



POLICY AND PROCEDURE

No. 03-07

MONTGOMERY COUNTY FIRE AND RESCUE COMMISSION

EFFECTIVE DATE:

2/10/00

TITLE

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MONTGOMERY COUNTY FIRE AND RESCUE SERVICE POLICY

PROCEDURES FOR REQUESTS FROM STATE OF MARYLAND SENATOR WILLIAM H. AMOSS FIRE, RESCUE AND AMBULANCE FUND FOR USE BY THE LOCAL FIRE DEPARTMENTS AND RESCUE SQUADS

Issued by: Montgomery County Fire and Rescue Commission

POLICY NO. 03-07

Recommended and Approved by: Montgomery County Volunteer Fire Rescue Association, Inc.
(MCVFRA)

Authority: State of Maryland Article 38A, Section 45A-45D.; Montgomery County Code Section 21-2.
(d)(2).; Hillandale vs. Montgomery County – Civil Case No. 24222.

Effective Date: February 10, 2000

SUMMARY: This policy establishes a procedure facilitating the State of Maryland, Senator William H. Amoss Fund to be properly provided to the Local Fire and Rescue Departments (LFRD) of Montgomery County, Maryland, and to ensure properly meeting the State's reporting requirements.

- Sec. 1. **Purpose:** To establish a procedure for facilitating the application and allocation process, as authorized by the State, to provide the LFRDs with funding from the Senator William H. Amoss Fund.
- Sec. 2. **Applicability:** This policy applies to the Montgomery County Fire and Rescue Service in the financial matters related to the Amoss Fund, and to all Montgomery County Local Fire and Rescue Departments that are the sole recipients of this fund.
- Sec. 3. **Requirements:** The State of Maryland's criteria for receiving, distributing, reporting, and use of the Amoss Fund must be adhered to in order to receive funding.



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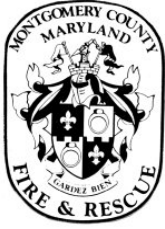
Sec. 4. Definitions.

- a. **Amoss Fund**. (Senator William H. Amoss Fire, Rescue and Ambulance Fund). The State of Maryland grants funds (formerly called "508 funds"), to establish a State aid program for the local fire and rescue departments of the State of Maryland. The funds are distributed through a procedure established by the State. These are non-County tax funds.
- b. **Amoss Fund Committee**. This committee is established by consent agreement by the MCVFRA as an authorized body to which all LFRDs will submit their requests for receipt of Sen. Amoss Funds. The Amoss Fund Committee is authorized to recommend approval in accordance with this procedure.
- c. **Chair, Fire and Rescue Commission (Fire Administrator- FA)**. Individual who is the non-uniformed department head of the Montgomery County Fire and Rescue Service, appointed by the County Executive. The Administrator serves as ex officio Chair of the FRC and is responsible for implementing and enforcing Commission policies.
- d. **Fire and Rescue Commission (FRC)**. The Commission consists of seven members appointed by the County Executive, in compliance with Bill 37-97.
- e. **Local Fire and Rescue Departments**. Nonprofit corporations chartered by the State and authorized by the County to provide fire, rescue, and/or emergency medical services in Montgomery County.
- f. **Montgomery County Volunteer Fire Rescue Association, Inc. (MCVFRA)**. An organization that represents the fire and rescue volunteers of Montgomery County and the 19 Local Fire and Rescue Departments. The Association is recognized by the State and County as the agency responsible for Amoss Fund submission and approving recommendations to the Fire and Rescue Commission and the Fire Administrator of Montgomery County.
- g. **Settlement Agreement**. Stipulation of settlement from Hillandale Vol. Fire Department, Inc. et al. vs. Montgomery County, Maryland et al. civil action 24222

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Sec. 5. Procedure.

- a. The **Commission** may provide MCFRS system-wide priorities to improve the efficiency and effectiveness of fire, rescue, and emergency medical services, to enhance the delivery of those services, to implement or demonstrate new or innovative service or delivery concepts; to improve training and operational readiness and capability; and/or to achieve strategic objectives. These priorities will be used as guidelines and recommendations.
- b. The **Amoss Fund Committee** of the **MCVFRA** will provide notification to the **LFRDs** regarding timeframes and application instructions for requesting funds. The **LFRDs'** applications to the **Amoss Fund Committee** must include justification for the items requested, as well as a status report of expenditures for the previous years' allocation and an explanation for any unspent Amoss Funds from prior years.
- c. The **LFRDs** will prepare a list of resource requests by priority for submission to the **MCVFRA**. These submissions will be made according to the directions and deadlines set by the **MCVFRA**.
- d. The **Amoss Fund Committee** will annually receive and review the **LFRD** requests for **Amoss-funded** projects for compliance with law. The **Committee** will make recommendations for allocation of the requests submitted by the **LFRDs**. The Committee will notify the **LFRDs**, in writing, of their recommended allocation. The **LFRDs** may appeal the amount recommended allocated to its projects to **MCVFRA's** Executive Committee, in accordance with **MCVFRA's** established procedures. At the conclusion of the appeal process, the **Amoss Fund Committee** will submit its final recommendations to the **Fire and Rescue Commission** and the **Fire Administrator**.
- e. The **LFRDs** may submit additional information to support their requests to the **Fire and Rescue Commission** and the **Fire Administrator**.
- f. The **Fire Administrator** will receive and respond to the **Amoss Fund Committee's** recommendations in a timely manner. In accordance with the normal budget procedures for MCFRS, the **Fire Administrator** will then submit



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Amoss Fund recommendations for appropriations to the **Fire and Rescue Commission** for its review and comment before transmittal to the County Executive. The **Fire Administrator** will provide explanation to the **Fire and Rescue Commission** of any recommended project allocation that is different from the project allocation recommended by the **MCVFRA**. The **Fire Administrator's** recommendations for the annual **Amoss Fund** allocations, with comments from the **Fire and Rescue Commission**, are transmitted to the County Executive and County Council. The County Executive considers the recommendations and then submits the annual **Amoss Fund** allocation recommendations to the County Council for approval and appropriation.

- g. The **Amoss Funds** will be used by the **LFRDs** as an addition to, and will not be substituted for money appropriated by Montgomery County Government for fire and rescue service protection.
- h. State funds may not be used for:
 - 1. Administrative costs;
 - 2. Compensation or fringe benefits to employees or members of the County government, or fire and rescue departments;
 - 3. Expenses for travel or meals;
 - 4. Fuel, utility, or routine maintenance costs of facilities or apparatus;
 - 5. Acquiring new or replacement fire hydrants, water mains, emergency alarm systems not installed at a fire, rescue, or ambulance facility;
 - 6. Insurance;
 - 7. Fund raising activities;
 - 8. Refinancing any debt or other obligation incurred by an **LFRD** before July 1, 1985;



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9. Replacing or repairing eligible items to the extent that insurance proceeds are available.
 10. Costs associated with the "911" emergency number system;
 11. Land or interests in land;
 12. All other items determined by the State to be ineligible.
- i. State funds may only be used for:
1. Acquiring or rehabilitating fire or rescue apparatus, including ambulances;
 2. Acquiring or rehabilitating capital equipment used in connection with fire or rescue apparatus; and
 3. Rehabilitating facilities used primarily to house fire fighting apparatus, equipment, ambulances, and rescue vehicles.
- j. Within forty-five workdays of receipt of the County Council's approved appropriation resolution of the **Amoss Funds**, the **Fire Administrator** will prepare and transmit grant agreements to the **LFRDs**.
- k. Any reports required by the State will be provided to the President of the **MCVFRA** for review before being sent to the State.
- l. Official correspondence received or sent by the County relating to the annual allocations of distribution of State **Amoss Funds** will be provided to the President of the **MCVFRA** within five workdays.
- m. The **MCVFRA** and **Amoss Fund Committee** intend that the **Amoss Funds** distributed to the **LFRDs** are to be expended within 12 months of distribution to the **LFRD**, unless the distribution is related to a defined long term project, or an extension or amendment is requested by the **LFRD** and approved by the **Amoss Fund Committee** and approved by the **Fire and Rescue Commission**.



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- n. Any items purchased with **Amoss Funds** become the sole property of the **LFRD**.
- o. All items purchased with **Amoss funds** will be titled in accordance with the **settlement agreement**.

Sec. 6. **Responsibilities.**

- a. The **LFRDs** must provide complete and accurate information to the **Amoss Fund Committee** to facilitate the appropriate distribution of funds.
- b. The **Fire Administrator** must ensure the timely distribution of funds.
- c. The **Amoss Fund Committee** must provide the **MCVFRA**, the Fire and Rescue Commissioners, and the **LFRDs** with all related information on the **Amoss Fund**.

Sec. 7. **Enforcement.** The Chief Administrative Officer or designee must verify that the disposition of **Amoss Funds** to the **LFRDs** complies with the requirements established by the State of Maryland and this procedure.

Sec. 8. **Effective Date.** This policy is effective on February 10, 2000.

Attest:

Gordon A. Aoyagi, Chairman
Fire and Rescue Commission

February 10, 2000
Date

Amoss fund procedure.2/14/00.wp bf