

Hebgen Basin Fire District

Meeting Minutes

April 10, 2018

Meeting was called to order at 1802 hrs.

Board Members Present: Gay McBirnie, Kyle Goltz, Mike Gavagan, Ken Davis via phone

Also in Attendance: Chief Grube, AC Jessop, Emily Barnes, Tyrel Stoker, Cassandra Mitchell, Landon Zimmerman, Carrie Egging, Tyler Beam, James McBirnie, William Polansky, Jeremy Gallagher, Pily Collins, Mike Collins, Karrie Taggart

Recorder of Minutes: Emily Barnes

Public Comment for Items Not on Agenda: No public comment.

Approval of Minutes for March 6, 2018 Regular Board Meeting: Ken Davis made a motion to approve the minutes as written and Mike Gavagan seconded. Motion passed.

Approve Claims/Deposits: Gay McBirnie made a motion to approve the claims as presented. Mike Gavagan seconded. Motion passed.

Chief's Report: See attached.

Old Business:

Union's Request for Binding Arbitration: Chief Grube explains that the date for binding arbitration has been picked and will be held on July 24th and 25th. The board did receive a rebuttal to the district's last best final offer. The rebuttal consisted of living within a 75 minutes response time, a housing stipend of \$750/month, adjustments to the current insurance agreement to derive back to a 25/75% no matter what the insurance increase, and a raise of 3%+COLA for the three years. Kyle Goltz explains that he talked with each board member and couldn't come to accept the rebuttal and will continue on to arbitration.

Employee Home Investment and Retention Policy: Chief Grube explains the changes made to the original draft of the policy and that it has sent it to the district's attorney to check for the legality and the wording of the policy. Chief seeks the board's approval to keep working on this policy and have all the documents in place in order to finalize this policy. Ken Davis would like to see a few more things be clarified, like what constitutes a "favorable" evaluation and would like to see a few more changes made in the wording. Davis asks about who might help prepare the other documents that will be required for this policy and make sure we have that taken care of before adopting the policy. Mike Gavagan likes the steps that are being taken to make this policy come into effect. He likes the changes that have been made/added since the last meeting and thinks we are headed in the right direction for this policy. Gay McBirnie agrees and is in support of Chief Grube in continuing work on this policy.

New Business:

Swearing In and Confirmation of Carrie Egging as Confirmed Firefighter Paramedic: Assistant Chief Jessop speaks on the history of the Maltese Cross prior to the swearing in ceremony. Kyle Goltz then swears in Carrie Egging as confirmed Firefighter Paramedic.

Chiefs Evaluation: Kyle Goltz received 4 of the 5 board members' evaluations. Goltz explains that everything was satisfactory or above, nothing was unsatisfactory. He explains that the contract renews each year and he would like to thank the chief for everything. Mike Gavagan motions to renew Chief Grube's contract for another year. Gay McBirnie seconds. All in favor. Motion passed.

Next Meeting Monday May 7th 6PM

Meeting adjourned: 18:45

Chief's Report

For

April 10, 2018

Incidents in March (25)

Incidents Year to Date (92)

Transfers from YNP (1)

Mutual Aid Requests (1)

EMS Calls (6)

Transports (13)

Fire (4)

2nd Out (0)

3rd Out (0)

Multiple App (2)

2017 Incidents in March (22)

2017 Incidents Year to Date (90)

March 2017 Transfers from YNP (1)

Mutual Aid Requests (2)

EMS Calls (8)

Transports (9)

Fire (4)

Accidents

We had no accidents to report in March.

Staff Activities and Training

Air Idaho was here on March 12 and taught an ACLS and PALS refresher to our paramedics. Our new Medical Directors were down on March 19th and meet with all our staff. DR Birrer will be here on May 4th to lecture on how he wants our charting done on medical reports. The staff has been busy doing building familiarization walkthroughs of our commercial building in town, along with working on FF1 tactics.

Medical Director/Bozeman Health

I am working with our Medical Director and Bozeman Health in getting us set up to use Bozeman Deaconess Hospital as a training site for us. This will give our paramedics the ability to go down and work in the ER and OR on advanced airways and other advanced skills, it will allow our EMT's the ability to work on blood draws and IV initiation along with the other endorsements we require.

AED Program for Town of West Yellowstone

The town is working on securing some additional funding for 10 AED's to place around town, 4 will be placed in building such as Povah Center, Town Hall, Library, and Museum. The other 6 will be placed in officers patrol cars. I am in great support for this project. We will put these AED under our medical direction along with providing training to the town's employees. I am also going to purchase a training AED just like the AED's being purchased for the town for training purposes.

EMT Class

We have several people interested in our community in taking an EMT class. The staff has put together a class tentatively starting in May we have put the idea out on social media trying to determine what the interest is for the class. Once we find out what the interest is. We will need to determine if a summer schedule for the class will work or if we will need to delay the start time for the class until fall.

Special Use Permit Station 2

Our special use permit update for station 2 has been completed; we do have one problem in the permit that I am addressing right now. In our new permit it states we can't have fire, or open burns, which is problematic with a Live Fire Training building. I hope to have it all completed within the next 30 days. I have again asked if the Forest Service is going to accept our application for a new special use permit for station 5.

Fire Code

James and I have been extremely busy with fire code issues and project reviews in town. We have had a number of businesses sell in town over the last few months. These sales have tripped a request for a fire inspection either through the Health Department or State Liquor Board created us to do inspections on the buildings, some of which have had significant fire code violations. We have worked with the owners of the building in coming up with a plan to fix their issues. There is also a significant amount of new projects being proposed. One of which is requesting a variance from the town on parking and Building Height. They are proposing a 4 story hotel which, I am not in support of due to our limited manpower.

Yellowstone National Park

Last fall I requested a meeting with Pete Webster "Chief Ranger" and Richard Moore "Deputy Chief Ranger" to sit down and talk about long range planning goals for our agencies. We were unable to meet over the winter, now that the road is open to mammoth; I have again made the same request. I would like to sit down with them and discuss how we currently operate on HWY 191 provided EMS and Rescue Service along with Fire, EMS, and Rescue Service into Yellowstone National Park Proper. I think a discussion on Ambulance Transfers in the summer and winter months will be important. I will keep the board apprised of our discussions.

Medical Shortages

There is currently a national medication shortage on narcotics, such as Morphine, Fentanyl, and Ketamine. These narcotics are not always available; we have been on backorder for weeks. We are still waiting on Ketamine. I have had a discussion with our medical director about it and if the problem gets worse we will have to look at some other options such as a Nitronox Field Unit. The nitrous oxide is very expensive but the unit costs about \$3700.00.

Hebgen Basin Fire District

Employee Home Investment and Retention Policy

03/01/18-4

In order to promote a stable workforce, encourage employee retention, and assist employees in the ownership of homes within the boundaries of the Hebgen Basin Fire District, the Board of Trustees for the Fire District has established the following policy.

Employee Eligibility

Each full-time Hebgen Basin Fire District employee is eligible for the following program. The program is based on seven years of service to the Fire District. The first two years of a full-time employee's service allows the District time to budget funds to provide the employee with assistance toward a down payment on the purchase of a home within the District and allows the employee to establish income history that includes annual salary and overtime. During the next five years of service, the full-time employee may take full advantage of debt forgiveness amortization of the down payment assistance provided by the District.

Eligibility Scenario #1

An employee, who has completed two years of service with the Hebgen Basin Fire District and has received favorable performance evaluations for those for two years, will be eligible for the District's down payment assistance program.

The employee must notify the Chief in writing that he/she wants to participate in the program no later than May 1 of the current fiscal year, so that the Chief can budget for the expense. Employees shall be required to attend a HRDC Home Buyers Education Class and receive a certificate prior to submitting a written request to participate in the program.

Eligibility Scenario #2

An employee who has completed only one year of service with the Hebgen Basin Fire District and has received a favorable performance evaluation for that one year may also be eligible for the program under the same terms as Eligibility Scenario #1, but the debt forgiveness will be amortized over six years not five, keeping the overall total length of the program under both scenarios at seven years.

Eligibility Scenario #3

An employee who has not completed one year of service with the Hebgen Basin Fire District but is progressing well through their probationary period or after completing their probationary

period and has received favorable performance evaluations, can make a written request for exception to the of the 1 year rule in Eligibility Scenario #2, to the Chief requesting early acceptance into the program. The exception may be granted or denied by the Fire District Board for any reason. If the board approves the exception the debt forgiveness will be amortized over 7 year keeping the overall total length of the program under all scenarios at seven years.

Home Purchase Assistance

Hebgen Basin Fire District will match a full-time employee's down payment dollar for dollar up to a maximum of \$15,000.00 toward the purchase of an existing home or the construction of a new home within the District to be used as the employee's primary residence. The District's matching contribution is not a wage but a loan to assist employees in the purchase of a home to be used as their primary residence within the boundaries of the District.

Debt Forgiveness

The employee will be required to enter into a promissory note secured by a second mortgage and agree to pay interest on the full amount of the District's matching contribution at a rate of 3.5% APR while employed by the District. In the event that the employee leaves the employment of the District the interest rate on the promissory note will increase to 4.5% on the remaining balance of the note and the employee shall be required to make monthly payments to the District based on the remaining term and balance of the note.

Employees who meet the requirements described in Eligibility Scenario #1 and choose to take advantage of the District's Employee Home Investment and Retention Policy and, and have maintained positive performance evaluations may be eligible to have up to \$3,000.00 dollars of the District's matching contribution forgiven annually during the five year period of the program, along with the interest accrued during that year. If the employee does not have a positive performance evaluation in any year of the program, then the interest will not be forgiven that year and the contract will be extended by another year.

Employees who meet the requirements described in Eligibility Scenario #2 and choose to take advantage of the District's Employee Home Investment and Retention Policy and, and have maintained positive performance evaluations may be eligible to have up to \$2,500.00 dollars of the District's matching contribution forgiven annually during the six year period of the program, along with the interest accrued during that year. If the employee does not have a positive performance evaluation in any year of the program, then the interest will not be forgiven that year and the contract will be extended by another year.

Employees who have been granted an exception described in Eligibility Scenario #3 and choose to take advantage of the District's Employee Home Investment and Retention Policy, and have maintained positive performance evaluations may be eligible to have up to \$2,142.86 dollars of the District's matching contribution forgiven annually during the seven year period of the program, along with the interest accrued during that year. If the employee does not have a positive performance evaluation in any year of the program, then the interest will not be forgiven that year and the contract will be extended by another year.

Security Interest

Employees who choose to take advantage of this policy recognize that this is a "second mortgage loan" that will be paid off through their years of valued service to the District and the community they protect. The District will hold a Second Mortgage on the property until the note is fully satisfied.

In the event that an employee has taken advantage of this program, and decides to sell the home or property before the term of the program is completed and decides to purchase a different home within the District, the employee shall be required to pay off the remaining balance of the note. The employee will be eligible to participate in the program and enter into a new note secured by a second mortgage on the new home purchased based on the remaining balance of the original note.

Home ownership within the District Prior to Employment or Policy Implementation

Employees who own homes within the District Prior to Employment or Implementation of this policy will be eligible for some assistance, but will be handled separately on a case by case basis between the Fire Board and Employee.

M E M O R A N D U M

TO: CLW

FROM: ERP

DATE: March 8, 2018

RE: Hebgen Basin Fire District

SUBJECT: Employee Home Investment and Retention Policy

Pursuant to your request, I have reviewed the Employee Home Investment and Retention Policy and provide the following observations and recommendations:

Generally, an employer's offer of a forgivable loan to an employee is legal and often used to attract talent. The District needs to carefully navigate and structure these loans to make sure they are in compliance with the applicable tax requirements. I recommend the District discuss the tax consequences of this policy with its CPA to make the loans are structured properly. In addition, the District will need to develop templates for a Loan Agreement, Promissory Note, and Mortgage or Deed of Trust. I recommend these documents be reviewed by the District's legal advisors and CPA prior to execution.

Employee Eligibility

I recommend this section be revised to clarify the eligibility requirements and obligations. For example, the policy should define what is required to receive a "favorable performance evaluation" and how/when a "year of service" is earned.

Home Purchase Assistance

Based on my comments below, the statement that "the District's matching contribution is not a wage but a loan" needs to be revised to clarify the income tax consequences upon forgiveness of the loan.

Debt Forgiveness

This section does not address the tax consequences to the employee of having the District forgive principal and interest on the down payment loan. In most cases, if a

debt is canceled or forgiven, other than as a gift or bequest, the borrower must include the canceled amount in his/her income. A debt includes any indebtedness for which the borrower is liable or which attaches to property he or she holds. If any interest is forgiven and included in the amount canceled, it also must be included in the borrower's income. I recommend the policy be updated to address the employee's tax consequences of receiving debt forgiveness.

In addition to a Promissory Note, each employee will need to execute a Loan Agreement setting forth the obligations of the parties. This section should be revised to refer to the Loan Agreement as well as the Note.

Security Interest

To secure the loans provided to employees, a writing in the form of a mortgage or deed of trust will need to be executed and recorded. I recommend this section of the policy be revised to provide specific details on employee's obligation to execute a mortgage or deed of trust in favor of the District, and address who will pay for any/all costs involved (drafting and recording costs).

Other Considerations

How will you collect if the employee leaves the District? Should you consider getting permission to deduct the unpaid balance from the employee's final pay check, in exchange for releasing the mortgage?

Make sure the loan agreement includes sufficient indemnification provisions, and proper releases of claims and other obligations, i.e. reporting of debt forgiveness income.