

BERKELEY COUNTY

EMERGENCY COMMUNICATIONS ADVISORY BOARD

ARTICLE I- Name and Place of Business

Section 1. The name shall be the Berkeley County Emergency Communications Advisory Board.

Section 2. The principle office of the Board will be located at Berkeley County Emergency Communications Center, 802 Emmett Rousch Drive, Martinsburg, WV 25401.

ARTICLE II- PURPOSE

The Berkeley County Enhanced 9-1-1 Communications Advisory Board was created by order September 4th, 1997, of Berkeley County Commission as required by Chapter 24, Article 6, Section 5 of the Code of West Virginia, as amended. The Advisory Board shall operate in the public interest and on a not-for profit basis and shall be governed by the Berkeley County Commission and all applicable portions of West Virginia state law.

ARTICLE III- MEMBERSHIP

SECTION 1. The Advisory Board shall be composed of the following membership:

1. Berkeley County Volunteer Fire Association-Fire Representative
2. Martinsburg Fire
3. Berkeley County Office of Emergency Management
4. Berkeley County Emergency Ambulance Authority- EMS Representative
5. Martinsburg City Police
6. Berkeley County Sheriff's Department- Sheriff
7. West Virginia State Police-Martinsburg Detachment
8. Berkeley County Commission
9. Citizen-At-Large
10. Director of Communications

SECTION 2. The representatives shall serve three-year terms. The Director of Communications shall serve as the ex-officio to the Advisory Board at all times. Each vacancy that occurs shall be filled, with approval by the County Commission, for the un-expired terms of the vacant membership.

SECTION 3. No member shall receive or in way derive any profit from the operations of the Advisory Board, and no part of the income, if any, of the Advisory

Board shall inure to the benefit of any member. Upon dissolution of the Advisory Board, any and all funds and assets then in its possession after the payment of its obligations, shall automatically pass to and become property of the County Commission, to be used by it for such public purposes, as the Commission shall deem proper.

SECTION 4. Any member may resign, or the membership of any member may be declared terminated by the County Commission as provided in Sections 1 and 2 above, and as in Section 5 below. Should any members resign, the Director of Communications shall immediately notify the organization(s) represented and/or County Commission to request nomination of a qualified individual to fill such vacancy for the balance of the un-expired term. Likewise, prior to the end of each term of any member, the Director of Communications shall notify the organization(s) represented for reappointment or to request nomination of a qualified individual for appointment to the Advisory Board. The Director of Communications shall then notify the County Commission of all appointment/reappointment recommendations for their approval in order to maintain full membership of the Advisory Board.

SECTION 5. The membership of any member who misses more than two (2) regular meetings of the Advisory Board within a calendar year without being excused by the Chairperson of the Advisory Board may be terminated by the County Commission.

ARTICLE IV- Meetings of Members

SECTION 1. The meetings of the membership shall conform to West Virginia Code §24-6-5 (Enhanced emergency telephone system requirements); shall be held on a quarterly basis; and shall be open to the public. A special meeting may be called at any time by the chairperson or by a majority of the members communicating such in writing to the Chairperson.

SECTION 2. One-half of the members (vacant memberships shall not be counted when calculating the quorum requirement) of the Advisory Board must be present to constitute a quorum and the affirmative vote of one-half of such members present shall be necessary for any action taken pursuant to a vote of the Advisory Board. Each member shall have one vote on all matters put to a vote by the Advisory Board with the exception of the Chairperson (person presiding over the meeting) who will only vote in the case of a tie. All tie votes shall be decided by the vote cast by the Chairperson who is presiding over the meeting.

SECTION 3. Notice of regular meetings will be made in advance to the public. Notice of each special meeting of the membership shall be given to all members at least twenty-four hours before the date and time fixed for such meetings. The notice of any special meeting shall state briefly the purpose of such meeting and the nature of the business to be transacted. No business other than that stated in the notice, or incidental thereto, shall be transacted at any such special meeting, provided that whenever all members are present at a special meeting they may consider any business.

SECTION 4. Roberts' Rules of Order shall control the transaction of all business conducted at meetings of the Advisory Board.

ARTICLE V- Officers

SECTION 1. The officers of the Advisory Board shall consist of a Chairperson, Vice-Chairperson, and Secretary, each of whom, except the Secretary, must be a member of the Advisory Board.

SECTION 2. The officers of the Advisory Board shall be elected each year by the quorum of members present at the Advisory Board's first meeting of each year. The officers so elevated shall serve until the next annual election by the membership. Any vacancy occurring among the officers shall be filled for the un-expired term by vote of the membership.

ARTICLE VI- Duties of the Officers

SECTION 1. When present, the Chairperson shall preside at all meetings of the Advisory Board. The Chairperson shall appoint all special committees as recommended by the membership and shall, together with the Secretary, sign the minutes of all Advisory Board meetings at which the Chairperson presides. The Chairperson shall generally attend to the executive business of the Advisory Board and exercise such powers as may be conferred upon that office by the members, by these by-laws, and/or as prescribed by law. The Chairperson shall execute any papers necessary, requisite and/or convenient on behalf of the Advisory Board when and as directed by the members in regular or special meetings.

SECTION 2. If the Chairperson is absent or for any reason is unable to discharge any duties of this office, the same shall be discharged by the Vice-Chairperson.

SECTION 3. The Secretary of the Advisory Board shall be its recording officer, shall, when practicable, be present at meetings of the members, and shall keep a regular record of the proceedings of such meetings. The Secretary shall have charge of the minutes and be custodian of other important writings and papers of the Advisory Board. The Secretary shall be responsible for generation and delivery of reports and recommendations to be submitted to the County Commission and to the agencies participating in the Emergency Communications system.

ARTICLE VII- Committees

SECTION 1. Whenever needed, the Chairperson may appoint persons to a committee to handle matters of interest to the Advisory Board.

SECTION 2. It shall be the duty of the officers to handle those matters of interest to the Advisory Board between the regular meetings of the membership and the Executive Committee shall have all powers of the membership, subject, however, to the later ratification and approval or rejection by the membership.

ARTICLE IX- Amendments to the By-Laws

SECTION 1. These by-laws may be amended at any regular meeting by a majority vote of the membership, but no amendment may be adopted unless written notice of the intention to propose the amendment, and a clear statement of the substance thereof, is provided to each member at least seven (7) calendar days prior to the regular meeting at which the vote on the amendment is taken.

Amended this 8 day of April, 2025 by:

Chris Furham

Chairperson

Crane Wolf

Vice-Chairperson

ATTACHMENT "A"

Berkeley County Advisory Board membership listing:

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2. Martinsburg Fire
3. Berkeley County Office of Emergency Management
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