

## **RECORD OF PROCEEDINGS**

### **MINUTES OF A SPECIAL BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD March 30, 2010 (Tuesday)**

A special meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, March 30, 2010 at 3:00 P.M., at the Mount Vernon Country Club, 24933 Club House Circle, Golden, Colorado.

The meeting was open to the public commencing at 3:23 p.m. through 3:53 p.m.

#### **I. ATTENDANCE**

T. J Director Carney-Board President  
Julie Ann Director Courim-Vice President (Via Phone)  
Richard Director Bartlett-Board Treasurer  
Steve Director Close-Assistant Secretary

John Kilpatrick - Chief  
Patrick Ahern – Deputy Chief  
Jeanette Kehoe – Business Manger  
Scott Medford – Chief, Genesee Fire Rescue

#### **II. DISCUSSION REGARDING A RESPONSE BILLING IN GENESEE FIRE DISTRICT**

A special meeting was called to discuss a response bill submitted by Foothills Fire to a Genesee resident. On February 26<sup>th</sup> Foothills Fire responded as mutual aid to Genesee Fire for a child who was sledding and fell into a creek with injuries. The incident, which was within the jurisdictional boundaries of Genesee Fire, required the technical rope rescue team from Foothills, Genesee, and Highland Rescue. Foothills Fire responded with one rescue truck and two firefighters and was on scene a total of two hours. As per Foothill's policy, a bill was submitted to the child's family in the amount of \$780.00.

Chief Medford stated that Genesee Fire had concerns regarding the bill since they do not submit bills for any calls with the possible exception of a hazmat or wildland incident. The department had stated to residents during the last mil levy increase that they would not bill their residents for call response. It is Genesee's opinion that Foothills should not be submitting bills for mutual aid calls for any reason.

Kilpatrick recommended that the bill should be paid by the involved party's insurance. This is typically what occurs. If the bill is not paid by insurance then the involved parties have the right to petition the Foothills Board to have the bill dismissed.

Chief Medford noted that this issue has raised a lot of concern in Genesee's district. Genesee does not charge for mutual aid calls on the highway when they respond with Foothills and expect

the same in return when Foothills comes into Genesee's district. The mutual aid agreement indicates that the responsibility for billing in an incident needs to go through the resident district. If billing is submitted then Medford feels there should be an equal distribution of funds. This bill raises other issues concerning the mutual aid agreement.

Director Carney stated that Foothills specifically pursued clarification of the state laws regarding our right to bill for calls. Any agency has the right to pursue reimbursement. The mutual aid agreement may not specifically anticipate billing concerns and may need to be looked at further. It was clarified that Foothills does not bill for fires or medical calls but does bill for rescue calls regardless of where the involved party lives.

Chief Medford requested clarification of Foothill's policy for billing Genesee residents on mutual aid calls. They have received concerns from taxpayers and are looking for a resolution. They are not interested in terminating the mutual aid agreement. Director Carney noted that in contrast to Genesee residents there has been concern amongst the Foothills residents that the department does not bill enough for rescue calls. There has also been concern regarding whether or not Foothills should be spending resources on highway calls.

Chief Kilpatrick clarified that the call came from Jefferson County dispatch with an original location of Genesee Trail Avenue and I-70. The tone first came to Foothills and Highland Rescue. Highland arrived first on scene and established that it was in Genesee's district and requested that Genesee be toned. It was then noted that this would be a call for the Foothills, Genesee, and Highland rope rescue team. Chief Medford again noted that there is concern among Genesee residents and firefighters that this was a mutual aid call and that Foothills is expecting reimbursement when Genesee does not.

Director Close noted that Genesee has gone for a higher mil levy so they do not have to bill for call response. In comparison Foothills has used billing to supplement the tax base due to the exposure on I-70. The number of similar rescue calls that we bill for is very minimal and a rare occurrence according to Manager Kehoe. Director Courim stated that if there would not be a huge loss of revenue then should we not bill for mutual aid calls to Genesee rather than jeopardize our mutual aid relationship. Director Carney pointed out that if it was a Foothills resident in a similar situation they would be submitted a bill. Director Courim asked that though all calls on I-70 should be billed, should we be billing residents of either district if they are involved in an incident? Director Carney recommend that this discussion be placed on the April board meeting agenda.

**A motion was made by Director Bartlett to withdraw the \$780.00 bill. The motion was seconded by Director Courim. The motion passed 3-1 with Director Carney dissenting.** Notification would be sent to the involved parties that the bill has been revoked.

### **III. ADJOURNMENT**

**A motion was made to adjourn the meeting at approximately 3:53 p.m. by Director Bartlett and seconded by Director Close. The motion passed 4-0.**

**The following Directors have reviewed and acknowledged the minutes:**

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**Dick Bartlett**

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**T. J. Carney**

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**Steve Close**

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**Julie Ann Courim**

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**Patrick Smith**