

Enclosure #8



**VIRGINIA FIRE SERVICES BOARD**

# **RULES OF PROCEDURES**

**VIRGINIA DEPARTMENT OF FIRE PROGRAMS  
VIRGINIA FIRE SERVICES BOARD**

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# VIRGINIA FIRE SERVICES BOARD

## Rules of Procedure

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# VIRGINIA FIRE SERVICES BOARD

## Rules of Procedure

### Preamble

(To be Published)

### Article I Name and Offices

Section 1.1 **Name.** The name of the organizations shall be the Virginia Fire Services Board.

Section 1.2 **Offices.** The principle office for the Virginia Fire Services Board shall be located within the offices of the Virginia Department of Fire Programs.

### Article II Purpose, Powers and Duties

Section 2.1 **Purpose, Powers and Duties.** The Virginia Fire Services Board shall function as a policy board within the Virginia Department of Fire Programs. The Virginia Fire Services Board shall have the specific powers and duties enumerated by § 9.1-203 of the *Code of Virginia* and other duties enumerated by § 38.2-401 of the *Code*. Section 9.1-202 of the *Code* designates the Virginia Fire Services Board as one of the Commonwealth of Virginia's policy boards and as such it has the characteristics of any policy board, commission or council as described in § 2.2-2100 of the *Code*.

### Article III Members

Section 3.1 **Members.** There shall be fifteen (15) members of the Virginia Fire Services Board. Twelve (12) appointed by the Governor, subject to confirmation by the General Assembly as follows: one (1) representative of the insurance industry; two (2) members of the general public with no connection to the fire services, one (1) of which shall be a representative of those industries affected by Superfund Amendments and Reauthorization Act (SARA), Title III and the Occupational Safety and Health Administration (OSHA) training requirements; and one (1) representative from each of the following organizations: the Virginia Fire Chiefs Association, the Virginia State Firefighter's Association, the Virginia Association of Professional Firefighters, the Virginia Fire Services Council, the Virginia Fire Prevention Association, the State Chapter of the International Association of Arson Investigators, the Virginia Municipal League, the Virginia Association of Counties and a member of the Virginia Chapter of the International Society of Fire Service Instructors who is a faculty member teaching fire science at a state institution of higher learning. Of these appointees at least one shall be a volunteer firefighter. In addition to the gubernatorial appointees, the following persons shall be members of the Virginia Fire

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Services Board: the State Fire Marshal, the State Forester and a member of the Board of Housing and Community Development to be appointed by the chairman of that Board.

#### Article IV Officers

Section 4.1 **Number and Title.** Members of the Virginia Fire Services Board shall elect annually from its membership two (2) officers a Chairman and a Vice-Chairman.

Section 4.2 **Election.** The officers shall be elected for a term of one (1) year at the annual meeting (June) of the Virginia Fire Services Board. Newly elected officers shall assume their respective offices at the first scheduled meeting following the election.

Section 4.3 **Nominees for Election.** When more than (1) person is nominated for election as an officer voting shall be conducted by an Nomination Committee. The Chairman Pro-Tem shall appoint a two (2) member Nomination Committee to conduct the election and report the results.

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Section 4.4 **Removal.** Members of the Virginia Fire Services Board may vote to remove an officer, when it is determined that the best interests of the Virginia Fire Services Board are not being served. The vote for removal will be by two-thirds (2/3<sup>ds</sup>) of the members present.

Deleted: Section 4.4 Replacement. A special election may be conducted at any meeting of the Virginia Fire Services Board to replace an officer who has been removed, incapacitated or resigned.¶

Section 4.5 **Replacement.** A special election may be conducted at any meeting of the Virginia Fire Services Board to replace an officer who has been removed, incapacitated or resigned.

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Section 4.6 **Duties and Authorities.** The officers shall perform specified duties and shall have the power to exercise specific authorities as provided by these Rules of Procedure.

Section 4.7 **Chairman.** The Chairman shall call meetings of the Virginia Fire Services Board and set the agenda for such meetings. The Chairman shall have the power to appoint committees and assign responsibilities. The Chairman shall be an Ex-Officio member of all committees except the Executive Committee and the Nomination Committee. As an Ex-Officio member of a committee, the Chairman shall have the same rights as other committee members except the Chairman is not obligated to attend committee meetings.

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Section 4.8 **Vice-Chairman.** The Vice-Chairman shall assume the duties of the Chairman in his/her absence, and shall perform other duties as assigned by the Chairman.

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Section 4.9 **Appointment of a Chairman Pro-Tem.** The Chairman of the Virginia Fire Services Board shall appoint a Chairman Pro-Tem when the Chairman vacates the chair and the Vice-Chairman is unavailable during meetings.

Section 4.9.1 **Election of a Chairman Pro-Tem.** The Virginia Fire Services Board may elect a Chairman Pro-Tem to preside during meetings to remove any officer. The Virginia Fire Services Board shall elect a Chairman Pro-Tem during meetings when there is a call for an election.

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**Article V**  
**Meetings**

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Section 5.1 **Regular Meetings.** There shall be five (5) regular meetings of the Virginia Fire Services Board during each fiscal year (1 July to 30 June). The Chairman shall determine the date, time and location of the meetings.

Section 5.2 **Annual Meeting.** There shall be one (1) annual meeting of the Virginia Fire Services Board to be held during June of each year. The Chairman shall determine the date, time and location for the annual meeting.

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Section 5.3 **Special Meetings.** A special meeting may be called by the Chairman or the Executive Committee of the Virginia Fire Services Board. A Special meeting shall be called upon the written request of five (5) members of the Virginia Fire Services Board. The purpose of the special meeting shall be stated in the written notice and the concurrent public notification as required by § 2.1-343(D) of the *Code of Virginia*. Except in the case of emergency, there shall be at least five (5) working days between the date of the written notice and the date of the special meeting.

Section 5.4 **Clerk.** The Executive Director of the Virginia Department of Fire Programs shall recommend the appointment of a Clerk to the Chairman of Virginia Fire Services Board. The Clerk will publish the call for meetings and record, publish, distribute, maintain, store and destroy all committee, subcommittee and Virginia Fire Services Board meeting records and minutes in accordance with State law and policy of State Librarian of the Commonwealth of Virginia.

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Section 5.5 **Waiver of Notice.** Any member of the Virginia Fire Services Board may waive notice of any meeting before, at or after such meeting. Attendance of a member at a meeting of the Virginia Fire Services Board shall constitute a waiver of notice of such a meeting, except where a member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted nor the purpose of any regular or annual meeting needs to be specified in the notice of such a meeting.

Section 5.6 **Quorum.** A majority of the members of the Virginia Fire Services Board shall constitute a quorum. The Chairman shall determine that a quorum is present before calling a meeting to order. The minutes shall reflect the name of the members present. If less than a quorum is present, a majority of the members present at the meeting may postpone or delay the meeting without further notice until a quorum is present.

Section 5.7 **Order of Business – Regular Meetings.** At regular meetings the order of business shall be as follows:

- Pledge of Allegiance & Moment of Silence
- Roll Call
- Sign-in sheet for guests
- Approval of the minutes of the previous meeting

- Changes in the agenda
- Public comments
- Comments from the Executive Director of the Virginia Department of Fire Programs
- Reports from Committee Chairmen
- Comments from the Chairman of the Virginia Fire Services Board
- Unfinished business and general orders
- New business
- Adjournment

Section 5.8 **Order of Business – Annual Meeting.** At the annual meeting the order of business shall be as follows:

- Pledge of Allegiance & Moment of Silence
- Roll Call
- Sign-in sheet for guests
- Approval of the minutes of the previous meeting
- Changes in the agenda
- Public comments
- Comments from the Executive Director of the Virginia Department of Fire Programs
- Reports from the Committee Chairmen
- Comments from the Chairman of the Virginia Fire Services Board
- Unfinished business and general orders
- New business
- Election of a Chairman Pro-Tem
- Report from the Nomination Committee
- Election of Officer
- Adjournment

Section 5.9 **Conduct of Business in Meetings.** All motions offered during meetings shall be presented in written form at the time of introduction.

Section 5.10 **Voting.** Each member of the Virginia Fire Services Board shall have the sole privilege of voting on all matters submitted to them at all regular, annual and special meetings. Each member shall cast one (1) vote at meetings where they are present. There shall be no proxy votes or votes by designees or substitutes.

Section 5.11 **Presumption of Assent.** A member of the Virginia Fire Services Board who is present at a meeting at which an action on any matter is taken shall be presumed to have assented to such action. A dissent shall be entered into the minutes of the meeting or a written dissent to such action is filed with the Clerk before the meeting is adjourned.

Section 5.12 **Debate.** Members of the Virginia Fire Services Board shall confine debate to the merits of the pending question once it has been brought before the Board. Members shall address their remarks to the Chairman.

Section 5.13 **Closed Meetings.** The Commonwealth of Virginia has a policy which states that the affairs of government shall be conducted in the open. Therefore, all meetings of the Virginia Fire Services Board will be open to the public, unless stated otherwise. As a public body the Virginia Fire Services Board may hold meetings that are closed to the public, but only for the purposes specified in § 2.2-3711, (A) of the *Code of Virginia*. A step by step procedure to conduct a closed meeting is specified in § 2.2-3711 of the *Code*.

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## Article VI Executive Committee

Section 6.1 **Members.** The Executive Committee of the Virginia Fire Services Board shall consist of the following members: the Chairman, the Vice-Chairman and the Chairmen of the Standing Committees. The Chairman may vote to resolve a tie vote. The Chairman may appoint one additional Board member to the Executive Committee, as needed.

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Section 6.2 **Authority.** The Executive Committee, during the interval between meetings of the Virginia Fire Services Board, shall have the authority to consider all policy matters that are deemed to require action where the Board has given no instructions or directions. The Executive Committee shall not have the authority to alter, amend nor repeal these Rules of Procedure. All actions taken by the Executive Committee shall be reported to the Virginia Fire Services Board at its next meeting.

Section 6.3 **Quorum.** A majority of the members of the Executive Committee shall constitute a quorum.

Section 6.4 **Order of Business.** At meetings of the Executive Committee the order of business shall be as follows:

- Approval of the minutes of the previous meeting
- Changes in the agenda
- Public comments
- Unfinished business
- New business

Section 6.5 **Voting.** Each member of the Executive Committee shall have the sole privilege of voting on all matters submitted to them. Each member of the Committee shall cast one (1) vote. There shall be no proxy votes or votes by designees or substitutes.

Section 6.6 **Presumption of Assent.** A member of the Executive Committee who is present at a meeting where a vote is taken on any matter is presumed to have assented to such action unless a dissent is entered into the minutes of the meeting or a written dissent is filed before the meeting is adjourned.

**Article VII  
Committees**

Section 7.1. **Standing Committees.** There shall be three (3) standing committees of the Virginia Fire Services Board: The Committee on Administration, Policy and Finance; the Committee on Fire Education and Training; the Committee on Fire Prevention and Control. No committee shall have the authority to amend, alter or repeal these Rules of Procedure, to appoint or remove any member of a committee or to amend, alter or repeal any resolution or motion of the Virginia Fire Services Board. Members of committees shall serve at the pleasure of the Chairman of the Board. The Chairman of the Board shall appoint the Chair and members of all committees, except that the Vice-Chairman of the Board will be Chair of Administration, Policy and Finance. All committee appointees shall serve at the pleasure of the Chairman of the Board.

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Section 7.1.1 **The Committee on Administration, Policy and Finance.** This committee shall provide information and make recommendations to the Board on administrative, legislative and policy matters relating to Virginia Fire Services. The committee will also make recommendations on financial matters including but not limited to, Fire Programs Fund, grant funds, special request of committees and financial conditions within the Agency. The Chair of this committee will be the Vice Chair of the Board.

Section 7.1.2 **The Committee on Fire Education and Training.** The Committee on Fire Education and Training shall be responsible for providing information and making recommendations to the Virginia Fire Services Board on developing a five-year (5) statewide plan for fire education and training, providing of technical assistance and advice to local fire departments and fire service organizations and local governments, developing personnel standards for fire service personnel, providing criteria for training schools for fire service personnel and rendering assistance to local fire departments and volunteer fire companies in training firefighters. Additionally, pursuant to Virginia Code § 27.97, the Committee shall be responsible for selecting a Board member to serve on the Board of Housing and Community Development's Board.

Section 7.1.3 **The Committee on Fire Prevention and Control.** The Committee on Fire Prevention and Control shall be responsible for providing information and making recommendations to the Virginia Fire Services Board on developing and updating the Virginia Fire Prevention and Control plan; developing a statewide plan for the collection, analysis and reporting of data relation to fires in the Commonwealth; evaluating all state programs or functions which have a bearing on fire prevention and evaluating the training and information relative to the Statewide Fire Prevention Code.

Section 7.2 **Special Committees.** The Chairman of the Virginia Fire Services Board or the Chairman Pro-Tem shall appoint, as the need arises, special committees that go out of existence when relieved by the Chairman or when their task is completed and a final report is submitted. The Nomination Committee is an example of such committee.

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Section 7.3 **Standing Subcommittees.** There shall be two (2) standing subcommittees of the Virginia Fire Services Board: the Burn Building Subcommittee and the Codes and Standards

Subcommittee. No subcommittee shall have the authority to amend, alter or repeal these Rules of Procedure, to appoint or remove any member of a subcommittee or to amend, alter or repeal any resolution or motion of the Virginia Fire Services Board. The Chairman of the Board shall appoint the Chair and members of the subcommittees. All subcommittee appointees shall serve at the pleasure of the Chairman of the Board.

Section 7.3.1 **The Burn Building Subcommittee.** The Chairman of the Virginia Fire Services Board shall appoint a Chair to the Burn Building Subcommittee. The Subcommittee shall consist of six other members and must include a minimum of the following: the Fire Education and Training Committee Chair (as currently appointed); the Board member representing the Insurance Industry; either a Virginia Association of Counties or a Virginia Municipal League member; and, either a Board of Housing & Community Development or a General Public member. The Subcommittee shall be responsible for assisting the Administration, Policy and Finance Committee with the review and analysis of the Burn Building Grant Program. Meetings of this subcommittee shall be in alternating months were no regular or annual meeting of the Board is being held.

Section 7.3.2 **The Codes and Standards Subcommittee.** The Chairman of the Virginia Fire Services Board shall appoint a Chair to the Codes and Standards Subcommittee. The Subcommittee shall consist of at least six other members, including the following: the Fire Prevention and Control Committee Chair (as currently appointed); the Board member representing Virginia Fire Prevention Association; the Virginia State Fire Marshal; the Virginia Fire Marshal Academy Chief; and two members-at-large, to be appointed by the Chairman of the Board. The Subcommittee shall be responsible for assisting the Fire Prevention and Control Committee with the review and analysis of the Statewide Fire Prevention Code, pursuant to §27-97 of the Code. Meetings of this subcommittee shall be in alternating months were no regular or annual meeting of the Board is being held.

Section 7.4 **Conduct of Business in Committees.** The quorum for a committee meeting shall be a majority of the members of the committee. Meeting of Special Committees shall be conducted in one session. The regular rules of parliamentary procedure shall apply except where special instructions have been given. Motions to close or limit debate shall not be allowed. When a substantive matter is being considered the Chairman of a committee may hold a public hearing. All motions or resolutions offered during a committee meeting shall be presented in written form at the time of introduction. Only committee members shall have the right to debate and deliberate on resolutions or motions. Committee members shall have the sole privilege of voting on all matters submitted to them. Each member shall cast one (1) vote at meetings where they are present. There shall be no proxy votes or votes by designees or substitutes. A committee report shall be an official statement providing information, offering a resolution or recommending the adoption of a motion.

Section 7.4.1 **Conduct of Business in Subcommittees.** The quorum for a subcommittee meeting shall be a majority of the members of the subcommittee. The regular rules of parliamentary procedure shall apply except where special instructions have been given. Motions to close or limit debate shall not be allowed. When a substantive matter is being considered the Chairman of a subcommittee may hold a public hearing. All motions or resolutions offered

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during a subcommittee meeting shall be presented in written form at the time of introduction. Only subcommittee members shall have the right to debate and deliberate on resolutions or motions. Subcommittee members shall have the sole privilege of voting on all matters submitted to them. Each member shall cast one (1) vote at meetings where they are present. There shall be no proxy votes or votes by designees or substitutes. A subcommittee report shall be an official statement providing information, offering a resolution or recommending the adoption of a motion.

Section 7.5 **Order of Business in Committee Meetings.** At Committee meetings the order of business shall be as follows:

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- Pledge of Allegiance & Moment of Silence
- Roll Call
- Sign-in sheet for guests
- Approval of the minutes of the previous meeting
- Changes in the agenda
- Public comments
- Comments from the Virginia Department of Fire Programs' committee liaison
- Comments from the Committee Chairmen
- Unfinished business and general orders
- New business
- Adjournment

Section 7.5.1 Order of Business in Subcommittee Meetings. At Subcommittee meetings the order of business shall be as follows:

- Pledge of Allegiance & Moment of Silence
- Roll Call
- Sign-in sheet for guests
- Changes in the agenda
- Public comments
- Comments from the Subcommittee Chairman
- Unfinished business and general orders
- New business
- Adjournment

## Article VIII Parliamentary Authority

Section 8.1 **Purpose.** The purpose for parliamentary authority shall be to provide for the orderly conduct of business by the Virginia Fire Services Board.

Section 8.2 **Application.** At all meetings of the Virginia Fire Services Board and at all committee meetings parliamentary procedure shall apply. Parliamentary procedure requires treatment of one matter at a time, extending courtesy and fairness to all members of the Virginia Fire Services Board and letting the majority rule while guaranteeing the right of the minority.

Section 8.3 **Parliamentary Authority.** The parliamentary authority for the Virginia Fire Services Board shall be the rules contained in the current edition of *Robert's Rules of Order Newly Revised*. The parliamentary authority shall be the governing authority in all cases to which they are applicable and in which they are not inconsistent with these Rules of Procedure and any special rules of order the Virginia Fire Services Board may adopt.

Section 8.4 **Parliamentarian.** The Chairman of the Virginia Fire Services Board or the Chairman of any Committee may appoint a Parliamentarian when appropriate during any meeting. The Parliamentarian shall advise the Chairman on all questions of parliamentary procedure.

#### **Article IX Conflict of Interest**

Section 9.1 **Conflict of Interest Defined.** A conflict of interest shall be defined as the competition between the personal economic interests of an individual member of the Virginia Fire Services Board and the economic interest of the Virginia Fire Services Board as defined by the *Code of Virginia*, § § 2.2-3100 – 2.2-3131. A conflict may exist when financial or other material gains are derived as a result of a direct or indirect relationship.

Section 9.2 **Disclosure.** Members of the Virginia Fire Services Board shall disclose any possible conflict of interest to the Board. When a possible conflict is relevant to a matter requiring action, the interested member shall provide all appropriate information. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Board, excluding the member concerned with the possible conflict of interest. Any member disclosing a possible conflict of interest may be counted in determining the presence of a quorum.

Section 9.3 **Absence from Discussion.** A member reporting a possible personal conflict of interest shall absent themselves from the discussion of the conflict of interest.

Section 9.4 **Abstinance from vote.** The member determined to have a personal conflict of interest shall abstain from any vote on the conflict of interest matter. The member shall be counted as present in determining a quorum. The minutes of the meeting shall reflect that the member abstaining during any vote on a possible conflict of interest.

#### **Article X Changes to the Rules of Procedure**

Section 10.1 **Amendment.** These Rules of Procedure may be amended, altered, repealed or replaced at any meeting of the Virginia Fire Services Board by an affirmative vote of a majority of the members present provided that amendment or alteration has been submitted in writing at the previous meeting and notice of such a proposed action is included in the call of the meeting.

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Section 10.2 **Technical Corrections.** The Clerk of the Virginia Fire Services Board is authorized to correct article and section designations, punctuation and cross-references and to

make such other technical and conforming changes as may be necessary to reflect the intent of the Virginia Fire Services Board in connection with any amendments to these Rules of Procedure, with review and approval of Chairman of Board.

Section 10.3 **Review.** The Administration, Policy and Finance Committee and the Clerk of the Virginia Fire Services Board will review these Rules of Procedure prior to the annual meeting. A report and recommendations of this review will be made to the full Board at the annual meeting.

### Rules of Procedure Certification

The undersigned as the Chairman of the Virginia Fire Services Board certifies that as such is authorized to execute this certificate and that the foregoing Rules of Procedure consisting of 10 pages including this page constitute the Rules of Procedure of the Virginia Fire Services Board duly adopted on the 8<sup>th</sup> day of April, 2011 this the 236<sup>th</sup> year of the Commonwealth of Virginia.

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Signature Date

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