



FS Agreement No. 18-LE-11015600-028

MOD 003

Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT
ANNUAL OPERATING PLAN & FINANCIAL PLAN
Between
Broadwater, County Of
And the
USDA, FOREST SERVICE
Helena-Lewis and Clark National Forest**

2021 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Broadwater, County Of, hereinafter referred to as “Sheriff’s Office” and the USDA, Forest Service, Helena-Lewis and Clark National Forest, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement #18-LE-11015600-028 executed on February 5, 2018. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning upon execution and ending December 31, 2021

2021 Total Annual Operating Plan: \$3,500

I. GENERAL:

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Designated Representatives Principal Contacts:

County

Wynn M. Meehan
Broadwater County Sheriff’s Office
519 Broadway
Townsend, MT 59643
Phone: (406) 266-3441
Email: wmeehan@co.broadwater.mt.us

Forest Service

Charlie Wilson, Patrol Captain
Northeast Zone Law Enforcement
Helena-Lewis & Clark National Forest
2880 Skyway Drive
Helena, MT 59062
Phone: (406) 449-5477
Email: charles.wilson@usda.gov



Alternative Representatives:

County

Brandon Harris
Undersheriff
Broadwater County Sheriff's Office
519 Broadway
Townsend, MT, 59644
Phone: (406) 266-9259
Email: bharris@co.broadwater.mt.us

Forest Service

Tony Fedele
Law Enforcement Officer
2880 Skyway Drive
Helena, MT 59062
Phone: (406) 495-3930

Corey Scevers
Law Enforcement Officer
415 Front Street
Townsend, MT 59644
Phone: (406) 250-4994

Jackie Clark
U.S. Forest Service, Northern Region, LE&I
26 Fort Missoula Rd
Missoula, MT 59804
Phone: (406) 329-3154
Email: jackie.clark3@usda.gov

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

\$0.585/mile patrolled

Per diem rate is \$00/day

Wages at the prevailing rate of (plus fringe benefits for officers):

*Sworn Officers:

- **\$32.00 - \$35.00 per hr.** (overtime rate only-all officers already on regular 8 hr.)

*Range of rates dependent upon full-time sworn officer position, i.e., Sergeant, Patrolman I, II, III, or Patrolman Prob.

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the County Sheriff's Office and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

1. Patrol on following U.S. Forest Service roads:

Magpie Gulch Road, Avalanche Creek Road, Confederate Gulch Road, Deep Creek Road/HWY 12, Cabin Gulch Road to North Fork of Deep Creek Road,



Sulphur Bar Road, Crow Creek Road, South Fork of Crow Creek Road, and Johnny/Dahlman Gulch Road.

2. Patrol in the following campgrounds, developed sites, or dispersed areas:

Bar Gulch Cabin; dispersed sites in Magpie Gulch, Avalanche Creek, Confederate Gulch, Cabin Gulch, Sulphur Bar, Crow Creek, South Fork of Crow Creek, Johnny/Dahlman Gulch, Skidway Campground, Deep Creek Picnic Area, and Eagle Creek Guard Station.

Total reimbursement for this category shall not exceed the amount of: **\$3,500.**

III. EQUIPMENT:

See Cooperative Law Enforcement Agreement Provisions IV-K, IV-L, and IV-M for additional information.

All equipment purchases need to be submitted for review and approval by the Patrol Captain prior to the purchase.

Total reimbursement for this category shall not exceed the amount of: **49% of the total.**

IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.

B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify the County Sheriff's Office whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.

1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the Patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
2. Fire Emergency: During emergency fire suppression situations and upon request by the U.S. Forest Service pursuant to an incident resource order, the County



Sheriff's Office agrees to provide special services beyond those provided under Section II-A, within the County Sheriff's Office resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The County Sheriff's Office will be compensated as outlined in Addendum A; the U.S. Forest Service will specify times and schedules. Upon concurrence of the local Patrol Captain or their designated representative, or an official from the Incident Management Team managing the incident, County Sheriff's Office personnel directly assigned to an incident where meals are provided will be entitled to such meals.

Addendum A (attached) provides the specific information on the procedures and requirements for billing and requesting fire reimbursements from the U.S. Forest Service. Any questions or clarifications necessary concerning incident/fire emergencies should be directed to Tracey Nimlos, Regional Incident Business Coordinator at (406) 329-3331, tnimlos@fs.fed.us.

3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a U.S. Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

V. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

- A. County Sheriff's Office will furnish **monthly** to the U.S. Forest Service, an itemized billing for reimbursement and a completed Cooperative Law Enforcement Activity Report (FS 5300-5). The billing shall include the U.S. Forest Service Agreement number, the section of the Annual Operating Plan the reimbursement is being requested under, and include such items as the number of trips, total mileage, Resource Order number if applicable, etc., and shall be in sufficient detail to allow the Forest Service to tie the expenditures back to the reimbursable expenses. For expenditures pursuant to conditions described in provision V-B-2 (Incident/Fire Emergencies), see Addendum A. The County Sheriff's Office should certify the billings as being current and proper.

B. All invoices for 2021 must be submitted no later than March 31, 2022 in order to be considered for reimbursement.



- C. The County Sheriff’s Office will also furnish **monthly** to the U.S. Forest Service, a patrol log by each officer performing patrols pursuant to this Annual Operating Plan. This patrol log shall show the name of the deputy performing the patrol, dates the patrols were performed, and the reference to the Annual Operating Plan section for the patrol. Other items of format shall be mutually agreed upon.

The invoice and patrol logs should be forwarded as follows:

Submit original invoice(s) for payment to:
 U.S. Forest Service
 Albuquerque Service Center
 Payments – Grants & Agreements
 101B Sun Avenue NE
 Albuquerque, NM 87109 **OR:**
 FAX: (877) 687-4894 **OR:**
Preferred Method:
 Email: SM.FS.ASC_GA@USDA.GOV

Submit copies of invoice(s) and patrol logs to:
 Charlie Wilson, Patrol Captain
 U.S. Forest Service
 Northeast Zone Law Enforcement
 Helena-Lewis and Clark National Forest
 2880 Skyway Drive
 Helena, MT 59602
 Email: charles.wilson@usda.gov


- D. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$3,500.00	NA
Equipment		49%
Special Enforcement Situations		
Total	\$3,500.00	



E. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.



WYNN MEEHAN, Sheriff
Broadwater County
Date

MIKE DELGER, Chair
Broadwater County Commission
Date

WILLIAM AVEY, Forest Supervisor
U.S. Forest Service, Helena-Lewis and Clark National Forest
Date

SCOTT BRAGONIER, Special Agent in Charge
U.S. Forest Service, Northern Region
Date

The authority and format of this agreement have been reviewed and approved for signature. 18-LE-11015600-028 Broadwater County

MATTHEW GORDON
Digitally signed by
MATTHEW GORDON
Date: 2021.02.24
09:58:33 -07'00'

MATT GORDON
U.S. Forest Service Grants Management Specialist
Date



Helena-Lewis and Clark National Forest

Receive	RX Tone	Transmit	TX Tone	Name
171.1375		171.1375	123.0	HNF DIRECT
171.1375		164.15	100.0	ELK MOUNTAIN
171.1375		164.15	131.8	DUCK CREEK
171.1375		164.15	146.2	PARK PEAK
171.1375		164.15	103.5	HOGBACK
171.1375		164.15	141.3	GATES
171.1375		164.15	110.9	MACPASS
171.1375		164.15	167.9	GRANITE
171.1375		164.15	192.8	STONEWALL
171.1375		164.15	114.8	OGDEN
171.1375		164.15	123.0	SILVER KING

Broadwater CSO

Receive	RX Tone	Transmit	TX Tone	Name
155.73	100.0	158.85	100.0	Broadwater CO SO South
155.73	100.0	158.85	114.8	Broadwater CO SO North



Talkgroup Decimal ID	Tlkgrp HEX ID	Display Name	Description / Function	
80,000,247	00F7	43_	BWSO D1	Broadwater Sheriff Dispatch 1
80,000,249	00F9		BWSO OPS	Broadwater Sheriff Operations
80,000,251	00FB		BWSO ADM	Broadwater Sheriff Admin
80,000,253	00FD		BWRF D1	Broadwater Fire Dispatch 1
80,000,255	00FF		BWRF TAC1	Broadwater Fire TAC 1
80,000,257	0101		BWRF TAC2	Broadwater Fire TAC 2
80,000,259	0103		BWRF ADMIN	Broadwater Fire Admin
80,000,261	0105		BWMG	Broadwater MultiGroup
80,000,263	0107		BW EMS	Broadwater EMS D1
80,000,265	0109		BW Hosp	Broadwater Amb to BW Hosp
80,000,267	010B		INC 1	
80,000,269	010D		INC 2	
80,000,271	010F		INC 3	
80,000,273	0111		SAR D1	Search and Rescue Dispatch 1
80,000,275	0113		SAR OPS	Search and Rescue Operations
80,000,277	0115		SAR ADMIN	Search and Rescue Administration
80,000,279	0117			
80,000,281	0119			



Addendum A
Region One Fire Emergency Language & Billing Protocol
Coop Law Enforcement Agreements / Annual Operating Plan

Fire Emergencies:

During fire emergencies, the U.S. Forest Service will reimburse the County for ACTUAL COSTS incurred for providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of road blocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by U.S. Forest Service dispatch to the County. It is critically important that the IMT, Agency Administrator, and the Sheriff/County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The Liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and IC meetings. Eligible costs for reimbursement will include personnel time and mileage when fulfilling the liaison duties.

If meals are provided for county officials by the incident, they will be given in lieu of any per diem entitlements.

Administrative support (e.g. posting incident time, bill preparation, etc.) will be reimbursed on an actual cost basis. The County will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the county's normal jurisdictional responsibilities such as enforcement, patrols, evacuations. 2. Automotive repairs, tires, and services are covered in the mileage rate.

Billing Protocol:

Documentation required to be submitted by the County to the U.S. Forest Service for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Law Enforcement Agreement and Annual Operating Plan.
- DUNS number.
- Breakout of actual costs:
 - Salary – Daily Crew Time Reports or timesheets of personnel signed by an Incident Management Team official, and Payroll Summary Report by hours and rate of pay per person per day.
 - Supplies – Copies of receipts with date and description of items purchased and FS authorization (S# or U.S. Forest Service Signature) for purchase.
 - Mileage – Summary by day by vehicle and personnel using the vehicle.



For questions concerning incident/fire emergencies, please contact Tracey Nimlos, Regional Incident Business Coordinator at (406) 329-3331 (tracey.nimlos@usda.gov). Bills will be submitted to: Tracey Nimlos, Incident Business Coordinator, U.S. Forest Service, Fire/Aviation/Air, 26 Fort Missoula Rd, Missoula, MT 59804.

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.