

STATE OF MISSOURI
BY-LAWS: MISSOURI 911 SERVICE BOARD
P.O. Box 2126, Jefferson City, MO 65102
573-200-6018 (phone)
admin@missouri911.org (email)

I. PURPOSE:

The Missouri 911 Service Board is created pursuant to section 650.325.¹ It is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The Board represents all entities and jurisdictions before appropriate policy-making authorities and the general assembly, and strives toward the immediate access to emergency services for all citizens of Missouri. Specific duties of the Board are provided by law, including sections 650.320 to 650.340.

II. MEMBERSHIP

A. Statute governing Board membership: The membership of the Board is determined in accordance with section 650.330.

B. Number of members: The Board shall consist of fifteen (15) members.

C. Selection of members and term: Each of the members of the Board shall be appointed by the governor with the advice and consent of the senate. Members of the board may serve multiple terms.

D. Board to notify Governor of vacancies: Upon vacancy or expired terms, the Board shall promptly notify the Governor of the vacancy or expired term, and request the vacancy be filled in accordance with § 650.330, RSMo.

III. Conflicts of Interest and Ethics

The Missouri Constitution and Chapter 105, RSMo are adopted by the Board and require the following:

A. Financial Gain/Influencing Decisions – No individual Board or staff member shall:

¹ Unless otherwise noted, all statutory references are to the Missouri Revised Statutes, as current through the 2020 Supplement.

- (1) Act or refrain from acting in any capacity in which the individual is lawfully empowered to act as such a member by reason of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value paid or payable, or received or receivable, to the individual's self or any third person, including any gift or campaign contribution, made or received in relationship to or as a condition of the performance of an official act, other than compensation to be paid pursuant to state law or contract;
- (2) Use confidential information obtained in the course of or by reason of the individual's employment, contract or official capacity in any manner with intent to result in financial gain for the individual's self, spouse, dependent child in his or her custody, or any business with which the individual is associated;
- (3) Disclose confidential information obtained during or because of the individual's employment, contract or official capacity in any manner with intent to result in financial gain for the individual or any other person;
- (4) Favorably act on any matter that is so specifically designed to provide a special monetary benefit to such individual or individual's spouse or dependent children, including but not limited to increases in retirement benefits, whether received from the state of Missouri or any third party because of such act. For the purposes of this subdivision, "special monetary benefit" means being materially affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons, then affected in a substantially different manner or degree than the manner or degree in which such class will be affected. In all such matters such members must recuse themselves from acting, except that such member may act on increases in compensation subject to the restrictions of Section 13 of Article VII of the Missouri Constitution; or
- (5) Use the individual's decision-making authority for obtaining a financial gain which materially enriches the individual's self, spouse or dependent children by acting or refraining from acting for coercing or extorting from another anything of actual pecuniary value. Additional Prohibited Actions - No individual member or employee, serving in an executive or administrative capacity, shall:

B. Other Prohibited Actions. No individual Board or staff member shall:

- (1) Perform any service for the Board for receipt or payment of any compensation, other than of the compensation provided for the performance of the individual's official duties, more than \$500 per transaction or \$5,000 annually, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest received;

(2) Sell, rent or lease any property to the Board more than \$500 per transaction or \$5,000 per year, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received;

(3) Participate in any matter, directly or indirectly, in which he or she attempts to influence any decision of the Board when he or she knows the result of such decision may be the acceptance of the performance of a service or the sale, rental, or lease of any property to the Board for consideration in excess of \$500 value per transaction or \$5,000 annually to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received;

(4) Perform any services during the time of his or her office or employment for any consideration from any person, firm or corporation, other than the compensation provided for the performance of his or her official duties, by which service he or she attempts to influence a decision of any agency of the state, or of the Board;

(5) Perform any service for consideration, during one year after termination of the individual's office or employment, by which performance the individual attempts to influence a decision of the Board, except that this provision shall not be construed to prohibit any person from performing such service and receiving compensation therefor, in any adversary proceeding or in the preparation or filing of any public document.;

(6) Perform any service for any consideration for any person, firm or corporation after termination of his or her office or employment in relation to any case, decision, proceeding or application with respect to which he or she was directly concerned or in which he or she personally participated during the period of his or her service or employment.

C. Hiring/Voting to Hire Individuals Related (nepotism) – No individual Board or staff member shall name or appoint to public office or employment, or vote on or attempt to influence decision to name or appoint to public office or employment any relative within the fourth degree, by blood or marriage.

D. Political Appointments – No individual Board or staff member shall offer, promote, or advocate for a political appointment in exchange for anything of value to any political subdivision.

E. Quid Pro Quo – No individual Board or staff member shall act or refrain from acting because of any payment, offer to pay, promise to pay, or receipt of anything of actual pecuniary value to themselves or any third person. This includes any gift or contribution, made or received in relationship to or as a condition of the performance of an official act.

F. Annually, individual Board members will complete a Conflict of Interest statement.

IV. BOARD MEETINGS AND RECORDS

A. Compliance with Sunshine Law: The actions of the Board, including conduct of meetings and keeping of records, shall comply with the Missouri Sunshine Law, Chapter 610, RSMo.

B. Frequency of meeting, location, and records: Pursuant to section 650.330, RSMo the Board shall meet at least quarterly in person, live or virtually, at a place and time specified by the chairperson of the Board and it shall keep and maintain records of such meetings, as well as the other activities of the Board. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the Board.

C. Quorum: A quorum of the Board shall consist of eight members. All official actions of the Board shall require a quorum.

D. Voting:

1. Method of voting: All votes shall be by public voice vote, roll call vote or as otherwise prescribed by law or the parliamentary procedures adopted by the Board. No secret votes or secret ballots are allowed.
2. Majority Rule: Passage of an ordinance, rule, or other official action of the Board shall require a majority of the members present who constitute a quorum of the Board.
3. Electronic Voting: Electronic voting is allowed via telephone, facsimile, Internet, or any other voice or electronic means and all such votes shall be stated in the minutes
4. Proxy Votes: Proxy votes or voting by designee is not allowed.

E. Participation by electronic means: Board members may participate in Board meetings by electronic means of communication, including conference call, video chat, or any other means of communication approved by the chairperson of the Board. Participation by electronic means shall be audible to the public during open portions of the meeting.

F. Public notice:

1. Notice for meetings:
 - a. Location of notice: Public notice of each scheduled Board meetings shall be posted at the Department of Public Safety, Office of the Director, 1101 Riverside Drive, Lewis and Clark Building, 4th Floor West, Jefferson City, MO 65102 , on the State of Missouri's Open Meeting Notices webpage, and on the Board's website, <https://www.missouri911.org/meetings>.
 - b. Contents of notice: Each meeting notice shall contain the date, time, and place of the meeting; a tentative agenda of the items to be addressed by the Board; and if the meeting is to be conducted electronically, call-in, login, or other means to access the meeting.
 - c. Time for notice:
 - i. Regularly scheduled meetings: Notice shall be posted at least twenty-four (24) hours, exclusive of weekends and holidays when the Board's office is closed, before each regularly scheduled meeting of the Board.
 - ii. Special or emergency meetings: When for good cause it is impossible or impractical to provide at least twenty-four (24) hours advance notice of a meeting, the Board shall provide as much notice as is reasonably possible under the circumstances
 - d. Changes to agenda: Substantive changes to the agenda should be made in advance of a meeting of the Board to the extent possible and shall be approved by the Board at the beginning of each meeting.

G. Meeting procedures:

1. Agenda: All Board meetings shall be guided by the tentative agenda posted in accordance with the Sunshine Law, which shall be prepared and delivered in advance to all Board members.
2. Board to act according to Robert's Rules of Order: Proceedings for which a quorum of the Board is required shall be governed by the current edition of Robert's Rules of Order when such rules are not in conflict with other laws, rules or bylaws governing the Board.

3. Executive Session: The executive session may be called by the body to address legal issues, property/real-estate, personnel, and budget. Such meetings shall be accordance with the Sunshine Law.

H. Public Comments:

1. Open Public Comment Period:

a. The Open Public Comment Period is the time allotted by the Board for public comment period at each open portion of a Board meeting.

b. The Board reserves the right to determine the amount of time to allot at each open portion of a Board meeting and to limit the amount of time per person for public comment.

c. No person interested in a case, matter or application pending before the Board shall improperly attempt to influence the judgment of the Board by undertaking, directly or indirectly, to pressure or influence the Board, regarding the case, matter or application.

I. Meeting Minutes:

1. The Board secretary or chair's designee shall take written minutes of Board meetings.

2. Minutes shall be open to public inspection.

3. Minutes shall include, but not be limited to, a record of persons present, all motions, proposals and resolutions offered, the results of any votes taken, and a record of individual votes in the event of roll call.

4. Minutes shall be adopted and approved at the subsequent meeting of the Board.

V. BOARD OFFICERS

A. Board Officers: The Board shall elect the following officers from its membership, and such officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Board:

1. Chair. The following shall be the duties of the Chair:
 - a. Preside over all meetings when present.
 - b. Call special or emergency meetings.
2. Vice Chair. The following shall be the duties of the Vice Chair:
 - a. Fulfill any of the duties of the Chair in the absence of the Chair.
3. Secretary. The following shall be the duties of the secretary/treasurer:
 - a. Keep minutes of all meetings.
 - b. Perform any of the duties of the chair or vice chair in the absence of either the chair or vice chair.
4. Treasurer.
 - a. Work with the Department of Revenue to provide periodic reports to the Board regarding the balance of any funds assigned to the Board, including the Missouri 911 Service Trust Fund balance established by section 190.420.
 - b. Serve as Chairperson of the Finance Committee.
5. Other officers: From time to time, the Board may deem it necessary to elect other officers from its membership. Such officers shall carry out any duties that may be assigned by the Board.

B. Qualifications: Nominees for chair, vice chair, secretary, or treasurer must have a minimum of one (1) year of experience on the Board in order to be eligible for these positions.

C. Terms:

1. Officers shall serve for a term of two (2) years or until a successor is elected, whichever is longer. The terms of officers who cease to serve on the Board shall terminate upon cessation of service.
2. No member shall hold more than one Board office at a time. Members may be elected as an officer on committees in addition to their Board officer duties.

D. Nomination and Election:

1. At the regularly scheduled Board meeting prior to the expiration of the two-year term of an officer, the Board shall accept nominations for such position.
2. If only one candidate is nominated for a position, then that candidate shall be deemed elected to that position effective at the next regularly scheduled meeting. If more than two qualified candidates are nominated for a position, a vote will take place at the Board's next regularly scheduled meeting.
3. New officers shall assume their duties immediately upon election.

E. Removal and Vacancies:

1. Officers serve at the pleasure of the membership of the Board, and may be removed from office by a majority vote.
2. In the event of a vacancy in the office of chair, the vice chair shall succeed to the office of chair for the remainder of the term of office and the vice chair office shall be filled by nomination and election by ballot at the subsequent meeting of the Board.
3. All other vacancies in office shall be filled by nomination and election by ballot as prescribed above.

VI. LEGAL COUNSEL

The Board shall seek out and maintain legal counsel of such capability as to provide legal advice relative to Board proposed actions, pending legal matters, issuance of reports, or any other matter on which legal counsel is necessary.

VII. STATE 911 COORDINATOR

- A.** Pursuant to section 650.330.4(9), the Board shall designate a state 911 coordinator ("coordinator") who shall be responsible for overseeing statewide 911 operations and ensuring compliance with federal grants for 911 funding.
- B.** The coordinator shall not be a member of the Board.
- C.** The coordinator shall report to the Board and shall provide regular updates on activities performed in support of the duties and responsibilities.
- D.** During times of vacancy the Board shall appoint an interim state 911 coordinator, who may be a Board member, for purposes of ensuring compliance with federal grants for 911 funding.

VIII. COMMITTEES

Standing Committees: The standing committees of the Board will have advisory duties and will make recommendations to the Board for review and approval. The following committees shall be Standing Committees: Finance; Grants, and Loans; Next Generation 911; Training and Standards; Regionalization; and Legislative and Mediation. These committees shall consist of board members and may also include 911 professional association designees and subject matter experts approved by the board to carry out the tasks assigned pursuant to these Bylaws, in addition to any other duties that may be assigned by the Board. No member of any committee is entitled to a salary for duties performed as a committee member.

A.

1. Finance:
 - a. Develop and make recommendations to the board regarding the board's annual budget.
 - b. Work with contracted auditor and accountant
2. Grants, and Loans Committee. This committee shall assist with:
 - a. Applying for, receiving and overseeing administration of grants from federal, private, and other sources.
 - b. Administering and authorizing grants and loans under section 650.335.
 - c. Developing an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to ensure funds are used in accordance with the law and purpose of the grant, and conduct audits as deemed necessary pursuant to section 650.330.4(17).
3. Next Generation 911 Committee. This committee shall assist with:
 - a. Monitoring federal and industry standards being developed for next-generation 911 ("NG911") systems.
 - b. Developing a plan and timeline of target dates for the testing, implementation, and operation of a NG911 system throughout Missouri. The NG911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data.

- c. Working with communication providers to assist in development of a NG911 network in the state.
4. Regionalization Committee. This committee shall assist with:
 - a. In coordination with existing public safety answering points, recommending no more than eleven regional 911 coordination centers which shall coordinate statewide interoperability amongst PSAPs through use of a statewide 911 emergency services network.
5. Training and Standards Committee. This committee shall assist with:
 - a. Developing and maintaining a process for 911 training certification in Missouri
 - b. Overseeing any training requirements related to PSAP operations and administration
6. Legislative and Mediation Committee. This committee shall assist with:
 - a. Providing assistance to the governor and the general assembly regarding 911 services.
 - b. Providing requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services.
 - c. Reviewing existing and proposed legislation and make recommendations as to changes that would improve such legislation.
 - d. Reporting to the governor and the general assembly at least every three years on the status of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and levels of service.

B. Special Advisory Committees:

1. The Board may appoint special advisory committees, as necessary, for requesting, receiving and providing information to the Board.
2. The Board may appoint special committee members, as necessary, based upon recommendations solicited by Board members and Board staff.
3. Members of advisory committees are not required to be voting members of the Board.

C. Meetings of All Committees.

1. Committee meetings shall be called by the Board or the committee chair, as necessary.

2. Committee meetings shall address the official business for which the committee meeting was called.

D. Quorum and Voting. A quorum of the committee shall consist of a majority of the current members of the committee. All official action of the committee shall require a quorum. All votes shall be by public voice vote, roll call vote or as otherwise prescribed by law or the parliamentary procedures adopted by the Board. No secret votes or secret ballots are allowed.

E. Removal of Committee Members.

1. If a member of a committee has more than three (3) unexcused absences in a twelve (12) month period, the Board may remove or replace the member upon notice.
2. Unexcused absences are all absences except:
 - a. absences required due to an unavoidable conflict, which are excused in advance of the meeting by the committee, or
 - b. unexpected absences due to unavoidable emergency circumstances (such as medical or family emergency), provided notice of the emergency is given to the committee chair within five (5) business days of the committee meeting.
3. When a committee has provided for electronic participation, a committee member is not deemed to be absent when the member participates in the meeting by electronic means.

IX. AMENDMENT OF BYLAWS

These bylaws may be amended at any regular meeting of the Board by an affirmative vote of two-thirds of the members of the Board, provided that the proposed amendment has been submitted in writing at the previous meeting of the Board.

X. ELECTRONIC SIGNATURES

The Board transacts business electronically using electronic signatures and electronic records. All persons conducting business must agree to conduct business with the Board by electronic means. An "electronic record" is a record created, generated, sent, communicated, received, or stored by electronic means, including facsimile, email, internet, or other electronic medium. An "electronic signature" is an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record, including handwritten, stylus written, keyboard written or digitally inserted signatures.

XI. SUPREMACY CLAUSE

In a case of conflict between the 911 Service Board bylaws or rules and a state regulation, statute or constitutional provision, state law governs.

XII. SEVERABILITY

The sections of these bylaws are severable. If any section of these bylaws is found by a court of competent jurisdiction to be invalid and unenforceable, the remaining sections of the bylaws are valid unless the court finds the valid sections are so essentially and inseparably connected with, and so dependent upon, the void section that it cannot be presumed the Board would have enacted the valid sections without the void one; or unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the Board's intent.

Effective Date: May 29th, 2019. **Amended:** August 26, 2020.