

CONSOLIDATION PLAN

**Three Forks Rural Fire District of Gallatin County and
Three Forks Rural Fire District of Broadwater County**

WHEREAS, there are two rural fire districts in the Three Forks area, one in Gallatin County and one in Broadwater County; and,

WHEREAS, the districts have cooperated extensively, and so closely for so long, that the districts generally have been known collectively as the Three Forks Rural Fire District; and

WHEREAS, the Three Forks Rural Fire District of Gallatin County has been managed by a Board of Trustees; and

WHEREAS, the Three Forks Rural Fire District of Broadwater County has been managed by the Broadwater County Commissioners with the Trustees of the Three Forks Rural Fire District of Gallatin County; and

WHEREAS, the County Treasurers and the County Clerks of both counties and the Gallatin County Commissioners agree to the following Consolidation Plan;

NOW, THEREFORE, pursuant to Section 7-33-2120, MCA, the Fire District Trustees and Broadwater County Commissioners have separately voted to adopt the following Consolidation Plan:

CONTENTS

- A. Timetable
- B. Name of New District
- C. Boundary of New District
- D. Estimated Financial Impact
- E. Accounting
- F. Trustees, Terms, Elections & Appointments
- G. Powers and Duties of Trustees
- H. Compatibility with Existing Laws
- I. Management of New District
- J. Bylaws
- K. Plan to be Filed and is Perpetual

A. TIMETABLE

July 2, 1998: Meeting of Three Forks Board of Trustees at the Three Forks Fire Hall at 7:00 p.m. to vote on the consolidation plan.

July 2, 1998: Meeting of Broadwater County Commissioners at the Broadwater County Courthouse at 10:00 a.m.

Certified to be a full, true and correct copy of a document containing 11 pages, Dated at Bozeman, MT, July 31 1998. Shelley Vance
Clerk and Recorder for Gallatin County, State of Montana.

By:

Deputy

July 9, 1998 and July 16, 1998: Publish a Notice of Public Hearing on the Proposed Consolidation Plan in the Bozeman Daily Chronicle, the High Country News, Townsend Star, and Three Forks Herald.

July 21, 1998: Public Hearing of the Joint Boards, Three Forks Fire Hall, 3:00 p.m.

July 30, 1998: Last date for written protests to be received by the Gallatin County Clerk and Recorder, 311 West Main, Bozeman, MT 59715.

July 31, 1998: The Gallatin County Clerk and Recorder will count written protests. If 50% or fewer of the property owners in each district protest consolidation, then the Consolidated District will be formed.

- B. NAME OF NEW DISTRICT: Three Forks Rural Fire District.
- C. BOUNDARY OF NEW DISTRICT: See attached Map and Legal Descriptions.
- D. ESTIMATED FINANCIAL IMPACT ON THE AVERAGE TAXPAYER WITHIN THE PROPOSED DISTRICT

The consolidated district would not be limited by I-105. The proposed budget under consolidation for FY 1998-99 is \$24,175.00. Without consolidation the proposed budget for FY 1998-99 is \$14,975.00. This would increase the financial impact by less than twice last years taxes.

Each year the Board of Trustees shall submit the proposed budget to the County Commissioners of both Gallatin and Broadwater Counties. The mill levy for the District must be approved by separate, majority votes of the Boards.

E. ACCOUNTING

The Three Forks Rural Fire District Account with the Gallatin County Treasurer shall be the new account.

F. TRUSTEES, TERMS, ELECTIONS, AND APPOINTMENTS

There shall be five (5) Trustees, who serve three (3) year terms; candidates shall be nominated by at least 5 electors of the district. Petitions shall be filed with the Gallatin County Election Administrator at least 75 days before the election, which is the first Tuesday of April of each year.

An elector, defined in Title 13, who resides in the district, or a holder of title to lands within the

district who presents a proof of payment of taxes on the lands at the polling place, is eligible to vote.

If no one is nominated for election as Trustee, an appointment to the full three (3) year term shall be made by a majority of both the Broadwater County Commission and the Gallatin County Commission.

Appointments to fill vacancies shall be made by a majority of both the Broadwater County Commission and the Gallatin County Commission; appointees to fill vacancies shall hold office until the next regular election.

G. POWERS AND DUTIES OF THE TRUSTEES

Pursuant to the Montana Code, Trustees are authorized to:

1. adopt bylaws;
2. provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities to protect the district;
3. appoint and form fire companies;
4. prepare annual budgets and request special levies following county budget law as far as applicable;
5. enter contracts for fire protection services;
6. enter mutual aid agreements;
7. request the two boards of county commissioners to levy a special tax upon all property within the district for buying or maintaining fire protection facilities and apparatus, including emergency response apparatus, or for paying a city, town, or private fire service for furnishing fire protection to property in the district;
8. borrow money by issuing bonds, not to exceed 18% of the taxable value of the property in the district, to provide funds for the payment of all or part of buying or maintaining fire protection facilities and apparatus, including emergency response apparatus, for the district, following Title 7, chapter 7, part 22;
9. establish a fire district capital improvement fund for the acquisition and replacement of facilities or equipment exceeding \$5,000 in value and having a life expectancy of 5 years or more; and
10. annex adjacent territory.

H. COMPATIBILITY WITH EXISTING LAWS

In the event of a conflict between this plan and Montana law, Montana law shall govern.

I. MANAGEMENT OF NEW DISTRICT

The existing Three Forks Rural Fire District Trustees shall manage the consolidated district. They shall serve until the end of their respective terms.

All property of the Broadwater County Rural Fire District shall be delivered to the consolidated district.

J. BYLAWS

The consolidated district shall adopt new Bylaws.

K. PLAN TO BE FILED AND IS PERPETUAL

The Original Consolidated Plan will be filed with the Gallatin County Clerk and Recorder and certified copies will be filed with both the Three Forks Rural Fire District and the Broadwater County Clerk and Recorder.

This Consolidation Plan is perpetual, unless the district is divided as provided in the Montana Code. If the consolidated district is dissolved, the assets shall be divided as provided in Section 7-33-2124, MCA.

**BOARD OF COUNTY COMMISSIONERS
BROADWATER COUNTY, MONTANA**

**THREE FORKS RURAL FIRE DISTRICT
BOARD OF TRUSTEES**

James V. Hohn
James V. Hohn, Chair

Dennis Rahn
Dennis Rahn

Steven R. McCullough
Steven R. McCullough, Member

Henry F. Hecker
Henry F. Hecker

Thomas H. Hensley
Thomas H. Hensley, Member

Jack Jorgenson
Jack Jorgenson

ATTEST:

Jay Hankin
Jay Hankin

Elaine Graveley
Elaine Graveley
Clerk and Recorder

Ralph Wilcox
Ralph Wilcox

CONSOLIDATION PLAN - Signature Page

Three Forks Rural Fire District of Gallatin County and
Three Forks Rural Fire District of Broadwater County

Approved as to legal content



John T. Flynn
County Attorney

BROADWATER COUNTY CLERK AND RECORDER



Elaine Graveley Date: 7/24/98

GALLATIN COUNTY CLERK AND RECORDER




Shelley Vance Date: 7-28-98

BROADWATER COUNTY TREASURER



Elaine Graveley Date: 7/24/98

GALLATIN COUNTY TREASURER



Jeff Krauss Date: 7/28/98

CONSOLIDATION PLAN - Signature Page

Three Forks Rural Fire District of Gallatin County and
Three Forks Rural Fire District of Broadwater County

BOARD OF COUNTY COMMISSIONERS
GALLATIN COUNTY

Phil Olson
Phil Olson, Chairman

Date: 7-28-98

William A. Murdock
William A. Murdock, Member

Date: 7-28-98

Jarvis Brown
Jarvis Brown

Date: 7-28-98

Attest:

Shelley Vance
Shelley Vance
Clerk and Recorder

Approved as to legal content:

Gerry M. Higgins
Gerry M. Higgins
Deputy Gallatin County Attorney

CERTIFICATE OF CONSOLIDATION

Three Forks Rural Fire District of Gallatin County and
Three Forks Rural Fire District of Broadwater County

1. On July 2, 1997, the Trustees of the Three Forks Rural Fire District of Gallatin County and the Board of County Commissioners of Broadwater County each voted affirmatively to adopt a Consolidation Plan pursuant to Section 7-33-2120, MCA.

2. Notices were published on July 9, 1998 and July 16, 1998 of the Public Hearing on the Proposed Consolidation Plan in the High Country News, Bozeman Chronicle, Townsend Star, and Three Forks Herald of the joint board meeting at the Three Forks Fire Hall at 3:00 p.m. July 21, 1998 to consider the Proposed Consolidation Plan.

3. The published Notices specified that if more than fifty percent of the property owners in one of the existing districts protest, in writing, on or before July 30, 1998 to the Gallatin County Clerk and Recorder, 311 West Main, Room 204, Bozeman, MT 59715 then the consolidation plan is void.

4. The Broadwater County Commissioners as Trustees of the Three Forks Rural Fire District (Broadwater County) and the Three Forks Rural Fire District (Gallatin County) Trustees requested that I receive written protests to the proposed Consolidation Plan.

I have received 0 written protests from property owners in the Gallatin County District and 0 written protests from property owners in the Broadwater County District.

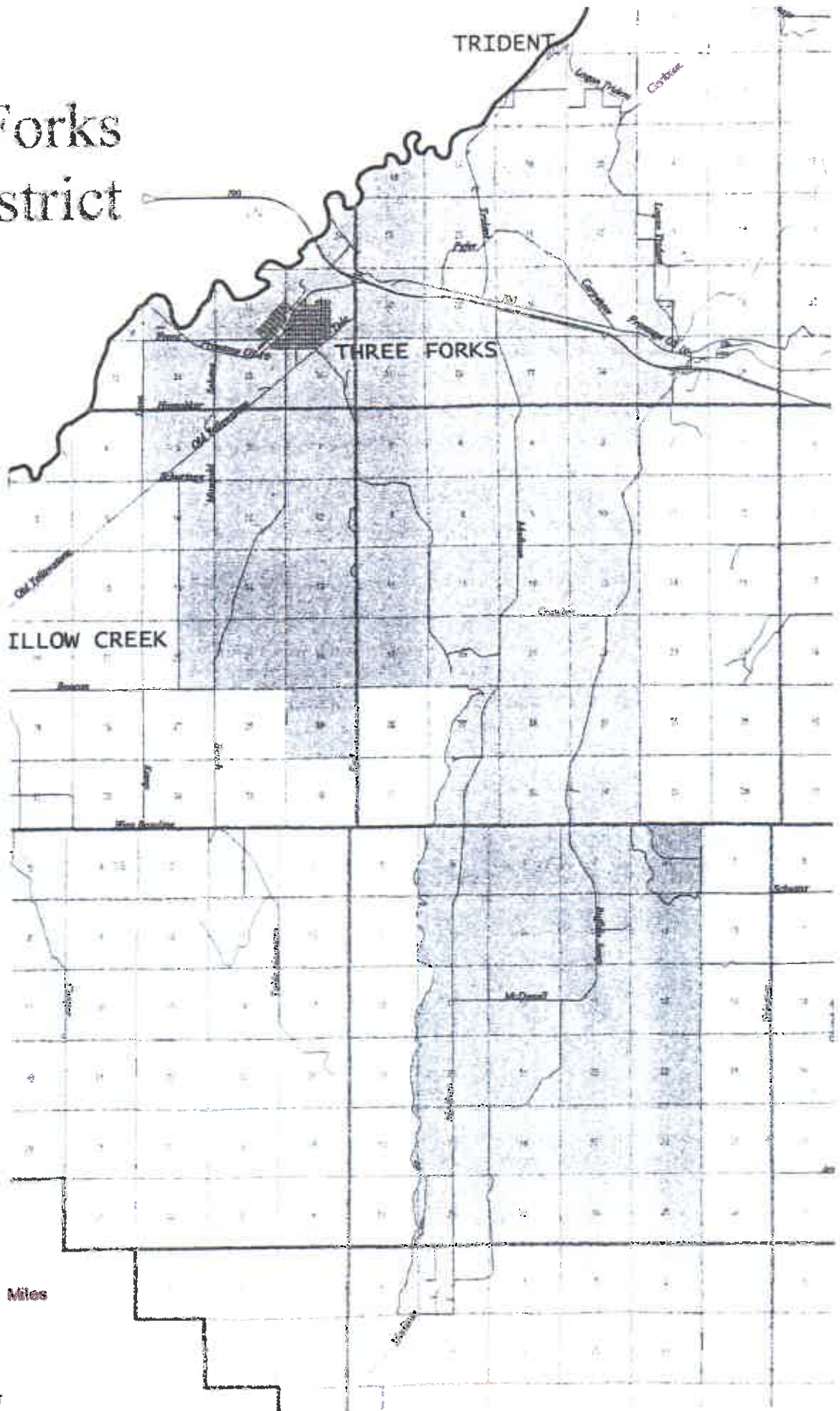
5. There being 50% or fewer protests from each district, I certify that the Consolidation Plan is effective July 31, 1998.



Shelley Vance
Gallatin County Clerk and Recorder

Copies:
Gallatin County Commissioners
Broadwater County Commissioners
Three Forks Rural Fire District Trustees

Three Forks Fire District



- Roads
- County Boundary
- PLSS
- Fire Districts
 - Amsterdam/Churchill
 - Manhattan
 - Three Forks
 - Willow Creek

0.5 0 0.5 1 1.5 Miles



Gallatin County
Clerk & Recorder
77196

Three Forks Rural Fire District - Gallatin County - July 1998

Township 1 North, Range 1 East

Sections: 1, 2, 3, E1/2 of 10, 11, 12, 13, 14, E1/2 of 15, E1/2 of 22, 23, 24, and 25.

Township 1 North, Range 2 East

Sections: 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29 East of the Madison River, 32 East of the Madison River, 33, and 34.

Township 1 South, Range 2 East

Sections: 2, 3, 4, 9, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 33, 34, and 35.

Those parts East of the Madison River in Sections 5, 6, 8, 17, 18, 19, 20, 29, 30, 31, and 32.

Township 2 South, Range 2 East

Sections: 2, 3, 4, 5, 6 East of the Madison, 8, 9, 10, and 11.

Township 2 North, Range 1 East

Sections: 25 (less Three Forks), 34, 35, and 36.

Those parts South of the Jefferson in Sections: 23, 24, 26, and 27.

Township 2 North, Range 2 East

Section 9: the part South of the Jefferson River (less the S 1/2 of the S 1/2; the NE 1/4 of the SE 1/4, the NW 1/4 of the SE 1/4, and the NE 1/4 of the SW 1/4)

Section 10 (less the NE 1/4 of the SW 1/4, the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4, and the SW 1/4 of the SE 1/4).

Sections 15, 16, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34.

Section 23: the SW 1/4 of the S/W 1/4; in Section 26: the W 1/2 of the NW1/4 and the SW1/4; in 35 the W1/2 and SW1/4 of the NE1/4.

The parts South of the Jefferson in Sections 4, 17, 18, and 19.

Three Forks Rural Fire District - Broadwater County

Township 1 North, Range 1 East

All of Sections 5, 6, 7, and 18 that are West of the Jefferson River

Township 2 North, Range 1 East

Sections: 1-22, 29, 30, 31, and 32
and all of Sections 23, 24, 26, 27, 28, and 35 that are West of the Jefferson and Missouri Rivers

Township 3 North, Range 1 East

Sections: 13-36

Township 3 North, Range 2 East

Sections: 14-21, 28, 29, 30, 31, 32, and 33

and all of Sections 15, 22, 23, 24, 27, and 34 that are West and North of the Missouri River

Township 2 North, Range 2 East

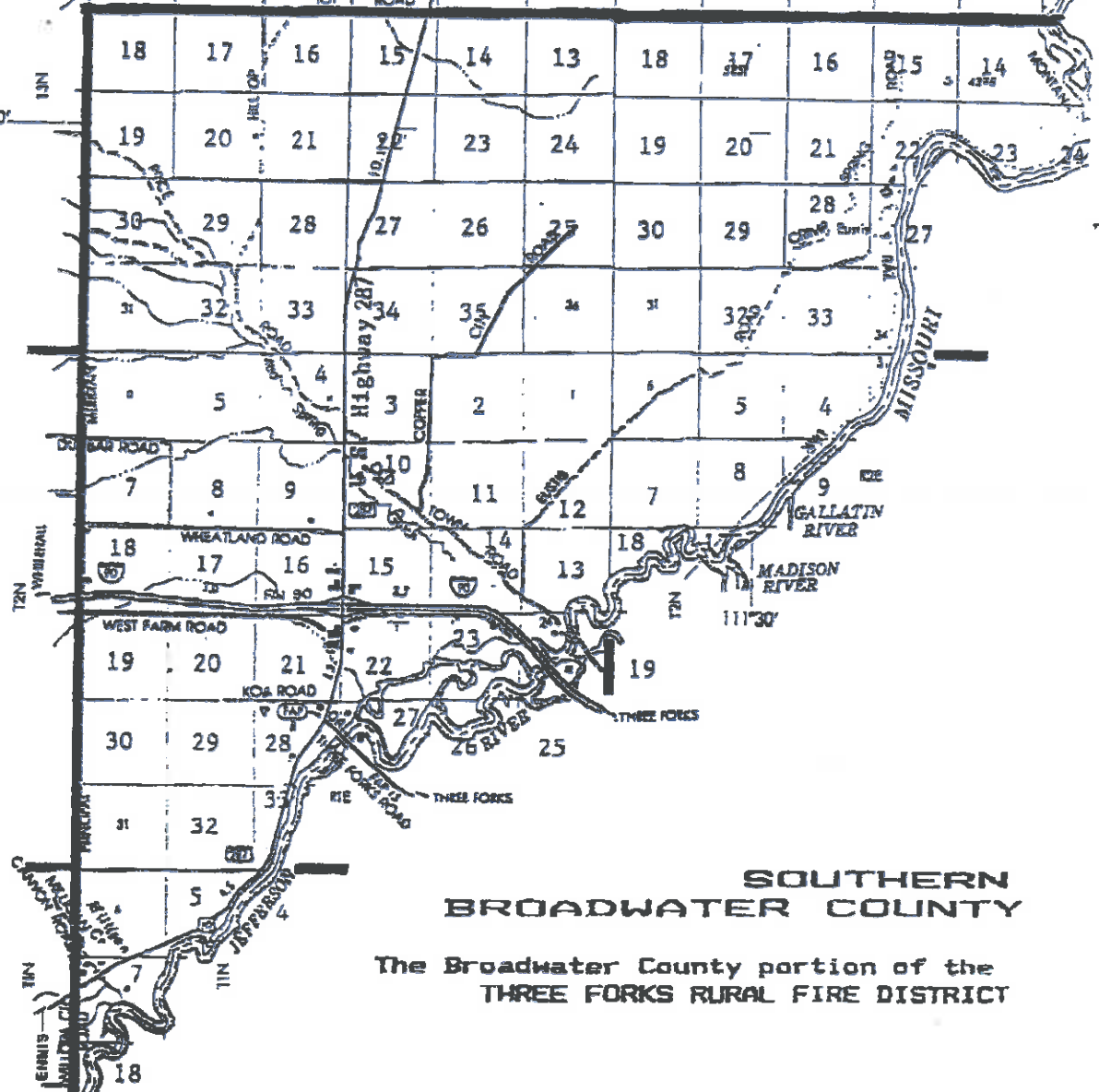
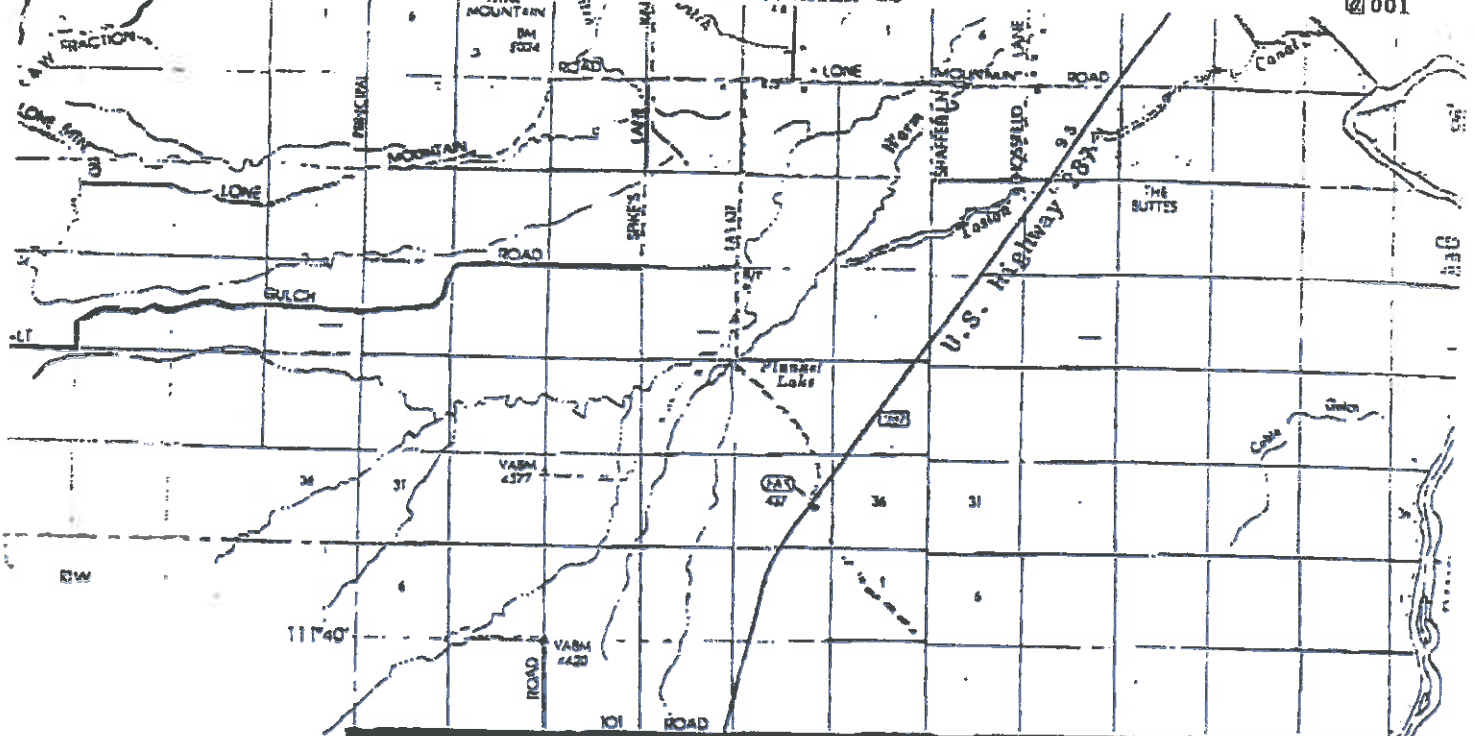
Sections: 5, 6 and 7
and all of Sections 4, 8, 9, 17, and 18 that are West of the Missouri River

07/02/98

08:22 FAX 406 266 3674

BROADWATER CO

001



Post-it™ brand fax transmittal memo 7671 # of pages > 1

From	Gerry Higgins
To	Broadwater County
Co.	
Phone #	406-266-3443
Fax #	406-582-2158

