

Bylaws (2024 Revision)

Linville-Central Rescue Squad, Inc.

Article I – Purpose

Section 1. Linville-Central Rescue Squad, Inc. (“the Squad”), is incorporated pursuant to the statutes of North Carolina as a nonprofit charitable organization with its principal place of business located at 1940 Linville Falls Highway, Linville, NC, and mailing address at P.O. Box 716, Newland, NC, 28657.

Section 2. The purpose of the Squad is to protect lives and property and to assist other agencies in the protection of lives and property in Avery County, North Carolina. In addition, the Squad will endeavor to assist agencies in neighboring counties and states as the need arises upon request and with the approval of the Chief or assistant chiefs.

Article II – Membership

Section 1. There shall be seven classes of membership: Senior Member, Probationary Member, Auxiliary Member, Junior Member, Honorary Member, Lifetime Member, and Support Member.

Section 2. Membership Categories

Senior Member

- a) Must be 18 years of age or older and of good moral character.
- b) Will be certified as a North Carolina Emergency Medical Responder or higher, or a North Carolina Rescue Technician, Technical Rescuer, or equivalent state certification.
- c) Maintain at least 48 hours of medical/rescue training per calendar year. Of these 48 hours, 24 hours will be obtained in-house by attending training provided by Linville-Central Rescue Squad, Inc.
- d) Has shown that they are proficient in skills relevant to the squad’s operations. These skills will be determined by the Training Committee and reviewed annually.
- e) Must have attended no less than two of the three previous business meetings in order to maintain their voting privileges.
- f) Must attend and participate in at least ten hours of fundraising/community outreach with the squad per year.

Probationary Member

- a) Must be 18 years of age or older and of good moral character.
- b) Shall not respond to calls unless a Senior Member has checked enroute and will not possess an emergency light in their vehicle at any time during their probationary status.
- c) A Probationary Member shall have, from the date of admission, two years to meet the requirements of a Senior Member or their membership will be revoked. However, this period may be extended

for up to twelve months for a total of three years if voted on and approved by a majority of the membership committee.

- d) Shall attend and participate in at least ten hours of fundraising/community outreach with the squad per year.
- e) Shall complete the NIMS (National Incident Management System) training encompassing ICS 100, 200, and 700, or those then currently required for first responders by the Federal Emergency Management Agency (FEMA).
- f) Shall attend one meeting per quarter during their probationary period.
- g) Probationary members will not have voting privileges.

Auxiliary Member

- a) A person who, having demonstrated proficiency in a specialty or skill area, has been voted on by the regular membership and given authority to act in the name of Linville-Central Rescue Squad on scenes requiring that specialty or skill.
- b) Will meet 36 training hours within their specialty and will not exceed 25% of the squad's total membership.
- c) Must be 18 years of age or older and of good moral character.
- d) Auxiliary members shall have no voting rights.

Junior Member

- a) Must be between 16 and 18 years of age and of good moral character.
- b) Must provide the squad a signed permission letter from their parents/guardians.
- c) Must provide the squad with a signed letter from the school that they are currently attending showing that they are actively enrolled and are making acceptable passing grades in all of their subjects.
- d) Junior members will serve only in a support capacity and will not be allowed to operate vehicles or equipment or be allowed in to be in the "hot zone" as designated by officers on scene.
- e) Junior members will not be allowed to respond during school hours on school days and cannot respond after 9:00 p.m. on school nights.
- f) Junior members will not be allowed to have radios, pagers, or use "I am Responding" during school hours and will not be allowed to have an emergency light in their vehicles at any time during the junior status.
- g) Junior members will not have voting privileges.

Honorary Member

- a) To qualify for honorary membership, a person must be a member in good standing and have distinguished themselves as outstanding to their fellow members and their community. This honor will be bestowed by a recommendation of the Board of Directors and a vote of three-quarters of the senior voting membership.
- b) Honorary members will not have voting privileges unless they have attended no less than two of the three previous business meetings.
- c) Honorary members will not be able to respond to medical or rescue calls until they are in full compliance with senior membership training requirements.

- d) There shall not be more than 10% of the senior membership appointed to be honorary members.

Lifetime Member

- a) To qualify for lifetime membership, the person must have been a member in good standing and have distinguished themselves by their outstanding contribution to their fellow members and their community. This honor will be bestowed by a recommendation of the Board of Directors and a vote of three-quarters majority of the active voting membership.
- b) To qualify for lifetime membership, a member must meet the following requirements: 65 years of age or disabled and have served in rescue for twenty or more years, of which at least 10 years must have been with Linville-Central Rescue Squad.
- c) Lifetime members will not be able to respond to medical or rescue calls until they are in full compliance with senior membership training requirements.
- d) Lifetime members will not have voting privileges unless they have attended no less than two of the three previous business meeting in order to maintain their voting privileges.
- e) There shall not be more than 20% of the senior membership appointed to be lifetime members.

Support Member

- a) An individual who does not wish to become a Senior Member or has not met the requirements of senior membership may serve as a Support Member without training requirements or voting rights.
- b) Support members may provide logistical support to the Squad, including assisting with command functions, finances, clerical work, and fundraising.
- c) Support members may not respond to medical or rescue calls until they are in full compliance with senior membership training requirements.

Article III – Application for Membership

Section 1. Before an application can be brought before the membership for a vote, a prospective new member shall provide the following information:

1. A completed application.
2. Not less than two references from former teachers, employers, or members of the community except when the applicant is known by two or squad members who are willing to speak on their behalf to the membership at the time of voting.
3. A signed release from each applicant to obtain any personal, school, medical, criminal, driving, or employment records for a background check needed by the Membership Committee.
4. A signed permission letter from their parent or guardian and a signed letter of passing grades from a school official. (For junior members only).

Section 2. Applications can be turned in at any time during the year. However, the applications of prospective members shall be brought before the Membership Committee twice a year, at a time determined by the committee. The Membership Committee will at this time interview the candidates and explain what is expected of the membership and what benefits are offered. If approved, the applicant will be asked to

attend the next regular business meeting to introduce themselves. During this meeting, a vote will be taken of the eligible voting membership. If approved, the applicant will become a probationary member for a period of up to three years, but in no case shall the probationary period be less than six months.

Article IV – Membership Meetings, Notice, and Voting

Section 1. The regular business meeting shall be held the first Monday of each month at 7:30 pm at the Squad’s principal place of business or at such other time and place as is reasonable and described in the notice of meeting.

Section 2. Except for meetings described in Section 1 of this Article, notice of meeting of the general membership shall be given to all members entitled to vote at least ten days prior to such meeting. The notice shall state the place, date, and time of the meeting if other than that described in Section 1 of this Article. The notice shall be in writing, including an electronic writing, and communicated by any means that is fair and reasonable, whether by email, group messaging, or other similar written communication commonly used to notify the general membership of an incident or emergency response.

Section 3. Notice of special meetings of the general membership shall include a description of the matter for which the meeting is called.

Section 4. Any member who has not attended at least two of the previous three regular meetings shall forfeit their voting privileges until they have brought their attendance levels up to those consistent with senior membership.

Section 5. For actions to be taken by the general membership, a quorum shall be defined as not less than one-third of the members eligible to vote.

Section 6. Action may be taken at regular meetings on any topic that is properly considered under the organization’s articles of incorporation or bylaws, including new business, whether or not specified in the notice of meeting. Provided however, that this does not apply to actions for the election of officers, to amend the bylaws, to remove a director or corporate officer (i.e. not a line officer), to merge with another corporation, to dissolve the corporation, or any other subject for which specific notice is required by law.

Section 7. Members may participate in meetings by use of remote communication only under such circumstances and subject to any procedures adopted by the board of directors, provided that:

1. It is confirmed that the person voting remotely is a valid voting member.
2. Remote participants have a fair opportunity to join and engage in the meeting and to vote on matters to the same extent as if they were attending in person.
3. Remote participants are able to communicate and follow the meeting proceedings in real time.

Section 8. Other

1. All meetings shall be conducted in accordance with Robert’s Rules of Order.
2. There shall be no use of proxy voting during meetings.

Article V – Authority to Create Standard Operating Procedures

Section 1. The Board of Directors shall have the authority to adopt, amend, or repeal a set of Standard Operating Procedures, General Rules of Conduct, guidelines, or other policy manual or operational handbook, to govern the overall operations of the Squad as approved by the membership.

Section 2. A document created pursuant to this article shall be prepared for the purpose of fulfilling the mission of the Squad, enhancing the effectiveness and safety of operations, compliance with laws, regulations, and standards governing the work of the Squad, and to maintain order and decorum in squad operations.

Section 3. Said document shall be prepared with transparency and an opportunity for input by members.

Section 4. A document created pursuant to this article shall be prepared by a committee of no less than three senior members appointed by the Chief. After consulting with officers and members, the committee shall post their draft recommendations in the squad building for a period of no less than 30 days, after which the recommendations shall be submitted to the membership for a vote. If approved, the recommendations will be presented to the Board for approval and adoption. Any such document becomes effective only when signed by the chief and posted at the Squad.

Section 3. Any document created under the authority of this Article shall not be in violation of these bylaws.

Article VI – Grounds for Warning, Reprimand, Disciplinary Action, or Dismissal

Section 1. Squad members shall at all times conduct themselves in such a manner as to deserve the respect of their fellow members and of the general public.

Section 2. Grounds for warning, reprimand, disciplinary action, or dismissal from the Squad include the following:

1. Engaging in conduct that is unprofessional or unbecoming a rescue Squad member.
2. Engaging in bullying or harassment of other members, patients, vendors, or members of the public. All members have a right to work in an environment free from bullying or harassing conduct, including sexual harassment.
3. Being intoxicated or in an impaired condition while on duty or while representing the Squad or under circumstances that reflects poorly on the reputation of the Squad.
4. Possessing an open alcoholic beverage while on duty or while representing the Squad.

5. Possession of an illegal controlled substance.
6. Wearing or displaying offensive material while on duty or while representing the Squad.
7. Repeated poor performance on calls after being given due warning and an opportunity for remedial action.
8. A felony conviction.
9. A misdemeanor conviction that evidences conduct rendering the individual unsuitable for membership. Members charged with criminal offenses may be suspended or removed if such charge reflects poorly on the reputation of the Squad or adversely affects its ability to operate.
10. Substantial and continued failure to attend training sessions or business meetings.
11. Dishonesty, theft or intentional damage to Squad property.
12. Willful or reckless violation of patient privacy rights under state or federal law.
13. The failure of a member to adhere to their respective levels of medical licensure and certification as defined by the NC Office of Emergency Medical Services or medical direction. Members shall not exceed their scope of practice and shall exercise reasonable care in the delivery of medical care or assistance to patients. Failure to comply with these standards may result in disciplinary action, up to and including suspension or termination of membership.
14. Serious violations of safety protocols or recklessly and unnecessarily jeopardizing the safety of patients, other Squad members or responders, or others on-scene.
15. The unauthorized use of vehicles, equipment or supplies for any reason other than the protection of life or property or other official Squad business.
16. The operation of a squad vehicle at a speed in excess of the posted limit or otherwise in violation of North Carolina law or regulations unless otherwise authorized by the Board of Directors. Squad members shall at all times observe traffic regulations when responding to a call in their private vehicles.
17. The operation of a Squad vehicle or rescue equipment without having been evaluated and approved by an officer for the operation of such vehicle or equipment.
18. Repeated serious disruption of team dynamics that adversely affects its effectiveness in operations, team harmony, or the organization's working environment,
19. Other serious or repeated violation of the Squad's policies, regulations, or bylaws.

Section 3. Other grounds. Social media, forum, and online posts. Fundraising

1. Members shall not post online, or on any website, social media, or other public internet forum, any images or videos that disclose or compromise the confidentiality of patient information or that violate any privacy law or regulation.
2. Unless otherwise stated in the Squad's policy and procedure document, or as ordered by the Chief, members shall not post any images or videos of Squad operations, whether during training or during response to an incident, that could reflect poorly on the Squad's reputation.
3. Members intending to engage in fundraising activities shall seek prior approval from the Chief, Administrative Chief, or the Board of Directors.

Article VII – Procedures for Warning, Reprimand, Disciplinary Action, or Removal of Members

Section 1. Violations by a member of these bylaws, or of any duly enacted operating policies, or of reasonable and lawful orders of an officer, may result in a warning or reprimand, suspension from operations, dismissal, or other appropriate disciplinary action.

Section 2. Any action to expel or suspend a member must be in a manner that is fair and reasonable and is carried out in good faith.

Section 3. A member subjected to suspension, dismissal, or other significant disciplinary action shall be given notice of the reason for action and an opportunity to discuss the issue with the Chief. This member has the right to appeal the outcome to the Board of Directors filed within ten days with a hearing to be held within the thirty days of having met with the Chief. The decision of the Board of Directors will be final.

Article VIII - Officers

Section 1. The Board of Directors shall consist of the President, Vice-President, Secretary, Treasurer, 2-year Ex-officio member, 3-year Ex-officio member, and the past President shall serve as chair of the Board.

Section 2. Line officers shall consist of Chief, Assistant Chief of Administration, Assistant Chief of Operations, Captain/Training Officer and Captain/Equipment Officer.

Section 3. Appointed officers shall be appointed by the Chief and serve at their pleasure. These may include Lieutenant/Supply Officer, Lieutenant/Communications Officer, Lieutenant/Uniform Officer, and Chaplain and any other officers deemed necessary.

Section 4. Line officers shall serve a one-year term.

Section 5. Officers must be senior members in good standing.

Section 6. Officers may be removed from office for violation of rules or incompetence. Removal is to be at the suggestion of the Board of Directors and with the approval of two-thirds majority (2/3) of the membership eligible to vote.

Section 7. In the event an elected line officer takes a temporary leave of absence the Chief may, at his or her discretion, appoint a temporary or “acting” replacement during the period of the leave. In the event of an extended leave or absence of an elected line officer that unduly burdens the administration or operation of the Squad, the position shall be filled by a vote of the membership. In the event of a vacancy in the position of an elected line officer, corporate officer, or director, by resignation or otherwise, the position shall be filled by a vote of the membership.

Article IX – Board of Directors

Section 1. Seven members shall be elected to the Board of Directors to provide long-term guidance and stability to the Squad. Directors must be voting members in good standing.

Section 2. Six Directors shall be elected as follows:

1. Of the non-officer Directors, one shall serve a two-year term and one shall serve a three-year term.

Section 3. The election of the following officers shall constitute the election of those same individuals as Directors of the corporation:

1. President: Three-year term.
2. Vice-President: One-year term.
3. Secretary: One year term.
4. Treasurer: Two-year term.

Section 4. One Director, the immediate past President, shall be automatically appointed each year to serve as chair of the Board of Directors, who shall not be entitled to vote provided that, should the remaining Directors be deadlocked by vote, the chair may vote to resolve that deadlock. If the immediate past president is unable to serve on the Board, then the immediate past Chief shall be automatically appointed to serve as chair.

Section 5. The current Chief will always be ex-officio and non-voting member of the Board.

Section 6. The directors shall hold monthly meetings at such time and place as they may determine from time to time and may hold special meetings at any time upon the call of the President or any two directors.

Section 7. Notice of time and place of all special board meetings shall be given by the secretary to each director in writing at least forty-eight hours before the meeting, provided that meetings may be held at any time without notice if all directors are present and take part in the meeting. Presence at the meeting shall constitute a waiver of notice for that meeting.

Section 8. A simple majority of the Board of Directors shall constitute a quorum for the transaction of business, unless otherwise specified in the bylaws or Articles of Incorporation. If a quorum is not present at any meeting, then the meeting shall be adjourned and no business transacted.

Section 9. The Board of Directors shall have control and management of the affairs of the corporation. The Board shall provide the general membership with a report at business meeting.

Section 10. The Board of Directors is charged with the responsibility of long-term planning for the squad. The directors shall accept suggestions; make recommendations on all policies pertaining to the operations or finances of the squad. These policies shall be voted on and approved by the membership.

Section 11. The Board of Directors shall act as personnel director for all paid employees of the corporation.

Section 12. A paid employee shall not be elected or appointed to the Board of Directors or as Chief of the squad as that position is the direct supervisor of all paid employees.

Section 13. Directors may be removed from office for violation of regulations or for incompetence. Removal is to be at the suggestion of the Board and with the approval of a 2/3 majority of the voting membership. The membership will immediately elect a member for the remaining term.

Article X – Committees

Section 1. Committees are Membership, Finance, Equipment, Training, and Policies and Procedures.

Section 2. Committees can be added or removed by the Board of Directors.

Article XI – Duties of Officers

The following duties are required of each officer position:

Section 1. Duties of the President shall be as follows:

1. Supervise the corporation's affairs, both internal and external.
2. Preside over all business meetings unless otherwise delegated to another officer.
3. At the Board's approval, sign and execute all official documents for the corporation.
4. Serve as ex-officio member of all committees of the corporation.

Section 2. The duties of the Vice President shall be as follows:

1. Assist the President in the affairs of the corporation.
2. Serve as President in the absence of the President.

Section 3. The duties of the Secretary shall be as follows:

1. Keep accurate typed minutes of all regular and special board and general business meetings and make said minutes available for all members to inspect and read.

2. Be responsible for posting minutes of the Board and general business meetings by the following Monday after the meeting.
3. Maintain custody of the official records of the corporation and ensure that the records are kept at the general offices of the corporation.
4. Call roll and keep an attendance record for all business meetings.

Section 4. Duties of the Treasurer shall be as follows:

1. Receive and disburse all of the corporate funds.
2. To not disburse any corporate funds to any given individual, partnership, corporation, or charity without the approval of a majority of the Board of Directors, or the general membership; and shall secure the signature of the President, Vice-President, or Chief on all amounts disbursed by the corporation.
3. Keep accurate records of all loans and debts accrued by the corporation.
4. Keep a Treasurer's report sheet, which will include all deposits, check numbers, amounts, to whom checks are made, receipts, and vouchers.
5. Keep accurate records and copies of all receipts, invoices, and donations made to the squad for no less than three years or as otherwise required by state or federal law or regulation.
6. Make all records available for financial audit in January of each year.
7. Serve as chair of the Finance Committee.

Section 5. Duties of the Chief are as follows:

1. Direct all squad operations.
2. Assign duties for other officers.
3. Perform other duties as assigned by the squad.
4. Present to the Board of Directors for approval a proposed yearly budget for the corporation by February first of each year.
5. Serve as supervisor of all paid personnel.
6. Pursuant to Article V, the Chief may serve as the chair of the Policies and Procedures Committee or appoint another officer or senior member to so serve.

Section 6. Duties of the Assistant Chief of Operations are as follows:

1. Assist the Chief with direction of squad operations.
2. Direct all squad operations in the absence of the Chief.

3. Serve as chair of the Equipment Committee.

Section 7. Duties of the Assistant Chief of Administration are as follows:

1. Assist the Chief with direction of squad operations.
2. Direct all squad operations in absence of the Chief.
3. Coordinate and process membership applications.
4. Chair the Membership Committee.
5. Assure that all squad records are kept up to date.
6. Maintain an up-to-date file on each member. This file shall include application, current medical form, and training records as required by the Squad.

Section 8. Duties of the Captain/Training Officer are as follows:

1. Coordinate all training activities as set forth by the Squad.
2. Maintain an accurate and up-to-date training file on all personnel to include date, time, instructor, and course description. Said record should be in a form to meet all required North Carolina state guidelines for training.
3. To carry out additional tasks as appointed by the Board of Directors or the chiefs.
4. Chair the Training Committee.

Section 9. Duties of the Captain/Equipment Officer are as follows:

1. Shall be responsible for over-seeing the care and maintenance of all equipment and vehicles.
2. Shall be responsible for investigation of equipment being considered for future purchases.
3. Shall carry out additional tasks as appointed by the Board of Directors or the chiefs.

Article XII – Specialty Teams – Authority of Senior Member on Scene

Section 1. On any scene to which Linville-Central Rescue Squad has been dispatched, the Senior Member on the scene with qualifications in the specialty required for that scene, shall act with the authority of Assistant Chief.

Article XIII – Authorization for Small Purchases; Emergency Expenditure

Section 1. Subject to Sections 2 and 3 of this Article, no member, officer, or employee shall make any purchase, transaction, or conduct business on behalf of Linville-Central Rescue Squad, Inc. unless pursuant to a resolution of the Board of Directors or a written authorization or purchase order signed by the Treasurer.

Section 2. Chiefs may make or approve purchases of up to, but not to exceed, \$1,000 if approved by a second corporate or line officer and shall be entitled to reimbursement from the Squad or the use of a Squad debit or credit card. Other officers or paid employees approved by the Board of Directors, may, by resolution of the Board, be entrusted with the use of a Squad debit or credit card and are also authorized to make purchases with that card or by other means with reimbursement of up to \$1,000 if approved by a second corporate or line officer.

Section 3. The \$1,000 limit set out in Section 2, above, may be exceeded in emergency circumstances and in cases where obtaining board approval is not practicable. Such expenditures must be reasonable and necessary and required for the protection of life or property. It is the intent of this section to include, but not be limited to, emergencies such as responding to natural and man-made disasters, emergency vehicle breakdowns, and other situations requiring immediate action. Expenditures made under this section are limited to \$5,000.

Section 4. The maximum amounts listed in Sections 2 and 3 of this Article may be increased annually by a resolution of the Board of Directors that has been approved by a quorum of the voting membership to an amount deemed necessary and practical given inflation and the needs of the squad at the time.

Article XIV – Nominations and Elections

Section 1. All officers shall be elected at the regular business meeting on the first Monday of March of each year, unless extended due to extenuating circumstances. Officers will take office on the first meeting in May.

Section 2. The nominating process will be as follows:

1. The Board of Directors will appoint a member to chair a Nominating Committee.
2. The chair of the committee will ask two other senior members to serve on the committee.
3. The committee may place names in nomination and shall receive nominations for office from the membership. The committee shall notify those members who are nominated for office and place their name in nomination only if the person so nominated agrees to accept the nomination.
4. A list of the members running for office will be provided to the membership at the election.
5. Nominations from the floor will be opened to the membership for one minute.

Section 3. All voting will be done by secret ballot. However, if a nominee has no opposition, and there is no objection heard from the floor, a motion can be made to vote on the officers as a slate. In all other cases each office shall be elected by separate ballot.

Section 4. For a candidate to be elected to an officer's position they must receive a majority of votes of the senior members that are eligible to vote. If there are more than two candidates running for one position and neither receives a majority vote, the two individuals receiving the most votes will have a run-off election.

Article XV– Military Leave of Absence

Section 1. Involuntary induction or voluntary enlistment into the branches of the Armed Forces of the United States of America constitutes grounds for an automatic leave of absence.

Section 2. Within 60 days after discharge from the military, a member must give formal notice to the membership committee if they desire to renew their membership.

Section 3. If a member fails to give notice of their desire to return active membership, the membership committee shall, after proper investigation, report its findings and recommendations to the membership.

Article XVI– Amendments

Section 1. These bylaws may be amended or repealed by a majority vote of the membership eligible to vote after the proposed amendment or repeal action has been posted in the Squad building at two regular business meetings.

Section 2. The Secretary is to retain the original copy of all amendments secured in the business office of the corporation.

Section 3. The Secretary shall make available a copy of all amendments and post them in a conspicuous location inside the squad facility within thirty days of approval.

Section 4. Bylaws are to be reviewed and updated as needed at the May business meeting each year.

Posted in Office and Squad Building on: 11/30/2024

Richard Schaffer
by Richard Schaffer, for the Amendments Committee

Voted and Approved by Membership on: _____

Attested to by Corporate Secretary: _____
Edward Dean, Secretary of the Corporation

Date