

NORTH OF THE NARROWS FIRE DISTRICT BOARD OF COMMISSIONERS  
BY -LAWS

Article I: Name

The public entity shall be called "North of the Narrows Fire District Board of Commissioners at Priest Lake, Idaho", existing by virtue of provisions of Title 31 Chapter 14 of the Law of the State of Idaho, exercising the powers and authority, and assuming responsibilities delegated to it under the said statute.

Article I: Definitions

- A. The North of the Narrows Fire District encompasses residential sections of the east side of Priest Lake of Bonner County as follows: All lots west of East Shore Road from Bear Creek and Diamond Park, then north from State Lease lot 266 north to include South Shores, Hidden Cove, the Cedars, Two Mouth Road, Ridgeview Terrace, Huckleberry subdivisions, state lease lots and private lots, north to Sandy Shores and Sandy Shores Ridge, to Canoe Point. Beyond Lionhead Campgrounds it follows northerly to include Thistle Do Lane, Sandpiper Shores, and Nel Shipman Estates.
- B. The district has established sub-districts zones: North (1), Middle (2), and South (3), with one commissioner representing and residing in the sub-district zone they represent.
  - 1. North is described as follows: West of Huckleberry Bay subdivision including state lease and private lots then northerly to include Sandy Shores and Sandy Shores Ridge, continuing north to include state lease and private lots, north to Canoe Point, Thistle Do Lane, Sandpiper Shores, and Nell Shipman Estates. Squaw Bay and Lionhead Campgrounds are excluded.
  - 2. Middle is described as follows: North from the most northerly limits of South Shores subdivision including Hidden Cove, the Cedars, Two Mouth Road, Ridgeview Terrace, and Huckleberry Bay subdivision.
  - 3. South is described as follows: All lots west of East Shore Road from Bear Creek and Diamond Park through South Shores.
- C. "Fire District Commissioner" means a qualified elector living within the boundaries of North of the Narrows Fire District who is elected or temporarily appointed to fulfill the duties described in these By-Laws. Commissioners appointed or elected must be electors residing within the district for at least one (1) year as outlined in Idaho Statutes Title 31-1409.
- D. "Qualified Elector" means any person voting, or offering to vote, to elect Commissioners and must be at the time of election, a resident of the District for thirty (30) days prior to the date of the election, eighteen (18) years of age, and registered to vote in Bonner County, Idaho in accordance with Idaho Statutes Title 34-402 and the Idaho Constitution Article VI Section 2.

- E. Adjacent properties over 40 acres in total may be added to the Fire District by annexation in accordance with Idaho Statute Title 31-1411. Individual property owners outside of district may contract with the fire district in one-year increments for fire protection pursuant to Title 31-1431.

Article III: Membership and Powers

- A. The board shall consist of three (3) Commissioners each representing their resident sub-district, serving a term of four (4) years as outlined in Title 31-1410(3). Commissioners will be elected in appointed years as determined by the Bonner County Elections Clerk. The term of office for commissioners shall commence on the second Monday of January succeeding each general election. In accordance with Title 31-1421, Fire protection district commissioners may receive reasonable compensation for their services as commissioners. The fire protection board shall fix commissioner benefits and compensation for the fiscal year. Compensation for performing district business shall not exceed one-hundred dollars (\$100.00) per day.
- B. Ex-Officio members of the board (non-voting) include the Fire Chief and the liaison attendee appointed by The Friends of the North of the Narrows Fire District.
- C. The Board of Commissioners shall have discretionary powers to manage and conduct the business and affairs of the district. The discretionary powers shall include, but not be limited to the following:
  - 1. To sue and be sued.
  - 2. To purchase, hold, sell and convey real property, make such contracts, and purchase, hold, sell and dispose of such personal property as may be necessary or convenient.
  - 3. To levy and apply such taxes for purposes under its exclusive jurisdiction as are authorized by law, and to approve the annual district budget by resolution of the board.
  - 4. To make and execute all necessary contracts.
  - 5. To adopt such rules and resolutions as may be necessary to carry out their duties and responsibilities.
  - 6. To hire, pay, promote, discipline and terminate district employees, contractors and agents, or delegate such powers.
  - 7. To set compensation and benefit levels for employees, commissioners, contractors and agents.
  - 8. To appoint members of district appeals boards and investigatory boards for the purpose of handling personnel matters or disputes concerning fire code enforcement issues, and to appoint other boards or committees that commissioners deem necessary for carrying out the purposes and policies in accordance with Title 31-14.
  - 9. To enforce the fire code and rules adopted by the state fire marshal pursuant to Title 41-2.
  - 10. To charge and collect reasonable fees for services provided to residents of the fire protection district in accordance with the provisions of Titles 63-1311 and 63-1311A.

11. To establish an annual budget and to oversee the financial management of the Fire District.
  12. To establish a Fire Station(s) to serve the District and provide suitable rooms, structures, facilities, furniture, apparatus, and appliances necessary for the conduct thereof.
  13. To accept gifts of real or personal property solely for the use and purposes of the District.
  14. To invest any funds of the District in accordance with the Public Depository Law.
  15. To pay actual and necessary expenses of the Fire District staff and volunteers when on business of the District.
  16. To see to the proper conduct of the Fire District elections.
  17. To maintain legal records of all Board business.
- D. Individual Commissioners shall have no authority to make decisions about the policies of the Fire District except as specifically authorized by the Board.
- E. It shall be the duty of each Commissioner to attend all Board meetings and committees to which he or she has been assigned.

#### Article IV: Elections

- A. The procedure for nomination and election of Commissioners of the North of the Narrows Fire District shall be as provided for in Title 31-14 and in the general election laws of Idaho. If two candidates for the same Commissioner position have an equal number of votes, the Board shall determine the winner by toss of a coin.
- B. Each Fire District Commissioner shall be subject to recall following the procedures described for the recall of County Commissioners pursuant to Title 34-17.
- C. A vacancy shall be declared by the Board of Commissioners when any nominee has been elected but has failed to qualify for office, or within thirty days of when any Commissioner shall (a) die, (b) resign, (c) no longer be a resident or qualified elector of the Fire District, (d) refuse to serve as Commissioner, (e) without excuse acceptable to the Board of Commissioners, fail to attend two (2) consecutive regular meetings of the Board, or (f) be recalled and discharged from office as provided in Article IV, Section B. A person appointed to fill a Board vacancy shall serve out the remaining term of office.
- D. In an election year that requires a candidate to be nominated, forms for Petitions and Declarations of Candidacy are available from the Administrative Office Building, 1500 Hwy 2, Suite 336, Sandpoint, ID 83864. (208)265-1437 elections@bonnercountyid.gov
- E. The Bonner County Board of Commissioners shall declare a candidate elected if only one candidate has petitioned pursuant to Idaho Code.
- F. The Board Clerk shall report the names of new Commissioners and their terms to the Bonner County Elections Clerk.

## Article V: Officers

- A. The officers of the North of the Narrows Fire District shall consist of a President, Secretary, Treasurer and Clerk and be determined by the Board. The Treasurer, Secretary and Clerk positions may be appointed either within or outside the Board and may be the same person in accordance with Title 31-1415. Certified copies of all such appointments, under the hand of each the commissioners, shall be filed with the clerk of the board of county commissioners and with the tax collector of the county.
- B. The President shall be a Commissioner elected by the Board and shall preside at all meetings of the Board, authorize calls for any special meetings, appoint all committees, execute all documents authorized by the Board, and generally perform all duties associated with that office.
- C. The Secretary shall keep a true and accurate record of all meetings of the Board, issue notice of all regular and special meetings in accordance with the Open Meetings Law (Idaho Code 74-201 through 74-208) and shall perform other duties as are generally associated with that office. A Secretary who is not a member of the Board shall be ex-Officio and have no vote.
- D. The Treasurer position may or may not be salaried. The Treasurer shall be the disbursing officer of the Board, and in compliance with Idaho Code 31-1426, NNFD bank accounts shall be drawn upon by check bearing the signature of the treasurer and at least one commissioner. The treasurer shall be bonded for a minimum of \$10,000 in accordance with IC 31-1415. In the absence or inability of the Treasurer, his or her duties shall be performed by a member of the Board, as the Board may designate. A Treasurer who is not a member of the Board shall be ex-Officio and have no vote.
- E. The Clerk shall conduct Fire District elections as specified in Idaho Code, shall prepare and distribute legal notices, shall oversee Petitions of Candidacy as elections occur and when terms begin to expire, and shall have other duties as the Board may prescribe. A Clerk who is not a member of the board shall be ex-Officio and have no vote.

## Article VI: Meetings

- A. In accordance with Idaho Open Meetings Law Title 74 Chapter 2, all regular or special meetings of the Board of Commissioners shall be open to the public except for executive sessions and shall be held at the NNFD Station unless otherwise posted. Meetings may be conducted using Telecommunications devices enabling participation of all members of the board. Participation by a member of the board through telecommunications devices shall constitute presence in person by such member at the meeting; provided however, that at least one member of the board shall be physically present at the location designated in the meeting notice to ensure that the public may attend such meeting in person. The communications among members of the board must be audible to the public attending the meeting in person and the members of the board.

- B. The regular meetings of the NNF Board of Commissioners shall be held once a quarter as annually determined by the Board the previous October. The year's schedule shall be published two weeks before the January meeting. Meetings shall be held on a uniform day of the month and time. The meeting notice containing the meeting date, time, and agenda, shall be posted outside the Fire Station no less than 48 hours prior to the meeting. Meeting notices shall also be posted online at [www.northofthenarrowsfire.org](http://www.northofthenarrowsfire.org)
- C. Special meetings will be called by the Secretary at the direction of the President, or at the request of two Commissioners for the transaction of business as stated in the call for the meeting. The special meeting notice containing the meeting date, time and the agenda shall be posted outside the Fire Station no less than 24 hours prior to the meeting, unless an emergency exists. Special meetings may also be posted online.
- D. Executive sessions at which the public are excluded may be held, but only under certain circumstances, and in accordance with Title 74-206.
- E. Minutes of all meetings shall be taken and made available to the public within a reasonable time after the meeting in accordance with Title 74-1. Minutes shall include as a minimum: all board members present, all motions, resolutions, orders, or ordinances proposed, their disposition, and the result of all votes.
- F. A quorum for the transaction of business at any meeting shall consist of two (2) members of the Board present in person or through telecommunications.
- G. The annual meeting is held in October on the date of the regular meeting. At a minimum, the board shall elect a President and other officers necessary to conduct the affairs of the District, establish the regular meeting schedule on a uniform day of the month for the upcoming year, and administer the oath of office to new or re-elected Commissioners. The board may review and/or amend NNF By-Laws and policies as necessary and shall conduct any other business which comes before the Board.

**Article VII: Fire Chief and Staff**

- A. The Board of Commissioners shall hire a Fire Chief who shall be in charge of the operation of the Fire District on a day-to-day basis. The Fire Chief is accountable to the Board and shall advise, implement policy, acquire materials, equipment and supplies as deemed necessary, as well as supervise training events for volunteers. The Fire Chief shall attend all sessions of the Board except for meetings called to consider evaluation, salary increase, dismissal or disciplinary action or to hear complaints or charges against the Fire Chief.
- B. The Fire Chief shall supervise all other employees and volunteers.

**Article VIII: Committees**

- A. The Board President shall appoint committees of one or more members each for such specific purposes as the business of the Board may require. One Commissioner will be appointed to

attend the committee meeting. The committee shall be considered to be discharged upon completion of the purpose for which it was appointed after the final report is made to the Board.

- B. All committees shall make a progress report to the Board at each of its meetings.
- C. No committee will have other than advisory powers unless, by suitable action of the Board, it is granted specific power to act.

#### Article IX: Budget

- A. The Board of Commissioners shall prepare a budget for operation and maintenance of the Fire District for the fiscal year starting October 1st. The budget shall be adopted after a public hearing is held in August and submitted to the Bonner County Clerk no later than the September date set annually for such purposes.
- B. In accordance with Title 31-1422, Notice of the budget hearing meeting shall be posted at least ten full days prior to the date of said meeting in at least one conspicuous place at the fire station. A copy of the notice shall also be run in one issue of a daily or weekly newspaper published within the district during the ten-day period. The place, hour and day of the public hearing shall be specified in the notice, as well as the place where the budget may be examined prior to the hearing. A full and complete copy of the proposed budget shall be published with and as a part of the publication of such notice of hearing. The budget shall be available for public inspection from and after the date of the posting of notices of hearing at the fire station, along with a list of capital items which may eventually be replaced or repaired. A quorum of the board shall attend the hearing and explain the proposed budget and hear any and all objections thereto.

#### Article X: Audits and Reports

- A. The Board of Commissioners shall cause to be made a full and complete audit of the books and accounts of the Fire District as required in Title 67-450B Idaho Code. The auditor shall be employed on written contract. A summary of the budget audit requirement is:
  - 1. Less than \$150,000 of expenditures in a calendar year requires no audit.
  - 2. Amounts over \$150,000 of expenditures will be audited on a biennial basis.
  - 3. Amounts over \$250,000 will be audited annually.


#### Article XI: Amendments

- A. These By-Laws may be amended with an affirmative vote by two thirds (2/3) of the board members present at any meeting, provided written notice of the proposed amendment has been mailed to all of the Board members at least ten days prior to the meeting at which such action is proposed to be taken.

#### Article XII: General

- A. An affirmation vote of the majority of all members of the Board of Commissioners, at which a quorum is present, shall be necessary to approve any action before the Board.
- B. Any rule or resolution to the Board of Commissioners, whether contained in these By-Laws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which a quorum of members of the Board shall be present and two-thirds of those present shall so approve. Such suspension of any rule or resolution shall remain in effect until the next meeting of the Board and maybe extended by the Board, one meeting interval at a time.
- C. Procedures of all meetings shall be governed by Title 74-201 through 74-208 and Robert's Rules of Order. If there is a conflict, Idaho Code takes precedence.
- D. If a conflict between Idaho Statutes and these by-laws exist, Idaho Statutes shall govern.

Approved and ratified:

  
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Patrick A. Westerkamp, Commissioner North District

Date: 2-18-2024

  
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Barbara J. Stoyanac, Commissioner Middle District

Date: 2-18-24

  
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Dean Fiedler, Commissioner South District

Date: 2/18/2024