

BY LAWS
Of the
CROOKSTON FIREFIGHTERS ASSOCIATION

ARTICLE I
Name

SECTION I. This organization shall be known as Crookston Firefighters Association of Crookston, Minnesota.

ARTICLE II
Membership

SECTION I. The Association shall consist of a Fire Chief and Volunteer Firefighters who are at the time of the adoption of these bylaws, members in good standing of the Crookston Firefighters Association, and such persons who are residents of the City of Crookston, or reside within ten (10) minutes response time to the main fire hall or the North station, and such persons as may hereafter be appointed to membership by said Association as prescribed in the By Laws.

SECTION II. All new members will have a one (1) year probation period. They must meet the certification standards required by the State of Minnesota and the Crookston Firefighters Association. They will attend a sectional training school within that year, unless excused for sufficient reason by the Chief or Board of Directors. All new members must have in writing from their employers, permission to attend fires during working hours. At the end of the one-year probation period, the new member's performance will be reviewed by the Hiring and Evaluation Committee and the Board of Directors. Following successful review, a recommendation for full membership, with voting privileges, shall be made to the Board of Directors and the Association.

SECTION III. The Secretary will maintain an up-to-date list of the members having one (1) vote each.

SECTION IV. All new members will be Firefighter I certified and complete all other requirements within three (3) years unless extended, for sufficient reason, by the Chief or Board of Directors.

ARTICLE III
Board of Directors and Their Duties

SECTION I. All officers elected or appointed must have been a member in the Crookston Firefighters Association for the previous three (3) years.

SECTION II. The Board of Directors of this Association shall consist of a President, Vice President, Secretary, Treasurer, and a Board consisting of five (5) Board Members, who shall be elected at the annual meeting and shall hold office until their respective successors are duly elected and qualified. In the event that an officer or board member cannot fulfill their term, the President may appoint a member of the Association to fill the remainder of the term or until the next annual meeting.

SECTION III. Term of Office

President:	One Year
Vice President:	One Year
Secretary:	One Year
Treasurer:	One Year
Board Member:	Five years with the election of one member per year.

SECTION IV. The president shall preside at all Association meetings, command the Association on all occasions, preserve order and enforce all laws pertaining to the Association, appoint committees as recommended by the Association, issue such general orders as shall be necessary, and perform such duties as may be required by the Association. In the event of a tie vote by the Association, the President's vote shall break the tie. The President shall notify all members upon the death of any member or retired members.

SECTION V. In the absence of the President, the Vice President shall exercise the President's powers and perform those duties.

SECTION VI. The Secretary shall keep a true record of all business proceedings of the Association, notify members of all special meetings, and perform such duties as may be required by the Association.

SECTION VII. The Treasurer shall maintain the financial records of the Association, keep track of all receipts and expenditures of the Association and perform duties as may be required by the Association.

SECTION VIII. The Chief of the Crookston Fire Department shall be an ex-officio member of the Board.

SECTION IX. The officers may receive a stipend for their duties. The amount shall be approved by the Association at each annual meeting.

SECTION X. The Board of Directors shall be the governing body of the Association except when the meetings of the Association are in session. The Board shall make recommendations to the voting membership in all matters affecting the policies, aims and means of accomplishing the purpose of the Association not specifically provided for in these by laws.

SECTION XI. At all meetings of the Board of Directors, a majority of five (5) officers and directors then in office shall be necessary and sufficient to constitute a quorum for the transaction of business.

SECTION XII. No officer shall have any powers except such as are conferred upon them by these by laws.

SECTION XIII. The Board of Directors may have regularly monthly meetings at such places and times as it shall establish. An annual meeting for the Board of Directors shall be at such time and places as may be designated by the Board of Directors.

ARTICLE IV. Tactical Officers and Their Duties

SECTION I. The Association shall have tactical officers designated for emergency response. Said officers shall be appointed by the Association following the recommendations of the Fire Chief and the President. Appointments shall be for one year and approved at the annual meeting.

SECTION II. Tactical officers shall consist of a Fire Chief and three (3) Lieutenants.

SECTION III. The tactical fire chief, if the Association shall choose, may be the full-time Chief of the Crookston Fire Department.

SECTION IV. The Lieutenants must be a member of the Association and have at least three (3) years of documented training and experience.

SECTION V. Duties of the tactical officers shall follow the Standard Operating Guidelines of the Crookston Fire Department.

ARTICLE V.
Meetings

SECTION I. The annual meeting of the Association shall be held on the third Thursday of January of each year.

SECTION II. The regular meeting of the Association shall be held on the first Thursday of each month. The Board of Directors shall make recommendations to the voting membership in all matters affecting the policies, aims and means of accomplishing the purpose of the Association not specifically provided for in these by laws. The voting membership shall make the final decision on all matters of the Association.

SECTION III. A special meeting may be called at any time by the President or on the demand of the members. A notice, in writing or by personal contact, of the special meetings shall be given by the Secretary to all members not more than thirty (30) days prior to the meeting.

SECTION IV. One half of the voting membership shall constitute a quorum for the transaction of business at any meeting.

SECTION V. Robert's Rules of Order shall be followed at all meetings of the Association.

SECTION VI. The Order of Business for Regularly Scheduled Meetings

1. Call to Order
2. Roll Call
3. Secretary's Report
4. Treasurer's Report
5. Chief's Report
6. President's Report
7. Unfinished Business
8. New Business
9. Standing Committee Reports
10. Special Committee Reports
11. Announcements
12. Adjournment

ARTICLE VI.
Amendments

SECTION I. The By Laws may be amended at any regular meeting provided, however, that no amendment shall be voted upon, unless it shall have been submitted to the Association in writing at a preceding meeting. A one half (1/2) vote of the voting membership shall be required for adoption.

ARTICLE VII.
Fiscal Year & Fiscal Responsibility

Section I. The fiscal year of the corporation shall begin on the first (1) day of January in the year and end at midnight in the thirty-first (31) day of December of that year.

Section II. The Crookston Firefighters Association shall be fiscally responsible and prudent stewards of public and private funds.

Section III. The Crookston Firefighters Association must approve a change in benefit level requested and approved by members of the Crookston Firefighters Relief Association prior to implementing said change in benefit level by the Relief Association. The Crookston Firefighters Association agrees to contribute funding to financially support the change in benefit level.

ARTICLE VIII.
Application for Membership

SECTION I. No person shall be selected a member of the Association unless they be of good moral character, physically able and not less than nineteen (19) years of age. Applications must be in writing. All applicants for membership, and members, must be a resident of the City of Crookston or reside within ten (10) minutes response time to the main fire hall or the North station as determined by the Hiring and Evaluation Committee.

SECTION II. On presentation of such application, it shall be referred to a Hiring and Evaluation Committee of five (5) members appointed by the President. The committee shall report thereon at the next regular meeting, the status of the applicant or applicants, following completion of the standard testing, physical agility performance and interview process set by the Association and the Crookston Fire Department.

SECTION III. The successful applicant or applicants shall be appointed by the President, following the recommendation of the Hiring and Evaluation Committee, to fill the vacancy or vacancies in the Association. Said appointment shall be probationary and for a term of one year from the date of the meeting.

ARTICLE IX.
Service, Absence, Attendance

SECTION I. – ACTIVE SERVICE. Active service shall be defined as the active supervision or performance of fire suppression or prevention duties. The supervision or performance of fire suppression duties includes responding to at least 25% of all fire calls and attending at least 65% of all meetings and drills, in addition to any minimum service requirements specified by the Fire Department. Annually, the Board of Directors shall obtain certification from the Fire Chief of each member's active service. Failure to annually respond to at least 25% of all fire calls shall result in the loss of 50% of the member's current service for the year. Failure to attend at least 65% of all meetings and drills shall result in the loss of 50% of the member's current service for the year.

SECTION II. – BREAK IN SERVICE. A member unable to perform the duties of a firefighter because of a temporary disability incurred IN the line of duty as a firefighter shall be considered to be on active duty. If the member is unable to perform the duties of a firefighter for any other reason, including approved leaves of absence, the member shall be considered to have a break in service and shall not receive service credit in the Association for that period of time. Parts of years may be added together to compute full years. A member, upon the resumption of active service with the Fire Department, shall recommence membership in the Association if the member's break in service was less than 60 days.

Breaks in service due to Uniform Service Leave, Minn. Stat. § 424.021, Family and Medical Leave Act (FMLA), 29 U.S.C § 2601 et al., or any other periods of inactive service protected by Federal or State law shall be handled in accordance with the relevant law.

SECTION III. – RETURN TO SERVICE. Any member who has ceased to perform or supervise fire suppression and fire prevention duties for at least 60 days, including former members that have received payment for an accrued pension or benefit, shall be eligible to resume active membership in the Association should the member resume active firefighting duties with the Fire Department. The member must complete at least one (1) year of active service with the Fire Department upon a resumption of active service to accrue any additional service credit with the Association. If the member completes the minimum period of resumption service specified in this Section prior to a subsequent cessation of firefighting duties, the member shall receive a service pension for all years of active service calculated at the benefit level in effect on the date of the member's final cessation of duties, however, no member may be paid a service pension twice for the same period of service. If the member does not complete the minimum period of resumption service specified in the Section prior to subsequent cessation of duties, the member shall receive a service pension for the member's original years of service calculated at the

benefit level in effect upon the member's final cessation of duties, with no credit for the subsequent period of active service, however, no member may be paid a service pension twice for the same period of service.

Any member requesting a return to active duty from a medical disability or medical leave of absence shall provide written clearance from a medical professional.

SECTION IV. - LEAVE OF ABSENCE. A member who is unable to perform the duties of a firefighter due to a temporary disability NOT incurred in the line of duty, a personal need, etc., may request a leave of absence for a period, not to exceed six (6) months. The leave may be granted to any member of the Association, subject to the decision of the Board of Directors. A call to military duty with the armed forces is not subject to approval of the Board of Directors. The request for any leave of absence shall be in written form. All fire department property shall be returned to the President of the Association or Fire Chief. During the leave of absence the member will be considered 100% inactive until time of reinstatement.

SECTION V. ATTENDANCE. The officer in charge shall call the roll of member's attendance at fires after the apparatus has been returned to the fire hall and serviced, or upon being notified by the Commanding Officer to do so. A member shall not be given credit for attendance at a fire unless he or she shall answer personally the call of their name.

ARTICLE X. Assessments

SECTION I. The President and Fire Chief shall personally meet with any member in arrears (i.e. Fire calls, training, meetings, financial reasons) for three (3) months within a calendar year. If the excuse is not acceptable, the member shall be notified by the President that they may be dismissed from the Crookston Firefighters Association's roll following review and recommendations of the Hiring and Evaluation Committee and the Board of Directors.

ARTICLE XI. Discipline, Suspension, Expulsion

SECTION I. Any violation of the Association's constitution, by laws, policy, regulation or standard operating guidelines, shall be documented in writing by the Senior Officer in charge at the time of the violation, and kept on file in the Fire Department office.

SECTION II. Any member of this Association appearing in an intoxicated condition at meetings, fires, other emergency responses, or in parades, will be disciplined and may be expelled by the Association.

SECTION III. Any member of this Association using insulting language to an officer or firefighter while on duty, or criticizing an officer or firefighter without good cause, may be disciplined by the Association.

SECTION IV. Any member of the Association carelessly using property thereof so as to damage the same in any way may be responsible to pay to the Association the equivalent of such damage.

SECTION V. Any member of the Association criticizing or discussing the affairs and business of the Association with any person who is not a member of the Association, may be disciplined by the Association.

SECTION VI. When firefighters are paged to respond to an emergency situation, they are required to report to the fire hall first. Full turnout gear and fire department vehicle shall be used to respond to the emergency scene.

SECTION VII. The Association shall have the right to adopt such by laws and impose such fines as deemed necessary to obtain proper discipline, provided however, that the same shall not conflict with the Constitution, By Laws or resolutions.

SECTION VIII. All disciplinary actions will be brought before the Board of Directors for review.

ARTICLE XII. Drill or Training

SECTION I. Drill or practice shall be held as determined by the Chief or Training Officer. The first Thursday of the month shall be known as business meeting and drill night and members shall be compensated for meetings and drills at a rate to be determined by the Association. There shall be up to four (4) additional training sessions per year determined by the Chief and Training Officer. All members will be notified prior to any special training.

SECTION II. Any member who is absent from a drill shall furnish an acceptable excuse to the President or Chief and attend a special training class.

SECTION III. All members will be required to have a minimum of 24 hours training per year. This is required to maintain various firefighter certifications.

ARTICLE XIII. Indemnification

To the full extent permitted by the Minnesota Non-profit Corporation Act, as amended from time to time, or by other provisions of law, the Association shall indemnify each person who was or is a party or is threatened to be made a party to any threatened, pending, or completed proceeding, including civil, criminal, administrative, arbitration, or investigative actions (including an action by or in the right of the Association), pursuant to the following terms.

The Association shall indemnify a director, officer, or employee of the Association who, while a director, officer, or employee of the Association, is or was serving at the request of the Association. The Association shall indemnify the person against judgments, penalties, fines, including, but without limitation, excise taxes assessed against the person with respect to the employee benefit plan, settlements, and reasonable expenses, including attorneys' fees and disbursements, incurred by the person in connection with the proceeding, assuming the following standards have been met by the person:

1. The person has not been indemnified by another organization or employee benefit plan for the same liability with respect to the same acts or omissions.
2. The person acted in good faith.
3. The person received no improper personal benefit.
4. In the case of a criminal proceeding, the person did not have reasonable cause to believe the conduct was unlawful.
5. The person reasonably believed that the conduct was not opposed to the best interest of the Association.

The termination of a proceeding by judgment, order, settlement, conviction, or upon plea of nolo contendere or its equivalent does not, in itself, establish that the person did not meet the criteria.

Determinations as to whether indemnification of a person is proper must be made by the Board of Directors by a majority quorum. Directors who are at the time parties to the proceeding are not counted for determining a majority or presence of a quorum. If a quorum cannot be obtained, then the determination shall be made by a majority of a committee of the Board, consisting solely of two or more directors, not at the time, parties to the proceeding, duly designated to act in the matter by a majority of the full Board (including directors who are parties). If this is not possible, the determination of eligibility shall be made pursuant to statutory provisions.

Subject to the conditions below, a person made or threatened to be made a party to a proceeding, is entitled, upon written request to the Association, to payment or reimbursement by the Association of reasonable expenses, including attorneys' fees and disbursements, incurred by the party in advance of the final disposition of the proceeding. To obtain reimbursement, the person must provide written affirmation that he or she has a good faith belief that the criteria for indemnification has been met and undertakes a general obligation to repay the amounts paid by the Association, if it is determined that the criteria for indemnification has not been satisfied. In addition, a person may obtain reimbursement by the Association after a determination that the facts then known to those making the determination would not preclude indemnification.

The Association shall report to the members, in writing, the amount of indemnification or advance made on behalf of a person not later than the next meeting of members.

The indemnification provided by this section shall inure to the benefit of their heirs, executors and administrators of each person and shall apply whether or not the claim against said person arises out of matter occurring before the adoption of this provision of the By Laws.

ARTICLE XIV.
Adoption

Passed and adopted by Unanimous (unanimous or as the case may be) vote as the By Laws of the Crookston Firefighters Association at a (regular or special) meeting of the Board of Directors of the Corporation at Crookston, Minnesota, on August 16th, 1993.

Witnessed my hand and seal of the Corporation this 16th day of August, 1993.

Brent Epema, Secretary
Crookston Firefighters Association
Amended - February 3, 2005

Shane Helstab, Secretary
Crookston Firefighters Association
Amended – January 20, 2011

Tom Feiro, Secretary
Crookston Firefighters Association
Amended – January 15, 2015

Ryan Tull, Secretary
Crookston Firefighters Association
Amended-May 6, 2021

Revised 4-02
Revised 1-04
Revised 2-05
Revised 1-11
Revised 1-15
Revised 5-21