

**AGREEMENT FOR CONSOLIDATION
ESTABLISHING BC SOUTH FIRE RESCUE**

THIS AGREEMENT FOR CONSOLIDATION (the "Agreement"), entered into on June 18, 2024, by and between the West Magic Fire District, a political subdivision of the State of Idaho and the Wood River Fire Protection District, a political subdivision of the State of Idaho (individually, a "District" and collectively, the "Districts").

WITNESSETH:

WHEREAS, the Districts are both fire protection districts organized and operating pursuant to Title 31, Chapter 14, Idaho Code; and

WHEREAS, pursuant to the authority granted under Idaho Code, the Districts carry out fire prevention and suppression activities, emergency medical and rescue services, fire code enforcement, hazardous material responses and all other activities permitted under Idaho Code; and

WHEREAS, the Districts, being located adjacent to one another, have developed a collaborative working relationship to more efficiently and effectively carry out their individual responsibilities under Idaho Code; and

WHEREAS, in an effort to further advance these collaborative efforts, the Districts wish to enter into this Agreement to provide for the formation of a new consolidated fire protection district ("Consolidated District"), which shall improve the health, safety, and general welfare of the public within the boundaries of both Districts (as such boundaries presently exist and as they may be adjusted in the future); and

WHEREAS, pursuant to I.C. § 31-1413, local governments may consolidate with each other to provide any function or service that is legally authorized to each; and

WHEREAS, on May 7, 2024, and May 15, 2024, the Wood River Fire Chief was directed to, with counsel, present this Agreement on June 18, 2024.

NOW, THEREFORE, in consideration of the mutual covenants and obligations herein expressed, it is agreed by and between the Districts hereto as follows:

ARTICLE I

GENERAL PROVISIONS

I. Hearing, Protest, and Election.

- a. Upon approval of the agreement of consolidation by each fire protection district board involved, a hearing shall be noticed and set no less than ten (10) and no more than thirty (30) days from approval. A consolidation hearing is to be set for July 17, 2024.

- b. If both boards approve, pursuant to I.C. § 31-1413 (2), the consolidation agreement shall be effective and the consolidation of the district complete thirty (30) days after approval, unless within the said thirty (30) days, a petition signed by twenty five percent (25%) of the qualified electors of one (1) of the Districts objecting to the consolidation is presented to the board of that District.
 - c. In the event of a valid petition an election shall be held.
- II. Term of the Agreement. Upon successful consolidation above, the Consolidated District shall comply with I.C. § 31-1423 prior to taking effect. The Consolidated District shall commence joint financial administration upon FY 2025 (October 1, 2024). And, per I.C. § 67-450 (B), both Districts shall submit FY 2024 audits.
- III. BC South Fire Rescue. Pursuant to I.C. § 31-1413(1)(a), the Consolidated District shall be established as BC South Fire Protection District but may be referred to as “Wood River Fire Rescue”. The Consolidated District will be a governmental subdivision, as described in I.C. § 31-1416, and may provide, directly or by contract, fire protection, emergency medical, rescue and ambulance transport services, enforcement of fire prevention codes, hazardous materials response, and all other services typically provided by the Districts within their boundary limits.
- IV. Governing Board. Pursuant to I.C. § 31-1413 (1) (d), the BC South Fire Protection District Board shall initially be comprised of all six (6) commissioners, three from each Districts’ Board of Commissioners (“Member”). Each Member’s term on the Board shall coincide with the commissioner term that the individual Member has been elected or appointed to serve on behalf of his or her respective District. Each Member is entitled to cast one vote on any matter that comes before the Board.
 - a. Election. Pursuant to I.C. § 31-1413 (1) (d), the BC South Fire Protection District desires to be governed by a board of five (5) commissioners (the “Board”) in which all administrative and legislative power of the Consolidated District is vested. Five (5) similarly populated subdistricts shall be created prior to the November 2025 election, which shall be held in accordance with I.C. § 31-1413 *et seq.*
 - b. Meeting Locations. The Board intends to conduct meetings at 11053 State Hwy 75, Bellevue, ID 83313 (formerly Wood River Fire Station 3).
 - c. Quorum. Initially, to form a quorum, at least two (2) Members from each District must be present at a regular or special meeting of the Board. The Board may not hold a meeting or take formal action if a quorum is not present. All meetings may be conducted using telecommunications devices which enable all members of a governing body participating in the meeting to communicate with each other pursuant to I.C. § 74-203(5).
 - d. Powers and Duties. The Board shall possess all the powers and duties expressed in I.C. § 31-1417.

- e. Decisions. Decisions of the Board shall only be made at any meeting conducted pursuant to Title 74, Chapter 2, Idaho Code (“Open Meetings Act”), called upon notice as required herein, at which a quorum is present. Except as otherwise expressly provided herein or required by law, decisions of the Board shall be made by a majority of the quorum present at a particular meeting.

ARTICLE II

PERSONNEL, ASSETS, DEBT, AND PROPERTY

- I. Transfer of Assets, Property, and Debt. In accordance with I.C. § 31-1413(1)(b) and (c) all of the Districts’ real and personal property and debt shall become property and debt of the Consolidated District.
- II. Full-time, Part-time, and Paid-on-Call Personnel. In accordance with I.C. § 31-1413(1)(e) current Districts employees shall be the first selected for the Consolidated District. Consolidated District employees shall retain seniority status established under the former District.

ARTICLE III

BUDGET: MAINTENANCE, OPERATIONS AND OTHER COSTS

- I. Annual Budget.
 - a. Each individual fire protection district shall hold a FY 2025 budget hearing as noticed per I.C. § 63-802 (a). The West Magic Fire District budget hearing is scheduled to be held July 30, 2024, and the Wood River Fire Protection District budget hearing is scheduled to be held August 21, 2024.
 - b. The Fire Chiefs shall present a FY 2025 BC South Fire Protection District budget at the July 17, 2024 consolidation hearing.
- II. Levy.
 - a. FY 2025 levies shall be certified by each individual fire protection district.
 - b. The BC South Fire Protection District shall set a FY 2026 levy conforming with I.C. § 31-1423.

ARTICLE IV

FURTHER UNIFICATION OF DISTRICTS

Following the creation of the BC South Fire Protection District, the Board encourages further consolidation with neighboring districts as determined by the districts. Specifically, the Board desires to take the necessary steps to consolidate further with Ketchum and Smiley Creek Fire Protection District into a single unified fire protection district that will serve the geographic area of the entities, as they exist at the time of unification. Other Blaine County fire and EMS will be welcome and encouraged to participate to better and more safely serve the community.

ARTICLE V

MISCELLANEOUS PROVISIONS

[RESERVED]

IN WITNESS WHEREOF, the Districts have caused this Agreement to be signed on the date hereinabove written.

[Remainder of Page Left Blank, Signature Page Follows]

[Signature Page to Intergovernmental Agreement Establishing BC South Fire Protection District]

WEST MAGIC FIRE DISTRICT

By: 
Chairperson

By: 
Commissioner

By: 
Commissioner

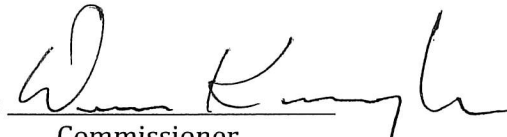
ATTEST:


Secretary

WOOD RIVER FIRE PROTECTION DISTRICT

By: 
Chairperson

By: 
Commissioner

By: 
Commissioner

ATTEST:


Secretary