

**By-Laws
of the
HICKORY CREEK VOLUNTEER FIRE DEPARTMENT, INC.
May 1, 1980
As Amended May 3, 1988 and May 1, 1990**

ARTICLE I - NAME AND PLACE OF BUSINESS

SECTION 1 - The name of the corporation shall be the Hickory Creek Volunteer Fire Department, Inc.

SECTION 2 - The Principal place of business of the Corporation shall be located in the Community of Hickory Creek, Arkansas.

ARTICLE II - PURPOSE

To safeguard the people of the area surrounding or including the area known as Hickory Creek, Arkansas, from loss of lives, property, and finances and to teach and encourage the teaching of safety, fire prevention, fire fighting, fire detection, and emergency services for the Hickory Creek Community as may be needed and the Department has the ability to provide.

ARTICLE III - BOUNDARY OF PROTECTION

The Hickory Creek Community and surrounding areas as determined by agreement with the Benton County Fire Protection Associations.

ARTICLE IV - MEMBERSHIP

SECTION 1 - Membership in the Corporation shall be limited to owners, operators, or tenants of land or dwellings or businesses within the boundaries described in Article III.

SECTION 2 - Initial membership fees shall be \$35.00 with annual dues schedule to be determined by a majority vote of the members on the advice of the Board of Directors. Dues shall be due on April 1. If dues are not paid by July 1, membership will be subject to forfeiture by a vote of the Board.

SECTION 3 - The membership shall be considered personal property of the buyer and not transferable.

ARTICLE V - ANNUAL AND SPECIAL MEETINGS

The regular annual meeting of the members shall be held each spring, no later than June 1, at the time and place designated by the Board of Directors on 10 days written notice to be mailed to each member by the Secretary. These notices to be mailed to the member's last address of record.

Ten percent of the members, shall constitute a quorum. Each membership is

allowed one (1) vote. The President shall cast the deciding vote in case of a tie.

Special meetings shall be held on the same notice at the request of the President or on a written petition by 20% of the membership.

ARTICLE VI - NOMINATING COMMITTEE

The Nominating Committee shall consist of three members appointed by the President. The report of the Nominating Committee shall be sent to the general membership 10 days prior to the annual meeting.

ARTICLE VII - BOARD OF DIRECTORS

SECTION 1 - The Board of Directors shall consist of nine directors who are members in good standing.

SECTION 2 - Four of the directors shall be elected by the general membership at the annual meeting and five by the active firefighters immediately following the annual meeting. The directors shall serve for four year staggered terms. However, all directors shall serve until their successors are duly elected and qualified. Should a vacancy occur due to health, resignation, ineligibility or failure or refusal to serve, the remainder of the Board shall elect an eligible successor to fill the position until the next annual meeting.

SECTION 3 - The Board of directors shall have general power to control and direct the affairs of the Corporation. The right to eject any unacceptable individual firefighter from the firefighter's group shall be in the sole responsibility of the Board. The Board shall obtain and maintain adequate Insurance, Liability and otherwise, to protect the property of the Corporation and to cover it's potential liability.

SECTION 4 - The Board shall meet at such regular intervals and such places as the Board shall designate, but in no event less than once each three months. Special meetings may be called by the President of the Board on three day's notice to each Board member. A majority of the Board shall constitute a quorum.

ARTICLE VIII - OFFICERS

The officers shall be the Fire Chief, Assistant Fire Chief, President, Vice-President, Secretary, and treasurer. They shall be elected by a majority vote of the Board from its members for a term of one year. A Board member may hold more than one position.

ARTICLE IX - DUTIES OF OFFICERS

The President, or in his absence the Vice-President, shall preside at all meetings of the Board. The President shall appoint all committees that may be deemed necessary to carry out the purposes of the Corporation and shall be ex-officio member of all

committees. The Secretary shall conduct all of the correspondence of the Corporation and shall discharge such other duties as may be assigned by the Board. The records shall, in all reasonable hours, be open to inspection of any member of the Corporation. The Treasurer shall collect funds and disburse the funds. No funds exceeding \$200.00 per item will be disbursed without approval of the Board, excepting emergency repairs. The Fire Chief or his Assistant shall be in complete command of all equipment of the corporation when being used for firefighting and shall direct persons answering the fire call in the proper methods of controlling said fire.

The Chief and Assistant Chief shall be responsible for all equipment and see that it is properly housed at a central point within the boundaries of the Corporation's area of protection.

ARTICLE X - SERVICES TO NON-MEMBERS

SECTION 1 - Non-members will be charged the sum of \$250.00 per fire call.

ARTICLE XI - RULES OF ORDER

At the regular and special meetings of the Board and the annual meeting of the membership of the Corporation the order of business shall be:

- 1st Roll Call
- 2nd Reading of minutes and report of the treasurer
- 3rd Reports of the Committees
- 4th Unfinished Business
- 5th New and Miscellaneous Business
- 6th Election of trustees or Offices as required

Robert's Rules of Order shall be used.

ARTICLE XII - STATEMENT OF NON-PROFIT STATUS

No part of the net earning of the Corporation shall inure to or be distributed to its members, directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay a reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation.

ARTICLE XIII - AMENDMENTS

These Bylaws may be amended by the affirmative vote of two-thirds of members present at the annual meeting or special meeting of the membership of the Corporation provided, however, that the proposed changes in the By-laws be sent out in notices ten days prior to said meeting.