

BY-LAWS OF THE MIAMI VALLEY JOINT FIRE DISTRICT

ARTICLE I: BOARD OF FIRE DISTRICT TRUSTEES

A. Powers, Limitations, and Duties of the Board of Fire District Trustees

Pursuant to R.C. 505.371, the regulation, power, and government of the Miami Valley Joint Fire District (the "District") shall be vested in and exercised through the Board of Fire District Trustees (the "Board"). In accordance with R.C. 505.371, the Board shall have the authority to exercise the same powers as are granted to a board of township trustees in Sections 505.37 through 505.45 of the Ohio Revised Code, including, but not limited to, the power to levy a tax on all taxable property in the Joint Fire District as provided in R.C. 505.39. The Board shall exercise all authority expressly and impliedly granted by law.

The responsibility and duties of the Board shall include the efficient governance of District operations and the proper accounting, safeguarding, and maintenance of all District property and funds. The Board shall enact policies, procedures, rules, regulations, or any other measures as may be necessary in order to execute its duties and obligations and to ensure the operational readiness and provision of efficient and effective services to the residents of the member political subdivisions.

B. Composition of the Board of Fire District Trustees

The Board of Fire District Trustees shall be comprised of five member trustees. These trustees shall include one trustee who shall be a member of the City Council of the City of Miamisburg; one trustee who shall be appointed by the City Council of the City of Miamisburg; one trustee who shall be a member of the Board of Trustees of Miami Township; one trustee who shall be appointed by the Board of Trustees of Miami Township; and one trustee that is selected by the total membership of the Board of Fire District Trustees.

The Board of Fire District Trustees shall elect a Chief Trustee as chair of the Board. The holder of this position will preside over all meetings, sign documents on behalf of the Board, and exercise authority over the Fire Chief on behalf of the Board. Remaining members of the Board of Fire District Trustees will be referred to as Deputy Trustees, and fill the required positions to complete their duties as members of the Board.

C. Compensation of the Trustees and Expense Reimbursement

Trustees serving on the Board shall not be compensated for the performance of their duties as trustee, provided however that the Trustees shall be reimbursed for any reasonable expenses incurred in the execution of their Board responsibilities upon a resolution passed by the Board.

D. Trustee Term of Office

Trustees shall serve at the pleasure of the political subdivision that appointed the trustee. In the case of a jointly appointed trustee, such jointly appointed trustee shall serve for a term of 1 year.

E. Resignations and Vacancies of Trustees

A resignation by a trustee shall be effective upon tendering written notice upon the other trustees of the Board. In the case of resignation, removal, disability, death, or any event leading to a vacancy on the Board, the vacancy shall be filled by the appointing authority that appointed the trustee leaving a vacancy.

ARTICLE II: BOARD OF FIRE DISTRICT TRUSTEE MEETINGS

A. Regular Board Meetings

Regular meetings of the Board shall occur on a monthly basis and shall be set at a standard time and place as determined by the Board. At the discretion of the Board, any such meeting may be modified as deemed necessary. All regular meetings shall be open to the public in accordance with the Ohio Sunshine Laws and Public Records Act.

B. Special Meetings

Special meetings of the Board may be held and may take place at any time and place capable of accommodating a public meeting. Special meetings may be initiated only in accordance with the notice requirements specified in the Ohio Sunshine Laws and Public Records Act.

C. Executive Sessions

The Board may meet in executive session in accordance with the Ohio Sunshine Laws and Public Records Act.

ARTICLE III: VOTING OF THE BOARD OF FIRE DISTRICT TRUSTEES

A. Votes of the Trustees

Each Fire District Trustee shall have one vote on each issue which is voted on by the Board.

B. Resolutions and Legislation

No resolution, legislation, or other enactments shall be of legal or binding validity unless passed by an affirmative vote of at least a majority of the Trustees of the Board.

A four-fifths vote of the entire membership of the Board of Trustees is required to take action on any of the following issues:

- Purchasing or leasing vehicles or real property from vendors other than the member political subdivisions
- Construction and location of new fire stations
- Any purchase of goods and/or services that are required to be purchased by competitive bidding under state law

ARTICLE IV: OPERATIONAL OVERSIGHT COMMITTEE

A. Purpose of the Committee

The Board of Fire District Trustees shall create an ex-officio Operational Oversight Committee. The Oversight Committee will be occupied by Manager(s) and Administrator(s) from each participating political subdivision. This committee will review and comment on all budget proposals, personnel policy and procedural matters, operational guidelines, and other assignments as designated by the Board, and/or prepared by the Fire Chief for Board approval. Items for approval shall be submitted to the Operational Oversight Committee prior to consideration by the Board of Fire District Trustees.

B. Timelines for Review by the Operational Oversight Committee

The Operational Oversight Committee shall review and provide commentary to the Board within 60 days of beginning its review. Additional time may be granted by the Board of Trustees.

ARTICLE V: JOINT FIRE DISTRICT CLERK

A. Duties of the Clerk

Pursuant to R.C. 505.371, the Board of Fire District Trustees shall employ a Clerk. The Clerk shall be bonded in a suitable amount, and with such sureties, to be fixed by the board for the faithful performance of his or her duties. The Clerk shall perform all duties as determined by the Board. The Clerk shall be the fiscal officer of the District, and shall be accountable to the Board for maintaining oversight over the receipt, custody, safekeeping, safe investing, and disbursement of the District's monies and any legal or monetary instruments of value. The Clerk shall also be responsible for the proper accounting of all monies and property in his or her possession, including funds received from the participating political subdivisions and federal funds. The Clerk shall report on a periodic basis to the Chair of the Board regarding the status of financial accounts, disbursements, and expenditures as directed by the Chair. Upon vacancy of office, the Clerk shall account for and turn over to his or her successor all property, books, papers, computer records, or computer stored information, and monies of the District within his

possession and control. The Clerk shall have such further responsibilities as may be directed by the Board.

ARTICLE VI: FIRE CHIEF

A. Duties of the Fire Chief

The Board of Fire District Trustees shall appoint a Fire Chief. The Fire Chief shall be the chief executive officer of the District, and shall report to the Board. The Fire Chief serves at the pleasure of the Board and shall perform all operational and management duties as determined by the Board.

ARTICLE VII: COMPENSATION AND BENEFITS OF DISTRICT EMPLOYEES

The compensation and benefits of District employees shall be determined by, bargained for, and/or agreed to by the Board of Fire District Trustees in accordance with all applicable law.

ARTICLE VIII: MAINTENANCE OF EQUIPMENT TRANSFERRED OR LEASED TO THE FIRE DISTRICT

Upon receipt of any property, equipment, or firefighting and emergency medical vehicles from the member political subdivisions, all such property shall be fully maintained and kept in a fully serviceable condition. All durable property received or leased by the District, including firefighting and emergency medical equipment, emergency vehicles, apparatus, tools, or other items, shall be inventoried on an annual basis no later than January 31st of each year. The inventory shall include a report that confirms each property item being within the continued possession of the District, its estimated fair market value, its serviceable condition, and the status of the performance of any required scheduled maintenance. The report shall be submitted to the Oversight Committee no later than January 31st annually and shall be certified as being a true and correct inventory by the Fire Chief. No durable property received from the member political subdivisions shall be sold or disposed of without first receiving the joint and proper authorization of the member political subdivisions.

ARTICLE IX: ASSESSING DISTRICT FEES AND CHARGES AGAINST FIRE DISTRICT RESIDENTS

In accordance with R.C. 505.371, the Board of Fire District Trustees may establish reasonable charges for the use of ambulance and emergency medical services. The Board may establish different charges for residents and nonresidents of the District, and may waive, at its discretion, all or part of the charge for any resident of the District. The charge for nonresidents shall be an amount not less than the authorized medicare reimbursement rate.

ARTICLE X: FISCAL YEAR

The fiscal year of the District shall run coterminously with the calendar year.

ARTICLE XI: BY-LAW AMENDMENTS

These District by-laws may be amended or repealed by a four-fifths vote of the entire membership of the Board of Fire District Trustees.

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