

**Board Officers**

Jackie Millet, Chair  
Elise Jones, Vice Chair  
Bob Roth, Secretary  
Herb Atchison, Treasurer  
Sue Horn, Immediate Past Chair  
Jennifer Schaufele, Executive Director

**Please join us at 5:30 p.m. for a brief orientation for Administrative Committee members. Dinner will be served beginning at 5:00 p.m.**

**AGENDA**  
**ADMINISTRATIVE COMMITTEE**  
**WEDNESDAY, MARCH 18, 2015**  
**MONARCH PASS CONFERENCE ROOM**  
**1290 Broadway**  
**➔ 6:00 PM ➔**

1. Call to Order

**CONSENT AGENDA**

2. \*Move to Adopt the Consent Agenda
- Minutes of February 18, 2015 meeting  
(Attachment A)
  - A resolution authorizing the Executive Director to negotiate and execute a contract with Trilogy Integrated Resources to provide the DRCOG Area Agency on Aging with a web-based database system and two years of annual maintenance fees, plus three one year options to renew  
(Attachment B) Jayla Sanchez-Warren, Director, Area Agency on Aging

**ACTION ITEMS**

3. \*Move to elect Chair and Vice Chair  
(Attachment C)  
In accordance with the *Articles of Association*, "The Chairman and Vice Chairman of the Administrative Committee shall be elected at the first meeting following election of Board Officers and serve until the next election of officers."
4. \*Move to amend the FIRE Policies  
(Attachment D) Teri Whitmore, Director, Regional Planning & Operations

**ADMINISTRATIVE ITEMS**

5. Report of the Chair
6. Report of the Executive Director

**\*Motion Requested**

Persons in need of auxiliary aids or services, such as interpretation services or assisted listening devices, are asked to contact DRCOG at least 48 hours in advance of the meeting by calling (303) 480-6701.

*We make life better!*



**ADMINISTRATIVE ITEMS (cont.)**

7. Other Matters by Members
8. **Next Meeting – April 15, 2015**
9. Adjournment



MINUTES  
ADMINISTRATIVE COMMITTEE  
Wednesday, February 18, 2015

Present:

Elise Jones, Chair	Boulder County
Eva Henry	Adams County
Bill Holen	Arapahoe County
Roger Partridge	Douglas County
Don Rosier	Jefferson County
Bob Roth	Aurora
Sue Horn	Bennett
Suzanne Jones	Boulder
Cathy Noon	Centennial
Crissy Fanganello	Denver
Chris Nevitt	Denver
Ron Rakowsky	Greenwood Village
Shakti	Lakewood
Jackie Millet	Lone Tree
Gabe Santos	Longmont
Val Vigil	Thornton

Others Present: Jennifer Schaufele, Executive Director; Connie Garcia, Executive Assistant/Board Coordinator; and DRCOG staff.

Chair Elise Jones called the meeting to order at 5:34 p.m. with a quorum present.

Motion to Adopt the Consent Agenda

Ron Rakowsky **moved** to adopt the consent agenda. The motion was **seconded** and **passed** unanimously. Items on the consent agenda included:

- Minutes of January 21, 2015
- Resolution No.5, 2015, authorizing the Executive Director to receive and distribute FY 2015 MIPPA funds.
- Resolution No. 6, 2015, authorizing the Executive Director to enter into a contract with GT Independence for FMS for a Veterans Directed Program.
- Resolution No. 7, 2015, authorizing the Executive Director to execute an intergovernmental agreement with the State of Colorado Department of Health Care Policy and Financing (HCPF) for Aging and Disability Resources (ADRC) transition-related referrals and options counseling.

Move to select Distinguished Service Award Recipients

Ron Rakowsky **moved** selection of the following to receive Distinguished Service Awards: Jeff Martinez, Brothers Redevelopment, Inc.; Jon Gottsegen,

State of Colorado; Karen Stuart, Smart Commute Metro North; Audrey DeBarros, 36 Commuting Solutions; Steve Glueck, City of Golden; Ismael Guerrero, Denver Housing Authority; Molly Hanson, Jefferson County Public Health; Randle Loeb, Citizen; Chris Waggett, D4 Urban; Brad Weinig, Enterprise Community Partners; and Steve Klausing, Denver South Economic Development Partnership. The motion was **seconded** and **passed unanimously**.

Move to select recipient of the John V. Christensen Memorial Award

A recipient was selected to receive the John V. Christensen Memorial Award. The recipient will be honored at the DRCOG Awards event in April 2015.

Strategy Work

Jerry Stigall briefed members on strategic partnerships as a way of bringing additional dollars to the table.

Report of the Chair

No report was provided

Report of the Executive Director

No report was provided

Other Matters by Members

No other matters were discussed.

Next Meeting

The next meeting is scheduled for March 18, 2015

The meeting adjourned at 6:26 p.m.

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Elise Jones, Chair  
Administrative Committee  
Denver Regional Council of Governments

ATTEST:

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Jennifer Schaufele, Executive Director

# ATTACH B

To: Chair and Members of the Board of Directors

From: Jennifer Schaufele, Executive Director  
303-480-6701 or [jschaufele@drcog.org](mailto:jschaufele@drcog.org)

<b>Meeting Date</b>	<b>Agenda Category</b>	<b>Agenda Item #</b>
March 18, 2015	Consent Agenda	2

#### SUBJECT

This action is related to a contract with Trilogy Integrated Resources to provide the DRCOG Area Agency on Aging (AAA) with a web-based database system.

#### PROPOSED ACTION/RECOMMENDATIONS

DRCOG staff recommends that the Administrative Committee authorize the Executive Director to contract with Trilogy Integrated Resources, and to distribute the funds according to the requirements set forth in the contract.

#### ACTION BY OTHERS

N/A

#### SUMMARY

DRCOG entered into a contract with Trilogy Integrated Resources in 2009, which will expire in 2015, to provide DRCOG with a web-based database system to enhance information and assistance services provided, called Network of Care. DRCOG staff recommends that DRCOG continue to contract with Trilogy Integrated Resources for a web-based database system, covering the period 2015 to 2017, with three one-year options to renew until 2020.

DRCOG is designated by the State Area Agency on Aging (AAA) to receive and administer federal Older Americans Act (OAA) and State Funding for Senior Services (SFSS) monies to provide services to older adults throughout the region. Federal and State Administration funds, under funding to DRCOG via its contract with the Colorado Department of Human Services, will be used to fund the proposed contract with Trilogy Integrated Resources.

#### PREVIOUS DISCUSSIONS/ACTIONS

May 16, 2012: Adopted a resolution authorizing the Executive Director to negotiate and contract with Trilogy Integrated Resources to provide DRCOG AAA with a web-based database system and three years of annual maintenance fees.

#### PROPOSED MOTION

Move to approve a resolution authorizing the Executive Director to negotiate and execute a contract with Trilogy Integrated Resources to provide the DRCOG Area Agency on Aging with a web-based database system and two years of annual maintenance fees, plus three one year options to renew.

ATTACHMENT

Draft resolution

ADDITIONAL INFORMATION

If you need additional information, please contact Jennifer Schaufele, Executive Director, at 303-480-6701 or [jschuafele@drcog.org](mailto:jschuafele@drcog.org) or Jayla Sanchez Warren, Director, Area Agency on Aging, at 303-480-6735 or [jswarren@drcog.org](mailto:jswarren@drcog.org).



DENVER REGIONAL COUNCIL OF GOVERNMENTS  
STATE OF COLORADO

ADMINISTRATIVE COMMITTEE

RESOLUTION NO. \_\_\_\_\_, 2015

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH TRILOGY INTEGRATED RESOURCES TO CONTINUE MAINTENANCE OF THE AREA AGENCY ON AGING WEB-BASED DATABASE SYSTEM, NETWORK OF CARE.

WHEREAS, DRCOG is the designated Area Agency on Aging (AAA) under the federal Older Americans Act (OAA) and the States Older Coloradans Act (OCA) for the eight-county metro region; and

WHEREAS, DRCOG entered into a contract with Trilogy Integrated Resources from 2009, and which will expire in 2015, to provide DRCOG with a web-based database system to enhance information and assistance services provided; and

WHEREAS, DRCOG staff recommends entering into a new contract with Trilogy Integrated Resources, for a web-based database system and annual maintenance fees totaling \$64,800 for a period of two years, and thereafter three one year options to renew the contract in the amount not-to-exceed \$32,400 per year, for a total not-to-exceed figure of \$162,000 for the five year period, 2015 to 2020.

NOW, THEREFORE BE IT RESOLVED that the Administrative Committee authorizes the Executive Director to negotiate and contract with Trilogy Integrated Resources to provide DRCOG with a web-based database system and annual maintenance fees of two years, plus three one year options to renew.

RESOLVED, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015 at Denver, Colorado.

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Chair  
Administrative Committee  
Denver Regional Council of Governments

ATTEST:

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Jennifer Schaufele, Executive Director

# ATTACH C

**DENVER REGIONAL COUNCIL OF GOVERNMENTS  
ADMINISTRATIVE COMMITTEE  
March 2015**

Eva Henry (P)  
Commissioner  
Adams County

Shakti (P)  
Council Member  
Lakewood

Bill Holen (P)  
Commissioner  
Arapahoe County

Jackie Millet (O)  
Mayor Pro Tem  
Lone Tree

Bob Fifer (A)  
Council Member  
Arvada

Gabe Santos (A)  
Council Member  
Longmont

Bob Roth (O)  
Council Member  
Aurora

Phil Cernanec (A)  
Mayor  
Littleton

Sue Horn (O)  
Mayor  
Bennett

Ashley Stolzmann (A)  
Council Member  
Louisville

Elise Jones (O)  
Commissioner  
Boulder County

Val Vigil (P)  
Council Member  
Thornton

Chris Nevitt (P)  
Council Member  
City & County of Denver

Herb Atchison (O)  
Mayor  
Westminster

Crissy Fanganello (P)  
Mayor's Representative  
City & County of Denver

P = Permanent  
O = Officer  
A = Appoint

Roger Partridge (P)  
Commissioner  
Douglas County

Ron Rakowsky (A)  
Mayor  
Greenwood Village

Don Rosier (P)  
Commissioner  
Jefferson County

**ATTACH D**

To: Members of the DRCOG Administrative Committee

From: Jennifer Schaufele, Executive Director  
303-480-6701 or [jschaufele@drcoq.org](mailto:jschaufele@drcoq.org)

Meeting Date	Agenda Category	Agenda Item #
March 18, 2015	Action	4

#### SUBJECT

This item recommends revisions to the DRCOG FIRE testing program bylaws. The revision includes provisions to clarify the role of DRCOG and a Contractor in the administration of the program.

#### PROPOSED ACTION/RECOMMENDATIONS

Staff recommends approval of the recommended revisions to the FIRE testing program bylaws.

#### ACTION BY OTHERS

N/A

#### SUMMARY

The Denver Regional Council of Governments made the decision to contract out the administration of its popular FIRE testing program for 2015. This program currently has fourteen (14) member departments in the DRCOG geographical boundary.

The contractor administration of the program necessitated some modifications to the current DRCOG FIRE program bylaws. Attached is the proposed version of the bylaws. Due to a significant amount of restructuring of the document and its provisions, a redlined version of the bylaws would have been difficult to discern. For ease of review, the following is a listing of the primary changes that were made to the revised bylaw draft:

- All sections related to rules and procedures for the test, such as cheating policies, will now be included in an Addendum to the document, titled *Fire Examination Procedures*.
- A provision was added for re-joining members to first settle past financial obligations. Re-joining members must also agree to a 2-year membership commitment.
- A provision was added that clarifies how annual dues are calculated.
- There is a new allowance for members to have more than one authorized access of the test portal results.
- Penalties were added for members that do not meet their volunteer obligation.
- A provision was added for all members to share their hires off the list with the contractor. This will allow for accuracy in the candidates available to interview.
- An allowance was included for the FIRE Committee Chair to determine the need for an emergency meeting.

The Contractor paperwork is currently being finalized and it should be in place by the start of the June test application process in April. All nuances of the 2015 program are being shared with the full FIRE program membership at a meeting on March 16, 2015, held at the DRCOG offices.

**PREVIOUS DISCUSSIONS/ACTIONS**

The DRCOG Administrative Committee approved the last FIRE program bylaw revisions at their June 2013 meeting.

**PROPOSED MOTION**

Move to approve the recommended revisions to the DRCOG FIRE testing program bylaws.

**ATTACHMENT**

FIRE Program Policies and Procedures

**ADDITIONAL INFORMATION**

If you need additional information, please contact Jennifer Schaufele, Executive Director, at 303-480-6701 or [jschuafele@drcog.org](mailto:jschuafele@drcog.org); or Teri Whitmore, Regional Planning and Operations Director, at 303-480- 6763 or [twhitmore@drcog.org](mailto:twhitmore@drcog.org).

1 Firefighter Intraregional Recruitment and Employment Program (FIRE)  
2 PROGRAM POLICIES and PROCEDURES  
3

4 I. MEMBERSHIP  
5

6 A. Eligibility of Jurisdictions  
7

8 Any fire department of a general-purpose local unit of government located  
9 within the DRCOG region may request membership in the FIRE program.  
10 Membership for other FIRE departments/FIRE protection districts outside the  
11 DRCOG Region will not be considered.  
12

13 B. Period of Participation and Dues  
14

15 Fire department membership may begin at any time in the calendar year and the  
16 annual membership dues will be pro-rated, but will be no less than a minimum  
17 of a half-year assessment. Annual membership dues are due each January.  
18

19 A returning member, which is a member seeking to rejoin the FIRE program, but  
20 who is not a current member, must first pay in full any past financial obligations  
21 to the program before being accepted as a member of FIRE. Returning members  
22 also must commit to a two-year membership in the program.  
23

24 To ensure the program is self-sustaining, the annual budget process adjusts  
25 membership dues for the FIRE Program based on the proportion of sworn  
26 personnel who are eligible for the local firefighter pension relative to total  
27 program membership. Members must submit payment in full as soon as  
28 possible after receiving the invoice. A member desiring to terminate its FIRE  
29 membership must notify the FIRE program by October 1 of the current year. If  
30 the program is notified after October 1, the member will be responsible for the  
31 full amount of annual dues for the following year.  
32

33 C. Rights and Responsibilities of Membership  
34

35 The FIRE program of the Denver Regional Council of Governments (DRCOG) is a  
36 self-funded program that includes an opportunity for all of its members and  
37 contracted partners to participate, in an advisory role, for the overall direction of  
38 the Firefighter Intraregional Recruitment and Employment Program (FIRE). The  
39 program, administered by a contracted partner and DRCOG, centralizes the  
40 recruitment and testing of entry-level firefighters for participating members.  
41

42 Each member in good standing has the following responsibilities and rights:

- 43 1. Appointment of two employees (or officials) to participate in the FIRE  
44 Advisory Committee. Each member appoints one employee from the fire

1 service and one from human resources/civil service. The FIRE Advisory  
2 Committee will be convened at least once a year to garner information  
3 on test performance or other program questions and concerns.  
4

- 5 2. Access to all online applications in the FIRE eligibility pool.
- 6
- 7 3. Unlimited frequency of online applications.
- 8
- 9 4. Responsibility to provide two volunteer staff members to fill positions to  
10 assist with FIRE program activities each year, either to assist with a test or  
11 an event/job fair. Each biannual test requires one proctor per every 30-  
12 50 candidates as well as volunteers to fill other key support roles to  
13 ensure smooth operation. There may also be staffing needs for job fairs  
14 or candidate training programs. Each Member departments is required  
15 to provide two volunteer staff members to provide a minimum of \_\_\_\_\_  
16 hours of volunteer staffing. Member departments not meeting this  
17 minimum volunteer requirement will be assessed a portion of the fees  
18 expended to hire proctors or staff to cover tests and these related  
19 activities. The assessment rates and amounts for each program year will  
20 determined and be set by the DRCOG Administrative Committee and the  
21 assessment will be due and payable upon invoicing.  
22

23 II. EXAMINATION RESPONSIBILITIES

- 24
- 25 A. DRCOG will schedule the facility for two tests per calendar year. A contracted  
26 vendor will be charged with the test administration and related operational  
27 matters.  
28
- 29 B. Each FIRE member shall inform DRCOG and the contracted test vendor of the  
30 candidates who are selected for hire. This will ensure an accurate database of  
31 available candidates.  
32
- 33 C. The FIRE Advisory Committee shall appoint a Testing Review Committee,  
34 comprised of two (2) FIRE Advisory Committee members and one (1) DRCOG  
35 staff representative. The Testing Review Committee shall act on requests for  
36 review in situations where an applicant is suspected or accused of cheating, as  
37 further described in Addendum 1, attached hereto and incorporated herein. The  
38 provision of Addendum 1 may be amended from time to time by the FIRE  
39 Advisory Committee, provided no amendment may remove the right of appeal  
40 to the DRCOG Executive Director.  
41

42 III. CONFIDENTIALITY OF APPLICANT FILES

43



1 Applicant files are made available to all FIRE program member agencies, upon the  
2 applicant's completion of the notarized Consent to Release Information form. A  
3 separate consent form must be completed by the applicant to share information with  
4 any non-member agency.  
5

6 The head of each individual fire department shall designate appropriate staff members  
7 to obtain a password from DRCOG to gain access to the online DRCOG database of  
8 firefighter candidates for recruitment purposes. Each authorized user shall adhere to  
9 the confidentiality agreement for use of the database. If a designated user leaves the  
10 employment of the FIRE program member department, DRCOG must be notified  
11 immediately to inactivate their access.  
12

13 IV. CONDITIONS FOR PURGING AN ACTIVE FILE  
14

15 Once the FIRE score is posted to each application, the applicant file will be active for one  
16 (1) year. An applicant's name and any corresponding records (i.e. certificates, etc.) will  
17 be purged from the active file after being in the active file for one full year. An active  
18 file also may be purged for other circumstances, pursuant to the program's testing  
19 policies.  
20

21 V. RECORDS RETENTION POLICY  
22

23 An applicant's record will remain on file, in an inactive status, with the DRCOG FIRE  
24 Program for a period of three (3) years, unless subject to purging under the program's  
25 testing policies.  
26

27 VI. REVIEW BY TESTING COMPANY  
28

29 An applicant, who appeals their test results to DRCOG, within 30 days of the test date,  
30 may submit a request to DRCOG for a review by the company that provides the exam for  
31 the program.  
32

33 VII. LAID OFF FIREFIGHTERS AND MILITARY PERSONNEL  
34

35 A. Firefighters laid off by a FIRE member agency may enter the FIRE eligibility pool  
36 after completing an application and submitting verification of layoff status. Such  
37 applicants will not have to re-test if they have an existing score from the current  
38 DRCOG test version, which is less than 2 years old. Once the existing score is  
39 posted, it will be active for one-year.  
40

41 B. Military personnel called to active duty while in the eligibility pool will be placed  
42 on inactive status upon receipt of written notification of active duty status.  
43 Upon receipt of written notice of return from active duty, the applicant will be  
44 re-entered into the eligibility pool for the number of months needed to complete

1 a twelve-month period of active file status if they have an existing score from the  
2 current DRCOG test version, less than 2 years old.

3  
4 VIII. SELECTION OF APPLICANTS FOR INTERVIEW

- 5  
6 A. Test scores are posted to candidates' online application approximately five  
7 business days after the test. Member departments have access to the scores at  
8 that time through the online portal.  
9  
10 B. An applicant file may be reviewed by more than one member at a time.  
11  
12 C. Each agency is responsible for contacting applicants and conducting all additional  
13 screening and testing.  
14

15 IX. FIRE ADVISORY COMMITTEE

- 16  
17 A. The FIRE Advisory Committee shall have the following powers, duties and  
18 responsibilities:  
19  
20 1. Recommend the general policies for the operation of the program.  
21  
22 2. Review the program budget and provide feedback.  
23  
24 3. Provide the required number of volunteer commitments for the purpose  
25 of administering and evaluating the testing process and promoting the  
26 program.  
27  
28 4. Assist DRCOG and/or the contracted test vendor in locating testing  
29 facilities, running training programs, and coordinating recruitment, as  
30 needed.  
31  
32 5. Appoint the members of the Testing Review Committee and establish  
33 subcommittees as needed.  
34  
35 B. The FIRE Advisory Committee meets at the discretion of the Chair, a minimum of  
36 once annually.  
37  
38 C. The FIRE Advisory Committee may choose to work with the contracted test  
39 vendor on an Interview Skills Training Course biannually. This would be  
40 budgeted as a separate program, requiring registration fees to cover all costs  
41 and the needed volunteer support.  
42

- 1 D. Representatives to the FIRE Advisory Committee are appointed by letter or e-  
2 mail to DRCOG from the authorized personnel of the appointing member, usually  
3 the individual fire department’s City Manager or Fire Chief.  
4
- 5 E. In situations requiring immediate feedback, efforts will be made to schedule a  
6 special session of the FIRE Advisory Committee. If that is not feasible, the FIRE  
7 Advisory Committee officers (i.e. Chair and Vice-Chair) shall serve as an Executive  
8 Committee and shall review the information. The Chair will determine what  
9 constitutes an emergency in order to hold an Executive Committee meeting. Any  
10 actions of the Executive Committee shall be reported to the FIRE Advisory  
11 Committee.  
12
- 13 F. In instances where a FIRE Advisory Committee member has a conflict of interest  
14 or has been found or alleged to have committed malfeasance, the FIRE Advisory  
15 Committee may request a member to provide an alternate for the Committee.  
16
- 17 X. OFFICERS; ELECTIONS  
18
- 19 A. The officers of the FIRE program consist of the Chair and the Vice-Chair.  
20 Elections will be held on the first meeting of each calendar year. A nominating  
21 committee may be formed to contact potential candidates to run for these  
22 leadership positions. The term of office for each officer position is one year, or  
23 until a successor has been elected.  
24
- 25 B. In the event of a vacancy in the office of Chair, the Vice-Chair succeeds to the  
26 office of Chair. In the event of a vacancy in the office of Vice-Chair, the  
27 Committee shall select one of its members to serve as Vice-Chair for the  
28 remainder of the term of office.  
29

30 Revised, 3/2015  
31

1 ADDENDUM 1 – FIRE EXAMINATION PROCEDURES

2  
3 The Firefighter Intraregional Recruitment and Employment Program (FIRE),  
4 administered by DRCOG, centralizes the recruitment and testing of entry-level  
5 firefighters for participating fire department members. In order for applicants to qualify  
6 for the eligibility pool for employment, applicants must follow all FIRE program rules,  
7 including the rules and procedures set forth below. It is the applicant’s responsibility to  
8 follow all the testing instructions (both written and verbal) given before and during the  
9 exam.

10  
11 Late Arrival. Candidates arriving after the written test begins will not be allowed access  
12 into the test facility. Their application may be deferred to a future examination. This  
13 policy will be posted on the FIRE web site as well as in candidate’s confirmation notice.

14  
15 Cheating. If an applicant is caught or suspected of cheating or attempting to cheat on  
16 an examination, the following actions will be taken until an investigation is conducted:

- 17  
18 1. If it is discovered prior to the exam being administered, the applicant will  
19 not be allowed to take the examination.  
20 2. If it is discovered during or after the examination, the applicant’s test will  
21 be flagged and their name will not be placed in the pool of qualified  
22 candidates.  
23

24 An applicant suspected or accused of cheating will be provided a copy of an appeal form  
25 from DRCOG. The appeal form outlines the applicant’s “right to request a review.” This  
26 will provide an opportunity for the applicant to provide information. The circumstances  
27 for any suspected cheating will be automatically reviewed by the Testing Review  
28 Committee, appointed by the FIRE Advisory Committee. The Testing Review Committee  
29 shall within 21 days of the test date prepare and submit to the FIRE Advisory Committee  
30 a written report and recommendation for the FIRE Advisory Committee’s consideration.  
31 FIRE Advisory Committee members on the Testing Review Committee shall not  
32 participate actively when their recommendations are reviewed by the FIRE Advisory  
33 Committee.  
34

35 The FIRE Advisory Committee must review all information relating to the appeal within  
36 45 days of the test date and make a final determination. This determination will be  
37 forwarded to the applicant at their submitted contact information when they applied  
38 for the test, as updated.  
39

40 An applicant may further appeal the FIRE Advisory Committee’s finding, by submitting  
41 an official request to the DRCOG Executive Director. Information will be gathered and  
42 reviewed for a final determination. This review will include an informal hearing with the  
43 Executive Director at the DRCOG offices. The Executive Director will follow this hearing  
44 with an official written opinion and determination to the applicant.

1 Director has been previous involved in the allegation or is otherwise unable to serve in  
2 the appeal capacity, the DRCOG Board of Directors Chair will fulfill the role. The  
3 determination entered on the appeal shall be final.