

MIDDLE CREEK SEARCH & RESCUE, INC.

CONSTITUTION

Revised March 16, 2009

ARTICLE I - Title and Objective

- A. This volunteer organization shall be known as "Middle Creek Search and Rescue, Inc." The target area for the team shall be the Berks, Chester, Dauphin, Lancaster, Lebanon, Schuylkill, and York counties. This organization shall hereafter be referred to as "**THE TEAM**."
- B. The objectives of this organization shall be to provide trained Search and Rescue resources to emergency response organizations within our target area.

ARTICLE II – Membership

- A. Applicants for membership must be at least 14 years of age. Members aged 14 to 18 (unless a high school graduate) must provide working papers and provide parental permission.
- B. The application shall be reviewed and approved by the board. A member shall be approved by a majority vote at a Board Meeting.
- C. A "Member in good standing" is a person who has been accepted into **THE TEAM**, is free of any debts owed to **THE TEAM**, not currently under suspension, and has not been asked to resign by the board.
- D. The membership shall consist of the following categories:
 - 1. Active Member - Active members shall meet all-attendance, training, and any other requirements set forth in this document and the By-Laws. Each active member in good standing shall have one vote.
 - 2. Associate Member - A member who actively supports **THE TEAM** either through financial contributions or by actively supporting **THE TEAM** through fund raising efforts, or by other means. An Associate Member may not vote nor hold a position of office. Any person who has paid dues but does not meet the requirements to be an Active Member shall be deemed an Associate member.

- E. An applicant shall be considered probationary until they have taken the oath of membership and attended four **TEAM** events since being approved by the board. Probationary members are considered Active Members but may not vote.
- F. In order to maintain active membership a member must complete these minimum requirements:
 - 1. Within 3 years of joining **THE TEAM**, successfully complete Grid Search Techniques.
 - 2. Attend a minimum of four official team events in the previous twelve months.
- G. Membership dues for all current members are to be paid by December 31st, with a 90 day grace period. Notice will be given at the December meeting, and on **THE TEAM** information line or by other means of communication currently in use by **THE TEAM**. Notices will be sent in January if necessary.
 - 1. If there is a problem paying, the member must contact a chief to discuss the matter.
 - 2. If a current member does not pay by March 31 and has not contacted a chief with an acceptable reason, the member must present a new application to the board.

Article III – Disciplinary Actions

- A. The Board of Directors of the corporation shall be the final authority relating to any disciplinary actions by **THE TEAM**. Officers may make recommendations, and take actions as noted below. Officers shall not have the authority to impose fines, punishment, or other restrictions beyond those empowered to them in the articles of the constitution or bylaws. Any **TEAM** member identifying improper procedures relating to the rules and regulations governing this **TEAM** shall attempt to resolve the problem. If it cannot be resolved, it shall be brought to the attention of an Officer in written form. Officers identifying an infraction by any member or officer shall employ the following procedure in an attempt to resolve the infraction in a timely and effective manner:
 - 1. The chiefs or the officer in charge may take immediate action only if the incident involves immediate safety to life and /or property or a public display adversely affecting **THE TEAM** or the mission. Immediate action shall include having the member leave the activity.

2. The chief(s) shall work to resolve any issue or action, this may include oral or written direction to any or all members involved.
3. If the problem cannot be resolved, a hearing shall be held within 90 days of the initial written officer notification. The hearing shall include the parties involved and the Board of Directors. Within seven (7) days after the hearing, the Board of Directors shall take one or more of the following actions:
 - a. Issuance of oral reprimand
 - b. Issuance of written reprimand
 - c. Restriction of member's activities
 - d. Requirement of retraining
 - e. Requirement of re-reading the constitution, bi-laws, suggested operating guidelines, or any other document deemed appropriate.
 - f. Reduction in rank
 - g. Recommendation for suspension. A suspension shall be for no more than three months and may contain certain provisions or exceptions as recommended by the Board of Directors.
 - h. Dismissal of the charges.
 - i. Acceptance of resignation of member. The Board of Directors shall decide whether the member has resigned as a "Member in good standing".
4. The action of the Board of Directors shall be final. No further appeal shall be permitted. The Board of Directors shall review the incident and enact procedures that shall minimize the future occurrence of such incidents.
5. If under Article III Section A. Paragraph 3 the parties involved choose not to appear at the hearing, the hearing shall be held regardless and actions shall be taken accordingly.
6. For actions taken under Article III Section A, paragraphs 1 or 3, a written report shall be completed. The report shall be compiled by the secretary for filing. A copy of the report shall be provided to all directly involved parties and the Chief. The report shall contain all correspondence from Article III Section A paragraphs 1, 2, and 3 including minutes of the board hearing for paragraph 3. The report shall be completed within 30 days of the conclusion of the hearing or action taken in Article III Section A paragraphs 1 or 3.

- B. The following are conditions under which disciplinary actions should be taken. **TEAM** members should understand and be familiar with the items described below:
1. Refusal to execute a specific order from an Officer or a member serving in a delegated Officer position.
 2. Trouble with school authorities or law enforcement, which results in disciplinary, corrective, or court action.
 3. Involvement in the use, possession or the transportation of narcotics, drugs, or medicines other than those prescribed by a physician or "over the counter" products.
 4. Flagrant violation of the constitution, bylaws, or suggested operating guidelines of **THE TEAM** that could seriously affect the safety or health and welfare of **THE TEAM** and/or the reputation of **THE TEAM**.
 5. Being impaired by any drug or alcohol at any team function.
 6. Negligence and/or dereliction of duty, such as leaving an assigned post without being relieved or not completing an assigned task.
 7. Disorderly conduct - either during a **TEAM** activity or in such a way that it reflects on **THE TEAM**.
 8. Disrespect or insolence towards Directors, Associates, Advisors, Officers, members, other groups or citizens, either verbally or by silent contempt.
 9. Willful maltreatment of any person or animal
 10. Acting or making statements that malign or publicly criticize **THE TEAM**

Article IV - Officers and Elections

- A. The executive officers of **THE TEAM** shall consist of the President/Chief, Vice-President/Deputy Chief, 1st Vice-President/1stAssistant Chief, 2ndVice-President/2nd Assistant Chief, Secretary, and Treasurer. All officers shall serve without compensation.
- B. The Board of Directors shall consist of all executive officers, **TEAM** Captains, and ex-chiefs who have maintained active status since leaving office and are members in good standing. Lieutenants may vote on issues in front of the board only in the absence of the respective Captain.

- C. **THE TEAM** Captains shall be appointed by the current President/Chief in consultation with his deputy, assistants, secretary, and treasurer. Appointments shall be made and accepted so as to fill positions by January 31. Unless they resign or are removed by the board, appointees shall serve until a replacement is appointed the following January. If a vacancy occurs in any appointed position, the President/Chief shall make an appointment to fill the remaining term.
- D. The executive officers shall be elected by separate vote at the regular meeting in December to serve for the following calendar year.
1. A nominating committee consisting of three (3) members shall be appointed by the President/Chief at the September meeting to provide a slate of candidates. Eligible members who wish to be nominated shall inform nominating committee members, **TEAM** Captains or any Chief of their intent. **TEAM** Captains and Chiefs shall inform the nominating committee of members who wish to be nominated for office. This committee shall present a slate of eligible nominees at the time of the election. Eligible members who wish to be nominated may state their intent to run for office until the motion is passed to close nominations. At any time until prior to the election the nominees may withdraw from the election process. All current **TEAM** officers and **TEAM** members shall provide to the nominating committee access to any and all **TEAM** records to verify those who are qualified nominees for officer positions. Only members in good standing are eligible to be members of the nominating committee. Nominees shall be notified by the nominating committee.
 2. The following criteria shall be met for the officers specified below to be qualified for nomination:
 - a. President/Chief: Shall have been an active member in good standing for a period of three consecutive years or longer, shall have completed the courses for Grid Search Techniques and Managing Search Operations.
 - b. Vice President/Deputy Chief: Same as President/Chief.
 - c. 1st Vice President/1stAssistant Chief: Same as President/Chief.
 - d. 2ndVice President/2nd Assistant Chief: Same as President/Chief.
 - e. In order to be eligible to hold any office, the nominee must be an Active member in good standing.
 3. The election shall be held at the December meeting. A majority of votes shall be sufficient to elect. All officers shall begin office by January 1st of the following calendar year and shall serve for a period of one year.
 - a. Those who are eligible to vote shall be members in good standing and meet the criteria for Active members.

- b. Those who are not eligible to vote shall be asked to seat themselves to the rear of the room separate from the eligible voters.
 - c. The ballots shall be provided to the membership and marked to prevent fraud.
 - d. Absentee Ballots shall not be accepted.
 - e. Voting for contested positions shall be by written ballot.
 - f. After the nominations have been closed, uncontested positions shall be accepted by a simple majority vote.
4. Ballots shall be retained by the secretary for a period of 90 days following the election as well as the list of those members present at the December meeting. Any member in good standing may review these ballots during this period. The ballots shall be destroyed at the end of the 90 day period.
- E. Should a vacancy occur in any executive office, the Board of Directors shall proceed to appoint someone to complete the term. This appointment shall be made at the next board meeting after the vacancy occurs. In the case of a chief appointment, the appointment will be made for the position of 2nd Vice President / 2nd Assistant Chief and all other chiefs will move up one spot in the list.

Article V Agreements

- A. Only **THE BOARD** may enter into written agreements with other organizations. These agreements shall be reviewed periodically to assure that all organizations under such agreements are viable and active resources.

Article VI Change

- A. All regulations contained herein are part of the whole. Any part which shall be deemed inconsistent or unenforceable shall not void the whole and subsequent amendments. Additions and or corrections shall be incorporated with such consistency and enforceability as presently exists within the document at the time of implementation of such change.
- B. Proposals to amend the Constitution shall be submitted in writing to the Board of Directors to be reviewed during a regularly scheduled Board meeting. If the Board approves the revision by a simple majority vote, it shall be presented in writing at three consecutive regularly scheduled **TEAM** meetings. Immediately following the third presentation **THE TEAM** shall vote. The amendment shall be adopted if 2/3rds of the present voting members vote to accept the amendment as written.

Article VII Rules of Order

- A. The rules contained in Roberts Rules of Order Newly Revised may be invoked by the President at his discretion. At that time the rules shall be the parliamentary authority governing the meetings of **THE TEAM**, the Board, and all committees, subject to the laws of the state, the Articles of Incorporation-and any special rules of order adopted by this organization.

Article VIII Dissolution of TEAM

- A. The team shall dissolve if either of the following occur:
1. The team votes to approve dissolution by a 2/3 majority vote at two consecutive meetings.
 2. The number of active members in good standing falls below seven for three consecutive months.
- B. Should **THE TEAM** decide to dissolve the following actions shall be taken:
1. The remaining members shall choose by a simple majority vote a third party to oversee the sale and disbursement of team assets.
 2. All material goods shall be sold to the highest bidder either through newspaper ads, auction, or submitted written bids.
 3. All monies received as the result of Line Item #1 shall be applied to **THE TEAM** bank account(s).
 4. All current debts shall be paid up to the date of dissolution.
 5. All remaining monies shall be donated to the Durlach & Mt. Airy Fire department.
 6. All active bank accounts shall be closed.

MIDDLE CREEK SEARCH & RESCUE, INC.

BYLAWS

Revised March 16, 2009

ARTICLE I Regular Meetings-and Quorum

- A. A regular meeting of Middle Creek Search & Rescue, Inc. here after referred to as “**THE TEAM**” shall be held each month.
- B. Special meetings will be called by the President/Chief, Vice President/Deputy Chief, 1st Vice-President/1stAssistant Chief, or 2nd Vice-President/2nd Assistant Chief upon the written request of seven (7) members in good standing stating the object of the meeting. At such meeting, no other business shall be transacted other than that for which the meeting was called. Notice of such special meeting shall be conveyed by the same means as a **TEAM** call-out and the purpose of the meeting shall be made known at the beginning of the meeting.
- C. In the event of absence of the President/Chief, Vice President/Deputy Chief, 1st Vice-President/1st Assistant Chief, or 2nd Vice-President/2nd Assistant Chief, the President/Chief shall appoint a President Pro Tem, in the absence of the appointment a President Pro Tem shall be elected for that meeting by the present members in good standing.
- D. Seven (7), non-probationary, active members in good standing shall constitute a quorum for transacting the business of **THE TEAM**.
- E. The Board of Directors shall be required to meet a minimum of once per quarter. These meetings may be held prior to the regular monthly meeting or at any other convenient time. Minutes shall be recorded and filed with other **TEAM** business records. Minutes of the Board meeting shall be available at the regular monthly meeting.

ARTICLE II Duties of the Officers

- A. The President/Chief shall preside at all the meetings of **THE TEAM** and Board of Directors. The President/Chief shall maintain order during the meeting, prevent innovations, enforce decorum, and uphold the Constitution and bylaws. The President/Chief shall have the deciding vote on all questions before **THE TEAM** resulting in a tie vote. The President/Chief shall appoint all committee chair persons. The

President/Chief shall uphold the principles of the protection of life and property and shall respect the rights of all citizens. The President/Chief shall have sole command of **THE TEAM** at all incidents unless the President/Chief otherwise designates. All actions of the President/Chief are accountable to the Board of Directors.

- B. The Vice President/Deputy Chief shall execute all the duties of the President/Chief in the absence of the President/Chief. The Vice President/Deputy Chief shall perform all the duties of the President/Chief in the absence of the President/Chief.
- C. The 1st Vice President/1st Assistant Chief shall execute all the duties of the Vice President/Deputy Chief in the absence of the Vice President/Deputy Chief. The 1st Vice President/1st Assistant Chief shall perform all the duties of the Vice President/Deputy Chief in the absence of the Vice President/Deputy Chief.
- D. The 2nd Vice President/2nd Assistant Chief shall execute all the duties of the 1st Vice President/1st Assistant Chief in the absence of the 1st Vice President/1st Assistant Chief. The 2nd Vice President/2nd Assistant Chief shall perform all the duties of the 1st Vice President/1st Assistant Chief in the absence of the 1st Vice President/ 1st Assistant Chief.
- E. The Secretary shall be required to keep or cause to be kept accurate minutes of all proceedings. The Secretary shall perform all necessary readings or provide copies of any and all such **TEAM** records or correspondence as **THE TEAM** may require. The Secretary shall maintain all team records, search records, and election records. In the absence of the secretary, the Chief shall appoint an acting secretary.
- F. The Treasurer shall have charge of all monies belonging to **THE TEAM**. A financial statement shall be submitted at each monthly **TEAM** meeting showing all account balances, credits and debits. An annual audit shall be required prior to the beginning of the next fiscal year. In January, a two member committee shall be appointed by the President/Chief to perform the audit of the previous years finances.

ARTICLE III Duties of the Line Officers (Captains)

- A. The Public Relations Captain shall coordinate all team public relation activities. The PRO shall maintain a record of all media contacts available within **THE TEAM** 'S normal response area. The PRO shall maintain copies of all articles relating to the team.
- B. The Safety Captain shall at all times during training and actual calls provide for the protection of life by intervening in operations which in their estimation may cause severe injury or death. The Safety Officer shall have absolute authority over all **TEAM** members, particularly in critical fast breaking incidents. Ensuing critique shall determine the validity of his decisions. The safety officer shall meet all training standards as set forth by **THE TEAM**.

- C. The Communications Captain shall maintain and assure the functional operability of all **TEAM** radio gear and shall effect repairs when necessary to assure same. They shall, in coordination with other departments, enact communications procedures and protocol to assure the efficient flow of information throughout the command structure and field **TEAM** units. The Communications Officer shall complete the necessary training as required by **THE TEAM** and shall provide for the training of **TEAM** members as is deemed necessary.
- D. The Medical Captain shall provide **TEAM** members the necessary medical training required by **THE TEAM** members for their area of expertise. They shall also keep **THE TEAM** abreast of any new developments in the field of medicine which may affect **THE TEAM** . The Medical Officer shall complete the necessary training as required by **THE TEAM** when deemed necessary.
- E. The Horse **TEAM** Captain shall coordinate horse teams as they apply to the search and rescue function. The Horse **TEAM** Officer shall compile all data for immediate access during **TEAM** call-outs. The Horse **TEAM** Officer shall complete the training required by **THE TEAM** when necessary.
- F. The Dog **TEAM** Captain shall coordinate dog **TEAMS** as they apply to the search and rescue function. The Dog **TEAM** Officer shall compile all data for immediate access during **TEAM** call-outs. The Dog **TEAM** Officer shall complete the training required by **THE TEAM** when necessary.
- G. The Security Captain shall be responsible for all security procedures during a mission and other **TEAM** functions. He shall take such steps as is necessary to assure the confidentiality of all information before, during, and after an incident. His duties shall include but not be limited to the following:
1. Security at the "Point Last Seen"
 2. Security at the "Incident Command Post"
 3. Crowd and traffic control measures.
 4. Protection of the scent article(s)
- H. The Specialized Resource Captain shall be responsible for all team assets, equipment, and gear. This officer shall also be responsible for ensuring all disposable items remain in stock including maps, printer paper, gasoline, and medical supplies (in conjunction with the medical officer). This officer is also responsible for all maintenance.
- I. The Training Captain shall be responsible for organization and conducting all team trainings.

- J. The Fundraising Captain shall be responsible for coordinating all fundraising activities.
- K. In the absence of the Captain the respective Lieutenant shall assume all of the captain's responsibilities and authority.

ARTICLE IV Duties of Active Members

- A. It shall be the duty of each active member to assist in the maximum preservation of life and property during a search & rescue operation.
- B. All active and associate-members shall be required to pay annual dues.

Article V Resignations

- A. Resignation of officers shall be submitted in writing to the Board of Directors.
- B. Any officer tending their resignation or leaving office for any reason shall at the same time deliver to **THE TEAM** all books, papers and effects belonging to **THE TEAM**.

Article VI Change

- C. All regulations contained herein are part of the whole. Any part which shall be deemed inconsistent or unenforceable shall not void the whole and subsequent amendments. Additions and or corrections shall be incorporated with such consistency and enforceability as presently exists within the document at the time of implementation of such change.
- D. Proposals to amend Bylaws shall be submitted in writing to the Board of Directors to be reviewed during a regularly scheduled Board meeting. If the Board deems merit in the revision by a simple majority vote, it shall be presented in writing at the next regularly scheduled **TEAM** meetings. Immediately following the third presentation **THE TEAM** shall vote. The amendment shall be adopted if 2/3rds of the present voting members vote to accept the amendment as written.