

Mulvane Firefighters Relief Association

CONSTITUTION AND BYLAWS

Kansas FRA #324



Chartered June 19, 1918

"We Serve So Others May Live"

Adopted November 6th, 2014

www.MulvaneEmergencyServices.org

Mulvane Firefighters Relief Association

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POLICY #02-06-0001

REVISED 11-6-2014

SUBJECT: **STRUCTURE**

SECTION:

1. **Name and Membership:** This association shall be known as Mulvane Firefighters Relief Association Inc., and shall be composed of the regularly appointed members of the Mulvane fire department.
2. **Purpose:** To receive, use and disburse funds for the benefit of the members of the association and/or their dependents, in accordance to the statutes and regulations of the Kansas Firefighters Relief Act.
3. **Officers:** The officers of this association shall consist of a one (1) president, one (1) vice-president, one (1) secretary/treasurer and two (2) board of directors.
4. **Duties of Officers.** It shall be the duty of all officers of the relief board to obtain and maintain a working knowledge of applicable state laws, rules, regulations and bylaws governing the fire relief association.
 - 4.1 The president or his/her designee, shall preside at all meetings of this association and of The board of directors; sign all orders on the treasurer when issued in conformity with these bylaws; appoint committees not otherwise provided; call special meetings of the board of directors when he/she deems it necessary.
 - 4.2 The vice-president shall perform all duties of the president in his/her absence.
 - 4.3 The secretary-treasurer shall keep a complete and accurate record of all transactions and meetings of the association; shall receive all moneys and disburse them as the association may direct, keep separate accounts of the funds received under the provisions of the firefighters relief fund act and those received from other sources, and make an itemized statement in this manner, to be submitted to the fire division at each regular business meeting, together with an annual statement to be reported at the regular meeting in April. A copy of the portion of this report concerning the funds received under the provisions of the firefighters relief fund act shall be sent to the Insurance Department on a form furnished by the department for the purpose. Such treasurer shall give bond for the safekeeping of such funds and for faithful performance in such sum, with such sureties as may be approved by the governing body in an amount that fully covers the relief association's worth of such city, township, or county. The fees for such bonds are to be paid by relief association funds.
 - 4.4 The board of directors shall make or receive and investigate recommendations for the Benefit to any active member of the department, or his dependents and make a report to the association at the next regular meeting or at a special meeting called for that

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purpose if necessary where the report will be considered and the necessity and legality of the Benefit decided and allowed or disapproved by the association.

5. **Election.** The officers and the board of directors shall be elected by ballot from a pool of active firefighters at the regular meeting of the division on the first Thursday of December each year. On even years, the President and one Board of Director will be elected to a two-year term. On odd years, the Vice-President, one Board of Director and the position of secretary-treasurer will be elected to a two year term. The members who receive the highest number of votes on the ballot cast shall be declared and elected. When a permanent vacancy occurs in the position secretary-treasurer, or any member of the board of directors, such vacancy shall be filled for the unexpired term by ballot, in like manner as provided above. The president may designate a member to fill a temporary vacancy.
6. **Meetings.** Regular meetings of the association shall be held at a minimum of once a year. A majority of all members constitute a quorum. Should an alarm of fire interfere, the meeting shall stand adjourned until after the alarm or the following day at the same hour.
7. **Use of Funds.** All moneys received under the provisions of the firefighters relief fund act shall be used only as provided by the Laws of Kansas. In all cases involving expenditures or payments in an amount of \$1,500 or more, prior certification shall be obtained from the city attorney that such expenditure or payment complies with the requirements of the firefighters relief act. Attorney fees can be paid by the relief fund. Any other funds, except those specifically appropriated, shall be used as directed by the fire division from time to time.
 - 7.1 There shall be the Treasurer's name and at least three (3) others on the Mulvane Firefighters Relief Board checking account. Two signatures will be required to write a check on this account.
 - 7.2 Loans to the City of Mulvane or Fire District #12 for improvement of the fire department or equipment. Such a loan is to be in the form of a warrant, which must bear interest, payable semi-annually to the association at a rate not to exceed 6%. Loans should include a clause allowing the association to call a portion of the loan due to maintain a minimum contingency of \$35,000 for funds needed to fulfill obligations to its members in the event of an emergency (KSA 40-1707 (f)).
 - 7.3 All financial records shall be subject to an audit every 5 years, or as requested by the membership quorum, performed by a certified and bonded accounting agency from outside the department membership. Accounting expenses for an audit may be paid by the relief fund.

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- 8. Benefits.** In accordance to Kansas Administrative Regulation 40-10-5 or 40-10-6 of the Kansas Firefighter's Relief Act, an insurance policy for accidental death, dismemberment, or sickness caused by exposure or disease contracted while on duty as a firefighter, shall be at all times carried by the association in a reliable company upon each member in such principal amount as its funds may permit.

8.1 Retirement-Retention Annuity. For volunteer firefighters, the association shall establish a \$10,000 deferred annuity for each firefighter who has served with Mulvane not less than 10 years, and has attended not less than 75% of the fire calls in which the firefighter was available to attend, as verified by the governing body of the department. The annuity will remain the property of the Relief association until the member has served not less than 20 years of service at which time the annuity will become the property of the firefighter following termination (K.S.A. 40-1707 (C) (1)). Only one disbursement will be issued per firefighter during his or/her career with the Mulvane Fire Rescue Department.

- 9. Beneficiary.** Each member of the fire division shall keep on file with the secretary of the association, the name of the beneficiary to whom he/she desires the benefits, named in these bylaws, be paid in case of his/her death. In the event that no beneficiary has been designated, the association will pay death benefits as described in the Kansas Firefighters Relief Act, section 40-1707.2

- 10. Line of Duty Death.** In every case of death in the line of duty of a member of this association, a toxicological report should always be requested and an autopsy should be requested where the cause of death is not clearly a traumatic injury. A death certificate of a competent physician, stating the true cause of such death, shall be immediately filed with the secretary of the association.

- 11. Amendments:** Amendments to this constitution must be presented in writing by a member of the association board at a fire division meeting, lie over thirty days or until the next regular business meeting of the fire division, and be adopted by a vote of at least two-thirds of the members in attendance. In the event of an amendment, a new copy of the by-laws must be forwarded to the Kansas Insurance Commissioner within thirty (30) days.

- 12. Order of Business.**
- Call to order
 - Roll call
 - Reading the minutes
 - Reports of Board of Directors and of any committees
 - Unfinished business
 - New business
 - Adjournment