

1 **Rules and Regulations of the**
2 **Inspiration Point Rural Fire Protection District**
3 (the "District")
4

5 **Parts of the Rules and Regulations that Cannot be Amended**

6
7 The portions of the Rules and Regulations of the District (the "Rules and Regulations")
8 that are italicized are dictated by law (see endnotes) and cannot be altered.
9

10 **Meetings of the Qualified Electors**

11
12 Meetings of qualified electors residing in the District shall be held at 6:00 P.M. on the
13 first (1st) Wednesday in November of each year at the main Inspiration Point fire station
14 in order to elect commissioners for positions on the board of commissioners of the
15 District which have become vacant. *All such meetings will be open to the public.¹ At*
16 *such meetings, citizens shall be afforded three (3) minutes to speak before any final*
17 *decision is made or vote taken.² Appropriate minutes shall be kept of all public meetings*
18 *and shall be made available to the public for inspection and copying.³*
19

20 **Board of Commissioners**

21
22 *The members of the board of commissioners of the District shall be elected by the*
23 *qualified electors residing within the District.⁴ The board of commissioners shall consist*
24 *of five (5) qualified electors residing within the District.⁵ Two (2) members of the board*
25 *of commissioners shall be elected for terms of two (2) years, and three (3) members of the*
26 *board of commissioners shall be appointed for terms of three (3) years.⁶ All successor*
27 *members shall be elected for terms of three (3) years.⁷ Vacancies occurring on the board*
28 *because of resignation, removal, or otherwise shall be filled by the county court for the*
29 *unexpired term.⁸ The members of the board shall serve without compensation but shall*
30 *be entitled to actual expenses incurred in attending meetings in an amount not to exceed*
31 *Fifty Dollars (\$50.00) per month for each member of the board as authorized by the*
32 *Carroll County quorum court.⁹ Members of the board may be removed from office by the*
33 *county court for good cause shown.¹⁰*
34

35 **Meetings of the Board of Commissioners**

36
37 Meetings of the members of the board of commissioners shall be at 6:00 P.M. on the
38 second (2nd) Tuesday of every month at the main Inspiration Point fire station. *Special*
39 *meetings of the board shall be called by the chairman or a majority of the members of the*
40 *board.¹¹ The person calling the special meeting shall notify the representatives of the*
41 *newspapers, radio stations, and television stations, if any, located in Carroll County and*
42 *any news media located elsewhere that cover regular meetings of the board and that have*
43 *requested to be so notified of emergency or special meetings of the time, place, and date*

44 of the meeting at least two (2) hours before the meeting takes place.¹² Three (3) members
45 of the board shall constitute a quorum, and any substantive action of the board shall
46 require an affirmative vote of at least three (3) members.¹³ All meetings of the board
47 shall be open to the public¹⁴, except that a meeting, or part of a meeting, which involves
48 or affects the employment, appointment, promotion, demotion, disciplining, dismissal, or
49 resignation of a member of the board of commissioners, an officer or employee need not
50 be open to the public unless the member, officer or employee requests a public meeting.¹⁵
51 The specific purpose of the executive session shall be announced in public before going
52 into executive session.¹⁶ Following the executive session, the board shall reconvene in
53 public session and present and vote on the resolution, if any.¹⁷ At such meetings, citizens
54 shall be afforded three (3) minutes to speak before any final decision is made or vote
55 taken.¹⁸ Appropriate minutes shall be kept of all public meetings and shall be made
56 available to the public for inspection and copying.¹⁹

57

58 **Officers**

59

60 The board shall annually choose from among its members a chairman and a secretary-
61 treasurer. The chairman and secretary-treasurer shall furnish bonds, conditioned upon
62 faithful performance of their duties, in the amount of Five Thousand Dollars (\$5,000.00)
63 each. The cost of securing and maintaining the bonds shall be paid from the funds of the
64 District.²⁰ The board shall appoint the Fire Chief and the Assistant Fire Chief and may
65 appoint such other officers as it chooses. The board may employ a director and such
66 other employees as it deems necessary to carry out the purposes of the District.
67 Employees of the board shall have such responsibilities and receive such compensation,
68 if any, as may be prescribed by the board.²¹

69

70 **Committees**

71

72 The board shall establish the following committees: Public Relations and
73 Communications, the purpose of which is to maintain communications with the electorate
74 in the District through the website, e-mails and other means, to organize the annual
75 meeting of the electorate in the District and to promote the District; Grant Writing and
76 Reporting, the purpose of which is to apply for grants and to ensure that reports required
77 in connection with grants are timely filed; Fund Raising, the purpose of which is to raise
78 funds through means other than grants; Equipment, the purpose of which is to maintain
79 an inventory of the District's vehicles and equipment and to maintain the vehicles and
80 other equipment in good order and condition and to recommend to the board the
81 maintenance, acquisition and/or replacement of vehicles or equipment;
82 Grounds/Building, the purpose of which is the maintain the firehouses and the grounds
83 around the firehouses; Firefighters and Emergency Medical Responders and Technicians,
84 the chair of which shall be the Fire Chief and the purpose of which is to maintain and
85 transmit to the Secretary/Treasurer a roster of all firefighters, traffic controllers and
86 emergency medical responders and technicians, to hold meetings on the second (2nd) and
87 fourth (4th) Mondays of each month and such other meetings as are needed and to

88 maintain records of attendance, to arrange for, monitor and maintain written records of
89 the training of the firefighters and emergency medical responders and technicians and to
90 coordinate and maintain written records of the response to emergency calls; and Traffic
91 Control, the chair of which shall be the Fire Chief and the purpose of which is to hold
92 meetings on the first (1st) and third (3rd) Mondays of each month and such other meetings
93 as are needed and to maintain records of attendance and to arrange for, monitor and
94 maintain written records of the training of the traffic controllers.

95

96 **Power and Authority of the Board of Commissioners**

97

98 *The board of commissioners shall have the power and authority to:*

99

100 *(1) Execute contracts and other instruments for and in behalf of the District;*

101

102 *(2) Cooperate with any other fire protection district, municipal fire department, or any*
103 *political subdivision or agency of this state or the United States in carrying out the*
104 *purposes of the District;*

105

106 *(3) Establish rules and regulations for the transaction of the District's business and for*
107 *carrying out the purposes of the District;*

108

109 *(4) Make assessments of benefits against real property in the District benefited by fire*
110 *protection services of the District and provide for the collection of the assessments;*

111

112 *(5) Issue bonds as provided in Ark. Code Ann. §§14-284-218 through 221 to finance the*
113 *District and its purposes; and*

114

115 *(6) Do any and all other actions necessary or desirable to enable the board to carry out*
116 *its responsibilities and to accomplish the purposes of the District.²²*

117

118 **Preparation of Plans**

119

120 *As soon as is practical after its establishment, the board shall prepare plans for*
121 *providing fire protection services and for acquiring the property and equipment*
122 *necessary to carry out the purposes of the District.²³*

123

124 **Assessments**

125

126 *The board may assess the annual benefits which will accrue to the real property in the*
127 *District from the providing of fire protection services, as provided by Ark. Code Ann. §§*
128 *14-284-212(a) through (f), 213 and 214²⁴, or the board may assess a flat fee per parcel of*
129 *land or per acre of land located within the District or assess a flat fee per landowner who*
130 *owns land located within the District, as an alternative to assessing benefits. The board*
131 *may establish a different flat fee for the classification of property as commercial property*

132 *other than for residential property and a different flat fee for classification of property as*
133 *unimproved property. The board may determine if a parcel of property or acre is to be*
134 *classified as commercial, residential, or unimproved property. If the board assesses the*
135 *flat fee per landowner and also establishes different flat fee classifications per parcel or*
136 *per acre, and if a landowner owns more than one (1) parcel or one (1) acre of property*
137 *within the fire district within the District with different flat fee classifications, the*
138 *landowner is to be annually assessed one (1) time the highest flat fee classification*
139 *assessment.*²⁵

140

141 **Increases in Assessments**

142

143 *If the board assesses an increase in the flat fee per parcel or per acre classification or an*
144 *increase in the assessment per landowner or an increase in the assessment for both*
145 *parcel or acre classification and landowner, the increased assessment must be approved*
146 *in an election by a majority vote of the votes cast in person by the assessed landowners*
147 *or the assessed per parcel or per acre property owners. The election call by the board*
148 *for an increase in the flat fee assessment shall be held within ninety (90) days after the*
149 *board's meeting that approves the assessment increase. Notice of the election must be*
150 *published at least three (3) times by insertion in a newspaper of general circulation*
151 *within the District and by a public notice posted at the fire stations within the District.*
152 *The election for the assessment increase shall be held at a designated location within the*
153 *District. Each assessed landowner or assessed parcel or acre property owner shall have*
154 *one (1) vote per paid assessment.*²⁶

155

156 **Filing and Collection of Assessments**

157

158 *The original benefit assessment or flat fee assessment or any reassessment shall be filed*
159 *with the Carroll County Clerk. Upon receipt of the assessed benefits, the secretary-*
160 *treasurer shall execute a receipt for the funds, deliver it to the county collector, and shall*
161 *deposit the funds so received in a bank or banks that are located within the District or a*
162 *bank or banks designated by the board if no bank or banks are located within the District,*
163 *with said funds to be used solely and exclusively for District purposes. If there is any*
164 *change in the annual assessments, a certified copy of the revised assessment shall be filed*
165 *with the Carroll County Clerk.*²⁷ *When the tax collector reports delinquencies to the*
166 *board, the board shall add to the amount of the annual assessment a penalty of ten*
167 *percent (10%). The board shall enforce the collection by proceedings in court in the*
168 *manner provided by Ark. Code Ann. §§14-121-426 through 432.*²⁸

169

170 **Expenditures**

171

172 *The board shall prepare an annual budget and a three (3) year plan for the District. Funds*
173 *of the District shall be expended only upon the order of the board and upon a voucher*
174 *check signed by the chairman and secretary-treasurer. Every voucher check shall state*
175 *upon its face to whom it is payable, the amount, and the purpose for which it is used. All*

176 *voucher checks shall be dated and shall be numbered consecutively in a record to be kept*
177 *by the board of the number and amount of each. All proceedings and transactions of the*
178 *board shall be a matter of public record and shall be open to the inspection of the public.*
179 *The board shall file with the county clerk in January of each year a certified itemized*
180 *report showing all moneys received, the date of receipt, and the source from which*
181 *received. The report shall further show all moneys paid out, the date paid, to whom paid,*
182 *and for what purpose during the preceding year, together with an itemized list of all*
183 *delinquent taxes, showing the owner, a description of the property, the years for which*
184 *taxes are delinquent, and the amount of total delinquency.²⁹*
185

186 **Directors and Officers Indemnification**

187

188 Every person who was or is a party or is threatened to be made a party to, any action, suit,
189 or proceeding, whether civil, criminal, administrative, or investigative (other than an
190 action by or in the right of the District), by reason of the fact that he or she is or was a
191 commissioner, officer or employee of the District, or is or was serving at the request of
192 the District as a director or officer of another entity, shall be indemnified and held
193 harmless to the fullest extent legally permissible under and pursuant to any procedure
194 specified in the Arkansas Business Corporation Act of the State of Arkansas, as amended
195 hereafter, against all expenses, liabilities, and losses (including attorney's fees, judgments,
196 fines and amounts paid or to be paid in settlement) actually and reasonably incurred or
197 suffered by him or her in connection therewith, if he or she acted in good faith and in a
198 manner which he reasonably believed to be in or not opposed to the best interest of the
199 District and not contrary to or in violation of applicable law. Such right of
200 indemnification shall be a contract right that may be enforced in any lawful manner by
201 such person. Such right of indemnification shall not be exclusive of any other right
202 which such commissioner, officer or employee may have or hereafter acquire and,
203 without limiting the generality of such statement, he or she shall be entitled to his or her
204 rights of indemnification under any agreement, vote of the board, provision of law, or
205 otherwise, as well as his or her rights under this paragraph. The board may cause the
206 District to purchase and maintain insurance on behalf of any person who is or was a
207 commissioner, officer or employee of the District, or is or was serving at the request of
208 the District as a director or officer of another entity, or as its representative in a
209 partnership, joint venture, trust or other entity against any liability asserted against such
210 person and incurred in any such capacity or arising out of such status, whether or not the
211 District would have power to indemnify such person.

212
213 Expenses incurred by a commissioner, officer or employee of the District in defending a
214 civil or criminal action, suit or proceeding by reason of the fact that he or she is, or was, a
215 commissioner, officer or employee of the District (or was serving at the District's request
216 as a director or officer of another entity, or as its representative in a partnership, joint
217 venture, trust or other entity) shall be paid by the District in advance of the final
218 disposition of such action, suit or proceeding upon receipt of an undertaking by, or on
219 behalf of, such person to repay such amount if it shall ultimately be determined that he is

220 not entitled to be indemnified by the District as authorized by relevant provision of the
221 Arkansas Business Corporation Act as the same now exists or as it may hereafter be
222 amended.

223

224 **Parliamentary Procedure**

225

226 The rules contained in the current edition of **Robert's Rule of Order Newly Revised**
227 shall govern in all cases to which they are applicable and in which they are not
228 inconsistent with the law or these Rules and Regulations.

229

230 **Amendments to the Rules and Regulations**

231

232 These Rules and Regulations shall be reviewed at least annually and may be amended as
233 needed by the board.

234

235 Enacted the 1st day of December, 2010 by the Board of Commissioners of the Inspiration
236 Point Rural Fire Protection District.

237

238

239

240

241

242

243

244

245

246


Patricia Helwig, Secretary/Treasurer


Kristi Kendrick, Recording Secretary

¹ Ark. Code Ann. §§ 14-14-109(a)(1) and 25-19-106(a).

² Ark. Code Ann. § 14-14-109(b).

³ Ark. Code Ann. § 14-14-109(c).

⁴ Ark. Code Ann. § 14-284-208(b).

⁵ Ark. Code Ann. § 14-284-208(a)(1).

⁶ Ark. Code Ann. § 14-284-208(a)(2)(A).

⁷ Ark. Code Ann. § 14-284-208(a)(2)(B).

⁸ Ark. Code Ann. § 14-284-208(c).

⁹ Ark. Code Ann. § 14-284-208(d).

¹⁰ Ark. Code Ann. § 14-284-208(e).

¹¹ Ark. Code Ann. § 14-284-210(c).

¹² Ark. Code Ann. § 25-19-106.

¹³ Ark. Code Ann. § 14-284-210(d).

¹⁴ Ark. Code Ann. §§ 14-14-109(a)(1) and 25-19-106(a).

¹⁵ Ark. Code Ann. § 14-14-109(a)(2) and 25-19-106(c)(1).

¹⁶ Ark. Code Ann. § 25-19-106(c)(1).

¹⁷ Ark. Code Ann. § 25-19-106(c)(4).

¹⁸ Ark. Code Ann. § 14-14-109(b).

¹⁹ Ark. Code Ann. § 14-14-109(c).

-
- ²⁰ Ark. Code Ann. § 14-284-209(a).
²¹ Ark. Code Ann. § 14-284-209(b).
²² Ark. Code Ann. § 14-284-211.
²³ Ark. Code Ann. § 14-284-212(a).
²⁴ Ark. Code Ann. § 14-284-212(a) through (f).
²⁵ Ark. Code Ann. § 14-284-212(g)(1).
²⁶ Ark. Code Ann. § 14-284-212(g)(2).
²⁷ Ark. Code Ann. § 14-284-215.
²⁸ Ark. Code Ann. § 14-284-216.
²⁹ Ark. Code Ann. § 14-284-217.