



**RECORD OF PROCEEDINGS
REGULAR BOARD MEETING
December 6, 2022**

Authority Board President Ed Van Walraven called the meeting to order at 9:04 a.m. Other Board members present were Leroy Duroux, Scott Arthur, Elizabeth Striegler, Greg Balko, Dave Heivly and John Young (via Lifesize). Others present were Chief Scott Thompson, Deputy Chiefs Richard Cornelius and Kevin Issel, Fire Marshal John Mele, Deputy Fire Marshal Brooke Stott, Assistant Fire Marshal Jim Pidcock, Finance Director Jennifer Thompson, Human Resources Director Renee Thomas, IT Director Erik Johnson, Attorney Bob Cole (via Lifesize), Battalion Chiefs Andy Fisher and Chance Goldyn, Division Chief Daniel Palmer, Lieutenants James Dirkes and Jessica Waltenburg, Firefighters Nicholas Braun, Craig Mackey, Paul Massey, and Evan Levine, Executive Assistant Jennifer Diamond.

Swearing In Ceremony:

Chief Thompson stated that Nick Braun was hired in June 2022. He is a graduate of Aspen High School and will be attending Paramedic school next year. Nick was sworn in as a Firefighter/EMT-B.

Minutes of October 18, 2022, Meeting:

Director Arthur stated that he had one correction for last month's minutes. At the end of the discussion about the number of hours that we post in our pay announcements, the chief said that the executive team recognizes that we need to address the 156-hour discrepancy and that it should be added to our posted salaries at straight time. Director Duroux made a motion to accept the minutes as corrected, the motion was seconded by Director Streigler. All were in favor and the motion carried 6 – 0.

Attorney's Report:

Attorney Cole stated that over the past month he had been working on our employee housing leases to make sure that they comply with both ADA and the Fair Housing Act.

He also assisted the staff with some minor comments on the Cultural Handbook.

He also worked on the Station 46 construction project. An equipment supplier/sub-contractor was slow in getting paid from the General Contractor. We got this issue resolved.

Chief's Report:

Chief Thompson stated he would like the Board's feelings on the following. The developer of the River Plaza in Basalt between the Rocky Mountain Institute and Free-Range restaurant has four employee housing units, two two-bedroom units and two three-bedroom units, and office space. They are supposed to go to a non-profit entity. The developer hasn't been able to sell them. Are we interested? The two-bedroom units are \$675,000 each. The office space is \$250,000. There are category two deed restrictions in the Town of Basalt. The maximum salary one person can make to qualify for these units is \$95,000. With this restriction, Chief Thompson doesn't know whether these units would work for us. We would try to get the salary restriction changed. Does the Board want him to spend any time on this? Discussion. The consensus of the Board was for Chief Thompson to continue looking into the restrictions on these units.

Chief Thompson stated that invitations were sent out for the Station dedication ceremony at Station 46 on December 9 at 10 a.m. This event was published as a meeting so that more than two Board members could attend.

Chief Thompson stated that he is working with Hillary Fletcher and Tom Oken to do a tax burden analysis to see where we can go with the Master Plan. Hillary would like both Boards to meet towards the end of January in a retreat to discuss the Master Plan. We need to come up with a plan for how to proceed. Attorney Cole stated that the drop-dead date for certifying a ballot question to the County Clerk is the second week of August 2023. If you don't have a plan in place way in advance of this deadline, you won't have enough time to educate the voters on your issue. Once you certify the ballot, you are really hands off at that point because you can't talk about it after that, or it may be seen as campaigning for the issue. Chief Thompson stated that we would probably send out a community newsletter in June explaining the issue and why we need it.

Finance Director's Report:

HR Director Thomas stated that a compensation survey is completed annually. The memo included talks about the pay philosophy, the market that was surveyed, the results of the survey, and how it affects people. She explained how she used the data collected. Thirteen operational employees have fallen below the minimum (6 Firefighter/EMT-B and 7 firefighter/Paramedics). We had to adjust the budget to move these people to at least the minimum range.

We currently use 2756 hours annually for fire professionals based on FLSA standards. Anything over this is considered time and one-half. With the information that she received, she decided to keep it the same as in previous years because 2912 also adds in built in overtime. The salary survey data just gives her a flat number. She explained what happens when trying to figure out hourly rates with a flat number. Much discussion ensued regarding salary and how salary ranges are figured.

HR Director Thomas stated that we have a strategic plan committee that is working on compensation. They are looking at different compensation avenues for staff. We have proposed a PTO cash out which would provide some extra compensation to staff members and reduce our unfunded liability for PTO banks. She has added some language to the PTO policy that will allow staff to cash out 40 hours and operations to cash out 48 hours of PTO per year.

Finance Director Jennifer Thompson stated that this is the first reading of the 2023 budget. She explained the changes to the budget and budget process.

Resolution Four approving supplemental expenditures and revenues for each fund and adopting a supplemental budget for the General Fund the calendar year beginning on the first day of January 2022 and ending on the last day of December 2022. Director Duroux made a motion to approve resolution 4 as presented. The motion was seconded by Director Streigler. All were in favor and the motion carried 6 – 0.

Resolution Five to Adopt Budget for 2023. Director Duroux made a motion to approve resolution 5 as presented. The motion was seconded by Director Streigler. All were in favor and the motion carried 6 – 0.

Finance Director Thompson stated that she doesn't anticipate us going over budget this year.

Human Resource Director's Report:

HR Director Thomas that the strategic plan continues to move forward as each team works on their initiatives. The cultural committee will be presenting the cultural handbook to you today. The handbook has been reviewed by Hillary Fletcher, Attorney Cole, and the executive team. We want to meet with Hillary in January to update the timeline and assign new teams for 2023. Renee introduced Battalion Chief Change Goldy as the cultural team lead. He gave an overview of the makeup of the cultural team and the team presented the cultural handbook to everyone via power point. We are going to implement this into the hiring process so that if interviewees don't align with what our beliefs are, maybe they won't be a good fit for the organization. The Board all felt that this was a great product and thanked the team for their hard work.

HR Director Thomas did register our organization with the State of Colorado as a government entity that opted out of FAMLI.

HR Director Thomas stated that we are working on a recruitment to replace two full-time firefighter positions. The interviews will take place on Tuesday, December 13. We are going to create an eligibility list in anticipation of hiring three more full-time firefighters in January.

HR Director Thomas stated that the executive team has been working with the State of Colorado and workers compensation to provide 100% pay to employees who have been injured on duty. This project is continuing. When the employee was released to return to

work the State would then send the Authority a check for the 66 and 2/3% of pay that would have normally been sent to the employee. This would not be a detriment to the employee because they would still be accruing PTO and medical benefits like normal. This would be a benefit to employees and would be a cleaner way of doing things. Director Arthur asked whether the District would end up covering the 1/3 of wages while the employee is out. HR Thomas said yes, but those wages are already budgeted for at the beginning of the year. Lots of discussion ensued.

Fire Marshal's Report:

Deputy Fire Marshal Brooke Stott stated that we have some programs that can capture our progress throughout the year. Our fire inspectors are doing an outstanding job. In the 2021 annual report, we completed 336 inspections. Through the end of November 2022, we have already completed 388 inspections. Fire Marshal Mele stated that fire/life safety inspections had decreased over the last couple of years due to the overwhelming increase in construction throughout our district. We are now able to catch up with those inspections. A 125-foot crane is going to be installed in Snowmass Village soon at one of the construction sites. Fire Prevention isn't just about public safety it is also about our safety. The Fire Prevention Division is always on the lookout for dangerous situations that could impact our personnel. We update the Officers on what is going on each month at their meeting.

Deputy Fire Marshal Stott stated that she is working on a way to collect fees via credit card when someone submits items for review online. This will increase our collection capability and decrease the amount of time spent tracking down payments. This will also allow us to track the money better.

Chief Thompson commends the Fire Marshals for the job that they are doing and the fact that they have been able to get us caught up on inspections. He is hearing good things from the community.

Deputy Chief Cornelius' Report:

Professional Services Agreement

DC Cornelius stated that this agreement has been reviewed by Attorney Cole. This document is for Dr. Joe Livengood's continued service as our Medical Director. This document was originally signed in 2019 and was good for five additional renewals. We have changed the compensation from \$20,000 to \$20,545.25 to compensate for the increase in costs for memberships to the National Association of EMS Physicians in Colorado and increases in additional professional liability insurance requested by Attorney Cole.

Proposed Ambulance Service Billing Policy

DC Cornelius stated that this policy was originally discussed during the October meeting. The policy was presented to the Board. It was approved and received back from Attorney Cole this morning with the following recommendations. Attorney Cole's recommendations explained.

Director Streigler made a motion to approve the Ambulance Service Billing Policy as presented. The motion was seconded by Director Arthur. All were in favor and the motion carried 6 – 0.

November Volunteer Hours

458 total volunteer hours; 330.5 In-station hours; 92.5 Responding from Home/Work (73 of which were OCO hours); 35 All-Call Only

Incidents

November 2022

We responded to a total of 168 incidents. 70 of those were EMS related incidents.

November 2021

We responded to a total of 129 incidents. 51 of those were EMS related incidents.

This is an increase of 39 incidents or 30.2% over last year.

January 01, 2022, to November 30, 2022

We responded to a total of 2243 Total Incidents. 1055 of those were EMS related incidents.

January 01, 2021, to November 30, 2021

We responded to a total of 2049 Total Incidents. 977 of those were EMS related incidents.

This is an Increase of 194 incidents or 9.5% over last year.

Wildland Committee

Led by Lt. Dekleva. Members include BC Hutter, Lt. McPhee, Lt. Blangsted, David Klebes, Duane Vasten, Cody Espinoza

Their October meeting included discussion on the new specifications for wildland apparatus (Type III or VI), chainsaw repair and maintenance and ways to continue to improve the Wildland Severity Patrol. They are planning for an S-130/S-190 course and the annual RT-130.

Driver Operator Guideline Group

Led by BC Fisher. Members include Jesse Tanner, Steve Howard, Cody Espinoza They have worked diligently to update the Driver Operator Pumper credential, specifically related to the Type III that would soon be Engine 46 and previously worked on the Driver Operator Aerial Credential.

Denver Health Paramedic Education Program

Catharine Pieck and Rachel Thomas are completing hospital clinicals and their field internships. Both are doing great. They are both in their capstones and should be finishing up in December. Cat was on her 44/50th ride Thursday!

New Ambulance

The Ford F450 chassis arrived at the Braun Northwest factory. We are still awaiting a final line item and drawings. Fabrication should be done in January with a rough assembly of the module done in February and a possible final inspection in March and delivery following shortly after that. The EMTS Grant approved on June 27, 2022, for \$126,195 covering an ambulance equipped with a power cot and load system finally received a Statement of Work. It was signed by Authority BOD President Van Walraven on November 07, 2022. A fully executed purchase order was received November 16, 2022, with an expiration date of June 30, 2024. A second Ford F450 chassis was ordered.

CO EMS Supplemental Payment

We submitted our FY 2022 CO EMS Supplemental Cost Report on November 28, 2022. For FY 2021 after the 10% State Administration Fee, we received \$76,860.02. We did see an increase in the number of Medicaid patients transported in FY 2022 (58 vs. 44). Please note because the new Medicaid Fee for Service (FFS) rates went into effect on July 01, 2022, the FY 2022 supplemental payment will be reduced even though more Medicaid patients were transported; however, the grand total of MTS Expense increased 23.08% and we could see additional monies. A desk review will take place in February 2023. If randomly selected for a comprehensive audit review (CAR), that will take place in March 2023.

Medicare Cost Reporting

The Centers for Medicare & Medicaid Services (CMS) published the lists of ground ambulance suppliers and providers selected for Years 3 and 4 of the Medicare ground ambulance data collection system. We were selected for Year 3. Our Medicare Cost Reporting data collection period will run from January 01, 2023, to December 31, 2023. We must submit all data within 5 months after our data collection period ends. Any agency that does not participate in Medicare Cost Reporting will be subjected to a 10% reduction in payments under the ambulance fee schedule (AFS).

Medicare Payments

CMS has announced the 2023 Ambulance Inflation Factor (AIF) of 8.7% beginning with dates of service on or after January 1, 2023. This is the largest percentage increase in the AIF in the history of the Medicare Ambulance Fee Schedule, dating back to 2003. The previous highest increase was 5% in 2009. When considering our 2023 "raise" we are anticipating passage of the legislation necessary to renew the ambulance fee schedule bonus payments (the 2 urban%, 3% rural and 22.6% super-rural add-on payments) for 2023. We are classified as super-rural.

Ambulance Base Rate Charges and Bundled Billing

For the month of October, we billed \$163,483.47 for 55 patients that were transported to the hospital. This averages out to \$2972.43 per transport. September was similar with \$196,595.87 billed in gross charges for 69 patient transports. This averaged out to \$2849.22 per transport.

Ambulance Service Billing Policies

At the October Authority BOD we discussed that on December 07, 2016 the Office of the Inspector General (OIG) published a new "safe harbor" regulation under the anti-kickback statute (AKS). Under the safe harbor, government-owned/operated ambulance providers and suppliers can receive protection under the AKS if they choose to waive the collection of beneficiary cost-sharing amounts, if they meet certain requirements. One such requirement is that the reduction or waiver must be offered on a uniform basis to all of its residents. We can still charge cost-sharing amounts to nonresidents. A separate financial hardship administrative policy should also be part of this to address nonresidents who would not be eligible for waiving cost-sharing amounts.

Celebration Events

The Holiday Party will take place at Bowlski's on Sunday, December 11 from 1630-1830. Bowling, food, and beverages will be provided. Raffle prizes will also be given out, including for BEST and or Ugliest Christmas Shirt, Sweater, or Outfit. Thanks to the Authority Board for providing funding to support our quarterly celebration events. The 2023 celebration event schedule will be published soon.

Deputy Chief Issel's Report:

Deputy Chief Issel stated that we would be installing an electrical vehicle charging station in the parking lot next week. This project is being completed with grant assistance from the State. Grant funds will cover about 80% of the cost. Remaining cost will be split between the Snowmass Chapel, Anderson Ranch, and the Authority. Finance Director Thompson is going to set up an account for electrical charging. When someone uses the charging station, they will swipe their credit card and the money will go into that account. Out of pocket costs for this project are being paid by the Snowmass Chapel. When the project is done, the Authority and Anderson Ranch will receive a bill for their portion.

We are having the dedication ceremony for Station 46 on Friday. If all goes well, we will be able to let our firefighters start moving in on Saturday.

He is on a communications committee with other agencies and dispatch. Some new policy changes will become effective December 12, 2022. This will allow our responders to be notified of an incident quicker. They will receive call details while in route to the call.

Master Plan:

Chief Scott Thompson stated that he was working with Hillary Fletcher on a taxpayer burden analysis. Both Boards will hold a joint meeting in January to discuss the master plan. Short-term and long-term goals that are being worked on are in your meeting packet.

Public Comments:

None

Board Comments:

Director Arthur stated that he wants to circle back to the discuss about pay because he feels that it got derailed from the direction, he wanted it to go. He reiterated what he had stated earlier with regards to the 2756 hours used to calculate salary and the 2912 actually worked. He states that he believes that we are advertising the salary for our firefighting positions inaccurately. He recommends that we don't change the hourly rate that has been figured out but to advertise what firefighters are getting paid. HR Thomas stated that when she last advertised for a firefighter, she stated that the salary doesn't include built in overtime. She changed the wording in her advertisement and not the numbers. Director Arthur wants her to change the numbers and not the wording. HR Director Thomas stated that she removed the salary range altogether and just posted the hourly rate. Director Arthur stated that would work.

Director Striegler stated that on page 56 of the packet the separation of financial duties is discussed. She just wants to make sure that all Board members are aware of these duties, how they are divided up among staff, and all of the internal controls that are in place with regards to the finance department.

Director Young wants to commend Finance Director Jennifer Thompson, the budget, and the clean audits that we receive each year. It is a lot of work, and she does and extraordinary job for us.

Director Young stated that he was also very impressed with the cultural handbook as presented. He would like the Board to adopt the cultural handbook by resolution. He read what he had come up with to everyone. A formal resolution will be approved at the meeting in January. Attorney Cole stated that the Board could not approve the proposed resolution by email. You could hold a special meeting or approve it in January. Director Arthur stated that the resolution should list the names of the cultural handbook committee. Director Van Walraven stated that a special meeting will be scheduled via Lifesize.

Staff Comments:

Chief Thompson stated that he needed to share a recent incident with everyone. Director Arthur came in and met with one our Lieutenants for over one-hour recently behind closed doors. This meeting was not approved by the Deputy Chief of Operations, the Deputy Chief of Administration, or the Battalion Chief on duty. This is

concerning. The Lieutenant on duty was taken off the floor and there was a trainee in station that day. Chief Thompson stated to Director Arthur that he was not happy about it. Director Arthur stated that he came over in the role of Training Officer from Aspen Fire to go over JPRs fire and life safety educator. Lt. Perusse was doing the same for me. Chief Thompson stated that when you do things like this, you need to tell someone because it created a stir here. Director Arthur stated he had assumed that Lt. Perusse had okayed the meeting. Chief Thompson stated that Deputy Chief Cornelius was looking into it. Director Arthur apologized and stated that it had nothing to do with Board business. Chief Thompson stated that it was perception. When you are on District property, you are first and foremost and elected Board member. Director Wal Raven stated that we need to be more cognizant of the interaction if a meeting is going to take place. Chief Thompson stated that he just asks for communication. Discussion. Attorney Cole gave his professional opinion. He encourages all Board members that interact with our personnel outside of a Board meeting to let everyone know in what capacity they are doing so whether it is as Training Officer for Aspen Fire, Board member for the Authority, or personal business. Board members will always be thought of as Board members no matter what the context of the situation is. Director Wal Raven stated that in the interest of transparency, please just let the chain of command know what is going on. Director Arthur stated that he is discouraged. This incident happened weeks ago. Why wasn't he or Lt. Perusse approached about it then instead of bringing it up in this meeting? Chief Thompson stated that it took time to get to him.

Chief Thompson stated that he has another issue. A couple of other agencies have reached out to him to complain stating that HR Director Thomas already has contacted them regarding compensation data and that they are now being contacted again by Director Arthur for the same information. HR Director Thomas has all this information. Please let her do her job. Your intent is unclear. Director Arthur stated that he had reached out to find out how the other districts are doing in preparation of the fact that every department in the valley is going to be hiring in the future and he wanted to know how we compared. This is public information, so he doesn't see why it's an issue. Chief Thompson stated that you are now considered a public official as an elected Board member. It doesn't look right. A compensation analysis is done every year. You were told that it was going to be presented at this meeting. Please let us do our job. Director Arthur stated that it is also important to him as a Board member to know what is going on. He has been told that he cannot contact HR Director Thomas for this information. Why is this not allowed? Chief Thompson stated that you are requiring the other districts to do twice the work. Director Arthur stated that all he is trying to do is make sure that he is well informed Board member. Director Duroux told Director Arthur that when he has questions, he should go through Chief Thompson, Director Striegler, or Director Van Walraven for answers. The job of a Board member is to approve policy and the budget. Staff implements policy and creates the budget.

Old Business:

None

New Business:

None

Volunteer Meeting:

Chief Thompson stated that the volunteer meetings are going back to the first Tuesday night of each month. The next volunteer meeting will be held in person on Tuesday, January 3, 2023, at 6:00 p.m. at Station 42. Director Van Wal Raven stated that he would attend this meeting.

Non-Agenda Items:

Executive Assistant Jennifer Diamond thanked the Board for the \$100.00 Kroger gift cards for everyone.

Chief Thompson stated that we now have off duty t-shirts for all to wear.

The annual awards dinner is scheduled for Saturday, January 14, 2023, at the Roaring Fork Club beginning at 5:30 p.m. Please R.S.V.P. by January 4, 2023, if you will attend. Jennifer Diamond will be sending out invitations soon.

Adjournment:

Director Young made a motion to adjourn the meeting, it was seconded by Director Duroux. All were in favor and the motion passed 6 – 0. The meeting was adjourned at 11:02 a.m.

To watch this meeting in its entirety, please go to the following link:

<https://youtu.be/tURWGpHBI1k>