

PS COMMITTEE #1
April 14, 2011
Worksession

MEMORANDUM

April 12, 2011

TO: Public Safety Committee

FROM: Essie McGuire, Legislative Analyst *EMC*

SUBJECT: **Worksession – FY12 Operating Budget, Montgomery County Fire and Rescue Service**

Today the Public Safety Committee will begin its review of the County Executive's Recommended FY12 Operating Budget for the Montgomery County Fire and Rescue Service (MCFRS). Those expected for this worksession include:

- Fire Chief Richard Bowers
- Division Chief Alan Hinde, Division of Volunteer Services, MCFRS
- Division Chief Steve Lohr, Division of Operations, MCFRS
- Division Chief David Steckel, Division of Risk Reduction and Training, MCFRS
- Division Chief Randy Wheeler, Division of Administrative Services, MCFRS
- Dominic Del Pozzo, Budget Manager, MCFRS
- Blaise DeFazio, Assistant Manager, OMB

Eric Bernard, Executive Director, and Marcine Goodloe, President, Montgomery County Volunteer Fire and Rescue Association (MCVRA), are also expected to attend the worksession.

OVERVIEW

The Executive's recommended FY12 operating budget for MCFRS totals \$179,384,200, a decrease of \$3,241,230 or 1.8 percent from the FY11 approved budget level. This is the second consecutive year that the MCFRS budget is reduced from the prior year. The table below shows the MCFRS budget history from FY09 through the FY12 recommendation.

| MCFRS Budget History | | | | | | |
|---------------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------|
| | FY09 App | FY10 App | FY11 App | FY12 Rec | % change FY11-12 | % change FY09-12 |
| Expenditures | | | | | | |
| Fire Tax District | 191,054,930 | 192,974,090 | 182,148,330 | 179,140,610 | -1.7% | -6.2% |
| Grant Fund | 623,430 | 744,530 | 477,100 | 243,590 | -48.9% | -60.9% |
| Total Expenditures | 191,678,360 | 193,718,620 | 182,625,430 | 179,384,200 | -1.8% | -6.4% |
| Positions | | | | | | |
| Full-time | 1,260 | 1,298 | 1,277 | 1,264 | -1.0% | 0.3% |
| Part-time | 7 | 7 | 6 | 3 | -50.0% | -57.1% |
| Total Positions | 1,267 | 1,305 | 1,283 | 1,267 | -1.2% | 0.0% |
| Workyears | 1,353.0 | 1,351.2 | 1,235.0 | 1,239.9 | 0.4% | -8.4% |

As this table shows, the recommended FY12 MCFRS budget is a 6.4 percent decrease from the approved FY09 level. Some of the multi-year reductions include compensation reductions, including furlough, in FY11, and the Executive's proposed benefit changes in FY12. The reductions also reflect the FY10 and FY11 savings plans, targeted service reductions, and reductions to remove proposed recruit classes in FY10 and FY11. The FY12 recommendation does not include major new service reductions, and takes a number of cost saving measures.

The number of workyears in MCFRS is down 8.4 percent from the approved FY09 level. The position totals do not reflect this level of decrease due to the practice to lapse rather than to abolish significant numbers of positions. MCFRS reports a total of 80 lapsed positions, reflecting a significant decrease in staffing over the 3 year period outlined above. The increased number of workyears in the FY12 recommendation is largely due to the restoration of 25 workyears associated with the FY11 furlough, as well as some overtime workyears related to the proposed recruit class.

Public Testimony: The Council held public hearings on the operating budget on April 5-7. Ms. Goodloe's testimony on behalf of the MCVFRA is attached on circles 18-20. The Council also heard from several Local Fire Rescue Departments (LFRDs) requesting restoration of funds for the MCVFRA and for the LFRD operating expenses.

Fire and Emergency Services Commission: The County Code requires the Fire Chief to submit the proposed MCFRS budget to the Fire and Emergency Services Commission for review and comment, and to forward to the Council any Commission comment or recommendation. Council staff has communicated with the Chair of the Commission about this issue and will forward any comments to the Committee when they are available.

FY12 RECOMMENDED EXPENDITURE CHANGES

I. CONSENT ITEMS

This section summarizes the elements of the Executive’s recommendation that are same service adjustments or do not appear to require extensive discussion. **Council staff recommends approval as submitted of the recommended changes listed in the tables below.**

| Personnel Adjustments | |
|------------------------------|------------------|
| Restore Furloughs | 2,115,550 |
| Retirement Adjustment | 1,306,110 |
| Annualize FY11 lapse | -10,400 |
| Annualize FY11 Pers Costs | -18,850 |
| Group Insurance Adj | -2,503,470 |
| Subtotal Pers Adj | \$888,940 |

The recommended personnel adjustments increase the budget by a net of \$888,940. The largest increase reflects the restoration of the FY11 furloughs; a total of 25 workyears are associated with this change. The MCFRS budget is reduced by \$2,503,470 to reflect the Executive’s proposed group insurance benefit changes. These benefit changes will not be addressed in this packet. This and other budgets may need to be adjusted to reflect final Council action on this issue.

| Operating Adjustments | |
|--------------------------------|------------------|
| Apparatus Replacement | 255,340 |
| Patient Care Software Maint. | 192,000 |
| Printing and Mail | 52,970 |
| Help Desk Support | 8,090 |
| Verizon Point to Point T1 Repl | -17,800 |
| Verizon Frame Relay Repl | -26,480 |
| Motor Pool Rate Adj | -28,390 |
| Occupational Medical Adj | -215,720 |
| Risk Management Adj | -252,800 |
| Subtotal Op Adj | -\$32,790 |

The recommended operational adjustments decrease the budget by a net -\$32,790. The apparatus replacement increase represents the payment necessary to meet the current master lease payment schedule. The patient care reporting software payment also represents continuing costs. The Verizon reductions are the result of a centralized change for all departments.

| Personnel Changes | |
|------------------------------|-------------------|
| SAFER Grant Match | 327,360 |
| Vounteer Recruiter | -91,040 |
| Lapse IT Manager | -176,000 |
| Recruiting Captain | -180,840 |
| Subtotal Pers Changes | -\$120,520 |

The SAFER grant match increase represents the required local match for two SAFER grants. With this recommendation, the County will be fully funding the required match for the 2007 grant and increasing its contribution toward the 2009 grant. The Volunteer Recruiter position was reduced in the FY11 savings plan. Council staff understands that the IT position is vacant, and that the Recruiting Captain position will be reassigned to the field. Under this recommendation, one filled position would remain in recruiting services.

Other Operating Changes

| | |
|-------------------------------|--------------|
| EMS Fee Implementation Costs | -\$1,216,220 |
| Special Pay Differential, ALS | - \$199,670 |

The EMS implementation funds are not necessary as the EMS fee was disapproved by referendum; the Council disapproved the special pay differential on November 30, 2010. Both of these items were budgeted in FY11, neither was implemented, and both were taken as savings in the FY11 savings plan.

II. DISCUSSION ISSUES

1. High School Cadet Program

The Executive recommends a reduction of \$205,670 and 1.4 workyears to eliminate the High School Cadet Program. This program is a partnership with the Montgomery County Public Schools (MCPS) that provides a one or two year program for high school juniors and seniors to train to become firefighters and/or emergency medical service providers in Montgomery County (program description attached on circles 8-9). Council staff understands that the program generally sees between 20-30 students. The reduction consists largely of a lapsed Master Fire Fighter position and overtime costs related to instructor time. MCPS has provided transportation and a \$17,000 contribution to the program; the Executive's revenue assumptions for FY12 include a reduction of this amount.

Council staff concurs with the Executive's recommended reduction of this program. This nationally recognized program has clearly been a benefit to County students, and it seems unfortunate that it should be eliminated. The Committee may want to consider whether this program can be restored in the future when financial conditions improve.

2. Recruit Class

The Executive recommends \$695,000 and 6.1 workyears for an abbreviated recruit class. MCFRS proposes to contain the cost of this recruit class by seeking recruits with some pre-existing certifications who can then complete an abbreviated, two-month recruit class. The recommendation is for 30 recruits. The 6.1 workyears are for instructor overtime to provide the class. The recruits are expected to be absorbed within existing vacancies and not to add to the overall staffing complement.

The last fully funded recruit class was funded in FY09, which provided one 45 person recruit class at a total cost of \$3 million. (A 12 person recruit class associated with the 2009 SAFER grant was conducted in FY10.) Both the FY10 and FY11 budgets included funds for recruit classes which were reduced for savings and not implemented. MCFRS provided the most recent attrition chart showing funded positions on circle 6. **It shows that even with the recommended FY12 30 person recruit class MCFRS will continue to operate below complement and begin to have growing staffing deficits headed into FY13.**

Lapsed/redeployed positions: In response to Council staff's request, MCFRS provided the chart on circle 7 that shows the 80 lapsed positions according to function. Of the total 80 lapsed positions, 63 are uniformed positions that have been returned to field operations. (This 63 includes the 9 proposed for lapse in the FY12 budget submission.) The lapsed positions do not show as vacancies in the attrition chart, as it shows only funded positions. Thus, the net vacancies that show in the attached chart already reflects the effort to retain or return uniformed individuals in operations.

Council staff recommends approval of the requested \$695,000 for an abbreviated recruit class. This will clearly only begin to stave off staffing deficits due to attrition, and it appears that MCFRS will need another recruit class in the near future. MCFRS proposes this approach as a means to bring on recruits with reduced costs. **Given the projected attrition over FY12 and into FY13, the Committee may want to discuss whether there are other opportunities to increase staffing in FY12 that contain costs.** Could MCFRS identify sufficient pre-qualified individuals to support a second abbreviated class in FY12, or to increase the number in this recommended class? If the County receives its pending SAFER grant request, what would be the associated costs with that recruit class, and could additional recruits be added to that class at a lower marginal cost?

3. Fire Code Compliance

The Executive recommends a net savings reduction of \$573,000 and 6.2 workyears associated with an initiative to improve Fire Code Compliance. The recommendation lapses seven uniformed Code positions, initiates a contract to accomplish some of the Code Compliance work, and creates one administrative position to support the program. The proposal reassigns the seven uniformed positions to the field. The proposal does not require new funds as the contractors are expected to cover their cost through generated revenue. The Executive assumes a total of \$3 million in revenue for Fire Code Compliance in FY12.

Background: In FY10, the Council approved a civilianization effort in Fire Code Compliance that would have created five civilian inspector positions to replace five uniformed positions. The uniform positions were abolished and the personnel assigned to positions in the field. In the savings plans and budget reductions of FY10 and FY11, the civilian positions were never filled. In FY11, Code Compliance also abolished a lieutenant position, and several Fire Investigation positions were lapsed and abolished.

As a result, there is a significant backlog of work in Fire Code Compliance and issues with timeliness of permit inspections. MCFRS details the proposed initiative and scope of work on circles 1-2. Contractors will focus on revenue generating work such as new construction and new system inspections. The recommendation leaves in place 15 uniformed positions to also carry out this work in addition to other required inspections, such as schools and County buildings, conducting an inventory of properties requiring inspection in the County, and follow-up visits, some of which do not generate revenue.

MCFRS is in the process of developing a solicitation for the contractors and a rate schedule. One uniformed position will supervise the contractors and provide quality assurance.

MCFRS anticipates that the first year's experience will be necessary to evaluate the impact of the program on revenue, timeliness, and compliance, and to work out any implementation issues.

Council staff supports the proposed Fire Code Compliance initiative as recommended. It appears to be a well constructed effort to increase capacity and revenue in this important area without additional resources and with potential cost savings. Council staff suggests the Committee receive a mid-year status report on the progress of the initiative.

4. Fleet Services

The Executive recommends a net savings reduction of \$118,330 and an increase of 1.6 workyears associated with reorganizing Fleet Management Services. The recommendation shifts \$107,480 from operating to personnel costs to create two new mechanic positions, and reduces operating costs by a net \$118,330.

MCFRS details this proposed shift on circles 2-3. This shift appears to be one of several efficiencies Fleet Management is undertaking to increase capacity to manage the medium and heavy duty fleet vehicles with limited resources. MCFRS states that the additional positions will allow Fleet Management to:

- Reduce reliance on outside vendors;
- Reduce time spent on checking quality of outside vendors' work;
- Increase "road service" of vehicles on site, rather than requiring them to be brought to the Central Maintenance Facility; and
- Increase in-house maintenance and repair staffing.

The recommendation does include a reduction in operating expenses that may impact the ability to purchase and time spent waiting for parts and service repairs in some cases.

Council staff recommends approval of the proposed cost savings and new positions as recommended. Again, it appears that MCFRS is working to achieve significant efficiencies with this effort and the Committee will want to follow its progress.

5. MCVFRA and LFRD Funding Reductions

The Executive recommends several budget reductions associated with MCVFRA and LFRD funding. Many of these reductions carry over the reductions approved in the FY11 savings plan. MCVFRA submitted written information on these budget issues at circles 11-17. Council staff will address the recommended reductions below in three areas: A) LFRD administrative personnel; B) MCVFRA funding; and C) LFRD operating expenses.

A. LFRD Administrative Personnel

In the FY11 savings plan, the Executive recommended and the Council approved the reduction of 19 LFRD administrative positions. The FY12 recommendation assumes the full year cost savings associated with this reduction, offset by the addition of five County administrative staff, for a total net reduction of \$1,143,520 and 13.4 workyears. This personnel cost represents a significant portion of the overall reduction in direct LFRD funding. MCVFRA

does not request their restoration but requests that the new County administrative positions be placed with the LFRDs to work collectively with all the stations.

Council staff requested an update on the status and process of the mid-year position reduction; MCFRS' response is on circles 3-4. The response states that eight of the employees retired and 11 were subject to a reduction-in-force. All were paid by the County through February 12. MCFRS has not yet hired the five new County positions in anticipation of a possible RIF process in FY12. MCFRS states that the projected FY11 savings of \$592,000 were achieved in part due to the fact that the new positions were not filled. The Committee may want to discuss additional information on the service impact to date; however, the positions have only been vacant for two months.

Council staff concurs with the Executive's recommended reduction for LFRD administrative positions. The positions are now vacant, and Council staff does not recommend returning to the previous administrative structure. The Committee will want to continue to monitor this administrative function as the new employees are brought on and the restructuring continues.

B. MCVFRA Funding

The Executive recommends a reduction of \$235,000 to eliminate the County funding for the MCVFRA. This funding comprises nearly all of the MCVFRA budget; Council staff understands that in addition to the County funding, each LFRD contributes \$750 per year to support MCVFRA activities, totaling \$14,500 per year. MCVFRA applied for and received three Federal grants totaling \$950,000 (over three four-year periods) used exclusively to support volunteer recruiting and retention. The County has reduced its position for volunteer recruiting.

The County funding supports \$164,000 in personnel costs for the Executive Director, including benefits, and \$71,000 in operating costs. Operating expenses include rent and associated costs for the MCVFRA offices and recruiting center.

Background: The reorganization of 2003-04 introduced collective bargaining between the County and the volunteer firefighters. County Code §21-6 requires the Fire Chief to negotiate with an authorized representative of the LFRDs; the LFRDs elected MCVFRA as the authorized representative. While the funding amount has changed, Council staff understands that the County has typically provided some level of funding to the MCVFRA beginning in FY05.

While MCVFRA is not a labor union representing County employees, it is the certified exclusive bargaining representative of the LFRDs for the purpose of negotiating with the County Fire Chief. The County's collective bargaining agreements with its County employee unions provide for a level of County support of their respective union presidents or other designated union officials. Each agreement provides that a County employee serving as the union president, or designee, be provided a full year of administrative leave to perform union business while earning his or her normal County salary.

- IAFF: 1,248 hours of administrative leave from the County directly and 3 hours assessed from each union member. The County also provides an additional 200 hours of administrative leave for other union purposes such as workshops or meetings.
- FOP: 1,092 hours of administrative leave from the County and 3 hours assessed from each union member, with an additional 400 hours of administrative leave from the County for other union uses.
- MCGEO: Each bargaining unit member is assessed ½ hour of leave for a leave bank used to provide 80 hours of administrative leave each pay period for one County employee serving as a union official. For other union business, MCGEO receives 1700 hours for the SLT bargaining unit and 3000 hours for the OPT bargaining unit.

Council staff also notes that while MCVFRA is a tax-exempt non-profit organization, it is a 501(c)4 and donations to the organization are not tax-deductible. Unlike the LFRDs, MCVFRA does not collect or solicit donations.

Council staff does not support the Executive’s recommendation to eliminate the full \$235,000 for MCVFRA funding. At a minimum, Council staff recommends restoring funding for the Executive Director position. The County Code clearly anticipates the existence of an organization to represent the LFRDs in bargaining and other matters and the County has funded it to date. At this juncture, MCVFRA not only serves as bargaining representative but manages Federal grants for recruiting, coordinates State 508 fund allocations with the LFRDs and the Fire Chief, and has primary responsibility for recruiting volunteers.

With regards to operating funds, one option is to consider whether MCVFRA could raise additional funds for its operations through the LFRDs, who currently provide a very small annual amount.

- If the LFRDs were to make up all of the \$235,000 reduction in County funding, it would require the annual contribution to increase from \$750 to \$13,200.
- If the County funds the personnel costs and the LFRDs were to contribute all of the operating funds, that would require the LFRD contribution to increase from \$750 to \$4,500.

The Committee may want to consider what combination of County and potentially LFRD funding should support the MCVFRA, and may want to consider placing its recommendation in increments on the reconciliation list for Council consideration.

C. LFRD Operating Expenses

The Executive recommends a total reduction of \$778,500 in direct County support for LFRD operating expenses. The FY11 savings plan took a reduction of \$479,920 in these operating expenses; the FY12 recommendation largely annualizes this reduction, and makes some reallocations among the remaining operating categories. The table below shows the FY11 total allocation (before the savings plan) and the FY12 recommendation:

| LFRD Operating Support | | | |
|-------------------------------|-----------------------|-----------------------|-----------------|
| | FY11 App Total | FY12 Rec Total | Diff |
| Dues and Memberships | 0 | 14,700 | 14,700 |
| Services and Contracts | 144,918 | 536,908 | 391,990 |
| Other non-professional | 433,238 | 0 | -433,238 |
| Communications Services | 196,195 | 188,869 | -7,326 |
| Travel | 27,018 | 0 | -27,018 |
| Education, Tuition, Training | 76,715 | 30,400 | -46,315 |
| Office Supplies & Equip | 92,057 | 62,870 | -29,187 |
| Printing, postage, mail | 0 | 18,000 | 18,000 |
| Trophies and Awards | 26,200 | 0 | -26,200 |
| Public Safety Equip | 305,355 | 196,500 | -108,855 |
| Furniture | 49,120 | 13,000 | -36,120 |
| Uniforms | 222,769 | 214,769 | -8,000 |
| Other Supplies & Materials | 155,999 | 147,504 | -8,495 |
| Rental/Leases | 59,270 | 44,490 | -14,780 |
| Food/Standby Food | 247,281 | 0 | -247,281 |
| Misc operating expenses | 210,560 | 100 | -210,460 |
| Total | 2,246,695 | 1,468,110 | -778,585 |

Council staff notes the following:

- The categories that show increases (services and contracts, dues and memberships, and printing, postage, and mail) reflect reallocations and adjustments from other categories, such as other non-professional.
- The Fire Chief states that the reduction in public safety equipment reflects cost savings that are in part attributable to having new equipment already in place in most stations, having some equipment replacement or repair reimbursable under insurance, and having current stock for some replacement parts that potentially would not need to be purchased in FY12.
- MCFRS states that the County does not provide standby food to career personnel.
- This chart does not show certain costs that were previously budgeted with the LFRDs but reimbursed by the County: Fuel, Utilities, Vehicle Maintenance, and Medical/Health Supplies. Beginning in FY11 and recommended to continue in FY12, these payments are being handled centrally by MCFRS rather than paid with County funds through the LFRD budget process.

The MCFRS budget includes other funds that support LFRDs and volunteers directly:

- The recommended FY12 Division of Volunteer Services budget contains \$1.1 million for LOSAP payments and \$213,750 for the Nominal Fee paid to active volunteers.
- In response to Council staff's request, MCFRS reported that LFRDs received supplemental County funding for operating expenses totaling \$219,000 in FY09 and \$111,000 in FY10 above the budgeted amounts.
- MCFRS also reported that \$210,000 in County funds was used to support facility maintenance in both FY09 and FY10 above what was provided in the LFRD budgeted support. MCFRS anticipates providing at least \$110,000 of additional facility maintenance funds in FY11 as well.

The Council has heard requests from the MCVFRA and in testimony from LFRDs to restore some of the operational funding. Some LFRD testimony stated that LFRDs no longer have sufficient funds to support certain station needs.

Council staff does not support restoring funds to the Executive's budget for these operational purposes. Moreover, in Council staff's view, it is likely that many of these functions could be more efficiently and cost-effectively carried out centrally rather than by each individual LFRD. Many of these operating budget categories result in small contracts or arrangements for purchases or services created and administered through each of the 19 LFRDs. Certain administrative functions, like trash removal or office supplies, seem well suited to a central contract. Other key functions, such as public safety gear and equipment, are more appropriately handled by the Fire Chief who is responsible to ensure that all fire and rescue personnel have sufficient supply of these critical items.

Council staff recommends that the County continue to be fiscally responsible for the LFRD operating expenses covered in these budget items but that the administration of the operating expenses be carried out centrally at MCFRS rather than transferred through the individual LFRDs. This recommendation is consistent with the recent consolidation of the fuel, utilities, vehicle maintenance, and medical supplies into MCFRS. **In Council staff's view, this consolidation is necessary to ensure that infrastructure costs are minimized by not being either duplicated or fragmented.** Council staff does not see that these administrative efficiencies need to infringe on the core public safety functions of the volunteers that benefit the fire and rescue service and the County as a whole.

Audit Committee: Management issues related to the County's operational support for LFRDs were raised in the Audit Committee's March 31 meeting to review the FY10 LFRD audits. The Committee discussed the annual cost of the audit (\$95,000 in the current contract), the fact that the amount of County funds to each LFRD is relatively small, and that it appears to be difficult for some LFRDs to manage County funds to the auditor's specifications. Some Audit Committee members suggested that both audit contract cost savings and administrative efficiencies could be realized if County funds were not transferred to the LFRDs. Council staff notes that the FY12 audit contract will audit funds already transferred to the LFRDs in FY11, so audit savings can likely not be realized until FY13.

In Council staff's view, one positive outcome that could come of consolidating these functions is a better mechanism to establish a baseline inventory, develop standardized allocations, and the ability to identify, prioritize, and address remaining gaps in station operating support. Again, Council staff does not recommend additional funding at this time to support these operations. Indeed MCFRS has already been allocating additional funds in past years to cover operational needs. Council staff suggests that the Fire Chief is ultimately responsible to ensure adequate station operations, and can be held accountable to achieve this outcome if he retains the funding in addition to the responsibility.

If the Council ultimately agrees with the recommendation to consolidate these operating functions in MCFRS, it would only require changes to the final operating budget appropriation resolution to clarify the Council's intent. On a practical level, MCFRS will

need to conduct an inventory of the current supplies and practices, and the Council will need to be satisfied that the operating allocations are adequate and fair among stations and LFRDs. Council staff suggests the following options to implement this recommendation:

1. Retain all County LFRD support funding in the MCFRS budget in FY12.

The advantage of making the transition in one year is that any cost savings or efficiencies can be achieved quickly and that transitional issues are addressed all at once. Under this scenario, one approach could be to maintain the proposed LFRD/station allocations as a baseline for the amount of support the LFRDs would receive until MCFRS carries out an inventory and can propose amounts and allocations across the system going forward.

2. Transition key funding areas in FY12, continue some LFRD based expenses during the transition, with all funds retained centrally in FY13.

The advantage to a two year transition is that it allows time to work out any unforeseen logistical obstacles, accomplish the inventory, and develop allocations. Council staff's primary concern is with key functions such as public safety gear and equipment, training, and facility maintenance. Funding in such categories should be consolidated first in FY12, while the remaining funds could be consolidated in FY13 following completion of the inventory and allocation process.

Council staff recommends option 2. Under either scenario, the Council will need to understand the process that will be used to develop allocation formulas and standards for all categories of support. Under either scenario, the Council will need to closely monitor the transition process, receiving regular reports (at a minimum quarterly). If the Committee is interested in pursuing this recommendation, Council staff will work with Council legal staff, the Fire Chief, and MCVFRA to develop a preliminary transition plan and to draft budget language for review.

Additional issue: Collective Bargaining Agreement

The current structure of the Montgomery County Fire and Rescue Service was established by Bill 36-03, which took effect on January 1, 2005. Bill 36-03 established a process for LFRDs to select an authorized representative to represent their interests, and a requirement for the Fire Chief to negotiate in good faith with the authorized representative on certain issues affecting LFRDs and their volunteers. The rules for the selection of the representative and the direct negotiation process are included in County Code §21-6. The process was intended to be similar to collective bargaining with career employees.

The LFRDs selected the Montgomery Volunteer Fire and Rescue Association (MCVFRA) as their representative. On January 30, 2007, the Council approved the first agreement between the County Government and MCVFRA. Code §21-6(p) requires the Executive to submit to the Council any element of an agreement that requires an appropriation of funds, may have a future fiscal impact, is inconsistent with any County law or regulation, or requires the enactment or adoption of any County law or regulation. Section 21-6(q) directs the Council to notify the parties within 60 days if it disapproves an agreement in whole or in part. The Council may by resolution extend the time for action.

On April 1, 2011, the Executive submitted an agreement between the Executive and the MCVFRA, effective July 1, 2011 through June 30, 2014, for Council review and action. A copy of the Executive's transmittal memorandum, a summary of the proposed Agreement, and the proposed Agreement is attached beginning at circle 40. This agreement is the product of negotiations and an award in favor of the MCVFRA issued by arbitrator Jerome H. Ross. A copy of the arbitrator's award is attached beginning at circle 53. The arbitrator was required to select the entire last best offer that he judged to be more reasonable. The Executive argued that funding for the MCVFRA administrative expenses was non-negotiable. However, the arbitrator concluded that due to past practice of negotiating this item, it was a mandatory topic of bargaining.

The MCVFRA material on circles 11-17 raises the issue that the Executive did not fund the arbitrator's ruling in the FY12 budget. The arbitrator's ruling would have:

- Funded the MCVFRA at a 5% reduced level of \$223,250 (CE Rec: \$0);
- Not funded boots, gear bags, and VBOC training (CE Rec: \$122,100); and
- Funded the nominal fee at \$342,000 (CE Rec: \$213,750).

With regard to these economic provisions, Council staff notes the following:

- Council staff's recommendation on the MCVFRA funding is outlined in Issue B above.
- The arbitrator and the MCVFRA indicated that they could manage without the \$122,100 for boots (\$71,140), gear bags (\$34,960), and training (\$16,000). If the Committee reduced these funds to offset other priorities, such as possible MCVFRA support, that would more closely reflect the arbitrator's ruling.
- The nominal fee is an annual amount given to volunteers at two levels of active participation. For FY12, the Executive projects 605 volunteers at the lower fee level and 492 volunteers at the higher fee level. Recent data from MCVFRA (circle 70) shows that 930 total volunteers received the nominal fee in 2009. The nominal fee was due to increase from \$300/\$500 to \$400/\$600; the arbitrator's amount represents \$240/\$400 and the Executive's recommendation represents \$150/\$250. While the nominal fee proposed by the Executive is a significant reduction per person, Council staff would not prioritize additional funds for this purpose for the reconciliation list.

The arbitrator's award also included \$26,000 to pay for a vehicle for MCVFRA use in the third year of the agreement. Since this does not require an appropriation in FY12, the Council can postpone a decision on funding the vehicle until the deliberations on the FY14 operating budget.

The Public Safety Committee's recommendations on the collective bargaining agreement with the MCVFRA will be introduced as a proposed resolution indicating the Council's intent to approve or reject this agreement next month. Under Code §21-6(q), the Council must notify the Executive and the MCVFRA of its decision on or before June 1, 2011.

III. ADDITIONAL UPDATES

6. Overtime

The MCFRS FY12 recommended budget includes a total of \$11.1 million for overtime expenditures, which is \$1 million more than approved in FY11. In the FY11 budget, the Council approved a \$1.3 million reduction in overtime, resulting in an FY11 approved overtime level of \$10.1 million.

MCFRS projects an FY11 overtime expenditure of \$13.2 million, which will be above the approved level. MCFRS states that it did take steps to meet the required \$1.3 million savings target; outlined on circle 1, they include reduced EMS duty officer staffing, reduced EMS flex staffing, and several changes to training practices. Nevertheless, without additional service reductions overtime expenditures as a whole are on pace to exceed the budgeted amount.

MCFRS discusses the structural issues that drive overtime on circle 1. They stem largely from the current staffing situation shown on the attrition chart (circle 6) and no recent recruit classes. Council staff again notes the 63 uniformed positions that have been lapsed and reassigned to address these staffing issues.

MCFRS provided the table below that shows FY11 overtime through December 2010 by category and percent of all overtime. It shows that just over half (51.9%) of all overtime is attributable to backfilling firefighters, officers, or paramedics. Overtime in the ECC, for drivers, and other field operations constitutes another 19%.

| Percent | Overtime Pay | Category |
|---------|--------------|--|
| 22.4% | 1,384,717 | Firefighter Backfill |
| 17.8% | 1,101,525 | Officer Backfill |
| 11.7% | 724,927 | Paramedic Backfill |
| 8.2% | 508,087 | PSTA Instructor |
| 7.4% | 455,741 | Emergency Communication Center |
| 6.1% | 379,497 | Primary Driver Backfill |
| 5.5% | 342,393 | Other Field Operations (extended hours, held on incident, scheduling, etc) |
| 5.2% | 321,111 | Chief Officer Backfill |
| 4.6% | 285,822 | PSTA Student |
| 2.7% | 164,198 | Code Enforcement |
| 2.2% | 138,551 | Fire and Explosive Investigations |
| 2.1% | 131,078 | Administrative Services |
| 1.9% | 118,742 | Risk Reduction and Training Services |
| 1.6% | 97,893 | Special Detail or Event |
| 0.5% | 31,262 | Office of the Fire Chief/Community Outreach |
| 100.0% | 6,185,542 | Total |

Previous Public Safety Committee discussions have noted that while overtime expenditures continue to be high in MCFRS, in some cases using overtime is less costly than hiring new individuals with benefits and other costs. It appears that MCFRS continues to monitor and minimize its overtime, and that significant overtime reductions may not be possible without implementing targeted service reductions.

CountyStat continues to monitor public safety overtime quarterly. One of the measures it tracks relates to wages and overtime. The most recent CountyStat data (through December 2010) on this issue is attached at circle 10, and shows that MCFRS continues to reduce the overtime earned by higher wage personnel compared to lower wage personnel.

7. FY11 Service Reductions

MCFRS provided a written update on two major service reductions that were taken as part of the FY11 operating budget (circles 4-5). MCFRS reports that the reduction of an ambulance at Hyattstown Station 9 has not presented a significant impact. The reduction of the Aerial Unit at Hillandale Station 12 has had an impact on response time to structure fires in that area.

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**Council Staff Questions
MCFRS FY12 Operating Budget**

Overtime

- **What is the projected overtime expenditure for FY11?**
\$13.2 million

- **Please discuss the overtime drivers, and detail the episodic and structural issues that create overtime costs.**
MCFRS's overtime costs are mainly the result of not having sufficient personnel to cover minimum staffing, answer emergency 911 calls, and required training standards. More specifically, MCFRS's overtime challenges include: shortages of officers, drivers, and paramedics; certification training that relies heavily on overtime spending; backfill for nearly 30 positions that are vacant due to administrative retirements; no previously scheduled recruit classes to impact the attrition rate; occasional increased costs due to significant unplanned incidents (firestorm), blizzards, and special events; and extended overtime hours at rescue 1, rescue 2, and station 5.

- **How did MCFRS meet its target reduction of \$1.3 million in overtime in FY11?**
We discontinued staffing an EMS duty officer position (one captain 24/7); we reduced our flex unit hours (flex units are supplementary EMS units that are staffed with personnel on overtime); we cut EMT-B recertification training overtime by more than half by putting substantial portions of the course online; we directed chiefs and officers in administrative roles to periodically cover open shifts in the field; and we stopped covering overtime for advanced paramedic training.

Code Compliance

- **Please provide a brief overview of the Code Compliance initiative represented by the personnel savings and initiating contract services.**
The code compliance initiative proposes to use independent contractors as inspectors to provide service for revenue generating inspections. In exchange seven (7) uniformed Firefighter/Rescuer positions will be transferred to the Operations Division. Qualified contractors will be licensed and placed on a rotating list by the Office of the Fire Marshal. Contractors will be paid a pre-determined hourly rate for inspection time, data entry time, and travel time. Contractors will only be assigned to revenue producing activities. Fire code compliance will continue the practice of billing businesses inspected and, in turn, pay the contractors. The budget includes the cost of hiring an administrative specialist to cover the increased administrative burden that working with contractors will entail.

- **Please indicate how many uniformed positions will be redeployed to the field under this recommendation, and where they are likely to be redeployed.**

A total of seven inspector (3 Master Firefighter and 2 Firefighter III) and supervisor (two lieutenants) positions have already been or will be re-assigned to the Operations Division. Where they are reassigned depends entirely on which positions happen to be vacant at the time of reassignment.

- **Please detail the scope of work expected from the remaining uniformed staff and the contract staff.**

The new staffing arrangement will provide the same scope of work that is currently required by the Montgomery County Fire Safety Code (Chapter 22). The proposed staffing complement of fifteen inspectors allows for flexibility in work assignment, particularly in response to changes in new construction. Inspections will continue to be provided for new fire protection systems, licensing required by other agencies, life safety conditions, and other systems in existing buildings. Uniformed staff will continue to provide the same type of service as in the past; however, an additional quality assurance role will be assigned to certain staff to ensure that service provided by the Fire Code Compliance Section, including the independent contractors, meets the needs of the County. The remaining uniformed staff will ensure that the non-revenue activities continue to be addressed (MCPS) school inspections.

- **Please detail the current backlog of code compliance work, the schedule of current or ongoing work that needs to be completed, and the extent to which the new arrangement is expected to reduce backlog and/or improve timeliness.**

The primary backlog of compliance inspections resides with Fire Marshal permits; follow-up inspections, and the need to evaluate fire and life safety system maintenance records. Fire Marshal permits require inspections prior to being issued or re-issued. 13,245 fire protection systems in Montgomery County are currently of unknown status have not received follow-up. Further, an unknown number of commercial occupancies remain in the County that have not received an initial site visit. The proposed arrangement improves timeliness with Fire Marshal permit inspections and other revenue generating work. It is anticipated that the backlog will be affected at a rate between 100 and 200 inspections per week.

Fleet Management

- **Please detail the cost savings associated with the fleet management operating services reduction and creation of 2 new employees. How much additional work are the new employees expected to accomplish?**

With ever increasing fiscal challenges in FY12, limited number of units covered under warranties and needing to evaluate ways to manage the MCFRS Fleet, we requested a shift of operating funds to personnel funds. This request will allow us to add two additional MCFRS /Mechanic Technicians to provide increased maintenance and repair capabilities.

Currently, the MCFRS Fleet Section is able to meet the needs of 80% of our medium and heavy duty fleet vehicles. We are still reliant on outside vendors to meet the needs for the other 20%. It is expected that by bringing additional work in house, away from vendors, that our productivity capacity and in-service time will be enhanced.

Increased productivity also includes the ability to provide "road service", whereby the Fleet Section assigns mechanic technicians to service trucks and the service truck goes to a fire station to make minor repairs. (This is in lieu of the current practice of a unit with 2-4 uniformed personnel moving from all areas of the County to the Central Maintenance Facility for minor repairs, thereby decreasing wear on vehicles and allowing in-service personnel to be more productive.)

Additional Mechanic Technicians will not only allow for a reduction in the use of vendors, but also permit mechanic personnel to remain at the Central Maintenance Facility maintaining and repairing vehicles or staffing service repair vehicles.

Vendors work to different business standards. Because of this, the MCFRS Fleet Section staff must "check in" (quality control) maintenance and repairs by vendors before the placing the vehicle ready for service. This is an additional burden when using vendors and takes up to 2-4 hours per day for a Mechanic Technician or management staff to perform this task. This is another example of greater in-house maintenance and repair efforts where productivity and in-service time will be enhanced with the two additional MCFRS mechanics.

The MCFRS Fleet Section, is considering staggering shifts to extend working hours at the Central Maintenance Facility from 0700-1530 hours to possibly a range of 0700-1900 hours with the increased mechanic staffing. This would further enhance service to the stations. (Emergency vehicles are in-service 24/7.)

This proposal also includes a reduction in operating funds for the MCFRS Fleet Section. Reductions to the operating budget of the MCFRS Fleet Section will impact out of service time for repairs or parts, decreased ability to purchase parts and service repairs as needed.

LFRD Administrative Positions

- **Please provide an update on the status of these positions and the previous employees. How many retired? Were any hired by an LFRD? Have the 5 new County positions been created and filled? Did any of these positions go to the previous employees? How long were the employees paid by the County during the RIF process? Please provide the total amount of actual FY11 savings achieved or expected.**

How many retired?

Eight personnel retired; eleven were subject to a reduction-in-force.

Were any hired by an LFRD?

We have not been informed by the LFRD employer of their status. But some appear to have been rehired by the LFRDs at their expense.

Have the 5 new County positions been created and filled?

They have been created, but not filled. Due to pending RIF process, it was determined to wait so we did not have an employee start and then be bumped out of a position by someone with County employee RIF rights.

Did any of these positions go to the previous employees?

Not at this time.

How long were the employees paid by the County during the RIF process?

The LFRD employees were be paid through February 12, 2011.

Please provide the total amount of actual FY11 savings achieved or expected.

The LFRD Administrative personnel were paid through February 12, 2011, which was 43 days longer than anticipated in the FY11 Savings Plan. The five positions authorized for MCFRS in the FY11 savings plan will not be hired until July 2011 (FY12), resulting in savings which will roughly offset the additional, unanticipated costs. The savings anticipated is approximately \$592,000, as indicated in the savings plan.

Other updates

- **The budget shows a performance measurement projecting a fairly consistent 610 firefighter injuries each fiscal year. Please provide some context for this number of injuries. What is the definition of injury that would be included in this figure? How many resulted in Worker's Compensation? How are the injuries categorized by severity? How do these injuries occur?**

MCFRS policy requires all career/volunteer injuries, regardless of severity, be reported. Because of this many minor injuries and illnesses are for documentation purposes and are included in the totals for each year. However, it is important to note that only 249 of the 600 reported injuries in FY10 resulted in lost time.

Injuries are defined using the following classifications: sprain/strain; bruise/contusion; cut/scratch/laceration/puncture; cardiac related; contagious/infectious disease; foreign substance; hernia/rupture; irritation; fracture; thermal burn; concussion; chemical burn; inflammation; abrasion; separation/avulsion; blunt/penetrating trauma, bite (animal and human); dislocation; and other. Strains and sprains account for the majority of injuries.

Injuries result from a multitude of different circumstances, including: firefighting incidents, EMS incidents; physical fitness activity; maintenance of buildings and equipment; moving to/from on foot; training activity; service activity (other); and response to incidents.

- **Please provide a written update on and assessment of the effect of the service reductions taken in the FY11 budget for Hyattstown A709 and Hillandale T712.**

The response time for a BLS transport unit in Fire Station 9's first due area has increased slightly but does not present a significant impact. There were only 72 BLS events dispatched in Fire Station 9's first due area in CY2010.

The reduction of T712 in Hillandale has had some impact on operational response. In Battalion 1, the aerial service response time to structure fires has increased and the reduction of aerial service in Hillandale leaves Battalion 1 with only three aerals. Therefore, the Battalion 1 aerial assets are depleted each time there is a structure fire response in a high rise or when a working structure fire occurs in the area. The net impact is that aerial resources

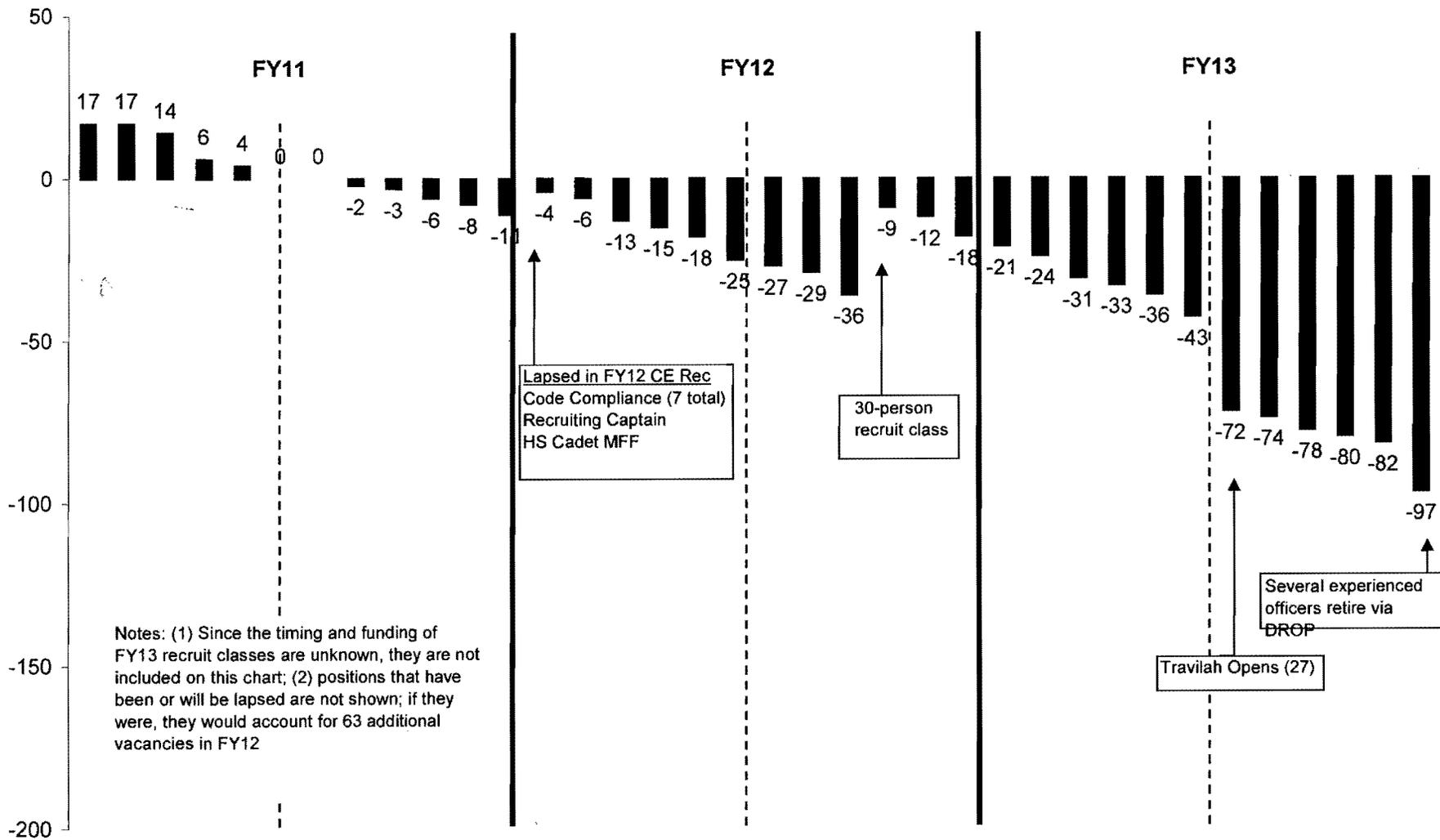
must be assembled from other areas of the County that are similarly stressed for aerial service and or, mutual aid assistance from neighboring Prince Georges County.

- **Has there been any effect on or change in the GEC transport policy and reimbursement agreement?**

In August 2009, a new MOU was signed with the GEC. Adventist Health Care agreed to pay a yearly sum for the three years of the MOU to cover the cost of the EMS unit that provides the service.

MCFRS Attrition Chart

Number of Uniform Personnel Minus Number of Funded Uniform Positions



6

MCFRS Lapsed Positions

| Uniform | # | Section |
|---|-----------|----------------|
| Quality Assurance/Training LT | 1 | ECC |
| Training Academy EMS lieutenant | 1 | PSTA |
| Truck 712 (Hillandale) - 3 LTs, 3 MFFs, and 7 FFs | 13 | Field Ops |
| Ambulance 709 (Hyattstown) -- all FFs | 9 | Field Ops |
| Float Pool - Lieutenant | 1 | Field Ops |
| Administrative retirements | 29 | Dept Wide |
| Recruit Captain | 1 | Recruiting |
| High School Cadet Program MFF | 1 | Training |
| Code Compliance - 2 LTs, 3 MFFs, 2 FFs | 7 | Code |
| TOTAL | 63 | |

| Non-Uniform | # | Section |
|---|-----------|-------------------------------|
| Manager III (Public Information Officer) | 1 | Fire Chief's Office |
| Manager III | 1 | Volunteer Services |
| Manager III | 1 | Fleet |
| Fiscal Assistant | 1 | Budget and Grants |
| Program Manager I | 1 | Insurance, CIP and Facilities |
| Program Manager I - Senior Citizens' Fire Safety Task Force | 1 | Community Outreach |
| Permit Svcs Inspector III | 5 | Code Enforcement |
| Sr. Planning Specialist | 1 | Organizational Planning |
| Messenger-Clerk (Courier) | 1 | Logistics |
| Sr. Executive Admin Aide | 1 | Fire Chief's Office |
| Office Services Coordinator | 1 | Volunteer Services |
| Administrative Services Specialist III | 1 | Employee Services |
| Manager II | 1 | Information Technology |
| TOTAL | 17 | |



MCFRS Online

*Serving with Dedication,
Courage, and Compassion*

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Montgomery County High School Fire Science Program

Partners Since 1973



The Montgomery County, Maryland High School Fire Science program is a national award winning one or two year program for high school juniors and seniors to educate and train students to become firefighters and/or emergency medical service (EMS) providers in Montgomery County.

The Fire Fighting pathway and the EMS pathway are separate one-year programs, allowing students to choose either or both courses of study.

[Click here for the 2008-2009 program video.](#)



All classes are held from **11:00AM to 1:30PM** at the **Montgomery County Fire & Rescue Training Academy**
9710 Great Seneca Highway
Rockville, MD 20850



Montgomery County Public Schools will provide bus transportation from and back to each student's home school, or students may drive to class in their personal vehicles.

8

EMS Pathway**Firefighter Pathway**

Application

[Download the Application in PDF Format Here.](#) (2011-2012 School Year) NEW

Entrance Requirements

Each applicant must:

- Be 16 years of age on the day classes begin.
- Have a minimum 2.5 GPA for the previous year.
- Pass a National Fire Protection Association (NFPA) 1001 physical examination provided by Montgomery County Fire Rescue Occupational Medical Service (FROMS) prior to the start of the school year.
- Possess good physical fitness and strength for lifting and moving activities related to this career field.

Benefits, Credits & Certifications

- Students meet graduation requirements by completing the career pathway program.
- Students may receive up to eleven (11) college credits at the discretion of Montgomery College.
- College tuition costs are reimbursed by the Maryland Commission on Higher Education, State Scholarship Administration.
- Students have the opportunity to earn and submit Student Service Learning (SSL) hours.
- Students earn 0.5 science credit per semester in the EMS Pathway.
- EMS cadets can earn certification as a Maryland Emergency Medical Technician-Basic (EMT-B) from the Maryland Institute for Emergency Medical Services Systems (MIEMSS).
- Firefighter cadets earn certification through the Maryland Fire and Rescue Institute (MFRI).

Contact Us



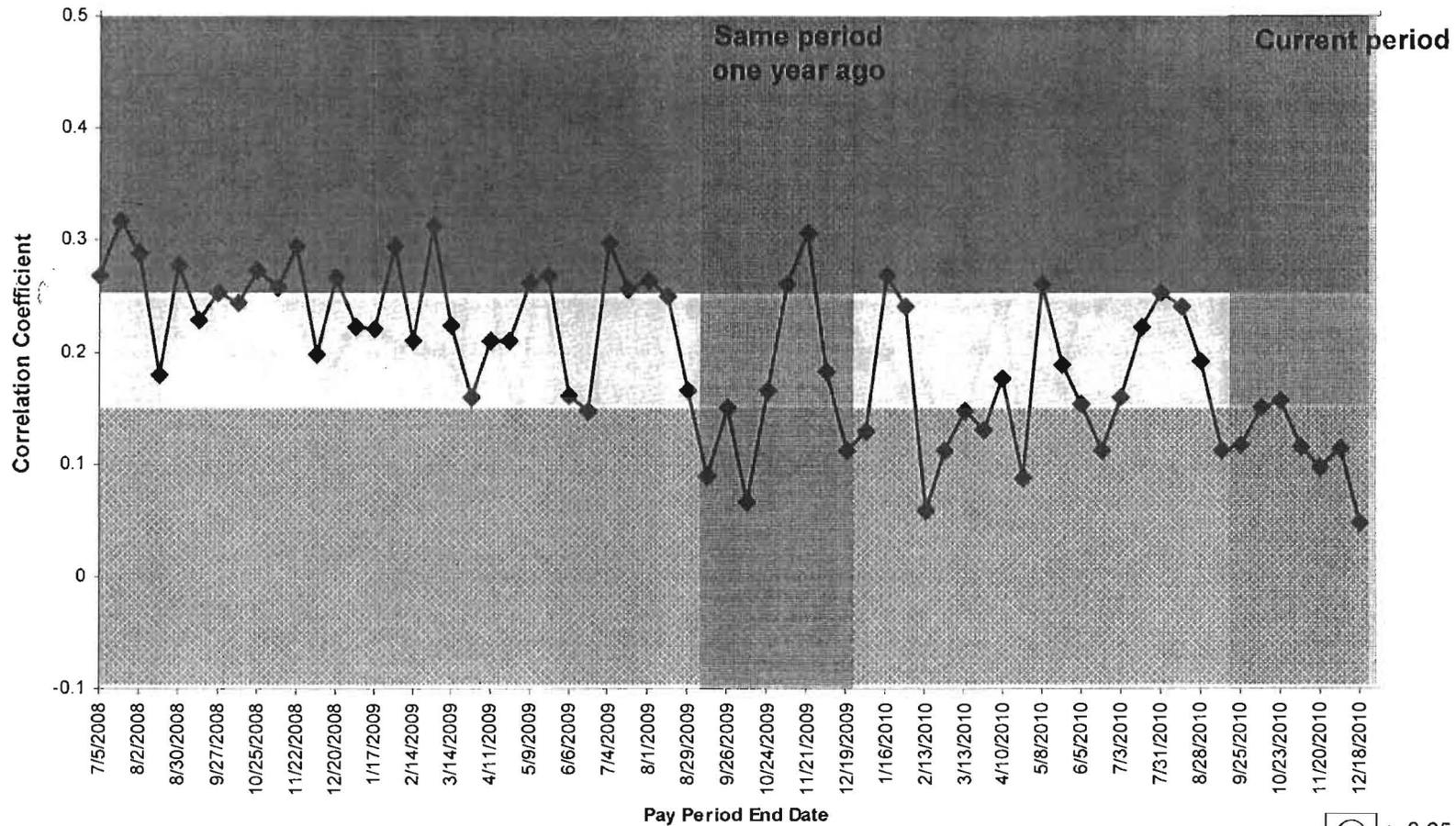
Brian Walls
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Brian_Walls@mcpsmd.org



Lt. Chad McDonald
MCFRS Cadet Training Officer
301-279-1376
Chad.McDonald@montgomerycountymd.gov

Overtime Update: MCFRS *Data Updated Through 12/18/2010*

Correlation Between Hourly Wage and Number of OT Hours



The correlation coefficient shows how likely it is that personnel with high hourly wages also earn high amounts of overtime compared to lower-paid personnel. The goal is to keep this number low.

- > 0.25
- 0.15 – 0.25
- < 0.15

CountyStat





**MONTGOMERY CO
VOLUNTEER
FIRE & RESCUE
ASSOCIATION**

230 N. Washington St. Rockville, MD 20850
301-424-1297
www.mcvfra.org



**MARCINE D. GOODLOE, PRESIDENT
ERIC N. BERNARD, EXECUTIVE DIRECTOR**

**Response of the MCVFRA to the
FY12 Budget Recommendation of the County Executive
April 9, 2011**

The Montgomery County Volunteer Fire Rescue Association (MCVFRA), representing the County's 19 volunteer fire and rescue departments along with the over 2,000 men and women who provide volunteer fire, rescue, emergency medical services, administrative, auxiliary and other support services to the residents and visitors to our County, submit these comments and concerns about the County Executive's FY12 budget submission. We thank you for the opportunity to respond and participate in the process of finding fair and equitable savings and efficiencies in the fire and rescue service.

The volunteer fire and rescue service is recognized in Chapter 21 in no less than 11 places, as the private component of the public-private partnership that comprises the Montgomery County Fire and Rescue Service (MCFRS). Chapter 21 also requires the County government to maintain, support and expand volunteer fire and rescue service. Bill 36-03, which became law in January 2004, expanded this partnership by creating, funding and requiring cooperation with the volunteer representative organization to accomplish the work of the combined MCFRS. The law also created a unified Fire Chief with significant authority. It further created a collective bargaining process, the first in the nation, by which the County and the volunteers negotiate for benefits, rights, and the Length of Service Award Program (LOSAP) for the volunteers in the County. In each year since, the County and volunteers both met their contractual obligations under the law. The system has been working well until the Executive introduced a proposed ambulance fee almost 3 years ago. Since then, he has repeatedly made significant and non-proportional cuts to the volunteers and the MCVFRA.

The volunteers, represented by the MCVFRA, have not been permitted to participate with the Fire Chief or the County Executive in the budget process. We have not been given any opportunities to suggest savings or efficiencies at any point during budget development. The Local Fire/Rescue Departments (LFRDs) have also been excluded from submitting budgets to be considered by the Fire Chief or County Executive, exclusion that we believe is contrary to Chapter 21.

We are pleased to have the opportunity to now comment on the proposed FY12 budget. Although we have many concerns (outlined below) we are able to support and endorse several components of the Executive's budget submission. These include: no cuts to career staffing positions, no career layoffs, no career furloughs, no career staffing reductions, no reduction of front line emergency services which includes no cuts in



ambulance service, no cuts in fire responses, no reductions in hours served by career members, and no reductions in career salary levels.

During the most round of collective bargaining between the County and the MCVFRA, the Executive refused to bargain in good faith and we were forced to go to arbitration for the first time ever. In our proposal, the MCVFRA offered significant cuts that amounted to over 41% of current level funding. The arbitrator found in favor of the MCVFRA's "last, best, final" offer, however the Executive has refused to sign the award or any of the side letters in the award.

In this package, we are submitting the arbitrator's award, along with a list of the significant cuts to the MCVFRA, the LFRDs and our volunteers. Additionally, we are commenting on the cuts outside of the agreement being proposed by the Executive.

In the Executive's recommended FY12 budget he proposes the following cuts to the volunteer service:

| Budget Item | Percentage Cut | \$ Amount Cut |
|---|----------------|---------------------|
| LFRD Funding | -56 % | -\$778,500 |
| LFRD Administrative Employees | -100% | -\$1,143,520 |
| MCVFRA Funding | -100% | -\$235,000 |
| Volunteer Nominal Fee | -50% | -\$90,540 |
| Overall Cuts to Volunteer Departments* | -60% | -\$2,362,585 |

*Does not include the funds that are being removed from the LFRDs for EMS supplies and being placed into the reimbursement service wide accounts.

LFRD Funding – all departments, except the Bethesda-Chevy Chase Rescue Squad, receive minimal tax support from the County to assist in operational needs within the departments. These funds, along with funds raised by the volunteers through fundraising, Christmas tree sales, other sales, donations, and cell phone tower rentals, pay for such essential and service-wide needs (NOT specific to volunteers but required regardless of the presence of volunteers) as: communications – station phone lines, office supplies – paper, printing, postage, station furniture, rental supplies and materials, and other miscellaneous operating expenses. These expenses will occur, and are necessary for the fire and rescue service to operate, regardless of whether there are volunteers or not. They are not volunteer specific or related expenses, however, they are included in the LFRD budgets. The Executive incorrectly considers them expenses for the volunteer service even though they benefit the entire system. The Executive recommended cuts to these areas are \$2,783,241 between the FY11 savings plan and the FY12 recommendations. Excluding EMS supplies (\$420,656) that was part of prior LFRD budgets and will now be part of the MCFRS reimbursement accounts and no longer managed through the LFRD budgets, the cuts proposed by the Executive are over 56% of the previous volunteer budgets.

Reviewing those budget line items that are specific and exclusive to volunteers and volunteer support, the cuts are even more drastic. Volunteer support categories include professional dues and membership, travel, education, tuition, training, trophies, awards, uniforms, and stand-by food expenses; proposed cuts to these areas total almost

60%. Although there has been an overall volunteer participation increase in each of the past 6 years of almost 40%, the Executive is proposing to cut those areas directly related to volunteers – specifically the needed dollars to train them, award and recognize their service and put them in uniforms. These cuts are even more pronounced if you view these numbers in relationship to the LFRD budgets over the past 10 years. While the overall MCFRS budget has almost doubled in those 10 years, the LFRD budgets have actually been reduced by over 56%. The MCFRS budget increased almost 100% in the FY01-FY10 period while volunteer specific budgets remained at 1993 funding levels.

LFRD Administrative Staffing - The FY11 budget savings plan approved in December 2010 cut the volunteer departments' lost paid administrative employees while at the same time creating 5 new positions within MCFRS to do the work of these 19 LFRD employees. The Executive's FY12 submission did not restore the administrative employees. Since the cuts in the savings plan, the LFRDs, and indeed MCFRS, have been struggling to complete the necessary work. The stations are without these essential personnel and we would respectfully request that control of the 5 new personnel return to the LFRDs where they would work collectively through the LFRDs to complete the administrative tasks, as has been the practice for over 30 years.

It should be noted that the Fire Chief was able to eliminate the County volunteer recruiter position – a function that has for the most part been done and remains being done - within the MCVFRA and the LFRDs. He was also able to return a captain to the field from recruiting; the duties previously performed by the captain related to volunteer recruiting have also been assumed by the MCVFRA, at no additional cost to the County or the LFRDs.

MCVFRA Funding – the funding for the MCVFRA is proposed to be cut by 100%. The MCVFRA has been funded each year since the change in Chapter 21 following the passage of Bill 36-03. During the debates in 2003, the County and volunteers worked tirelessly to negotiate a change in MCFRS to benefit the residents and create a more effective and efficient fire service. From these negotiations came the representative organization and the collective bargaining process for the volunteers. The legislative history, the news coverage during the debate and past practices all show that the intent of Bill 36-03 was to fund the representative organization. The MCVFRA has been a staunch advocate for the citizens, the LFRDs and the volunteers with full time assistance of our Executive Director. Perhaps the excellent work and effectiveness of the Executive Director and the MCVFRA is the reason we are seeing such Draconian cuts to the MCVFRA by the County Executive.

The MCVFRA operates almost exclusively using a grant from the County as provided in our collectively bargained agreement. For the past 3 years we have been funded at \$235,000. The grant pays for our Executive Director's salary, benefits, payroll taxes, expenses and other related costs. Additionally, the grant funds our modest office space, the first in the nation fire and rescue recruiting station, all supplies, phones, web site maintenance and operations, computers and accounting services for our other grants and funds. It also pays for the Volunteer Basic Orientation Course (VBOC), our own developed and run program for new volunteers. This 12-week program has been instrumental in our ability to increase the number of new, trained volunteers for all of our LFRDs. The funds cover the books, CPR cards, T-shirts, equipment and supplies to run this program. To date we have graduated over 500 new volunteers in this almost exclusively volunteer run, managed and directed program.

The MCVFRA was the fortunate recipient of 3 Federal grants (1 regionally with the Rockville Volunteer Fire Department) for recruiting new volunteers. These grants exceed \$1M and have strict reporting and record keeping requirements. Under the first grant we hired a volunteer recruiter who works out of the MCVFRA offices in Rockville. He helps staff our recruiting station and coordinates other volunteers to staff the station. He recruits new volunteers for all of our LFRDs and manages the VBOC classes. He and the Executive Director report to the President of the MCVFRA.

We respectfully request to maintain the funding for the MCVFRA so that we may continue to run these valuable programs, manage the recruiter and grant funds, and keep the Executive Director.

| Budget Item | CE Percentage Cut | \$ Amount CE Cut | MCVFRA Recommendation |
|----------------|-------------------|------------------|-----------------------|
| MCVFRA Funding | 100% | -\$235,000 | Add \$235,000 |

High School Cadet Program - the Executive also recommends cutting \$205,670 for the high school cadet program. While this is a valuable program and adds volunteers to the service, many of whom go on to become career firefighters, the MCVFRA reluctantly supports these cuts and will work with the Fire Chief to incorporate this program into the individual departments and work through the MCVFRA volunteer recruiter.

| Budget Item | CE Percentage Cut | \$ Amount CE Cut | MCVFRA Recommendation |
|---------------------------|-------------------|------------------|-----------------------|
| High School Cadet Program | 100% | -\$205,670 | Agree |

Nominal Fee – this fee was established in 2007 as a result of the collective bargaining process. This very modest amount (\$300 and \$500 depending on IECS participation) reimburses volunteers for the expenses associated with being a volunteer. While the amount in no way covers the volunteer's costs or expenses, it is a way the County has shown its appreciation for volunteers and helps to maintain the vibrant and diverse membership in the fire and rescue service. In FY11, the collectively bargained contract agreed upon by the County, required the fee be increased to \$500 and \$600. Due to the budgetary issues, the Council did not fund this increase. During the recent contract negotiations, the MCVFRA offered a 20% reduction from previous years' funding (an actual 45% reduction from the previously agreed upon level). The proposed amount was approved by the arbitrator as part of the MCVFRA's package. We would respectfully request funding at the arbitrator's ruling level.

| Budget Item | CE Percentage Cut | \$ Amount CE Cut | MCVFRA Recommendation |
|-------------|-------------------|------------------|-----------------------|
| Nominal Fee | 50% | -\$90,540 | \$240 and \$400 |

In the recommended budget the Executive calls for increases in the MCVFRA contract funding in FY12 of \$122,100 for turn-out boots, gear bags and the Volunteer Basic Orientation Course operating costs. The boots and gear bags were agreed upon during our current (July 1, 2008 – June 30, 2011) contract agreement but not funded by

Council this year (FY11) saving \$349,910 in FY11. However, during negotiations for the agreement to take effect in FY12, the volunteers agreed to fund the boots in years 2 and 3 of the agreement only, a 50% reduction from the current agreement. Our proposal included no boots in FY12, 220 pairs in FY13 and 220 pairs in FY14. We also agreed to eliminate the gear bags from the contract with a savings of \$39,330. We are not certain why the Executive would add these items to the budget when we have an award by an arbitrator to the contrary.

| Item | LFRD | % Cut in FY11 | \$ Savings in FY11 |
|----------------------------|----------------|---------------|--------------------|
| Cut – volunteer fire boots | All volunteers | 100% | -\$233,350 |
| Cut – volunteer gear bags | All volunteers | 100% | -\$39,330 |
| Cut – nominal fee increase | All volunteers | 100% | -\$77,230 |
| Total Cut: | | | - \$389,910 |

County Executive's FY12 submission:

| Budget Item | \$ Amount CE Increase | MCVFRA Recommendation |
|---------------------------------|-----------------------|-----------------------|
| Boots, Gear Bags, VBOC Expenses | +\$122,100 | 0 |

Other LFRD Cuts Proposed by County Executive

| Budget Item | FY11 | FY12 CE Proposed | Cuts | % Cuts |
|--|--------------------|------------------|---------------------|------------|
| Non-Professional Services | 433,238 | 0 | -\$433,238 | 100% |
| Communications | \$196,195 | 188,869 | -\$7,326 | 1% |
| Travel | \$27,018 | 0 | -\$27,018 | 100% |
| Education, Tuition and Training | 76,715 | \$30,400 | -\$46,315 | 40% |
| Office Supply and Equipment | \$92,057 | \$62,870 | -\$46,315 | 68% |
| Trophies and Awards | \$26,200 | 0 | -\$26,200 | 100% |
| Public Safety Equipment | 305,355 | \$196,500 | -\$108,855 | 64% |
| Furniture | \$49,120 | \$13,000 | -\$36,120 | 26% |
| Uniforms | 222,769 | \$214,769 | -\$8,000 | 4% |
| Other Supplies & Materials | 155,999 | \$147,504 | -\$8,495 | 5% |
| Rentals/Leases | \$59,270 | 44,490 | -\$14,780 | 25% |
| Direct Service – Food/Meal Stand-by Food | \$247,281 | 0 | -\$247,281 | 100% |
| Miscellaneous Operating Expenses | \$210,000 | \$100 | -\$210,460 | 100% |
| Totals | \$2,101,217 | \$898,502 | -\$1,202,715 | 57% |

The volunteer budgets from the County have not increased since 1992. In fact, in 1993 they were cut over 5%; in 1998 they were cut; in 2003 they were reduced, even though in each year volunteer contributions increased, the number of active volunteers increased, the amount of training required increased, the types and amount of equipment needed increased, the number of calls increased and overall costs increased. Despite all these increases, the LFRDs operated with a budget at 1992 levels (see attached chart).

Understanding the current budgetary issues, the MCVFRA proposes a 5% cut in operating expenses to the LFRDs, in the above categories, similar to other cuts in County public safety budgets.

MCVFRA Collectively Bargained Agreement and Arbitrator's Ruling - the MCVFRA respectfully requests the Council support and fund the collectively bargained agreement as awarded by the arbitrator for FY12 which would include:

| Item | Current Agreement Signed with County | FY11 Actual Council Funding | FY12 Request |
|-----------------------------------|---|--|--|
| Uniforms & Equipment (Boots) | 874 pairs Total- \$233,350 | 0 -\$233,350 | 0 pairs 1 st year (220 pairs 2 nd year) (220 pairs 3 rd year) 100% Reduction FY12 42% Reduction Overall |
| Uniforms & Equipment (Gear Bags) | 874 Gear Bags Total- \$39,330 | 0 -\$39,330 | 0 100% Reduction |
| Nominal Fee | \$400 to LOSAP active \$600 to LOSAP + Total- \$381,520 | \$300 to LOSAP active \$500 to LOSAP + Total- \$304,290 -\$77,230 | \$240 to LOSAP active \$400 to LOSAP + 20% Reduction |
| VBOC Training Course | 0 | 0 | +\$5,000 |
| MCVFRA Funding (Operations) | \$235,000 | \$235,000 | \$223,250 5% Reduction |
| MCVFRA Funding (Vehicle) | \$40,000 | 0 -\$40,000 | 0 |
| Annual Awards Ceremony | \$5,000 per year | \$5,000 | 0 100% Reduction each year |
| | Total Cuts to Volunteer Contract | FY11 Council Approved Cuts -\$389,910 | FY12 MCVFRA Proposed Cuts -\$462,518 |

It appears that the LFRD fire and rescue budget cuts submitted by County Executive Leggett, the private partners of our combined fire and rescue service have demonstrated, misplaced priorities. We cannot help but believe that they also reflect reprisal from the Executive due to the position the volunteers took regarding the ambulance transport fee and which the citizens of the County voted to reject.

Volunteer Contributions and Savings - for almost 100 years, highly trained and skilled volunteer firefighters, EMTs and paramedics have been providing outstanding fire and rescue services to the citizens of Montgomery County.

- Today **865** highly trained, certified, qualified and riding volunteers working hand-in-hand in a unique partnership with 1,038 County career firefighters, risk serious injury and death on a daily basis to help save lives and serve the public safety interests of the County. These volunteers are the riding members who have completed their fire, rescue, EMS training and staff the fire engines, trucks, rescue squads, ambulances and medic units filling minimum riding positions that would otherwise require paid personnel to fill. An additional 626 volunteers are trainees/candidates in the process of completing their fire/rescue classes and are riding apparatus but as additional staffing positions.

The value of these highly qualified volunteers should not just be measured by their selfless role in increasing public safety. Volunteers should also be valued for their part in providing **cost effective public safety** -- saving the County's taxpayers tens of millions of dollars **every year** through their tireless sacrifices for the benefit of the community. Annual savings to County taxpayers include the following specific items:

- More than **\$23.2** million in salary and benefit costs;
- At least **\$2.4** million by providing firefighter gear, apparatus, equipment, and maintenance of facilities through community fundraising efforts. Replacement value for LFRD provided firefighter equipment and apparatus is over \$25 million; and,
- Millions of dollars annually in rent free use of LFRD facilities (buildings and land). The volunteers own 26 of the 36 fire and rescue stations in Montgomery County.

Thank you for the opportunity to submit our comments on the budget savings plan.



**MONTGOMERY CO
VOLUNTEER
FIRE RESCUE
ASSOCIATION**

230 N. Washington St. ROCKVILLE, MD 20850
301-424-1297
WWW.MCVFRA.ORG



**MARCINE D. GOODLOE, PRESIDENT
ERIC N. BERNARD, EXECUTIVE DIRECTOR**

**Testimony of Marcine D. Goodloe, President
MCVFRA
County Council Public Hearing on the FY12 Budget
Tuesday, April 5, 2011**

Good evening. I am Marcine D. Goodloe, President of the Montgomery County Volunteer Fire Rescue Association. Thank you for the opportunity to speak to you today.

As you are aware Bill 36-97 created a single Fire Chief. There were many hearings and revisions of the bill due to the need to insure the protection, promotion, and inclusion of the volunteers in our public / private combination service. The one deciding factor for volunteers not to again take the issue of the single Fire Chief to the public, as they did with Question E (that they won) was that they would be able to have a representative body that would insure their protection and support. That body was given the authority and support to speak for volunteers with one voice on a daily and productive basis. Chapter 21 provided the representative's many rights such as being able to help develop policies and procedures with the Fire Chief. As well as to routinely meet with the Fire Chief and represent the Local Fire and Rescue Departments (LFRD).

In following thru with the agreement to go along with a Fire Chief and the support of Association's representation many meetings were held between the Association's officials, representatives from the County Personnel. County Attorney's and others. Funding was approve as was the class specification and pay for the MCVFRA Executive

The Montgomery County Volunteer Fire and Rescue Association were unanimously elected by the LFRDs to be that representative. The Fire Chief has an extensive staff that he can call on as well as other agencies while the Association has one employee. The many policies, requirements, general orders and other stipulation that are being heap upon volunteers required the need for volunteers to be heard, protected, recognized, and promoted and those needs are being handled by the Association and their one employee.

The County has honored and upheld the stated agreement until the present action by County Executive Leggett. By his denying funding to the Association he apparently wishes to eliminate the Association's ability to function or exist as the Representative Body for volunteers. We cannot help but believe that drastic and unfair action is reprisal for the Association's leadership in allowing the people to be given the right to vote on the ambulance fee.

Even during our recent negotiations, the Mediator noted that the action of taking away all funding for the Association appeared to be reprisal. The Association, unlike the Fire Chief, agreed to take a 40% cut in their total volunteer funding during negotiations. The Mediator stated, several times, that while he expected the Association to take a cut (which we did) that he would not approve anything close to the other end of funding. The County Executive's negotiation representatives ignored that statement and once again gave nothing to the Association. That along with other unreasonable cuts to volunteers was the reason that the Arbitrator chose to approve the MCVFRA package over the County's. The County Executive has chosen to ignore that decision and has refused to give the volunteers funds to be able to effectively function or operate. It is more than likely that we will have to file an unfair labor practice for ignoring the arbitrator's decision.

In addition, we have been informed that the Executive has refused to sign the side letters required for the MCVFRA funding awarded under arbitration. Those unfair actions and refusal to recognize the needs of volunteers, who save this county millions upon millions of dollars and who have faithfully served the County in an outstanding and courageous manner for over 100 years should not be tolerated.

Our Executive Director works over a 70 hour work week, every week. In addition to all of his responsibilities, he has obtained and manages 2 Federal SAFER grants for our Recruitment Coordinator. Jason Goldberg holds that position and has done such an outstanding job in recruiting that the Fire Chief was able to eliminate his volunteer recruiter. But, unlike our having a 100% cut of our Administrative Personnel, he was able to place that employee into another of his staff position.

Our Executive Director developed the outstanding VBOC program that to-date has trained over 500 LFRD volunteers. While the Association's Executive Director and President oversees that program. It is managed and run by volunteers and the majority of training and all of the administrative functions are done by volunteers. By the MCVFRA being funded, it allows us to have an Executive Director who is responsible for compiling information, preparing various documents, maintaining records (which for the first time are in a single location), and meeting the needs of our diverse volunteers. That position provides volunteers with the ability to have strong representation before Montgomery County government officials, the State, and Federal Government. The ability in having our Executive Director make in-depth presentations to those bodies and others not only assists and protects volunteers it has benefitted the entire fire and rescue service.

The MCVFRA is the first association in the country to have a collectively bargained contract with a governmental body. We are the first association that has opened, staffed, and funded a recruitment station that is also the first of its kind in the nation. This has been noted throughout the US Fire Service and the Association is

constantly called upon to provide information to other volunteer organizations. We have made presentations at the International Association of Fire Chiefs conferences that are attended by fire service leaders from throughout the US as well as international fire/rescue service representatives. This work has not only benefited volunteers, it has brought praise and recognition to Montgomery County.

The Association's President and the Executive Director meet weekly with the Fire Chief to discuss issues that need attention or clarification. By providing recommendations, facts, and concerns there have been countless potential major problems averted. This also is in compliance with Chapter 21 that states we are to be involved in the development of training, policy formation and volunteer support. The Association has provided educational information not only to the volunteers but to the public as well. It adheres to the direction of the membership and provides them with guidance and recommendations. The Association has acted as a mediator and spokesperson for volunteers with the one voice approach. That one voice has provided far more effective and efficient workings with the County Council, the Fire Chief, and the County Executive.

The MCVFRA office's has been used as a meeting place not only by the Association but other volunteer groups and even private groups. As President, I have put in countless hours but rely fully on the Executive Director to put forth completed documents, presentations, do research, and meet the overwhelming responsibilities that are thrown at us on a daily basis.

There is no way the President or Board Members can take on the overwhelming responsibilities handled by the Executive Director. The strength of the Association, and our ability to properly function and exist would be eliminated should we lose our Executive Director or entire county funding. The proposed lack of funding would also remove the previously agreed upon arrangement and the support of the Representative Body for the volunteer service. Nor can the daily work being done by the Executive Director and the Association officials be done by other volunteers as they are already committed to running their LFRD, running calls, taking all required and significant levels of training, as well as having full time jobs and families.

It appears that the County Executive is fully aware of these facts and that he has chosen not to support the Association or volunteers so they can never again go against his wishes. If he succeeds in denying funding for the MCVFRA and cutting the LFRD's 50% of their funding as well as 100% of their administrative positions, then the losers will be the people of Montgomery County, the taxpayers of Montgomery County and the loss of millions of dollars volunteers provided as well. It will also deny the people the right to volunteer in a meaningful and productive way. It will be the end of the private/public combination service of Montgomery County as intend and required in Chapter 21.

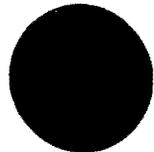
It should be noted that the LFRD budgets have not been increased for over 15 years so they were already meager. It should also be noted that many of the funds attributed to volunteers are being used to help run the service and are being used by both volunteers and career personnel. We hopefully look to the Council to correct the bias and destructive action of the County Executive and respectfully urge you to restore the critically needed funding to the LFRD's and the Association. Thank you.

emc
cc
ser
ll

Delgado, Annette

From: Ervin's Office, Councilmember
Sent: Tuesday, April 05, 2011 5:00 PM
To: Montgomery County Council
Subject: FW: Volunteer Fire-Rescue Savings in Montgomery County

061773



RECEIVED
MONTGOMERY COUNTY
COUNCIL

2011 APR - 6 AM 8:42

-----Original Message-----

From: Eric N. Bernard [mailto:ebarnard@rvfd.org]
Sent: Tuesday, April 05, 2011 5:00 PM
To: Ervin's Office, Councilmember
Subject: Volunteer Fire-Rescue Savings in Montgomery County

Dear Council President Ervin:

Earlier today, the Montgomery County Volunteer Fire-Rescue Association released a report -- "Providing Cost Effective Public Safety Through a Vibrant Volunteer Fire and Rescue Partnership" -- that documents how the County's volunteer fire/rescue personnel, and the local fire/rescue departments, save County taxpayers tens of millions of dollars.

The report focused on three areas of savings. First, the report shows how 865 IECS-certified, highly trained volunteer fire/rescue personnel save the County \$23.2 million in salary and benefit costs. Second, the report documents more than \$2 million in savings resulting from the purchase of vehicles and equipment by the LFRDs. Finally, the report describes how the County enjoys rent-free use of many fire/rescue stations throughout the County (these properties are valued at more than \$100 million).

The data in the report comes from the County or public sources and is documented throughout.

We believe strongly in the unique County-volunteer public/partnership -- described in Chapter 21 - that has served the County well for many years. Any effective partnership requires sustained contribution and commitment from its partners. This report documents some of the very tangible ways the volunteers contribute to the partnership and the value taxpayers receive. We hope the Council will consider this report in its deliberations over the FY 2012 budget and provide adequate funding to maintain and enhance volunteer contributions next year and beyond.

We would be happy to meet with you or your staffs to discuss the report in more detail.

Respectfully,

Marcine Goodloe

Marcine D. Goodloe
President

Montgomery County Volunteer Fire-Rescue Association
230 N. Washington St.

Rockville, MD 20850
301-424-1297 - office
240-876-4235 - cell Marcine
301-455-6648 - cell Eric

4/6/2011

(21)



**MONTGOMERY CO
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ASSOCIATION**

230 N. Washington St. Rockville, MD 20850
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**MARCINE D. GOODLOE, PRESIDENT
ERIC N. BERNARD, EXECUTIVE DIRECTOR**

Media News Release ***April 4, 2011***

FOR IMMEDIATE RELEASE

CONTACT: Eric N. Bernard (301) 424-1297

**New Report Shows Fire/Rescue Volunteers Save Montgomery
County Tens of Millions of Dollars Annually**

Volunteers Essential to Providing Cost-Effective Public Safety

**Report to be presented to members of the County Council Tomorrow at 1230p Press
Conference at the Bethesda-Chevy Chase Rescue Squad**

April 4, 2011 -- Rockville, MD -- A new report shows that highly trained and skilled volunteer firefighters, EMTs and paramedics save Montgomery County taxpayers more than \$23 million in salary and benefit costs each year, while the local volunteer fire and rescue departments save millions of additional dollars through the purchase of vehicles and equipment and the use of fire stations that are owned by the Departments. "This report demonstrates how fire and rescue volunteers are essential to providing cost-effective public safety in Montgomery County," said Marcine D. Goodloe, President of the Montgomery County Volunteer Fire-Rescue Association, which compiled the report. "Without the commitment and service of volunteers, County taxpayers would pay tens of millions of dollars in additional taxes or the level of fire/rescue service would need to be drastically reduced," Goodloe added.

The report documents the savings from volunteers in three major areas: (1) salaries and benefits, (2) vehicles and equipment, and (3) operation of fire/rescue stations. According to the report:

- Today 865 highly trained, certified, qualified and riding volunteers working hand-in-hand in a unique partnership with 1,038 County career firefighters, risk serious injury and death on a daily basis to help save lives and serve the public safety interests of the County.

These individuals save the County an estimated \$23.2 million in salary and benefit costs each year. An additional 626 volunteers are trainees/candidates in the process of completing their fire/rescue classes and are riding apparatus but as additional staffing positions.

- The volunteer departments save the County at least \$2.4 million by providing firefighter gear, apparatus, equipment, and maintenance of facilities through community fundraising efforts. Replacement value for LFRD provided firefighter equipment and apparatus is over \$25 million.
- Millions of dollars annually in rent free use of LFRD facilities (buildings and land).

"The report is thoroughly researched and more than adequately sourced," said Grant Davies, a member of the board of directors at the Bethesda Fire Department and lead author of the report. "It demonstrates, through hard data, that the volunteers are absolutely essential to the County's fire/rescue system," Davies noted.

While the report documents the cost savings in three major areas, Goodloe noted that the volunteers provide other essential services. "Volunteers provide 'surge' capacity during critical emergencies, such as during the recent grassfires throughout the County and this winter's numerous storms," said Goodloe. "While it's difficult to put a dollar value on the benefit of having dozens of trained and certified volunteer firefighters, paramedics and EMTs able to staff extra apparatus during major emergencies, we know it makes a major difference for County residents and is one of the reasons for the public's broad support for the fire/rescue system in the County.

Volunteer leaders will present the report to members of Montgomery County Council's Public Safety Committee Tuesday, April 5, 2011 at 1230p at the Bethesda-Chevy Chase Rescue Squad – 5020 Battery Lane at Old Georgetown Road in Bethesda, MD. Questions will be taken by the volunteers and council members.

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**MONTGOMERY CO
VOLUNTEER
FIRE RESCUE
ASSOCIATION**

**Providing
*Cost Effective
Public Safety***

Through

**A Vibrant Volunteer Fire and
Rescue Partnership**

April 2011



I. EXECUTIVE SUMMARY:

For almost 100 years, highly trained and skilled volunteer firefighters, EMTS and paramedics have been providing outstanding fire and rescue services to the citizens of Montgomery County.

- Today **865** highly trained, certified, qualified and riding volunteers working hand-in-hand in a unique partnership with 1,038 County career firefighters, risk serious injury and death on a daily basis to help save lives and serve the public safety interests of the County. These volunteers are the riding members who have completed their fire, rescue, EMS training and staff the fire engines, trucks, rescue squads, ambulances and medic units filling minimum riding positions that would otherwise require paid personnel to fill. An additional 626 volunteers are trainees/candidates in the process of completing their fire/rescue classes and are riding apparatus but as additional staffing positions.

The value of these highly qualified volunteers should not just be measured by their selfless role in increasing public safety. Volunteers should also be valued for their part in providing **cost effective public safety** – saving the County's taxpayers tens of millions of dollars **every year** through their tireless sacrifices for the benefit of the community. Annual savings to County taxpayers include the following specific items:

- More than **\$23.2** million in salary and benefit costs;
- At least **\$2.4** million by providing firefighter gear, apparatus, equipment, and maintenance of facilities through community fundraising efforts. Replacement value for LFRD provided firefighter equipment and apparatus is over \$25 million; and,
- Millions of dollars annually in rent free use of LFRD facilities (buildings and land).

The validity of each of these items is documented in the source material referenced herein. This document is intended to educate the public on: (i) how the volunteer contribution to the County's Fire and Rescue Service has made it a far more **cost effective public safety** service; and, (ii) to enlist the support of the public in helping to reverse the County Executive's FY 2012 Budget submittal which has zeroed out support for volunteer fire and rescue personnel in Montgomery County.

II. INTRODUCTION:

For almost 100 years, highly trained and skilled volunteer firefighters, EMTs and paramedics have been providing outstanding fire and rescue services to the citizens of Montgomery County. Today, **865** (MCFRS, 2011) highly trained, certified, riding volunteers working hand-in-hand in a unique partnership with 1,200 County career firefighters, risk serious injury and death on a daily basis to help save lives and serve the public safety interests of the County.

The value of these highly qualified volunteers should not just be measured by their selfless role in increasing public safety. As will be shown below, volunteers should also be valued for their part in providing **cost effective public safety** – saving the County's taxpayers tens of millions of dollars **every year** through their tireless sacrifices for the benefit of the community.

Within Montgomery County there are 19 independent, volunteer Local Fire and Rescue Departments (LFRDs). These LFRDs share common interests and concerns under the aegis of the Montgomery County Volunteer Fire and Rescue Association (MCFVRA).

The unique role of the LFRDs commands the respect and admiration of state and local jurisdictions throughout the country. Through the sacrifices of these volunteer fire and rescue personnel, the County is a safer place for its citizens, businesses and visitors.

III. COST EFFECTIVE PUBLIC SAFETY FINANCIAL BENEFITS TO MONTGOMERY COUNTY FROM THE LFRDS:

A. PERSONNEL CONSIDERATIONS;

- **Number of Trained Volunteers in the Volunteer Departments**

The numbers of highly trained and certified volunteers who are riding members in the 19 independent, volunteer departments stands at **865** (MCFRS, 4-4-11). The benchmark for staffing is the ability of personnel (career or volunteer) to staff the fire engines, trucks, rescue squads and ambulances at the level of training required to meet local, state and federal mandates. The term used to describe these individuals is "minimum staffing level position." This means that these members may ride the emergency equipment as a firefighter or EMT. This training for a firefighter is over **350** hours and includes:

- Firefighter I
- Firefighter II
- Emergency Medical Technician (EMT)
- Blood borne Pathogens
- Cultural Diversity – EEO and the Law
- Personal Protective Envelope and Foam
- Hazardous Materials Operations
- CPR/AED

For an EMS member (EMT – EMS provider) the initial training is over **200** hours and includes:

- Emergency Medical Technician (EMT)
- Blood borne Pathogens
- Cultural Diversity – EEO and the Law
- Personal Protective Envelope and Foam
- Hazardous Materials Operations
- CPR/AED

Once the EMS member reaches this level, they are certified on the Integrated Emergency Command Structure (IECS) list above the level of recruit or candidate. In addition to the formal coursework required, the volunteer must be proficiency tested in the department, ride as an observer, and in some ranks be subject to peer review panels and exams. At the certified chief officer level this means annual command competency testing including written and practical in a simulated emergency setting. After completion of all this training and testing, the member may then ride the apparatus at a "minimum staffing position" which means the member is fully certified and trained to respond as an integral team member of the crew. On most fire apparatus a minimum of four (4) minimum trained members (again career or volunteer) are required and on ambulances two (2) are required.

Members who are recruits/candidates are in the initial training phase of their career. They are taking the above listed courses as well as training in the stations and learning the placement of equipment, standard operating procedures and rules and regulations. This training phase is at a minimum one year and may be longer depending on class availability, funding for training and firefighter gear, and number of new personnel in the service.

- **Volunteer Service Hours Quantified**

On March 15, 2011 the Montgomery County Executive submitted his FY12 Budget to the County Council. Under the heading "Accomplishment and Initiatives; Productivity Improvement," the Executive stated:

"From July 1, 2010 through February 28, 2011 volunteer personnel provided 268,837 hours of standby staffing (for fire and rescue). The average monthly total is 33,605 hours. Prorating the remaining FY11 months the estimated grand total of volunteer standby staffing hours for FY11 is 403,256 hours of service." (Budget, 2011)

These 403,256 hours of volunteer service equate to approximately 200 full time equivalent (1 FTE = 2080 hours) career firefighter positions (See Attachment I for IECS Qualified Volunteers and Attachment III for example of volunteer creating cost effective public safety).

- **Valuation of Volunteer Service Hours**

According to Montgomery County Fire and Rescue Service (MCFRS) Chief Bowers, volunteers are counted on to donate enough time to fill 35 (Bowers, 2011) full time equivalent fire and rescue positions --- evenings, nights and weekends. This volunteer commitment saves County taxpayers approximately \$12.5 million (Bowers, 2011) (OHR, 2009) every year. In addition, a number of LFRDs, including the Bethesda Chevy Chase Rescue Squad and the Burtonsville Volunteer Fire Department provide volunteers, or funds to staff 13 positions on a continuous, 24/7 basis and two (2) positions on nights and weekends. This volunteer service saves the County an additional \$7.3 million each year. Additionally, volunteers fill senior command positions which results in a further savings to County tax payers of approximately \$3.4 million each year.

The following provides a further explanation relating to how volunteers save the County significant dollars each year. Since each riding position in the fire and rescue service must be staffed 24 hours a day, every day of the year it is not a simple 1:1 relationship for the 35 positions currently staffed nights and weekends with volunteers and the 13 positions currently staffed every day and night with volunteers. For EACH of these positions the County would need to have 4.5 career firefighters. This is to cover staffing around the clock everyday along with filling regular time off, sick days and other staffing needs. The County sets this "relief factor" of 4.5 persons per riding position in all riding positions throughout the County.

Based on these documented statistics, fire and rescue volunteers are responsible for promoting Cost Effective Public Safety by saving County taxpayers a minimum of \$23.2 million annually in salary and benefit costs – costs that do not include time contributed by dedicated administrative volunteers – all of whom are donating their valuable time and effort to promoting Cost Effective Public Safety!

- **Volunteer's Length of Service Awards Program**

In 1971 the Montgomery County Council established the Length of Service Awards Program (LOSAP) to recognize the valuable contribution that the fire and rescue service volunteers make to the County's public safety. In 2009 (Hinde, 2009):

- There were 1,764 County volunteers, of which 1,098 contributed sufficient hours of their personal time to be considered "active" under LOSAP policy and regulations. There were an additional 666 volunteers who contributed active service time to the provision of fire and rescue service but did not attain the "active" level of participation as defined by LOSAP. All activities are measured of the volunteers from riding on emergency calls, attending training, attending fire rescue meetings and serving on committees in the LFRDs and MSFRS;
- The County reimbursed the active volunteers by granting them a small stipend which collectively totaled \$363,000 in return for hundreds of thousands of standby volunteer service hours provided to cover volunteer's expenses; and,

- Volunteers who serve at least 25 years of “active” service are considered retired volunteers who, along with their survivors if deceased, received LOSAP benefits totaling \$1.11 million. The average stipend per retiree/survivor was approximately \$2,300/year for volunteers who provided more than 25 years of active service to the County. **Note – the volunteer upon reaching 25 years of active service need not stop providing service or leave the LFRD.*

B. GEAR, EQUIPMENT AND APPARATUS CONSIDERATIONS;

- **Volunteer Fundraising to Purchase Gear, Equipment, and Apparatus for Firefighters**

In addition to the significant amount of volunteer hours contributed, many LFRDs also raise funds through events and fundraising campaigns – funds that are used to purchase firefighter gear, apparatus which includes fire trucks, engines, rescue squads, ambulances, canteens and staff support vehicles and other equipment, and to maintain the facilities. Over the last five years, LFRDs have raised over \$12 million (LFRDs, 2005-2009) for these **Cost Effective Public Safety** purposes.

Volunteer fundraising efforts result in the purchase of firefighter gear, apparatus, equipment, and maintenance of facilities, thus saving County taxpayers over \$2.4 million annually.

- **Valuation of LFRD Provided Equipment and Apparatus**

The LFRDs also provide equipment and apparatus to the County. As indicated in the insurance binders, this has a replacement value of over \$25 million (Alliant, 2010).

LFRD provided equipment and apparatus results in a further significant savings for County taxpayers.

C. FACILITIES (BUILDING AND LAND) CONSIDERATIONS;

- **LFRD Owned Facilities (Buildings and Land) Valuation**

Many of the LFRDs own their own facilities (buildings and land). According to Form 990 filed annually by the LFRDs with the IRS, the depreciated value of LFRD buildings and land is approximately \$35 million (LFRDs, 2005-2009). Replacement values (which exclude land values), as indicated in insurance binders, value LFRD buildings in excess of \$72 million (Alliant, 2010). Including land values, LFRD asset values likely rise to over \$100 million. Validation of this valuation may be gleaned from the cost recently incurred by the County in building a new station (e.g. proposed replacement for Station 18 – \$13 million (OLO/McGuire/Faden, 2010).

In addition, and of significant value, LFRDs do not receive rental income from the County for use of these facilities. To quantify the savings realized by the County for not being required to pay rental fees, consider as an example, just Station 6 of the Bethesda Fire Department (BFD), located on the corner of Bradley Boulevard and Wisconsin Avenue.

According to experienced property managers in this County, there are several methods that may be used for determining rental values for Station 6: (i) the most common approach for this type of industrial facility is the use of a triple net value in which the tenant pays for the property tax, all utilities, and all things related to the tenant's use and customization of the building to suit themselves (including all mechanical features).

Under this scenario, the landlord only pays for the basic structure and the roof; (ii) another method is using a net lease (which would be unusual) under which the landlord pays the property taxes and does some build out as well as taking care of mechanical features; and (iii) a third method uses a gross lease (also unusual) in which the landlord pays for all utilities, property taxes, HVAC, and other mechanical/other items. This method is consistent with the approach used by the County to lease Station 35 (Station 35 lease, 25-6-2010).

The following three tables provide a conservative estimate of the rental value for each of BFD's three Stations for each of the different scenarios set forth above:

Rental Values of Bethesda FD Stations at Triple Net Lease:

| BFD Station | Approx SqFt | Rate/SqFt@Triple Net Lease | Monthly Rent @ Triple Net Lease | Annual Rent @ Triple Net Lease |
|---------------|-------------|----------------------------|---------------------------------|--------------------------------|
| 6 | 17,600 | \$18.50 | \$27,133 | \$325,600 |
| 20 | 11,300 | \$17.00 | \$16,008 | \$192,100 |
| 26 | 10,100 | \$18.00 | \$15,150 | \$181,800 |
| Totals | | | \$58,292 | \$699,500 |

Rental Values of Bethesda FD Stations at Net Lease:

| BFD Station | Approx SqFt | Rate/SqFt @ Net Lease | Monthly Rent @ Net Lease | Annual Rent @ Net Lease |
|---------------|-------------|-----------------------|--------------------------|-------------------------|
| 6 | 17,600 | \$21 | \$30,800 | \$369,600 |
| 20 | 11,300 | \$20 | \$18,833 | \$226,000 |
| 26 | 10,100 | \$21 | \$17,675 | \$212,100 |
| Totals | | | \$67,308 | \$807,700 |

Rental Values of Bethesda FD Stations at Gross Lease:

| BFD Station | Approx SqFt. | Rate/SqFt @ Gross Lease | Monthly Rent @ Gross Lease | Annual Rent @ Gross Lease |
|--------------------|---------------------|--------------------------------|-----------------------------------|----------------------------------|
| 6 | 17,600 | \$36 | \$52,800 | \$633,600 |
| 20 | 11,300 | \$31 | \$29,192 | \$350,300 |
| 26 | 10,100 | \$35 | \$29,458 | \$353,500 |
| Totals | | | \$111,450 | \$1,337,400 |

Similar calculations for other LFRDs throughout the County would yield significant additional costs that the County is currently saving by not being required to pay rental fees to LFRDs.

The rent free use of LFRD facilities has saved and continues to save County taxpayers millions of dollars annually.

IV. CONCLUSION:

In summary, the County's vibrant, volunteer fire and rescue service saves County taxpayers:

- More than \$23.2 million in salary and benefit costs every year;
- At least \$2.4 million every year by providing firefighter gear, apparatus, equipment, and maintenance of facilities through community fundraising efforts. Replacement value for LFRD provided firefighter equipment and apparatus is over \$25 million; and,
- Millions of dollars annually in rent free use of LFRD facilities (buildings and land);

The volunteer contribution to Montgomery County's Fire and Rescue Service has made it a far more Cost Effective Public Safety Service. Now, in this critical hour, the County Executive has zeroed out support for volunteers in Montgomery County in his proposed budget. That is a stunningly shortsighted approach in which volunteers working for the community are discouraged from their charity and community good works and undermines the ability of the volunteer fire and rescue departments and the MCVFRA to maximize the use of volunteers and saving taxpayer dollars. In this time of fiscal difficulty, this represents the reverse of the efficient and effective policy needed in this County.

Attachment I

IECS Certified Riding Volunteers Fire and Rescue Personnel

| Rank/Position | Total Number of Volunteers |
|--|----------------------------|
| F/R Certified Chief Officers | 54 |
| F/R Captains | 35 |
| F/R Lieutenants | 28 |
| F/R Master Firefighter | 101 |
| F/R Firefighter III | 56 |
| F/R Firefighter II | 219 |
| F/R Firefighter I | 47 |
| EMS Battalion Chief | 2 |
| EMS Captain | 4 |
| EMS Lieutenant | 18 |
| EMS Master | 51 |
| EMS III | 11 |
| EMS II | 126 |
| EMS I | 96 |
| F/R Candidate | 333 |
| F/R Recruit | 2 |
| EMS Candidate | 289 |
| EMS Recruit | 2 |
| TOTAL VOLUNTEERS TRAINED & CERTIFIED AT MINIMUM STAFFING LEVELS | 865 |
| TOTAL NEW VOLUNTEER MEMBERS CERTIFIED AT TRAINING LEVEL | 626 |
| TOTAL VOLUNTEER MEMBERS IECS CERTIFIED | 1474 |

Key:

| | |
|-------------------------------|--------------|
| Rank that is Minimum Staffing | Orange Shade |
| Rank that is training level | No shading |

Attachment II

Recent Example of Cost Effective Public Safety with Volunteer Fire, Rescue and EMS Professionals

Preliminary Volunteer Participation of Volunteer Fire/Rescue/EMS and Support Personnel at and during the Germantown Fire Storm on February 19-20, 2011

The Montgomery County Volunteer Fire Rescue Association reports the following updated preliminary volunteer participation at and during the significant brush fires in Montgomery and Prince George's County on February 19-20, 2011. These figures are compiled from the reports of the 18 volunteer fire and rescue departments who have IECS certified volunteer responders.

Sixteen (16) of the volunteer departments reported having volunteer staffed units deployed to the fires in both Montgomery and Prince Georges County throughout the days both Saturday and Sunday. The other two volunteer departments who were not dispatched to the fires had volunteers on duty at their stations responding to the numerous other calls those days. During the time frame of the fires 220 volunteers responded directly to the fires or were staffing apparatus that ran other calls in the County. We had 13 certified chief officers respond directly to the fires and were in command of the various sectors. Another 12 certified chief offers remained on-duty covering the County while the remaining chief officers (career and volunteer) were engaged at the brush fires. These volunteer certified chief officers responded to many other calls during the brush fires throughout the County. In total there were 25 volunteer certified chief officers on duty and working at one time.

Volunteers responded with or staffed over 52 units on Saturday with most responding at some point to the scene of the fires. Those not called to the scene remained in service and responded to the other calls in the County.

Many volunteers responded from their homes directly to the scene of the Germantown fire storm and fully participated in the extinguishment of the fire. Others responded to assist with EMS and still others to assist with command and the logistical needs of a large and prolonged incident. Other staff vehicles, presidents, utility vehicles and all terrain vehicles responded to the scene with volunteer personnel. Many other volunteers responded into the stations to backfill positions and staff additional trucks, engines, ambulances and medic units. Other chief officers filled the duty requirements in the lower and east County areas.

Our volunteer departments staffed 100% of the canteen rehabilitation support during the entire 2 day operations. These units supplied cool drinks, hot food, socks and other clothing, as well as other refreshments. They were operating throughout the incident and long after the fires were extinguished. They also had to leave the scene and shop for additional supplies.

Additionally, one volunteer who is certified as a radio operator, firefighter/EMT and specialist in communications staff the centralized command center and operated the communications/radio system.

Finally, during the first day of the incident (Saturday) we had 3 volunteer certified chief officers completing their command competencies at the training academy.

Volunteer Certified Chief Officers On Scene:

| Certified Chief Officer | Volunteer Department |
|----------------------------------|--|
| Chief Joe Chornock | Germantown Volunteer Fire Department |
| Asst Chief Robert McHenry | Germantown Volunteer Fire Department |
| Deputy Chief Harold Springer | Germantown Volunteer Fire Department |
| Chief Scott Emmons | Rockville Volunteer Fire Department |
| Deputy Chief Russell Dawson | Rockville Volunteer Fire Department |
| Deputy Chief Craig Lazar | Rockville Volunteer Fire Department |
| Deputy Chief Jacob DeGlopper | Wheaton Volunteer Rescue Squad |
| Chief John Luper | Gaithersburg-Washington Grove Volunteer FD |
| Deputy Chief Ken Knopp | Gaithersburg-Washington Grove Volunteer FD |
| Chief Robert Ryan – PG fires | Burtonsville Volunteer Fire Department |
| Asst Chief Adam Brock – PG Fires | Burtonsville Volunteer Fire Department |
| Chief Jeff Gross | Hyattstown Volunteer Fire Department |
| Asst Chief Geoff Burns | Laytonsville Volunteer Fire Department |

Other Volunteer Certified Chief Officers On Duty and Responding to Calls Covering Montgomery County During the Fire Storm:

| Certified Chief Officer | Volunteer Department |
|--------------------------------|---|
| Chief Alan Platky | Wheaton Volunteer Rescue Squad |
| Chief Ned Sherburne | Bethesda-Chevy Chase Rescue Squad |
| Deputy Chief Harold Springer | Germantown Volunteer Fire Department |
| Chief James Stanton | Kensington Volunteer Fire Department |
| Deputy Chief Jamie Heflin | Kensington Volunteer Fire Department |
| Deputy Chief Craig Baker | Burtonsville Volunteer Fire Department |
| Chief Buddy Sutton | Laytonsville District Volunteer Fire Department |
| Chief Darron Long | Damascus Volunteer Fire Department |
| Chief Frank Gaegler | Hillandale Volunteer Fire Department |
| Chief Roger McGary | Silver Spring Volunteer Fire Department |
| Deputy Chief Dan Blankfeld | Silver Spring Volunteer Fire Department |
| Chief James Seavey | Cabin John Park Volunteer Fire Department |

III
Attachment
Montgomery County Fire and Rescue Service
Operational Stations Owned By the Local Volunteer Fire and Rescue
Departments
April 2011

BETHESDA FIRE DEPARTMENT

| Stations Owned By Bethesda FD (3) | |
|-----------------------------------|--|
| 6 | 6600 Wisconsin Avenue, Bethesda, MD 20815 |
| 20 | 9041 Old Georgetown Road, Bethesda, MD 20814 |
| 26 | 6700 Democracy Boulevard, Bethesda, MD 20814 |

BETHESDA-CHEVY CHASE RESCUE SQUAD

| Stations Owned By Bethesda-Chevy Chase Rescue Squad Inc. (1) | |
|--|---------------------------------------|
| RS1 | 5020 Battery Lane, Bethesda, MD 20814 |

BURTONSVILLE VOLUNTEER FIRE DEPT.

| Station | Station Address |
|---------|--|
| 15 | 13900 Old Columbia Pike, Silver Spring, MD 20904 |

CABIN JOHN PARK VOLUNTEER FIRE DEPT.

| Stations Owned By Cabin John Park VFD (1) | |
|---|-------------------------------------|
| 10 | 8001 River Road, Bethesda, MD 20817 |
| 30 | 9404 Falls Road, Potomac, MD 20854 |

CHEVY CHASE FIRE DEPT.

| Stations Owned By Chevy Chase FD (1) | |
|--------------------------------------|--|
| 7 | 8001 Connecticut Avenue, Chevy Chase, MD 20815 |

DAMASCUS VOLUNTEER FIRE DEPT.

| Stations Owned By Damascus Volunteer Fire Dept (1) | |
|--|---------------------------------------|
| 13 | 26334 Ridge Road, Damascus, MD 20872 |
| Activities Center | 10211 Lewis Drive, Damascus, MD 20872 |

GAITHERSBURG-WASHINGTON GROVE VOLUNTEER FIRE DEPT.

| Stations Owned By Gaithersburg-Washington Grove VFD (2) | |
|---|--|
| 8 | 801 Russell Avenue, Gaithersburg, MD 20879-3505 |
| 28 | 7272 Muncaster Mill Road, Derwood, MD 20855-1241 |
| Fire Museum | 13 E. Diamond Avenue, Gaithersburg, MD 20877 |

GERMANTOWN VOLUNTEER FIRE DEPT.

| Station | Station Address |
|---------|--|
| 29 | 20001 Crystal Rock Drive, Germantown, MD 20874 |

GLEN ECHO VOLUNTEER FIRE DEPT.

| Stations Owned By Glen Echo FD (1) | |
|------------------------------------|---|
| 11 | 5920 Massachusetts Avenue, Bethesda, MD 20816 |

HILLANDALE VOLUNTEER FIRE DEPT.

| Stations Owned By Hillandale VFD (2) | |
|--------------------------------------|---|
| 12 | 10617 New Hampshire Avenue, Silver Spring, MD 20903 |
| 24 | 13216 New Hampshire Avenue, Silver Spring, MD 20904 |

HYATTSTOWN VOLUNTEER FIRE DEPT.

| Stations Owned By Hyattstown Volunteer Fire Dept. (1) | |
|---|--|
| 9 | 25801 Frederick Road, Clarksburg, MD 20871 |

KENSINGTON VOLUNTEER FIRE DEPT.

| Stations Owned By Kensington Volunteer Fire Dept (3) | |
|--|--|
| 5 | 10620 Connecticut Avenue, Kensington, MD 20895 |
| 18 | 12251 Georgia Avenue, Wheaton, MD 20902 |
| 21 | 12500 Veirs Mill Road, Rockville, MD 20853 |
| 25 | 14401 Connecticut Ave, Aspen Hill, MD 20906 |

LAYTONSVILLE DISTRICT VOLUNTEER FIRE DEPT.

| Station Owned By Laytonsville District Volunteer Fire Dept (1) | |
|--|---|
| 17 | 21400 Laytonsville Road, Laytonsville, MD 20879 |

ROCKVILLE VOLUNTEER FIRE DEPT.

| Stations Owned By Rockville Volunteer Fire Dept (3) | |
|---|--|
| 3 | 380 Hungerford Drive, Rockville, MD 20850 |
| 23 | 121 Rollins Avenue, Rockville, MD 20852 |
| 31 | 12100 Darnestown Road, North Potomac, MD 20878 |
| 33 | 11430 Great Falls Road, Potomac, MD 20854 |

SANDY SPRING VOLUNTEER FIRE DEPT.

| Stations Owned By Sandy Spring Volunteer Fire Dept (2) | |
|--|---|
| 4 | 17921 Brooke Road, Sandy Spring, MD 20860 |
| 40 | 16911 Georgia Avenue, Olney, MD 20832 |

SILVER SPRING VOLUNTEER FIRE DEPT.

| Stations Owned By Silver Spring Fire Dept (2) | |
|--|---|
| 1 | 8131 Georgia Avenue, Silver Spring, MD 20910 |
| 16 | 111 University Boulevard, E., Silver Spring, MD 20901 |
| 19 | 1945 Seminary Road, Silver Spring, MD 20910 |

TAKOMA PARK VOLUNTEER FIRE DEPT.

| Station | Station Address |
|---------|--|
| 2 | 7201 Carroll Avenue, Takoma Park, MD 20912 |

UPPER MONTGOMERY VOLUNTEER FIRE DEPT.

| Station Owned By Upper Montgomery County VFD (1) | |
|---|---|
| 14 | 19801 Beallsville Road, Beallsville, MD 20839 |

WHEATON VOLUNTEER RESCUE SQUAD

| Stations Owned By Wheaton Volunteer Rescue Squad (1) | |
|---|---|
| R2 | 11435 Grandview Avenue, Wheaton, MD 20902 |
| Land | Georgia Ave and Arcola Ave, Wheaton, MD 20902 |

Color Key:

| Stations Ownership Color Key | | Total |
|-------------------------------------|----------------------------|--------------|
| Orange | Owned by volunteers | 26 |
| White | Owned by Montgomery County | 10 |

| NOTE: 2 other building used for FD and community functions owned by volunteers and land to build the new Wheaton VRS station | | Total |
|---|------------------------------------|--------------|
| Orange | Other buildings/land by volunteers | 3 |

Attachment IV

Providing Cost Effective Public Safety Fact Check

The purpose of this document is to provide detailed information and sources to support the tax payer savings and additional information provided in MCVFRA's report entitled "Providing Cost Effective Public Safety Through a Vibrant Volunteer Fire and Rescue Partnership"

| Fact | Source | Comment | | | | | | | | | | | | | | | | |
|---|---|---|---------------------------|-----------|----------------|---------------------|------|---------------|---------------|------------------------------|--------------|----------|---------------|--------------------------------|------|------------------|--------------|--|
| 35 Riding Positions Needing Staffed with Volunteers Nights/Weekends | MCFRS | Sworn testimony before arbitrator in 2011 Staffing Complement *If positions were staffed with career personnel would require over 150 additional full-time career positions | | | | | | | | | | | | | | | | |
| Salary equivalent of \$113,015 | 2009 MCFRS Compensation | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">FFII, FFII, MFF, Lt, Cpt.</td> <td style="width: 50%;">Ranks</td> </tr> <tr> <td>\$65,269,610</td> <td>Salary</td> </tr> <tr> <td>62%</td> <td>Benefit Costs</td> </tr> <tr> <td>\$105,736,768</td> <td>Costs of Salary and Benefits</td> </tr> <tr> <td>\$14,059,333</td> <td>Overtime</td> </tr> <tr> <td>\$119,796,101</td> <td>Total compensation</td> </tr> <tr> <td>1060</td> <td>Number in sample</td> </tr> <tr> <td>\$113,015.19</td> <td>Average compensation with O/T and benefits</td> </tr> </table> | FFII, FFII, MFF, Lt, Cpt. | Ranks | \$65,269,610 | Salary | 62% | Benefit Costs | \$105,736,768 | Costs of Salary and Benefits | \$14,059,333 | Overtime | \$119,796,101 | Total compensation | 1060 | Number in sample | \$113,015.19 | Average compensation with O/T and benefits |
| FFII, FFII, MFF, Lt, Cpt. | Ranks | | | | | | | | | | | | | | | | | |
| \$65,269,610 | Salary | | | | | | | | | | | | | | | | | |
| 62% | Benefit Costs | | | | | | | | | | | | | | | | | |
| \$105,736,768 | Costs of Salary and Benefits | | | | | | | | | | | | | | | | | |
| \$14,059,333 | Overtime | | | | | | | | | | | | | | | | | |
| \$119,796,101 | Total compensation | | | | | | | | | | | | | | | | | |
| 1060 | Number in sample | | | | | | | | | | | | | | | | | |
| \$113,015.19 | Average compensation with O/T and benefits | | | | | | | | | | | | | | | | | |
| 62% Benefit Loading | Montgomery County Office of Legislative Oversight | February 2007 Report on the MCFRS base budget | | | | | | | | | | | | | | | | |
| \$12.4 million in tax payer savings | Calculation | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">35</td> <td style="width: 50%;">Positions</td> </tr> <tr> <td>0.7 work years</td> <td>Nights and weekends</td> </tr> <tr> <td>22.4</td> <td>FTEs</td> </tr> <tr> <td>4.5</td> <td>Staffing factor</td> </tr> <tr> <td>110.25</td> <td>FTEs</td> </tr> <tr> <td>\$12,454,929</td> <td>Total savings for 35 positions</td> </tr> </table> | 35 | Positions | 0.7 work years | Nights and weekends | 22.4 | FTEs | 4.5 | Staffing factor | 110.25 | FTEs | \$12,454,929 | Total savings for 35 positions | | | | |
| 35 | Positions | | | | | | | | | | | | | | | | | |
| 0.7 work years | Nights and weekends | | | | | | | | | | | | | | | | | |
| 22.4 | FTEs | | | | | | | | | | | | | | | | | |
| 4.5 | Staffing factor | | | | | | | | | | | | | | | | | |
| 110.25 | FTEs | | | | | | | | | | | | | | | | | |
| \$12,454,929 | Total savings for 35 positions | | | | | | | | | | | | | | | | | |
| 14.4 Fulltime Volunteer Positions at Bethesda Chevy Chase Rescue Squad and Burtonsville Volunteer Fire Department | Respective LFRD Chiefs | There are 6 fulltime positions at BVFD and 7 fulltime positions at BCCRS and 2 positions for nights and weekends staffed with volunteers only or funded by the LFRD equaling 14.4 full time positions | | | | | | | | | | | | | | | | |

| | | | |
|--|---|--|---|
| \$7.3 million in tax payer savings from BCCRS and BVFD | Calculation | 14.4 | Positions |
| | | 4.5 | Staffing Factor – to staff with career personnel 24 hours a day/ 7 days a week – each position requires 4.5 personnel |
| | | 64.8 | FTE's |
| | | \$7,323,384 | Total Savings |
| 5 LFRD Volunteer Command Positions | LFRD analysis | A Building or House Fire Emergency Response (Box Alarm) Requires 4 Certified Chief Officers to Respond | |
| Salary equivalent of \$212,920 | 2009 MCFRS Salary – Battalion Chiefs | Battalion Chief | |
| | | \$116,000 | Captains Base Salary |
| | | 1.62 | Benefits |
| | | \$187,920 | |
| | | \$25,000 | Overtime |
| | | \$212,920 | Total Savings |
| \$3.4 million in tax payer savings from Volunteer Command Positions | | 5 | Positions |
| | | 4.5 | Staffing Factor |
| | | 22.5 | FTEs |
| | | 0.7 | Nights and weekends |
| | | 15.75 | FTEs |
| | | \$3,353,490 | Total Savings |
| \$363,000 Nominal Fee Payment | Chief Hinde | Annual report on LOSAP | |
| \$1.11 million in LOSAP retiree payments | Chief Hinde | Annual report on LOSAP | |
| \$12 million in LFRD fundraising | IRS 990s | Filed annually by LFRDs | |
| \$25 million value for LFRD Apparatus | Alliant insurance binder dates 7/22/2010 | Insurance broker for MCFRS | |
| \$35 million depreciate value of LFRD facilities | IRS 990s | Filed annually by LFRDs | |
| \$72 million replacement value of LFRD buildings (excludes land) | Alliant insurance binder dates 7/22/2010 | Insurance broker for MCFRS | |
| Commercial value per square foot of the Bethesda Fire Department buildings | John Murgolo – Certified Property Manager | Mr. Murgolo's values were confirmed with an independent commercial real estate agent. | |



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

April 1, 2011

TO: Valerie Ervin, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Memorandum of Agreement between the County and MCVFRA

I have attached for the Council's review the agreement resulting from the recent collective bargaining negotiations between the Montgomery County Government and the Montgomery County Volunteer Fire and Rescue Association (MCVFRA). The agreement is the product of an Interest Arbitration Decision by arbitrator Jerome H. Ross in favor of the MCVFRA. A copy of the Opinion and Award is attached. The agreement reflects the changes that will be made to the existing Collective Bargaining Agreement effective July 1, 2011 through June 30, 2014. I have also attached a summary of the changes which denotes if a contract item is funded in my proposed budget. The fiscal impact statement has been transmitted to Council as a separate document by the Office of Management and Budget.

cc: Joseph Adler, Director, Office of Human Resources
Joseph Beach, Director, Office of Management and Budget
Richard Bowers, Fire Chief, Fire and Rescue Services
Marc Hansen, County Attorney, Office of the County Attorney

RECEIVED
MONTGOMERY COUNTY
COUNCIL

2011 APR -5 AM 10:11

Summary of Proposed Labor Agreement with MCVFRA Effective FY 2012

| No | Article/ Subject | Summary of change | Requires appropriation of funds | Present or future fiscal impact | Requires legislative change | Requires regulation change | Notes |
|----|---------------------------|---|---------------------------------|---------------------------------|-----------------------------|----------------------------|-------|
| 1. | 5/Organizational Security | <p>50 copies of the agreement will be provided by the County</p> <p>An electronic copy of the agreement will be maintained on the OHR website</p> <p>Delete language for data terminal</p> <p>Delete language for awards ceremony</p> | No | No | No | No | |
| 2. | 7/Fire Chief's discipline | <p>Fire Chief must consider the nature of the offense warranting discipline; the relation to duties; the job level of the volunteer; past disciplinary record; volunteer work/length of service; effect on performance; consistency with other MCFRS members; clarity of rules; rehab options; other circumstances; and effectiveness of discipline</p> <p>Volunteer may request an extension to respond to the statement of charges</p> <p>Volunteers can appeal through the MSPB</p> <p>Representatives of volunteers must be notified that a disciplinary exam is going to occur. They will be given opportunity to speak with volunteer and ask questions for clarity during the examination</p> <p>Investigator may not enter volunteer worksite without consent of volunteer</p> <p>Volunteer may request the assistance of IAD</p> | No | No | No | No | |

Summary of Proposed Labor Agreement with MCVFRA for FY 2012, FY 2013 and FY 2014

Page 2

| No | Article/ Subject | Summary of change | Requires appropriation of funds | Present or future fiscal impact | Requires legislative change | Requires regulation change | Notes |
|----|---------------------------|--|---------------------------------|---------------------------------|-----------------------------|----------------------------|--|
| 3. | 9/Internal Affairs Files | <p>LFRD only Internal Affairs investigative files will be maintained according to LFRD policy</p> <p>Access to IAD files is limited to: the volunteer; Fire Chief/designee; & County Attorney/designee</p> <p>Copies of documents used with adverse affect on a volunteer will be provided to the volunteer and representative</p> <p>Cases involving complaints where the charges were deemed unsustainable or unfounded by IAD, the files shall be expunged within three (3) years after the date the findings were made</p> <p>Files involving complaints where a charge was sustained shall be expunged within 5 years of conclusion</p> <p>Volunteer will be noticed when documents are expunged from file</p> <p>Files to be shredded & removed from all databases</p> | No | No | No | No | |
| 4. | 11/Uniforms and Equipment | <p>Effective FY 13, the County will purchase 220 pairs of turnout boots</p> <p>Effective FY 14, the County will purchase 220 pairs of turnout boots</p> <p>No gear bags will be purchased during the duration of the contract</p> | Yes | Yes | No | No | <p>CE's proposed budget recommends 300 pairs of turnout boots for the 1st and 2nd year of contract with an estimated cost of \$34,280</p> <p>CE's proposed budget recommends supplying 874 gear bags in FY 12 with an estimated cost of \$34,960</p> |

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Summary of Proposed Labor Agreement with MCVFRA for FY 2012, FY 2013 and FY 2014

Page 3

| No | Article/ Subject | Summary of change | Requires appropriation of funds | Present or future fiscal impact | Requires legislative change | Requires regulation change | Notes |
|-----|--------------------------|---|---------------------------------|---------------------------------|-----------------------------|----------------------------|--|
| 5. | 12/Nominal Fee | Option 1 nominal fee for each year of the contract will be \$240 Option 2 nominal fee for each year of the contract will be \$400 | Yes | Yes | No | No | CE's proposed budget recommends a nominal fee of \$150 for Option 1 and \$250 for Option 2 |
| 6. | 14/Duration of Agreement | Three year agreement; July 1, 2011 through June 30, 2014 | No | No | No | No | |
| 7. | 15/Drug Testing | Random drug testing of volunteers will not begin until June 30, 2012 20% IECS LFRD personnel will be tested yearly | No | No | No | No | |
| 8. | 16/Training | PSTA will grant training equivalencies as provided in this Article Volunteers can only be removed from IECS if consistent with the Code If a volunteer transfers to another LFRD, he will remaining on the IECS; paperwork will not need to be resubmitted County will issue an ID and PASS tag when a new volunteer joins and clears background | No | No | No | No | |
| 9. | 21/ Communication | The County will create a #FRS bargaining unit email group for MCVFRA correspondence which the MCVFRA president or designee will have access to | No | No | No | No | |
| 10. | 22/Orientation Course | County will fund \$5,000 to a Volunteer Basic Orientation Course each year of agreement | Yes | Yes | No | No | CE's proposed budget includes funding up to \$16,000 for FY 12 and FY 13 |

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Summary of Proposed Labor Agreement with MCVFRA for FY 2012, FY 2013 and FY 2014

Page 4

| No | Article/ Subject | Summary of change | Requires appropriation of funds | Present or future fiscal impact | Requires legislative change | Requires regulation change | Notes |
|-----|--|---|---------------------------------|---------------------------------|-----------------------------|----------------------------|--|
| 11. | Sideletter/ MCVFRA Operating Funds | County will provide \$223,250 each year of the contract for MCVFRA operating expenses | Yes | Yes | No | No | CE's proposed budget did not include funding |
| 12. | Sideletter/ MCVFRA Vehicle | The County will provide \$26,000 during the third year of the agreement towards the purchase of a vehicle for MCVFRA duties | Yes | Yes | No | No | CE's proposed budget did not include funding |

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**MEMORANDUM OF AGREEMENT
BETWEEN
THE MONTGOMERY COUNTY GOVERNMENT AND THE MONTGOMERY
COUNTY VOLUNTEER FIRE RESCUE ASSOCIATION**

The Montgomery County Government (County) and the Montgomery County Volunteer Fire Rescue Association (MCVFRA) agree that their existing directly negotiated agreement will be amended effective July 1, 2011, through June 30, 2014 with the following agreed upon items.

Please use the key below when reading this document:

| | |
|----------------------------|---|
| <u>Underlining</u> | <i>Added to existing agreement</i> |
| [Single boldface brackets] | <i>Deleted from existing agreement</i> |
| * * * | <i>Existing language unchanged by parties</i> |

* * *

Article 5 – Organization Security

Section One. The County agrees to provide [1000] 50 copies of the contract in booklet form to be provided to the Association within ninety days of the effective date of this Agreement for each LFRD and the MCVFRA office. An electronic copy shall also be maintained on the MCFRS and OHR websites. The cover page of the Agreement shall be designed by mutual agreement between the parties.

[Section Two. By July 1, 2009 the County will provide the Association with a “FIREHOUSE” data terminal with the necessary software, communications line, monitor and printer to be located at the MCVFRA office. Security access will be limited to the battalion chief level.]

[Section Three. The County will provide \$5000 in each year of the contract for an annual awards ceremony for the volunteers each April of the contract. The Association and fire chief will agree on a venue, forum and list of recognitions.]

Section [Four]Two. The County and the MCVFRA will determine the size and location of an “orange style” MCVFRA decal which will be displayed on each side of County owned apparatus used in providing fire, rescue and emergency medical services that are staffed by bargaining unit members. The decals will be provided by the Association.

* * *

Article 7 – Disciplinary Action Procedures for LFRD Volunteers

* * *

Section Four. Fire Chief's Discipline.

* * *

- d. Once the Fire Chief has determined there is cause to discipline a volunteer, the Fire Chief agrees to give due consideration to the relevance of any mitigating and/or aggravating factors, in deciding the nature and level of disciplinary action appropriate, including, but not limited to:
1. the nature and seriousness of the offense, and its relation to the volunteer's duties, position, and responsibilities, including whether the offense was intentional or technical and inadvertent, or was committed maliciously or for gain, or was frequently repeated;
 2. the volunteer's job level and type of employment, including his or her supervisory or fiduciary role, the frequency and level of his or her contact with the public, and the prominence of his or her position;
 3. the volunteer's past MCFRS disciplinary record;
 4. the volunteer's past work record, including his or her length of service to the Department and LFRDs, his or her performance, his or her demonstrated ability to get along with fellow MCFRS members, and his or her dependability;
 5. the effect of the offense upon the volunteer's ability to perform at a satisfactory level;
 6. the consistency of the penalty with those imposed upon other MCFRS members with similar personnel history for the same or similar offense(s);
 7. the notoriety of the offense or its impact upon the reputation of MCFRS;
 8. the clarity with which the volunteer was actually on notice of any rules, regulations, directives, policies, orders, instructions or the like that were violated in committing the offense, or had been warned about the conduct in question;
 9. the potential for rehabilitation;
 10. mitigating circumstances surrounding the offense, such as unusual job tensions, personality conflicts, mental impairment, harassment,

bad faith, or malice or provocation on the part of others involved in the matter; and,

11. the potential adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the volunteer or others.

Section Five. Disciplinary Process.

- a. Statement of Charges.

* * *

2. The Fire Chief must allow the individual at least 15 County business days after receiving the Statement of Charges to respond. The volunteer has the right to request an extension of time on behalf of the volunteer to respond to the Statement of Charges. Such requests shall not be unreasonably denied.

* * *

- b. Notice of Disciplinary Action. If the Fire Chief determines to proceed with discipline, and after following section 5 (a) (1) – (4), the Chief must issue a Notice of Disciplinary Action. A Notice of Disciplinary Action must include:

* * *

5. notice of the right to appeal the disciplinary action to the [Fire and Rescue Commission (FRC)] Merit System Protection Board (MSPB); and
6. the deadline for filing [a FRC] an MSPB appeal.

* * *

Section Eight. Appeals of certain disciplinary actions. Per Chapter 21-7 of the Montgomery County Code, a volunteer firefighter or rescuer aggrieved by an adverse final action of the Fire Chief involving the removal, demotion, or suspension of, or other disciplinary action applied specifically to, that individual may appeal the action within 30 days after the action unless another law or regulation requires that an appeal be filed sooner, to the [Fire and Rescue Commission] Merit System Protection Board. An appeal must not stay the disputed action. [A volunteer at a local fire and rescue department may appeal a decision of the Fire and Rescue Commission concerning a specific personnel action, or the failure to take any such action, to the Merit System Protection Board as if the appellant were a County merit system employee.] Any aggrieved party may appeal the decision of the Board to any court with jurisdiction under the rules governing appeals

from administrative agencies, and may appeal any adverse decision of that court to the Court of Special Appeals. Further, all provisions of Chapter 21-7 are hereby retained in full force and effect.

Section Nine. Disciplinary Examinations

* * *

C. Prior to an examination, the County agrees to inform the volunteer's representative of the subject of the examination. The representative must also be allowed to speak privately with the volunteer before the examination. The volunteer's representative must be allowed to speak during the interview. However, the volunteer's representative does not have the right to bargain over the purpose of the interview. The volunteer's representative can, however, request that the County representative clarify a question so that the volunteer can understand what is being asked. When the questioning ends, the volunteer's representative can provide additional information to the County representative. Before providing such information, the volunteer's representative and the volunteer may briefly meet privately for purposes of discussion.

[C] D. The County is free to terminate any examination of a member in connection with an investigation at any time for any reason.

[D] E. The Association shall have no right to represent a member who is examined as a witness or third party in any investigation. However, if the member learns during the course of the witness/third-party investigation that he or she may be subject to discipline, he or she may request Association representation pursuant to Section 9.A. above.

Section Ten. Time, Place and Manner of Interviews/Examinations Conducted by the Internal Affairs Section of a Member. Any interview or examination conducted by the Internal Affairs Section pursuant to Section 9 of this Article may take place at the Internal Affairs Section office, the MCVFRA Office, or at any other place to which the parties mutually agree. The investigator must not go to any fire station or volunteer worksite in an attempt to locate the volunteer to interview without prior agreement by the volunteer.

Section Eleven. MCFRS/ Internal Affairs Division Investigations

A. The LFRD may request the assistance of IAD through the Fire Chief in conducting an investigation. The IAD shall work with the LFRDs as requested.

* * *

Article 9 – Volunteer Records

* * *

Section Seven. Internal Affairs Files.

1. If an LFRD-only Internal Affairs investigation is conducted, all records generated from that investigation shall be kept, handled, and maintained according to that LFRD's policies and procedures. If a joint IAD/LFRD investigation is conducted, all records generated from that investigation shall be kept by each entity according to their policies and procedures.
2. Access to the IAD files shall be limited to:
 - a) The volunteer, but only to the extent allowed by item 3 below
 - b) Fire Chief, LFRD Department head or designees
 - c) County Attorney or designee (need to know basis; i.e., when the volunteer is involved in litigation)
3. The Department will provide the volunteer and their representative any written statements (e.g., citizen complaints, department observations, etc.) in the possession of the MCFRS and used in connection with an adverse action taken against a bargaining unit member. These statements will be sanitized (i.e., address, phone number deleted) to protect privacy rights in accordance with the law.
4. In cases involving complaints where the charges were deemed unsustainable or unfounded by IAD, the files shall be expunged at the latter of three (3) years after the date the findings were made or any applicable statute of limitations or at the conclusion of any pending litigation.
 - a. Files involving complaints where a charge was sustained shall be eligible for expungement at the latter of five (5) years or any applicable statute of limitations or at the conclusion of any pending litigation. When documents are expunged from a volunteer's file, in accordance with the criteria above, a notice shall be sent to the volunteer's last known address.
 - b. The expungement method shall be the shredding of the physical file. In cases where more than one bargaining unit

member is involved and one or more bargaining unit members is not entitled to expungement, the name of the bargaining unit member who is eligible for expungement will be redacted from those documents that refer to multiple bargaining unit members. Those documents that refer only to the bargaining unit member who is eligible for expungement shall be destroyed.

- c. The expungement of information from the electronic database shall consist of the electronic obliteration of the bargaining unit member's name, identification number and LFRD affiliation.

* * *

Article 11 – Uniforms and Equipment

* * *

Section Two. Effective July 1, [2010] 2012, the County shall purchase [874] 220 pairs of leather turnout boots. Effective July 1, 2013, the County shall purchase 220 pairs of leather turnout boots. The Association shall distribute the boots to active volunteers as defined in Montgomery County Code Section 21-21(a) on the IECS who belong to an LFRD with an approved Stand-by program;

[Section Three. Effective July 1, 2010, the County will supply 874 gear bags for turn out equipment to the MCVFRA. The Association shall distribute the gear bags to active volunteers as defined in Montgomery County Code Section 21-21(a) on the IECS who belong to an LFRD with an approved Stand-by program;]

Article 12 – Nominal Fee

An active volunteer as defined in Section 21-21 (a) of the Montgomery County Code shall receive either:

- (1) a nominal fee of: [three hundred (\$300.00) dollars July 1, 2009; four hundred (\$400.00) dollars July 1, 2010] two hundred forty (\$240) dollars July 1 each year of this agreement;

OR

- (2) a nominal fee of: [five hundred (\$500.00) dollars July 1, 2009; six hundred (\$600.00) dollars July 1, 2010] four hundred (\$400) dollars July 1 each year of this agreement; if the active volunteer:

* * *

Article 14 – Duration of Agreement

The term of the agreement will be three (3) years from July 1, [2008] 2011 through June 30, [2011] 2014.

Article 15 – Drug and Alcohol Testing

Section One. [The County and MCVFRA shall work collaboratively to develop a drug and alcohol testing policy for all volunteers. Such policy must include: post-collision, for cause, and random drug and alcohol testing. The Drug and Alcohol testing policy must be completed by the parties no later than May 1, 2008. The parties agree that mediator/arbitrator Jerome Ross retains jurisdiction to issue a final decision in accordance with the impasse procedures as stated in Montgomery County Code Section 21-6. Should the parties not reach agreement on a drug and alcohol testing policy including the above listed criteria before May 1, 2008, the parties shall submit last best offers to mediator/arbitrator Jerome Ross no later than 5:00 pm on May 7, 2008. Arbitrator Ross will render a decision no later than 5:00 pm on May 30, 2008. Such policy will be effective July 1, 2008. [See Appendix I]]

The Association and County recognize the importance of insuring the public's safety and maintaining a fire and rescue service free from alcohol abuse and drug abuse by its dedicated public servants. The Association members will continue to follow the Drug Testing Policy and Procedures agreed upon in the collectively bargained agreement effective for the years July 1, 2008 through June 30, 2011 with the following amendments:

Amendment One: The random drug testing portion of the program will not commence for the volunteer personnel the policy until June 30, 2012.

Amendment Two: Under Background, the percentage of IECS certified LFRD personnel to be tested in a year will be changed from 25% to 20% per year.

Article 16 - Training

Section One. The PSTA shall [consider] grant equivalencies for all National Professional Qualification Board (Pro-Board), International Fire Service Accreditation Congress, and Maryland Fire Rescue Institute (MFRI) training certifications. The PSTA [shall make every effort to] issue a course recognition and equivalency within 14 days of a volunteer request.

* * *

[Section Four. The PSTA shall develop an on-line registration system for all PSTA courses by December 1, 2008. Where possible, all registration will be done electronically

after that date. The MCVFRA shall be consulted with regard to the program's design and implementation.]

Section [Five] Four. Where feasible, the PSTA shall develop on-line courses for PSTA courses that can be taught through distance learning by December 1, 2009. The MCVFRA shall be consulted with regard to the courses' design and implementation.

Section Five. Volunteers will only be removed from the IECS in a manner consistent with Chapter 21-8 of the Montgomery County Code.

Section Six. If an LFRD volunteer transfers from one LFRD to another LFRD the County shall maintain that volunteer on the IECS continuously and use all certifications that were previously submitted as the required documentation. The LFRD or volunteer shall not be required to resubmit paperwork and/or certifications for simply transferring to another LFRD.

Section Seven. The County will issue a County ID card and PASS tag when a new volunteer joins an LFRD upon completion of their background check and acceptance into an LFRD in a timely manner.

* * *

Article 21 – Communications

Electronic Correspondence: The County agrees to create a #FRS.Volunteer Bargaining Unit email group for official MCVFRA correspondence sent to bargaining unit members. The County agrees to provide the MCVFRA President, or designee, access to the distribution group. Access to send correspondence to this group will be limited to authorized officers of the MCVFRA as defined by the MCVFRA.

Article 22 – Volunteer Basic Orientation Course

Section One. The County agrees to fund the Volunteer Basic Orientation Course each year of the agreement not to exceed \$5,000 per year. The funding requests will be submitted to the fire chief for reimbursement each quarter.

In the Matter of the Arbitration)
)
 Between)
)
 FIRE CHIEF, MONTGOMERY COUNTY,)
 MARYLAND FIRE AND RESCUE SERVICE)
) 2011 Interest Arbitration
 and)
)
 MONTGOMERY COUNTY VOLUNTEER FIRE)
 AND RESCUE ASSOCIATION)

Before: Jerome H. Ross, Impasse Neutral

Dates of Mediation and Arbitration: January 8 and 9, 2011

DECISION OF THE IMPASSE NEUTRAL

I. Background

The Montgomery County Code, Sec. 21-6 (the Code) requires direct negotiations between the Fire Chief of the Montgomery County Fire and Rescue Service (MCFRS) and the Local Fire and Rescue Departments' (LFRDs) representative. The Montgomery County Volunteer Fire and Rescue Association (MCVFRA or Association) is the elected representative and includes all ranks from basic firefighter, rescuer and EMT/paramedic to volunteer fire chiefs, deputy chiefs, presidents and directors. The Code authorizes the impasse neutral, upon finding a bona fide impasse, "to require the parties to jointly submit all items previously agreed upon and each party to submit a final offer consisting of proposals not agreed upon....[T]he impasse neutral must select the final offer^[1] that, as a whole, the impasse neutral judges to be the reasonable." The Code further provides:

¹The parties refer to the "final offer" as the Last Best Final Offer or LBFO.

In selecting a final offer under this Section, the impasse neutral must consider only the following factors:

- (1) previous negotiated agreements between the parties, including the past bargaining history that led to the agreements;
- (2) the affordability of all items that will have a significant cost to the Service;
- (3) effectiveness and efficiency of operations;
- (4) safety of the public; and
- (5) the interest and welfare of the public.

II. Impasse Procedure

The impasse procedure consisted of mediation and arbitration. During mediation the parties resolved all non-economic issues under several existing Agreement provisions including^[2]: Article 7, Disciplinary Action Procedures for LFRD Volunteers; Article 8, Contract Grievance Procedure; Article 9, Volunteer Records; Article 15, Drug and Alcohol Testing; and Article 16, Training. The unresolved economic issues were submitted to arbitration for resolution.

III. Unresolved Economic Issues

The Association's LBFO

Article 11, Uniforms and Equipment - Zero increase in the number of pairs of boots the County will purchase in year one of the Agreement; and 220 pairs of boots in the second and third years of the Agreement -- which is a 54 percent reduction from the 874 pairs provided in the third year of the current Agreement. Eliminate all gear bags -- which is a 100 percent reduction from the 874 gear bags provided under the current Agreement.

Article 12, Nominal Fee - \$240 for LOSAP active and \$400 for most active per year of the Agreement -- which is an almost 40 percent reduction from the

²The parties had agreed to other non-economic issues prior to invoking impasse resolution procedures.

current Agreement (\$400 and \$600 respectively) and a 20 percent reduction (\$300 and \$500 respectively) of what was actually funded in FY 2011 (\$240 and \$400 respectively).

Article 14, Duration of Agreement - Three years.

New Article, Volunteer Basic Orientation Course (VBOC) - \$5,000 per year in each year of the Agreement -- which is a 70 percent reduction from its last proposal for settlement to the County.

Side Letter, MCVFRA Operating Funds - \$223,250 per year in each year of the Agreement, in a side letter -- which is a five percent reduction from the previously negotiated and funded agreement.

MCVFRA Vehicle - \$26,000 in year three of the Agreement -- which is an almost 40 percent reduction from the \$40,000 provided in the third year of the current Agreement and which was not funded due to the state of the economy.

The Fire Chief's LBFO

Article 11, Uniforms and Equipment - If a volunteer transfers to a new LFRD, the volunteer may transfer their coat with them. Effective July 1, 2011 and July 1, 2012, the County shall purchase 300 pairs of boots. Effective July 1, 2011, the County will supply 874 gear bags.

Article 12, Nominal Fee - Effective July 1, 2011, nominal fees will be reduced by 50 percent for the duration of the Agreement.

Article 14, Duration of Agreement - Two years.

New Article, VBOC -- Not to exceed \$16,000 each year of the Agreement.

Side Letter - "Effective July 1, 2011, the County will no longer be providing funding to the MCVFRA for expenses related to the Association's fulfillment

of its functions as the LFRD authorized representative. Additionally, the previously designated \$40,000 for anew Association vehicle, which [sic] not appropriated by Council, will not be paid in this or any future fiscal year.”

IV. The Parties' Contentions

The Association points out that its LBFO economic proposals are lower than the funding called for in the final year of the current Agreement by an estimated \$409,008 -- a 41 percent reduction. The concessions in its LBFO are more than six times the percentage reductions for public safety agencies. It submits that the draconian and excessive cuts contained in the County's final proposal prior to the LBFO are more consistent with political retribution for the Association's position and legally protected advocacy against the County Executive's ambulance fee legislation.

The Association maintains that it has negotiated in good faith, and its LBFO makes substantial concessions that are more than sufficient to address the County's legitimate budget concerns for which the Executive is asking heads of public safety and non-public safety agencies to reduce their FY 2012 budgets by five and 15 percent respectively. It points to the Code which describes “the delivery of fire, rescue and emergency services through the [MCFRS], including the [LFRDs]” as a “partnership”. It contends that adequate funding for equipment, training and operational support under the Agreement is critical to ensuring the strength and effectiveness of the partnership -- a relationship which is specific and unique to Montgomery County and unlike any other fire and rescue service in the United States.

The Association contends that it differs significantly from a traditional labor organization. Its membership includes all ranks from firefighters to fire chiefs, deputy

chiefs, presidents and directors -- not simply a labor-management relationship. Representation is not optional as with labor organizations. Its significant and varied responsibilities under the law, policies and procedures are far more reaching than any labor organization. It is a nonprofit corporation. It creates, manages and maintains fire and rescue training courses to supply operational volunteers. It qualifies as a fire and rescue management resource group and can apply for federal firefighting grants for recruitment, training new volunteers and retaining those members. It operates the first and only Fire Rescue and Recruiting Station in the nation and was awarded a prestigious national award by the International Association of Fire Chiefs in recognition of outstanding innovation, development and implementation in recruiting new volunteers. The rent and expenses for this station are paid from the money received for MCVFRA operations in the Agreement. The MCVFRA membership pays no individual dues, nor are they assessed any fee. Nor do they receive pay, leave, retirement, COLA or raises from the County. The MCVFRA has been required to appear quarterly with the Fire Chief before the County Council's Public Safety Committee to report on and discuss the progress of fire and rescue service reforms.

The Association points to the absence of any evidence that prior funding for MCVFRA operations was temporary or seed money. To the contrary, the legislative history establishes the right of the LFRDs, through a designated representative, to directly negotiate with the Fire Chief on certain volunteer-related issues, and the County would pay the salary of the LFRD representative's top staff member, who would be similar to an employee union president. Moreover, the Association notes, during arbitration Chief Bowers described his relationship with the MCVFRA as very positive and productive

with at times almost hourly conversations, daily interactions and multiple meetings on a variety of issues throughout the organization. Additionally, the Chief said it was important to have the Association; it helps him do his job; it helps support the entire service; and it provides active service both administratively and operationally.

The Association observes that since the law changed in 2004, not once has the County challenged the legality of bargaining for the funding of the MCVFRA. The parties have bargained two previous Agreements over more than five years, and funds to operate were negotiated for every year. It points out that only during the last conference call with the impasse neutral did the County even suggest that the funding for the MCVFRA is non-negotiable. Indeed, it asserts, the bargaining history clearly establishes the ability to bargain for funding is not only permissible, it is required under the law.

The Association does not dispute the County's assertion that the economic climate is challenging, and local governments are requiring savings from their agencies. However, it cites a report issued by the Council's Office of Legislative Oversight (OLO) -- and independent agency which does not report to the County Executive. The report finds that County government spending on personnel costs increased 64 percent while the total number of work years increased by only ten percent between FY 2002 and FY 2011; and the primary driver behind higher personnel costs was not an increase in the size of the workforce but rather the increase in average cost per employee. Furthermore, the Association notes, nothing in the report concerning potential savings includes reductions in: the number of volunteer firefighters, equipment and training for volunteers, or funding for the MCVFRA.

With regard to the application of factor (1) to its proposal for boots, the Association points out that the County agreed to provide 874 pairs in the current Agreement, thus recognizing the importance of all personnel having the proper equipment. Under factor (2), affordability, it has reduced the cost of boots by almost one-half, which equips only one-third of the total active volunteers -- but it's a start. The availability of properly equipped firefighters, under factor (3), increases the effectiveness and efficiency of operations in all emergency situations as well as the safety of the public under factor (4) and the interest and welfare of the public under factor (5). The Association notes its further offers to forego gear bags for the duration of the Agreement.

In applying factor (1) to the nominal fee, the Association observes that both the first and second Agreements included funding to offset the out-of-pocket expenses volunteer fire/rescue personnel incur for gasoline, vehicle wear-and-tear traveling to and from the station, supplemental uniform and equipment purchased, meals while performing standby duties, and supplement training courses. It notes that the nominal fee was increased by 20 percent in the final year of the current Agreement but was not funded by the County Council. Nonetheless, in recognition of the budget situation under factor (2), its LBFO proposes a 20 percent reduction in funding -- which provides more cost savings than the County Executive has proposed for the operating expenses of either public safety or non-public safety agencies. Regarding factors (3) and (4), it asserts, increases in the number of trained firefighters and EMTs increase the efficiency of operations by having more personnel on each fire truck as well as the safety of the public and firefighters. Finally, under factor (5), the Association observes, since implementing

the first nominal fee, the number of volunteers has increased by over 40 percent which in turn contributes to the interest and welfare of the public.

The Association points out that, with regard to factor (1), the duration of the current Agreement is for three years, and its LBFO proposal is consistent with the IAFF (career firefighters) agreements for the past 20-plus years. Concerning factor (2), its proposal "backloads" certain benefits and reduces the cost to the County more than would be realized through a shorter-term contract. The longer-term also contributes to effectiveness and efficiency, factor (3), by not requiring participation in collective bargaining for a longer period. As a result, the MCVFRA and the MCFRS can concentrate their efforts in areas which will increase overall safety to the public, factor (4). The Association maintains that the interest and welfare of the public are served where the parties can improve their working relationship, as opposed to bargaining, during longer-term contract.

The Association observes that, concerning factor (1), while the current Agreement does not address the VBOC, the Fire Chief has funded the course for the past two years. It submits that the yearly investment of \$5,000 for training hundreds of volunteers each year is sound and affordable, factor (2), and will increase the effectiveness and efficiency of operations, factor (3), and safety and interest and welfare of the public, factors (4) and (5).

The Association argues that MCVFRA operating funds is the biggest issue because individual members do not receive a paycheck and do not directly contribute to the operating costs of the MCVFRA. Rather, the MCVFRA is dependent on the County for funding, as recognized by the enabling legislation and press articles following

passage. It argues that past Agreements, factor (1), is the strongest factor as to why the MCVFRA must be funded adequately to carry out its legal requirement. It explains that the County funding began immediately after the enabling legislation for a half-year period at \$75,000 in 2004; in the first Agreement (April 1, 2007 – June 30, 2008) the funding increased to \$185,000; and in the second Agreement (July 1, 2008 – June 30, 2011) the funding increased to \$235,000 per year for each of the three years – and the County Council fully funded the MCVFRA even in the current year's economic downturn. Moreover, it observes, only during the last conference call with the impasse neutral did the County even suggest that MCVFRA funding is non-negotiable. The Association argues that bargaining history clearly establishes the negotiability of MCVFRA funding as not only permissible but required under the law. As a bargaining concession, the Association's LBFO proposes the funding remain in a side letter as has been the practice in the two previously negotiated Agreements.

In addressing factor (2), affordability, the Association asserts that the funding is one of the most economical uses of tax dollars to manage volunteer issues and events, assist in training, run training courses, recruit new volunteers, apply for and manage federal grants, do public education and outreach, negotiate for benefits, respond to policy issues, work with the Fire Chief, report to the County Council, and assist in local, state and national fire and rescue policy discussions and formulation. Additionally, the MCVFRA manages and represents over 2,000 volunteers in 19 LFRDs with limited resources – one employee paid for under this grant and a recruiter funded under a federal grant that is managed by the executive director and the volunteer president. It also runs the only volunteer recruiting station in the nation on all volunteer labor, with donated

supplies and equipment, but relies completely on the funding in this Agreement to pay the reduced rent negotiated with the building owner under a three-year lease for which it would be liable even if the Agreement is not funded. In sum, the Association notes, the funding represents less than one-tenth of one percent of the overall fire rescue budget of \$192 million but significantly affects over one-half of the entire fire and rescue service and results in a significant savings to the MCFRS.

Concerning factor (3), the Association explains, with the increase in volunteer participation resulting from MCVFRA's recruiting and retention programs and the operating funds under the side letter, the LFRDs were able to add volunteer staffing to supplement career staff that were on overtime in order to cover two critical hours during the day where traditionally it has been difficult to attract volunteers. This was done at the Fire Chief's request and required by the Council in connection with cuts in overtime funding over a year ago. The total savings to the County per year is \$8,103,500.

The Association maintains that under factor (4), the significant and rapid increase in volunteers, from 765 in October 2008 to 1,583 in November 2010, has increased the safety of the public.

By funding the MCVFRA, the Association claims, under factor (5), the public maintains its community advocate who is part of the LFRD's hierarchy. The interest and welfare of the public are well served by having an independent public safety organization able to speak on behalf of the citizenry in forums with governmental and quasi-governmental agencies.

With regard to the MCVFRA vehicle, the Association points out that although the current Agreement, under factor (1), provides for the vehicle in the third year, it was not

funded by the Council due to the economy. It observes that, under factor (2), placing the vehicle in the third year of the Agreement and reducing the amount of funding by 40 percent saves significant money. Moreover, the vehicle will support operations in innumerable way, factor (3), such as transporting training equipment and the recruiting booth to events and transporting board members and other volunteers to meetings, Council sessions, conventions, training classes and parades. It will be a marked vehicle advertising the volunteers and include a large recruiting message on the body. The Association submits that public safety, factor (4), is improved by having volunteers out in the public doing community training, education, recruiting and other public events in a marked volunteer fire and rescue vehicle. The interest and welfare of the public, factor (5), is served by volunteers being able to conduct business efficiently, effectively and with the support of the MCFRS.

The Fire Chief maintains that he should not be forced to make further cuts to fire and rescue services in order to fund the MCVFRA's executive director position and the purchase of the vehicle for use by the Association – neither of which will have any impact on the delivery of fire suppression and emergency rescue services performed by volunteer fire fighters and paramedics. The Fire Chief further submits that his LBFO is in the public interest, especially where he has had to pare his budget for the past three fiscal years by \$25 million to \$30 million and once again has been asked to cut his budget by five percent. Further demonstrating his commitment to maintaining services is his proposal to fund the purchase of 300 pairs of boots annually for the term of the Agreement. Finally, he points out, the MCVFRA's funding proposal is not listed in the Code among the issues subject to negotiations; and, as further stated in the Code, budgets

and expenditures and "any other issues not specified as subject to negotiation" are not subject to bargaining.

With regard to the relevant factors to be considered under the Code, the Fire Chief observes that, under factor (1), the parties have never agreed to MCVFRA funding as a provision of their contract; rather, it has been memorialized in a memorandum of agreement. He asserts that while parties may discuss non-negotiable subjects, no party can take a non-negotiable subject to impasse as the MCVFRA has done here. Therefore, the MCVFRA's proposal is both unlawful and unreasonable, and the Association's LBFO has to be rejected as a whole. The Fire Chief further states that, "[a]ssuming the impasse neutral finds that MCVFRA funding is subject to bargaining," other factors must be considered.

Concerning factor (2), the Fire Chief points out, when the County, through the MCFRS, agreed in the past to fund the MCVFRA, the County's fiscal situation was much different, and it has a structural budget problem due to the increasing costs of its fixed spending commitments. The latest revenue forecast shows overall revenue estimates for FY 2011 down \$85.7 million below what has been budgeted; and December updated revenue estimates for FY 2012 are approximately \$73.8 million below previous estimates. As a result, the Fire Chief emphasizes, the County now has a projected FY 2012 budget gap of \$300 million that it has to close. MCFRS has had to cut approximately 50 uniform positions and 18 non-uniform civilian positions and take apparatus out of service over the last three fiscal years. Accordingly, the Fire Chief would have to make additional service cuts to personnel if he is forced to fund MCVFRA's compensation for its executive director.

The Fire Chief disputes the MCVFRA's assertion that it is being asked to bear too great a portion of MCVFRS's proposed budget reduction because the FLRDs challenged the County's ambulance fee. He recognizes that the loss of \$14 million is going to impact the County's and MCVFRA's budgets; however, MCFRS would have to reduce its budget by five percent regardless of whether the ambulance fee remained on the books. The elimination of the fee only served to make budget cuts that have the least impact on services more difficult.

The Fire Chief notes that the MCVFRA can tap the 19 LFRDs it represents for funding, just as the labor organizations representing County employees are funded by their members. Many of the LFRDs have assets in the millions of dollars, and they funded the MCVFRA since 1922 prior to receiving County funding in 2005 in order to meet the Association's obligations under the bargaining law.

The Fire Chief asserts that under factor (3) an award requiring the funding of the MCVFRA will negatively affect the effectiveness and efficiency of the MCFRS, particularly in the delivery of fire suppression and emergency medical services; whereas eliminating such funding to the MCVFRA will have no impact on MCFRS or LFRD operations. The loss of funding for the MCVFRA's and its executive director's sole responsibility to negotiate on behalf of the 19 LFRDs will not negatively impact the delivery of services by those entities.

With regard to the safety of the public, factor (4), the Fire Chief emphasizes the across-the-board reductions in the level of service due to increased response times at certain times of the day in certain areas of the County. If forced to fund the MCVFRA, additional service cuts to personnel would be required. Furthermore, the reasonableness

of the Fire Chief's LBFO is supported by the provisions for boots, gear bags and the nominal fee -- all related to volunteers who perform public safety services.

The Fire Chief claims that its LBFO under factor (5), interest and welfare of the public, weighs heavily in favor of its reasonableness. The County can no longer afford the luxury of funding the executive director position when it would come at the expense of the delivery of public safety services to the community.

V. Findings and Conclusions

Five of the seven unresolved issues may be viewed in the following context. The Fire Chief's LBFO provides greater equipment gains (boots and gear bags) directly to volunteers who are performing fire and rescue services. The parties' LBFOs are similar with regard to the nominal fees. The Association's LBFO for a three-year Agreement would appear to benefit the Fire Chief by providing greater stability and certainty in the parties' relationship for an additional year.³ The Fire Chief's LBFO contains significantly more funding for the VBOC.

The parties' LBFOs in connection with MCVFRA and vehicle funding reflect widely divergent views of the MCVFRA's role and responsibilities. The Association sees its role as a partnership which is authorized by law and provides for direct negotiation with the Fire Chief-- a role which never has been challenged until this round of negotiations when the Fire Chief's representative, in a teleconference on January 21, 2011, suggested non-negotiability with regard to MCVFRA funding. The Association essentially contends that its funding is a mandatory subject of bargaining. The Fire Chief asserts that the funding of the Association's operations is not authorized in the Code and,

³The Fire Chief did not specifically address this issue during the proceedings or in its post-hearing brief.

as a budget and expenditure, is a prohibited subject of bargaining which cannot be taken to impasse. He also notes that the parties never have agreed to Association funding as a contract provision.

I find the subject of Association funding to be negotiable. I hasten to add, however, that neither party has provided substantial argument supporting its procedural and substantive positions on negotiability. The Code does not address the impasse neutral's role and authority when assertions of non-negotiability are raised, especially for the first time after -- not during -- discussions of a subject in mediation or at arbitration and raised only obliquely during post-hearing discussions.⁴ Furthermore, I find a distinction without a difference in the Fire Chief's contention that the placement of the parties' agreement to fund the MCVFRA in side letters and not the Agreements is a basis for finding the subject non-negotiable where both documents reflect the negotiated agreement of the parties to provide the funding. In the same vein, a question arises as to why the Fire Chief would negotiate over a subject he maintains he is prohibited from bargaining with the Association.

I find that no useful purpose would be served by rendering findings based upon the OLO report or the Association's assertions regarding the effect of its advocacy against the ambulance tax on the Fire Chief's positions in negotiations and his LBFO.

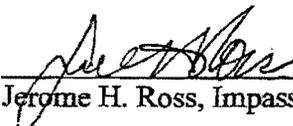
After considering the seven issues at impasse, I find that the Association's LBFO is the more reasonable. Its proposals constitute a 41 percent reduction from the final year's items contained in the current Agreement. I also am persuaded that the

⁴My notes of the January 21 conference call reflect that the sole reference to non-negotiability was a comment by Jeremy Milewski, a County human resources specialist, that the Fire Chief did not want the Association funding mentioned in the Agreement because the Code excludes budgets and expenditures as negotiable items. Moreover, I note that negotiability issues were clearly raised in connection with other subjects of bargaining during mediation.

Association's role and responsibilities far exceed the Fire Chief's description that funding MCVFRA essentially funds the executive director's salary and a vehicle and have no impact on the delivery of fire and rescue services. At a minimum, the organization has almost doubled the number of volunteers and has engaged in a wide variety of functions which ultimately benefit the MCFRS and the public and easily offset what the Fire Chief has described as what would be a loss of effectiveness and efficiency in the delivery of fire suppression and emergency medical services as a result of the funding. No reasonable basis has been shown for obliterating all of the funding for the institution which serves a useful purpose and has been created in law. In sum, I find that that the underlying concept of the Fire Chief's proposal that reductions in MCVFRA funding do not affect the delivery of fire and rescue services (as does the provision of 600 pairs of boots over the term of the Agreement) misses the mark in not considering the importance of the institution to the partnership of the MCVFRA and the MCFRS.

AWARD

The Association's final offer, as a whole, is more reasonable.



Jerome H. Ross, Impasse Neutral

January 31, 2011
McLean, Virginia

**Montgomery County Volunteer Fire Rescue Association
Cost of 2011 Interest Arbitration Award**

| <u>Article</u> | <u>Item</u> | <u>Description</u> | <u>Estimated Total Impact: FY12</u> | <u>Estimated Total Impact: FY13</u> | <u>Estimated Total Impact: FY14</u> | <u>Estimated Total Impact: FY15</u> | <u>Estimated Total Impact: FY16</u> | <u>Estimated Total Impact: FY17</u> |
|----------------|---------------------------------------|---|---|---|---|---|---|---|
| 11 | Turn-out Boots | 220 leather turn-out boots purchased in FY13 and FY14 | \$0 | \$52,170 | \$52,170 | \$0 | \$0 | \$0 |
| 12 | Nominal Fee | Nominal fee of \$240 or \$400 | \$342,000 | \$342,000 | \$342,000 | \$0 | \$0 | \$0 |
| New | Volunteer Basic Orientation Course | \$5,000 each year of the agreement | \$5,000 | \$5,000 | \$5,000 | \$0 | \$0 | \$0 |
| Side Letter | Association Operating Funds | \$223,250 in funding each year of the agreement | \$223,250 | \$223,250 | \$223,250 | \$0 | \$0 | \$0 |
| | Vehicle | New vehicle for Association business | \$0 | \$0 | \$26,000 | \$0 | \$0 | \$0 |
| | Total | | \$570,250 | \$622,420 | \$648,420 | \$0 | \$0 | \$0 |

County Executive's Recommended Funding for MCVFRA Contract Award

| <u>Article</u> | <u>Item</u> | <u>Description</u> | <u>Estimated Total Impact: FY12</u> | <u>Estimated Total Impact: FY13</u> | <u>Estimated Total Impact: FY14</u> | <u>Estimated Total Impact: FY15</u> | <u>Estimated Total Impact: FY16</u> | <u>Estimated Total Impact: FY17</u> |
|----------------|--|---|---|---|---|---|---|---|
| 11 | Turn-out Boots | 300 leather turn-out boots purchased in FY12 and FY13 | \$71,140 | \$71,140 | \$0 | \$0 | \$0 | \$0 |
| 11 | Gear Bags | County to supply 874 gear bags | \$34,960 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 12 | Nominal Fee | Nominal fee of \$150 or \$250 | \$213,750 | \$213,750 | \$0 | \$0 | \$0 | \$0 |
| New | Volunteer Basic Orientation Course | Training not to exceed \$16,000 each year of the agreement | \$16,000 | \$16,000 | \$0 | \$0 | \$0 | \$0 |
| Side Letter | Association Operating Funds and Vehicle | Eliminate Association funding effective July 1, 2011 and cancel purchase of Association vehicle | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| | Total | | \$335,850 | \$300,890 | \$0 | \$0 | \$0 | \$0 |
| | Additional Cost to Fund Arbitration Award | | \$234,400 | \$321,530 | \$648,420 | \$0 | \$0 | \$0 |

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VOLUNTEER LOSAP PARTICIPATION HISTORY 2000 - 2009

| LFRD | CY00 | CY01 | CY02 | CY03 | CY04 | CY05 | CY 06 | CY 07 | CY 08 | CY09 |
|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| BCCRS | 144 | 168 | 170 | 169 | 149 | 159 | 188 | 191 | 179 | 190 |
| BFD | 6 | 6 | 6 | 6 | 4 | 6 | 7 | 8 | 8 | 10 |
| BVFD | 36 | 49 | 56 | 70 | 49 | 49 | 50 | 58 | 68 | 85 |
| CJPVFD | 39 | 35 | 50 | 44 | 43 | 47 | 42 | 29 | 41 | 50 |
| DVFD | 40 | 34 | 37 | 30 | 34 | 30 | 31 | 30 | 26 | 30 |
| GWGVFD | 48 | 52 | 59 | 55 | 49 | 46 | 43 | 40 | 47 | 52 |
| GVFD | 36 | 44 | 40 | 42 | 43 | 34 | 35 | 41 | 40 | 46 |
| GEFD | 8 | 8 | 10 | 9 | 4 | 7 | 16 | 20 | 17 | 19 |
| HILL | 16 | 18 | 23 | 19 | 18 | 19 | 15 | 17 | 16 | 12 |
| HVFD | 18 | 21 | 27 | 24 | 23 | 18 | 22 | 20 | 15 | 22 |
| KVFD | 77 | 95 | 85 | 79 | 80 | 81 | 73 | 78 | 91 | 107 |
| LVFD | 31 | 40 | 44 | 44 | 48 | 42 | 42 | 47 | 44 | 48 |
| RVFD | 112 | 129 | 87 | 101 | 132 | 114 | 141 | 153 | 156 | 177 |
| SSVFD | 44 | 64 | 61 | 68 | 76 | 66 | 62 | 58 | 62 | 58 |
| SIL SPG | 16 | 20 | 26 | 24 | 24 | 24 | 23 | 30 | 32 | 36 |
| TPVFD | 19 | 20 | 23 | 18 | 26 | 20 | 24 | 24 | 21 | 24 |
| UMCVFD | 17 | 31 | 34 | 32 | 33 | 27 | 29 | 26 | 33 | 33 |
| WRS | 67 | 77 | 78 | 75 | 74 | 85 | 105 | 91 | 97 | 98 |
| TOTAL ACTIVE | 774 | 911 | 916 | 909 | 909 | 874 | 948 | 961 | 993 | 1098 |
| Participating 1-49 points | 660 | 577 | 596 | 594 | 612 | 654 | 602 | 601 | 633 | 666 |
| All Vols. | 1434 | 1488 | 1512 | 1503 | 1521 | 1528 | 1550 | 1562 | 1626 | 1764 |

AWARDS HISTORY

| # LOSAP Recipients | CY00 | CY01 | CY02 | CY03 | CY04 | CY05 | CY 06 | CY 07 | CY 08 | CY09 |
|--------------------|------|------|------|------|------|------|-------|-------|-------|------|
| | 315 | 321 | 322 | 425 | 429 | 446 | 456 | 462 | 467 | 484 |

DEATH BENEFITS PAID

From FY02-05 - benefit was \$2,500

From 2005 - Present benefit is \$5,000

| | CY00 | CY01 | CY02 | CY03 | CY04 | CY05 | CY 06 | CY 07 | CY08 | CY09 |
|-----------------|-------|-------|-------|-------|-------|-------|-----------|-----------|-----------|-----------|
| | 21000 | 14500 | 12500 | 32500 | 30000 | 40000 | 10,141.92 | 35,467.66 | 40,885.66 | 72,014.96 |
| Vol. Deaths | 14 | 9 | 5 | 13 | 12 | 11 | 14 | 11 | 11 | 13 |
| Survivor Deaths | 5 | 1 | 5 | 5 | 8 | 2 | 2 | 6 | 4 | 3 |

4 @ \$100

| Nominal Fee | CY00 | CY01 | CY02 | CY03 | CY04 | CY05 | CY 06 | CY 07 | CY08 | CY09 |
|------------------|------|------|------|------|------|------|------------------|------------------|------------------|------------------|
| \$200 pmt | | | | | | | 448 | 447 | 466 @ \$300 | 510 @ \$300 |
| \$300 pmt | | | | | | | 365 | 385 | 382 @ \$500 | 420 @ \$500 |
| Total No. | | | | | | | 813 | 832 | 852 | 930 |
| Total \$ | | | | | | | \$199,100 | \$204,900 | \$331,200 | \$363,000 |