

# **Ketchum Rural Fire Protection District**

## **BYLAWS**

### **Article 1:**

**1.1** The Ketchum Rural Fire Protection District is a Government subdivision of the State of Idaho governed by Title 31, Chapter 14 of Idaho Code and other applicable Idaho law relating to local government operations.

**1.2** The Principal Office of The Ketchum Rural Fire Protection District is located at 100 Arrowleaf Road, Sun Valley, Idaho. The office is located in the Elkhorn Fire Station.

### **Article 2:**

**2.1** The governing body for the Ketchum Rural Fire Protection District shall consist of three (3) commissioners, one representing each of the three (3) sub-districts located within the Protection District. Commissioners shall serve four (4) year terms. The terms shall be held on a staggered basis. Vacancies may be filled by a vote of the majority of the sitting Commission.

**2.2** Elections for each commissioner shall be held according to Idaho Code 31-1410, on the first Tuesday following the first Monday of November of every odd numbered year.

**2.3** Candidates for election for commissioner shall file with the Blaine County Elections Clerk a Notarized Petition of Candidacy with which must have affixed the names of at least five (5) qualified electors of the appropriate political sub-division within the Ketchum Rural Fire Protection District.

**2.4** Persons Entitled to Vote at Ketchum Rural Fire Protection District Elections.

No person shall be permitted to vote in a District election unless that person is a registered elector living within the boundaries of the District.

**2.5** Elections shall be conducted by Blaine County Elections Office located at 206 1<sup>st</sup> Ave. S. Ste 200, Hailey, Idaho 83333.

## **ARTICLE 3**

### **Commissioner Organization**

**3.1** The Board of Commissioners is the governing authority for the Ketchum Rural Fire Protection District and shall be responsible for all aspects of the administration, operations, finances and policies of the District. No single commissioner shall commit the District to any

policy, act, agreement or expenditure without specific approval of the Commission raised by a motion and passed by a majority vote at a regular or special meeting of the Commission.

## **ARTICLE 4**

### **Commissioner's Qualifications**

**4.1** To qualify as a Commissioner of the Ketchum Rural Fire Protection District a person must be at least 21 years of age and a registered elector residing within the boundaries of the District and within the sub-district of the area they are to represent. The candidate must have resided in the subject sub-district for a period of no less than one year, per Idaho Code-31-1409.

**4.2** All Commissioners and public servants shall comply with statutory rules to protect the integrity of government which are outlined in the Idaho Ethics in Government Manual and codified in Chapter 7, Title 59 of Idaho Code. Section 74-501 of this law specifically prohibits members of a Fire District from having an interest in any contract made by them in their official capacity, or by any body or board of which they are members.

## **Article 5**

### **Powers of the Commission**

**5.1** The Commission shall have perpetual existence.

**5.2** To have and use the corporate seal.

**5.3** To sue and be a party to suits, actions and proceedings on behalf of the District.

**5.4** To enter into contracts and agreements effecting the affairs of the District.

**5.5** No contract for work, material or services, regardless of the amount, shall be entered into between the District and a member of the Commission or their spouse.

**5.6** To borrow money and incur indebtedness and evidence the same by certificates, notes, debentures or revenue bonds. The Commission may invest any moneys of the District in accordance with State Laws of Idaho.

**5.7** To acquire, dispose of and encumber real and personal property including, without limitation, rights and interests in property, leases, and easements necessary to the function of or the operation of the District: except that the Commission shall not pay more than fair market value and any reasonable settlement costs for any in real property nor shall the Commission pay for any interest in real property which must otherwise be dedicated for public use or the District use in accordance with any governmental ordinance, regulation or law.

**5.8** To manage, control and supervise all business and affairs of the District.

**5.9** To appoint, hire and retain agents, employees, engineers, accountants, advisors consultants and attorneys.

**5.10** To furnish services outside the boundaries of the District and to establish fees, rates, tolls, penalties or charges for such services as allowed by Idaho Law.

**5.11** To accept or dispose of, on behalf of the District, title to any real or personal property, and to accept gifts and conveyances made to the District upon such terms and conditions as the Commission approves.

**5.12** To acquire, dispose of, or encumber fire stations, fire protection and firefighting equipment, and any interest therein, including leases and easements.

**5.13** To undertake and operate as part of the duties of the District an ambulance service, an emergency medical service, a rescue unit and a hazardous materials response unit including contracting or combining with other entities to provide such services as allowed by law.

**5.14** To authorize the use of electronic records or signatures and adopt rules, standards and policies for use of electronic records or signatures.

**5.15** To adopt, amend and enforce bylaws, standard operating procedures and rules and regulations not in conflict with the constitution and laws of the State of Idaho.

**5.16** Any Commissioner may resign at any time by giving written notice to the Commission. Such resignation shall take effect at the time specified by the written notice of resignation.

**5.17** There shall be no compensation for any Commissioner serving the Ketchum Rural Fire Protection District.

**5.18** A Commissioner shall disqualify themselves from voting on any issue in which the Commissioner has or may have a conflict of interest. A Commissioner must disclose any conflict of interest prior to any discussion of the topic involved. Such a conflict or possible conflict shall be entered into the minutes of such meeting.

## **ARTICLE 6**

### **Meetings of the Commission**

**6.1** The Commission shall hold regular meetings at scheduled times and at a place suitable for public meeting. Regular meeting dates and times will be posted pursuant to Idaho Open Meeting Law codified by Chapter 2 of Title 74, Idaho Code.

**6.2** Special meetings may be held as often as the District desires. For "special meetings, the meeting and agenda notice must be posted at least twenty-four (24) hours prior to the meeting.

**6.3** Executive sessions at which members of the public are excluded may be held. An executive session shall be authorized by a two-thirds (2/3) vote of the commissioners as per Idaho Code. No executive session may be held for the purpose of taking any final action or making any final decision.

**6.4** All official business of the District shall only be conducted during the posted regular or special meetings at which time a quorum must be present.

**6.5** The Commissioners may from time to time appoint committees that will serve the interest of the District. The Commission shall define the scope and purpose of each such committee. All recommendations, ideas and plans shall be presented to the commission. No committee shall commit the District to any policy or act of expenditure without prior Commission approval. The committee may schedule committee meetings as deemed necessary, within the guidelines of Idaho Open Meeting Law.

**6.6** The Administrator for the District shall take and maintain the District's records and written minutes of the proceedings according to Idaho State Law.

## **ARTICLE 7**

### **Officers**

**7.1** The officers of the District shall consist of a Chairman, a Secretary and a Treasurer.

**7.2** The Chairman shall perform the statutory duties of the Chairman of the District and shall be the presiding officer of the Commission. Unless otherwise specified at the time of approval of any contract by the Commission, the Chairman shall execute all contracts or agreements of behalf of the District. Contracts or agreements may also be signed by other members of the Commission as delegated by the Commission. The Chairman may also perform other duties as may be necessary to perform the responsibilities of their office.

**7.3** The Secretary shall review all minutes of any meetings and present them to the Commission at the next scheduled meeting. The Secretary shall also attest to all contracts or agreements signed by the Chairman, other commissioners or the Fire Chief of the District. The Secretary may delegate the ministerial portions of these functions to the District Administrator. The District Administrator shall report directly to the Secretary with regard to all minutes, contracts or agreements. The Secretary shall preform all other duties incident to the office of the Secretary.

**7.4** The Treasurer shall keep strict and accurate accounts of all money received by and disbursed on behalf of the District in permanent records. The Treasurer may delegate the ministerial portion of these functions to the District Administrator. The District Administrator shall report directly to the Treasurer with regard to all financial matters. The Treasurer shall preform all other duties incident to the office of the Treasurer.

**7.5 Acting Officers:** One or more members of the Commission may be selected to serve in an acting position for any other officer who is temporarily unable to serve.

**7.6 Legal Counsel:** The Commissioners may appoint or contract with an attorney to advise or represent the District. The attorney shall attend such meetings as requested by the Commission.

**7.7 Accountant:** The Commissioners may appoint or contract with an accountant to advise or represent the Commission. The accountant shall attend such meetings as requested by the Commission.

**7.8 Auditor:** The Commissioners shall appoint or contract with an auditor to conduct an annual audit of the District's financial statements each year in compliance with Idaho State Law under the Governmental Accounting Standards Board Statement 34. The findings shall be presented to the Commission upon completion.

## **ARTICLE 8**

### **Other Matters**

**8.1** The fiscal year of the District shall be from the first day of October and end the last day of September each year.

**8.2** The Commission shall draft a budget, conduct a public budget hearing and approve the budget as required by Idaho Code.

**8.3** The District shall prepare and keep a list of all Fixed Capital Assets. This shall be reviewed annually at a regular District Board meeting.

**8.4** The moneys of the District shall be deposited in the name of the District in such bank or banks or trust company as are authorized by Idaho Public Depository Law set forth in Chapter 1, Title 57, to hold funds as approved by the Commission. Moneys may be drawn out only on checks signed in the name of the District by such persons designated to draw out moneys in the name of the District. The District may also hold a credit card in the name of the District and to be used only under the authorization of the Commission.

**8.5** The Commission shall adopt Rules and Regulations and Standard Operating Procedures from time to time for the operation of the District matters. These may be added to or revised at any time by a resolution of the Commission.

**8.6** A majority of the Commission may amend, supplement, restate or repeal these Bylaws or adopt new Bylaws as deemed necessary by a majority vote of the Commission members. Any proposed changes shall be submitted to all Commissioners at least five (5) days prior to the next regular District meeting.

8.7 The District shall indemnify its Commissioners, officers, members and employees, if any, to the extent required under Idaho Law. The Commission may provide indemnification beyond the required laws of the State of Idaho.

## ARTICLE 9

### Miscellaneous

9.1 Gender: Whenever required by context, the singular shall include the plural, the plural the singular, and one gender shall include all genders.

9.2 Invalid Provision: The invalidity or inability to enforce of any particular provision of these Bylaws shall not affect the other provisions herein, and these Bylaws shall be construed in all respects as if such invalid or unenforceable provision was omitted.

9.3 All District records shall be available to the public in accordance with the provisions of public records law, Chapter 1, Title 74, Idaho Code.

9.4 These Bylaws shall be governed by and construed in accordance with the laws in the State of Idaho. Reference to a specific statute shall include and amendments thereto.

### Effective Date

The District Administrator is directed to file this Resolution forthwith in the official records and the same shall be in full force and effect from the date of its passage.

PASSED By the Board of Commissioners of the Ketchum Rural Fire District this 8 day of July, 2020



Sarah Michael, Commissioner, District 1



Earl Engelmann, Commissioner, District 2



Jed Gray, Commissioner, District 3