

CONSTITUTION AND BYLAWS
WEST VIRGINIA CHAPTER
OF THE
INTERNATIONAL CHAPTER OF ARSON INVESTIGATORS,
INCORPORATED

Article I

Name and Object

Section 1. **Name.** This organization shall be known as the “West Virginia Chapter of the International Association of Arson Investigators, Incorporated” and is hereinafter referred to as the Chapter. The name of the Chapter may be used by any member, if such use is in conformity with a policy established and approved by the Board of Directors.

Section 2. **Objectives.** The objectives and purposes of this Chapter shall be:

- a. To unite for mutual benefits, those public officials and private persons engaged in the control of arson and kindred crimes.
- b. To provide for an exchange of technical information and developments.
- c. To cooperate with other law enforcement agencies and associations to further fire prevention and the suppression of crime.
- d. To encourage high professional standards of conduct among members and to continually strive to eliminate all factors which interfere with the administration of justice.
- e. To foster greater professional competence in the investigation techniques and recognition of the crime of arson in our society.

The Chapter shall not be operated for profit and its funds may not be used to align with any political body, group or persons to advance the candidacy of any individual.

Section 3. **Chapter's Purposes.** The Chapter is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, and the Chapter will be operated exclusively for these exempt purposes.

Section 4. **Chapter Activities.** No part of the net earning of the Chapter shall inure to the benefit of, or be distributed to its members, trustees, offices, or other private persons, except that the Chapter shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Constitution.

Article II

Membership

Section 1. **Active Membership.** Any representative of government or of a governmental agency and any representative of a business or industrial concern who is actively engaged in some phase of the suppression of arson at the time of application shall be eligible to active membership on application, provided such person possesses the other qualifications for membership at the discretion of the Membership Committee and provided such person is not less than eighteen (18) years of age at the time of application. Applications of persons denied membership for reason of lack of eligibility shall be placed before the Board of Directors (hereafter referred to as the "Board") for final determination at the next regularly called meeting of the Directors.

Section 2. **Associate Membership.** Persons not qualified for active membership may become associate members, after determination of their qualifications by the Membership Committee. Associate members shall have the privileges of an active member, except, voting and holding office. The Association, by majority vote of active members present, exclude associate members from any particular business meeting.

Section 3. **Honorary Membership.** The Chapter may, by a majority vote of the Board of Directors present at any regular, or special meeting called for such purpose, convey Honorary Life Membership upon any member or former member of the West Virginia Chapter of the International Association of Arson Investigators Incorporated who meets one of the following criteria:

- a. Individual must be, or has been, an active member in good standing for a period of at least twelve (12) years.

- b. Individual must have rendered distinctive and/or outstanding service to the Chapter through committee participation or services as an officer or director of the Chapter.
- c. Individual shall have rendered distinctive service to this Chapter and/or to the community in the areas of fire prevention, public fire safety education, fire and arson investigation or public safety in such a manner and so as to reflect favorably upon this Chapter

An Honorary Life Member shall have all the rights and privileges of an active member without any further payments of dues so long as he/she shall live and choose to remain a member of the Chapter. Nominations for Honorary Life Membership shall be made to the Board of Directors at least ninety (90) days prior to the vote thereupon.

Section 4. **Sustaining Membership.** Individuals or organizations interested in carrying out the purposes of the Chapter shall be granted sustaining membership upon contribution of not less than two hundred dollars (\$200.00) annually and acceptance by the Board of Directors.

Section 5. **Election.** Applications for membership shall be made to the Chairman of the Membership Committee, upon the recommendation of some member of the Chapter and admission shall be by vote of such Committee and provided in Section 1 of this Article.

Section 6. **Personal Qualifications.** Prior to voting upon each application, the Membership Committee shall give due consideration to the following, among the qualifications it deems applicable to wit: (1) The personal character and reputation of the applicant, (2) The nature, character and reputation of the applicant's employer and associates, and (4) The general nature, character and reputation of the principal business of the applicant's employer and associates.

No person shall be eligible for any class of membership if he/she has been a member, or is presently a member, or becomes a member of a subversive organization or of any organization whose objectives and operations are inconsistent with the purpose of the Chapter.

Section 7a. **Termination.** Membership in the Chapter shall be terminated by: (1) Voluntary withdrawal, or (2) Membership shall be terminated by the

Secretary-Treasurer when after notice, such member is in arrears in the payment of dues or any obligation to the Chapter.

Section 7b. **Elimination.** The Board may censure any member or may terminate the membership of any member in the event: (1) Such member falsified their application or made any misrepresentation therein; or (2) Such member had conducted themselves in such a manner as is prejudicial to the good traits of character or conduct inconsistent with the qualifications for membership in the Chapter.

In cases subject to Section 7.b., the Board shall provide such member with a hearing, due notice, and an opportunity to be heard. A majority of the Board present in a duly constituted meeting shall be sufficient to cause censure or termination of membership for any reason specified in Section 7.b.

Section 8. **Reinstatements.** Any former member may be reinstated in the Chapter at the discretion of and by the consent of a majority of the Board, provided, however; that if such former member shall have been in arrears in the payment of dues or other financial obligation to the Chapter all such arrears as a condition to their reinstatement unless the Board by majority votes and for good causes shall waive the payment thereof.

Article III

Election, Terms, and Officers

Section 1. **Officers.** The officers of the West Virginia Chapter of the International Association of Arson Investigators, Incorporated shall be a President, First Vice President, Second Vice President, Executive Secretary, and Treasurer. The President shall appoint the Executive Secretary and the Treasurer, to serve for the duration of the President's term.

Section 2. **Board of Directors.** The Officers and fifteen (15) other members of the West Virginia Chapter of the International Association of Arson Investigators, duly elected shall constitute the Board of Directors.

Section 3. **Terms of Office.** The President, First Vice-President and Second Vice-President shall hold office from the time of their election and qualification, for a term of one (1) year. Other members of the Board shall hold office from the time of the election and qualification for terms of

three (3) years. Their terms shall be so arranged that five (5) retire each year.

Section 4. **Vacancies.** In the event an officer or Board member shall be unable to fulfill their office, between Annual Meetings, the following provisions shall apply:

- a. The President shall be succeeded by the First Vice-President.
- b. The First Vice-President shall be succeeded by the Second Vice-President.
- c. The Second Vice-President's position shall be filled by the appointment of a qualified Board member, by the President, with the approval of the Board.
- d. In the event of a vacancy on the Board of Directors, the vacancy of vacancies shall be filled by the President, from the general membership.

Section 5. **Election.**

- a. The officers and Board of Directors shall be elected at the Annual Meeting in the fall of each year.
- b. The offices of President and First Vice-President shall be filled by automatic succession of the members serving in the subordinate/preceding offices.
- c. No member shall run for nor be elected to the office of Second Vice-President who has not previously served at least one full term as an elected officer or as a member of the Board of Directors.

Section 6. **Cause for Termination of Office.** No office or Director shall miss two (2) consecutive Board Meetings unless excused by the Board of Directors, failure to comply can result in termination of their office by a majority vote of the Board of Directors.

Article IV

Government

Section 1. **Government.** The government of this Chapter shall be vested in the officers, Board of Directors, and any two (2) officers and five (5) directors shall constitute a quorum.

Section 2. **Duties and Power.** The Board shall have full power to initiate and transact all types of business necessary to the existence of this Chapter and the observance of its purpose. The Board shall determine the date and the location of the Annual Meeting and shall outline the program of activities during such meeting. The Board shall have general powers to direct, control, and supervise the affairs of the Chapter.

Section 3. **President.** The president shall be the chief Executive Officer of the Chapter. It shall be his/her responsibility to supervise and coordinate activities and to preside at all meetings. The President shall appoint appropriate committees and require reports from same at the Annual Meetings.

The President shall prepare a written report to be submitted to the Officers, Directors, Past Presidents, and Membership of each year. The Presidential Report will include, but is not limited to the following:

- A. Outgoing presidential message providing a review of the incumbent's presidential year;
- B. Chapter committee's reports;
- C. Chapter financial reports;
- D. Chapter membership reports;
- E. Notice of upcoming Chapter Annual Seminar and Annual Business Meeting;
- F. Election nominating ballot;
- G. Nominations for Chapter awards.

Section 4. **First Vice-President.** In the absence of the President, the First Vice-President shall serve as the Chief Executive Officer and shall act as such. The First Vice-President shall also act as Chairman of the Training and Education Committee.

Section 5. **Second Vice-President.** In the absence of the President and the First Vice-President, the Second Vice-President shall perform the duties of President. The Second Vice-President shall also act as Chairman of the Finance Committee.

Section 6. **Executive Secretary.** The Executive Secretary shall maintain an accurate record of the Chapter membership. He/she shall receive all applications for membership and initiate measures to investigate the applicants. He/she shall also be responsible for the distribution of all pertinent information to the Chapter Membership. The Executive Secretary shall receive and acknowledge all communications for the Chapter. He/she will also record

and maintain accurate minutes of all meetings of the Chapter and perform other such duties as assigned by the President.

Section 7. **Treasurer.** The Treasurer shall be the custodian and sole depositor of the funds of the Chapter and shall disburse such funds as herein authorized or upon approval of the Board. The Treasurer shall render a complete summary of all income, disbursements and balances whenever requested by the Board, the membership and to the assembly at each regular meeting. A written copy of the Treasurer's report shall be made available to any member upon request.

Article V

Committees

Section 1. **Standing Committees.** The following committees shall be standing full-time committees of the West Virginia Chapter of the International Association of Arson Investigators, Incorporated:

- a. **Budget and Finance.** The committee shall be responsible for all financial matters involving dues, expenses, income, salaries, and/or honorariums incurred by or in behalf of the Chapter. In addition, the committee will see that proper planning and budgeting is carried out during the year. The Chairman shall be the Second Vice-President with the Chapter Treasurer serving on the committee.
- b. **Constitution and By-Laws.** The duties of the committee shall be to advise the officers, directors, and members of the Chapter on matters pertaining to the constitution and by-laws. In the event of proposed changes, it shall further be the duties of the committee to review and prepare the proposed changes in a suitable format for the presentation to the officers, directors and members of the Chapter. Additionally, the committee shall serve in a review capacity for the standard operating procedures for the committees of the Chapter.
- c. **Education and Training.** The duties of the committee shall be to oversee the education and training portion of all seminars of the Chapter and provide topical education to the membership via the Chapter Newsletter. The committee shall further encourage, solicit, and assist in the development of new and innovative ideas for the education and training of the Chapter.

The Training and Education Committee would also be responsible for planning and administering all necessary arrangements for responsibilities include administrating the opening ceremonies, annual banquet and officer installations.

- d. The Nominating Committee shall encourage, solicit, receive and screen all nominations received for the position of Second Vice-President and Directors of the Chapter. The Committee shall present all qualified nominees to the membership during the Annual Business Meeting.

The Nominating Committee shall consist of at least three members.

Such Nominating Committee shall receive and process nominations up to thirty (30) days prior to the Annual Meeting of the Chapter and shall publicize such nominations prior to the Annual Meeting. Members desiring to nominate a person(s) to such office or Board of Directors shall submit names and qualifications to the Nominating Committee at least thirty (30) days prior to the Annual Meeting. In the event no nominations are made by the membership, the Nominating Committee shall make such nominations.

- e. Scholarship Fund Committee. The committee will be responsible for determining the recipient and awarding the scholarship annually.

This Committee shall consist of at least three members.

The Beckley Area Foundation (BAF) shall manage the Robert H. Foster fund, according to their established guidelines. Protocol for this Committee is governed by the Committee's SOP and the BAF's established guidelines.

Section 2. **Standard Operating Procedures.** The standard operating procedures for each Standing Committee shall be subject to review and re-certification every year.

Section 3. **Committees.** The President may name and appoint members to other committees as necessitated. The Standard Operating Procedures for each committee shall be subject to review and re-certification every year.

Article VI

Meetings

- Section 1.** **Annual Meetings.** The Annual Meeting of this Chapter shall be held in the fall of each year at such time and place as may be fixed by the Board. Notice hereof shall be placed on our website and emailed to each member, not less than thirty (30) days in advance. Elections shall occur at the Annual Meeting as well as any other pertinent business.
- Section 2.** **Special Meetings.** Special meetings may be called by order of the President or the Board of the Chapter at such time and place as may be decided.
- Section 3.** **Executive Meetings.** Executive meetings consist of the President, the First Vice President, the Second Vice-President, the Executive Secretary and the Treasurer. Executive meeting may be called by the President at such time and place as may be decided.
- Section 4.** **Board of Directors.** The Board of Directors shall meet at any time or place upon call of the President or upon the call of the majority of the members of the Board.
- Section 5.** **Rules of Order.** When any questions arise that are not specifically addressed or provided for herein, the presiding officer shall be guided by the rules listed in Robert's Rules of Order.

Article VII

Finance

- Section 1.** **Dues.** Dues for active and associate membership in the Chapter shall be fixed by the majority vote of members at the Annual Meeting. Membership dues must be current prior to the business meeting at the Annual Seminar.
- Section 2.** **Gifts and Grants.** All gifts or grants to the Chapter may be accepted by the Board. The Executive Secretary shall make proper acknowledgement of same to all parties involved.
- Section 3.** **Audit.** The Finance Committee shall make an audit of the accounts of the Treasurer at each annual meeting and shall verify all assets and liabilities of the Chapter. An external audit of all accounts shall be conducted by an outside source every three (3) years. This external audit shall be conducted by a person or an agency that is qualified and licensed to do so. The Board of Directors shall approve the person or agency to conduct the

external audit and shall receive a full report of the findings of this audit. This external audit shall be conducted at least sixty (60) days prior to the annual meeting in order to present the findings to the general membership.

Article VIII

Amendment

Section 1. This Constitution may be amended at any regular or special meeting of the Chapter by a vote of the majority of members present.

Section 2. All proposed amendments shall be submitted to the Constitution and By-Laws Committee for review and compliance. The Constitution and By-Laws Committee shall after review and compliance, prepare the proper motion and forward the Motion to the general membership via the Chapter website. The Executive Secretary shall read the motion at the next regular or special meeting.