

EAGLE POINT VOLUNTEER FIRE DEPARTMENT CONSTITUTION AND BY-LAWS

Revised November 19, 2018

This document hereby replaces the original Eagle Point Volunteer Fire Department Constitution and By-Laws adopted by the Eagle Point Town Board on September 18, 1995 and the Town of Eagle Point Volunteer Fire Department General Rules and Regulations approved by the Eagle Point Town Board on May 17, 2010. The objective of this document is to provide an up-to-date single comprehensive Constitution and By-Laws document.

These Eagle Point Volunteer Fire Department Constitution and By-Laws, adopted by the Eagle Point Town Board on November 19, 2018, hereby replace the following documents:

- Eagle Point Volunteer Fire Department Constitution and By-Laws adopted by the Eagle Point Town Board on September 18, 1995.
- Eagle Point Volunteer Department General Rules and Regulations approved by the Eagle Point Town Board on May 17, 2010.
- **Eagle Point Volunteer Fire Department Constitution and By-Laws adopted by the Eagle Point Town Board on June 15, 2015.**

ARTICLE I – OBJECTIVES

The objective of this department, hereby known as the Town of Eagle Point Volunteer Fire Department, which is a unit of this town, shall be for the prevention of fires, to assist with medical emergencies, to safeguard the lives and property of all people in this community, to provide fire and rescue operations on fire grounds when called upon to do so, and to promote fire safety education. Additionally, The Eagle Point Volunteer Fire Department will respond with appropriate resources to mutual aid calls from area fire departments. The Eagle Point Volunteer Fire Department, as a unit of the Town of Eagle Point, will comply with the State of Wisconsin laws related to the functions of a volunteer fire department.

ARTICLE II – DEFINITIONS

When used in this Constitution and By-Laws, these terms shall have the following meanings and importance:

- Fire Department: Town of Eagle Point Volunteer Fire Department, (hereinafter known as "Department").
- Property: Anything of value.
- Fire Department Property: Any property owned, leased by, in the custody or control of the Fire Department or town.
- Fire Department Premises: Any building structure and equipment owned or leased in the custody or control of the Fire Department or town.
- Member: Any volunteer, part-time employee, or paid on-call employee, ~~or career full-time employee.~~
- On Duty: The time a member is responding, working or returning from any incident, training, meeting or other duty, or, in any other way, representing the Fire Department or town.
- SOG: Standard Operating Guidelines that have been adopted by the Fire Department.

- ~~Fire Department Board of Directors~~ Officer Staff: Comprised of the Fire Chief, Assistant Chief, Training and Safety Officer, ~~Captain Fire Operations and Captain EMS Operations~~ and three Captains.
- Executive Committee: Comprised of the President, Secretary and Treasurer.
- Town Board: The Eagle Point Town Board
- Elections for Officer Positions: The date for elections for officer positions will be the first regular membership meeting in April.
- Active Member: Any member who has completed their probationary member period as defined in Article V. Section 4B.
- Probationary Member: Member is considered a probation member until they have completed SPS 330 State Fire Fighter training or Emergency Medical Responder or higher, and have at least one year of active service with the Town of Eagle Point Fire Department. Probationary members cannot enter the "Hot Zone" at an emergency scene until appropriate training is completed.

ARTCILE III – AUTHORITY

Pursuant to the authority vested by Wisconsin State law, by the Eagle Point Town Board, the Fire Department, and the reservation of managerial rights and rule making procedures, the Town Board and the Fire Chief hereby officially enforce the Constitution and By-Laws of the Town of Eagle Point Volunteer Fire Department.

ARTICLE IV – TOTAL MEMBERSHIP

The compliment of this department shall not be less than fifteen (15) active members or more than thirty five (35). In the event the active membership falls below fifteen (15), the Fire Chief shall notify the Town Board and the Department shall initiate an immediate recruitment campaign.

ARTICLE V – MEMBERSHIP

SECTION 1: The membership of this organization shall be comprised of probationary and active members.

SECTION 2: All members are entitled to vote on all matters that come before a Department meeting. No member shall have more than one vote on any question before the membership. A "vote" can be tendered by voice, show of hands, or a written secret ballot.

SECTION 3: To qualify for employment, a person must:

- (3A) Be the minimum age of eighteen (18) and in good physical condition.
- (3B) Be a resident of the Town of Eagle Point or reside in close proximity to the Town.
- (3C) Fill out a Department application and submit the same to the Fire Chief.
- (3D) Pass an initial screening by the Fire Chief.
- (3E) Pass a background check conducted by the Town Clerk.
- (3F) Receive approval of the ~~Board of Officers~~ Fire Department Officer Staff. All applications received will be read and voted upon at the first ~~Board of Officers~~ meeting following submittal of the application. The Officers will

hold an interview with the candidate. After this meeting, Approval or disapproval of the candidate's application will be determined by a simple majority vote. The Board of Officers shall not adopt or be obligated to adopt any reason, motion or resolution for accepting or rejecting a candidate.

- (3G) Receive approval of the membership. All applications received will be presented at the next scheduled membership meeting. The members must vote on the question of accepting the candidate. Four or more "no" votes will result in rejection of the candidate. The membership shall not adopt any reason, motion or resolution for accepting or rejecting a candidate.
- (3H) Receive approval of the Town Board. The Town Board of shall not adopt or be obligated to adopt any reason, motion or resolution for accepting or rejecting a candidate.

SECTION 4: Membership Rules

- (4A) If a candidate is admitted as a Probationary Member, and if there is a vacancy, he or she shall enroll as a member, be issued a copy of the Constitution and By-Laws of this Department, and sign this document as evidence that member has read the document and is fully aware of its contents. The new member agrees to be bound by ordinances, bylaws, rules and regulations of the Town of Eagle Point Fire Department and the Town Board.
- (4B) Probationary Period: The probationary period for new personnel or promoted personnel is one year. As per SPS 330, A new personnel shall complete State Fire Fighter, or Emergency Medical Responder or higher, training prior to advancing from probationary status. During this probationary period, new members may be discharged or terminated from membership with or without cause at the discretion of the Fire Chief. Personnel who are promoted and who do not pass their probationary period shall return to the rank they held prior to the promotion.
- (4C) A member who misses more than two (2) consecutive monthly meetings and trainings and has not notified the Fire Chief or other officer of the absence in advance, may be expelled from the Department by a two-thirds (2/3) vote in Closed Session of the ~~Board of Officers~~.
- (4D) Any member may be expelled from the Department for cause by a two-thirds (2/3) vote in Closed Session of the ~~Board of Officers~~. Such member must have been notified in writing, signed by the Fire Chief and delivered via certified mail at least five days before the Closed Session, informing the member that expulsion will be considered at the meeting and of the reasons for expulsion. Also refer to Article VI – Disciplinary Procedures.

ARTICLE VI – EXECUTIVE COMMITTEE OFFICERS

~~SECTION 1: The Chief is appointed by the Town Board.~~

~~SECTION 2:~~ The elected officers of the Department (Executive Committee) shall consist of the President, Secretary, and Treasurer.

SECTION 2: Duties of the Executive Committee

~~(7A)~~ The Executive Committee shall consist of the President, Secretary and Treasurer.

~~(7B2A)~~ The President shall preside at all regular and special meetings of the Department and shall conduct all meetings in conformity with these By-Laws and under Roberts' Rules of Order.

~~(7C2B)~~ The Secretary will keep accurate minutes of all meetings. The Secretary is responsible for preparing all written correspondence from the department.

~~(7D2C)~~ The Treasurer shall keep an accurate account of all Fire Department funds and make all disbursements. Disbursements will be voted on by the Department or may be made on order of the Chief. Disbursements must be by check, bearing the signature of the Treasurer. A monthly report of all disbursements shall be submitted to the Town Clerk.

SECTION 3: Elections for Executive Committee Positions: The date for elections for Executive Committee positions will be the first regular membership meeting in April on the even years.

SECTION 3: The Chief has the option of appointing a Deputy Chief if he feels this action is necessary to complete the mission of the Department.

SECTION 4: First Responders/EMS Directors will be open for application or reapplication every two (2) years and voted on by the Department. Applicants must be trained First Responders to apply.

SECTION 5: The Safety Officer position will be open for application or reapplication every two (2) years and voted on by the Department.

SECTION 6: The Executive Committee of this organization shall consist of the President, Secretary, and Treasurer and will be voted on by the Department every two (2) years.

ARTICLE VII – DUTIES OF APPOINTED OFFICERS

SECTION 1: The Chief

(1A) The Chief is appointed by the Town Board and must be sworn in as Fire Chief at the time of his or her appointment. The Chief shall be in command of the Department subject to the laws of the State of Wisconsin and ordinances of the Town of Eagle Point. Unless it is a safety priority, Members shall not take orders from anyone other than the Chief or his or her delegated representative.

(1B) The Chief shall order all disbursements of funds in conformance with duties commonly belonging to this office.

(1C) The Chief shall have full charge of all apparatus and equipment and the building in which such apparatus is housed.

- (1D) The Chief shall be responsible for the efficiency of any and all apparatus used by the Department and shall determine, by personal inspection or by other members assigned to this task, that all means of combating fires and providing other emergency services are at their highest efficiency. The Chief shall communicate such information, facts, and observations to the membership as required to maintain highest efficiency at all times and to the Town Board on a monthly basis.
- (1E) At each regular meeting or special meeting, the Chief shall confirm that training in all phases of Department duties has been completed.
- (1F) The Chief shall make appropriate recommendations to the Town Board for mutual aid agreements with other departments in surrounding areas.
- (1G) If the scope of the department changes, the Chief, with the Officer's support, has the authority to alter or eliminate officer positions.

SECTION 2: ~~The Deputy Assistant Chief~~

- (2A) The Chief has the option of appointing an Assistant Chief if he or she feels this action is necessary to complete the mission of the Department.
- (2AB) ~~The Deputy Assistant Chief will coordinate with the Chief on all operations of the Department.~~
- (2BC) ~~The Deputy Assistant Chief will, in the absence of the Chief, assume all responsibilities and have all power of the Chief.~~

SECTION 3: ~~The Captains – Fire Operations, and Captain—EMS Operations, and Administration/Prevention~~

- (3A) The Captains shall succeed the Chief and ~~Deputy Assistant Chief~~ in the sequence as determined by the Chief. Captains are selected and appointed by the Chief.
- (3B) Captains shall be responsible for training and records along with the care and maintenance of the apparatus and equipment assigned to them.

SECTION 4: Training Officer(s)

- (4A) The Training Officer is appointed by the Chief.
- (4AB) The Training Officer(s) shall determine and conduct monthly training for the Department.

SECTION 5: Safety Officer(s)

- (5A) The Safety Officer is appointed by the Chief.
- (5AB) The Safety Officer(s) will oversee the safety during all fire department operations.

~~SECTION 6: First Responder/EMS Director(s)~~

- ~~(6A) The First Responder/EMS Director will oversee the First Responders for training and records along with ordering EMS equipment and supplies.~~

~~SECTION 7: Executive Committee~~

- ~~(7A) The Executive Committee shall consist of the President, Secretary and Treasurer.~~
- ~~(7B) The President shall preside at all regular and special meetings of the Department and shall conduct all meetings in conformity with these By-Laws and under Roberts' Rules of Order.~~
- ~~(7C) The Secretary will keep accurate minutes of all meetings.~~
- ~~(7D) The Treasurer shall keep an accurate account of all funds and make all disbursements. Disbursements will be voted on by the Department or may be made on order of the Chief. Disbursements must be by check, bearing the signature of the Treasurer. A monthly report of all disbursements shall be submitted to the Town Clerk.~~

ARTICLE VIII – ~~EMS MEDICAL DIRECTOR AND EMS SERVICE DIRECTOR~~

SECTION 1: The ~~EMS Medical~~ Director shall serve to advise the Department on the quality of care. The ~~EMS Medical~~ Director will have authority over all clinical and patient care aspects of the EMS system or service and meet the following qualifications that include a license to practice medicine or osteopathy, familiarity with the design and operation of out-of-hospital EMS systems, experience or training in the out-of-hospital emergency care of the acutely ill or injured patient and knowledge of EMS laws and regulations.

SECTION 62: First Responder/EMS Service Director(s)

- ~~(62A) The First Responder/EMS Service Director(s) will oversee the First Emergency Medical Responders for training and records along with ordering EMS equipment and supplies.~~
- ~~(2B) The EMS Service Director shall maintain a current Eagle Point State of Wisconsin EMR license.~~
- ~~(2C) The EMS Director position will be open for application, or reapplication, every two (2) even years during the regular April meeting and be approved by the Officers. Applicants must be a Emergency Medical Responders licensed by the State of Wisconsin to apply.~~

ARTICLE ~~VII~~ IX– DUTIES OF MEMBERS

- SECTION 1: It shall be the duty of all members to take instructions from the Chief, or any member vested with the power of authority as set forth in these Constitution and By-Laws.
- SECTION 2: Normal daily work assignments and Department priorities shall be completed as soon as possible. Work interrupted by emergencies or other priorities shall be completed as soon as possible.
- SECTION 3: It shall be the duty and obligation of all officers and members to respond to all alarms and to attend all meetings and trainings.
- SECTION 4: A member who cannot attend a meeting or training shall notify the Chief or any line officer in advance of the pending absence.

SECTION 5: Any member injured on duty shall complete the required employer's First Report of Injury report within 24 hours of the incident or as soon as possible. If the member is unable to complete the report, the member's officer shall complete the report on his or her behalf. The report shall be forwarded to the Town Clerk who will send it to the Town's Worker's Compensation Insurance carrier and filed in the member's personal file. Any injuries shall be investigated.

SECTION 6: It shall be the duty of all members to read the Constitution, By-Laws and SOG's and become familiar with their contents.

SECTION 7: Members shall be responsible for equipment assigned to them, including its care, readiness and return it to the Department upon termination of membership.

- (67A) All members will be furnished with protective clothing required in Wisconsin Administrative Code SPS 330 and a pager. Portable radios may be furnished to personnel.
- (67B) If the membership is terminated, either voluntarily or involuntarily, such member shall return all equipment owned by the Department.
- (67C) Any member who discovers damaged or defective equipment shall immediately tag it and remove it from services. The item shall be marked to prevent its use by another member. The member's officer shall be promptly notified of the defective equipment.
- (67D) Members shall wear the appropriate protective equipment and clothing when performing fire, rescue, and EMS duties.

SECTION 8: Members shall inform the Chief and Town Clerk of any change of address or phone number within 14 calendar days of such change. The Department will respect requests for unlisted numbers, which will not be posted for view of the general public or released without the permission of the member.

ARTICLE VIII-X- DEPARTMENT RULES

SECTION 1: Operation of Emergency Motor Vehicles

- (1A) Emergency vehicles are one of the most important Department assets. The safe operation of these vehicles, particularly during emergency response, depends greatly upon the ability and skill of the driver. Therefore, the driver's on and off duty driving habits and records shall be reviewed once a year. Such review shall include, but not be limited to:
 - a. All drivers must produce, for inspection, a valid driver's license and file such with the Town Clerk.
 - b. All drivers must produce, for inspection and copying, proof of valid automobile insurance and file such with the Town Clerk.
- (1B) Suspension of operation of emergency motor vehicle privileges of the Department shall occur as follows:

- a. Class Violations within Three (3) Years: Any driver convicted of a Class A violation, as defined below, within the past three years shall be prohibited from operating any Department emergency motor vehicle at any time. After the above referenced three year period has lapsed, said driver shall be required to attend an approved driver-improvement program or equivalent training to be re-certified to operate emergency vehicles. Class Type A violations shall be defined as:
 - (1) Driving while intoxicated
 - (2) Driving while under the influence of drugs
 - (3) Negligent homicide arising out of the use of a motor vehicle
 - (4) Operation during a period of suspension or revocation
 - (5) Using a motor vehicle to commit a felony
 - (6) Aggravated assault using a motor vehicle
 - (7) Operating a motor vehicle without the owner's consent
 - (8) Permitting an unlicensed person to drive
 - (9) Reckless driving including hit and run driving
- b. Class B Violations within three (3) years:
 - (1) Any driver who has a combination of two (2) Class B moving violation convictions and/or chargeable accidents in a three-year period shall be issued a warning letter from the Chief.
 - (2) Any driver who has a combination of three (3) moving violations and/or chargeable accidents in a three-year period will be issued a suspension of driving Department vehicles for a period of ninety (90) days by the Chief.
 - (3) Any driver who has more than three (3) moving violations and/or chargeable accidents in a three-year period will be issued a suspension from driving department vehicles for a period of one year by the Chief. In addition, after the above referenced suspension has been served, said driver shall be required to attend an approved driver-improvement program or equivalent training and to be re-certified to operate emergency vehicles.
 - (4) Class Type B Violations shall be defined as all moving violations not listed in Type A violations above. Note: Exceeding posted speed limit is a Type B violation.

- (1C) To operate Department equipment, members must receive a one-time approval of an officer. As per SPS 330, new drivers must complete the 30-hour Entry Level Driver Operator within 12 months of initial assignment to an apparatus.

SECTION 2: Conduct

- (2A) Use of Intoxicants: Members shall not drink or purchase intoxicating beverages while on duty. Members shall not appear for duty, or be on duty, while under the influence of intoxicants to any degree, or with the odor of intoxicants on their breath. Blood alcohol concentration shall be 0.00% (zero tolerance).
- (2B) Use of Drugs: Members shall not use any controlled substances, narcotics, or hallucinogens, except when prescribed by a physician or dentist. When controlled substances, narcotics, or hallucinogens are

- prescribed, the member shall notify their supervisor prior to commencing the next shift of duty. Members using prescribed drugs shall not be on duty if the member's judgment or, in the supervisor's judgment, that the member's job performance would be affected by such use.
- (2C) Conformance to Law: Members shall not take part in any activities whatsoever which would violate a law of the United States, and of any State, local, or municipal law of any State or Federal jurisdiction in which they are present. A conviction of the violation of any law shall be a prima facie evidence of a violation of this rule.
 - (2D) Professional Conduct: Members shall conduct themselves, at all times, both on and off duty, in such a manner to reflect favorably upon the Department. Members shall not exhibit behavior which brings the Department into disrepute, causes the public to lose respect for and confidence in the Department, or which impairs the operation and efficiency of the Department or the member.
 - (2E) Chain of Command: Members shall promptly obey any lawful orders of their supervisor. This will include orders relayed from a supervisor by other members of the Department of the same or lesser rank. Members shall not act as to exhibit disrespect for a supervising officer nor shall they engage in any conduct which would undermine the authority of their supervising officer or officers. Members who are given a proper order which is in conflict with a previous order, rule, regulation or directive, shall respectfully inform the superior officer issuing the order of the conflict. Members shall not obey any order which they know or should know would require them to commit an illegal act. If in doubt as to the legality of an order, members shall request the issuing officer to clarify the order or confer with higher authority.
 - (2F) False Statements or Information: No member shall knowingly make a false statement or official record or knowingly enter or cause to be entered into any Department books, records, or reports, any inaccurate or false verbal report to a fellow member or superior officer. The intentional omission of important information is also prohibited by this rule or law. Members shall not alter, remove or destroy records, documents or other materials in order to conceal personal wrongdoing or a violation of the work rules or conceal the wrongdoing or violations of the work rules by others.
 - (2G) Discrimination: Members of the Department shall not discriminate against or harass another member of the Department or member of the public because of race, color, religion, sex, or national origin in all employment practices including conditions of employment.
 - (2H) Confidential Information: Members shall not release or divulge investigative information, operational procedures, intelligence or other confidential information except under the process of law or by the direction of a superior officer. Members will not divulge the identity of witnesses, victims or complainants except for the purposes of conducting Department business. The home address and telephone number of members will not be provided to any person outside of the Department without the expressed permission of that member.
 - (2I) Tamper or Defacement of Department Property: No member shall alter, mark, change, or deface any Department property, printed matter or written notices, memoranda, order or directive posted within on

Department property or under the control of the Department in any manner whatsoever.

(2J) Use of Department Property:

- (a) Members shall use due care in the use of any Department property. Members shall not mark, mar, deface or otherwise damage or alter Department property.
- (b) No member shall retain or convert, for his or her own personal use, or for the use of another, any property of the Department or any property held by the Department or knowingly permit, encourage or direct others to engage in such activities.
- (c) No person shall use any fire apparatus or equipment for any private purpose unless this use will benefit the Town or Department as determined by the Chief or a vote of the membership, except in the event of a hardship for a town resident as determined by the Chief or next officer in command.
- (d) The Department is not to respond outside of the Town of Eagle Point unless a mutual aid agreement has been consummated by the Town Board and the Department, or by special permission of the Chief, or, in the Chief's absence, by special permission of the next officer in command.

(2K) Smoking is not allowed in the interior of the fire station, on or around apparatus and equipment or at the scene of the incident. Smoking material will be discarded in an appropriate container and not on the ground.

SECTION 3: Property and Premises:

- (43A) Building Security: Overhead garage doors should be kept closed whenever members are unable to keep watch over the apparatus areas. Station entrance doors may be unlocked during regular business hours when the station is occupied by a member. Station doors should be locked any time the station is vacated.
- (43B) Keys, Files and Codes: Unauthorized use, duplication, or disclosure of Department keys, files or combination lock codes is prohibited.
- (43C) Department Office: The office area of the Chief or other private offices shall be off limits unless authorization to enter is given by the Chief.

SECTION 4: Records and Reports:

- (54A) Reports: All reports of the Department activities shall be completed as soon as possible and all information required on the report shall be complete and accurate. Reports that need to be entered in the Department's computer shall be entered as soon as possible. Also refer to Article VI, Section 2, Paragraph (2L).
- (54B) Modification: Members shall not modify, or make any alterations to any report or record without the permission of the original writer and the Chief.
- (54C) Disclosure: Members shall not disclose any confidential or privileged information to persons outside of the Department unless required by law or authorized to do so by the Chief.
- (54D) Falsification: Members shall not falsify any records or reports. Also refer to Article VI, Section 2, Paragraph (2J).
- (54E) Release: No information from reports is to be released to the media.

ARTICLE ~~IX~~ XI – DISCIPLINARY PROCEDURES

SECTION 1: Disciplinary Actions

- (1A) Authority: The Town Board shall have ultimate authority over the Chief and Department members. The Chief shall have authority to impose discipline for each separate issue to include the following:
 - (a) Oral reprimand and documentation of such.
 - (b) Written reprimand submitted to member and filed.
 - (c) Suspension.
 - (d) Dismissal
- (1B) Determination: In determining the appropriate discipline, all mitigating factors must be considered. Certain cases may require commencement of discipline at any step. If any member believes disciplinary action is merited, that member shall file a written report with the Chief.
 - (a) The report shall include the following:
 - (1) The name of the member being referred for discipline.
 - (2) The time, date and location of the alleged infraction.
 - (3) A statement of facts.
 - (4) The signature and printed name of the person filing the report.
 - (b) The report shall be distributed as follows:
 - (1) One copy to the Chief.
 - (2) One copy to the ~~Deputy Assistant~~ Chief.
 - (3) One copy to the person being referred for discipline.
 - (4) One copy to the Town Clerk for distribution to the Town Board.
- (1C) Corrective Action: In addition to the foregoing, the Chief and Board of Officers may require corrective action, including by not limited to, training, counseling, treatment, or other employee assistance reasonably related to the circumstances causing the discipline.
- (1D) Reasons for Discipline (include but not limited to the following):
 - (a) Violation of the rules, regulations, protocols, and operation procedures of the Department.
 - (b) Falsifying information in any way
 - (c) Arrest and conviction for criminal or forfeiture action, the circumstances of which significantly relate to the members employment as an emergency medical technician and/or a firefighter.
 - (d) Endangering the welfare of another person or member by careless or negligent actions and threatening to withhold medical treatment to any person.
 - (e) Loss of drivers license.
 - (f) Inadequate job performance.
 - (g) Failure to maintain certifications and state ~~licenees~~licenses.
 - (h) Failure to adhere to performance standards.
 - (i) Conviction of any crime in Wisconsin and any state.
- (1E) Reports for Disciplinary Action:
- (1F) Determination of Allegations: After the Chief completes a fact finding investigation, including giving the accused an opportunity to offer his or her version of the events leading to the allegation(s), the Chief will make a determination regarding the truth or falsehoods of the allegations and

report such findings to the Town Board. If the allegations are sustained and deemed by the Chief to warrant discipline, the Chief, after consultation with the Town Board, may proceed to impose the appropriate discipline. Record of the violation and discipline imposed shall be placed in the member's personnel file.

- (1G) Appeal of Disciplinary Action: Members subject to disciplinary action may appeal the Chief's disciplinary action to the Town Board within five (5) days of the action by notifying the Chief in writing of the request for a review by the Town Board. The response to appeal will be as follows:
- (a) The Chief will notify the Town Board which will set a date for review.
 - (b) The Chief will notify all witnesses to appear at the review.
 - (c) The Town Board will conduct the review in Closed Session with the appealing member and his or her attorney, if one is chosen by the member. Witnesses may be called as necessary to review the facts.
 - (d) Upon completion of the review, the Town Board can sustain disciplinary action, increase or decrease the severity of the disciplinary action or dismiss the disciplinary action.

ARTICLE XII – COMPLAINTS FROM THE PUBLIC

SECTION 1: Receiving of Complaint: If a complaint is reported by the public to the Town Board, the Chief or any member of the Department concerning any action by the Department or member of the Department, the person making the complaint shall be referred to the Chief or another Department officer. The Chief or officer shall complete a report concerning the alleged complaint and the report shall include the following:

- (1A) The complainant's name, address, telephone number, name of any witnesses, name of person/member against whom the complaint is being directed, location and time of the occurrence and the nature of the complaint, why the complaint is being made and a complete statement of facts.
- (1B) The Chief or officer shall submit a copy of the report to the complainant for review and, if necessary, changes or corrections. Upon completion of the final report, the complainant shall sign the completed report.
- (1C) The final report shall be retained by the Chief or officer and a copy shall be submitted to the Town Board.

SECTION 2: Action on Complaint: Any written complaint from the public about any member of the Department will be addressed by the Town Board and the Chief. The Town Board will solely decide if any action or disciplinary action is warranted.

ARTICLE XIII – COMMITTEES

SECTION 1: Budget Committee:

- (1A) The Budget Committee will be comprised of the Chief, President, one appointed officer and two fire fighters. Each will be selected by the membership at or before the September business meeting.

- (1B) The duties of the committee shall be to prepare and present the budget to the Department for approval and submission to the Town Board on or before November 1.

SECTION 2: Rules Committee:

- (1A) The Rules Committee shall consist of the Department officers.
(1B) The duties of this committee shall be to:
(a) See that the Department operates within the By-laws, SOP's and other regulations of the Department.
(b) At least once per year, review the By-laws and SOP's of the Department and make recommendations as to any changes or amendments deemed necessary.

ARTICLE XII~~V~~ – EQUIPMENT

SECTION 1: All apparatus and equipment, however purchased and furnished, is the property of the Town and operated and maintained under the jurisdiction of the Department.

ARTICLE XIII~~V~~ – FUNDS

SECTION 1: All routine foreseeable expenditures of this Department shall be made within the confines of the Annual Budget covering a fiscal period in agreement with the Town of Eagle Point. The budget will be established by the officers and approved by the Department membership prior to submission to the Town Board.

SECTION 2: Any funds required for the purchase and maintenance of apparatus, equipment and fire station included in the approved budget shall be requested by presenting a voucher to the Chief, who will approve and submit it to the Town Clerk for Town Board approval.

SECTION 3: Any non-budgeted expenditures in excess of \$100 must be approved by the members prior to disbursement.

SECTION 4: A Volunteer Funds Account, which includes A department fund shall be controlled by the Department, which is funds acquired by the membership as a result of fundraising activities and fundraising donations shall be established and controlled by the Department. The purpose, authority, control, limitations, and audit and other account requirements are defined in Town of Eagle Point Ordinance 2015-3 titled "Ordinance Authorizing The Town of Eagle Point Volunteer Fire Department to Hold Volunteer Funds". This fund shall be for the use of the membership and must be used for the intent given at the time of the fundraiser for the enhancement of the Department, and shall be accounted for separately from any Town funds. Upon dissolution of the Department, all money in said Department fund and all property purchased with said funds shall become the property of the Town. The Town Board will complete an annual audit of all Department transactions.

SECTION 5: ~~[ADD LANGUAGE ON NEWLY FORMED COMMITTEE TO OVERSEE FUNDS RECEIVED FROM SHIRLEY DAHLMAN ESTATE.~~

Funds raised as a result of fundraising events or through specific donation solicitations or donor-designated contributions shall be for the

enhancement of the Department and must be used for the intent given at the time of the fundraising event or for the purpose, if any, designated by a donor or donors.

SECTION 6: Monetary donations to the Eagle Point Fire Department shall not be placed in the Volunteer Funds Account but shall be kept in a separate account for bookkeeping purposes.

SECTION 7: Upon dissolution of the Department, all monies, accounts, and equipment shall become the property of the Town.

SECTION 8: Funds for training will be dispersed through the following guidelines.

(7A) Fire-funded training. Every effort will be made to place members in the closest, available course. Tuition is funded by the State of Wisconsin. The book is paid for by the Department. The member completing the training will not be reimbursed for the wages to attend the training until successful completion of the class. At that time the member should submit the attended hours. Examples of this training include Entry Level Firefighter Part A, B, C, Firefighter II, Entry level Driver Operator Parts I and II, Fire Officer, Hazardous Materials Operations and Fire Inspector.

(7B) Non-fire funded specialty training or conferences: Attendance at non-funded specialty training or conferences must be approved by the officers. Once approved, dependent upon the training, officers will determine the costs that will be covered by the department. This may include tuition (registration), books, wages, fuel (mileage) and meals.

(7C) EMS Training: Attendance at EMS Training must be approved by the Officers. Once approved, the tuition (to the EMR level) will be paid for by the department. The book must be purchased by the member. Upon successful completion of the course, review of department involvement, six months of call response AND successful passing of the National Registry, the wages for attendance in the course will be reimbursed at the training wage level.

(7D) Certification Exams: The department will pay for or reimburse the members for the FIRST attempt at certification or licensing exams. This includes EMR/EMT/Firefighter I/Firefighter II/Driver Operator – Pumper/ Fire Officer I and Fire Inspector.

ARTICLE XIV-XVI – MEETINGS

SECTION 1: The membership of the Department shall meet at least once each month, at ~~7:30-7:00~~ 7:00 p.m., on the first Wednesday unless notified otherwise by the Chief or next officer in command.

SECTION 2: A quorum at all meetings shall consist of 33% of all active members, ~~present at any regular meeting or at any special meeting of which the Chief has given notice.~~

SECTION 3: The Chief or any officer designated by the Chief may call a special meeting when they deem necessary.

ARTICLE XVII – ORDER OF BUSINESS

SECTION 1: The agenda for each meeting shall conform to the following format:

- Roll Call

- ~~Reading of the Minutes of the previous meeting~~
- ~~Treasurer's Report~~
- ~~Training Report~~
- ~~Report of Committees~~
- ~~Communications~~
- ~~Approval of bills or disbursements~~
- ~~Old Business~~
- ~~New Business~~
- ~~Acceptance of new members.~~
- ~~Report and critique of all alarms received~~
- ~~Report from the Chief~~
- ~~Adjournment~~

- Call meeting to order
- Pledge of Allegiance
- Roll Call
- Secretary's Report
- Treasurer's Report (Approval of bills or disbursements)
- Town Clerk report (if necessary)
- Town Chairman report (if necessary)
- Old Business
- New Business
- Acceptance of new members (when needed)
- Chief's Report
- Report and critique of all alarms received (noted)
- Training Report
- Report of Committees
- Communications
- Good of the Order
- Issues for next agenda
- Adjournment

ARTICLE XVIII – MONTHLY TRAININGS

SECTION 1: The membership of the Department shall meet for training at least once each month, at 7:30-7:00 p.m., on the third Wednesday unless notified otherwise by the Chief or next officer in command.

SECTION 2: ~~A quorum shall consist of all active members present at any regular training or at any special training of which the Chief has given notice.~~

SECTION 3: The Chief or an officer designated by the Chief may call a special training when they deem necessary.

ARTICLE XVIII – RULES OF ORDER

In all matters pertaining to the conduct of the business session, Robert's Rule of Order shall govern.

ARTICLE XVIII – AMENDMENTS

These By-laws may be amended, modified or changed through the following action by the Department membership and the Town Board:

SECTION 1: Membership Action: By approval of two-thirds (2/3) vote of all members present at any regular business meeting, provided notice of the proposed amendment, modification or change has been presented in a previous meeting or announced in writing to all members one (1) week prior to the meeting, at which the proposed amendment, modification or change is to be voted on.

SECTION 2: Town Board Action: By approval of the Town Board.

-End-

ACKNOWLEDGEMENT BY MEMBERS

I, the undersigned, have read and understand the Constitution and By-Laws of the Town of Eagle Point Volunteer Fire Department. One copy of the By-Laws has been received by me, and a second copy which is signed, dated, and has each page initialed by me will be kept in my file.

Member Signature

Printed Name

Witnessing Officer Signature

Printed Name

Date

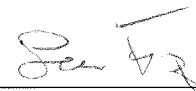
Eagle Point Volunteer Fire Department Constitution and By-Laws
Revised November 19, 2018

These By-Laws Revision shall be effective upon passage and posting as provided by Law.

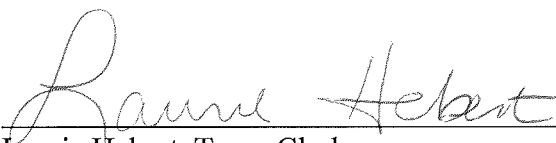
Passed by the Town Board, Town of Eagle Point, Chippewa County, Wisconsin this 19th day of November, 2018.

TOWN OF EAGLE POINT

BY: 
Dennis Ferstenou, Town Chairman

BY: 
Lawrence Frazer, Town Supervisor

BY: 
Randy Woodruff, Town Supervisor

Attest: 
Laurie Hebert, Town Clerk

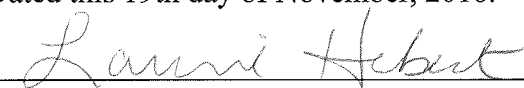
Adoption: November 19, 2018

Publication 11-29-18

CERTIFICATION OF ADOPTION

The undersigned, Town Clerk of the Town of Eagle Point, Chippewa County, Wisconsin, does hereby certify that the foregoing By-Laws Revision were adopted by the Town Board, Town of Eagle Point, on November 19, 2018 and that a copy thereof was posted in three public places in the Town of Eagle Point on 11-29-18, and that the By-Laws Revision are now in full force and effect.

Dated this 19th day of November, 2018.


Laurie Hebert, Town Clerk