. Shall sign all documents on behalf of the Board and District as required.
4. Shall have the same rights and responsibilities as other Directors to participate in and vote at Board meetings.

#### **4.3 Secretary Duties**

The duties of the Secretary shall include but are not limited to:

The Secretary shall serve as acting President in the absence or temporary disability of the President.

The Secretary shall become President upon the death, resignation, or removal of the President.

#### **4.4 Board Committees and Liaisons**

Through the open meeting process, the Board of Directors shall outline and/or approve the duties and responsibilities of individual Board members appointed to committees. No more than two Board members shall serve on standing and ad hoc committees.

Ad hoc committees shall be considered dissolved upon submission of the final report unless their standing is continued by a vote of the majority of the Board members.

### **ARTICLE V POWERS AND DUTIES OF THE FIRE DISTRICT BOARD**

It is the policy of the Fire District Board to exercise those powers granted to it by Missouri Law and to carry out those duties assigned to it as may best meet the fire and life-safety needs of the District.

#### **5.1 Board Responsibilities and Duties of the Fire Chief**

Important activities of the Fire Board are the formulation of policies and rules regarding Fire District programs and services. In carrying out its legislative and policy-making responsibility,

the Board shall delegate the administrative, personnel, and executive functions to the Fire Chief.

### **5.2 Board Members Meeting Participation**

The basic manner in which members fulfill their office must be at a regular, special, committee, or workshop meeting, and will be a matter of public record. The method of participation is discussion, deliberation, debate, and voting.

All members, including the President, are expected to participate fully in deliberation and voting.

### **5.3 Board Members Decorum**

It is understood that Board Members will not always agree. Board members have the right to maintain and express differing viewpoints, styles, opinions, and values. Nonetheless, Board members should aspire to respect the dignity of their office and to observe common standards of decorum.

In order to assist in the governing of the behavior between and among members of the Board of Directors, the following rules shall be observed:

1. The dignity, style, values, and opinions of each Director shall be respected.
2. Responsiveness and attentive listening in communication is encouraged.
3. The needs of the District's constituents should be the priority of the Board of Directors.

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable.

Once the Board of Directors takes action, Directors should commit to supporting said action, and not to create barriers to the implementation of said action.

### **5.4 Board Member Responsibility to Constituents**

Board Members, individually and collectively, act as representatives of the citizens of the Fire District in maintaining and promoting fire and life-safety needs of the District.

### **5.5 Board Members Action and Service**

Board Members' decisions and actions shall best serve the needs of District citizens in light of available resources and information available to the Board at the time such decisions or actions are made.



## **5.6 Board Members Memberships and Continuing Education**

The Fire District Board encourages members to participate in organizations such as the Missouri Association of Fire Protection Districts and others with similar benefits to the District. Through the yearly Budget process, membership fees and reasonable expenses for meetings, seminars, and training sessions may be considered for payment by the Fire District.

## **5.7 Board Members Conduct and Responsibilities**

The Fire District Board Members shall observe the following code of conduct designed to guide their actions in carrying out their responsibilities.

A Fire District Board Member should strive to:

1. Understand that their basic function is "policy" and not "administration".
2. Not make commitments outside of Board meetings on any matter relating to the Fire District, which should come before the Board as a whole.
3. Whenever possible, utilize the Chief and Fire Marshal's Reports Section of meeting agendas to educate Board Members about information obtained outside of scheduled meetings that may be relevant to the District.
4. Recognize that they have no legal status to act for the Board outside of official meetings, without specific approval from a quorum of the Board of Directors.
5. Respect the rights of Fire District constituents to be heard at official meetings within established parameters and guidelines for public testimony. This includes, but is not limited to, residents, business owners (resident and non-resident), those who may hold a position of influence in the region, visitors and seasonal residents.
6. Make decisions only after available facts bearing on a question have been presented and discussed.
7. Accept the principle of "majority rule" in Board decisions.
8. Recognize that the Fire Chief should have full administrative authority for properly discharging duties within the limits of established Board policies.
9. Recognize that the Fire Chief or designee is the technical advisor to the Board.
10. Present personal criticisms, complaints, or problems regarding Fire District operation directly to the Fire Chief and discuss them at a regular meeting only after failure of an administrative solution.

11. Declare conflicts of interest into the public record.
12. Conduct all Fire District business in an ethical manner.
13. Not use their position on the Fire District Board in any way, whatsoever, for access to personal gain.
14. Position themselves so as not to interfere with emergency operations or become a distraction to Command or staff, if observing Fire District personnel while they are engaged in District business or emergency operations.
15. Observe the chain of command under the direction of the Fire Chief or their authorized designee as defined by the Incident Command System (ICS, if assigned to the Emergency Operations Center (EOC) during an emergency or disaster operation.
16. Maintain a work environment free of all forms of harassment, discrimination, and retaliation. All Directors must be familiar with and in compliance with the District's Policy prohibiting such behaviors.
17. Give staff and contemporaries the respect and consideration due to skilled professional personnel.

Directors are also responsible for monitoring the Fire Chief's progress in attaining District goals and objectives while pursuing its mission.

Directors shall practice the following:

1. When seeking clarification on informational items, Directors may directly approach the Fire Chief or appropriate staff to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
2. When handling complaints from residents and property owners of the District employees, said complaints shall be referred directly to the Fire Chief.
3. When handling items related to safety, safety concerns, or hazards shall be reported to the Fire Chief or in their absence, the Assistant Chief.
4. When seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finance, and programming, said concerns shall be referred directly to the Fire Chief.
5. When approached by District personnel concerning specific District policy, Directors shall direct inquiries to the Fire Chief.

The work of the District is a team effort. All individuals shall work together in the collaborative process, assisting each other in conducting the affairs of the District. When responding to constituent requests and concerns, Directors shall be courteous, positively responding to individuals and routing their questions through appropriate channels and to responsible management personnel.

Directors function as a part of the whole. As such, issues of concern involving the Fire District should be brought to the attention of the Board as a whole, rather than to individual members selectively.

### **5.8 Board Member Discipline**

The Board reserves the right to censure, criticize, disapprove, or condemn actions taken by individual Board members if their actions exceed the grounds of authority conferred upon Board members by the law or if by their actions, they fail to fulfill their fiduciary duty to the District.

The right to censure a fellow elected official is established by case law. Censure is a disciplinary matter and, as such, the person who is proposed for censure has a right to due process (i.e., hearing on the charges).

Boards may also pass resolutions criticizing, disapproving, or condemning a Board member for their conduct.

Should a Board Member's conduct warrant further action the Board shall vote to file a quo warranto with the Prosecuting Attorney's Office of Camden County.

### **5.9 Board and District Public Communication**

The Fire Chief or designee shall serve as the Public Information Officer for the District in all matters pertaining to news and social media.

In the course of normal events, Board members should refer news media inquiries to the Fire Chief as the District's designated spokesperson.

However, Board members as elected officials have all of the rights and privileges of any private citizen to speak with the news media. If a Board member finds it necessary to speak to the media regarding the Fire District, that member should be clear that they are speaking as an individual and not as a spokesperson for the Board.

In order to speak for the Board, any individual Board member must be authorized by the Board. When speaking to the media on matters not related to the Fire District, any Board member should clearly state that they are speaking as a private citizen and not as a Board member.

## **5.10 Fire Board Employee Compensation Policy**

The Fire Board values its represented and unrepresented employees and seeks to provide equitable compensation for each group and classification.

**Principle No. 1 – Recruitment and Retention:** Compensation should, when economically feasible, be set at a level sufficient to recruit and retain employees who are qualified and committed to providing high-quality services to the community. One critical measure of whether compensation meets this criterion is whether there are a sufficient number of qualified applicants for advertised job openings.

**Principle No. 2 – Fairness:** The Board should strive to ensure its compensation program is fair and equitable from all legitimate perspectives, including the perspectives of the community, labor, and management. The District may choose to survey public and private fire service-related employers to evaluate the appropriateness and fairness of its compensation program. The Board is directly accountable to the District's constituents, and the Board accordingly retains the discretion to determine the fairness of all compensation programs.

**Principle No. 3 – Transparency:** Compensation for all District employees should be 100% transparent – i.e., the public should be able to see all pay elements, including the cost of all health, pension, and welfare benefits, applicable to all employees. District pay packages should be simple and easily understood. Safeguards must be in place to prevent abuses such as pension spiking and maximizing overtime through manipulation.

**Principle No. 4 – Fiscal Sustainability:** All compensation commitments must be made consistent with principles of fiscal sustainability and to ensure the District's long-term success in achieving its mission. Compensation adjustments must not compromise the District's ability to successfully meet its ongoing and future financial commitments.

**Principle No. 5 – Accountability:** All compensation commitments must be expressly delineated and are subject to formal approval by the Board of Directors. The Board will not abide "implied" or unwritten contracts, or unspecified "past practices," that purport to require employee compensation.

**Principle No. 6 – Economic Climate:** The District may consider the overall economic climate and condition affecting the District and its constituents when setting compensation levels, including regional economic indicators such as the rate of unemployment, inflation, current and projected revenues, and the District's anticipated ability to pay in the long term.

**Principle No. 7 – Legal Compliance:** The District will ensure that its pay practices comport with the Federal Fair Labor Standards Act and, to the extent legally applicable, State law. The District renews its commitment to negotiate in good faith with labor.

**Principle No. 8 – Flexibility:** The District may strive to remain flexible and innovative in light of changing conditions and improving technologies and may continually re-evaluate its pay practices to ensure they are consistent with best practices.

### **5.11 Collective Bargaining Agreement**

It is the policy of the District Board to engage in discussions for the purpose of reaching agreements with recognized employee groups:

- IAFF Local 3987
- Executive Fire Officers of the District
- Unrepresented Employees

The District Board shall not directly engage in negotiations instead assigning a negotiation committee for collective bargaining. The Collective Bargaining Committee shall consist of:

- Two Directors chosen by the Board majority.
- The Fire Chief
- The Shop Steward and one additional shop representative

Any agreement secured with the collective bargaining unit shall be in full effect for all non-administrative employees regardless of representation status with the collective bargaining unit.

During contract negotiations, a Board member should limit communication with the bargaining group on matters pertaining to the negotiation. Board members shall not negotiate directly with represented labor groups and cannot agree to anything as an individual or on behalf of the Board.

The Collective Bargaining Agreement (CBA) is entered into by and between the SUNRISE BEACH FIRE PROTECTION DISTRICT (District) and the SUNRISE BEACH PROFESSIONAL FIREFIGHTERS LOCAL 3987 (Union).

The CBAs, including side letters to such, are of no force or in effect in regard to matters within the authority of the District Board of Directors until such matters are adopted by a roll call vote of the Board. “Evergreen clauses” shall remain in effect from previous agreements until the new agreements are adopted as stated above.

### **Executive Fire Officers and Administrative Staff**

The Board President and one other Director shall be appointed by vote of the Board to negotiate employment agreements with the executive fire officers (Fire Chief, Assistant Chief and Deputy Chief) and the Administrative Staff (Office Manager, receptionists, etc.)

An employee agreement shall be negotiated in good faith for each of the executive officers, with the Fire Chief serving as their representative.

The Administrative Staff shall have a policy adopted in place of an employee agreement that stipulates all matters pertaining to such an agreement with the Administrative Staff.

The Fire Chief shall serve as their representative.

The Employee Agreements and Administrative Staff Policy, including side letters to such, are of no force or in effect in regard to matters within the authority of the District Board of Directors until such matters are adopted by a roll call vote of the Board. "Evergreen clauses" shall remain in effect from previous agreements until the new agreements are adopted as stated above.

## **ARTICLE VI DELEGATION OF BOARD AUTHORITY**

The Fire District Board has primary responsibility for the approval of District policy, contracts, plans, and procedures and for the appraisal of the ways in which these decisions are implemented and results obtained. The Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the District.

### **6.1 Board Approval of Fire Chief Position**

The Board will approve a position description for the Fire Chief as per District Policy. The Board will negotiate and enter a contract with the Fire Chief which specifies the terms and conditions of employment.

### **6.2 Responsibilities of Fire Chief to the Board**

The Fire Chief shall serve as the Executive Officer, Chief Financial Officer, and Custodian of Records of the Fire District.

Responsibilities of the Fire Chief may include but are not limited to:

1. Preparing the agenda in collaboration with the Board President for each meeting, attending all Board meetings, unless prior notice is given or otherwise detained on an emergency response, and participating in deliberations of the Board as required.
2. Bringing to the attention of the Board matters requiring its consideration.
3. Reporting periodically to the Board on the progress of the programs in the District.

4. Addressing personnel, financial, and capital improvement matters under the direction of the Board.
5. Reporting to the Board, appointments, demotions, transfers, and dismissals in accordance with the policies of the Board as applicable.
6. Provide succession planning for management and personnel within the District, as needed, to ensure that the District's long-term goals and objectives are met.

### **6.3 Fire Chief Evaluation**

The Board shall establish a process for evaluating the Fire Chief on an annual basis.

### **6.4 Delegation of Authority to the Fire Chief**

The Fire District Board delegates authority, to the Fire Chief, the function of specifying the required actions and designing the detailed arrangements under which the Fire District will be operated. Such administrative policies and procedures will detail the operations of the Fire District.

### **6.5 Fire Chief Administrative Actions**

When urgent or emergency action must be taken on issues where the Board has provided no guidelines, the Fire Chief shall have the authority to act as they deem appropriate. Such decisions or actions shall be subject to review by the Board at its next regular meeting.

## **ARTICLE VII METHODS OF OPERATION OF FIRE DISTRICT BOARD MEETINGS**

It is the policy of the Fire District Board that all meetings shall be conducted in accordance with Missouri State RsMO 321 and Federal statutes and these by-laws, decisions of the courts, and with proper regard to "due process" procedures. In so doing, the Board will seek information from staff and other sources, as appropriate, before decisions are made on policy and procedural matters.

### **7.1 Meeting Location**

Regular meetings of the Fire District Board shall be held at the Sunrise Beach Fire Protection District Headquarters Building, 30 Porter Mill Spring Rd, Sunrise Beach, MO. 65079 on the third Monday of each month at time designated by the Board unless by specific action of the Board, State Legislation or Governor's Executive Order.

The Presiding Officer and the Fire Chief shall ensure that appropriate information is available for the audience at meetings of the Board of Directors and that physical facilities for said meetings are functional and appropriate.

### **7.2 Regular Meetings**

All Board meetings are open to the public, except as provided for Closed Sessions.

Notice of all meetings and a copy of the proposed agenda will be sent to all persons making requests and will be made available to the news media prior to the date of the meeting as requested.

A nominal charge may be charged for copies of public records in accordance with the Missouri Sunshine Law.

It is the intent of the Fire District Board to encourage attendance and participation at Board meetings by all interested persons and residents of the District.

### **7.3 Special Meetings**

The Presiding Officer of the Board or a majority of the Board may call a Special Meeting. Notice of Special Meetings must be provided 24 hours in advance of the meeting to the public and to all media outlets who have requested notification. The notice also must be posted at least 24 hours prior to the meeting in a location freely accessible to the public. *Notice is required even if the meeting is conducted in closed session.*

### **7.4 Emergency Meetings**

An Emergency Meeting may be called by the District Board for “emergency situations” as defined by Missouri Statute. All of the special meeting provisions apply to emergency meetings and the minutes will identify a list of persons the Presiding Officer notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting.

### **7.5 Standing Committees**

Standing Committees may meet monthly or as necessary concerning their respective responsibilities and/or duties. Agendas shall be noticed and published in the same manner as Regular meetings. Reports, findings, and recommendations may be forwarded to the full Board for its consideration. Meetings may include closed sessions as necessary under the law.

### **7.6 Ad-Hoc Committees**

Ad hoc committees appointed by the Board shall meet as necessary in accordance with their specific mission and purpose. An Ad hoc committee generally has a limited purpose and/or a



limited span or time frame. These committees exist as long as necessary to accomplish their goal after which they are disbanded.

There are no notice, agenda, or minutes requirements for ad-hoc committees. As with all Committees, the maximum number of directors that may be on an ad hoc committee is two.

### **7.7 Work Sessions**

Work sessions may be scheduled from time to time to allow the Board to focus closely on a specific subject. The notice and agenda requirements for a Work Session are the same as those for a Regular Board meeting. No action may be taken at a Work Session except providing direction to staff to initiate agenda items for future Regular Meetings.

### **7.8 Agendas**

The Agenda shall list the items for the Board's consideration by number with a brief statement of the subject matter if applicable for each of the items.

The business of each regular meeting of the Board shall be in the order as printed on the agenda or as directed by the Presiding Officer in the following manner:

1. Call to Order
2. Pledge of Allegiance
3. Open Board Meeting / Adopt Agenda
4. Secretary's Report
5. Treasurer's Report
6. Approval of the Bills
7. Chief and Fire Marshal's Report
8. Unfinished Business
9. New Business
10. Public Comment
11. Move to Closed Session per RsMO 610.021 (if applicable)
12. Open the Closed Session (if applicable)
13. Discuss Item cited in #12
14. Closed the closed session.
15. Return to Regular Session
16. Adjourn the meeting.

### **Agenda Item Requests - Members of the Public**

Any member of the public may request consideration that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors.

Requests must be submitted in writing to the District Office one (1) week prior to Board Meeting to be scheduled on the agenda under “New Business” as permitted by the District.

A majority vote of the Board of Directors may direct staff to place specific matters on a future meeting agenda.

The Fire Chief, through collaboration with the Board President, may add appropriate items to Board meeting agendas at time of agenda adoption.

### **7.9 Quorum**

A quorum is the minimum number of members of a deliberative body necessary to conduct the business of the Fire District Board. Three members of the five-member Board must be present to conduct Fire District business.

### **7.10 Public Comments**

Public comment is encouraged at all Board meetings. Public comment is limited to three minutes per speaker, which may be waived or modified by the Board President.

Additional time may be requested, in writing, one week prior to the agenda being posted.

### **7.11 Presiding Officer**

The Board President shall normally preside at meetings of the Board. In the absence of the Board President, the Board Secretary shall preside. In the absence of both the President and the Secretary, the Treasurer shall preside.

The Presiding Officer shall be recorded in the minutes.

## **ARTICLE VIII MEETING MINUTES, PUBLIC RECORDS**

### **8.1 Board Meeting Minutes**

The minutes of the meetings of the Fire District Board shall provide the information required by law and Board policies. Minutes shall be maintained in the Headquarters of the District.

### **8.2 Board Clerk & Custodian of Records**

The Office Manager of the Sunrise Beach Fire Protection District shall serve as Board Clerk.

The Board Clerk shall record the minutes of all Regular Meetings except Closed Session which shall be recorded by the Secretary of the Board. The Board Clerk records official actions and legislation of the District, documenting the proceedings of meetings and retaining other legal and historical records. The Board Clerk shall be compensated for their time.

The Fire Chief shall serve as Custodian of Records.

Records are maintained while providing appropriate public access to District business. The Custodian of Records manages the proper maintenance and disposition of District records and information according to the Retention Schedule and helps to preserve District history.

The Custodian of Records also responds to and fulfill Sunshine Requests.

### **8.3 Board Meeting Minutes-Public Record**

The official minutes of Board meetings, including supporting documents, shall be governed by District policy and Missouri State Statute.

The Minutes of Board meetings shall be maintained as hereinafter outlined:

1. Date, place, time, and type of each meeting;
2. Directors present and absent by name;
3. District Staff in attendance
4. Time the meeting is called to order;
5. Approval or amended approval of the Minutes from previous Board meetings;
6. Name and address (if provided) of any persons giving public comment during the designated time;
7. Summary only, of discussion for each agenda item;
8. Documentation of Roll Call vote, by Director's name and vote (aye, nay, abstain or absent), for each agenda topic action motion;
9. Adjournment time of the meeting;

The following items shall also be included in Minutes, when relevant:

1. The arrival time of tardy Directors, by name;
2. Any pre-adjournment departure time of Directors, by name, or if an absence takes place when any agenda items are acted upon;

### **8.4 Board Electronic Communications Policy**

All electronic communications shall be done through the District's email server.

As Director email and communications are considered public information, no member of the District shall accept or reply to emails from Directors pertaining to District business from private emails and servers.

**ARTICLE IX  
ARTICLE VIII  
RULES OF ORDER DURING MEETINGS**

The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak whom the Presiding Officer has not first recognized.

**9.1 Points of Order**

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the entire Board. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" In which event a majority vote shall govern and conclusively determine such question of order.

**9.2 Decorum and Order - Board Members**

Any Board Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine themselves to the question under debate.

1. A Board Member desiring to question the staff shall address their question to the Fire Chief who shall either answer the inquiry or designate a staff member for that purpose.
2. A Board Member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless another Board Member raises a Point of Order, or unless the speaker chooses to yield to questions from another Board Member.
3. Any Board Member called to order while they are speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, they shall be permitted to proceed. If ruled to be not in order, they shall remain silent or shall alter their remarks to comply with the rules of the Board.
4. At all times, Directors shall conduct themselves with courtesy to each other to staff and members of the audience present at Board meetings and public sessions.

### **9.3 Decorum and Order - Employees**

Members of the administrative staff and employees of the District shall observe the same rules of procedure and decorum applicable to Board Members.

### **9.4 Limitation of Debate**

Under normal circumstances, no Board Member should speak more than once upon any one subject until every other member choosing to speak thereon has spoken.

### **9.5 Dissents, Protests, and Comments**

Any member shall have the right to express dissent from, protest to or comment upon any action of the Board and have the reason entered in the minutes. If such dissent, protest, or comment is desired to be entered in the minutes, this should be made clear by language such as, "I would like the minutes to show that I am opposed to this action for the following reason...

### **9.6 Rulings of Presiding Officer Final Unless Overruled**

In presiding over meetings, the Board President or Presiding Officer shall decide all questions or interpretation of these rules, points of order, or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Board Members present and voting and shall be binding and legally effective (even though clearly erroneous) for purposes of the matter under consideration.

### **9.7 Actions Not Invalidated**

Failure to strictly comply with these Rules of Procedure shall not invalidate any action taken by the District Board.

### **9.8 Actions**

The Board may act only by ordinance, resolution, or motion. For example Board actions setting rules for long-term application are taken by ordinance, whereas more routine business and administrative matters (usually more temporary in nature) are accomplished by "resolutions."

The "motion" (assuming it passed) is a Board action that is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it (unless a minute order is requested).

### **9.9 Processing of Motions**

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. The mover, without the consent of the person seconding it, shall not withdraw a motion, so stated.

### **9.10 Motions Out of Order**

By majority consent of the Board, the Presiding Officer may at any time, permit a member to introduce an ordinance, resolution, or motion out of the regular agenda order.

### **9.11 Division of Question**

If the question (motion) contains two or more divisional propositions, and a Board member thinks that one of the amendments needs to be carved out and voted on separately, they can insist that the presiding officer divide the question and take a vote on one or more of the propositions on the list.

### **9.12 Precedence of Motions**

When a motion is before the Board, no motion shall be entertained except the following, which shall have precedence in the following order:

1. Adjourn
2. Fix hour of adjournment
3. Table
4. Limit or terminate discussion
5. Substitute, Reconsider or Amend
6. Postpone

#### **Motion to Adjourn - Not debatable.**

A motion to adjourn shall be in order at any time, except as follows:

1. When repeated without intervening business or discussion
2. When made as an interruption of a Member
3. When discussion has been ended and vote on the motion is pending
4. When a vote is being taken a motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

#### Motion to Fix Hour of Adjournment - Not debatable.

Such a motion shall be to set a definite time at which to adjourn and shall not be debatable and amendable except by unanimous vote.

#### Motion to Table - Not Debatable

A motion to table shall be used to temporarily bypass the subject. A motion to table shall not be debatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

#### Motion to Limit or Terminate Discussion - Not Debatable

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall not be debatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

#### Motion to Amend - Debatable

A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

#### Motion to Continue - Debatable

Motions to continue to a definite time shall be amendable and debatable as to the propriety of postponement and time set.

#### Reconsideration - Debatable

Any Board Member who voted with the majority may move for a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent to the Board.

#### Voting Procedure

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Board Member present can be clearly ascertained. The vote on each

motion shall then be entered in full upon the record. The order of voting shall be alphabetical with the Presiding Officer voting last. The Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond `aye' or `no' or `abstain.' Any Board Member not audibly and clearly responding `no' or `abstain' or otherwise registering an objection shall have their vote recorded as `aye.'

### **9.13 Tie Votes**

Tie votes shall be considered a no vote or denial.

## **ARTICLE X PROCEDURE FOR ADOPTING A RESOLUTION**

Actions of the Board on matters of policy or procedure of a less formal nature than the subject of an ordinance is taken by resolution, which is effective upon adoption. Ordinarily, resolutions should be prepared in advance.

The procedure for adoption is:

1. Motion
2. Second
3. Discussion
4. Vote, pursuant to the methods set out for motions
5. Result declared

When a resolution has not been prepared in advance, the Board may adopt the resolution by title. In that case, the general counsel or staff shall prepare the form of the resolution for presentation at the next meeting.

## **ARTICLE XII PROCEDURE FOR PUBLIC HEARING**

When public hearings are required by law, they are considered a quasi-judicial proceeding in which the individual has due process rights. Accordingly, such hearings need to be conducted formally and with due process to protect the right of all persons.

Procedures for a Public Hearing are set forth in the District's Disciplinary Policy.



**ARTICLE XIV  
FIRE DISTRICT LEGAL COUNSEL**

It shall be the responsibility of the District Board to select legal counsel to represent the legal needs of the District. The Board shall recognize its responsibility to seek the advice of legal counsel whenever it is unclear regarding legal questions or whenever an action being considered by the Board may result in placing the District in legal jeopardy.

Legal counsel for the Fire District shall attend all Regular Fire District Board Meetings.

**In keeping with District Policy and fiscal responsibility, all legal counsel contact from Board members or staff shall have prior approval by the Board President and/or Fire Chief for matters requiring a legal interpretation.**

**APPENDIX B  
BOARD STANDING CALENDAR GUIDELINE**

MONTH	ITEM	TYPE
January	Approval of online bill pay list	Regular
	Approval of Insurance Renewal	Regular
	Approval of Legal Counsel Retainer	Regular
	Meeting Scheduled for 4 <sup>th</sup> week	Regular
February	Approval of Bond Wire Transfer	Regular
	Meeting Scheduled for 4 <sup>th</sup> week	Regular
April	Swearing in of new Board Members	Regular
	Budget Adjustment (if applicable)	Regular
June	Annual Fire Chief Review	Closed
August	Tax Rate Hearing	Hearing
	1 <sup>st</sup> Draft next year budget	Regular
September	Negotiation Committee (years needed)	Ad Hoc
October	Budget Meeting	Work
	Budget Adjustment	Regular
December	Approval of Final Budget	Regular
	Approval of Employee Agreements (if applicable)	Regular
	Approval of Apparatus Payments (if applicable)	

**BY ORDER OF THE BOARD OF DIRECTORS**

July 17, 2023

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John Suellentrop, Board President

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Laurie Preator, Board Secretary

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Rick Butler, Board Treasurer

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Denise Dill, Director

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Robert Hemen, Director