

**AMENDED BY-LAWS
OF
SOUTH WALTON FIRE DISTRICT**

We, the Board of Fire Commissioners, South Walton Fire District, in Walton County, a political subdivision of the State of Florida, (Board), pursuant to the enabling ordinance, 83-6, adopted on August 9, 1983, and the subsequent amendments thereto, 83-21 adopted on July 29, 1986 and 83-22, adopted on July 29, 1986, respectively, do hereby ratify the following Amended By-laws to be used by South Walton Fire District (SWFD) as a procedural guide for operation and implementation of the duties and responsibilities of the District, as evidenced by our signatures below.

**ARTICLE I
INFORMATION DISBURSEMENT**

SWFD shall operate under the Sunshine Laws of the State of Florida and does hereby authorize disclosure of all public information contemplated to be the right of the public to know consistent with Florida Statutes § 286.011 et seq.

**ARTICLE II
CONSTRUCTION**

These By-laws are to be construed under the laws of the State of Florida. They are intended as a supplement to address matters within the authority of the Board but not addressed in the enabling ordinance of August 9, 1983 ("Ordinance"). These By-laws are enacted consistent with the authority vested in the Board pursuant to Page 3, Section 6-C of said Ordinance. These By-laws are subordinate to the above referenced Ordinance.

**ARTICLE III
AMENDMENT**

These By-laws may be altered, amended or repealed, and new By-laws may be adopted by a vote of at least five (5) of the seven (7) commissioners at either a regular or a special meeting. Any commissioner may request to have the By-laws amended or

modified. To amend or modify the By-laws, a commissioner must submit in writing at any regularly scheduled meeting of the commissioners the amendment or modification sought, with such request to be considered at the following regularly scheduled meeting of the commissioners. The secretary of the Board shall include any proposed amendment or modification to the By-laws in the published notice covering the regular meeting or other designated meeting wherein the amendment or modification of the By-laws is addressed.

All By-laws shall conform to the laws of State of Florida. In case of a conflict between Florida Statutes and these By-laws, the Florida Statutes shall govern. Changes to Florida or Federal Statutes that affect the District will automatically be incorporated in the appropriate place within these By-laws without further action or approval by the Board of Fire Commissioners.

These By-laws are to be reviewed, and updated, if necessary, every odd numbered year.

ARTICLE IV EMERGENCY SUSPENSION OF BY-LAWS

Any provision of these By-laws or the entire By-laws document itself may be temporarily suspended for such time period as may be determined reasonable and necessary in the event of an emergency situation sufficient to be so deemed by a unanimous vote of a quorum of the Board of Fire Commissioners.

ARTICLE V MEETINGS

The conduct and form of all meetings and workshops shall be left to the discretion of the Commissioners, and in compliance with Florida Sunshine Law.

A. Regular meetings, Special meetings, Workshops

Notice of all regular meetings, all special meetings and workshops of SWFD shall be published at a conspicuous place to be chosen by the Board at least seven (7) days prior to their occurrence. Written notice of any meeting shall state the date, time and place of the meeting, a formal agenda for the meeting,

and shall be provided in accordance with the requirements of Florida Law and the By-laws of SWFD.

B. Emergency meetings

An emergency meeting may be called by either the Chairman or the Vice-Chairman of Board. In the event any emergency meeting is called, a quorum must be present and the Chairman or Vice-Chairman calling such must tender their written reasons for calling such a meeting at the beginning of that meeting. The seven (7) day notice for meetings shall not apply to any emergency meetings which are called. In cases where there is a need of an emergency meeting, notice of such meeting shall be given to each Board Member as far in advance of the meeting as possible and by the most direct means of communication. Should circumstances require that a commissioner notify others of an emergency meeting, they will send a notice, preferably via email, with no other information and include instructions not to reply all or to submit any response raising or concerning a matter that could be voted upon. In addition, the Administration shall attempt to give notice to the public, utilizing the most practicable and reasonable method under the circumstances. Notice shall include time, place and subject matter of the emergency meeting.

So long as there is a quorum of Commissioners present at such meeting, then they shall vote to decide if good cause exists to hold an emergency meeting. A majority of those commissioners present shall decide the matter.

ARTICLE VI PUBLIC PARTICIPATION

All Board, Special and Committee meetings of SWFD are to be conducted in accordance with Roberts Rules of Order, Revised. The Chairman of the Board shall have the discretion to recognize anyone desiring to speak on any particular subject matter when a particular individual has not previously reserved time on the scheduled agenda meeting the requirements set forth herein for doing so.

In the event an individual has scheduled time on the formal agenda to address the Board on a particular matter, the individual has a right to make a brief presentation concerning any issue which they seek to address, with the Chairman determining the

duration, methodology, substance and practicality of resolution by the Board. Any person desiring to discuss a particular matter concerning the fire district shall have an opportunity to do so subject to the requirements enumerated herein. Persons desiring to discuss specific matters may reserve time at the next scheduled meeting by delivering to the Fire Chief / Administrator a written request for time explaining the subjects and facts to be discussed at least seven (7) days prior to any given regularly scheduled meeting.

Any individual desiring to have time allocated on the formal agenda shall comply with the following requirements:

1. Any application for time must state the amount of time desired. Any requested times may be reduced at the discretion of a majority of the Board.
2. Such application must state the subject matter to be addressed.
3. Such application must state the items of information or documents or relevant material to be presented to the Board at time of such.
4. The Board may adopt policies regulating the duration and manner of public participation.

ARTICLE VII CHAIN OF COMMAND

The authority within SWFD shall be as follows:

The Board, as a collective unit, is the direct supervisor of the Fire Chief / Administrator (Fire Chief), of SWFD.

With the exception of the Board, the Fire Chief / Administrator is the overall supervisor of all paid employees and volunteers.

The Board shall designate a Commissioner to be contacted in all emergency situations, as well as for routine day to day questions, which the Fire Chief / Administrator may have.

ARTICLE VIII VOTING/QUORUMS

The following list are the minimum number of Commissioners required to be physically present for a quorum to accomplish various functions:

1. Any ordinary action by the Commissioners (4 Votes).
2. Amendment of the Bylaws (5 Votes).
3. Removal of a Commissioner (6 Votes).

ARTICLE IX INTERNAL REGULATION

Each new Fire Commissioner shall complete new commissioner orientation with the Fire Chief / Administrator within thirty (30) days of election or appointment.

Any Fire Commissioner may be removed for cause by all six (6) of the remaining Commissioners. Such removal is possible when, either;

1. Any Fire District Commissioner who misses either three (3) regular meetings in a row or who misses four (4) regular meetings in a twelve-month period shall account for such absences at the next regular meeting with the Board to consider whether that individual should be formally discharged of his or her position as a SWFD Fire Commissioner. Any such action to remove any Fire Commissioner must be approved by all six of the remaining Commissioners.

Any review to determine whether a Commissioner should be removed for non-attendance of meetings shall be public. The review shall be placed on the agenda and conducted during the course of the next regular meeting which occurs immediately following the requisite absences by any Commissioner that is in violation of the attendance rules of these By-laws. This provision shall not be retroactively applied to any time period preceding the execution of these By-laws.

2. For such other cause as is warranted by the unaffected Commissioners. If a vacancy occurs on the Board due to the resignation, death, or removal of a Board member or the failure of anyone to qualify for a Board seat, the remaining members may appoint a qualified person to fill the seat until the next general election, at which time an election shall be held to fill the vacancy for the remaining term, if any, consistent with Florida Statute § 191.005.

ARTICLE X GRIEVANCE PROCEDURE

Grievances by a bargaining unit employee shall be handled in accordance with the current collective bargaining agreement. Any sanctions against a non-represented employee of SWFD which includes any demotions, loss of pay or dismissal based on determination of the Fire Chief / Administrator of the SWFD shall be reviewable by the HR/Employee Benefits Committee. If the employee is not satisfied with that review, he/she may request that it be reviewed at the next regularly scheduled SWFD Board meeting provided said meeting is not within 10 days of the committee's decision. In such case, the review would take place at the following regularly scheduled Board meeting, provided the affected employee seeks public review of the incident.

Any employee of SWFD wishing to invoke this grievance procedure must file a written request for review of the action of the Fire Chief / Administrator of SWFD with any of the SWFD Commissioners within 10 days of said official action or within 10 days of said employee receiving notice of the official action, whichever is the greater time period. At any such review, the Fire Chief / Administrator shall provide the HR/Employee Benefits Committee with a factual account of the incident and the reason for whatever disciplinary action taken by the Administrator. No Commissioner shall investigate the alleged incident or speak with anyone prior to presentation of the review by the entire Committee. All non-represented / non-bargaining unit employees must be given a copy of the page(s) of these By-laws referencing this grievance procedure by the Fire Chief/Administrator.

ARTICLE XI COMMITTEES

Committees that have been established by the Board to assist with its responsibilities; are Finance & Investment Policy, Audit, By-laws, and HR/Employee Benefits. Committee members for these four standing committees will be nominated at the regularly scheduled December Board meeting for one-year terms.

The South Walton Fire District Firefighters' Retirement System is a defined benefit pension plan administered by a Board of Trustees (Pension Board) which acts as the administrator of the Plan. The Pension Board consists of five (5) Trustees, two (2) of whom shall be legal residents of the District who shall be appointed by the Board of Fire Commissioners (Resident Trustees). The Board of Fire Commissioners shall appoint Resident Trustees to serve in two (2) year alternating terms at the regularly scheduled December Board of Fire Commissioners meeting. One (1) of these Board appointed Resident Trustees shall be a sitting member of the Board of Fire Commissioners. Resident Trustees shall take office on January 1st following the December appointment by the Board of Fire Commissioners.

Other committees may be established by the Chairman or by a vote of the Board as needed.

ARTICLE XII PROCUREMENT POLICY – PURCHASING OF GOODS AND SERVICES

Any capital expenditures of funds from SWFD, which are not recurring ordinary expenditures, contained in the annual budget, in the amount of \$1,500.00 or more, shall comply with all provisions memorialized within the 2019.01 Board adopted Procurement Policy – “Purchasing of Goods and Services”. Procurement procedures may be suspended during a county, state or federally declared emergency situation for that defined period only.

**ARTICLE XIII
AMENDMENT OF ORIGINAL BY-LAWS**

I, the Secretary of SWFD, an independent special district in Walton County, Florida, hereby certify:

The foregoing By-laws comprising eight (8) pages were adopted as the Amended By-laws of South Walton Fire District, located in Walton County, on this 14th day of February 2022.

SIGNATURE PAGE



Maurice Gilbert, Chairman



Tom Cooper, Vice-Chairman



Charlotte Flynt, Secretary/Treasurer