

**Policy for Fire Commission and
Use of Service District Funds**

County of Stokes

**Policy for
Fire Service District and Fire Commission
And Use of Service District Funds**

I. Purpose and Objectives of Fire Commission

The Stokes County Fire Commission is established for the oversight of revenue generated within the Stokes County Fire Service District and serves as an advisory group for the Stokes County Board of Commissioners on matters pertaining to the fire service district. All decisions made by the Fire Commission shall require final approval by the Stokes County Board of Commissioners. The following shall be the objectives and duties of the Fire Commission:

1. During the annual budget process, the Fire Commission shall review each submitted budget from each service district agency and make recommendation to the County Manager for the Board of Commissioners as to the final approved amount of each submitted agency budget.
2. During the annual budget process, after meeting with representatives from each service district agency, the Fire Commission shall recommend to the County Manager for the Board of Commissioners any additions or cuts to budget based on the needs of the specific agencies and the priority of needs. The Fire Commission shall ensure that the total recommended budget does not exceed available service district revenues and that the recommended service district tax rate does not exceed fifteen cents (\$0.15) per \$100 property valuation as specified by North Carolina statute. The Fire Commission shall always be aware of the tax burden that their budget recommendations could place on the taxpayers of the Stokes County Fire Service District and therefore be fiscally responsible in making their budget recommendations. The Board of Commissioners shall evaluate the recommendations from the Fire Commission and make a final decision on the service district budget and tax rate.
3. The Fire Commission shall hear and make recommendations on any emergency requests by a service district agency for funds from the service district fund balance during the budget year. ~~Before approving such emergency requests, the Fire Commission shall consult with the Stokes County Fire and Rescue Association and give due consideration to any recommendation received from that organization.~~ After approval from the Fire Commission, the request will be forwarded without delay to the Board of Commissioners for a final decision.
4. Individual Fire Commissioners shall establish communications with each service district agency and work with the agency representatives to maintain a "needs assessment" for the specific agency.

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II. Size and Selection of Fire Commission

The Stokes County Fire Commission shall consist of **eight** members with no more than one member affiliated with a single service district agency:

1. **Three appointed Members Affiliated with a Service District Agency:** The Stokes County Board of Commissioners shall appoint three individuals who are affiliated with a service district agency to serve on the Fire Commission. In making these appointments, the Board of Commissioners shall give priority consideration to candidates recommended by the Stokes County Fire and Rescue Association. Each member shall serve a term of two years without a limit on the number of terms to which he/she can be re-appointed provided that he/she continues to meet the qualifications and duties described in Parts III and IV of this document. During the term in which the member is serving, if the member's status changes and he/she no longer meets the qualifications described in Part III, the member shall resign and the Board of Commissioners shall appoint a successor to complete the remainder of his/her term, following the same process used in making the initial appointment. Each member will have one vote on any item of business that comes before the Fire Commission, except as limited in Part VI of this document.
2. **Three appointed Civilian Members Not Affiliated with a Service District Agency:** The Stokes County Board of Commissioners shall appoint three individuals who have *no* affiliation with a service district agency to serve on the Fire Commission. In making these appointments, the Board of Commissioners shall identify possible candidates by using the same recruitment procedures as with other appointed boards, committees, and commissions, but shall specifically invite recommendations from the Stokes County Fire and Rescue Association. Each member shall serve a term of two years without a limit on the number of terms to which he/she can be re-appointed provided that he/she continues to meet the qualifications and duties described in Parts III and IV of this document. During the term in which the member is serving, if the member's status changes and he/she no longer meets the qualifications described in Part III, the member shall resign and the Board of Commissioners shall appoint a successor to complete the remainder of his/her term, following the same process used in making the initial appointment. Each member will have one vote on any item of business that comes before the Fire Commission, except as limited in Part VI of this document.
3. **Stokes County Fire Marshal:** The Fire Marshal shall serve as ex-officio, non-voting member of the Fire Commission. This member will advise the Commission as an unbiased member on the needs of the service district agencies and on the constantly changing standards and regulations from the state and federal government. This person will also serve as Secretary of the Fire Commission. The Fire Marshal may designate another member of his/her department to attend any meeting in his/her absence.
4. **President of the Stokes County Fire and Rescue Association.** The President of the Stokes County Fire and Rescue Association shall serve as an ex officio member of the Fire Commission. This member shall provide technical advice to the Fire Commission, serve as a liaison to the Association and its member agencies, and facilitate coordination among the various agencies and the Fire Commission to promote fiscally responsible use of available resources. This member shall not vote except to break a tie among the appointed members.

Note 1 — Geographical Representation: Whenever possible, appointed members shall reside in different geographical locations of the fire service district/county in an effort to give fair representation to each region. The Stokes County Fire Marshal shall assist the Board of

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Commissioners in the appointment process by identifying and reporting the geographical residence of Fire Commission members and prospective members.

Note 2 — Staggered Terms: Two year terms of the six appointed members shall be staggered so that half of the members are appointed every year. Two civilian members and one fire service one year and two fire service members and one civilian member the next year. Terms expire on October 31st of each year.

III. Qualifications of Appointed Fire Commissioners

A. Commissioners Appointed from Service District Agencies

The three appointed members affiliated with a service district agency shall possess the following qualifications:

1. The member shall possess a basic understanding of volunteer fire departments, rescue squads, and rural fire protection within the topography of Stokes County.
2. The member shall be an active member or an active Board member of a fire department and/or rescue squad that serves a response district within the Stokes County Fire Service District.
3. The member shall have a minimum of ten years of fire and/or rescue service experience.
4. The member shall have a basic knowledge of fire/rescue tools and equipment, North Carolina fire protection laws, NFPA Standards, along with other fire/rescue regulations and standards.
5. The member shall be a resident of Stokes County.
6. The member shall not hold any public office while serving as a Fire Commissioner.

B. Commissioners Not Affiliated with Service District Agencies

The three appointed members not affiliated with a service district agency shall possess the following qualifications:

1. The member shall have business management skills and experience.
2. The member shall *not* be an active member or an active Board member of a fire department and/or rescue squad that serves a response district within the Stokes County Fire Service District.
3. The member shall be a resident of Stokes County and reside in a location served by a Fire Service District agency.
4. The member shall not hold any public office while serving as a Fire Commissioner.

IV. Duties of the Members of the Fire Commission

Each member of the Fire Commission shall perform the following duties:

1. The secretary of the Fire Commission shall assign each appointed commissioner a number of specific agencies. A commissioner shall not be assigned to an agency in which the commissioner

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is an active member. The secretary of the Fire Commission shall have the authority to make any needed changes to the assignments, as he/she thinks necessary.

2. The commissioner shall meet with the representatives of each agency that he/she is assigned at least twice each year, including at least once during the agency's development of its annual budget. The commissioner is responsible for initiating contact with the agency to determine a convenient time for both parties to meet.
3. Each commissioner shall attend the annual service district budget workshop sessions.
4. Each commissioner shall receive a copy of the budget request of each service district agency from the secretary of the Fire Commission prior to the scheduled service district budget workshop sessions.
5. Each commissioner shall attend called emergency sessions of the Fire Commission during the county budget process as needed.
6. After the Fire Commission completes its annual budget duties, the chairperson of the Fire Commission shall present the recommended combined service district budget and recommended service district tax rate to the Board of Commissioners.

Members not performing their duties as described above will be terminated from the Fire Commission by the Stokes County Board of Commissioners. A recommendation for termination may come from a majority vote of a quorum of the Stokes County Fire and Rescue Association or be initiated by the Board of Commissioners following consultation with the Association. Members may be excused from their duties because of a *temporary* incapacitation such as a short-term illness, family problem, or occupational priority. Members not performing their duties because of a *long-term* incapacitation shall submit their resignation. Any member who is terminated or submits his/her resignation will be replaced by another member appointed by the Board of Commissioners, following the same process used in making the initial appointment, to serve the remainder of the term.

V. Meetings of the Fire Commission

Meetings of the Fire Commission shall be conducted as follows:

1. The Fire Commission shall observe all requirements of the North Carolina Open Meetings law. The secretary of the Fire Commission shall be responsible for providing to the Clerk of the Board of Commissioners a schedule of the regular meeting dates of the Commission and any changes or additions to the schedule.
2. The appointed members of the Fire Commission shall elect a chairperson and a vice-chairperson from its membership. The chairperson of the Fire Commission shall be responsible for notifying each commissioner of all regularly scheduled meetings and emergency sessions and shall preside over all meetings of the Commission unless excused under the provisions of Section VI below. The vice-chairperson shall assume the duties of the chairperson in the chairperson's absence from the meeting.
3. The chairperson shall maintain an atmosphere conducive for the free exchange of ideas and an orderly and timely flow of business in all meetings.
4. During the annual service district budget workshop process (including appeal hearings) with agency representatives, the only active participants shall be members of the Fire Commission and the service district agency representative(s) for the budget request being considered. This requirement may be waived if both the Fire Commission and the agency agree to hear from or consult with another party. All budget sessions will be open to the public for observation.

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5. During Fire Commission meetings in which the proposed service district budget is revised or finalized, the only active participants in the deliberations shall be members of the Fire Commission. This requirement shall not limit the ability of the Commission to seek information from other parties as necessary to make informed decisions. These meetings will be open to the public for observation.
6. The process of developing the final proposed budget and proposed tax rate shall follow these general steps.
 - a) The service district agency will receive its budget package from the Fire Commission secretary. The package will contain instructions on how to prepare its budget. The agency's Fire Commissioner will ensure that the agency has the needed resources for budget preparation. Any agency that does not follow the instructions contained in the package will lose its right to appeal any budgetary disagreements with the Fire Commission before it is presented to the County Manager.
 - b) After the agency completes its budget, it will send the budget to the secretary of the Fire Commission. The secretary will distribute copies of each individual agency's budget documents to all members of the Fire Commission for review.
 - c) The Fire Commission will develop a budget for each agency showing the amount approved by the Fire Commission. The secretary will then send each agency its revised budget for review, provided that the agency followed the instructions in the budget package. The secretary will at the same time notify each eligible agency of the time and date that it may appeal its revised budget.
 - d) If an agency is satisfied with the results of the revised budget, no further meeting will be necessary. If an agency wishes to appeal its budget, it will meet with the Fire Commission at the appropriate time to give its reasons. The Fire Commission shall respond either ~~approve~~ approving or ~~deny the change in the presence of the agency's representatives~~ d-enying the request.
 - e) After considering appeals made by the agencies, the Fire Commission will approve a final recommended budget for each agency, a recommended combined budget for the service district, and a recommended service district tax rate. These recommendations will then be submitted to the County Manager. Each agency that followed the instructions in the budget package shall receive from the secretary of the Fire Commission a copy of the Fire Commission's recommendations to the Board of Commissioners at least one week prior to their submission to the Board.
 - f) As part of the total county budget process, the County Budget Officer shall review the recommendations from the Fire Commission and suggest any modifications to the proposed service district budget and service district tax rate. If the Budget Officer proposes any changes to the Fire Commission's recommendations, then the Board of Commissioners shall schedule a meeting with the Fire Commission or its chairman to discuss their recommendations.
 - g) If the Board of Commissioners approves a service district tax rate different from that recommended by the Fire Commission, then the Fire Commission will develop a revised budget for each agency as described in Part V.6.d of this document. The process will continue with Parts V.6.e and V.6.f until the Board of Commissioners approves a final service district budget package.
 - h) After approval by the Board of Commissioners, the secretary will provide each agency with its approved budget.

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- i) The Fire Commission's review and approval of agency budgets and allocation of funds shall not be construed to restrict the authority of an agency's board of directors to modify, adjust, or amend the agency's budget, including transferring funds among line items, during the fiscal year as necessary to best meet the needs of the agency.

VI. Elimination of Potential Conflicts of Interest

The following step shall be taken to eliminate the possibility of conflicts of interest and to maintain the credibility of the Fire Commission:

- During the meetings in which the service district budget is developed, revised, or finalized, any Fire Commissioner who is an active member or board member of the agency being examined shall be excused from consideration and action on that particular budget. Control of the meeting shall be passed to the vice-chairperson should the chairperson need to be excused for this purpose. This action does not prohibit this person from being physically present during the meetings.

VII. Compensation

Fire Commission members, except the Fire Marshal, shall receive monetary compensation for each regularly scheduled or called meeting of an amount determined by the Board of Commissioners; however, this amount will not be less than \$40 per meeting.

Each Fire Commissioner will receive travel compensation from the county for each meeting that he/she attends with their assigned service district agency. Compensation will be at the "per mile" rate that is paid to Stokes County employees for use of their personal vehicles.

Fire Commissioners who receive monetary compensation shall keep an expense report detailing any Fire Commission meetings along with the date attended and a mileage report along with the date while attending meetings with assigned agencies. The Fire Commissioners shall submit annually their expense reports, on the supplied forms, to the secretary of the Fire Commission to be forwarded to the Stokes County Finance Office. These reports shall be submitted at least 30 days prior to the new budget year. These funds shall be budgeted and paid from the appropriate line item of the Stokes County Governing Body budget.

VIII. Use of Service District Funds

A. Valid Use of Service District Funds

Service district funds are collected from the citizens of Stokes County to provide fire suppression and rescue services by service district agencies that operate within the boundaries of Stokes County. *Service District Agency* is defined as a *volunteer* fire or rescue agency that has been approved to receive service district funds by the Stokes County Board of Commissioners. These funds should be limited to costs directly related to operating expenses incurred by these agencies in their provision of contracted services. Examples of these expenses include — but are not limited to — the following:

1. Purchase of apparatus and equipment as determined by the agency using good business practices to assure that the apparatus and equipment will be usable within the vast majority of its response district.
2. Purchase of supplies, equipment, and services necessary for support of fire/rescue/EMS operations such as fire suppression supplies, EMS and rescue supplies, insurance and bonds, fuel, pension fund payments in accordance with the agency's policies, and other items

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determined by the agency's representatives necessary to support the services available to taxpayers of the service district.

3. Operation and maintenance of apparatus and equipment needed for fire suppression and rescue operations including installation, maintenance, and upkeep of rural water supply sites.
4. Building and grounds expenses (including construction, maintenance, and utilities) to house apparatus and equipment along with providing space for training, department business, and community activities.
5. Debt service payments for buildings and/or equipment that have been financed, provided such debt incurred after July 1, 2007 received prior consent and approval from the Board of Commissioners, following a review by and recommendation from the Fire Commission, if the agency receives more than 50% of its budget from Stokes County tax revenues; prior consent and approval is not required if the agency receives less than 50% of its budget from Stokes County tax revenues.
6. Limited professional services such as nominal fees to contract the services of time-consuming administrative activities such as secretary and treasurer, and including fees and other expenses for preparation of the agency's annual audit report.
7. Expenses incurred by the Stokes County Fire and Rescue Association, if budgeted in accordance with the Association's constitution and by-laws, that directly support activities of service district agencies, provided that other fire districts within the county contribute **on a pro rata basis if they** benefit from such expenditures. Examples include — but not limited to — training expenses, child-safety trailer expenses, insurance payments, etc.
8. Other equipment that *directly* benefits the service district agencies upon approval of the Stokes County Fire Commission. Examples include — but not limited to — hose testers, air bottles, foam, pump test equipment, spill absorbent products, etc.
9. Equipment purchased and/or personnel employed by the Stokes County Fire Marshal's office that directly support fire suppression activities of service district agencies, provided that other fire districts within the county contribute on a pro rata basis if they benefit from such expenditures.
10. Contingency fund for emergency use by service district agencies to repair or replace equipment that was damaged or destroyed or funds expended through unforeseen circumstances that were not otherwise included in the agency's annual budget.
11. Support of full-time and/or part-time compensated firefighters upon approval from the Stokes County Fire Commission following consultation with ~~the Chiefs Council~~ of the Stokes County Fire and Rescue Association.
12. Expenses of the Fire Commission, including stipends and travel for fire commissioners, and supplies and postage needed by the secretary of the Fire Commission to ensure that the agencies receive their budget packages as described in Part V.6 of this document.

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B. Improper Use of Service District Funds

Service district tax funds shall be used only to support the volunteer service district agencies serving the Stokes County Fire Service District. Such funds shall *not* be used for expenses incurred by other Stokes County agencies unless specifically allowed under North Carolina law; these other agencies include, but are not limited to, the following:

1. Emergency Medical Services

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2. Communications
3. Law Enforcement
4. Tax Administration
(Note 1: Under the *Local Government Budget and Fiscal Control Act*, costs associated with levying and collecting the service district tax can legally be charged against revenues collected, but it is the policy of the Board of Commissioners not to use service district funds for this purpose)
5. Mapping Office.
6. Fire Marshal – except as provided in Part VIII.A.9

(Note 2 – County Employee Salaries: Service district tax funds shall not be used to directly pay salaries of employees in any Stokes County government agency except as provided in Part VIII.A.9)

IX. Amending This Document

In accordance with state law, the Stokes County Board of Commissioners may modify or amend this document as it deems necessary to properly provide services for the citizens of Stokes County.

1. The Board of Commissioners shall promptly consider requests for changes to this document that are submitted by the Stokes County Fire and Rescue Association and which have been developed in accordance with the by-laws of the Association.
2. The Board of Commissioners may on its own initiative propose amendments to this document. Before adopting any changes to this document, the Board shall seek input from the Stokes County Fire and Rescue Association and provide a review and comments period of at least 30 days before enacting such changes.
3. This document is an official policy of the Stokes County Board of Commissioners, and the Board retains final authority to enact any changes or amendments thereto.

X. Renewal of This Document

This document, along with any modifications or amendments made in accordance with Part IX, shall be the policy of the Stokes County Board of Commissioners during the term of the Board that adopted it. To remain in effect, this policy must be renewed by each newly constituted Board within 90 days following the seating of new members on the first Monday in December of every even-numbered year.