



BY-LAWS

Morgan County Emergency And Rescue Squad, Inc.



Morgan County Emergency and Rescue Squad, Inc.
Articles of Incorporation and By-Laws

ARTICLE I

The name of this corporation shall be “**Morgan County Emergency and Rescue Squad, Inc.**” by which name it may contract and be contracted with, sue, and be sued, and conduct its business.

ARTICLE II

MISSION – The purposes for which this corporation is organized include, but are not limited to the establishment of an organization of volunteer members equipped to render fast and effective rescue aid to the populace of Morgan County, Kentucky in emergency situations including natural and man-made disasters in which it is called on, or is reported to, or which it discovers itself through the diligence of its members. Such situations include, but are not limited to auto extrication, farm rescue, High-angle rescue, low-angle rescue, swift water rescue, search for lost, missing, or overdue people, urban SAR, and water rescue(with or without utilizing divers). The further purposes are training; emergency operations, first aid, and mutual aid to surrounding areas when called upon and resources are available.

ARTICLE III

ELECTION OF OFFICERS – The officers of Morgan County Emergency and Rescue Squad, Inc., shall consist of Chief, Assistant Chief, Captain, Lieutenant, Sergeant, Secretary, and Treasurer. Election of officers shall be made by members of the Morgan County Emergency and Rescue Squad, Inc. On the third Thursday of July, every two years, nominations for officers will be taken, and on the third Thursday of August, new officers will be elected. New officers will assume their duties the first day of September. All officers will serve a two year term. No restrictions as to consecutive terms of office shall be placed on any of the officers of the Morgan County Emergency and Rescue Squad, Inc. The MCERS Chief Elect shall appoint the position of Safety Officer and Chaplain within 30 days of being elected to office. Any office made vacant during its term shall be filled at the direction of the Chief and the Executive Committee.

ARTICLE IV

NOMINATIONS – Nominations shall not be limited only to those made by the nominating committee, but may be made by members of the squad. After the nominating committee has made the nomination, and before the election is called on the third Thursday in August, any member may move that nominations be made from the floor. If this motion carries by a 1/3 vote of members present, voting for the nominations for any and all elective officers may be from the floor in addition to those made by the nominating committee. Voting for officers will be by secret ballot. Voting at regular meetings shall be voice unless a show of hands is necessary to confirm the vote. The vote may be made by secret ballot if, deemed necessary, by at least 1/3 of those present.

ARTICLE V

DUTIES OF ELECTED AND APPOINTED OFFICERS:

Chief:

The Chief will serve as the senior executive officer of MCERS and act as the official agent of the corporation. She/he shall be vested with the authority to manage the overall affairs and activities of the organization its officers and members. She/he will preside over meetings of the membership and the Executive Committee and represent the organization at government meetings or hearings as necessary.

The Chief will continuously strive to uphold the dignity of MCERS organization and to maintain its high purpose and ideals through leadership by example and the enforcement of organizational ethics and by-laws.

As senior officer the Chief is responsible for the safety and health concerns of the organization. She/he will designate a Safety Coordinator to assist him in carrying out organizational safety functions.

The Chief is responsible for managing all aspects of a mission, both operational and managerial, from time of activation through the return to home base and/or jurisdiction. This includes all personnel and equipment resources as well as overseeing and directly supervising MCERS officers. She/he will be responsible for the development and completion of all mission objectives as well as proper reporting, record keeping and after action requirements, adherence to all safe work practices and procedures during the mission, if necessary ensuring personnel complete stress management, that assigned personnel are kept informed of mission objectives and status changes and have appropriate resources for the mission. During mission deployment, the Chief will report directly to the incident commander. If she/he is the incident commander the Assistant Chief, or next ranking available officer, will assume duties and responsibilities of MCERS Chief until the mission is deactivated or she/he is relieved of Incident Command.

Within thirty days after his/her election of office, the chief will call the appointed Executive Committee to develop plans for the coming year for presentation to the membership at the first regular meeting upon his assumption of office. The Chief will insure that plans include, but are not limited to, development of operational and logistical requirements; all policies and procedures include risk management principles and safe work practices.

Assistant Chief:

The MCERS Assistant Chief shall assist the Chief in all matters to carry out her/his duties and responsibilities. In the absence of, or when required by circumstance, she/he will assume the duties and responsibilities of the MCERS Chief.

In the absence of the Treasurer the Assistant Chief is authorized to receive all monies and shall give receipts thereof.

Captain:

The Captain in the absence of the Chief and Assistant Chief will assume their duties and responsibilities. She/he will serve as the Chairperson of the Membership committee and see that its assigned duties and responsibilities are carried out.

Lieutenant:

The Lieutenant in the absence of all the above senior officers will assume their duties and responsibilities.

Sergeant:

The Sergeant in the absence of all the above senior officers will assume their duties and responsibilities.

Secretary:

He/She shall record proceedings and actions of the association, taking in all meetings and shall preserve and coordinate all necessary records pertaining to the operation of the squad.

Treasurer:

Shall keep accurate financial records and maintain the financial stability of the organization. She/he shall collect and receive all monies of the organization and deposit them in a bank approved by the Executive Committee. The Treasurer will prepare financial reports, pays all expenditures approved by the members and provide a monthly report to the members at each regular meeting. The Treasurer shall submit in a timely fashion all forms to the IRS and other agencies as required for a non-profit organization. The Treasurer as chairman of the Financial Committee shall be responsible for completion of its assigned duties and responsibilities. The Treasurer shall make available all financial records to MCERS members.

Safety Officer:

The Safety Officer will report directly to the MCERS Chief and in his absence the acting Chief. She/he will be familiar with safety rules, regulations and standards applicable at a search and rescue incident to include the NIMS and the RCS systems. She/he will be responsible to identify monitor and mitigate hazards, conduct mishap investigations and apply Risk Management principles at all incidents. The Safety Officer will coordinate with Training Committee to insure safety and Risk Management training is included in the training program. She/he will insure that all safety equipment and search and rescue equipment meet applicable safety standards.

Chaplain:

The Chaplain shall be responsible for the arrangement of religious services/ observances, meeting invocations as necessary for MCERS. During operational deployments the chaplain may serve as liaison for victims' families with the concurrence of the Incident Commander, providing information on the progress of the search and coordinating the family's needs with the Lieutenant or Sergeant or other MCERS personnel and agencies as necessary. When serious injury or loss of life has occurred, the chaplain may provide pastoral care to MCERS members, victims, survivors and their families.

ARTICLE VI

BOARD OF DIRECTORS:

The Board of Directors shall consist of the active members of the Morgan County Emergency and Rescue Squad, Inc. as shown by the roster of the squad.

ARTICLE VII

COMMITTEES – Their duties shall be as follows:

Executive Committee: Shall consist of the elected officers of the squad. The Chief shall chair this committee and shall call meetings as he/she deems necessary or as he/she may be provided in the By-Laws.

The Executive Committee has the authority to conduct routine business for the organization and engage legal counsel, accountants and other professionals as deemed appropriate and necessary within the approved budget; however the committee cannot obligate the organization into any contractual or indebtedness without receiving a majority vote from the membership at a regular scheduled meeting.

The committee may conduct investigations into the conduct of officers and members when a grievance or charge of misconduct is brought forth by two members in good standing.

The Executive Committee shall serve as the MCERS Safety Committee ensuring health and safety is an integral part of MCERS operating procedures, culture and programs. The Executive Committee will review all MCERS mishap reports, unsafe acts, safety and health concerns presented by members or outside agencies/individuals, assign corrective responsibility and conduct follow up evaluations of corrective actions taken.

The Executive Committee will coordinate committee reports for the Annual Meeting and keep membership advised of all MCERS committee activities through regular meetings, special called meetings and correspondence or email.

In declared emergencies the Executive committee may make decisions for the MCERS membership. The MCERS members have the right to rescind by majority vote any decisions made in emergencies during any regular meeting following the emergency.

Program Committee: Shall be chaired by the Assistant Chief. The chairperson shall appoint two other non-elected active members of the squad to serve with him/her. The committee shall be responsible for all programs, activities, and overall training at all regular and special meetings of the squad.

It shall be the responsibility of the Program Committee to develop a formal annual SAR training plan and arrange all training activities to include all training required by state and federal law.

Membership Committee: Shall be chaired by the Captain and he/she shall appoint two non-elected active members of the squad to serve with him/her. The primary committee responsibility shall be to conduct an eligibility assessment of all new members to include a personal interview, explanation of duties and expectations as a member and review of applicant's background investigation. The committee will make a report of its findings to the Chief no later than 30 days from the receipt of the application. All background information from this assessment pertaining to the applicant will be kept confidential within the committee and the MCERS Chief.

Additional committee responsibilities shall include changes to membership qualifications, enrollment and eligibility processes, member outreach, and management of the junior member program, ID cards, and other programs that may benefit the MCERS membership.

Finance Committee:

The Finance Committee shall be composed of the chief, MCERS treasurer, two active non-elected members, and one non-MCERS affiliated committee member at large.

It shall be the responsibility of this committee to prepare an annual budget, conduct a complete audit of the Treasurers books and all MCERS accounts. The committee shall make a financial report of its membership at each regularly scheduled meeting.

Equipment Committee: Shall be chaired by the Lieutenant and the Sergeant and one other non-elected active member appointed by the Lieutenant who shall serve with him/her. The committee will also be responsible for the maintenance and up-keep of the squad's equipment.

ARTICLE VIII

MEMBERSHIP:

- A. Membership is open to anyone 18 years and older. Membership 16 to 18 years with written consent from a parent or legal guardian, and is to be notarized.
- B. Member must be a respectable character of the community, and be sponsored by a regular active member of the squad.
- C. Members joining the squad with dedication to helping the people of Morgan County and The Commonwealth of Kentucky without attaining glory or material gains for themselves.
- D. No alcoholic beverages will be allowed anytime during squad calls or in squad activities. If a member is found to be under the influence, it will be grounds for dismissal.
- E. Members will be certified within 12 months of becoming a full member in some kind of first aid training.
- F. Each member will be on probation for 6 months. At the end of that time his/her application will be reviewed by the squad and voted on in a regular meeting of the squad. He/She shall be elected to regular membership by a majority of voting present members, and by secret ballot if called for.
- G. Members missing 3 consecutive meetings without an excuse are in violation of the By-Laws and are subject to dismissal.
- H. Members will attend and work at all fund raising and social activities of the squad, whenever possible.
- I. New members will learn how to operate and maintain all of the squad's equipment and the location of said equipment.
- J. Only members with full membership shall have voting privileges.
- K. Each member will attend at least 24 hours of training each year.
- L. Each member must respond to at least 15 percent of all calls.
- M. Regular meetings are the third of each month, unless otherwise directed by the Chief of the squad.
- N. Procedures for Disciplinary Action: Any member accused of an inappropriate action has the right to due process. The Executive committee will meet with the individual to investigate the allegation. After considerations are given to all parties concerned, a determination will be made on whether the charge has merit. If it is determined that

disciplinary action is to be taken, the Executive committee will deliver such action based on the severity of the offense. If the offense is grossly malicious or intentional, the committee has the right to initiate dismissal proceedings. On all lesser charges, the following steps will be followed:

- i. 1st offense: A written warning will be issued.
- ii. 2nd offense: The subject will be subject to probation.
- iii. 3rd offense: Dismissal procedures will be initiated.

- O. Procedures for Dismissal: Any member who violates the Articles, Constitution, or the By-Laws of the Morgan County Emergency and Rescue Squad is subject to dismissal from the squad. Formal dismissal of a member from the squad shall be by action of all members present at a regular scheduled meeting. The matter of dismissal can only come before the membership by petition in writing, setting forth the reason for dismissal. A copy of which shall be supplied to the member whose dismissal is being petitioned. This copy is to be given prior to the meeting in which the dismissal will be considered. At the meeting, the member shall be given an opportunity to be heard on the charges of dismissal filed against him or her. This shall be done before the charges of dismissal are brought before the members present at the meeting. Voting will be by secret ballot. A ruling shall be made by the majority of those present at the meeting. Violation of Article VIII paragraph D will be handled by the Executive Committee, and the latter will not apply in this matter.
- P. Reinstatement: Provided a vacancy exists on the squad's active roster, a dismissed member may be reinstated to active membership upon application and subsequent approval by secret ballot of $\frac{3}{4}$ of the majority of the members present and voting in a regular meeting of the squad. All inactive members subsequent reinstated under the provision will be on probation for three months. At the end of that time, his or her application will be reviewed by the squad and voted on at a regular meeting of the squad. New members shall be elected to regular membership by a majority of the voting members present at a regularly scheduled meeting.
- Q. Individuals may join the Morgan County Rescue Squad as a "Specialty Member". If accepted, such individuals would hold a "Limited Active" status, and be fully covered under Worker's Compensation. A "Specialty Member" would not be required to respond to all types of rescue, but would be asked to participate to the majority of any response or training that pertains to his/her specialty(s). "Specialty Members" will not hold any voting rights, but are encouraged to participate in discussions and all events possible. An individual requesting "Specialty Member" status will serve a 6 month probation period and at the end of that time be voted on for such membership status. A "Specialty Member" may request and receive full "Active" status upon completion of any and all requirements for such status, and be granted all privileges of an "Active" member.

- R. It is the policy of MCERS not to discriminate on the basis of race, religion, sex, national origin or sexual orientation in its within its membership, related activities, selection of applicants, committee members, or election of officers and Board of Directors.
- S. Each member agrees to abide by these regulations. Failure to do so could mean dismissal from the squad.

ARTICLE IX

RULES OF NOTIFICATION AND RESPONSE:

The Morgan County Emergency and Rescue Squad, Inc. may receive notification calls for rescue and recovery in many different ways. Any Police, Fire, EMS, or anyone from the general public within Morgan County may make notification by phoning (606) 743-4385 or 911, these are the 24 hour warning points.

Calls outside Morgan County:

- A. All calls must be made by County, State, or other Emergency officials.
- B. All Morgan County Rescue Squad Units while on out of county calls, must stay in radio contact with Morgan County dispatch.
- C. Unit 401 cannot leave Morgan County except for extraction, or upon order of the Chief of the squad, or ranking officer.
- D. On lost person(s), floods, drownings, unit 402 and no more than 1 boat will be taken, without the permission of the Chief of the squad, or ranking officer.
- E. On all out of Morgan County calls, at least 3 members will stay in the county to answer calls.
- F. All units on out of county calls will return to Morgan County in case of an emergency with the county. If a rescue is in progress the officer in charge will determine who stays and who will return to the county.

When a call is received, the Chief of the squad will be notified, in his absence, the next officer in the chain of command will be notified, and so forth down the chain of command.

If a member of the rescue squad inadvertently happens upon an emergency within the squad's mission, he shall:

- A. Notify the squad himself/herself or:
- B. Request a responsible person at the scene to make notification to the squad that an emergency exists and a member is on the scene and respond, or:

- C. If he/she has no way, either by phone or by requesting another person to notify his squad, the squad member may attempt the rescue or recovery by himself, but only in a safe manner and to the level of his/her training.

ARTICLE X

OPERATIONAL GUIDELINES:

- 1. The Morgan County Emergency and Rescue Squad, Inc. has been trained in the following types of rescue and recovery, and will respond to and take the lead role:
 - A. Ground search and rescue of lost person(s).
 - B. Extraction of and attention of injured persons or recovery of bodies from vehicle, boating, and plane accidents.
 - C. Rough terrain rescue and recovery.
 - D. Rescue and recovery from still or swift water and low head dams.
 - E. Low Angle Rescue
 - F. Farm Rescue
 - G. Urban SAR
 - H. Water Rescue (with or without utilizing divers)

- 2. Upon request the Morgan County Emergency and Rescue Squad, Inc. will respond and assist to the following incidents, but **WILL NOT** take the lead role:
 - A. Deep mine accidents.
 - B. Evidence search or recovery when not related to criminal acts.
 - C. Electrical emergency rescue or recovery (High Voltage).
 - D. Hazardous Materials Incidents
 - E. Confined Space Entry, search, rescue and recovery
 - F. Cave search, rescues and recovery
 - G. High angle rescue, recovery from structures, buildings and wilderness cliff lines

3. The Morgan County Emergency and Rescue Squad, Inc. will not respond to the following:
 - A. Search for persons sought for criminal acts.
 - B. Evidence recovery or search when related to criminal acts.
4. The Morgan County Emergency and Rescue Squad, Inc. services will be limited to the types of rescue and recovery for which the squad's members have been trained and can accomplish safely.
5. Drivers and operators of vehicles will see that gas tanks are refilled upon return of a call, fill out run sheets, and service all equipment and return it to the truck.
6. Unless time is limited, motors shall not be raced until oil has time to circulate. At least 2 persons must be in a unit before it leaves the squad building, unless directed otherwise by an executive officer.
7. While on the scene of a call, members shall obey the directions of the executive officer in charge.
8. There must be someone to assume command of an operation if no executive officer is present. It shall be the duty of the members present to mutually agree on a leader and a person to assume command and control of an operation.
9. Unless every person is vitally needed on a job, the executive officer in charge shall appoint one person, the driver, if possible, to remain with the equipment to issue it and be responsible for its return.
10. The business of the squad shall be conducted according to the Robert's Rules of Order.
11. When time permits and circumstances permit, the chaplain or other designated person shall open all meetings with a prayer.
12. It shall be the duty of the executive officer in charge of water operations to specifically name a member to be in charge of a boat and crew.
13. The boat making a recovery shall automatically take charge of the operation until the body is delivered to the shore. Under no circumstances shall a body be removed from the water until the coroner has examined it.
14. Immediately upon recovery of a body, head gear will be removed by the recovering party as a signal of the recovery.
15. Every member will exercise extreme caution in expressing laughter and joviality while on call.

16. If a water recovery call is received at night, members shall report for duty immediately. The executive officer in charge shall be very careful to consider all danger factors before initiating before daylight.
17. Vehicle Extraction: In the event of a call involving extraction of a person(s) from an automobile or other motorized transportation, upon arrival at the scene personnel will:
 - A. Secure the incident for the safety of the victim(s) and rescue personnel.
 - B. Trained personnel will extract victim(s).
 - C. Medical personnel will attend to the victim(s) needs.
18. Drowning calls or flood evacuation: (Within County Calls)
 - A. Units 402 and 403 will be taken, along with the G3 Boat and the Jon Boat.
 - B. On drowning calls all drags are to be taken.
 - C. Units 402 and 403 will be used as needed in the county.
 - D. Gas cans will be checked and filled if needed.
19. Drowning calls or flood evacuation: (Out of County Calls)
 - A. Unit 403 will be taken and the G3 boat, unless otherwise directed by an executive officer.
 - B. At least 3 members must stay to cover the county, to be designated by the executive officer.
20. Guidelines for Operation of Vehicles and Boats:
 - A. Operators must have a valid KY driver's license. If any vehicle is to be driven Signal 9, a valid Emergency Driver's Training must be completed.
 - B. Operators must be at least 25 years of age, unless written permission is granted by the chief, or in an emergency, verbal permission by an executive officer.
 - C. Operators must be an active member of the squad in order to operate or ride in vehicles.
 - D. Must be cleared to operate vehicles and boats by an executive officer.
 - E. Operator and passenger must use all safety equipment at all times.
 - F. Passengers that are not members of the squad must be cleared by an executive officer.

ARTICLE XI

The initial By-Laws of the Corporation shall be adopted by the Board of Directors. However, the power to alter, amend or repeal the By-Laws or adopt new By-Laws shall be vested in the membership.

ARTICLE XII

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the county government for a public purpose.

ARTICLE XIII

Should any of the directors be unable to serve, whether by resignation, legal disability, or death, or a vacancy occurs on the Board for any reason, the remaining directors may appoint some other person to succeed such person. In the event no appointment can be made, then all rights, privileges, duties, and obligations under these Articles shall inure to the remaining directors.

ATTEST:

Michael R. Lacy
Chief, Morgan County Emergency and Rescue Squad, Inc.
Date: 2/25/2013

I, Terry Sue Lacy, Secretary of the Morgan County Emergency and Rescue Squad, Inc. do hereby certify that the foregoing Constitution and By-Laws of the Morgan County Emergency and Rescue Squad, Inc. was purposed before the directors and membership on Thursday, May 15, 1975 and amended on August 4, 1988, and further amended on October 28, 1993, and further amended on March 17, 2005, and said Constitution and By-Laws were adopted by unanimous vote on 2/21/2013.

Terry Sue Lacy
Secretary, Morgan County Emergency and Rescue Squad, Inc.
Date: 2/25/2013

AFFILIATION AGREEMENT
MORGAN COUNTY EMERGENCY AND RESCUE SQUAD, INC.

The Morgan County Emergency and Rescue Squad, Inc. is formally affiliated in good standing with the Disaster and Emergency Services of Morgan County.

In time of disaster, the Morgan County Emergency and Rescue Squad, Inc. will fall under the coordination of the County Judge Executive and the County EMA Coordinator.

The County Judge Executive has the authority to call upon the Morgan County Emergency and Rescue Squad, Inc. for assistance in time of emergency or disaster. In the event the County Judge Executive is absent, the Morgan County EMA Coordinator has the authority.

This affiliation does not influence the organizational rules or other powers of the Morgan County Emergency and Rescue Squad, Inc. except during a declared emergency or disaster where they will come under the coordination of the Judge Executive or the EMA Coordinator of Morgan County.

The responsibilities of each under signed party shall be those specified in KRS Chapter 39.

Morgan County Judge Executive _____

Date _____

Morgan County EMA Coordinator _____

Date _____

Morgan County Rescue Squad Chief _____

Date _____