

**CONSTITUTION AND BY LAWS
OF THE
MURRELLS INLET–GARDEN CITY FIRE DISTRICT
BOARD OF FIRE CONTROL**

**ARTICLE I
Name**

The name of this organization shall be the Murrells Inlet–Garden City Fire District. The organization may synonymously be known as the Murrells Inlet-Garden City Fire Department, herein called the District.

**ARTICLE II
Constitution**

The Constitution of Murrells Inlet-Garden City Fire District shall be S.C. Code § 4-23-10, et seq. which shall be supreme if there is a conflict with these bylaws.

**ARTICLE III
Articles of the Constitution**

The Articles of the Constitution are:

Section 1: To fulfill the duties and responsibilities as set forth by state law in the creation of the Fire District. [Reference Article 3. Murrells Inlet–Garden City Fire District in Georgetown and Horry Counties (form no. 5) S.C. Code of Laws, Sections 4-23-10].

Section 2: The purpose shall be to preserve life and property within the legally defined areas of the District in case of fire, rescue and/or other emergency, and to promote through fire safety education, the prevention of such fire and/or other emergency.

Section 3: The purpose and responsibility of this Board is found in S.C. Code 4-23-30, et seq.

Section 4: To provide automatic aid to other fire departments and governmental entities upon request pursuant to the mutual aid agreements among the various other fire departments in the area.

Section 5: The Board has the following fiduciary and statutory and legal duties: (a) to purchase firefighting equipment; (b) to spend the public's money wisely; (c) to select and purchase real property for five stations; (d) to hire and fire all fire personnel; (e) to supervise all training; (f) to procure all necessary training; (g) to be responsible for maintenance of all equipment; (h) to borrow funds to purchase fire equipment and construct buildings; (i) to report to the legislative delegations of Horry and Georgetown County a report regarding the financial status of the District; (j) to design and maintain a Facebook page and website; (k) to carry out the spirit and

intent of S.C. Code 4-23-30, et seq.; (l) to prepare for and assist in the event of any natural disaster.

Section 6: This Constitution shall provide specific instructions to the operation of the District with respect to the functions of the Board and its appointed officers and employees. See S.C. Code 4-23-10, et. seq.

Section 7: All members of the Board are to conduct themselves in a manner considered appropriate for a public official and pursuant to the South Carolina Ethics law S.C. Code § 8-13-700, et seq. attached hereto.

Section 8: The Board will provide supervision, oversight and direction to the Chief and Officers of the District, as related to the overall function of the organization.

Section 9: The Board has the statutory authority to manage and supervise all aspects of the Murrells Inlet-Garden City Fire District.

Section 10: The Board shall publish a financial statement of the Fire District by November 30 of each year which shall be available to the public free of charge and delivered to the legislative delegations of Horry and Georgetown counties.

ARTICLE IV **Members**

Board members shall only serve pursuant to S.C. Code 4-23-10 upon appointment by the Governor and until he or she is replaced or reappointed by the Governor.

ARTICLE V - BYLAWS OF MURRELLS INLET-GARDEN CITY FIRE DISTRICT

The Board has adopted the following Bylaws which are effective as of February 25, 2019.

1. Officers

Section 1: The officers of the Board shall be: Chairperson, Vice Chairperson, Secretary and Treasurer.

Section 2: Each officer shall be elected at the first regular business meeting in January of each year by voice vote of a quorum of the Board. At the January meeting of each consecutive year, Board Members shall meet and decide whether officers shall be reelected to their respective offices.

Section 3: The term of the office shall begin at the close of the meeting at which the officer was elected.

Section 4: Any vacancy of office that may occur the Chairperson shall appoint a member to fulfill the term and said member shall serve until the next regular election of officers occurs.

Section 5: All elections and resolutions, unless otherwise specifically provided for, shall require a majority vote of members in attendance.

Section 6: A quorum of four members is required in order to conduct business except in exigent circumstances such as a natural disaster, riot, civil disturbance or emergency as declared by either County Council or the Governor. An emergency is also defined as an event which has occurred in the district such as a fire or medical emergency which the fire chief or his designee believes requires immediate Board input.

2. Duties of Board Members

Section 1: The Chairperson shall preside at all meetings of the Board. The Chairperson shall appoint committees as may be needed from time to time for special projects or programs. He/she shall perform other such duties as they pertain to the office of Chairperson. The Chairperson shall discuss any day to day issues of the department with the Chief. The Chairperson shall appoint committees as needed. The Chairperson must place any item on the agenda which is requested by a Board member to be discussed at the Board meeting.

Section 2: The Vice-Chairperson shall preside at all meetings in the absence of the Chairperson or at any other time when so requested by the Chairperson, and perform other such duties as directed by the Chairperson.

Section 3: The Secretary shall keep an accurate record of all the proceedings of the Board; including, member profiles, meeting minutes, attendance at meetings, etc. and such shall be on file at the District for review by the public. A copy of these records shall be maintained at the Fire District and be made available to the public as required by State law. The Secretary shall also sign and verify certain documents as may be required by his/her official position, and perform other duties as directed by the Chairperson.

Section 4. The Treasurer shall monitor all funds payable to the district and make a financial report to the board at each regular meeting and may delegate this authority to an employee of the District. The report shall include a monthly summary of the finances. The Treasurer shall engage a qualified CPA firm approved by the Board on an annual basis to conduct an audit of the finances of the district. Such audit shall be made available to any local, state and other appropriate agency as required by law. The treasurer shall be responsible for all reports required to be submitted by law by November 15th of each year. The Treasurer shall deliver those reports to the Board by November 1st of each year. The Treasurer shall present a budget by December 31 of each year. The Treasurer shall forward the report to the local legislative delegation by November 30 of each year.

3. Business Meetings

Section 1: The regular business meeting of the District will be held every month on the fourth Monday of the month at 6:00 p.m. at Fire District Headquarters in Murrells Inlet, South Carolina.

Section 2. Written public notice of each meeting shall be posted for the calendar year in the Murrells Inlet-Garden City Fire District Headquarters.

Section 3: Notice of special meetings and agendas will be posted in the Headquarters station at least 24 hours prior to the scheduled special meeting and on the District website. A social media page shall be prepared and monitored by the Assistant Chief.

Section 4: Special meetings may be called by the Chairperson as may be required for conduct of District business or a majority of the members of the Board. Notices of special meetings shall state the purpose and objectives of the meeting and be posted in a similar method as a regular meeting. No other business shall be transacted at such special meetings, other than that stated in the meeting notice.

Section 5: A quorum shall consist of four members of the Board being present at a business meeting or telephonically in an emergency. However, the Chairperson or any member present at District Headquarters in an emergency has authority to suspend this rule under exigent circumstances.

Section 6: Meetings of the Board may be cancelled or postponed at the discretion of the Chairperson for due cause or if no official business needs to be conducted. No business shall be conducted outside of a publicly noticed meeting unless or in case of an emergency, as described in these bylaws.

Section 7: At each meeting any committee chairman may provide a report to the Board.

Section 8: It is anticipated that at times Board members may not be present for a Board meeting and if a Board member has good cause, he shall be able to attend electronically and vote to conduct the business of the Board. The term electronically means either by telephone, webcast or other acceptable electronic means.

4. Conduct of Meetings

The meetings shall be conducted in an informal manner with a written agenda developed by the Chairperson. A public input section of the meeting shall be placed at the end of the meeting and the public shall be provided five minutes to voice their concerns. If there are more than three members of the public who wish to voice their concerns, the Chairperson shall have discretion to limit each member of the public to two minutes of comment.

5. Fiscal Year and Budget

Section 1: Operations of the District shall be conducted on a calendar year basis beginning on January 1 and ending on December 31 of the same year.

Section 2: The Board shall act upon all proposed operating budgets, capital improvement budgets, bond issues and other such financial proposals and actions of the district.

Section 3: The Board shall adopt a balanced budget for each fiscal year and may not run a deficit.

6. Management

Section 1: The management policies are vested in the Board and the operations of the District shall be vested in the Fire Chief. The Fire Chief shall enforce such policy and procedures that, within the best of his knowledge and authority, comply with all applicable Federal, State and local laws.

Section 2: The Fire Chief shall serve as the primary contact between the Board and other such officers, employees and/or members of the Fire District. The Board adopts the problem-solving procedure as outlined in the Employee Blue Book, except a violation of any civil or criminal law shall be reported by any officer or employee of the District to any Board member immediately.

Section 3. The Fire Chief works at the sole discretion and by appointment of his position for the Board as provided by law. (S.C. Code 4-23-230, (j)). Any disciplinary or corrective action, as to the duties of the Fire Chief, is to be performed by the Board upon majority vote.

Section 4: Other matters of employment, i.e., hiring, disciplinary, termination or suspension shall be performed by the Fire Chief according to the Blue Book which may be reviewed at the discretion of the Board.

7. Property

Section 1: The property of the District shall be in the custody of the Board and at the disposal of the Fire Chief only for the express conduct of official fire department business. Funds of the District shall be placed in such banks and/or other financial institutions as the Board may elect. The Board shall appoint a CPA firm to act as auditor of the funds collected. All funds provided to the District by the public as gifts must be deposited into the accounts of the District and used pursuant to the decision of the Board.

Section 2: The District shall exercise any of its powers or perform any of its functions and participate in the financing thereof with any county, state, federal or other governmental division or agency.

8. Public Relations

Board members are encouraged to meet the employees of the District and visit the various fire stations to educate themselves about the needs of the employees. However, a Board member shall direct that any complaint by an employee shall follow the chain of command except when the complaint involves a violation of the civil or criminal law of the State of South Carolina or the United States.

9. Amendments

The ByLaws of the District may be amended by a two-thirds vote of the members present at any regular or special meeting provided notice of such amendment shall have been sent to all Board members by the Secretary at least two weeks prior to such meeting.

10. Authority to Contract

The Board shall have authority to contract by majority vote at a regularly scheduled meeting except in an "emergency" (as defined above) and then the Chairperson shall authority to do so.

11. Checks

A member of the Board and the Fire Chief or his designee must sign all checks provided that under exigent circumstances the Fire Chief or a single Board member may endorse a check up to the amount of Twelve Thousand and 00/100 (\$12,000.00) Dollars. Any member of the Board may at any time inspect the financial records of the District.

12. Procurement

The District adopted a procurement policy in 2004 which remains in effect and may be amended as necessary.

13. Insurance

The District shall purchase a general liability insurance policy and a workers' compensation insurance policy for the District employees to include an Officers and Directors errors and omissions policy for the Board members through the South Carolina Insurance Reserve Fund or other approved insurance carrier.

14. Emergency Situations

Should an emergency situation occur, the Fire Chief or his designee may if necessary contact the Chairperson or other available Board member to apprise him or her of the situation. If time permits, the Chairperson or other available Board member shall attempt to contact the other Board members but shall not be precluded from making a decision which shall bind the Board

under exigent circumstances. Exigent circumstances are defined as those circumstances which require immediate action for protection of life and property.

15. Employee Manual

The Board adopts and approves the following documents: (1) employee manual known as the "Blue Book"; (2) job descriptions for each position in the department.

16. Nondiscrimination

The Board adopts a nondiscrimination policy and will not tolerate discrimination against any employee, volunteer or member of the public based on age, sex, gender, race or national origin. Any such discrimination shall be immediately reported to any Board member who shall report it to the other Board members immediately.

17. Public Records

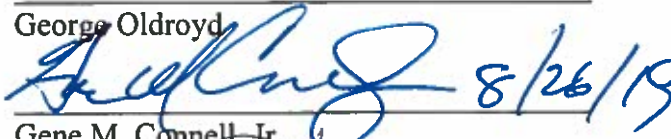
The district is a public entity and is subject to the South Carolina Freedom of Information Act and shall comply with such Act.

18. Compliance with All Federal and State Laws


The Board shall faithfully comply with all state and federal laws and shall rectify any violations immediately.

Duly adopted this 25th day of February, 2019 at Murrells Inlet, SC 29576.

George Oldroyd

 8/26/19

Gene M. Connell, Jr.

 8/26/2019

Kay Benton


 8/26/19

Pat Walsh

 8/26/19

Steven Sellers

I, Norman L. Knight, Jr., Fire Chief of the Murrells Inlet-Garden City Fire District have received a copy of the Constitution and By Laws of the Murrells Inlet-Garden City Fire District and will faithfully comply with the execution and implementation of such Constitution and By Laws.



Norman L. Knight, Jr.