

**EAST SIDE
FIRE PROTECTION
DISTRICT NO. 5**

**RULES OF THE BOARD
OF COMMISSIONERS**

May 20, 2003

EXHIBIT 32

Rules of the Board of Commissioners
East Side Fire Protection District No. 5

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CHAPTER 1
ADMINISTRATION

1.1 SOURCE OF AUTHORITY

These Rules are established by the Board of Fire Commissioners (the "Board") of the East Side Fire Protection District (the "District") pursuant to power and authority derived from The Fire Protection District Statutes, La. R.S. 40:1491 et. seq., the Amendments to the Fire Protection District Statutes, La. R. S. 40:1502 et. seq. and the Municipal Fire and Police Civil Service Law for Fire Protection Districts, La. Constitution of 1974, Article X, Sections 16 – 20 and Act 282 of 1964, La. R. S. 33:2531 et seq.

1.2 APPOINTMENT OF BOARD MEMBERS AND TERMS OF OFFICE

The Board shall be comprised of five members. Each member shall be a resident property taxpayer of the East Side Fire Protection District. All five members shall be appointed by the East Baton Rouge Parish Metropolitan Council (the "Council"). The terms of the board members are staggered with each member holding office for two years. Three of the members' terms shall expire in odd numbered years, two shall expire in even numbered years. In the event of a vacancy the Council shall appoint the replacement.

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1.3 OFFICERS OF THE BOARD

The Board annually shall elect a Chairperson and a Secretary during the first meeting in January. They shall hold office until other successors are duly elected and qualified. The Chairperson shall be the presiding officer at all meetings. The Secretary shall assist the Board by preparing all correspondence, keeping records, assisting in the testing process and performing other duties as assigned by the Board. The Secretary shall keep the minutes of all meetings of the Board and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board, and shall perform all other duties the Board prescribes.

1.4 DUTIES OF THE BOARD

The scope of duties of the Board shall generally include:

- A. Establishing policies for recruiting, testing, selection and promotion for all full time employees covered under its authority.
- B. Establishing guidelines and procedures for hearings required for discipline, demotion and termination of members of the District covered by its authority.
- C. Serving as an appeals board or hearing board for District members disciplined or terminated under guidelines established by these rules.
- D. The Board shall have such other powers and duties as are given it by the statutes of the State of Louisiana.

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1.5 MEETINGS

REGULAR MEETINGS: Regular meetings of the Board shall be held monthly or as otherwise determined necessary by the members of the Board. Meetings shall be held and notice thereof shall be given in accordance with the Louisiana Open Meetings Statutes, La. R. S. 42:4.1 et seq. Notices of all regular meetings and the agenda therefore shall be posted at the East Side Fire Protection District Headquarters fire station. Notices of every scheduled regular meeting for the entire year shall be posted at the East Side Fire Protection District fire station prior to January 1 of every year.

SPECIAL MEETINGS: Special meetings shall be open, and notice thereof shall be posted a minimum of twenty four (24) hours prior to convening. Notices of all special meetings and the agenda therefore shall be posted at the East Side Fire Protection District fire station.

CLOSED (EXECUTIVE) SESSIONS: During any regular or special meeting, a closed session may be held for any purpose permitted by law as set forth in the Open Meetings Statutes. Closed sessions may be limited to Commissioners and such invited persons as the Board may deem necessary. The Secretary shall record the motion to close the meeting, record the roll call vote of the Commissioners on said motion, and keep minutes of the closed session.

QUORUM: A majority of the Board shall constitute a quorum for the conduct of all business.

ORDER OF BUSINESS: The order of business at any meeting, except hearings and oral interviews of candidates, shall be:

- A. Call to Order
- B. Roll Call
- C. Public Comments (if applicable)
- D. Approval of the minutes of the prior meeting

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- E. Financial Matters
- F. Consideration of Old Business
- G. Consideration of New Business
- H. Consideration of any other business of the Fire Chief
- I. Adjournment

PROCEDURE: Meetings of the Board shall be conducted in an orderly manner.

1.6 AMENDMENTS

Amendments to these rules of the Board may be made at any meeting of the Board. All amendments shall be printed immediately for distribution.

1.7 ANNUAL REPORT AND BUDGET REQUEST

The Board shall require the Fire Chief to prepare an annual report of the Fire Protection District's activities. In its annual report, the Fire Chief may make suggestions to the Board which he believes would result in greater efficiency or safety in the fire department. The Board shall cause a complete financial plan and comprehensive budget for the ensuing year to be prepared. The budget and plan shall be prepared by the Fire Chief. The public shall be given an opportunity to participate in the budget process; the budget shall be made available for public inspection at the Headquarters building at least fifteen (15) days before the new fiscal (calendar) year. Notice that the budget is available for public inspection shall be published in the Baton Rouge Advocate. At least one (1) public hearing on the budget shall be held. Notice of the time, date and place of that public hearing shall also be published in the Advocate.

The budget shall be adopted at a properly advertised public meeting. The duly adopted budget may only be amended when there is a change of operations or the Fire Chief gives notice that revenues are failing to meet estimates, expenditures are too high or that fund balances are

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lower than anticipated. Amendments to the budget may only be made in a duly advertised open public meeting.

1.8 OFFICE OF THE BOARD

The office of the Board shall be the Headquarters of the East Side Fire Protection District, 15094 Old Hammond Hwy, Baton Rouge, Louisiana and any document filed in the office of the Fire Chief at the Headquarters building addressed to the Board or to the Secretary thereof shall be deemed filed with the Board. Meetings of the Board shall be held at the Headquarters of the East Side Fire Protection District unless otherwise provided in the notice thereof.

1.9 COMPENSATION OF BOARD MEMBERS

Commissioners shall be paid a per diem of \$0.00 (zero dollars) for attending board meetings. They may also be reimbursed any expenses incurred in the performance of their duties as commissioners. Members elected Chairperson or Secretary shall be given no additional compensation.

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CHAPTER 2

EMPLOYMENT RELATED ISSUES

2.1 GENERAL INFORMATION

All volunteer members and contract firefighters of the District shall be appointed by the Fire Chief pursuant to the procedures established in *The Employee Handbook*. All permanent part time and permanent full time employees shall be appointed by the Board.

Applicants for examination must comply with the current prerequisite policies and the job descriptions adopted by the District's Board and published in *The Employee Handbook*. Standards for the testing and evaluation of applicants shall be established by a job analysis analyzing tasks and traits necessary for successful performance in the position for which testing and evaluation shall be conducted, and shall be based on the suggestions of the District's physician and other consultants or relevant national guidelines as deemed appropriate by the Board. The testing process shall be practical in character and shall relate to those matters which fairly test the applicant's capacity to perform the essential functions of the job and shall be validated whenever possible. Any validation studies shall be consistent with criteria such as that established by the American Psychological Association and consistent with both state and federal equal employment opportunity laws.

All discipline actions including termination shall be in accordance with *The Employee Handbook* and the rules of the Municipal Fire and Police Civil Service System.

Education and training, age, physical and other requirements for application as a full time firefighter shall be as published in *The Employee Handbook*. All testing shall be as administered by or under the direction of the Office of the State Examiner.

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CHAPTER 3
STANDARDS OF CONDUCT

3.1 GENERAL RULES

Personnel of the District, including all Board members, shall be governed by departmental policies, procedures, practices, rules, and regulations. Any violation of District policies, procedures, practices, rules and regulations or of the laws of the United States, the State of Louisiana or local government by any member of the District may be cause for the filing of charges against said member. Reference *The Employee Handbook* and *Standard Operating Guidelines & Supplemental Operating Policies*.

3.2 ETHICS

The Louisiana Code of Governmental Ethics, La. R. S. 42:1101-1169, imposes certain ethical standards upon “public employees” and “agency heads”. Members of the East Side Fire Protection District #5 Board of Commissioners fall under both of these categories and shall abide by both the letter and intent of the law.