

Aitkin County Board of Commissioners
Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: January 9, 2012

Via: Patrick Wussow, County Administrator

From: Kirk Peysar, County Auditor

Title of Item:

2012 Fire Protection Contract with Ball Bluff Township

Requested Meeting Date: 1/24 Estimated Presentation Time: n/a

Presenter: Kirk Peysar

Type of Action Requested (check all that apply)

- For info only, no action requested
- Approve under Consent Agenda
- For discussion only with possible future action
- Adopt Ordinance Revision
- Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote comparison)
- Approve/adopt proposal by motion
- Approve/adopt proposal by resolution (attach draft resolution)
- Authorize filling vacant staff position
- Request to schedule public hearing or sale
- Other (please list) _____
- Request by member of the public to be heard
- Item should be addressed in closed session under MN Statute _____

Fiscal Impact (check all that apply)

Is this item in the current approved budget? Yes No (attach explanation)

What type of expenditure is this? Operating Other (attach explanation)

Revenue line account # that funds this item is: _____

Expenditure line account # for this item is: 422-422.6800

Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)

Duties of a department employee(s) may be materially affected. Yes No

Applicable job description(s) may require revision. Yes No

Item may impact a bargaining unit agreement or county work policy. Yes No

Item may change the department's authorized staffing level. Yes No



Supporting Attachment(s)

- Memorandum Summary of Item
- Copy of applicable county policy and/or ordinance (excerpts acceptable)
- Copy of applicable state/federal statute/regulation (excerpts acceptable)
- Copy of applicable contract and/or agreement
- Original bid spec or quote request (excluding complex construction projects)
- Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
- Bid/quote comparison worksheet
- Draft County Board resolution
- Plat approval check-list and supporting documents
- Copy of previous minutes related to this issue
- Other supporting document(s) (please list) _____

Provide eleven (11) copies of supporting documentation **NO LATER THAN Wednesday at 8:00am** to make the Board's agenda for the following Tuesday. Items **WILL NOT** be placed on the Board agenda unless complete documentation is provided for mailing in the Board packets. (see reverse side for details)

Kirk Peysar
Aitkin County Auditor
209 Second Street Northwest Room 202
Aitkin, Minnesota 56431
218.927.7354

January 9, 2012

To: Board of Commissioners

From: Kirk Peysar, County Auditor 

Re: Request to authorize signatures to the 2012 Fire Protection contract with the
Town of Ball Bluff for unorganized townships 51-22 \$131.91; 52-22 \$3,351.48,
and 52-24 \$1,522.94.

**Jacobson Volunteer Fire Department
Fiduciary Agent: Ball Bluff Township
Fire Protection Agreement
with Aitkin County Fiduciary Agent for:
Unorg. Townships: 51-22, 52-22, 52-24
Effective January 1, 2012**

This agreement made and entered into by and between the Jacobson Volunteer Fire Department, in the Township of Ball Bluff, in the County of Aitkin in the State of Minnesota and the Townships of 51-22, 52-22, 52-24, a township of the County of Aitkin in the State of Minnesota.

WHEREAS, the Townships of 51-22, 52-22, 52-24 desires the services of the Jacobson Volunteer Fire Department in case of fires occurring in 51-22, 52-22, 52-24 Townships as well as the emergency medical services of the Jacobson Volunteer Fire Department 1st Responders in case of a medical emergency, and

WHEREAS, the Township of Ball Bluff maintains a volunteer fire department with emergency medical response capability, which department is available to provide fire protection and emergency medical response services to properties located in the Townships of 51-22, 52-22, 52-24, and

THEREFORE, it is agreed by and between said parties as follows:

1. The Jacobson Volunteer Fire Department shall provide fire protection and emergency medical response services to those properties in 51-22, 52-22, 52-24 Township lying within the areas outlined in red on the attached map. Such fire protection and emergency medical response services shall be provided from January 1, 2012 through December 31, 2012 with the existing and any newly-obtained fire, medical equipment, apparatus and with members of the Jacobson Volunteer Fire Department.
2. Jacobson Volunteer Fire Department agrees to provide fire protection and emergency medical response services as described above to 51-22, 52-22, 52-24 Township in exchange for payment of the portion of the budget that would be equal to the portion of 51-22, 52-22, 52-24's tax capacity in relation to the tax capacity of the fire departments total coverage area. The portions are as follows 51-22 \$131,91, 52-22 \$3,351.48, 52-24 \$1,522.94, which will provide coverage from January 1, 2012 to December 31, 2012. Payment arrangements should be made with the clerk of Ball Bluff Township (fiduciary agent of the Jacobson Volunteer Fire Department), 68368 198th Ave., Jacobson, MN 55752.
3. The Jacobson Volunteer Fire Department's obligation to provide fire protection service and emergency medical response shall be subject to the following:
 - a. If road and weather conditions at the time of the call are such that the fire/medical run cannot be made with reasonable safety to men and equipment, and the decision of the Fire Chief or his Assistant or Captains in charge shall be final in such matter, no obligation arises under this agreement on the part of the Jacobson Volunteer Fire Department to answer such call.
 - b. In the event that a sufficient amount of the fire fighting/medical equipment and number of volunteer firemen, or both, are committed at the time of which another fire call comes in from the dispatcher of Aitkin County, in the sole judgment of the Fire Chief, his Assistant or Captains, to fighting pre-existing fires or attending pre-existing medical emergencies, so as to render the available equipment and manpower inadequate to answer a fire or medical call from the dispatcher of Aitkin County, no obligation shall arise under this agreement to answer such call. A pre-existing fire/medical emergency for the purposes of this agreement shall be a fire/medical emergency to which the Jacobson Volunteer Fire Department is called previous to receiving the call from the dispatcher of Aitkin County and which fire is still being fought or medical emergency is still being attended to by the Jacobson Volunteer Fire Department at the time the call from the dispatcher of Aitkin County is received.

- c. In the event a fire call is answered by the Jacobson Volunteer Fire Department, but before the fire in question is extinguished, the fire fighting equipment or volunteer firemen, or both are needed to fight another fire in the Jacobson Fire Departments fire district to protect property in the Jacobson Fire Departments fire district from a fire, the Chief or his Assistant Chief or Captains without liability therefore to any person or to the Jacobson Volunteer Fire Department or Township of Ball Bluff under this agreement, may in their judgment recall the fire equipment and firemen to another emergency for the purpose of fighting the fire in the fire district. The judgment of the Fire Chief, Assistant Chief or Captains shall be final and no person or party shall have recourse against the Townships or fire department for any damages or losses resulting from such action or decision.
- d. The first Responder's protocols for medical response units receiving medical direction from Med-1 Ambulance Service Inc., Minnesota Emergency Medical Services Regulatory Board, Minnesota Statutes 144E.27 subd. 5: The 1st responders from the Jacobson area and of the Jacobson Volunteer Fire Department responds in the geographical are licensed to Med-1 Inc. and their mutual aid area.
- 4. The parties acknowledge the fact that the Jacobson Volunteer Fire Department may enter into similar contracts with other townships, and acknowledge that the Jacobson Volunteer Fire Department has entered into mutual aid contracts with other Fire Departments in other municipalities, and that a fire call under any such contract preceding a call in the Township could be a valid and reasonable basis for the decision of the Fire Chief, Assistant Chief or Captains in refusing to answer a fire call in the Township.
- 5. Because the Jacobson Volunteer Fire Department has heretofore entered into mutual assistance fire fighting agreements with other municipalities possessing fire fighting equipment and firemen, which equipment and firemen could be called by the Chief, Assistant Chief or Captains to a fire in the Township, the Township agrees to pay such additional cost as may be incurred thereby if the sole judgment of the Chief, or his Assistant Chief or Captains, such additional fire fighting equipment and firemen are needed to fight a fire in the Township and are in fact called to such fire by the Chief, or his Assistant Chief or Captains.
- 6. Ball Bluff Township shall appoint one person from its board to sit on the Jacobson Volunteer Fire Department Budget Committee to assist in preparing the following year's fire department budget and attend their monthly fire department meetings.
- 7. Townships contracted with the Jacobson Volunteer Fire Department is invited to send representatives to the Jacobson Volunteer Fire Department meetings and Ball Bluff Township meetings. The Jacobson Volunteer Fire Department business meeting is held the first Thursday of each month. The Township of Ball Bluff meets the second Tuesday of each month.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of _____, 20_____.

Township of **Ball Bluff Township**

Township of **Unorganized 51-22, 52-22, 52-24**

by _____
Chairman

by _____
Chairman

Attest: _____
Township Clerk

Attest: _____
Township Clerk

by _____
Fire Chief