



Gallatin
County
Emergency
Management

Preparing Our Community

TO: Gallatin County Commission
FROM: Patrick Lonergan *PL*
DATE: January 1, 2024
SUBJECT: Cooperative Fire Control Agreement

The attached Cooperative Fire Control Agreement establishes the formal relationship between Gallatin County and the Montana DNRC to be recognized as a participating county in what is commonly referred to as the "County Co-op" program. This is simply a renewal of the last agreement previously signed by Gallatin County many years ago.

This standard DNRC agreement is currently under revision and we will likely see a new version in the next year or so, but want to have a currently executed version of the current agreement heading into 2024.

Contract: 2024413
Commission Signature Needed

COOPERATIVE FIRE CONTROL AGREEMENT
BETWEEN THE STATE OF MONTANA
AND Gallatin COUNTY

THIS AGREEMENT is made and entered into by and between Gallatin County, hereinafter called the COOPERATOR, and the Montana Department of Natural Resources and Conservation, Forestry Division, hereinafter called the DEPARTMENT, and effective the _____ day of _____, 20 24.

The purpose of this Agreement, when signed by both parties and accompanied by a written wildland fire management plan, hereinafter called the PLAN, is to satisfy the requirements of Montana Code Annotated sections 7-33-2202(4)(b), 7-33-2210, 76-13-104 and 76-13-136.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

1. The COOPERATOR shall assist the DEPARTMENT in drafting and annually updating the PLAN for the fire protection area within the COOPERATOR's territorial boundaries.
2. The COOPERATOR shall appoint a County Rural Fire Chief/Firewarden pursuant to Montana Code Annotated section 7-33-2203. The County Fire Chief/Firewarden shall work directly with the DEPARTMENT in accordance with the requirements of the PLAN.
3. The COOPERATOR is authorized to annually appropriate funds pursuant to Montana Code Annotated section 7-33-2209. The COOPERATOR shall use these funds in accordance with the requirements of the PLAN.
4. The COOPERATOR shall implement the PLAN by performance of the functions described in Montana Code Annotated sections 7-33-2202. The COOPERATOR may exercise the powers authorized by Montana Code Annotated sections 7-33-2205, 7-33-2206 and 7-33-2208.
5. The DEPARTMENT shall update the PLAN and present it for the approval of the COOPERATOR no later than May 15 of each year.
6. The DEPARTMENT shall, as funds permit, provide assistance to the COOPERATOR in accordance with the requirements of the PLAN. Equipment made available to the COOPERATOR to assist the DEPARTMENT with its duty pursuant to Montana Code Annotated section 76-13-104(1)(a) shall comply with the stipulations set forth in the COOPERATIVE EQUIPMENT AGREEMENT, F-202.
7. It is mutually agreed that both parties shall meet annually to review this Agreement and the PLAN. The DEPARTMENT shall schedule the annual meeting and shall notify all affected parties of the date and location of the meeting.
8. It is mutually agreed that this Agreement may be terminated at any time by mutual consent of the parties. In the absence of mutual consent, either party may terminate this Agreement on June 30 of any year by giving written notice to the other party on or before June 1 of that year. Unless terminated in accordance with this provision, this Agreement will continue in full force and effect for an additional period of one year beginning July 1 of each year.

COUNTY OF Gallatin _____ :

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION:

BY [Signature]
 BY [Signature]
 BY [Signature]
 BY _____

BY [Signature]
 Land Office Area Manager
 or
 Forestry Division Administrator