

HEBGEN BASIN RURAL FIRE DISTRICT
10 Faithful Street
West Yellowstone Montana 59758



MEMORANDUM

DATE: December 14, 2021

FROM: HBFD Board of Trustees

SUBJECT: 2021 UPDATED FORMAT, ADOPTION OF POLICIES AND BY-LAWS

Enclosed are the policies and by-laws adopted by the Board of Trustees at the February 3, 2015 Regular Board Meeting. The Format of these policies has been updated for ease of access and updating at the December 14, 2021 Regular Board Meeting.

The individual policies now have an original date adopted, date updated and a date planned for review by. These new documents replace all policies and by-laws that were issued prior to this date, in their entirety.

HBFD will maintain the electronic official version on the HBFD website hbrfd.com, a limited number of official hardcopy versions will be maintained, as listed below. As subsequent changes are approved, only these official versions will be maintained up-to-date.

Master Station 1 Office Copy

Hebgen Basin Rural Fire District



Board Policy's

District Policy's and Bylaw's

This updated policy format is effective December 14, 2021 and will be maintained and accessible in an electronic format on the Districts Website at hbrfd.com

HBFD Board of Trustees By-Laws

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Mission Statement


The mission of the Hebgen Basin Rural Fire District will be to provide emergency services within the District which may include, but are not limited to; fire suppression, fire prevention and emergency medical aid, with the resources that are available to the Fire District.

Hebgen Basin Rural Fire District Policies

	Subject:		
	Purpose of the Board of Trustee's By-Laws To;		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 101	<i>Distribution</i>
<i>References:</i>			


101 THE PURPOSE OF THE BOARD OF TRUSTEES BY-LAWS ARE TO;

- A. To define how the Board of Trustees governs it actions.
- B. To implement the Mission Statement of the HBFD.
- C. To provide guidance to the Board of Trustees, all members and the public on Hebgen Basin Rural Fire District By-Laws and Policies.

	Subject:		
	Arranging and Amending		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 102	<i>Distribution</i>
<i>References:</i>			


102 ARRANGING AND AMENDING

These policies may be amended at any time by the Board of Trustees. Amendments, additions and deletions to these policies after approval by the Board of Trustees shall be added to the master copy by the Office Manager. Amendments to the policies should be updated as necessary to keep copies current.

	Subject:		
	Authorization		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 103	<i>Distribution</i>
<i>References:</i>			

103 AUTHORIZATION

The HBFD was created by the Board of County Commissioners of Gallatin Count in accordance with 7-33-2101; M.C.A.


	Subject:		
	Purpose of the Board of Trustee’s By-Laws To;		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 104	<i>Distribution</i>
<i>References:</i>			

104 THE TERMS

“District” or “HBFD” shall always refer to Hebgen Basin Rural Fire District.

“Board” shall mean the Hebgen Basin Rural Fire District Board of Trustees.

“Commissioners” shall mean the Board of County Commissioners of Gallatin County, Missoula.

	Subject:		
	Powers, Duties and Responsibilities		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 105	<i>Distribution</i>
<i>References:</i>			

105 POWERS, DUTIES AND RESPONSIBILITIES


The Board shall be the policy-making body of the District and the Board shall appoint a chief. In accordance with 7-33-2105 Montana Code Annotated, the powers and duties of the trustees are:

1. The trustees shall prepare and adopt suitable By-Laws and Policies;
2. The trustees have the authority to provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities, for the protection of the district.

The Board has the power to:


- A. Establish, equip, and maintain a fire department.
- B. Appoint or employ necessary members and provide compensation where applicable in a reasonable sum for the performance of such duties with consideration or recommendations from the Fire Chief.
- C. Enter into and perform all necessary contracts for the furnishing of necessary service to or the receipt of such services from another district.
- D. Provide and maintain any and all special service functions necessary for the protection of life and property from fire and panic, including the investigation of fire and crimes of arson.
- E. Establish, equip, maintain, and operate rescue and medical and ambulance services within and outside the district.
- F. Enter into mutual-aid agreements.
- G. Insure its members against accidental death or injury in the performance of their duties.
- H. The Board may maintain membership in any appropriate local, state, or national group or associations organized and operated for the promotion of the preservation of life and property from the hazards of fire and panic.
- I. Authorize the attendance of its members and employees at professional or vocational meetings and authorize payment of reasonable expense thereof including transportation to and from such meetings.

- J. Keep a record of all its acts and of all money received and disbursed by it.
- K. Authorize the use of apparatus, equipment and fire fighting force of the district for the purpose of extinguishing any fire occurring outside the territory of the district, upon such terms and conditions as the district board may prescribe and upon the requirements of state law.
- L. Enter into loan agreements to finance the acquisition of equipment and facilities needed by the district for fire protection.
- M. Prepare annual budgets and request special levies thereof.
- N. Enter into contracts for services, supplies and equipment.

	Subject:		
	Board of Trustees		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 106	<i>Distribution</i>
<i>References:</i>			


106 BOARD OF TRUSTEES

SELECTION AND TERM - The trustees of the district shall be the governing body of the affairs of such district. Each trustee shall be elected or appointed in accordance with Montana Law, specifically section 7-33-2106, Section 13-1-104(3), and Section 13-1-401, M.C.A.

	Subject:		
	Board Officers and Duties		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 107	<i>Distribution</i>
<i>References:</i>			

107 BOARD OFFICERS AND DUTIES

- A. The Board shall elect from its members the following officers: a Chairman, a Vice-Chairman, and a Secretary. Election of officers shall take place at its regular meeting following the annual Board of Trustees election.
- B. The Chairman shall preside at all meetings and shall perform all other duties as may be allowed by law and prescribed in the By-Laws or by Board action.
- C. The Vice-Chairman shall have the authority to act as Chairman in his absence or disability.
- D. The Secretary shall be responsible to see that the minutes are kept and shall act as Chairman in the absence of the Chairman and the Vice-Chairman.
- E. The terms of the officers shall be for a period of one (1) year commencing the May Board meeting and ending April 30 of each year.
- F. The Board may at any time remove, with cause, a Board officer from his/her duties upon a majority vote of the Board.
- G. When vacancies occur on the Board of Trustees the positions shall be filled in accordance with MCA 7-33-2106.

	Subject:		
	Board of Trustees Code of Ethics		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 108	<i>Distribution</i>
<i>References:</i>			


108 BOARD OF TRUSTEES CODE OF ETHICS

Upon being sworn in as a Trustee of the Hebgen Basin Rural Fire District, he/she will follow the Code of Ethics:

1. Understand that his/her basic function is decision making not administrative.
2. Takes into consideration the recommendations of all sub-committees, however recognizes that sub-committees are subordinate to the Board and cannot nullify the Board decision making responsibility.
3. Respects the rights of the constituency and others to be heard at public hearings in the proper forum.
4. Recognizes that authority rests only with the Board in official meetings.
5. Recognizes that the Board member has no legal status to act for the Board outside official meetings unless so designated to act on its behalf by the Board.
6. Refuses to make commitments on any matters which should properly come before the Board as a whole.
7. Makes decisions only after all available facts bearing on a question have been presented and discussed.
8. Respects the opinion of others and graciously accepts the principle of majority rule in Board decisions.
9. Recognizes that the Chief should have full administrative authority for properly discharging professional duties within the limits of State Laws.
10. Acts only after hearing the recommendations of the Chief in matters of employment, discipline, or dismissal of personnel at an official meeting.
11. Recognizes that the Chief is the advisor to the Board and should be present at all meetings, excluding any executive session pertaining to the Chief.
12. Refers all complaints or problems to the proper administrative channels and if there is a failure of administrative solution, the problem will be brought to the attention of the board. All


complaints or problems need to be executed in written form and signed on the formal level; see policy.

13. Insists that all of the organization's business transactions be on an ethical basis.
14. Gives the departmental staff respect and consideration that is due skilled professional personnel.
15. A member of the Board who may have a financial or personal interest in an item under consideration by the Board shall declare that he/she may have a conflict. That member shall be excused from the Board vote on the item of conflict. Such member may participate as part of the public in attendance in providing information to the Board on the item. Any disqualification shall be entered in the minutes of the meeting.
16. The Board is subject to Hebgen Basin Rural Fire District Policy regarding discrimination, harassment and grievance as it applies to discrimination and harassment.

	Subject:		
	Board Meeting and Records		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 109	<i>Distribution</i>
<i>References:</i>			

109 BOARD MEETINGS AND RECORDS


- A. REGULAR MEETINGS - The Board shall fix the time for holding regular meetings and it shall be published according to legal requirements. Unless otherwise scheduled, meetings shall be held on the second Tuesday of each month, at 6:00 p.m. at Station One (1).
- B. SPECIAL MEETINGS - Special meetings of the Board may be called by the Chairman or by a quorum. The Chairman shall give all members, at least two (2) days in advance notice of the special meeting. Special meetings must be given notice as required by law.
- C. QUORUM - A majority of members of the Board shall constitute a quorum. If only three (3) members are present, a unanimous vote is required to approve a motion.
- D. RULES OF ORDER - Roberts Rules of Order shall be used as a guideline in all matters except where these By-Laws may state otherwise.
- E. RECORDS - The Board Secretary shall see that a record of all proceedings of the District Board meetings is kept. The record shall be filed in chronological order in a book provided for that purpose. Official record of HBFD Board meetings shall be audio recordings as stipulated in 2-3-212 Montana Code Annotated. The official District records shall not leave the Hebgen Basin Rural Fire District Station One (1) building, except when requested for litigation purposes. All records must be returned to the District.

	Subject: Committees		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 110	<i>Distribution</i>
	<i>References:</i>		

110 COMMITTEES


SPECIAL COMMITTEES - Special committees of the Board may be appointed by the Chairman .The Committee Chairman of all District special committees shall be responsible for submitting written minutes on all meetings to the Board. The report shall include:

1. Date, time, and attendance.
2. Summary of committee proposals signed by committee members in favor of majority proposals, or any minority proposals.
3. A By-Law and Policy review committee shall be appointed by the Board Chair to study and review By-Laws and Policy annually.

	Subject:		
	Legal Assistance		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 111	<i>Distribution</i>
<i>References:</i>			


111 LEGAL ASSISTANCE

The Board of Trustees may seek legal assistance from the County Attorney and/or private counsel.

	Subject: BY-LAW Amendments		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 112	<i>Distribution</i>
	<i>References:</i>		


112 BY-LAW AMENDMENTS

Amendments may be introduced by any member of the Board at a regular or special meeting called for that purpose. All amendments proposed must be in writing before they are adopted. The Administrative Assistant shall be responsible for updating District By-Laws.

	Subject:		
	New Board Members		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 113	<i>Distribution</i>
<i>References:</i>			


113 NEW BOARD MEMBERS

All new board members shall be presented with a ring binder containing By-Laws, Policy, and all other manuals or forms required for members of HBFD, and be asked to become knowledgeable of contents. It is requested that members attend appropriate classes presented in the local area in order that they improve their ability in boardsmanship.

	Subject:		
	Hebgen Basin Rural Fire District Stationary and Name Usage		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 114	<i>Distribution</i>
<i>References:</i>			


**114 HEBGEN BASIN RURAL FIRE DISTRICT STATIONARY
And NAME USAGE**

Hebgen Basin Fire District letterhead shall be for official use only. The unauthorized use of the Hebgen Basin Rural Fire District name is prohibited. District personnel shall follow policies and cannot obligate the District without Board of Trustees approval outside their scope of work.

	Subject:		
	News and Social Media Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 115	<i>Distribution</i>
<i>References:</i>			


115 NEWS AND SOCIAL MEDIA POLICY

Firefighters should not make unauthorized statements to the news media. All inquiries about incidents should be referred to the incident commander, or his/her designee. Other requests for information should be directed to the Chief or Chair of the Board of Trustees or their designees. Information, photographs or cell phone pictures shall not be released to the media or on social media sites without approval of the Fire Chief.

	Subject:		
	Fire Code Adoption		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 116	<i>Distribution</i>
<i>References:</i>			


116 FIRE CODE ADOPTION

The Hebgen Basin Rural Fire District will adopt and follow the fire code Adopted by the Montana State Fire Marshall's Office and enforce in accordance with the Administrative Rules of Montana.

	Subject: Out of District Mutual Aid Request		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 117	<i>Distribution</i>
	<i>References:</i>		


117 Out of District Mutual Aid Request

All requests for mutual aid from other agencies will be considered on a case by case basis and must be approved by the Fire Chief or his Designee. Intrastate mutual aid request will be in accordance with MCA 10-3-9. Interstate requests from the National Park Service or adjoining out of State agencies shall be in accordance with MCA 10-3-1104. In the event a request is made where no mutual aid agreement exists the District may provide that assistance in accordance with MCA 10-3-209.

	Subject:		
	Burning of Debris or Structures for Training		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 118	<i>Distribution</i>
<i>References:</i>			

118 BURNING OF DEBRIS OR STRUCTURES FOR TRAINING


Requests for burning of structures, fields, slash or debris must be approved by the Chief. A completed fire training release form shall be completed prior to burning. Prior to burning of any structures, fields or debris, approval must also be received by the Gallatin County Health Department and a burn permit issued. Structure burning must be conducted in conjunction with training and in compliance with NFPA 1403 Live Fire Training Evaluations.

	Subject:		
	Tobacco Use Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 119	<i>Distribution</i>
<i>References:</i>			

119 TOBACCO USE POLICY

Tobacco use of any kind will not be permitted in any of the Hebgen Basin Rural Fire District facilities or vehicles. A designated Tobacco use area will be provided outside the building for the public and employees.


The Hebgen Basin Rural Fire District tobacco use policy is designed to protect the public and personnel from the hazardous effects of tobacco. It is the intent of this policy that it complies with all applicable Federal, State and County laws and ordinances.

	Subject:		
	Release of Public Information		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 120	<i>Distribution</i>
<i>References:</i>			

120 RELEASE OF PUBLIC INFORMATION

All public records shall be open for inspection at HBRFD station 1 upon completion of Public Information Request form. When access is granted to District records, it shall be made in the presence of the Fire Chief or Administrative Assistant, in accordance with the Montana Codes Annotated, and Fire District Policy. Certain records, such as Executive Board minutes, and personnel records are not included in the category of records to which right to access is necessarily granted by the Fire District. All Federal HIPPA laws shall be adhered to and the County Attorney consulted on requests for personal records. Copies will be provided upon request, in lieu of the original; an appropriate copy charge will be assessed.

Public information will be provided in electronic format to residents free of charge if they provide the disk, for the first half hour of time required to compile the information. After the first half hour there will be a charge of \$25.00 per hour.

	Subject:		
	Purchase Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 10/08/2019	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 121	<i>Distribution</i>
<i>References:</i>			

121 PURCHASE POLICY

The following guidelines are directed toward Bidding Policies, Cooperative Purchasing Agreements and procedures that will be used for the procurement of services, materials, and supplies for the operation of the Hebgen Basin Rural Fire District.

All bidding related activity will be centralized under the direction and responsibility of the Fire Chief. There are three types of bids and quotes that the Board will use;

1. Phone Quotes.
2. Written Quotes.
3. Written Proposals.


The dollar amount of the item that is to be bid is the controlling factor in determining which of the above types of proposals that the District will utilize. The following schedule will be followed:

- | | | |
|----|--------------------------|---|
| A. | \$1.00 to \$2499.00 | Phone quotes
Recommended are not mandatory |
| B. | \$2,500.00 to \$7,500.00 | Phone or written proposals, records shall be kept. |
| C. | \$7,500.00 and above | Written request for proposal are
Mandatory records shall be kept |

For Request for Proposals exceeding \$7,500.00 advertising in the print media is recommended. Advertisements shall run on two (2) consecutive Sundays and identify the due date for the RFP. Proposals will be opened on the day identified in the request.


Cooperative Purchasing Authorized by the Board of Trustees will adhere to Montana Code Annotated.

Montana code Annotated 18-4-124 requires the adoption of alternative Project Delivery Contracts. Hebgen Basin Fire District adopts 18-4-402 Cooperative Purchasing Authorized.

	Subject:		
	Annexation Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 122	<i>Distribution</i>
<i>References:</i>			

122 ANNEXATION POLICY

Annexation of properties into the Hebgen Basin Rural Fire District will be conducted in conjunction with the requirements of Montana Codes Annotated Title 7. The District Board of Trustees retains the right to deny annexation into the District.

	Subject:		
	Hebgen Basin Fire Rural Fire District Scholarship Program		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 101	<i>Distribution</i>
<i>References:</i>			

123 HEBGEN BASIN RURAL FIRE DISTRICT SCHOLARSHIP PROGRAM

The Hebgen Basin Rural Fire District Scholarship Program is funded by donations made to the Hebgen Basin Rural Fire District.

The Hebgen Basin Rural Fire District will administer this scholarship in cooperation with the West Yellowstone High School.


The Hebgen Basin High School Career/Scholarship Specialist will administer the disbursement of the scholarship funds on behalf of the Hebgen Basin Rural Fire District.

The amount of each scholarship will be determined by Hebgen Basin Rural Fire District Board of Trustees annually.

Scholarship Criteria:

In order to be considered, each applicant must:

- be a HBRFD cadet, child of a volunteer, Staff, or Board Member;
- live within the boundaries of the Hebgen Basin Rural Fire District;
- be involved in school and community activities; demonstrate character and citizenship; plan on continuing their education at a college, university, vo-tech, or technical school after graduation; and complete a one-page essay on the topic indicated on the application.

	Subject:		
	Excess Property Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 124	<i>Distribution</i>
<i>References:</i>			

124 EXCESS PROPERTY POLICY

Property will be deemed to be excess to the Hebgen Basin Rural Fire District when:


- The item is no longer needed to provide emergency services
- When its condition is unsafe or unacceptable for District’s use.

Items will be identified as excess by the Chief and approved by the Board. After approval by the Board the following procedures will be followed for disposal of excess items.

1. Excess items will be advertised through various methods including local posting, newsletter, newspaper and fire service publications.
2. The items will be made available for inspection for a minimum 14 days.
3. A date will be set for sealed bid with the item being sold to the highest bidder.
4. With Board approval items may be sold or donated to other emergency services organizations without bids.
5. The Hebgen Basin Fire District reserves the right to accept or reject any or all bids.

If the excess item is in such condition that it cannot be sold or given to another organization it will be disposed of by the Fire Chief in the most expedient method.

Records of all items disposed of will be included in the minutes of the next Board of Trustees meeting.


	Subject:		
	Safety Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 125	<i>Distribution</i>
<i>References:</i>			

125 SAFETY POLICY

It is the policy of the Hebgen Basin Rural Fire District to operate with the highest possible levels of safety and health for all personnel. The prevention and reduction of accidents, injuries and occupational illnesses are goals of the fire district and shall be a primary consideration at all times. This concern for safety shall be a priority in district policies and standard operating guidelines and applies to all personnel of the fire district.

Whether involved in day-to-day operations or in emergency response all care shall be taken to provide for the safety and welfare of members. Key to the safety of personnel is appropriate training and personal protective clothing and equipment. No person shall engage in any fire district response if they have not been properly trained, have the proper safety equipment and the necessary number of personnel to conduct operations in a safe manner.


Personnel shall comply with all District Policies and Standard Operating Guidelines.

	Subject:		
	Accident and Injury Investigation Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 126	<i>Distribution</i>
<i>References:</i>			

126 ACCIDENT AND INJURY INVESTIGATION POLICY


All accidents and injuries shall be reported to the Duty Officer when they occur and a District accident report and a workman’s compensation form must be completed.

The Fire Chief will review each accident and present the information at each monthly staff and officers meeting. The staff present at the meeting will review the data and develop a conclusion about cause and recommendation for corrective action. Based on the conclusion of the staff, the Fire Chief will take disciplinary action where necessary and in accordance with established District policy. The Fire Chief shall provide a written report to the Board of Trustees at the regular monthly Board meeting.

	Subject:		
	Facial Hair Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 127	<i>Distribution</i>
<i>References:</i>			


127 FACIAL HAIR POLICY

Members who have a beard or facial hair at any point where the Self Contained Breathing Apparatus face piece is designed to seal with the face, or hair that could interfere with the operation of the unit, shall not be permitted to use respiratory protection at emergency incidents or in potentially hazardous atmospheres. Members shall not engage in operations if they are unable to attain a self-seal with their SCBA mask. These restrictions shall apply regardless of the special fit test measurements that can be obtained under test conditions. Determination of whether facial hair impedes the use of SCBA will be made by the Fire Chief

	Subject:		
	Hebgen Basin Fire District Subdivision Requirements		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 128	<i>Distribution</i>
<i>References:</i>			

128 HEBGEN BASIN FIRE DISTRICT SUBDIVISION REQUIREMENTS

The Hebgen Basin Fire District will review the subdivision of properties within its boundaries. The review will be consistent with Gallatin County Subdivision Regulations.

	Subject:		
	Ambulance Billing Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 12/09/2019	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 129	<i>Distribution</i>
<i>References:</i>			

129 Ambulance Billing Policy

Ambulance billing rates established and approved by the Board of Trustees. Rates effective January 1, 2020 will be the following:

Scene Transports

Basic Life Support Base Rate \$1250.00 + mileage at \$20.00 per loaded mile + supplies

Advanced Life Support Base Rate \$1550.00 + mileage at \$20.00 per loaded mile + supplies

Inter-facility Transport

Basic Life Support Base Rate \$1350.00 + mileage at \$20.00 per loaded mile + supplies

Advanced Life Support Base Rate \$1650.00 + mileage at \$20.00 per loaded mile + supplies

\$175 fee will be billed for patients evaluated and/or treated and refusing transport

The Ambulance Billing Policy Discounts will apply to all fees reflected above.

Payment Process

- Individual Direct Pay with no insurance
 - Minimum \$50.00 per month payment
 - Failure to make minimum payment on time will invoke the interest charge at the maximum legal rate
 - Paid in full within 1 year
 - Interest charge, at the maximum legal rate, after 1 year on remaining balance

- **Charges billed to Insurance Company**
 - Initial bill will be sent to patient if insurance information is not provided
 - If insurance information is provided the insurance company will be billed and the individual will be responsible for remainder of balance. The District will not bill traveler's insurance companies
- **Medicare Billing**
 - Initial bill will be sent to patient if insurance information is not provided
 - Upon receipt of Medicare information, the bill will be sent to Medicare
 - Balance not paid and identified by Medicare as the responsibility of patient will be billed back to the patient, unless they have secondary insurance
- **Medicaid**
 - Initial bill will be sent to patient if insurance information is not provided
 - Upon receipt of Medicaid information, the bill will be sent to patient's state Medicaid
 - Balance not paid by Medicaid will be considered uncollectable
- **Workers Compensation**
 - Initial bill will be sent to patient if insurance information is not provided
 - If insurance information is provided, Workers Compensation will be billed
- **Credit Cards**
 - The District will accept the following credit cards: Visa, Master Card, Discover
 - If the bill is paid at the time of service or within 30 days of service, a 10% discount will be given
 - A convenience fee will be applied

Ambulance Billing Policy Discounts

Residency Discount

Basic Life Support \$400.00

Advanced Life Support \$400.00

Net 30 Day Discount

10% If paid in 30 Days

Residency Discount Policy defined

For the purpose of ambulance billing, HBFD defines residency in two ways, remembering that the focus on residency is the direct or indirect impact on local property tax revenues;

- Those who own property (and their dependent children) regardless of full or part time residency, as demonstrated by property tax records from Gallatin County.
- Those who have resided in West Yellowstone full time and continuously (and their dependent children) for more than 1 year, as demonstrated by least two or more of the following:
 - Paystubs from local employer
 - Utility bills for a local resident in the name of the patient.
 - Montana driver's license issued at least 1 year previous the service date with a local address
 - Copy of the lease for a local property showing that the patient has resided for more than 1 year
 - Other documentation accepted by the fire chief that provides the same type of residency information

Residency will be established with HBFD billing department and administrative staff after the incident with the Fire Chief making the final decision should there be a question, so that field personnel aren't having to make the decision in the middle of an incident.


Ambulance Billing Policy Discount Time Line

1. Patient transported and billed
2. If patient bill is paid direct within 30 days, a 10% discount will be applied upon request

Ambulance Hardship Policy

Prior to receiving consideration for Hardship Bill Reduction

1. 50% of amount owed by patient must be paid prior to being considered for discount
2. Complete Hardship application
3. Fire Chief will review application, payment and make recommendation to Board

	Subject: Public Comment Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 130	<i>Distribution</i>
	<i>References:</i>		


130 PUBLIC COMMENT POLICY

Before the consideration of any final action at a Board of Trustee meeting a reasonable opportunity for public comment shall be provided. The Board Chair may reasonably limit audience participation at any time. After public comment has been heard, and an appropriate motion has been made, the Board shall debate the action.

Public comment will be taken for all agenda items and will follow any staff presentations to the committee. The Board Chair may reasonably limit public comment.

The procedure for taking public comment shall be as follows for each agenda item:

- Staff presentation (if necessary)
- Public comment
- Public comment period closed
- Board of Trustees Action
 - motion
 - second
 - discussion
 - vote

	Subject:		
	Employee Residency Policy (pursuant to Arbitration Ruling October 1, 2018 David W Stiteler).		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 10/09/2018	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 131	<i>Distribution</i>
<i>References:</i>			

131 Employee Residency Policy (pursuant to Arbitration Ruling October 1, 2018 David W Stiteler).

All employees of the Hebgen Basin Fire District are required to establish and maintain their actual bona fide residences within a 30 minute response time to Station 1 located at 10 South Faithful Street, West Yellowstone, MT 59758. In determining whether a proposed residence is within the 30 minute response area, the District will use Google Maps to eliminate any issues regarding how fast or slow someone drives. Using Google Maps, the 30 minute response time area includes areas south to Mack's Inn Idaho and north along Montana Highway 87 to Sheep Mountain Road.


The purpose of this policy is to ensure that employees of the District are readily available in emergency situations. Any employee who does not reside within the 30 minute response time area specified above shall be ineligible for employment with the District and his/her employment shall be terminated. (Exception—those employees identified as exempt per the collective bargaining agreement)

DEFINITION. The term “residence” shall mean actual living quarters maintained by an employee. Neither voting in the District nor the payment of taxes of any kind in and of itself by an employee shall be deemed adequate to satisfy the requirements of this policy, nor shall the provisions of this policy be satisfied by maintaining a rented room or rooms by an employee when it appears that his or her actual bona fide residence is outside of the 30 minute response time area. Ownership of real property within the 30 minute response time area, when not coupled with maintaining actual living quarters, shall be deemed insufficient to meet the requirements of this policy. No consideration shall be given by the District Board of Trustees to the fact that such employee intends to maintain a residence within the 30 minute response time area if the employee actually does not maintain such a residence.

DUAL RESIDENCY POLICY STATEMENT....


The determination of actual residency shall include but not necessarily be limited to an overall consideration of the following factors:

1. At which location does the employee's family reside and attend school?
2. At which location does the employee keep his or her tangible personal property and effects?
3. At which location does the employee receive his or her correspondence?
4. At which location does the employee spend his or her time?
5. Which location does the employee list for official documents?
6. Which location is more suitable in terms of aesthetics, habitability, comparative comfort, convenience and regular access?
7. At which location is habitation fixed without any present intent to move?
8. At which location is there an apparent intent to make a permanent domicile?

	Subject:		
	Standard Operating Guidelines		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 132	<i>Distribution</i>
<i>References:</i>			

132 STANDARD OPERATING GUIDELINES

Standard Operating Guidelines will be developed by the Fire Chief, staff and volunteers. Standard Operating Guidelines will be forwarded to the Board of Trustees for review and adoption.

	Subject:		
	Hebgen Basin Fire District Volunteer Reimbursement Policy		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 12/09/2019	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 101	<i>Distribution</i>
<i>References:</i>			

133 Hebgen Basin Fire District Volunteer Reimbursement Policy

The Hebgen Basin Fire District will reimburse volunteers for costs incurred attending approved training and responses to emergency incidents. The reimbursement shall be periodically set by the District Board of Trustees and the Board of Trustees reserves the right to amend the reimbursement payments at any time.

It is the intent of the HBFD that this reimbursement policy be consistent with an Accountability Plan under IRS regulations.

Effective January 1, 2019 reimbursement will be provided in the following manner.

Base reimbursements for cost of goods related to fire and EMS response and may include but are not limited to clothing and equipment. Receipts must be provided for the cost of goods. Base reimbursement for calendar year 2020 will be \$300.00.

Paging/Communications reimbursement will be paid to members who use their cell phones for dispatch and communications purposes. Reimbursement will be in the amount of \$ 240.00 annually. Those volunteers who are enrolled in Hebgen Basin Fire Pay Per Call Program are not eligible for paging and Communication reimbursement.

Mileage Reimbursement will be paid for actual travel to training or approved meetings. Reimbursement will be paid in the amount set for mileage reimbursement by the federal government. Mileage will be paid only for response in privately owned vehicle to and from incidents, training and approved meetings.


Definitions:

Emergency Response—Personnel must respond either to the scene of the incident, and report to the Incident Commander; or check in with the Incident Commander and standby as directed. It is the sole responsibility of the volunteer to get their response documented.

- Training---Reimbursement for outside training will only be made for training authorized by the Fire Chief. It is the sole responsibility of the volunteer to get their training attendance documented.


Reimbursement Payments

- Reimbursement will be paid semi-annually in June and December.

	Subject:		
	Fixed Asset Ledger		
	<i>Original Date:</i> 02/2015	<i>Updated Adopted Date:</i> 2/2015	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 134	<i>Distribution</i>
<i>References:</i>			

134 Fixed Asset Ledger

The Fire Chief shall maintain a Fixed Asset Ledger for all capital equipment. The fixed asset ledger shall be part of the annual audit.

	Subject: Volunteer Pay Per Call Policy		
	<i>Original Date:</i> 08/13/2013	<i>Updated Adopted Date:</i> 08/13/2019	<i>Next Review:</i> 12/31/2022
	<i>Chapter</i> 1	<i>Policy #</i> 135	<i>Distribution</i>
	<i>References:</i>		

135 Volunteer Pay Per Call Policy

Purpose of Policy

The Volunteer Firefighter/EMT Pay-Per-Call Program has been established to help reimburse volunteer firefighters and EMT's for expenses and time incurred while responding to and participating in Fire Department Emergency Calls. The guidelines are provided in order to insure proper administration of this program.

Section 1- Eligibility and Conditions

1. Volunteer firefighter/EMT personnel may elect to participate in Pay-Per-Call Program
2. Volunteer firefighter/EMT personnel who are active members of the Hebgen Basin Fire District are the only personnel eligible to participate in this program.
3. In order for a volunteer firefighter/EMT to be eligible for payment, the following conditions must be met.
 - A. Must make 50% of all volunteer training that are offered in a calendar year. Trainings missed may be made up for by training with the duty crew.
 - B. Those EMT personnel must keep their certifications and licenses current if EMT Pay Rate is desired.
 - C. Those personnel responding to a call need to show up with proper PPE for type of call.

Section 2 – Administration

1. The Volunteer Pay-Per-Call Time sheet will be filled out, a time sheet needs volunteers' name, CFS Number, and hours worked. One hour minimum for all calls responded too, unless cancelled enroute.
2. The Time sheet needs to be filled out at the end of the pay period and turned into the Chief. The Chief will review and sign the time sheet if correct and turn into Pay Roll for payment on the next pay day. Time Sheets not completed or turned in on time will not be paid.
3. Volunteer EMT's who are primary care providers transporting patients will need to complete EMS charts and Reports.


Section 3-Pay Classifications

Probationary Firefighter \$12.00 Is classified as an active volunteer who has not completed their probationary period and task book.

- Firefighter \$15.00 hour Is classified as an active volunteer who has completed their probationary period and task book.
- Firefighter/Driver \$17.00 Hour Is classified as an active volunteer who has completed their probationary period, task book, driver operator training and signed off by the Chief or his/her designee to drive ambulances, fire trucks or both, must have current CPR certification.
- Firefighter/EMT \$19.00 Hour Is classified as an active volunteer who has completed their probationary period, task book, driver operator training and signed off by the Chief or his/her designee to drive ambulance, fire trucks or both, licensed State of Montana EMT, current CPR certification, EMT Task Book and Approval of the Chief or his/her designee.

Section 4-Payment

Payment will be made Bi-Weekly and mailed directly to the volunteer member. It is the responsibility of each volunteer member of the Hebgen Basin Fire District to supply administration with change of address. Payments will be made to the most current address on file.

	Subject: Educational Loan Policy		
	Original Date: 07/10/2018	Updated Adopted Date: 07/10/2018	Next Review: 12/31/2023
	Chapter 1	Policy # 136	Distribution
	References: Policy has related loan documents		

136 Educational Loan Policy

In order to provide the highest quality of EMS response to the Hebgen Basin Fire District (the "District") and the citizens we serve, the Board of Trustees has established the Educational Loan Policy (the "Policy"). The purpose of this Policy is to assist current employees in achieving their educational goals while providing a direct benefit to the District through an Education Assistance Program (the "Program").

The Policy was created exclusively for assisting current employees who are EMT's or AEMT's in becoming Paramedics due to the current shortage of Paramedics. The Policy may be applied to other education goals of current employees with the recommendation of the Fire Chief and approval of the Board of Trustees on a case-by-case basis.

Educational Assistance Program

In order to encourage employees to obtain Paramedic credentials and licensure, the District is willing to continue to provide employees who are enrolled in an education training program at an institution approved by the District for the purpose of obtaining a Paramedic degree and necessary credentials and licensure with salary and benefits of their current position for up to two (2) years of a training program. Upon completion of the training program and receipt of appropriate credentials and licensure, the employee will become eligible for assignment into a higher position contingent upon the District's needs, with the exception of a Firefighter/EMT or AEMT moving to a Firefighter/Paramedic pay grade. Participation in the Program and obtaining Paramedic credentials and licensure does not guarantee assignment to a higher position.

In addition, the District will match an employee's out-of-pocket expenses incurred in relation to participation in a District approved training program, including the costs of books, tuition and travel, up to a maximum of Seven Thousand Five Hundred Dollars (\$7,500.00) during the two year program. The maximum amount per year that is allowed is Three Thousand Seven Hundred and Fifty Dollars (\$3,750.00). In order to be eligible for the Program, the employee must notify the Fire Chief of his/her intended enrollment in a District approved training program and receive approval from the Fire Chief during the fiscal year prior to his/her intended enrollment to allow the Fire Chief to budget for the expense. Final approval will be determined by the Fire Chief in his sole discretion based upon the District's ability to fund the Program. The District's matching contribution is not a wage or benefit; it is a loan to assist current employees in becoming Paramedics ("the Loan"). To receive the Loan, the employee shall be required to sign an Educational Loan Agreement and Promissory Note (the "Note") setting forth the terms

of the Loan.

Employees who choose to participate in the Program recognize that the education assistance matching Loan will be paid off through their years of valued service to the District and the community they protect. The employee will be required to sign a Note that includes the employee's agreement to pay interest on the full amount of the Loan at a rate of 0.5% APR while employed by the District. In the event that the employee resigns or his/her employment with the District is terminated, or fails to satisfy the conditions of the Program, the interest rate on the Note will increase to 3.5% and the remaining balance of the Note shall be immediately due and payable. The employee agrees to allow the District to apply the balance of his/her unused accrued vacation and sick leave to the unpaid balance of the Loan. This agreement does not relieve the employee's obligation to repay the remaining balance of the Loan after application of any accrued unused leave.

A participating employee may be eligible for forgiveness of the Loan if he/she: (a) maintains employment with the District in good standing, meaning no disciplinary action and a favorable performance evaluation for a minimum of three (3) years after receiving Paramedic licensure/credentials; (b) maintains a valid certification and license as a Paramedic for a minimum period of three (3) years; and (c) performs the duties of Firefighter/Paramedic at all times to the reasonable satisfaction of the District. The determination of whether the employee services are satisfactory shall be at the sole discretion of the District. If services are not satisfactory, the District shall have the right to discipline the employee, up to and including termination.

The debt forgiveness of the Loan shall be granted at the discretion of the District at the rate of Two hundred and Eight Dollars and 33/100 (\$208.33) per month, following the employee's receipt of the Paramedic licensure/credential. The monthly Loan forgiveness shall reduce the total amount of the Loan. For purposes of this schedule of repayment, the repayment is calculated by full month or portions thereof and there is no modification or rounding of months.

Employee Notification: All debt and interest that is forgiven pursuant to the Program for each calendar year the employee participates in the Program is considered by the IRS to be income to the employee. The employee should be aware of potential income tax consequences of participating in the Program and contact an accountant or tax advisor regarding questions about the tax consequences of participation in the Program.

Participation in the Program in no way guarantees any right of continued employment to any employee. Nothing in the Program shall be considered a limitation upon the District's right to terminate employment with the District in accordance with applicable rules and regulations. In the event that the District terminates an employee for just cause, the employee's obligation to pay the Loan shall not terminate.

The District may terminate the Program and cancel the Loan at the District's sole discretion upon request of an employee, provided such request is predicated on extenuating circumstances, including, but not limited to, documented physical or mental disabilities, confirmed by a qualified medical examiner of District's choosing, that prevent employee from performing as a licensed Firefighter/Paramedic for District or any other employer.

Participation in Program and District Employee Home Investment Program

An Employee may participate in both the Employee Housing Assistance Program and the Education Loan Assistance Program at the same time, however the term of repayment and eligibility for debt forgiveness that is associated with each program will not run concurrently.

For example an employee in Scenario 1 has a 5 year commitment to the Employee Home Investment Program and also takes advantage of the Education Loan Program, an additional 3 year commitment shall be added, for a total of 8 years.


In the event an employee takes advantage of both programs the first Loan that will be required to be paid off is the Education Assistance Loan.

Employee Acknowledgment

I hereby acknowledge that I have received, read, and understand the Education Loan Policy. In consideration of my participation in the Educational Assistance Program, I agree to conform to the policies, procedures, rules and statements of the District set forth herein. I understand the policies, procedures and benefits described herein may be modified by the District at any time.

EMPLOYEE SIGNATURE

DATE

	Subject:		
	Employee Home Loan Investment and Retention Policy		
	<i>Original Date:</i> 10/09/2018	<i>Updated Adopted Date:</i> 05/11/2021	<i>Next Review:</i> 12/31/2023
	<i>Chapter</i> 1	<i>Policy #</i> 137	<i>Distribution</i>
<i>References: Policy has additional Loan Documents</i>			

137 Employee Home Investment and Retention Policy

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 an Employee Home Investment and Retention Policy (the "Policy"). The following Down Payment Assistance Program (the "Program") is an integral part of the Policy.

Application and Employee Eligibility

All full-time Hebgen Basin Fire District employees are eligible for the Program. Eligibility for the Program is based on seven (7) years of service to the Fire District, and is subject to the three (3) eligibility scenarios defined below. The first two (2) 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. Over the next five (5) years of service, the eligible full-time employee may qualify for debt forgiveness amortization of the down payment assistance provided by the District.

Eligibility Scenario #1

An employee, who has: (a) completed two (2) years of service with the Hebgen Basin Fire District; (b) completed an HRDC Home Buyer's Education Class and received a certificate of class participation will be eligible to receive down payment assistance.

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, to allow the District to budget for the expense. Under this scenario, the eligible employee's down payment assistance will be amortized over five (5) years.

Eligibility Scenario #2

An employee who has: (a) completed only one (1) year of service with the Hebgen Basin Fire District; (b) (1) year of service; and (c) completed an HRDC Home Buyer's Education Class and received a certificate of class participation may also be eligible to receive down payment assistance at the sole discretion of the Fire District Board. If the Board allows the employee to participate in the Program under this scenario, the down

payment assistance will be amortized over six (6) years in order to maintain the total length of the Program under both scenarios, which is seven (7) years.

Eligibility Scenario #3

An employee who has not completed one (1) year of service with the Hebgen Basin Fire District, but is progressing well through his/her probationary period, or has satisfactorily completed the probationary period, may make a written request to the Chief for an exception to the one (1) year period of eligibility under Scenario #2 for early acceptance into the Program. Prior to making the request for early participation in the Program, the employee must also have completed an HRDC Home Buyer's Education Class and received a certificate of class participation. An exception may be granted or denied by the Fire District Board in its sole discretion for any reason. If the Board approves the employee's request for early eligibility to receive down payment assistance, the employee's down payment assistance will be amortized over seven (7) years in order to maintain the total length of the Program, which under all scenarios is seven (7) years.

Down Payment Assistance/Loan

Home Purchase or Construction Loan with LAND

Hebgen Basin Fire District will match a full-time employee's down payment 1 dollar-for-2 dollar up to a maximum of Fifteen Thousand Dollars (\$15,000.00 Employee) and (\$30,000 District) 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.

Purchase of Land

Hebgen Basin Fire District will match a full-time employee's down payment dollar for dollar up to a maximum of Fifteen Thousand Dollars (\$15,000.00 Employee) and (\$15,000.00 District) towards the purchase of Land to be used to build their primary residence on. Employees who already own a home are not eligible only those who currently rent are eligible.

In the event that an employee takes advantage of the purchase of land option and uses up to the full benefit of \$15,000 for the purchase of the land the employee still has up to another \$15,000 they can take advantage of when they start the building of the home. The maximum amount of money an employee is entitled to is \$30,000 both option Purchase of Land and Home Purchase or Construction Loan. The time limits for all three scenarios still apply for Debt Forgiveness.

The District's matching contribution is not a wage or benefit; it is a loan to assist full-time employees in the purchase of a home to be used as their primary residence within the boundaries of the District ("the Loan").

Debt Forgiveness

Employees who meet the requirements described in Eligibility Scenario #1 and choose to participate in the Program will be eligible to have up to \$6,000.00 dollars, plus accrued interest, of the Loan forgiven annually during the five (5) year period of the Program.

Employees who meet the requirements described in Eligibility Scenario #2 and choose to participate in the Program will be eligible to have up to \$5,000.00 dollars, plus accrued interest, of the Loan forgiven annually during the six (6) year period of the Program.

Employees who have been granted an exception described in Eligibility Scenario #3 and choose to participate in the Program will be eligible to have up to \$4,285.71 dollars, plus accrued interest, of the Loan forgiven annually during the seven (7) year period of the Program.

Employee Notification: All debt and interest that is forgiven pursuant to the Program for each calendar year the employee participates in the Program is considered by the IRS to be income to the employee. The employee should be aware of the potential income tax consequences of participating in the Program and contact an accountant or tax advisor regarding questions about the tax consequences of participation in the Program.

Security Interest Employees who choose to participate in the Program recognize that the down payment assistance is a “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 Deed of Trust with a Deed Restriction Agreement on the property until the Loan is fully satisfied. The employee will also be required to enter into an Occupancy Agreement memorializing his/her agreement to occupy the home that is subject to the Loan as his/her primary residence.

The employee will be required to sign a promissory note secured by a Deed of Trust and Deed Restriction Agreement to receive the Loan. The terms of the promissory note will include the employee's agreement to pay interest on the full amount of the Loan at a rate of 0.5% APR while employed by the District. In the event that the employee resigns or his/her employment with the District is terminated, the interest rate on the promissory note will increase to 3.5% on the remaining balance of the note and the note shall be immediately due and payable subject to the terms of the note and Deed of Trust. The employee agrees to allow the District to apply the balance of his/her vacation and sick leave to the unpaid balance of the Loan. This agreement does not

relieve the employee of the obligation to repay the remaining balance of the Loan after application of any accrued unused leave.

In the event that an employee has participated in the 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 Loan subject to the terms of the note and Deed of Trust. Upon repayment of the loan, the employee may be eligible to continue to participate in the Program, and receive additional down payment assistance on the new home purchased based on the amount repaid that was previously available for debt forgiveness.

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 Program may be eligible to receive some assistance, which will be handled separately on a case-by-case basis as determined by the Board in its sole discretion.

Participation in Program and District Education Loan Assistance Program

An Employee may participate in both the Employee Housing Assistance Program and the Education Loan Assistance Program at the same time, however the term of repayment and eligibility for debt forgiveness that is associated with each program will not run concurrently.

For example an employee in Scenario 1 has a 5 year commitment to the housing program and also takes advantage of the Education Loan Program, an additional 3 year commitment shall be added, for a total of 8 years.

In the event an employee takes advantage of both programs the first Loan that will be required to be paid off is the Education Assistance Loan

Terms Defined

Year of Service is one (1) full calendar year from either Date of Hire or Anniversary Date.

Anniversary Date is Annual date of original Hire.

Date of Hire is first day of work

Employee Acknowledgment

I hereby acknowledge that I have received, read, and understand the Home Investment and Retention Policy. In consideration of my participation in the Down Payment Assistant Program, I agree to conform to the policies, procedures, rules and statements of the District set forth herein. I understand the policies, procedures and benefits described herein may be modified by the District at any time.

EMPLOYEE SIGNATURE

DATE

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