

MEDINA VOLUNTEER FIRE DEPARTMENT, INC.

AMENDED BY-LAWS AND RULES OF ORDER

Medina, Texas

Formed and Incorporated under the Laws of the State of
Texas 08 March 1974

Introduction: These Amended By-Laws and Rules of Order are provided to; regulate and govern our organization, define duties, establish discipline, & encourage the promotion of our organization's mission. They were adopted by a Majority Vote of the Board of Directors after Written Motion, and approved by the Members by a greater than two-thirds vote of the Medina Volunteer Fire Department, Inc. on the 19th day of, September, 2024. These By-Laws are effective as of that date. The By-Laws amend, supersede, and supplant any earlier adopted By-Laws, and the Board of Directors hereby RESOLVE these By-Laws amend or restate any and all prior By-Laws in their entirety, and are to read and state as follows:

ARTICLE I: NAME

SECTION 1. The Organization's name promulgating and subject to these By-Laws is the Medina Volunteer Fire Department, Inc. ("MVFD"). MVFD owns and operates its Fire Station and facilities located at 13672 Highway 16 North (P.O. Box 1650), Medina, Texas 78055.

ARTICLE II: VISION, MISSION, AND VALUES

SECTION 1. VISION: To be known as the best Fire Department in Bandera County at safely responding to all calls with sufficient personnel and the right equipment to close-out each emergency and provide or get people to the medical care they need.

SECTION 2. MISSION: The mission of the department is to promptly and professionally deliver quality Life Safety, Incident Stabilization & Property Conservation services to the residents and visitors of Bandera County.

SECTION 3. VALUES:

- A. **Service:** Serving our community's people and property as if they were our own.
- B. **Tradition:** Honoring our founding principles and predecessors' legacy.
- C. **Integrity:** Acting with character, honesty and accountability.
- D. **Leadership:** Leading through community engagement, initiative, innovation, and collaboration.
- E. **Excellence:** The approach to all we do, large or small.

ARTICLE III: ORGANIZATION AND MEMBERSHIP

SECTION 1. MVFD is an organization of Volunteers who are; Fire Fighters, Emergency Medical Service Personnel, and First Responders. They offer and provide the following services:

- (i) fire protection, prevention, and inspection; and
- (ii) emergency response, including rescue, emergency medical, and hazardous material response.

SECTION 2. MVFD shall be a non-profit and non-political organization as set forth by the Texas Business Organizations Code (TBOC) and any later revisions (formerly known as the Texas Non-Profit Corporation Act under which MVFD was initially organized), and listed as an exempt organization in Section 501(c)(3) the United States Internal Revenue Service. Code of 1986.

SECTION 3. MVFD COMPONENTS. MVFD shall consist of membership and elected officers and directors. The elected officers and directors consist of:

- President
- Vice-President
- Secretary
- Treasurer
- Fire Chief
- Sergeant-At-Arms
- Six (6) Directors

The Six Directors comprise the Board of Directors

SECTION 4. MEMBERSHIP. Eligibility for MVFD membership shall be limited to persons who are: at least eighteen (18) years of age, of good moral character and sound body and mind; who reside, own property, own a business, or are employed within the MVFD Protection Area or Mutual Protection Areas; and who qualify under Article III, Section 3: Classification. The Board of Directors will oversee MVFD Membership. MVFD will not refuse membership of an applicant due to race, color, sex, creed, or religious affiliation.

SECTION 5. CLASSIFICATION. MVFD membership shall have four (4) classes of members: (A) Active; (B) Inactive; (C) Honorary; and (D) Junior Firefighter.

A. Active. Active Members shall attend three (3) consecutive regular meetings, or six (6) regular meetings in a calendar year. Firefighters may substitute Fire calls and Fire Training meeting attendance in lieu of regular meetings to qualify for Active status. Active members have voting privileges and may be an officer or director.

- B. Inactive. Members are formerly Active Members who due to work commitments, family, or health reasons are no longer able to consistently attend regular meetings, but have expressed an intent to return to Active Membership; such members have no voting privileges.
- C. Honorary. Members that have been Active Members for more than ten (10) years, but due to age or health reasons are no longer able to consistently attend regular meetings. Such members have no voting privileges.
- D. Junior Firefighter. Members between the ages of 14 and 18 who meet the qualifications detailed in Section 4 above. A junior firefighter has no voting privileges.

SECTION 6. MEMBERSHIP APPLICATION. Application for new membership shall be submitted in writing according to this procedure:

- A. Applicant shall obtain an application from MVFD
- B. The completed application, along with a copy of a valid current driver's license may be submitted to a member of the membership committee via; hand delivery, email, text message or other electronic means.
- C. MVFD Membership Committee (as appointed by the President) will review the completed application. Anyone submitting an application gives MVFD permission to conduct a criminal background check and obtain a driving record.
- D. After an interview and review, MVFD Membership Committee will determine whether or not to recommend the applicant for membership and will forward such determination to MVFD President
- E. After the above steps have been completed, MVFD President will present the application to the Members at the next regular meeting, announce the MVFD Membership Committee's determination regarding membership recommendation, and the Active Members will vote. Applicant must be present at this meeting.
- F. Membership approval requires a two-thirds (2/3) approval of the quorum present at the meeting.

SECTION 7. CHANGE IN MEMBERSHIP STATUS

- A. Any active member who does not meet the criteria in Section 5A without reasonable cause (as the MVFD Board determines in its sole discretion), or who violates these By-Laws and/or any provision of the MVFD Standard Guidelines and Procedures, shall forfeit Active Member status and will be moved to Inactive Member.

- B. An Active Member whose status has been moved to Inactive Member, or whose membership has been terminated, shall not be entitled to vote on any matter. An Inactive Member may also not run for elected office or for Board of Directors, as further set forth herein.
- C. A change of membership status for an Active Member who is also an Elected Officer is subject to recall under Article VI, Section 2, paragraph J.
- D. An inactive member who wishes to serve the Fire Department or change their status to 'Active' shall make their request known to the Board of Directors and may be required to submit to another background check and/or Driver's License check.

SECTION 8. MEMBERSHIP TERMINATION.

- A. A Member may be voted out by simple majority of the Board of Directors.
- B. Membership may be denied and revoked if a Member ceases to meet or satisfy the membership requirements including, but not limited to a felony conviction or unethical conduct.
- C. A Member whose membership has been terminated who wishes to be reinstated shall apply in writing to the Membership Committee for reinstatement.
- D. The Membership Committee may in its sole discretion set such conditions for reinstatement as deemed appropriate.

SECTION 9. RETURN OF MVFD PROPERTY. Any person whose membership has been terminated or revoked shall promptly return to MVFD Fire Chief any MVFD owned property, identification credentials, or other items or property where MVFD is responsible for possession and safe-keeping. Any property not returned may be reported to law enforcement.

ARTICLE IV - ELECTION OF BOARD OF DIRECTORS

SECTION 1. All current Active Members are eligible to vote for the Board of Directors ("BOD"). Only members who have been active in MVFD for at least three (3) months with good standing before the BOD election may vote. Only Active Members who have been with MVFD for at least three (3) months before the BOD election are eligible to be elected to the BOD. There will be no proxy votes for the BOD election. Votes may be conducted electronically per Article 5, Meetings Section 7 of these ByLaws. Note: Voting electronically forfeits the anonymity of a secret ballot for members who choose it.

SECTION 2. A Board of Directors, consisting of six (6) Active Members, shall govern the MVFD. BOD vacancies shall be filled by special election at the next regular meeting.

SECTION 3. The Board of Directors shall be elected by written, secret ballot at the MVFD annual meeting by a majority of the Active Members present and eligible to vote when there is more than one candidate being considered. When a member is running for a Board position unopposed the vote can be conducted by a vote of acclamation. Nominations shall be made by the Nominating Committee or by membership from the floor. Any BOD office not filled at the annual meeting, or any BOD office vacated during the year, may be filled at any regular meeting, or at a special meeting with proper notice.

SECTION 4. All Directors or any nominee seeking a position on the BOD must meet the eligibility requirements provided in bylaws Article IV, Section 1, and must also maintain Active Membership status.

ARTICLE V: MEETINGS

SECTION 1. MVFD's regular business meeting shall be held on the third Thursday of every month throughout the year. The hour and place of the meeting shall be selected by the President. A quorum of greater than sixty percent (60%) of Directors and twenty percent (20%) of the Active Members constitute the minimum number necessary to conduct and transact official and binding business regarding the MVFD during an official, regular, or special meeting.

SECTION 2. The presiding officers at any meeting shall follow the parliamentary procedures as set forth in Robert's Rules of Order.

SECTION 3. Only members of the BOD may vote on resolutions upon the floor for a vote. The presiding officer in his/ her sole discretion may require a vote by the Active Membership on certain items. Voting on any issue can only be held at a duly noted and authorized MVFD Meeting. All votes by the BOD and Active membership will be by an affirmative value of a simple majority (greater than 50%) of a quorum except for the issues below. Voting on the following issues requires an affirmative vote of a supermajority (defined as 66 2/3rds%) of a quorum:

- A. The approval of new members
- B. The removal of an officer or director
- C. The amendment of these bylaws
- D. The undertaking or burdening of debt on the MVFD
- E. The purchase of any asset in excess of \$50,000

SECTION 4. No resolutions in support of any public candidate for political office shall be allowed upon the floor or voted upon.

SECTION 5. The order of business shall be:

- Call to Order
- Reading of the Minutes
- Treasurer's Report
- Chiefs and Officer's Report
- Committee and other reports
- Discussion of Old Business
- Discussion of New Business
- Announcements
- Dismissal of membership
- Adjournment

SECTION 6. The Annual Meeting shall be held in November, with the time and place of the meeting designated in writing by the Board of Directors.

SECTION 7. Meetings may also be held or attended by using tele-conferencing, video-conferencing, or Internet-conferencing. Members must provide Officers 24 hour advanced notice when they desire to attend a meeting electronically to allow equipment to be set up. Conferencing systems must permit each person participating in the meeting to communicate with all other attendees. If voting is to take place at the meeting: every person voting shall be recognized/identified by the convening officer by voice or image; and the secretary will record a record of any vote or other action taken. (IAW TBOC Title 1, Chapter 6 , Sub-Chapter A, Sec 6.002)

ARTICLE VI: OFFICERS, DIRECTORS, AND DUTIES

SECTION 1. The Board of Directors' duty is to manage the MVFD's administrative affairs.

The Board shall also set all MVFD administrative policies and procedures.

The Board has the power to borrow money with the Active Members' approval. The Board shall also vote on all motions placed before it in any gathering of a quorum or by electronic transmittal. A quorum of Directors is required before a vote may be taken on any motion. A quorum shall consist of greater than 60% of Directors.

SECTION 2. The Active Members shall elect the following officers:

A. Directors: The six (6) MVFD Directors shall:

1. Perform all duties relevant to governing MVFD and its functions and purposes.

2. Be designated by President and/or Board of Directors to perform other duties from time to time, including but not limited to committee and special task assignments.

B. President: The President shall;

1. Be the MVFD executive officer and preside at all meetings
2. Except as may otherwise be provided, the President may call special meetings to conduct emergency business only, appoint committees, assign Directors & Sergeant-at-Arms additional duties and special assignments, have general supervision authority over all MVFD business matters, enforce these By-Laws, act as the MVFD's office representative at all official functions, hearings, and other matters regarding MVFD
3. Approve all minutes, resolutions, orders, summons, contracts, leases, purchase orders, and all other correspondence regarding MVFD as authorized or designated by the BOD, along with the Fire Chief and appropriate co-signers (as the case may be)
4. Hold as trustee for the Department title to all property belonging to, used by, or in possession of the Department, and execute all conveyances of such property as such trustee
5. Vote only if there is a tie, and serve as a standing member on all committees (except for the Membership Committee).
6. Co-sign or designate a co-signer for all checks or reimbursements
7. Not sign or co-sign for their own payments or reimbursements
8. Oversee the Procurement process (described in the SOPG A-7 Procurement)
9. The President is responsible, with the Treasurer, for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. (See Article VIII, Section 5A5).

C. Vice-President: The Vice-President shall perform the President's duties when President is unavailable or unable to perform his/ her duties.

D. Secretary: The Secretary shall keep and record Minutes of all meetings; prepare correspondence; maintain accurate records of member's contact information, including but not limited to addresses, phone numbers, and email addresses (if available); establish and maintain a permanent filing system and depository of MVFD records.

E. Treasurer: The Treasurer shall receive, disburse, and account for all MVFD funds and monies. Treasurer shall establish and maintain a bank account in MVFD's name and Treasurer shall become bonded in an amount the Board of Directors determines, but in amount of no less than \$10,000.00. Treasurer shall render a financial report at each meeting, and such report shall become a part of the Minutes of that meeting. All disbursements require monthly review by the BOD and the President. The Treasurer shall present all checks or reimbursements to the President or their designee for co-signature. The Treasurer or designee shall check the Department Post Office Box for mail. The Treasurer is responsible, with the President, for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. (See Article VIII, Section 5A5).

F. Membership Committee Chair shall process member applications, background checks, and approvals as described above. It is an additional appointed duty of a Director.

G. Fire Chief: The Fire Chief shall

1. Establish all Operational guidelines and procedures.
2. Be responsible for appointing Company and Officers.
3. Assume full charge of all members, apparatus, equipment, and other MVFD property while on parade, at drills, conventions, and at emergency scenes.
4. Have the authority to call out members, apparatus, and equipment for any purpose incidental to Fire Chiefs office.
5. Assume full responsibility for all MVFD fire equipment, inventory, vehicles, and other MVFD property and to make sure of proper care, maintenance, and repair.
6. Recommend the purchase of new equipment, as well as the update, repair, refit, retrofit, or replacement of existing equipment.
7. Make sure adequate training programs are conducted in MVFD, and shall continue education in all firefighting methods and procedures by attending schools, drills, conferences, and other meetings.
8. Recommend the purchase of suitable training manuals, textbooks, and other instructional materials.
9. Have the authority to investigate complaints against Fire Department personnel (SOP& G A4 & A5) and make sure proper disciplinary procedures and policies are maintained in the MVFD (SOP&G A6).
10. Make such records and reports as the law requires, and maintain copies of same.
11. Prepare an annual written budget to present to the MVFD Board of Directors for review and approval.
12. Provide a written report at each regular membership meeting regarding emergency runs, and other calls.
13. Designate and supervise the Assistant Fire Chief. The Assistant Fire Chief shall perform all Fire Chief duties if Fire Chief is unavailable or unable to perform his/her duties.
14. Perform such other duties and functions as the MVFD Standard Operating Guidelines and Procedures may require.

H. Chaplain: To better support fire service members in dealing with issues of life, death, injury and loss, the department may maintain a chaplain program as determined by the President and availability of personnel. The fire chaplain(s) shall first focus on the needs of the men and women in the fire service. They may also need to minister to those who have been affected by fires, disasters, accidents and other events. The chaplain(s) must be mature with a sound moral and spiritual background. It is the responsibility of the chaplain's office to provide guidance and counseling to all members of the Department, upon request. The guidance and counseling may be in matters of spiritual, personal, family, job, or other nature under a religious privilege of pri-

vacy. The chaplain(s) may bring in others from the same faith as the counseled person to best meet their spiritual needs. The chaplain shall not be asked to do anything that goes against their faith, nor shall they denigrate another faith.

I. Sergeant-At-Arms: The Sergeant-At-Arms shall:

1. Perform all duties related to the governing and management of the MVFD and all of its functions. Be responsible to maintain order during MVFD member meetings.
2. Be designated by the President and/or the Board of Directors to perform such other duties as may be requested, including but not limited to special assignments.

J. Terms of Office: MVFD Officers and Directors shall serve 2 (Two) year terms, with staggering of the commencement of the two-year terms, to provide leadership continuity. The commencement of said terms shall begin the third Thursday of January and end on the third Wednesday of January each successive year of their election term.

K. Recall: Recall of any MVFD Officer or Member shall be started upon a written recall petition signed by at least twenty percent (20%) of the Active Members, or by a request for recall signed by a simple majority of the Board of Directors.

1. The signed petition shall include the reason(s), and provide legible names, addresses, and other contact information of all petition signers.
2. Recall actions shall be the first order of business at the next official MVFD meeting. The highest ranking officer shall preside over the meeting, and shall be convened as an open meeting of the Active Members. A quorum is required.
3. The vote on the recall of an officer and/or member shall be by written, secret ballot.
4. The highest ranking un-recalled officer shall appoint three (3) Active Members to count the ballots.
5. If two-thirds (2/3) or more of the tallied ballots vote in favor of recall, the named Officer shall be immediately relieved of all duties, surrender all MVFD documents or records which may be in the Officer's possession, and return all identification credentials. The resulting vacant office will be refilled according to these By Laws.

ARTICLE VII: COMMITTEES

SECTION 1. The Board of Directors and/or the President may appoint such committees deemed appropriate and necessary to conduct and carry on MVFD business. The type, duration, purpose, function, and compilation of the committees shall be at the sole discretion of the Board of Directors and/or President.

ARTICLE VIII: GENERAL

SECTION 1. AMENDMENTS: A BOD or Active Member may request to amend the By-Laws; at a BOD meeting, by emailing the President or sending a letter to the President at the MVFD mailing address. Hand-delivered, faxed, or other requests will be invalid. The BOD will consider the proposed amendment, and evaluate, among other reasons, for its merits, purpose, potential cost, legal implications, and general advisability. BOD may in its discretion request the amendment's proponent to personally appear before the BOD and discuss and if needed to clarify in writing the proposed amendment. The BOD shall approve the proposed, final amendment by a vote of the majority of the quorum present. If there is a tie, the President shall vote on the proposed amendment. If the BOD approves the proposed amendment as set forth herein, the BOD shall call a Special Meeting or schedule the vote on a regular meeting. As previously set forth herein, a quorum of sixty percent (60%) of Directors and twenty percent (20%) of the Active Members shall constitute the minimum number necessary to conduct and transact official and binding business regarding the MVFD vote on a By Law amendment. Voting shall be conducted by a show of hands. Yeas first, then Nays. A supermajority or greater amount of Yeas is required for approval. Any amendments conforming to the requirements set forth shall become effective in (30) thirty days after approval, and the Secretary shall incorporate such amendment(s) into the MVFD By-Laws as part of the formal records.

SECTION 2. NOTICE: A notice announcing any MVFD business involving a vote by Active Members shall be posted. Such notice shall include, but not be limited to, placement in open view at the MVFD Fire Station, on the Fire Department Website www.medinavfd.com, in the General Meeting Minutes, and/or emailed to the members.

SECTION 3. EXPENDITURES: All MVFD donations, monies, reimbursements, or other funds collected or received by any MVFD representative must be promptly given to MVFD Treasurer or Treasurer designee to deposit in the MVFD account. Any, payments, checks, or other expenditures taking money out of the MVFD account(s) must be signed by the MVFD Treasurer, and co-signed by the President or President's designee as required by any financial institution on a signature card.

All disbursement documents and instruments shall designate the purpose, reason, and account where the funds will be withdrawn. No expenditure, obligation, or other expense shall be made or authorized, which exceeds the MVFD funds available on account. All incoming and outgoing funds need to be recorded the appropriate MVFD account.

The MVFD President may spend, reimburse, or repay any BOD, Officer, or Active Member in an amount not more than \$200.00, so long as the expense paid directly benefits MVFD. BOD may expand, as needed, the \$200.00 limit to facilitate and simplify paying back MVFD members for money spent on MVFD business.

SECTION 4. MVFD FIRE PROTECTION AREA: The area served by the MVFD is designated as the MVFD Fire Protection Area (attachment 1). MVFD will make all reasonable attempts to

provide emergency mutual aid to other nearby fire departments upon request, The Fire Chief or his designee will have sole discretion to deny mutual aid requests that would hinder, jeopardize, or render ineffective fire or emergency services available to the MVFD Fire Protection Area.

SECTION 5. OFFICIAL RECORDS. MVFD shall collect, maintain records of all business transactions, meetings, agreements, financial audits, relevant financial information, meeting minutes, motions, votes, resolutions, and such other documents as needed. MVFD shall maintain such records as required by law or statute, as supported by the Document Retention schedule listed in Attachment 2.

A. MVFD RETENTION AND DESTRUCTION POLICY

1. Purpose - This policy provides for the systematic review, retention and destruction of documents received or created by MVFD in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed, thus promoting efficiency and freeing up valuable storage space.
2. Document Retention - The document retention procedures of MVFD are outlined below and the Document Retention schedule (attachment 2). Documents that are not listed but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.
3. Electronic Documents and Records Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the Document Retention schedule (attachment 2) will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file, moved to a Fire Department official computer "archive" file folder, or sent to an official MVFD email address.
4. Emergency Planning - MVFD records will be stored in a safe, secure manner, with limited access. Documents and financial files that are essential to keeping MVFD operating in an emergency will be duplicated or backed up at least monthly and maintained off-site.
5. Document Destruction - The MVFD President and Treasurer are responsible for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

SECTION 6. DISSOLUTION: If MVFD is not able to operate or be financially able to support its public service obligation, at the BOD's sole discretion, MVFD may be dissolved as otherwise set forth in the articles of incorporation. If this happens, the MVFD membership shall approve to liquidate all, or part, of the MVFD assets to take care of any debts or other financial obligations. As set forth in the articles of incorporation, MVFD shall transfer or assign any remaining assets to other volunteer fire departments as set forth in any federal or state requirements, with the provision the assets be utilized to provide for fire-fighting and emergency response services in the MVFD Fire Protection Area.

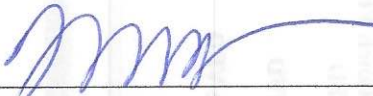
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DATE ENACTED: This the 19th day of September, 2024

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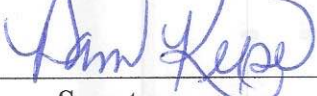
SIGNATURES OF DIRECTORS AND OFFICERS:



President



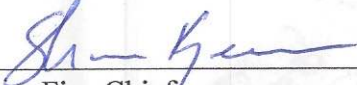
Vice-President



Secretary

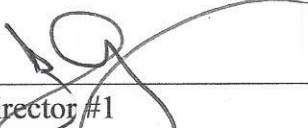


Treasurer




Fire-Chief


Sergeant-at-Arms



Director #1



Director #2




Director #3

Director #4

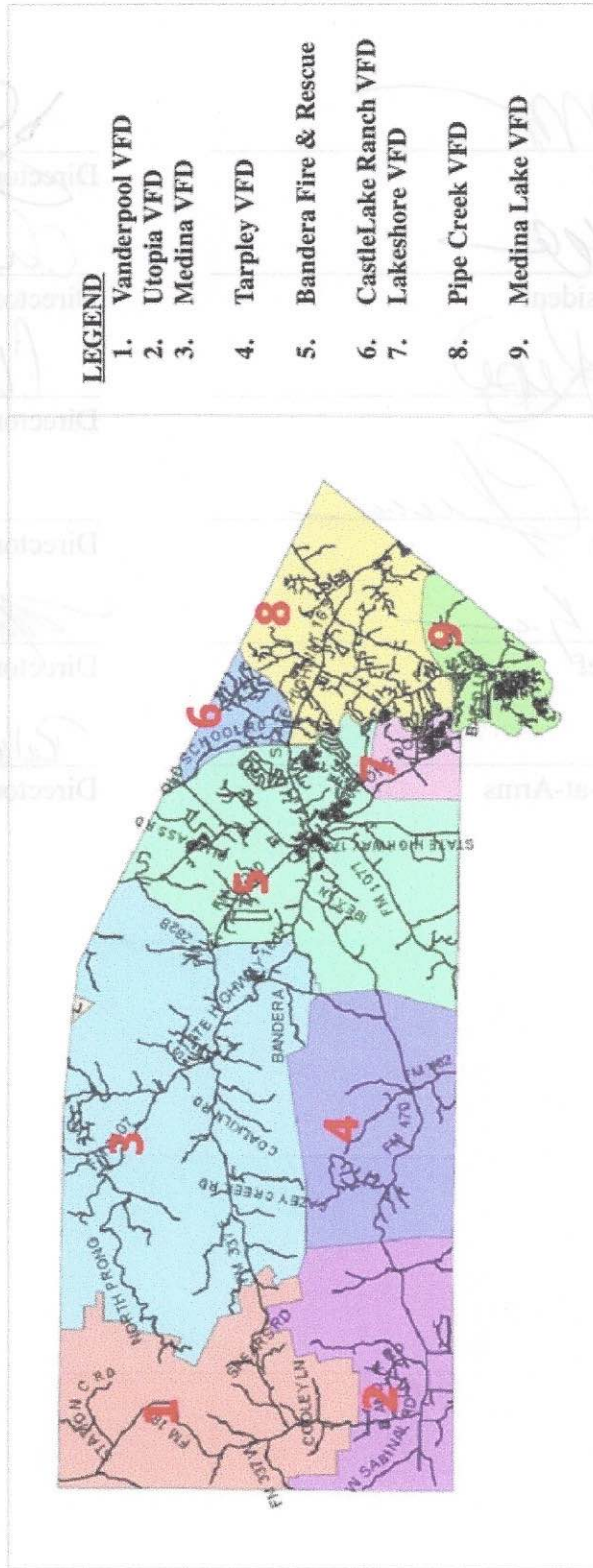


Director #5

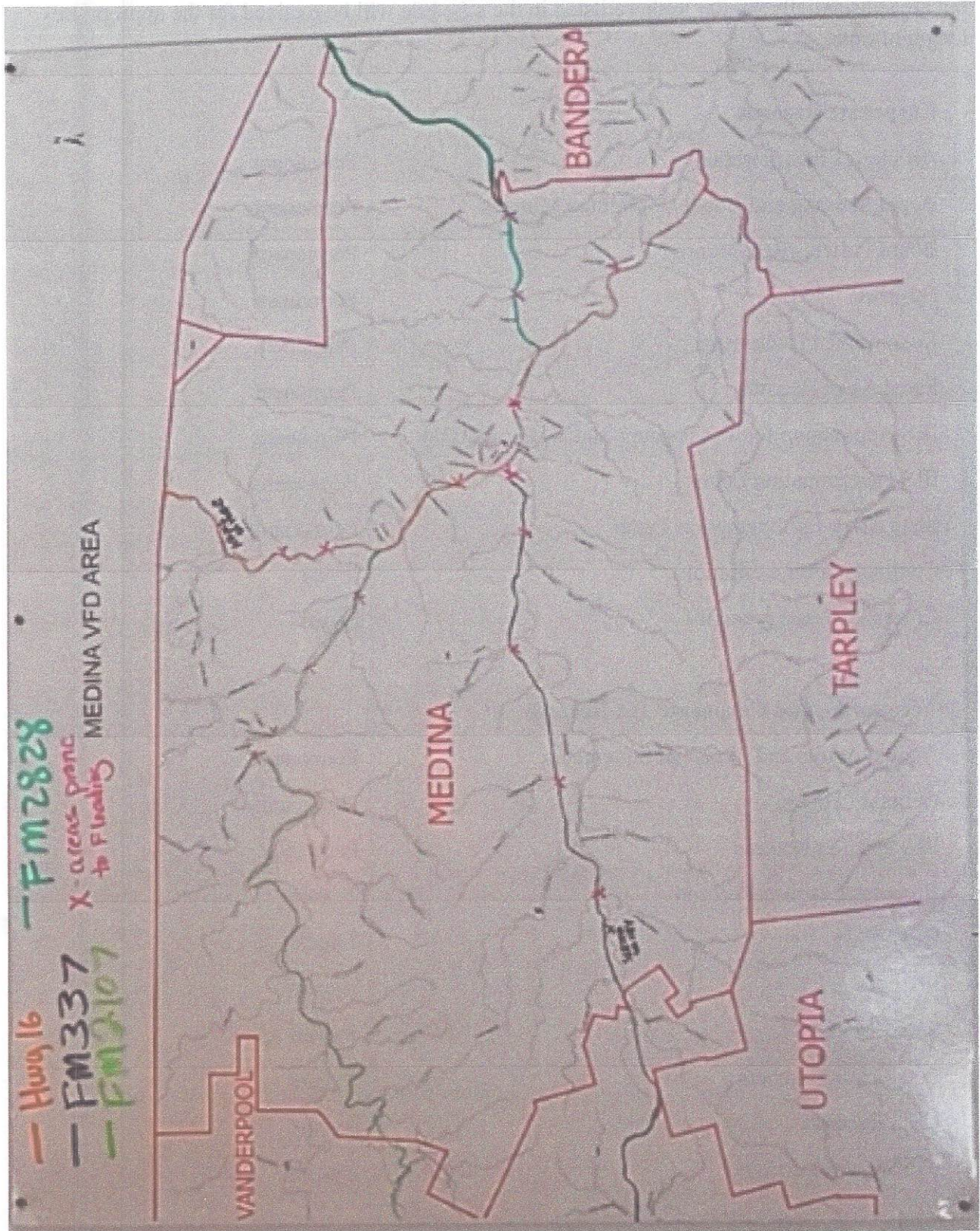


Director #6

Bandera County Fire Department Service Area Map



Attachment 1 continued: Medina VFD Service Area



Attachment 2 - Document Retention Schedule

MVFD follows the document retention schedule outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.

Corporate Records	
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
By-laws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (after expiration)	7 years
Correspondence (general)	3 years
Accounting and Corporate Tax Records	
Annual Audits and Financial Statements	Permanent
General Ledgers	Permanent
IRS 990 Tax Returns	Permanent
Business Expense Records	7 years
IRS 1099s	7 years
Invoices	7 years
Sales Records	5 years
Petty Cash Vouchers	3 years
Cash Receipts	3 years
Credit Card Receipts	3 years

Bank Records	
Check Registers	Permanent
Bank Deposit Slips	7 years
Bank Statements	7 years
Electronic Fund Transfer Documents	7 years
Loan Statements	7 years
Loan Payoff documents	Permanent
Employee Records	
Records Relating to Discharge	7 years after termination
Accident Reports and Worker's Compensation Records	5 years
Volunteer Applications	3 years after resignation/termination
Training Records	3 years (except one time only trainings; 3 years after resignation/termination)
Legal, Insurance and Safety Records	
Appraisals	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Leases	6 years after expiration
OSHA Documents	5 years
General Contracts	3 years after termination
Incident Run Reports	Permanent
Truck Maintenance & Repair Documents	7 years
Other	
Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts	5 years after completion