

BY-LAWS OF
SMITHS STATION FIRE PROTECTION DISTRICT

ARTICLE I

The name of the fire protection district shall be the SMITHS STATION FIRE PROTECTION DISTRICT. Its principal office is located at 50 Lee Rd 430, Smiths Station, Alabama 36877.

ARTICLE II

The purpose of this fire protection district is to provided fire protection and fire-based EMS services within its service area.

ARTICLE III

BOARD OF DIRECTORS

Section 1. The affairs of the fire protection district shall be governed by a Board of Directors composed of five (5) persons, appointed as provided in the Certificate of Incorporation and any amendments thereto.

Alabama
Sec. Of State

Entity Change
001-007-709 DCP
Date 4/08/2022
Time 17:00
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Section 2. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the fire protection district. The powers of the Board of Directors shall include but not be limited to the following:

a. To establish monthly charges for fire protection and ems services and to provide for the collection thereof.

b. To promulgate such rules and regulations pertaining to the operation and maintenance of fire & ems protection system(s) as may be deemed necessary and proper and which are consistent with these by-laws, the Certificate of Incorporation heretofore adopted, and Title 11-89-1 et seq., of the Code of Alabama, 1975 as the same may be amended from time to time.

Section 3. The terms of office and appointment of the directors shall be as provided in the Certificate of Incorporation and any amendments thereto.

Section 4. Compensation shall be paid to the directors for their services as directors as provided by the County Commission of Lee County, Alabama.

Section 5. Regular meetings of the Board may be held at such time and place as may be determined, from time to time, by a majority of the directors, but at least twelve (12) such meetings shall be held during each fiscal year.

Section 6. Regular meetings of the Board of Directors shall take place on the 1st Tuesday of each month at 7:30pm eastern time and the location of the meeting shall be Station 1; 50 Lee Rd 430, Smiths Station, AL 36877. Notice of regular meetings of the Board of Directors shall be given each director personally, or by mail, telephone, or telegraph at least three (3) days prior to the day named for such meeting.

Section 7. Special meetings of the Board of Directors may be called by the Chairman on one (1) day notice to each director, given personally, or by mail, telephone, or telegraph, which notice shall state the time, place, (as herein above provided) and the purpose of the meetings. Special meetings of the Board of Directors shall be called by the Chairman or Secretary in like manner and like notice on the request of at least two (2) directors.

Section 8. Waiver of notice. Before or at any meeting of the Board of Directors, any director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meeting of the Board shall be a waiver of notice by him of the time and place thereof.

Section 9. Public notice shall be given for all meetings in accordance with the Alabama Open Meetings Act, Act 2005-40; Act 2015-340; Act 2015-475; et al.

Section 10. All board meetings, agenda, and minutes shall be available to the public and shall be conducted in accordance with the Alabama Open Meetings Act, Act 2005-40; Act 2015-340; Act 2015-475; et al.

Section 11. At all meetings of the Board of Directors, a majority of the directors shall constitute a quorum for the transaction of business, and the acts of the majority of the directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, there be less than a quorum present, the majority of those present may adjourn the meeting from time to time. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice.

Section 12. The Board of Directors shall require that all officers and employees of the Corporation handling or responsible for fire district funds shall furnish adequate fidelity bonds. The premiums for such bonds shall be paid by the fire district.

ARTICLE IV

CORPORATE OFFICERS

Section 1. The principal Corporate Officers of the fire district shall be a Chairman, a Vice-Chairman, a Secretary, and a Treasurer, all of whom shall be elected by the Board of Directors. The directors may appoint an assistant Treasurer, an assistant Secretary, and such other officers as in their judgment may be necessary. Only the Chairman and Vice-Chairman are required to be members of the Board of Directors.

Section 2. The Corporate Officers of the fire district shall be elected annually by the Board of Directors at the annual meeting which is to be held at the time of the regular board meeting in each October hereafter.

Section 3. Upon an affirmative vote of a majority of the members of the Board of Directors, any corporate officer may be removed, either with or without cause, and his successor elected at any regular meeting of the Board of Directors, or at any special meeting of the Board called for such purpose.

Section 4. The Chairman shall be the chief executive officer of the Corporation. He shall preside at all meetings of the Board of Directors. He shall have all of the general powers and duties which are usually vested in the chief executive officer of the fire protection district, including but not limited to the power to appoint such committees, from time to time as he may in his discretion decide is appropriate, to assist in the conduct of the affairs of the fire protection district.

Section 5. The Vice-Chairman shall take over in the place of the Chairman and perform his duties whenever the Chairman shall be absent or unable to act. If neither the Chairman nor the Vice-Chairman is able to act, the Board of Directors shall appoint some other member of the Board to do so on an interim basis. The Vice-Chairman shall also perform such other duties as shall from time to time be imposed upon him by the Board of Directors.

Section 6. The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of the meetings of the members of the fire protection district; he shall have the custody of the seal of the Corporation; he shall have the charge of the books, papers and records as the Board of Directors shall direct and shall in general perform all duties incident to the office of Secretary.

Section 7. If appointed the Assistant Secretary of the Corporation shall perform such duties as are delegated to him by the Secretary and shall perform the duties of the Secretary in the event the said Secretary is absent or unable to act.

Section 8. The Treasurer of the fire protection district shall be the custodian of all funds of the fire protection district and shall withdraw and extend the same from time to time as may be authorized by the Board. He shall perform such other duties as may be prescribed by the Board.

Section 9. If appointed the Assistant Treasurer of the Corporation shall perform such duties as are delegated to him by the Treasurer and shall perform the duties of the Treasurer in the event said Treasurer is absent or unable to act.

ARTICLE V

FISCAL MANAGEMENT

Section 1. The fiscal year of the Corporation shall begin on the first day of October of every year.

Section 2. Books and accounts of the Corporation shall be kept under the direction of the Treasurer and in accordance with good accounting practices and the rules and policies established by the Code of Alabama, 1975, Alabama Department of Examiners of Public Accounts, et al.

Section 3. At the close of each fiscal year, the books and records of the Corporation shall be audited by a certified public accountant whose report shall be prepared and certified in accordance with the requirement of auditing programs of the State of Alabama. Based on such reports, the fire protection district shall furnish the County Commission of Lee County and the City Council of the City of Smiths Station, a statement of the income and disbursements of the fire protection district for each fiscal year.

Section 4. Financial reports shall be available for public inspection upon reasonable notice, at the principal office of the fire protection district at all reasonable times.

Section 5. With the prior authorization of the Board of Directors, all notes and contracts shall be executed on behalf of the Fire Protection District either by the Chairman or other designee.

ARTICLE VI

AMENDMENTS

These by-laws may be amended by a 4/5ths vote of the members present and voting at any regular or special Board meeting provided that a quorum as prescribed herein, is present at such meeting. A statement of any proposed amendment shall accompany the notice of any regular or special meeting at which the proposed amendment shall be voted upon.

Approved & Adopted this 5 day of April 2022.

Lester Rickinson
Chairman

Susan Walden
Secretary