

A RESOLUTION ESTABLISHING MOTOR VEHICLE ACCIDENT RESPONSE CHARGES

Background: Delta County Fire Protection Dist, #4 (Hotchkiss Fire District) provides Fire Protection, Hazardous Materials Response, and a variety of Rescue Response services within the District boundaries.

Hazardous Materials Response Costs.

1. The Fire Protection District is from time to time required to respond to hazardous materials incidents.
2. State and Federal law authorizes Hazardous Material Response Teams to recover costs in responding to the hazardous materials incidents. Costs include those that exceed the normal and usual expenses anticipated for fire protection and emergency services including, but not be limited to, disposable Personal Protective Equipment, materials used to control and contain leaks and spills, extra fuel consumption, hourly use of apparatus and personnel, losses or damage to publicly owned equipment, and the purchase or lease of any special equipment or services required to protect the public during the hazardous materials incident, as well as Administrative Fees.
3. The District believes that its taxpayers should not be required to subsidize the costs of responding to hazardous materials incidents and that such costs, including Administrative fees, should be charged to the transporters and users of hazardous materials to reimburse the District.
4. The District shall use actual costs and, where appropriate, shall determine costs of hourly equipment use pursuant to Cooperator's Emergency Rate Form (CERF)

Motor Vehicle Accidents.

1. The District has determined that its response to motor vehicle accidents are based primarily on a need for emergency rescue, including extrication, and to provide traffic control to protect the Public and other Responders including Law Enforcement and Emergency Medical Services, as well as assist these agencies with the injured.
2. The District derives funding primarily from Property Tax for the purpose for Fire Protection, whereas vehicles do not fund the District, as well as the fact that many of the vehicles involved in accidents belong to owners who are not residents of the District. Costs to purchase and maintain Rescue Equipment capable of removing injured from vehicles are extraordinarily high, and taxpayers should not be required to subsidize these operations. The District believes it is appropriate to charge fees to At Fault parties or other responsible parties to help mitigate the costs incurred of performing such Rescues.

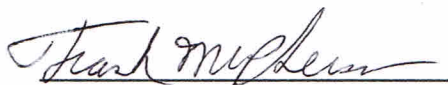
3. The District has determined that motor vehicle accidents often involve spillage or leakage of liquids, such as oil, battery acid, fuel, antifreeze, brake fluid, transmission fluid, and other petroleum based products all of which constitute hazardous materials.
4. The District believes it is appropriate to charge fees for responding to motor vehicle accidents based on its authority to charge for Hazardous Materials responses as outlined above, as well as Administrative Fees.
5. The District shall use actual costs and, where appropriate, shall determine costs of hourly equipment use pursuant to Cooperator's Emergency Rate Form (CERF)


Resolution: NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of Delta County Fire Protection Dist. #4 (Hotchkiss Fire Protection District) that District staff is authorized to pursue cost recovery for the following services:


1. Hazardous Material Response Costs;
2. Motor Vehicle Accident Responses;
3. Administrative Fees

Be Is Further Resolved that the Board of Directors of Delta County Fire Protection Dist. #4 (Hotchkiss Fire Protection District) hereby adopts this Policy which adopts a procedure for recovering costs associated with Motor Vehicle Accidents and Hazmat incidents based on the Cooperator's Emergency Rate Form (CERF), as well as Administrative Fees. This resolution shall become effective on adoption.

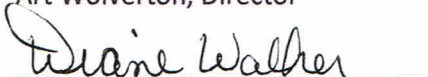
Adoption: ADOPTED by the Board of Directors of Delta County Fire Protection Dist. #4 (Hotchkiss Fire Protection District) regular open public meeting of such Board on the 12th day of March 2012 with these Directors being present and voting:


Frank McPherson, President


Jim Roberts, Vice President


Art Wolverton, Director


Robert Turner, Director


Diane Walker, Secretary Treasurer