

# **Chippewa Fire District – Fire Commissioners By-Laws**

Amended 1/26/2021

## **Purpose:**

It is the task of the Chippewa Fire District Fire Commissioners to protect the rights of the Fire District personnel from unfair or unreasonable acts of their Chiefs, to assure that the selection process is free of political influence, and that personnel are selected and promoted on the basis of job-related competencies. The authority to appoint a Chief is not shared with any other municipal body or official. (ss 62.13(3))

## **Scope of Authority:**

Chippewa Fire District Commissioners hereafter referred to also as the Board, Commission, or Fire Commission was created under Wisconsin State Statute 62.13.

The Chippewa Fire District Fire Commission has authority under Chapter 62.13(1) to (6), Wisconsin State Statutes to:

- Appoint, suspend, or remove the Chief of the Fire District (Sec. 62.13(3) WI Statute)
- Approve all appointments made by the Fire Chief, including promotion of subordinates (Sec. 62.13(4)(a) WI Statute)
- Approve competitive examinations used to judge suitability for appointment of subordinates (Sec. 62.13(4)(d) WI Statute)
- Approve each list of individuals determined to be eligible for appointment (Sec. 62.13(4)(a) WI Statute)
- Suspend the Chief of the District or subordinates pending the filing and hearing of charges against them (Sec. 62.13(3) and (5)(a) WI Statute)
- Initiate charges against the Chief of the District or any subordinate (Sec. 62.13(5)(b) WI Statute)
- Hear charges filed against the Chief of the District or a subordinate, make findings and determinations, and impose penalties (Sec. 62.13(5)(d) and (5)(e) WI Statute)
- Hear appeals of disciplinary actions initiated by the Chief of the District against any subordinates (Sec. 62.13(5)(d) WI Statute)

## **Optional Powers:**

The Board has not been given optional powers as defined in Chapter 62.13(6) WI Statute.

## ***Basic Organizational Rules***

### **Appointments to the Board, Terms of Office:**

1. The Board will consist of one appointed Commissioner from each political entity of the Chippewa Fire District. Each political entity shall appoint one Commissioner every fifth year between the last Monday in April and the first Monday in May, in writing, for a term of five (5) years. The Commissioner appointments will be done on a rotational basis by political entity. A Commissioner's appointment will be effective as of the first day of July in the year the Commissioner is appointed unless the confirmation process has not been completed. A Commissioner's term will end the last day of June in the fifth year of the Commissioner's appointment.
2. Board Commissioners must take an official oath of office as soon as is convenient after receiving the notice of appointment. This oath of office will be administered by the Town or Village Clerk and a copy filed with her/him.
3. Whenever any other vacancies arise on the Board, such vacancies shall be filled by written appointment by the political entity. Appointees filling vacancies created by resignation, removal, or death of a Commissioner, serve out the term of their predecessor.
4. Commissioners are allowed per diem and mileage determined by each Commissioners respective political entity.

**Removal of Commissioners:**

A Commissioner may be removed for cause, but only after a hearing is conducted by the appointing political entity and a majority of the members of the respective Town or Village Board agree the facts presented warrant removal. Cause is defined as inefficiency, neglect of duty, official misconduct, or malfeasance in office. (Sec. 17.16(2) WI Statute)

**Election of Officers:**

The Board shall elect a President, Vice President, and Secretary from its membership at the first meeting in July. These Officers shall be elected for terms of one (1) year each and shall be eligible for re-election. Voting shall be by voice vote unless a secret ballot is requested per WI State Statute 19.88(1). To be elected, a candidate must receive a majority of the votes cast.

**Authority to Call a Meeting:**

1. The Board will normally meet on the 4<sup>th</sup> Tuesday of July, October, January, and April at 6:30 pm, unless cancelled by the President for lack of an Agenda. Additional meetings, or meetings other than the normal meeting date shall be at the call of a quorum of Board members.
2. In the absence of the President, the meeting will be conducted by the Vice President.

**Posting of the Agenda:**

1. The President shall be responsible for ensuring that each meeting is posted in accordance with Wisconsin State Statute 19.85, Wisconsin Open Meetings Law.
2. The President will contact the Chippewa Fire District Chief with information on the date, time, and location of the meeting as well as items to be included on the Agenda a minimum of one (1) week prior to the scheduled meeting date. Any member of the Board can cause items to be placed on the Agenda; however, the President must be notified of the addition prior to the President contacting the Chippewa Fire District Chief to post the Agenda. The Secretary will send the previous meeting's minutes to the Chippewa Fire District Chief. The Chippewa Fire District Chief will provide copies of the minutes to the Commissioners, the Town, and Village Clerks for disbursement to the Town and Village Board members. In addition, the Agenda will be sent to each Town and Village Clerk and will be posted in three (3) public places in accordance with Wisconsin State Statute 19.85, Wisconsin Open Meetings Law.
3. Closed meetings will be held in compliance with Wisconsin State Statute 19.85, Wisconsin Open Meetings Law.
4. All meetings of the Commission shall be held in compliance with the Provisions of the Wisconsin Open Meetings Law.

**Quorum:**

1. A quorum shall be necessary to conduct the business of the Board at Board meetings. A quorum shall be duly constituted when at least three (3) Commissioners of the Board are present.
2. Action may be taken by the Commission upon the affirmative vote of a majority of the Commissioners present at any meeting.

**Records of the Proceedings:**

1. Copies of meeting minutes shall be filed with the Chippewa Fire Districts business office and with the Clerks of each of the Town and Village. The Chippewa Fire District business office will serve as the primary custodian of the Board's proceedings.
2. Should the Secretary be absent from a scheduled meeting, the President shall appoint an alternate from the Board of Commissioners present to serve as the Secretary pro-tem.
3. The Board's records are subject to the Wisconsin Public Records Law.

**Parliamentary Procedures Employed:**

The rules contained in Robert's Rules of Order generally govern the Board in the conduct of its meetings.