

BYLAWS OF THE ST. MARY'S COUNTY EMERGENCY SERVICES BOARD

Article I

NAME

The name of this organization as established by the Commissioners of St. Mary's County shall be the St. Mary's County Emergency Services Board (hereinafter "Board").

Article II

PURPOSE OF THE BOARD

The Board shall advise the CSMC of matters pertaining to Emergency Services in SMC. The purpose of the Board is to serve as an advisory board between the SMC Emergency Services Providers and the SMCG as offered by the EMSOP, SMCFB and the fire departments, and to work for the best interests of the residents of SMC. The Board is formed not to take the place of the SMC FBA or the SMC Ambulance and Rescue Association, but rather to affect a partnership and coordinate and enhance the efforts of these services. The departments, squads, and ALS Unit shall remain in control of fire, rescue and emergency medical service operations.

Article III

FUNCTIONS OF THE BOARD

Section 1. Functions.

To accomplish its purpose, the Board shall meet regularly, consider and advise on issues related to Public safety.

Section 2. Recruitment and Retention.

The Board will develop and implement a program to address the recruitment and retention needs for fire and rescue services.

Section 3. Training.

The Board will determine and act on training needs as follows:

- (a) Establish training plans to meet County uniform training levels. Serve as liaison between departments, squads, ALS Unit, and training authorities, such as MFRI and MIEMSS.
- (b) Standardize training qualifications for officers in the departments, squads and ALS Unit. Qualifications should be consistent with generally accepted standards (e.g. National Fire Protection Association, MFRI, and MIEMSS).

- (c) Enlist St. Mary's County Government's support for training needs at the Southern Maryland Regional Training Center in La Plata.

Section 4. Adjudication.

The Board will resolve conflicts between the individual departments, squads, and units and the St. Mary's County Fire Board Association and St. Mary's County Ambulance and Rescue Association in cases where conflicts cannot be resolved by the Association(s).

Section 5. Interface with Commissioners of St. Mary's County.

The Board will serve as the channel for conducting business, as defined by these bylaws, between the St. Mary's County Emergency Services and the St. Mary's County Government. This will include reporting annually to the Commissioners of St. Mary's County on the status of the emergency services in St. Mary's County, addressing: measures or work activity (e.g. number of calls, hours of training for members, public education, drills); other significant activities of the past year; evaluation of services; problems and challenges encountered or expected; and plans for the current year.

Section 6. Interface with Department of Emergency Services.

The Board will serve as advisor to the Department of Emergency Services in the following areas: 911 communications; radio procurement; and emergency response through the Emergency Operations Plan as it relates to the fire and rescue services. The Department of Emergency Services will, in turn, notify the Board of issues that impact fire and rescue services.

Section 7. Legislative and Budget.

The Board will:

- (a) Recommend all legislative matters to the St. Mary's County Government as offered by the departments, squads, ALS Unit, St. Mary's County Fire Board Association, St. Mary's County Ambulance and Rescue Association, or the Board and Commissioners will share positions on legislation with the Board.
- (b) Recommend approval of supplemental funding requests to the St. Mary's County Government. In initiation of supplemental funding requests shall be the responsibility of each requesting agency. The St. Mary's County Government has the approval authority for funding requests.
- (c) Receive copies of budget submittals or informational purposes. Each department, squad and unit will be responsible for submitting, clarifying, supporting, and justifying individual budget requests to the Commissioners of St. Mary's County. The Board shall not be authorized to reject budget submittals.
- (d) Receive a presentation from the Director of the Department of Emergency Services regarding the Department of Emergency Services' budget request.

- (e) Review low interest loan submissions for recommendation of approval or denial to the Commissioners of St. Mary's County.
- (f) Recommend scholarships for funding to the Commissioners of St. Mary's County.

Section 8. Master Planning.

The Board will:

- (a) Establish, update and monitor the Master Plan for fire and rescue services.
- (b) Review station location as the need for new stations develops and review restructuring of response areas. The responsibility for new station development and the restructuring of operation areas shall lie with the St. Mary's County Ambulance and Rescue Association and St. Mary's County Fire Board Association.

Section 9. Review

The Board will review these Bylaws every three years and submit a report to the Commissioners of St. Mary's County recommending changes, if any.

Article IV

MEMBERSHIP

Section 1. Members

The membership of the Board shall be (1) County Fire Chief; (2) County EMS Chief; (3) St. Mary's County Fire Board Association President; (4) one member of a volunteer fire department elected by the St. Mary's County Fire Board Association; (5) St. Mary's County Ambulance and Rescue Association Chair; (6) one member of a volunteer rescue squad elected by the St. Mary's County Ambulance and Rescue Association; and (7) Director of Emergency Services; (8) Jurisdictional Medical Director (ex officio, non-voting member).

Section 2. Appointment.

Appointment shall be in accordance with the legal authority governing the Board.

Section 3. Tenure and Terms of Office.

Terms of office shall be in accordance with the legal authority governing the Board.

Section 4. Voting.

Each voting member, including the chairperson, shall be entitled to one vote on each matter submitted to a vote.

Section 5. Proxy.

Voting by certain Board members by proxies shall be permitted. No voting by proxy for the Director of Emergency Services or Jurisdictional Medical Director. However, the following members of the Board are allowed to designate the following proxies in the event of their absence from a meeting:

MEMBER	PROXY
County Fire Chief	Assistant County Fire Chief
County EMS Chief	Assistant County EMS Chief
SMC Fire Board Assoc. President	SMC Fire Board Assoc. vice President
SMC Ambulance & Rescue Assoc. Chair	SMC Ambulance & Rescue Assoc. co-chair
Elected by SMC Fire Board Assoc.	Alternate elected by SMC Fire Board Assoc.
Elected by SMC Ambulance & Rescue Assoc.	Alternate by SMC Ambulance & Res. Assoc.

If a member, who is allowed a proxy is absent, their proxy member may sit as a voting member and, once seated, shall be counted in determining a quorum.

Section 6. Attendance at meetings.

Members are expected to attend all meetings. If any appointed member fails to attend three (3) consecutive regular meetings, with or without reasonable cause, or is absent from 50% of the regularly scheduled meetings during any calendar year, the Chairperson shall notify the County Administrator of the absences, for appropriate action pursuant to paragraph six (6) below.

Section 7. Resignation.

Any member desiring to resign shall submit a resignation in writing to the County Administrator.

Section 8. Vacancies.

A vacancy, because of death, resignation, removal, disqualification or otherwise, shall be filled at the pleasure of the Commissioners of St. Mary's County.

Section 9. Compensation.

Members of the Board shall serve without compensation.

Section 10. Ethics Ordinance.

All members must adhere to the provisions of the St. Mary's County Public Ethics Ordinance.

Article V

MEETINGS

Section 1. Regular Meetings.

Regular meetings of the members shall be held at least six (6) times in calendar year. A schedule of regular meetings for each calendar year shall be adopted prior to the commencement of the calendar year.

Section 2. Special Meetings.

Special meetings may be scheduled by a majority vote of the members or called by the Chairperson, and shall be called by the Chairperson upon the written request of any three (3) members of the Board.

Section 3. Notice.

Written or electronic notice of all meetings shall be provided to each member at least seven (7) calendar days prior to the date set for such meeting.

Section 4. Recessed Meetings.

Any regular or special meeting may be recessed upon a majority vote of the members and may be reconvened without additional notice provided that the date, time and place at which the meeting shall be reconvened is determined and announced in open session at the time of the recess.

Section 5. Open Meetings Act.

All meetings, including meetings of committees and subcommittees, shall be scheduled and conducted in accordance with the St. Mary's County Open Meetings Act. No executive session may take place except upon the advice of the Office of the County Attorney.

Section 6. Agenda.

The Chairperson shall ensure an agenda is prepared for each regular and special meeting and the agenda shall, in general, be as follows:

1. Call to Order
2. Roll call to determine the presence of a quorum
3. Presentation of minutes from the previous meeting
4. Presentation of Officers' and Committee Reports
5. Discussion of Old Business
6. Discussion of New Business
7. Adjournment

Section 7. Quorum and Voting.

Except as otherwise provided by law or direction of the Commissioners of St. Mary's County, a majority of the members established in accordance with the legal authority governing the Board shall constitute a quorum for the transaction of business at any meeting. All decisions shall be made by majority vote of the members present, including the Chairperson, at any meeting where a quorum is present and able to participate in the decision. In the absence of a quorum, all actions taken at the meeting shall be subject to ratification by the Board at the next meeting at which there is a quorum present.

Article VI

OFFICERS

Section 1. Officers.

The Officers of the Board shall be a Chairperson, Vice-Chairperson and Secretary.

Section 2. Chairperson of the Board.

Except as otherwise provided by law or direction of the Commissioners of St. Mary's County, the Chairperson shall (1) preside at all meetings; (2) set the agenda for the meetings; (3) appoint all committees and subcommittees authorized by the members; (4) sign any document or instrument which the members have authorized to be executed; and (5) in general shall perform all duties as may be prescribed by the members from time to time.

Section 3. Vice-Chairperson.

In the absence of the Chairperson, the Vice-Chairperson shall perform all of the duties of the Chairperson and when so acting, shall have all the powers of, and be subject to, all the restrictions upon the Chairperson. The Vice-Chairperson shall perform such other duties as from time to time may be assigned by the Chairperson or, in the alternative, requested by a majority vote of the members.

Section 4. Secretary.

The Secretary shall cause to be made and maintained a record of proceedings, deposit copies of approved Board meetings minutes with the County Administrator and prepare correspondence and other materials as directed and authorized by the members.

Section 5. Election of Officers.

The members shall elect a Chairperson, Vice-Chairperson and Secretary from its membership every year, and it may also elect such other officers as may be necessary from its membership. Election of officers shall take place at an annual meeting to be held in the month of January.

Section 6. Term of Officers.

The term of office shall be for a period of one year. Each officer shall hold office until his/her successor has been duly elected.

Section 7. Removal.

Any officer elected by the members may be removed from office by a vote of two-thirds of the members.

Section 8. Vacancies.

A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by a majority vote of the members for the unexpired portion of the term.

Article VII

COMMITTEES

The members may, from time to time, establish subcommittees to study specific matters and report to the full forum.

Article VIII

PARLIAMENTARY AUTHORITY

The "Rules of Order for St. Mary County Boards and Commissions," as amended from time to time, shall govern meetings unless inconsistent with these bylaws and any special rules of order. If such rules are not in force and effect, and except as otherwise provided by law or direction of the Commissioners of St. Mary's County, the rules contained in the current edition of Robert's Rules of Order Newly Revised, including the provisions of §49 entitled "Procedure in Small Boards," shall govern; provided, however, that all motions must be stated and shall require a second. The Chairperson shall rule on all parliamentary matters. No proceeding or action shall be deemed invalid on the sole basis that the proceeding occurred or the action was taken without compliance with rules of order.

Article IX

STATE AND COUNTY FUNDS

Section 1. Fire Tax and Emergency Services Tax.

- A. Each Department shall submit to the Emergency Services Board a detailed justification for any requests for any increase or decrease in fire tax rates during the budget process. Justification shall include, among any other relevant factors, a

detailed description of the department's financial conditions and failure to meet minimum standards as established by:

- 1.) Written standards established by the St. Mary's County St. Mary's County Fire Board Association or St. Mary's County Ambulance and Rescue Association; or
 - 2.) State Standards;
 - a. Maryland State Firemen's Association written standards; or
 - b. Southern Maryland Volunteer Firemen's Association written Standards.
- B. The Emergency Services Board will then forward the request to the Commissioners of St. Mary's County with a recommendation for approval or denial or a statement of no position taken by the Board.

Section 2. 508 Funds.

- A. The Emergency Services Board shall make recommendations to the Commissioners of St. Mary's County during the annual budgeting process for the distribution to fire and rescue companies of funds received from the State Fire, Rescue and Ambulance Fund. The Emergency Services Board shall consider among relevant factors, the failure to meet minimum standards established by:
- 1.) Written standards established by the St. Mary's County St. Mary's County Fire Board Association; or
 - 2.) State Standards;
 - a. Maryland State Firemen's Association written standards; or
 - b. Southern Maryland Volunteer Firemen's Association written Standards.
- B. The Maryland 508 Funds given to the rescue and ambulance squads/departments shall be equally divided among all departments yearly.
- C. The Emergency Services Board shall establish a uniform method for application and reporting, by fire and rescued companies, for State Fire, Rescue and Ambulance Funds, as required by § 8-102 of the Public Safety Article of the Annotated Code of Maryland.

Section 3. Budgets and Audits

- A. Accounting: All fire departments and rescue squads which are recipients of fire and emergency services tax funds, grants of County general fund appropriations, revolving loan funds, or allocation from the State Fire, rescue and Ambulance Fund shall maintain their accounting and reporting principles as established by the Financial Accounting Standards Board for not-for-profit organizations, and shall utilize standard accounting software.

- B. Audit Requirements: Fire Departments and Rescue Squads shall be audited annually by a certified public accountant.
- C. Reporting: Each year, as directed by the Commissioners of St. Mary's County Budget instructions, each fire department and rescue squad shall submit a budget for the next fiscal year for review by the Commissioners of St. Mary's County.
- D. Audit Report: Each fire department and rescue squad shall submit to the Emergency Services Board an audit report, as required above, at the January meeting. The Emergency Services Board shall then forward all financial packages to the County within the week following the February meeting.

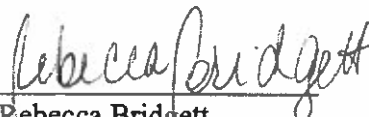
Article X

AMENDMENTS

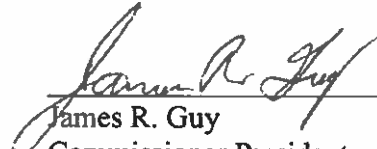
These Bylaws may be amended by the Commissioners of St. Mary's County.

ADOPTED by the Commissioners of St. Mary's County this 10th day of July, 2018, to be effective on July 10, 2018.

ATTEST:

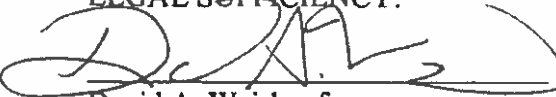


Dr. Rebecca Bridgett
County Administrator

By: 

James R. Guy
Commissioner President

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



David A. Weiskopf
Acting County Attorney