BY-LAWS OF TIIE BISMARCK FIRE PROTECTIVE ASSOCIATION, A NON-PROFIT CORPORATION

These are the By-Laws of the Bismarck Fire Protective Association, Inc., aka Bismarck Volunteer Fire Department, a non-profit corporation, organized to provide fire protection for its members consistent with the laws of the State of Arkansas and the efforts, training, and ingenuity of its members, employees, and associates.

This corporation is formed for the mutual aid, benefit, and safety of its members, all of which organize and gather to provide a safer and better quality of life for its members through fire protection.

These By-Laws supersede all other By-Laws if approved by the membership of this Corporation.

ARTICLE I
NAME OF CORPORATION

Section 1. The name of the Corporation shall be the Bismarck Fire Protective Association, Inc., hereinafter referred to as "BFPA."

Section 2. The Corporation has two (2) locations:
1. The primary location is: 2718 Highway 7, Bismarck, AR 71929.
2. The secondary location is: 9066 Highway 84, Bismarck, AR 71929.

Section 3. Mailing address: P.O. Box 123, Bismarck, Arkansas, 71929.

Section 4. Telephone: 501-865-3636. Fax: 501-865-3727

ARTICLE II
PURPOSE OF CORPORATION

Section 1. The purpose of the Corporation shall be to protect the life and property of its members, and of the residents of the area served by the Corporation, by providing fire protection and related services. These services include, but are not limited to, the prevention and extinguishing of fires, providing first responder services, and providing training and instruction in the areas of firefighting and fire prevention.

The Corporation may acquire and own fire apparatus and other equipment for use by the Corporation. It may acquire land and construct buildings for corporate purposes. It may sponsor fundraising activities to provide additional financial support for the Corporation. It may use its property to promote the purposes of the Corporation.

Section 2. The Corporation will respond to all calls within the area defined by a map issued by the U.S. Forestry Service. The protection will be on a first call basis with structure fire taking precedence over "grass" fire. No fee for fire services will be charged to any member in good standing. A fee of not less than $250 per responding truck will be charged for response to a non-member call.

Section 3. All assets and income of the BFPA shall be used for the purposes herein set forth, including payment of expenses incidental thereto. No part of the assets or income of the Corporation shall be distributed to the members, directors, or other officers except that the BFPA shall be authorized to pay reasonable compensation for services rendered and to make payment and distributions in furtherance of the purposes set forth herein.

ARTICLE III
MEMBERSHIP

Section 1. General membership in this Corporation shall be granted to those property owners or residents who are in sympathy with its purposes and who live or own property in the defined boundaries of the association. A membership fee will be assessed on an annual basis and is currently $100.00 every year for every residential structure, per 911 address. This fee shall be fixed by the Board of Directors and by majority membership at any regular or special meetings of the Corporation. The enrollment period is June I through May 31. Any member that donates to BFPA more than $500.00 (Five Hundred Dollars) will result in a waiver of dues for a time frame to be determined by the Board. In the event you do not pay your fire dues and fire services are rendered to your property address, you will be billed accordingly for the fire services rendered. If the bill for fire services rendered is not paid within 60 days, then legal action will be taken to collect on this bill.

For every inhabited dwelling, the membership shall be in the name of the occupants, regardless of the source of payment of the fees. No member of the Corporation shall have more than one vote. There will be no discounted

memberships, unless previously approved by board through in-kind donation in Each 911 address will have its own billing.

Section 2. Businesses, churches and other non-residential entities are entitled to yearly membership. The fee for such businesses, churches and other non-residential entities will be categorized and that category will be determined by the Fire Chief and Assistant Fire Chief as follows:

Non-Hazardous Business Rate - $200.00
Low occupancy/HAZMAT business rate - $300.00
High occupancy/HAZMAT business rate - $2,000.00

Section 3. General membership shall cover the members' residential and/or commercial property. Membership does not cover motor vehicle accidents that occur within the defined boundaries of the association. BFPA reserves the right to bill members/non-members and/or their insurance for motor vehicle accidents.

Section 4. Membership as a firefighter may be open to all who can respond from his or her residence in a reasonable time and must be 18 years of age and of good moral character and physical condition. Application shall be in person by completing an application form and submitting it to the volunteer Fire Chief or his designee. Membership fees shall be waived to all firefighters in good standing, in exchange for the services they provide the community. Membership fees shall be waived for firefighters that have completed 20 years of service and have retired.

Section 5. If residential and commercial property are defined under the same 911 address, the current business rate would apply.

ARTICLE IV
RIGHTS AND LIABILITIES OF MEMBERS

The private property of the members shall be exempt from execution or other liability for the debts of the Department, and no member shall be liable or responsible for any debts or liabilities of the Fire Department.

ARTICLE V
BOARD OF DIRECTORS

Section 1. The ultimate authority of the Corporation is the membership of the Corporation. The responsibility and authority for the administration of the Corporation's business shall be vested by a Board of Directors consisting of seven members.

Section 2. Each director must be a resident of the defined boundaries of the association and a member of the Corporation.

Section 3. Directors shall be elected by the membership at the annual meeting for one-year terms. Each shall continue to hold office until his or her successor is elected and qualified.

Section 4. The Board shall choose officers from among its members. They shall choose a President, a Vice-President, a Secretary, a Treasurer, and three (3) alternates.

A. The President shall be the executive officer of the Corporation. The President shall appoint committees and shall be an ex-officio member of every committee. The President shall preside at all meetings of the Board and of the membership.

B. The Vice-President shall be ex-officio chair of the publicity committee and shall take on the duties of the President should the President be unable to fulfill them,

C. The Secretary shall keep the records of the association and of the Board of Directors and shall be responsible for keeping the minutes of the Board of the Corporation.

D. Treasurer shall perform the duties customary to that Office and shall be ex-officio chair of the finance committee.

Section 5. A majority of the Directors shall constitute a quorum for the transaction of business at any meeting of the Board. Strict compliance with Robert's Rules of Order is not required but should form the basis for organization and conduct of meetings.

Section 6. Regular meetings of the Board shall be held on the third Monday of each month at 7:00 p.m. at Fire Station l, 2718 Highway 7, or at such other place as the President may elect. The President may, at his or her discretion, reschedule any regular meeting with at least two days' written, which includes electronic formats, i.e., email and text, notice to all Directors. Special meetings of the Board may be called by the President as may be required. If practical, the President shall give written notice. Special meetings of the Board may be called by any four members of the Board upon two days' written notice to all Directors.

Section 7. The Board shall determine what committees shall be established. The membership committee and finance committee shall be permanent unless abolished by majority vote of the members.

Section 8. In the event of a vacancy on the Board occasioned by any cause other than removal of a Director by membership, the Board shall vote or appoint an eligible person to serve out the remainder of the term.

Section 9. Any Board member that misses four (4) or more Board meetings per year warrants a vote for removal by the Board.

Section 10. A Board member that wishes to resign must send or present by text, email or in writing to another Board member their intent to resign and it must be signed and dated.

ARTICLE VI
MEMBERSHIP MEETINGS

Section 1. There shall be an annual meeting of the members of the Corporation. Unless otherwise determined by the Board, that meeting shall be on the last Saturday of March each year, at 7:00 p.m., at a place to be determined by the Board that is within the defined district of the Corporation. The Secretary shall give formal public notice of the time and place of the annual meeting to each member at least 10 days prior to the meeting via the website, social media or community posting. All Corporation property, including but not limited to computers, checkbooks, receipt records, and spreadsheets shall be immediately turned over to a member of the incoming Board of Directors at the Annual Membership Meeting.

Section 2. Meetings of the membership may be called by majority vote of the Board of Directors. The Secretary shall give formal public notice (website, social media, community posting) of the time and place of the meeting to each member at least 30 days prior to said meeting.

Section 3. At any meeting of the membership, each household shall be entitled to one vote. Strict compliance with Robert's Rules of Order should not be required but should form the basis for organization and conduct of meetings.

Section 4. At any meeting of the membership, ten members shall constitute a quorum for the transaction of business.

Section 5. The Board of Directors, by majority vote, may call for the membership vote on any issue. The result of any such vote shall be equally binding as action taken by the membership at an annual or special membership meeting.

Section 6. The President shall cause a vote of the membership to be taken when petitions signed by at least ten percent (10%) of the members of the Corporation and stating the specific issues to be presented are received. The result of such a vote shall be equally binding as action taken by the membership at an annual or special membership meeting.

Section 7. A director may be removed as stated herein from office for misconduct, including but not limited to dereliction of duty, malfeasance, or activities in conflict with the function of the Board of the Corporation. A director may be removed by the membership by a majority vote of the members voting at an annual or special membership meeting. A director may also be removed for excessive absences or non-payment of dues as previously stated in Article V. Any resolution calling for the removal of a director shall state the reason for such removal.

ARTICLE VII
AMENDMENTS

Section 1. By-Laws may be altered, amended, modified, or appealed by two-thirds vote of the membership, in attendance, at any regular meeting or special meeting called for that purpose.

ARTICLE VIII
FIRE DEPARTMENT ORGANIZATION

Section 1. The fire department shall consist of the following positions: Fire Chief, Assistant Chief, Captains, Training Officer, and volunteer firefighters.

A. The Fire Chief shall oversee and have authority in the day-to-day operations of the Fire Department. The Fire Chief is nominated by the firefighters after the Annual Membership Meeting each year and approved by the Board of Directors by the end of April each year. The Fire Chief shall meet or exceed the requirements set forth by the Arkansas Fire Academy to be a Volunteer Fire Chief, i.e., Fire Fighter I, either through Patch Program or Formal Training.

    a. Under Arkansas Act 874, it is important to note that:
        i. The county does not run the Board.
        ii. The Board does not run the department.
        iii. The Fire Chief runs the department and reports to the Board.

B. Assistant Fire Chief shall be chosen by the Fire Chief and shall take on the duties of the Fire Chief should the Fire Chief be unable to fulfill them.

C. Captains shall be chosen by the Fire Chief and shall take on duties assigned by the Fire Chief.

D. Training Officer shall be chosen by the Fire Chief and shall be responsible for training activities of all volunteer firefighters and Officers of the Department.

Section 2. Any firefighter may be removed for misconduct, including but not limited to dereliction of duty, malfeasance, or activities in conflict with the function of the Fire Department. Final decision regarding disciplinary actions will be at the discretion of the Fire Chief.

Section 3. The Fire Chief may be removed for misconduct, including but not limited to dereliction of duty, malfeasance, or activities in conflict with the function of the Fire Department. Final decision will be at the discretion of the Board of Directors.

ARTICLE IX
MISCELLANEOUS

Section 1. The use of the BFPA facilities, land or buildings by other agencies for more than three days shall be approved by both the Board and the general membership. Agreements shall be in writing.

Section 2. The existence of the BFPA is intended to be perpetual. In the event of dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all liabilities, dispose of all assets of the Corporation to such corporations or organizations operating exclusively for charitable, educational, religious, or scientific purposes and qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code. Assets not so disposed of shall be disposed of by the Circuit Court of the district in which the principal office of the Corporation is located.

Section 3. In the event land is donated, at the dissolution of the fire department, land shall be returned to the donor or donor's heirs.

ARTICLE X
AMENDMENTS

Section 1. Amending the Articles of Incorporation of this organization must be consistent with Paragraph A in the Articles of Incorporation under title:

Amendment — Rules — Voting — Quorum

APPROVED AND SIGNED the _____ day of _____, 2026.

_____

STEVE BUCKLES, PRESIDENT

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ROBERT DITTY, VICE PRESIDENT

DARLA JACKSON, SECRETARY

STEPHANIE MORRIS, TREASURER

NINA BUCKLES, BOARD MEMBER

CINDY DITTY, BOARD MEMBER

THERESA ALLSUP, BOARD MEMBER