

Ebbetts Pass Fire District



BOARD OF DIRECTORS NOTICE OF REGULAR MEETING

9:00 A.M. Tuesday, December 19, 2023
1037 Blagen Road, Arnold

In compliance with recently issued guidelines from the State of California and other governing agencies, and in order to aid in keeping the public safe, Ebbetts Pass Fire District (EPFD) continues to conduct our Board Meeting via teleconference in addition to the physical location.

To access the meeting please visit zoom.us website and enter Meeting ID: 832 6384 4496 with passcode: 601546. If you need assistance in accessing this information, please email epfd@epfd.org or call the EPFD office at 209-795-1646, Monday through Friday, 8:00 am to 5:00 pm. You may also register in advance for this meeting:
<https://us06web.zoom.us/j/83263844496?pwd=libd2X4b0SaBlfkE5DyhvXWPycBVS.1>

If you would like to comment on any item on our Agenda or an item not on the Agenda, please submit those in writing to our office at PO Box 66, 1037 Blagen Road, Arnold CA 95223 or via email at epfd@epfd.org at least 24 hours before the meeting. You may also submit comments via the "Chat" function available during the teleconference online.

MEMBERS OF THE BOARD

J. Scott McKinney, President Mike Barr, Secretary
Denny Clemens Jon Dashner Pete Neal

Concerning Public Comment

Please Note: The Board of Directors offers the opportunity for the public to speak to specific agenda items during the time that agenda item is discussed by the Board. The Board also allows an opportunity for the public to speak on non-agenda items during "public comments" prior to the conclusion of the meeting. The Board may not make any decision related to non-agendized items until the next Board meeting.

AGENDA

1. **Call to Order, Flag Salute, Roll Call**
2. **Public Appearances/Comment:** The Board will hear public comment on any agendized or non-agendized item. The Board may discuss public comment but may not take action.
3. **Consent Items:** Board action limited to discussion and approval of:
 - 3.1. Minutes: 11/15/23
 - 3.2. Acceptance of November 2023 Checks Listings and Authorize to File for Audit
4. **Committee Reports:** The Board will discuss the status of the following matters. The Board may take action on recommendations and/or give direction to staff or committee members related to follow-up on specific matters addressed by the committee.
 - 4.1. **Finance Committee** (Directors Dashner & Barr)
 - 4.2. **Personnel/Safety Committee** (Directors Dashner & McKinney)
 - 4.2.1. Probation Conclusion – Transition to Full-time Status in the Position of Firefighter-Paramedic - Kyle Salyer

NOTICE OF REGULAR MEETING – continued

December 19, 2023

- 4.3. **Fire Prevention Committee** (Directors Neal & Clemens)
 - 4.3.1. Unimproved Lot Inspection Annual Report
- 4.4. **Apparatus/Equipment Committee** (Directors McKinney & Neal)
5. **Scheduled Items:** The Board will discuss and take action on the specific items listed below.
 - 5.1. **Election of Board President and Board Secretary:** The Board of Directors will elect officers to serve as President and Secretary for the calendar year 2024.
 - 5.2. **Appointments of Board Committee(s):** Assign members of the Board of Directors to various committees (Finance, Personnel/Safety, Apparatus/Equipment, and Fire Prevention) for calendar year 2024.
 - 5.3. **Nossaman LLP:** 2024 Billing Rate Increase
 - 5.4. **Hoblit Ram Invoice**
 - 5.5. **Policy Review:**
 - Draft Policy:**
 - 5.6.1. **Policy 6800 Personnel – Physical Medical Exam**
Staff Recommendation: 1) Discuss; 2) Table
 - Updated Policies:**
 - 5.6.2. **Policy 6730 Personnel – Drug and Alcohol Abuse – Testing Circumstances**
Staff Recommendation: 1) Discuss; 2) Table
6. **Reports:** The Board will hear reports on the following matters. The Board may discuss information contained in these reports.
 - 6.1. Administrative Report
 - 6.2. Legislative Report
 - 6.3. Administrative – EMS
7. **Comments, Questions, and Consideration:** The Board will entertain comments and questions from the following individuals or representatives. The Board may discuss these comments or questions on these items but may not take action.
 - 7.1. Board Members
 - 7.2. Firefighters' Association
 - 7.3. Employees' Group
 - 7.4. Public Comments
8. **Adjournment of Regular Meeting**

ADMINISTRATIVE STAFF:

Michael Johnson, Fire Chief Cheryl Howard, Secretary

Ebbetts Pass Fire District



MINUTES

Board of Directors
November 21, 2023

SUBJECT TO APPROVAL

1. The meeting was called to order at 9:00 A.M. with additional accommodation for the public through the use of Zoom Meetings. Board President Scott McKinney called the meeting to order and the Pledge of Allegiance was recited.

Directors present: Michael Barr
Denny Clemens
Jon Dashner
Scott McKinney
Pete Neal

District personnel present: Fire Chief Mike Johnson, Erin Felby, Rodney Hendrix
Aaron Downing, James Crabtree, Glenn Verkerk
Josilyn Layton

Others present via Zoom Meeting: Cheryl Howard, Bertha Underhill
Public present: None

2. **PUBLIC APPEARANCES/COMMENT** - None

3. **CONSENT ITEMS**

Mr. Barr made a motion to approve Consent Items 3.1 and 3.2. Mr. Dashner seconded; motion passed 5-0 (AYES: Barr, Clemens, Dashner, McKinney, Neal).

4. **COMMITTEE REPORTS**

- 4.1. Finance Committee (Directors Dashner & Barr)

Chief Johnson reported there were only six weeks left until the midpoint of the fiscal year and the first Teeter allocations. He added that the revenue from ambulance transports were better than budgeted for this point in the fiscal year.

- 4.2. Personnel/Safety Committee (Directors Dashner & McKinney)
Chief Johnson reported there were no new injuries although one employee was currently off due to an old injury.
- 4.3. Fire Prevention Committee (Directors Clemens & Neal)
Chief Johnson reported there had been a Calaveras County JPA meeting and Doug Oliver had reported there would be an interim Fire Prevention Officer with the County interim appointment of Michael Clark in January. Additionally, BC Aaron Downing and FPO Joan Lark had recently inspected/toured Timber Trails and had noted the large strides towards fuels reduction completed around and within the community.
- 4.4. Apparatus/Equipment Committee (Directors McKinney & Neal)
Battalion Chief Aaron Downing reported on the status of the apparatus and the ordered chassis.

5. Scheduled Items

- 5.1. Consideration of Scholarship for Paramedic Program Applicant Josilyn Layton
Firefighter-EMT Josilyn Layton asked for the Board's support for her to participate in the Paramedic Hybrid Program at Sacramento State University. She explained the three phases that would be required of her upon acceptance to the program—Didactic, Clinical, and Internship. Noting the school only planned to have the one hybrid class this year had moved up her consideration of participation, she explained there would be times when she would be needing coverage especially while she attended classes during the Didactic whereas during the other two phases she should be able to schedule around her on-duty schedule. After some discussion with Chief Johnson regarding medic requirements by the District, Mr. Barr made a motion to approve the Josilyn Layton's request for the District to reimburse her for class registration costs to obtain her Paramedic certification and license and to also cover her shift time when needed. Mr. Dashner seconded; motion passed 5-0.
- 5.2. Health Management Associates: CY 2022 Inter Governmental Transfer (IGT) Revenue
Chief Johnson reported the IGT amount is estimated to be \$644,939 which is very good. He reminded the Board of the potential of using this as a paydown toward the PERS UAL.
- 5.3. CalPERS Additional UAL Payment to Avoid Negative Amortization for Plans
Chief Johnson reported that this was the correspondence showing the Board-approved payment to PERS.
- 5.4. Employee Reimbursement Report – Fiscal Year 2022-23
Chief Johnson noted this report was one to be done annually in the effort to show government transparency. Mr. Barr made a motion to approve the Employee Reimbursement Report for Fiscal Year 2022-23 as presented. Mr. Dashner seconded; motion passed 5-0.

5.5. EPFD Appropriations (Gann) Limit Calculations

Chief Johnson reported that he and Cheryl Howard had met recently with County Counsel regarding the District's challenge to stay under its Gann Limit. He noted the challenge was with the approval of the third special tax which had included the wording for approving a higher Gann Limit was only allowed for four years. He noted efforts to stay below the Gann Limit were successful in gaining knowledge if not creating a stay of the increased limit and more discussion would be necessary during the coming months.

5.6. EPFD Policy Review:

5.6.1. Policy 6800 Personnel – Physical Medical Exam

Mr. Clemens asked whether a back x-ray could be included in the physical for new hires. The Board's consensus was to table discussion until the next regular meeting.

5.6.2. Policy 6730 Personnel – Drug and Alcohol Abuse --- Testing Circumstances

The Board's consensus was to table discussion until the next regular meeting.

5.6.3. Policy 5060 -- Expense Authorization

5.6.4. Policy 5050 -- Accounting Procedures

Following brief discussion, Mr. Neal made a motion to approve Policy 5060 Expense Authorization and Policy 5050 Accounting Procedures. Mr. Dashner seconded; motion passed 5-0 (AYES: Barr, Clemens, Dashner, McKinney, Neal).

5.7. December Regular Meeting

The Board's consensus was to have its regular meeting as scheduled on December 19, 2023. Mr. Barr commented that he would be unable to attend.

6. **REPORTS**

6.1. Administrative Report

Chief Johnson noted the Annual Awards Dinner was scheduled for Saturday, December 2, 2023. He also noted that the District had received a donation of a refrigerator and a large TV from Aaron Downing's neighbors.

6.2. Legislative Report

Chief Johnson reported that SB553 required the District to create a comprehensive violence program by July 1, 2024. He expressed the hope that between then and now there would be opportunities to learn and help with its creation.

6.3. Administrative - EMS

Chief Johnson reported that a meeting including American Legion Ambulance, Mountain Counties EMS Agency, and the Sheriff's Office would be done to discuss proper ambulance response to the Murphys area.

7. COMMENTS, QUESTIONS, CONSIDERATIONS**7.1. Board Members**

Mr. Clemens asked the staff to remain safe during the upcoming holidays.

7.2. Firefighters Association

Glenn Verkerk reminded everyone to get their RSVP's in for the Awards Dinner and thanked Mr. Dashner for his donation of the wine for the event.

7.3. Employees' Group

Rodney Hendrix thanked the Board members for their patience with the delay for scheduling a meeting regarding the medical exam policies.

7.4. Public Comments

Bertha Underhill expressed her pleasure that the Board was staying on top of needs within the fire district.

8. ADJOURNMENT

Mr. Dashner made a motion to adjourn. Mr. Neal seconded; motion passed 5-0. 9:57 A.M.

Respectfully submitted,



Cheryl Howard
District Secretary

FIRE OPERATIONS ACCOUNT SUMMARY SHEET - NOV 2023

ACCOUNT	No.	BUDGET	Month	Year-To-Date	ACCOUNT BALANCE	% Disbursed Year-To-Date
SALARIES & BENEFITS	5001					
Salaries/Wages	-1.001	1,294,096	101,708.86	506,389.47	787,706.53	39%
Extra Hire	-1.002	10,000	0.00	2,181.93	7,818.07	22%
Extra Hire - Intern	-1.003	46,506	1,372.35	8,156.24	38,349.76	18%
ST/TF FF Payments	-1.004	50,000	0.00	0.00	50,000.00	0%
Volunteer FF Relief	-1.005	40,000	478.03	2,390.15	37,609.85	6%
Retirement-UAL	-1.049	176,425	77,137.00	151,918.30	24,506.70	86%
Retirement	-1.050	198,824	16,440.20	82,136.05	116,687.95	41%
Group Insurance	-1.055	290,770	19,844.26	114,599.08	176,170.92	39%
SERVICES & SUPPLIES	5111					
Safety Clothing	-1.111	51,190	0.00	16,962.83	34,227.17	33%
Safety Equipment	-1.115	6,000	0.00	0.00	6,000.00	0%
Communications-Radios	-1.121	9,560	0.00	5,424.76	4,135.24	57%
Communications-Phone	-1.124	16,000	512.24	2,540.42	13,459.58	16%
Food - Fire Line Meals	-1.131	640	0.00	212.68	427.32	33%
Housekeeping	-1.141	6,800	911.84	3,764.19	3,035.81	55%
Insurance-Prop/Liability	-1.151	55,160	0.00	55,160.00	-	100%
Insurance-Workers Comp	-1.153	92,000	0.00	91,892.22	107.78	100%
Maintenance-Apparatus	-1.181	59,000	11,960.78	30,683.86	28,316.14	52%
Maintenance-Utilities	-1.182	10,000	1,462.82	4,741.80	5,258.20	47%
Building Maintenance	-1.201	28,230	2,225.00	12,761.66	15,468.34	45%
Emergency Care/Rescue	-1.211	1,275	0.00	0.00	1,275.00	0%
Memberships	-1.221	9,525	0.00	375.00	9,150.00	4%
Office Expense	-1.241	14,982	2,481.45	11,444.55	3,537.45	76%
Office Expense-Postage	-1.243	1,000		172.76	827.24	17%
Office Expense-Copies	-1.245	690	44.24	222.24	467.76	32%
Professional Services	-1.271	33,000	3,700.00	4,159.36	28,840.64	13%
Small Tools/FF Equipment	-1.401	13,000	2,253.52	8,061.18	4,938.82	62%
Small Tools-Hose/SCBA	-1.402	10,600	0.00	2,891.38	7,708.62	27%
Special District Expense	-1.411	20,050	579.19	4,850.81	15,199.19	24%
SDE--Health Maintenance	-1.412	44,700	650.00	1,230.00	43,470.00	3%
Training	-1.422	12,500	311.49	2,637.49	9,862.51	21%
Travel/Education	-1.478	9,000	0.00	141.18	8,858.82	2%
Transportation Fuel	-1.480	27,700	955.98	8,465.76	19,234.24	31%
Utilities - Water/Sewer	-1.501	4,900	799.64	2,410.97	2,489.03	49%
Utilities - Electrical	-1.504	12,520	788.64	4,681.68	7,838.32	37%
Utilities - Propane	-1.505	14,280	432.48	879.72	13,400.28	6%
LAFCO Fee	5627	4,928	0.00	4,927.48	0.52	100%
FIXED ASSETS						
Building Fund: Structures	5640	263,698	105,848.61	105,848.61	157,849.39	40%
Equipment	5701	92,592	0.00	0.00	92,592.00	0%
Fire Operation Fund Totals		3,032,141	352,898.62	1,255,315.81	1,776,825.19	41%

CHECKS ISSUED LISTING - Nov 2023**FIRE OPERATIONS**

Check No.	PAID TO	PURPOSE	AMOUNT
5001.1.001: SALARIES			
26701, 26827	Payroll / Statutory Elective Withholding / Paychex Fee		\$91,754.54
1136807, 1137301	PARS	Employee Withholding	\$462.23
26705, 26828	EPFF Local #3581	dues and meals withholding	\$919.82
26871	CalPERS	employee/employer	\$8,572.27
5001.1.002: EXTRA HIRE		<i>none issued</i>	<i>none issued</i>
5001.1.003: EXTRA HIRE - Interns			
26701, 26827	Payroll / Statutory Elective Withholding / Paychex Fee		\$1,237.35
1136807, 1137301	PARS	Employee Withholding	\$135.00
5001.1.004: Expenditure: ST/TF Firefighter Payment			<i>none issued</i>
5001.1.005: Expenditure: Volunteer Firefighter Payment			
1137360	PARS	trust administration	\$478.03
5001.1.049: RETIREMENT UAL PREPAYMENT & LOAN			
26701	PERS	UAL Interest Payment	\$77,137.00
5001.1.050: RETIREMENT (PERS)			
26871	PERS	employer portion	\$16,440.20
5001.1.055: GROUP INSURANCE			
26701, 26827	Supplemental Life Premium Withholding		(\$90.76)
1137358	FDAC-EBA	vis/den/life ins premium	\$1,187.27
1137361	SDRMA-Employee Benefit Service - medical premium		\$17,844.75
1137359	LV FF Health & Welfare Trust	medical premium	\$903.00
5111.1.111: SAFETY CLOTHING			<i>none issued</i>
5111.1.115: SAFETY EQUIPMENT			<i>none issued</i>
5111.1.121: COMMUNICATIONS: RADIOS			<i>none issued</i>
5111.1.124: COMMUNICATIONS: TELEPHONE			
1135575	CalNET	phones Stations 2 and 4	\$46.44
1135577, 1136127	Comcast Cable	internet/phone monthly charges	\$351.93
1136354	CalNET	phones Stations 2 and 4	\$11.51

CHECKS ISSUED LISTING - Nov 2023**FIRE OPERATIONS****5111.1.131: FOOD/FIRE LINE MEALS***none issued***5111.1.141: HOUSEHOLD EXPENSE**

1136975 US Bank	cleaning supplies	\$501.88
1137362 Aramark	coverall/rag service	\$238.68
1137365 CA Waste Recovery Systems	trash disposal	\$133.20
1137371 Ebbetts Pass Lumber Co	supplies	\$38.08

5111.1.151: INSURANCE: PROPERTY/LIABILITY*none issued***5111.1.153: INSURANCE: WORKER'S COMPENSATION***none issued***5111.1.181: MAINTENANCE: APPARATUS**

1136975 US Bank	Kussmaul super auto eject	\$339.95
1136975 US Bank	U1002: steps	\$91.13
1137363 Arnold Auto Supply	U1008: DEF, U9: dryer dep, DEF	\$471.83
1137373 Arnold Tire	U1005 mount tire	\$90.00
1137368 Clutch & Brake Xchange	U1002: undercarriage parts	\$507.93
1137371 Ebbetts Pass Lumber Co	U1009: fasteners	\$41.87
1137374 Golden State EVS Inc.	U1006: super auto eject, cover	\$510.25
1137376 Richard Lokey	U1006: elec box, cover, NPT, etc	\$1,209.59
1137377 Mello Truck Repair Co Inc	U1005: repairs	\$8,698.23

5111.1.182: MAINTENANCE: UTILITIES

1137363 Arnold Auto Supply	U3022: pump, fuses, coolant	\$388.53
1137373 Arnold Tire	U3019: m/b tires, sensor	\$244.28
1137371 Ebbetts Pass Lumber Co	U3023: fasteners	\$44.35
1137380 TireHub	U3019: tires	\$805.66

5111.1.201: BUILDING & GROUNDS MAINTENANCE

1137366 Chess Mtn Snowplowing	Sta. 2 snow removal	\$2,000.00
1136972 Arnold Eletrincal Inc	install timer for lights at Sta. 4	\$225.00

5111.1.211: EMERGENCY CARE*none issued***5111.1.221: MEMBERSHIPS/SUBSCRIPTIONS**

1107414 US Bank	IAFC annual dues	\$260.00
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5111.1.241: OFFICE EXPENSE

1136975 US Bank	office supplies	\$82.45
1136975 US Bank	Parcelquest subscription	\$2,399.00

CHECKS ISSUED LISTING - Nov 2023**FIRE OPERATIONS****5111.1.243: OFFICE EXPENSE: POSTAGE**

JE Calaveras Co

mailing of checks

5111.1.245: OFFICE EXPENSE: COPIES

1137379 Power Business Technology

copier maintenance

\$44.24

5111.1.271: PROFESSIONAL SERVICES

1137382 Nicholson & Olson CPAs

financial audit

\$3,700.00

5111.1.401: SMALL TOOLS/FF EQUIPMENT

1137371 Ebbetts Pass Lumber Co

screw extractor, batteries, etc

\$1,883.52

1137367 CISCO Fire Sprinklers

extinguisher maintenance

\$370.00

5111.1.402: SMALL TOOLS: HOSE / SCBA*none issued***5111.1.411: SPECIAL DISTRICT EXPENSE**

1136975 US Bank: SAMBA

CA EPN reporting

34.81

1136975 US Bank/Positive Promotions

hats, stickers

255.97

1136975 US Bank

clamps, hangers, awards

288.41

5111.1.412: SPECIAL DISTRICT EXPENSE: HEALTH MAINTENANCE

1137370 Big Trees MD

physicals

\$650.00

5111.1.422: TRAINING

1136975 US Bank

maps, cord, refreshment

\$192.10

1137371 Ebbetts Pass Lumber Co

FG quick lock

\$24.39

1137381 Glenn Verkerk

reimburse class fee CA-219

\$95.00

5111.1.478: TRAVEL/EDUCATION/TRAINING*none issued***5111.1.480: TRANSPORTATION FUEL**

1137372 Ebbetts Pass Gas Service

unleaded fuel

\$447.83

26765 Hunt & Sons Inc

diesel fuel

\$508.15

5111.1.501: UTILITIES: WATER/SEWER

1137364 CCWD

water/sewer

\$799.64

5111.1.504: UTILITIES: ELECTRICITY

JE CPPA

electricity

\$788.64

CHECKS ISSUED LISTING - Nov 2023

FIRE OPERATIONS

5111.1.505: UTILITIES: PROPANE

1137372 Ebbetts Pass Gas Service	propane	\$432.48
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5640 F: STRUCTURES

1137763 WestAmerica Bank	Sta. 1 loan payment	\$105,848.61
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5701 F: EQUIPMENT

none issued

ENGINE PARAMEDIC PROGRAM ACCOUNT SUMMARY SHEET - NOV 2023

ACCOUNT	No.	BUDGET	Month	Year-To-Date	ACCOUNT BALANCE	% Disbursed Year-To-Date
SALARIES & BENEFITS	5001					
Salaries/Wages	-2.001	436,839	38,355.56	164,328.30	272,510.70	38%
Retirement-UAL	-2.049	73,276	20,000.00	61,317.18	11,958.82	84%
Retirement	-2.050	73,755	6,084.54	30,336.88	43,418.12	41%
Group Insurance	-2.055	113,512	6,861.91	42,797.68	70,714.32	38%
SERVICES & SUPPLIES	5111					
Safety Clothing	-2.111	2,775	0.00	242.15	2,532.85	9%
Safety Equipment	-2.115	1,000	0.00	0.00	1,000.00	0%
Communications-Radios	-2.121	1,440	0.00	246.78	1,193.22	17%
Communications-Phone	-2.124	2,000	128.07	635.11	1,364.89	32%
Food/Meals	-2.131	160	0.00	41.14	118.86	26%
Housekeeping	-2.141	1,700	227.95	915.51	784.49	54%
Insurance-Prop/Liability	-2.151	11,032	0.00	11,031.00	1.00	100%
Insurance-Workers Comp	-2.153	23,000	0.00	22,973.05	26.95	100%
Maintenance-Apparatus	-2.181	2,900	0.00	923.58	1,976.42	32%
Building & Grounds Maint.	-2.201	6,770	500.00	1,556.29	5,213.71	23%
Copier Maintenance	-2.245	175	11.05	55.54	119.46	32%
Professional Services	-2.271	2,200	925.00	1,039.84	1,160.16	47%
Special District Expense	-2.411	1,030	144.80	526.59	503.41	51%
SDE--Health Maintenance	-2.412	3,300	0.00	0.00	3,300.00	0%
Training	-2.422	4,000	0.00	0.00	4,000.00	0%
Travel/Education	-2.478	2,700	0.00	0.00	2,700.00	0%
Transportation Fuel	-2.480	7,200	322.86	4,883.39	2,316.61	68%
Utilities - Water/Sewer	-2.501	1,150	199.91	602.73	547.27	52%
Utilities - Electrical	-2.504	3,130	197.16	1,170.42	1,959.58	37%
Utilities - Propane	-2.505	3,590	108.11	219.93	3,370.07	6%
SPECIAL TAX HANDLING FEE	5411	3,626	0.00	0.00	3,626.00	0%
Engine Paramedic Program Totals		782,260	74,066.92	345,843.09	436,416.91	44%

CHECKS ISSUED LISTING - Nov 2023 ENGINE PARAMEDIC

Check No.	PAID TO	PURPOSE	AMOUNT
5001.2.001: SALARIES			
26701, 26827	Payroll / Statutory Elective Withholding / Paychex Fee		\$35,452.10
1136807, 1137301	PARS	Employee Withholding	\$0.00
26705, 26828	EPFF Local #3581	dues and meals withholding	\$504.83
26871	PERS	employee/employer	\$2,398.63
5001.2.049: RETIREMENT UAL PREPAYMENT & LOAN			
26701	PERS	UAL Interest Payment	\$20,000.00
5001.2.050: RETIREMENT (PERS)			
26871	PERS	employer portion	6,084.54
5001.2.055: GROUP INSURANCE			
26701, 26827	Supplemental Life Premium Withholding		(\$40.96)
1137358	FDAC-EBA	vis/den/life ins premium	\$384.00
1137361	SDRMA-Employee Benefit Service - medical premium		\$6,518.87
5111.2.111: SAFETY CLOTHING			<i>none issued</i>
5111.2.115: SAFETY EQUIPMENT			<i>none issued</i>
5111.2.121: COMMUNICATIONS: RADIOS			<i>none issued</i>
5111.2.124: COMMUNICATIONS: TELEPHONE			
1135575	CalNET	phones Stations 2 and 4	\$11.61
1135577, 1136127	Comcast Cable	internet/phone monthly charges	\$87.98
1136354	CalNET	phones Stations 2 and 4	\$2.88
5111.2.131: FOOD/FIRE LINE MEALS			<i>none issued</i>
5111.2.141: HOUSEHOLD EXPENSE			
1136975	US Bank	cleaning supplies	\$125.47
1137362	Aramark	coverall/rag service	\$59.67
1137365	CA Waste Recovery Systems	trash disposal	\$33.30
1137371	Ebbetts Pass Lumber Co	supplies	\$9.51
5111.2.151: INSURANCE: PROPERTY/LIABILITY			<i>none issued</i>
5111.2.153: INSURANCE: WORKER'S COMPENSATION			<i>none issued</i>

CHECKS ISSUED LISTING - Nov 2023 ENGINE PARAMEDIC**5111.2.181: MAINTENANCE: APPARATUS** *none issued***5111.1.201: BUILDING & GROUNDS MAINTENANCE**

1137366 Chess Mtn Snowplowing Sta. 2 snow removal \$500.00

5111.1.245: OFFICE EXPENSE: COPIES

1137379 Power Business Technology copier maintenance \$11.05

5111.2.271: PROFESSIONAL SERVICES

1137382 Nicholson & Olson CPAs financial audit \$925.00

5111.2.402: SMALL TOOLS: HOSE / SCBA *none issued***5111.2.411: SPECIAL DISTRICT EXPENSE**

1136975 US Bank: SAMBA CA EPN reporting 8.70

1136975 US Bank/Positive Promotions hats, stickers 64.00

1136975 US Bank clamps, hangers, awards 72.10

5111.2.412: SPECIAL DISTRICT EXPENSE: HEALTH MAINTENANCE *none issued***5111.2.422: TRAINING** *none issued***5111.2.478: TRAVEL/EDUCATION/TRAINING** *none issued***5111.2.480: TRANSPORTATION FUEL**

26765 Hunt & Sons Inc diesel fuel \$322.86

5111.2.501: UTILITIES: WATER/SEWER

1137364 CCWD water/sewer \$199.91

5111.2.504: UTILITIES: ELECTRICITY

JE CPPA electricity \$197.16

5111.2.505: UTILITIES: PROPANE

1137372 Ebbetts Pass Gas Service propane \$108.11

5411 P: SPECIAL TAX HANDLING FEE *none issued*

AMBULANCE PROGRAM ACCOUNT SUMMARY SHEET - November 2023

ACCOUNT	No.	BUDGET	Month	Year-To-Date	ACCOUNT BALANCE	% Disbursed Year-To-Date
SALARIES & BENEFITS	5001					
Salaries/Wages	-3.001	1,698,246	144,267.25	660,920.86	1,037,325.14	39%
Retirement-UAL	-3.049	190,821	42,049.00	112,484.07	78,336.93	59%
Retirement	-3.050	208,200	16,671.10	83,276.50	124,923.50	40%
Group Insurance	-3.055	478,632	34,012.78	187,955.76	290,676.24	39%
SERVICES & SUPPLIES	5111					
Safety Clothing	-3.111	13,860	0.00	1,504.71	12,355.29	11%
Safety Equipment	-3.115	2,250	0.00	513.45	1,736.55	23%
Communications-Radios	-3.121	4,200	0.00	1,233.88	2,966.12	29%
Communications-Phone	-3.124	10,000	640.31	3,175.55	6,824.45	32%
Food - Fire Line Meals	-3.131	800	0.00	205.65	594.35	26%
Housekeeping	-3.141	8,500	1,139.79	4,577.57	3,922.43	54%
Insurance-Prop/Liability	-3.151	44,128	0.00	44,128.00	-	100%
Insurance-Workers Comp	-3.153	115,000	0.00	114,865.28	134.72	100%
Maintenance-Ambulances	-3.183	31,250	236.54	10,395.39	20,854.61	33%
Building Maintenance	-3.201	40,150	2,500.00	11,913.97	28,236.03	30%
Emergency Care/Rescue	-3.211	43,080	3,258.02	17,286.38	25,793.62	40%
Memberships	-3.221	150	0.00	0.00	150.00	0%
Office Expense	-3.241	10,031	82.45	9,332.01	698.99	93%
Office Expense - Copies	-3.245	860	55.30	277.78	582.22	32%
Professional Services	-3.271	79,018	6,185.00	34,113.93	44,904.07	43%
Small Tools/FF Equipment	-3.401	9,350	562.44	1,933.11	7,416.89	21%
Special District Expense	-3.411	10,450	723.99	2,782.97	7,667.03	27%
SDE--Health Maintenance	-3.412	33,100	0.00	1,354.49	31,745.51	4%
SDE--Administrative Fee	-3.413	3,800	0.00	2,979.52	820.48	78%
Training	-3.422	12,000	0.00	1,436.00	10,564.00	12%
Travel/Education	-3.478	4,500	0.00	0.00	4,500.00	0%
Transportation Fuel	-3.480	32,000	5,425.23	13,355.57	18,644.43	42%
Utilities - Water/Sewer	-3.501	5,700	999.54	3,013.71	2,686.29	53%
Utilities - Electrical	-3.504	15,650	985.80	5,852.10	9,797.90	37%
Utilities - Propane	-3.505	18,850	540.60	1,099.65	17,750.35	6%
Bank Charges	5403 A	-	0.00	0.00	-	
SPECIAL TAX HANDLING FEE	5411	23,298	0.00	0.00	23,298.00	
SDE DHCS IGT Pull-Down Fee	5411		0.00	0.00	-	
REFUND OVERPAYMENT	5612	13,000	0.00	6,333.75	6,666.25	
Bad Debts (NSF checks)	5616	-	0.00	0.00	-	
FIXED ASSETS						
Building Fund: Structures	5640	-	0.00	0.00	-	
Equipment	5701	490,000	0.00	0.00	490,000.00	
Ambulance Program Totals		3,650,874	260,335.14	1,338,301.61	2,312,572.39	37%

CHECKS ISSUED LISTING - Nov 2023**STATION 3 A**

Check No.	PAID TO	PURPOSE	AMOUNT
5001.3.001: SALARIES			
26701, 26827	Payroll / Statutory Elective Withholding / Paychex Fee		\$128,882.88
1136807, 1137301	PARS	Employee Withholding	\$0.00
26705, 26828	EPFF Local #3581	dues and meals withholding	\$2,025.35
26871	PERS	employee/employer	\$13,359.02
5001.3.049: RETIREMENT UAL PREPAYMENT & LOAN			
26701	PERS	UAL Interest Payment	\$42,049.00
5001.3.050: RETIREMENT (PERS)			
26871	PERS	employer portion	16,671.10
5001.3.055: GROUP INSURANCE			
26701, 26827	Supplemental Life Premium Withholding		(\$124.38)
1137358	FDAC-EBA	vis/den/life ins premium	\$2,190.68
1137361	SDRMA-Employee Benefit Service - medical premium		\$31,946.48
5111.3.111: SAFETY CLOTHING			<i>none issued</i>
5111.3.115: SAFETY EQUIPMENT			<i>none issued</i>
5111.3.121: COMMUNICATIONS: RADIOS			<i>none issued</i>
5111.3.124: COMMUNICATIONS: TELEPHONE			
1135575	CalNET	phones Stations 2 and 4	\$58.06
1135577, 1136127	Comcast Cable	internet/phone monthly charges	\$439.92
1136354	CalNET	phones Stations 2 and 4	\$14.39
5111.3.131: FOOD/FIRE LINE MEALS			<i>none issued</i>
5111.3.141: HOUSEHOLD EXPENSE			
1136975	US Bank	cleaning supplies	\$627.34
1137362	Aramark	coverall/rag service	\$298.36
1137365	CA Waste Recovery Systems	trash disposal	\$166.49
1137371	Ebbetts Pass Lumber Co	supplies	\$9.51
5111.3.151: INSURANCE: PROPERTY/LIABILITY			<i>none issued</i>
5111.3.153: INSURANCE: WORKER'S COMPENSATION			<i>none issued</i>

CHECKS ISSUED LISTING - Nov 2023**STATION 3 A****5111.3.183: MAINTENANCE: AMBULANCES**

1137363 Arnold Auto Supply	U3508/9: DEF	\$229.47
1137371 Ebbetts Pass Lumber Co	U3509: button battery	\$7.07

5111.3.201: BUILDING & GROUNDS MAINTENANCE

1137366 Chess Mtn Snowplowing	Sta. 2 snow removal	\$2,500.00
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5111.3.211: EMERGENCY CARE

1137375 Life Assist Inc	medical supplies	\$2,537.07
1136971 Airgas	oxygen	\$720.95

5111.3.221: MEMBERSHIPS/SUBSCRIPTIONS*none issued***5111.3.241: OFFICE EXPENSE**

1136975 US Bank	office supplies	\$82.45
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5111.3.245: OFFICE EXPENSE: COPIES

1137379 Power Business Technology	copier maintenance	\$55.30
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5111.3.271: PROFESSIONAL SERVICES

1137382 Wittman Enterprises	billing services	\$1,560.00
1137382 Nicholson & Olson CPAs	financial audit	\$4,625.00
Cal Co Sheriff's Office	dispatch fee	

5111.3.401: SMALL TOOLS/FF EQUIPMENT

1136975 US Bank	oxygen wall outlet	\$192.44
1137367 CISCO Fire Sprinklers	extinguisher maintenance	\$370.00

5111.3.411: SPECIAL DISTRICT EXPENSE

1136975 US Bank: SAMBA	CA EPN reporting	43.51
1136975 US Bank/Positive Promotions	hats, stickers	319.97
1136975 US Bank	clamps, hangers, awards	360.51

5111.3.412: SPECIAL DISTRICT EXPENSE: HEALTH MAINTENANCE *none issued***5111.3.413: SPECIAL DISTRICT EXPENSE: ADMINISTRATIVE FEE** *none issued***5111.3.422: TRAINING** *none issued***5111.3.478: TRAVEL/EDUCATION/TRAINING** *none issued*

CHECKS ISSUED LISTING - Nov 2023**STATION 3 A****5111.3.480: TRANSPORTATION FUEL**

26765 Hunt & Sons, Inc	diesel fuel	\$1,078.06
26837 Hunt & Sons, Inc	diesel fuel	\$3,375.50
23966 EPFD/WEX Bank	diesel fuel	\$971.67

5111.3.501: UTILITIES: WATER/SEWER

1137364 CCWD	water/sewer	\$999.54
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5111.3.504: UTILITIES: ELECTRICITY

JE CPPA	electricity	\$985.80
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5111.3.505: UTILITIES: PROPANE

1137372 Ebbetts Pass Gas Service	propane	\$540.60
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5403 A: TREASURER'S ADMIN FEE*none issued***5411 A: SPECIAL TAX HANDLING FEE***none issued***5640 A: STRUCTURES***none issued***5701 A: EQUIPMENT***none issued***5612 A: REFUNDS***none issued*

Ebbetts Pass Fire District



November 22, 2023

RE: Probation conclusion – Transition to full-time status in the position of Firefighter Paramedic

Kyle Salyer,

This letter's intent is to memorialize the conclusion of your probationary period on November 22, 2023. According to our records you have successfully completed all the requirements of probationary Firefighter Paramedic. It is with great pleasure to announce the conclusion of your probationary status and convert you to full-time regular status in the position of Firefighter Paramedic.

Congratulations and feel free to call me with any questions regarding this letter.

Fire Chief Mike Johnson

Ebbetts Pass Fire District

2023 unimproved parcel inspections (As of 12/4/23)

Initial inspections

Avery	26
Blue Lake Springs 14, 15, 16	70
Blue Lake Springs	3
Big Trees Village	10
Forest Meadows	7
Lakemont Pines	62
Meadowmont	41
Sky High	81
Tamarack	<u>20</u>
	409

Total inspections including 2nd and 3rd inspections: 837

Citations issued: 12

Ebbetts Pass Fire District

Board of Directors



Committee Appointments 2023

Finance	Personnel/Safety	Apparatus/Equipment	Fire Prevention
Jon Dashner	Jon Dashner	Scott McKinney	Denny Clemens
Mike Barr	Scott McKinney	Pete Neal	Pete Neal
Alt: Pete Neal	Alt: Denny Clemens	Alt: Mike Barr	Alt: Jon Dashner

Calaveras County Fire JPA Board:
Mike Johnson
Rodney Hendrix
Denny Clemens (Alternate)

For Committee Appointment 2024

Finance	Personnel/Safety	Apparatus/Equipment	Fire Prevention

Calaveras County Fire JPA Board:
Mike Johnson

_____ (Alternate)



ATTORNEYS AT LAW

621 Capitol Mall
Suite 2500
Sacramento, CA 95814
T 916.442.8888
F 916.442.0382

John T. Kennedy
D 916.930.7785
jkennedy@nossaman.com

Refer To File # 290204-0001

November 28, 2023

Mike Johnson
Fire Chief
Ebbetts Pass Fire District
1037 Blagen Road
P. O. Box 66
Arnold, CA 95223

Re: 2024 Billing Rate Increase

Dear Chief Johnson:

Thank you for the opportunity to work with the Ebbetts Pass Fire District (District) the last several years. This letter is sent to inform you of some changes to our future invoices.

My colleagues and I at Nossaman LLP strive to provide all of our clients with excellent service at cost-effective rates. As mentioned in our engagement letter, occasionally our firm management makes changes in attorney and paralegal billing rates to reflect cost of living increases and changes in the marketplace. Effective January 1, 2024, my hourly rate will change from \$705 to \$750. After applying a 10% discount, my effective rate will be \$675 for the District.

I believe you will find that even with the increase, my rate is still competitive. Information on the billings rates for other attorneys and paralegals in the firm is available upon request. Please do not hesitate to contact me if you have any questions about the rate increase, or suggestions on how Nossaman might improve our services to the District.

We value the District's business and mission and look forward to continuing to provide legal services for the District. Best wishes for a successful year in 2024! If you would like to receive Nossaman E-Alerts on topics of interest or notification of webinars, you can subscribe at our website: www.nossaman.com/subscribe.

Very truly yours,

John T. Kennedy
Nossaman LLP

JK:lb

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Hoblit
Chrysler / Jeep / Ram / Dodge
333 Main Street
Woodland CA 95695-3596

530-405-2915
Fax 530-207-5271

INVOICE

MAKE ALL PAYMENTS TO ABOVE ADDRESS

DATE	SALESPERSON
12/11/2023	GRADY GLYER

SOLD TO:

Ebbetts Pass Fire District
1037 Blagen Rd
Arnold, CA 95223

SHIP TO:

PURCHASE ORDER NO.		DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
QUANTITY	DESCRIPTION			UNIT PRICE	
1	2024 Ram 5500 Chassis 4x4 84"CA VIN: 3C7WRNBL0RG132207			79105.00	
	Doc Fee			85.00	
	Electronic Vehicle Registration			33.00	
	License/Title			Exempt	
	CA Tire Fee			12.25	
	Sales Tax			5741.28	
				TOTAL	84976.53

Hoblit
Chrysler / Jeep / Ram / Dodge
333 Main Street
Woodland CA 95695-3596

530-405-2915
Fax 530-207-5271

INVOICE

MAKE ALL PAYMENTS TO ABOVE ADDRESS

DATE	SALESPERSON
12/11/2023	GRADY GLYER

SOLD TO:

Ebbetts Pass Fire District
1037 Blagen Rd
Arnold, CA 95223

SHIP TO:

PURCHASE ORDER NO.		DATE SHIPPED	SHIPPED VIA	F.O.B. POINT	TERMS
QUANTITY	DESCRIPTION			UNIT PRICE	
1	2024 Ram 5500 Chassis 4x4 84"CA VIN: 3C7WRNBL2RG132208			79105.00	
	Doc Fee			85.00	
	Electronic Vehicle Registration			33.00	
	License/Title			Exempt	
	CA Tire Fee			12.25	
	Sales Tax			5741.28	
				TOTAL	84976.53

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	Adoption Date:	<u>Draft</u>
		Revised Date:	<u>10/17/2023</u> 11/22/2022
		Review Date:	N/A
			N/A

1. Purpose

To provide a standard of initial, annual, and bi-annual medical physicals for members as defined in this policy.

Provide criteria outlining the approved process for various agency members to adhere regarding minimum medical physicals.

Increase the likelihood of early detection of firefighter occupational medical risks.

2. Member(s) Minimum Physical Medical Exam Requirements

2.1. Auxiliary, Administrative only, and non-primary fire prevention workers must complete a “DOT physical” equivalent physical at time of joining the organization.

2.2. Volunteers, per diem hires, and interns must complete a “New Hire Firefighter Physical” at time of joining the organization.

2.3. Full-time firefighting members must complete a “New Hire Firefighter Physical” at time of joining the organization and complete an “Annual/Biannual Firefighter Physical” every year for those 41 or over and every other year for those 40 and under.

3. Physical Medical Exam Types and Definitions

3.1. DOT (Department of Transportation) physical (Auxiliary, Administrative only, and non-primary fire prevention workers) includes:

- NFPA 1582 Health Questionnaire (Included in the appendix section of this policy)
- Drug test
- Vision
- Hearing
- Blood pressure
- Physical flexibility

*Commercial license DOT certification for DMV is available (additional cost)

3.2. **New Hire Firefighter Physical Medical Exam** (All operational members (volunteer, interns, and new hire full-time firefighters)) includes:

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	<u>Draft</u>	
		Adoption Date:	<u>10/17/2023</u> 11/22/2022
		Revised Date:	N/A
		Review Date:	N/A

- NFPA 1582 Health Questionnaire (Included in the appendix section of this policy)
- Blood Pressure
- Physical Exam including hernia
- Pulmonary Function test
- Electrocardiogram test
- Audiometry test
- Vision screen
- Cardiopulmonary Exercise Test (MET-Test)
- Chest X-Ray
- Drug Test (10-Pannel)

3.3. Annual/Biannual Firefighter Physical Medical Exam (full-time firefighters only, ages 40 and younger every odd birthday year, 41 and older every year) includes:

- NFPA 1582 Health Questionnaire (Included in the appendix section of this policy)
- Blood Pressure
- Physical Exam including hernia
- Labs: Complete Blood Count, Comprehensive Metabolic Panel, Urine Analysis, Lipid Panel, Hemoglobin A1C
- Pulmonary Function test
- Electrocardiogram test
- Audiometry test
- Vision screen
- Cardiopulmonary Exercise Test (MET-Test)

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	<u>Draft</u>	
		Adoption Date:	<u>10/17/2023</u> 11/22/2022
		Revised Date:	N/A
		Review Date:	N/A

- Drug Test (10-Pannel)

4. Process to conduct physical

4.1. DOT (Department of Transportation) physical equivalent

Groups this applies - Auxiliary, administrative only, and non-primary fire prevention workers)

- Complete the NFPA 1582 Health Questionnaire (Appendix “B” attached to this policy) and submit to the District physical medical examiner prior to appointment.
- Blood Pressure
- Schedule physical appointment by following steps within Appendix “C” attached to this policy.
- Await results from agency (Medical information is private and will remain confidential between patient and medical provider. Ebbetts Pass Fire District (agency) will only receive the outcome of the physical.)

4.2. New hire firefighters:

Groups this applies - All operational members: volunteer, interns, and new hire full-time firefighters

- Complete the NFPA 1582 Health Questionnaire (Appendix “B” attached to this policy) and submit to the District physical examiner prior to appointment.
- Blood Pressure
- Schedule physical appointment by following steps within Appendix “C” attached to this policy.
- Print Appendix “A” titled “EBBETTS PASS FIRE DISTRICT MEDICAL RELEASE FORM” and bring to physical appointment. Bring the completed form to Ebbetts Pass Fire District administration office to filed. (Medical information is private and will

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	<u>Draft</u>	
		Adoption Date:	<u>10/17/2023</u> 11/22/2022
		Revised Date:	N/A
		Review Date:	N/A

remain confidential between patient and medical provider. Ebbetts Pass Fire District (agency) will only receive the outcome of the physical.)

4.3. Annual/Biannual firefighter physical (full-time firefighters)

Groups this applies – All full-time firefighters (not new hire)

- Complete the NFPA 1582 Health Questionnaire (Appendix “B” attached to this policy) and submit to the District physical examiner prior to appointment.
- Schedule physical appointment by following steps within Appendix “C” attached to this policy between 30 days prior and 30 days after your birthday (Odd birthday years (the age you are turning) for 40 and younger / 41 and over every year.)
- Submit the completed questionnaire 2 weeks before the appointment.
- Print Appendix A titled “EBBETTS PASS FIRE DISTRICT MEDICAL RELEASE FORM” and bring to physical appointment. Bring completed form to Ebbetts Pass Fire District administration office to be filed. (Medical information is private and will remain confidential between patient and medical provider. Ebbetts Pass Fire District (agency) will only receive the outcome of the physical)
- Drug Test (10-Pannel)

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	<u>Draft</u>	
		Adoption Date:	<u>10/17/2023</u> 11/22/2022
		Revised Date:	N/A
		Review Date:	N/A

5. Optional Medical Offerings:

5.1. Depending on the medical examination provider contracted with the District some, all, or unlisted medical offerings maybe offered to the eligible members at an individual additional cost to the receiving member. These are options for our members if they elect to self-pay for additional services and are not required by our agency

• Galleri test by Grail (Initial testing District covers cost upon first Annual/Biannual firefighter physical (full-time firefighters))

- Calcium cardio score
- HIV (District covers cost)
- Chest X Ray (District covers cost)
- Colonoscopy
- Mammogram
- Pap smear / GYN exam

Ebbetts Pass Fire District		POLICY: 6800	
Subject:	Personnel – Physical Medical Exam	<u>Draft</u>	
		Adoption Date:	<u>10/17/202311/22/2022</u>
		Revised Date:	N/A
		Review Date:	N/A

Appendix A

EBBETTS PASS FIRE DISTRICT MEDICAL RELEASE FORM

Employee: _____ Position/Rank: _____

Type of Physical (Circle one): DOT FF New Hire Annual / Biannual

Date of Medical Exam: _____

Medical Physical signature: _____

Below is a list of criteria that will require personnel to address before performing firefighter duties:

(All criteria based off DOT Medical passing standard)

- Blood Pressure of 180/110 or higher
- Vision 20/40 with both eyes tested together, and 20/40 in one eye and at least, 20/70 in the other eye
- Hernia (this is subjective to medical examiner)
- Failure of Drug Test (10-Pannel)

The Ebbetts Pass Fire District Medical Physician shall work with effected member and medical general practitioner or workers compensation (whomever is the proper medical follow up provider) to ensure medical information is passed along in totality. Medical information is personal and sensitive and shall not be disseminated with employer besides workers compensation requirements to share with the Fire Chief of the organization.

Ebbetts Pass Fire District	POLICY: 6730
Subject: Drug and Alcohol Abuse - Testing Circumstances	Effective Date: 6/17/14 Supersedes: 6/18/96 Review Date: 3/21/2017

Circumstances Under Which Drug and Alcohol Testing Will Be Imposed On Covered Members

Immediately prior to reporting for substance abuse/alcohol testing, all members shall complete a consent and release form to be kept on file in the District office. Ref:

024-00645 Drug Consent Form

024-00644 Supervisor's Report of Reasonable Suspicion

1. Pre-employment Testing:

- 1.1. All successful applicants preparing to serve the District in any capacity (whether by application or in connection with a transfer) will be required to submit to a pre-employment/pre-duty substance abuse and alcohol testing prior to arrival for employment/duty, as a condition of service.
- 1.2. The District reserves the right to make a conditional offer of employment/duty and reserves the right to withdraw any offer to join the District if the applicant or transferee fails testing.

2. Post-accident Testing

- 2.1. Post-accident drug and alcohol testing will be conducted only on safety sensitive positions enumerated in the Safety Sensitive Position Control List.
- 2.2. Post-accident testing shall occur only following an accident where the member's performance cannot be discounted as a contributing factor in an accident. The decision as to whether or not to test the member will be left to the lead supervisor on shift after consultation with higher-level managers, if applicable. The Board of Directors shall not be involved in day-to-day operations relating to post accident testing decisions. The presumption is to test after all accidents. The only reason a member might not be tested following an accident is if the member's performance objectively could not have been a contributing factor. If a fatality occurs, the member will be tested regardless of whether his/her involvement may be discounted.
- 2.3. Post-accident alcohol tests shall be administered within two (2) hours following an accident and no test may be administered after eight (8) hours.
- 2.4. According to this policy, an accident occurs when, as a result of an occurrence involving a District vehicle, an individual dies or sustains an injury requiring medical attention, or when a state or local law enforcement authority issues a citation to a covered member for a moving violation arising from an accident; or when property damage exceeds \$5,000.

3. Random Testing

- 3.1. Only members who work in safety sensitive positions who are identified on the Safety Sensitive Position Control List may be subjected to random testing.
- 3.2. The District shall conduct one random test each quarter of the calendar year, commencing on the year following the year this policy is adopted. Selection of member for random testing shall be

Ebbetts Pass Fire District	POLICY: 6730
Subject: Drug and Alcohol Abuse - Testing Circumstances	Effective Date: 6/17/14 Supersedes: 6/18/96 Review Date: 3/21/2017

done through placement of applicable names, corresponding to service in safety sensitive positions, in a computer-generated pool of the District's choosing. Computer-generated results shall control who is to be tested, except that if the computer generates the name of any member randomly tested in a prior calendar year, that selection shall be disregarded and replaced by the next name generated

4. Reasonable Suspicion Testing

4.1. Members, including but not limited to those on the Safety Sensitive Position Control List, are also required to submit to an alcohol or drug test when trained supervisors have reasonable suspicion to believe the member is under the influence of alcohol or controlled substances. All supervisors and managers shall be trained biennially.

4.1.1. Reasonable suspicion means suspicion based upon specific personal observation of two supervisors, unless only one supervisor is practically available. The observing supervisor(s) shall describe and document all incidents leading to a reasonable suspicion testing directive.

4.2. Reasonable Suspicion Indicators/Traits:

4.2.1. All supervisors are required to be alert for impaired job performance or behavior that exhibits traits consistent with drug and/or alcohol abuse and to maintain a pro-active role in the early detection of possible substance abuse problems. In most cases, these traits will be accompanied by clear evidence of the member's deteriorating job performance.

4.2.2. In the absence of any deterioration of job performance or a specific incident giving rise to "reasonable suspicion", supervisors must be able to document enough indicators/traits to meet the "reasonable suspicion" requirement before any testing will take place. All supervisors shall be thoroughly familiar with and trained in the methods and procedures available to address drug and/or alcohol abuse problems and a non-exclusive list of indicators/traits set forth below which might allow reasonable suspicion testing, early intervention, and rehabilitation.

<u>Physical</u>	<u>Psychological</u>	<u>Behavioral</u>
Loss of Weight	Short Temper	Picking at Food
Increased Thirst	Severe Mood Changes	Sloppy Appearance
Chronic Hoarseness	Shortened Attention Span	Constant Financial Difficulties
Chronic Running Nose	Paranoid/Argumentative	Irrational Decisions
Tremors/Twitching of Mouth	Memory Lapses	Frequent visits to the bathroom
Habitual Grinding of Teeth	Overreaction to Criticism	High/Low Energy Levels
Excessive Sweating		
Slowed Reaction Times		
Decreased Dexterity		

4.2.3 Other indicators and traits include:

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- a. Specific, personal, and articulable observations concerning unusual appearance, behavior, speech, body odors, or performance of the member; or
- b. Violation of a safety rule or other unsafe work incident which, after further investigation of the member's behavior or appearance, leads the supervisor(s) to believe that drug or alcohol use may be a contributing factor; or
- c. Other physical, circumstantial, or contemporaneous indicators of drug or alcohol use.

4.2.4 Suspicion is not reasonable, and thus not a basis for testing, if it is based solely on the observations and reports of third parties or the violation of a safety rule or other unsafe work incident. However, such suspicion may be a basis for further investigation or for action to protect the safety of members or the public, such as ordering the member to stop work.

4.3. Supervisor/Member Obligations

- 4.3.1 Members shall be removed from the performance of safety sensitive functions while the supervisor is completing his/her determination regarding whether a reasonable suspicion test is warranted.
- 4.3.2 When a supervisor(s) suspects that a member is impaired or affected by drug or alcohol use, the supervisor(s) shall follow the reasonable suspicion procedure to determine whether a drug and/or alcohol test is appropriate and, if so, to initiate the testing.
- 4.3.3 All members instructed to test based on reasonable suspicion must do so within two (2) hours of the observation giving rise to the instruction to test. The instruction to test may be made verbally but shall be followed up in writing and describe the location of testing and the time-frame within which the test must be administered.
- 4.3.4 The relevant supervisor must order the member to stop work; must order the member to submit to a urine, and/or breath test to determine the presence of drugs or alcohol; and must note indicators of probable alcohol misuse and/or use of controlled substances. The Supervisor must also inform the members instructed to test that they have the right to consult a representative of their choosing either before or after testing, but that delay in consultation caused by the representatives unavailability before testing is not grounds for delaying testing and that refusal to test on that basis constitutes refusal to test.
- 4.3.5 Observations for ordering reasonable suspicion testing for alcohol must be made during, just preceding, or just after the period of the work day that the member is required to be following this Policy.
- 4.3.5 If a reasonable suspicion test for alcohol is not administered within two hours of the observation, a record must be prepared stating the reasons the test was not given. After eight hours have passed without the administration of a test, a supervisor must prepare a written document stating the reason why it was not given promptly and all attempts to give

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the test should be stopped.

4.3.6 The Supervisor shall contact the testing facility and notify them that a member will be enroute shortly. The Supervisor will provide the testing facility with his/her name, rank, and telephone number.

4.3.7 The Chief may designate someone other than his or her self as the District's "investigating authority", who shall be the only person other than the primary assistant to receive the test results.

4.2.8 Prior to transporting the suspected member to the testing facility, a Supervisor shall order the member to comply with the mandatory requirements of the upcoming process. The member **MUST** consent to the testing and be prepared to sign the consent form upon arrival at the testing facility. Failure to do so constitutes insubordination and a violation of this Policy.

- The member must conduct himself/herself in an acceptable, non-threatening, cooperative manner throughout the entire procedure.
- If tested "positive", the member **MUST** be removed from duty and sign an agreement to enter a District-approved detoxification and/or rehabilitation treatment program or Employee Assistance Program (EAP).
- If at any time during the procedure the suspected member becomes disorderly or his/her behavior negatively impacts the District, assistance from law enforcement may be summoned.
- The member's/employee's failure to comply with any instruction issued under this Policy shall be considered a violation of Policy and insubordination.

5. Return to Duty/Follow-up Testing

5.1. A covered member, except applicant, who has violated any of the prohibitions of this policy, must submit to a return-to-duty test before he/she may be returned to active duty. The test result must indicate an alcohol concentration of less than 0.02% or a verified negative result on a controlled substances test.

5.2. As a condition of continued employment, any member who is disciplined for the confirmed use of other controlled substances, or for alcohol abuse, will be mandated to successfully complete a District-approved detoxification/ rehabilitation/ program/EAP (treatment).

5.3. Any member mandated to complete treatment will be placed on special probationary status until

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successful completion of said program. During this special probationary period, the member shall:

5.3.1. Faithfully comply with maintenance and therapeutic measures of the detoxification and/or rehabilitation program;

5.3.2. Remain drug/alcohol free and be subject to periodic testing without further reasonable cause;

5.3.3. Sign a return to duty (last chance) agreement.

5.4. Because studies have shown that the relapse rate is highest during the first year of recovery, the member must sign a Return-To-Duty agreement stipulating that the member will be subject to announced and unannounced drug and alcohol tests, the frequency and duration of which will be determined by the District's Substance Abuse Professional (SAP), (however, a minimum of six (6) tests will be given during the first year unless more are specifically recommended by the SAP).

5.5. If recommended by the SAP, the member will be permitted to return to duty during the after-care or during any other out-patient program, provided the member tests negative for drugs and alcohol in a Return-To-Duty test.

5.6. The member must successfully adhere to the terms and conditions of the rehabilitation and after-care programs. Any failure or refusal to satisfy any of the conditions and requirements set forth as part of follow up testing or a detoxification/rehabilitation program, or confirmed use of alcohol and/or drugs following completion of any required program, will be considered a violation of the Policy resulting in termination.

6. **Inability To Provide Sample:** If a member alleges that he/she cannot provide a sample after all inducing measures are taken, the member shall be immediately referred to Medical Review Officer (MRO) who shall be a physician on contract with the District to verify in writing that 1) a valid medical condition precludes provision of a sufficient sample or 2) the physician is unable to make a determination. In the former, the member shall suffer no consequences. Members who make knowingly false statements and representations to the District regarding their ability to provide a sample may be deemed to be in violation of the Policy.

7. **Drugs For Which Testing Occurs:**

Substance	Initial Screen	Confirmatory Test
Alcohol	Any Level	.01
Psychoactive THC Metabolites	20 ng/ml	10 ng/ml
Cocaine Metabolites	300 ng/ml	300 ng/ml
Opiate Metabolites	300 ng/ml	300 ng/ml

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Amphetamines/Methamphetamines	300 ng/ml	300 ng/ml
Barbiturate	300 ng/ml	300 ng/ml
Benzodiazepine	300 ng/ml	300 ng/ml
Metaqualone	300 ng/ml	300 ng/ml
Methadone	300 ng/ml	300 ng/ml
Phencyclidine	75 ng/ml	25 ng/ml

This list is not intended as an exhaustive inventory of every drug for which the District reserves the right to test. The selection of drugs will be based upon known abuses in the community and the ability of each drug to affect the member's/employee's performance. The pharmacological development of new or exotic drugs may impact the District's current procedures and changes will be made as required or deemed necessary.

8. Cannabis Use

For the purposes of this Policy, the District strictly prohibits on the job use or on the job impairment by cannabis, which remains an illegal substance under federal law. This policy is not, however, intended to regulate off-the-job use of cannabis, provided that the member's off-the-job use does not result in the member being under the influence of, or impaired by, the use of cannabis while on the job.

The District thus does not take any adverse action against applicants or members based on drug testing that detects only the presence of "non-psychoactive" cannabis metabolites, meaning metabolites that do not indicate active impairment, only that an applicant or employee has recently consumed cannabis.

9. Confidentiality

The District will treat all drug testing-records as confidential in accordance with state and federal laws. The District will not disclose the results of testing absent member consent, court order, or as otherwise allowed by law.

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