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City Administrator's Office

SOUTHERN OZAUKEE FIRE AND EMERGENCY MEDICAL SERVICES BOARD
Wednesday, August 3, 2022
5:30 PM
Thiensville Village Hall

Agenda

1) Call to Order, Roll Call
2) Approval of Meeting Minutes
   Action requested: review and approve
3) Review and Approve - Resolution of Inclusion Under the Wisconsin Retirement System
4) Review and Discussion - Operational Accomplishments Since July 13, 2022
5) Review and Discussion - Merger Related Action Items to be Completed Prior to January 1, 2023
   a. Proposed 2023 Budget
6) Review and Discussion - Revenues/Fees
7) Update - Ozaukee County ARPA Funding
8) Update - Thiensville Fire Department Foundation
9) Next Meeting Date/Time
   a. August 17, 2022 at 5:30 PM
10) Adjourn

Dated: August 3, 2022 * /s/ Van Mobley, Chair*

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the City Administrator's Office at 262-236-2941, Monday through Friday, 8:00 AM – 4:30 PM

VILLAGE OF THIENSVILLE
Southern Ozaukee Fire & EMS Board
MINUTES

DATE: Wednesday, July 13, 2022

LOCATION: 250 Elm Street, Thiensville, WI

TIME: 5:30 PM

I. CALL TO ORDER

President Mobley called the meeting to order at 5:30 PM.

II. ROLL CALL
MEQUON MAYOR ANDREW NERBUN
MEQUON ADMINISTRATOR WILL JONES
MEQUON ALDERMAN BRIAN PARRISH
MEQUON ALDERWOMAN KATHLEEN SCHNEIDER

THIENSVILLE PRESIDENT VAN MOBLEY
THIENSVILLE ADMINISTRATOR COLLEEN LANDISCH-HANSEN
THIENSVILLE TRUSTEE KRISTINA ECKERT

III. APPROVAL OF MINUTES

A. June 16, 2022 (att)

The June 16, 2022, minutes were revised to correct Kathleen Schneider's title to Alderwoman.

MOTION by Mayor Nerbun, **SECONDED** by Alderwoman Schneider to approve the Revised June 16, 2022, Minutes to reflect Alderwoman Schneider's correct title. **MOTION CARRIED UNANIMOUSLY**.

IV. REVIEW & DISCUSSION - OPERATIONAL ACCOMPLISHMENTS SINCE JULY 1, 2022

Chief Bialk noted several steps that have occurred since the July 1, 2022, transition: established intercept responsibilities for responses to Cedarburg, adopting a unified schedule for all personnel, sharing supplies and participating in joint training. The goal is to have eight positions scheduled every day to ensure coverage for Mequon, Thiensville and intercepts.

V. REVIEW & DISCUSSION - MERGER RELATED ACTION ITEMS TO BE COMPLETED PRIOR TO JANUARY 1, 2023

A. Insurance

The Department received provisional approval to join the Wisconsin Retirement System. Full approval must go through the Social Security Administration. A final determination may not occur for 12 months due to a backlog. The Department is seeking bids for health insurance. Ansay & Associates is serving as a broker. The firm is also working with the department on general liability, worker's compensation and public officials' insurance.

B. Information Technology

The most economical way of obtaining secure email accounts as well as necessary software, such as Microsoft Office, is being explored. Secure email is necessary because of communications containing patient information. President Mobley suggested working with Ozaukee County to obtain email.

C. Payroll & Accounts Payable

Chief Bialk noted an initial look at third-party vendors for handling payroll appears to be expensive.

D. Fiscal Agent

There is an upcoming meeting to discuss having the City of Mequon serve as the fiscal agent for payroll. Accounts payable and accounts receivable may be able to be done in-house.

VI. REVIEW & DISCUSSION - FISCAL YEAR 2023. REVENUES/FEES

Both departments charge ambulance fees to transport. There are fees for Basic Life Support, Advanced Life Support and Advanced Life Support II. Mequon has a separate rate for inter-facility transports. Chief Bialk asked Mequon's billing company to compare the fees charged by Mequon and Thiensville with the fees charged in other communities. For instance, the fee in Mequon for a Basic Life Support call is $750. The billing company recommends increasing that to $1,000 because the average charge is $1,086. There are similar recommended charges for other transport categories. The billing company also recommended increasing mileage rates.

Assistant Chief Deutsch noted Thiensville uses itemized billing. For instance, a pair of gloves or equipment for an IV get billed. The billing company handles the itemized billing based on the patient care report. President Mobley suggested that the group give fees further consideration before making a decision. Chief Bialk noted the process will involve developing a budget and a fee schedule that supports that budget.

Administrator Jones shared that staff from both Mequon and Thiensville have a budget work session scheduled next week.

Chief Bialk and Assistant Chief Deutsch noted the recovery rates after payment from Medicare or private insurance are better with the flat-rate formula rather than itemized billing. Chief Bialk anticipates revenue could increase by 20% next year.

Chief Bialk added there are other fees to be considered. Other departments charge for standing by at events, such as Gathering on the Green, Homestead and Concordia football games. Other potential fees include fireworks permits, sprinkler permits, re-inspection fees, inspections outside normal working hours, final occupancy inspections, inspections of fire alarms, inspections of hood systems in restaurants and other areas where the Fire Department will conduct an inspection, but does not currently charge.

Alderman Parrish stated that if there have not currently been charges in some of these areas, it might upset business owners and residents if fees are implemented. Mayor Nerbun noted one argument in favor of the fees is that the people receiving the services are the ones who have to pay for the staff time that is involved. Mequon has a policy of recovering costs for services, or at least making an effort to come as close as possible. President Mobley added, in some cases, it may be more trouble than it is worth to charge for minor services.

Chief Bialk noted some fire departments charge for conducting fire inspections. In some cases, the inspections involve significant staff time. For instance, an inspection of the Mequon hospital may take an entire day. Inspecting Concordia University campus would take several days.

Mequon City Attorney Brian Sadjak added the Board needs to be cautious if it shifts income from the tax levy to fees. The Department of Revenue is looking into issues surrounding fire department mergers and how they will apply levy limits. In addition, levy limits only apply to the levying entity. How fees are imposed could be significant. If the Fire Department imposes the fee, that may be more palatable to the Department of Revenue than if it is either municipality.

Attorney Sadjak recommended the Department be judicious in how it imposes fees. For example, fees targeted to a specific user will more likely be acceptable to the Department of Revenue than a fee that offsets something levy-based. It is not a clear area of the law. There is an opportunity to use fees to fund things that were not funded previously.

Administrator Landisch-Hansen asked if there were instances where a new consolidated fire department added a fee and the Department of Revenue said it had to reduce the levy limit. Attorney Sadjak replied that none were mentioned during his conversation with the Department of Revenue.

Administrator Jones asked Attorney Sadjak to discuss issues related to the timing of establishing fees. Specifically, is this something that needs to be addressed soon or, given the uncertainty of how levy limits will be applied, can a decision be delayed? Attorney Sadjak replied there is not a clear answer, but added it is easier to make the argument now that a joint department is being formed as a separate entity. As a result, there are a number of adjustments that need to be made -- including setting a fee schedule -- as part of the start-up. It becomes less clear if that opportunity will exist in subsequent years.

President Mobley added there is a difference between fees that generate a lot of revenue and ancillary fees that do not generate much that are irritating to the people who have to collect or pay them. The major fees would apply to ambulance transports and fire inspections. Chief Bialk noted that some of the larger facilities that take significant time for fire inspections are non-profits and high users of fire and EMS services. President Mobley noted the goal of the Department is not to make a profit but to provide a quality service and keep the community safe.

The Board will continue the discussion at the next meeting and review current and anticipated revenue as well as potential fees. Administrator Jones asked Attorney Sadjak if a fee schedule for fire inspections based on square-footage of the building would have to begin on January 1, 2023, or whether it would suffice to declare a fire inspection fee is being implemented, whether it is a flat fee or a graduated fee and if that can be adjusted over time. Attorney Sadjak replied that once a fee is established it is easier to adjust it. Currently, there is not a charge for fire inspections in Mequon or Thiensville.

Attorney Sadjak presented information on the Consumer Price Index plus 2% formula that could potentially allow levy limits to be exceeded to fund fire services. The formula is based on the fire levy from the previous year. This is available only to joint fire departments. Administrator Jones noted the CPI calculation occurs annually in August. The information will be available during the budget development process in order to calculate potential options.

VII. OZAUKEE COUNTY ARPA GRANT FUNDING UPDATE

Chief Bialk reported that Mequon and Thiensville applied to Ozaukee County for ARPA grant funds by the June 30, 2022, deadline for a total of $1.8 million. The County Administrator asked if Mequon and Thiensville are expecting continuous support after any ARPA grant funds expire. Chief Bialk replied that if money was available, it would be welcome, but the plan is for the Department to be sustainable. Chief Bialk is expecting a decision by later in the summer.

Administrator Jones noted the question about expectations of future support could be tied to the County Sheriff's stated preference to move toward a county-wide department. Chief Bialk replied the County Administrator has indicated that a county-wide department likely will not happen.

Administrator Jones requested a letter from Cedarburg City Administrator Mikko Hilvo with details of what Cedarburg is looking for in terms of a service model in connection with Cedarburg's request for the cost to join with Mequon and Thiensville. Administrator Hilvo has not had a chance to complete that letter and will reply to Administrator Jones at a later date.

Mequon and Thiensville also have applied for a Flex Grant from the state. Administrator Landisch-Hansen noted Mequon and Thiensville are working together to get the most out of the allocations for both communities.

VIII. APPROVE NEXT MEETING DATES/TIMES - 3RD QUARTER 2022

John Kukla, President of Thiensville Fire Department Corporation, addressed the Board. Mr. Kukla has been involved with the Thiensville Fire Department since 1989 and stopped active service approximately six years ago to focus on the Fire Department Corporation. With the new Department in place and no longer a Thiensville Fire Department, the Corporation has no purpose. There is an Executive Board meeting next week and a full Corporation meeting in August. The Corporation is exploring what it wants to do. One avenue is becoming a Corporation for the new Southern Ozaukee Fire Department.

The Corporation has conducted fundraising for the Thiensville Fire Department, has provided ambulances and is involved with community-service activities, including a pancake breakfast, Truck-or-Treat and the annual tree-lighting. The Corporation has operated the Snack Shack at the softball field in Village Park. Chief Bialk noted he has no intention of stopping any community-based activities and supports their continuation. Mr. Kukla will be placed on the agenda for the next meeting to continue the discussion.

The next meetings are scheduled at 5:30 PM on August 3, August 17 and August 31, 2022.

IX. ADJOURN

MOTION by Trustee Eckert, **SECONDED** by Administrator Jones to adjourn the meeting at 6:59 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Gary Achterberg
Village of Thiensville
Administrative Assistant

Signed by,

Amy L. Langlois
Village of Thiensville
Village Clerk/Deputy Treasurer

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www.ci.mequon.wi.us **Office of Fire/Ambulance**

TO: **Southern Ozaukee Fire and Emergency Medical Services Board**
FROM: **David Bialk, Fire Chief**
DATE: **July 26, 2022**
SUBJECT: **Approval of Resolution of Inclusion Under the Wisconsin Retirement System**

Background

An objective of the working group prior to the full merger of the Mequon and Thiensville fire departments into the Southern Ozaukee Fire and EMS Department was to gain inclusion into the Wisconsin Retirement System. After provisional approval was granted on July 21, 2022, by the Wisconsin Department of Employee Trust Funds the next step is to have the governing board of the SOFD authorize and approve the department's participation into WRS.

Analysis

The Resolution of Inclusion Under the Wisconsin Retirement System Wis. Stat. §§40.21, 40.22 is attached and requires the signature of the SOFD Board Chairman.

Fiscal Impact

The employer's cost of WRS is 12.08% of a qualified employee's salary.

Recommendation

Staff recommends participation into WRS.

Attachments:
WRS Inclusion (PDF)

Wisconsin Department of Employee Trust Funds
1-877-533-5020 (toll free)
Fax 608-266-5801
etf.wi.gov

Resolution of Inclusion Under the Wisconsin Retirement System

Wis. Stat. §§ 40.21, 40.22

The (Governing Body) Sothern Ozaukee Fire and Emergency Medical Services Board of the ((Employer Legal Name) Southern Ozaukee Fire and Emergency Medical Services Department authorizes and approves participation in the Wisconsin Retirement System on the effective date of January 1, 2023.
Eligible employees will participate in the WRS beginning on the effective date pursuant to the participation option chosen below. **This resolution must be received by, and is irrevocable after, November 15 prior to the effective date.**

Eligible Employee Participation Options (check one)

1. ☒ All current and future eligible employees will participate in the WRS.
2. ☐ This employer will provide a one-time offer to current eligible employees to elect or waive WRS participation as of the above effective date. All eligible employees hired after the above effective date must be enrolled in the WRS.

   Note: *Employees who waive WRS coverage and continue to be employed by this employer will never be eligible for future WRS coverage and any other related benefits that may be available because of WRS participation.*
3. ☐ Only future eligible employees hired by this employer on or after the effective date of this resolution will be enrolled in the WRS.

Prior Service Options (applies to Participation Options 1 and 2 above; check one)

☒ The employer will not pay the cost of providing prior service credit for WRS-eligible employees who worked for the employer before the WRS effective date. If the employer decides to offer prior service at a later date, a Resolution to Increase Prior Creditable Service (ET-1311) form is required.

☐ The employer will pay the cost of providing _____% prior service credit for WRS-eligible employees who worked for the employer before the WRS effective date. The employer may not limit prior service to specific employees. A resolution to recognize prior service is irrevocable after November 15.

Eligible Employee Participation Exclusion (Applies to all participation options — check only if applicable)

☐ This employer will exclude employees of a public utility under Wis. Stat. § 196.01(5) from WRS participation pursuant to Wis. Stat. § 40.21(7)(b).

Certification

I hereby certify that this resolution is a true, correct, and complete copy of the resolution adopted by the above governing body on 8/3/2022 (MM/DD/YYYY).

☒ I further certify that this employer is not operating, administering, or otherwise participating in an alternative or replacement retirement plan which replaces or exempts the employer from FICA taxes.

I understand that Wis. Stat. § 943.395 provides criminal penalties for knowingly making false or fraudulent statements, and hereby certify that, to the best of my knowledge and belief, the above information is true and correct.

103
Total number of employees

88-2338436
Federal tax identification number

Ozaukee
Employer County

Certifying Officer signature

Van Mobley
Certifying Officer printed name

Chairman
Certifying Officer title

David Bialk
dbialk@ci.mequon.wi.us
Employer benefit contact email address

For ETF use only	
Date Received:	*ETF Employer ID:*
Effective Date:	*Initials:*