

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
FOOTHILLS FIRE PROTECTION DISTRICT
HELD
OCTOBER 17, 2000

A regular meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, the 17th day of October, 2000, at 6:30 P.M., at the Mount Vernon Country Club, 24933 Club House Circle, Golden, Colorado. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:
John A. McKenry, III, Chairman
Marvin Miller
Jack Kintner
W. R. "Rick" Hughes
Richard Kunter

Also In Attendance Were:
Deborah D. McCoy and Kammy K. Tinney; Special District Management Services, Inc.

Richard A. Scheurer, Esq.; District counsel

Ed Daniels, Chief, Chris Tomford, Fire Marshal, John Findling, Nate Marshall, Jay McKean and Deb Gillis; Foothills Fire and Rescue

Joanna Braun; Support Auxiliary

Netti Calvi and Jeff Reynolds; Highland Rescue

ADMINISTRATIVE
MATTERS

Minutes: The Board reviewed the minutes of the September 19, 2000 regular meeting. Following discussion, Director Miller moved to approve the minutes as presented, Director Hughes seconded the motion and, upon vote, the motion unanimously carried.

RECORD OF PROCEEDINGSFINANCIAL
MATTERS

Disbursements: The Board considered approval of the payment of claims through the period ending October 17, 2000, totaling \$55,033.79, for operations. Following review and discussion, Director Kunter moved to approve payment of the claims through October 17, 2000, Director Miller seconded the motion and, upon vote, the motion unanimously carried.

Financial Statements: The Board next reviewed the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending September 30, 2000, a copy of which report is incorporated herein and made a part hereof by this reference. Following review, upon motion duly made by Director Miller, seconded by Director Hughes and, upon vote, unanimously carried, the unaudited financial statements were accepted as presented.

2001 Budget: The Board reviewed the draft 2001 budget. Chief Daniels talked about the changes to the EMS budget and other items which have been brought to his attention. He will continue to work through the department budget. It was determined that the public hearing will be held on November 21, 2000 at 6:30 p.m. at the regular meeting place.

Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board adopted a Resolution in opposition to Amendment 21 ("Tax Cut 2000"), a copy of which Resolution is attached hereto and incorporated herein by this reference.

The Board then reviewed a draft letter to property owners and residents regarding the budget hearing and Amendment 21. The Board asked that the letter be revised to reflect when operations will be impacted by the cuts proposed in Amendment 21 and to add the names and phone numbers for the Board and the Chief. The Board directed that the letter be distributed to the property owners and residents.

RECORD OF PROCEEDINGS

LEGAL MATTERS

Status of Communication Authority: Chief Daniels reported that the Authority Board and the fire chiefs have met. A working group has been formed to review and inspect base tower locations to provide an assessment of what is currently in place and if any maintenance is required.

Intergovernmental Agreement with the City and County of Denver: Chief Daniels reported that a term sheet has been prepared for Denver. Assistant Chief Curtis has talked to Assistant Chief McMillan about getting together to discuss the terms and a meeting will be scheduled.

Lawsuit filed by LMWD: The answers have been filed on behalf of the District and the Chief.

EXECUTIVE SESSION: Director Miller moved to adjourn to executive session to discuss matters which are the subject of litigation, Director Hughes seconded the motion and, upon vote, unanimously carried, the Board adjourned to executive session to discuss matters which are the subject of litigation at 8:50 p.m. The Board reconvened in regular session at 9:10 p.m.

DEPARTMENT
ISSUES

Chief's Report: Chief Daniels provided a verbal report.

Status of purchase of new vehicles. The Interface Attack Vehicle (#530) will be put into service next week.

The Water Tender (#570) will also be put into service next week.

Administrator. Chief Daniels reported that the position was offered to Don Angell but he declined to accept because he felt the benefits package was inadequate.

Rob Sontak of Highland Rescue has expressed interest in the position and has obtained an application from the offices of the District.

RECORD OF PROCEEDINGS

Penny Kunter has indicated that she is willing to fill in, if needed. Department personnel, Mr. Tomford and Ms. Tinney have been picking up the slack. The Chief requested authorization to pay, on an hourly basis, for help. The Board authorized Chief Daniels to pay those assisting at the same hourly rate that was being paid to Mr. Sliemers.

Operations employee. This position is still at issue. The budget may need to be increased.

Cistern repairs. Mr. Tomford reported that he has J&D Welding to do the welding work, but has not been able to hire an excavator. Ms. Braun will report on the status to the Sunset Hills homeowners.

Access and water availability. There was no report.

Member Handbooks and Operational Guidelines. The Handbooks have been distributed but no receipts have been returned yet. The collection of the receipts needs to be coordinated. The Operational Guidelines need to be assembled and then they will be ready for distribution.

Other vehicles. It was reported that #542 is out of service and trucks have been swapped at the stations to cover. #586 is having licensing issues and is out of service. Highland Rescue is covering.

Other. Chief Daniels reported that the duty officer program has been reinstated and is working well. The medical advisor has been changed to Lutheran Hospital from St. Anthony's.

The department responded to a call for Josh Smith's grandmother, she was transported by helicopter but passed away. The Auxiliary assisted the family during the services.

Mr. Marshall reported that the official cause of the Meadowlark fire was a faulty furnace.

RECORD OF PROCEEDINGS

Fire Marshal's report. The Board reviewed Mr. Tomford's written report. Mr. Tomford noted that Fire Prevention Week activities were successful.

Remodel of Lookout Mountain Station: A proposal for \$8,100 was reviewed. The Board asked if a more formal drawing could be prepared. It was noted that the long-range plan should be consulted to coordinate with the current proposal. The remodel proposal has not been submitted to the department yet.

Purchase orders: Rope rescue equipment. Upon motion duly made by Director Kunter, seconded by Director Kintner and, upon vote, unanimously carried, the Board approved the purchase requisition for rope rescue equipment in the amount of \$1,191.00.

TV/VCR. Director Miller will attempt to purchase a 26" unit for the same price. Upon motion duly made by Director Kunter, seconded by Director Kintner and, upon vote, unanimously carried, the Board approved the purchase requisition for a TV/VCR in the amount of \$269.99.

Genesee Fitness Center: Jay McKean and Deb Gillis have surveyed twelve other departments regarding fitness programs in place for members; all have a program in place. There was considerable discussion. The Board directed that the members be asked about their level of interest and willingness to contribute a co-payment. The threshold co-payment amount should be determined (i.e. \$10/20/30). The Board expressed their concern about the actual participation in the program by the members and requested feed-back from the Department. The Board asked if the Fitness Center would consider offering a six-month trial program. If the Board does approve the expenditure for a fitness program, they would like the Department to consider adding something to the Guidelines to encourage use of the facilities. If the response is positive, a line item will be considered in the budget.

RECORD OF PROCEEDINGS

Long-Range Planning Committee: The committee met on October 16th. The major topic of discussion was the lack of progress at the sub-committee level. The committee will be asking for proposals from community members who have expertise in planning to provide assistance.

Support Auxiliary: Ms. Braun reported that the Auxiliary will be meeting in November to discuss a plan for bad weather response. Intercanyon is holding a social on November 4th, Nancy Burke is selling tickets and department members are encouraged to attend.

OTHER
BUSINESS

Update on Doug Taylor arbitration: Director Miller reported on the Doug Taylor matter. The arbitration/mediation service reported on the issues resolved and noted that one item is still unresolved but the Trustees are working on it.

Request for additional funding to Highland Rescue: Jeff Reynolds presented a letter from Highland Rescue requesting an increase in the District's contribution to Highland Rescue. Chief Daniels noted that he supports the request. The request will be reviewed by the budget committee at their next meeting.

Water bill from Lookout Mountain Water District: Director Kunter addressed the Board regarding the handling of the invoice for water used on the fire at 28066 Meadowlark Drive. He noted that the water district feels the District should pay the bill since the District used the water. If the cost is to be passed on, it should be the District's responsibility to bill the homeowner for payment by their insurance company. Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board directed that the homeowner be billed by the District for the water used.

Southside response by Highland Rescue: Netti Calvi addressed the Board regarding relations between Highland Rescue and the Department. She

RECORD OF PROCEEDINGS

would like to investigate the possibility of south side response being included as part of Highland Rescue's response area. Chief Daniels and Highland Rescue are to coordinate and present recommendations to the Board.

Approval to purchase yard signs: Mr. Tomford addressed the Board regarding an approval of \$2,250 in the wildfire budget, approximately two years ago, to purchase yard signs. The Board still approves of the expenditure.

Department website: Mr. Marshall reported that the Department has established a website. The address is: ffr.org.

Ralston Elementary School addition: Director Hughes expressed his concern that the Ralston Elementary School addition, a one story facility with ground exits in each classroom, was not sprinklered. Because the exits are ground level, they are exempt from the code requirement for sprinklers. Mr. Tomford reported that he asked for additional hydrants to be included in the final plans but was told they were not in the budget. The District does not have the ability to enforce the code against the school.

Director Hughes would like to get the School Board, the School Superintendent, the school principal and the PTA involved in working on getting a hydrant installed. The Board directed that a letter be written expressing the District's strong recommendation that the requested hydrant improvements should not be ignored or put off.

ADJOURNMENT:

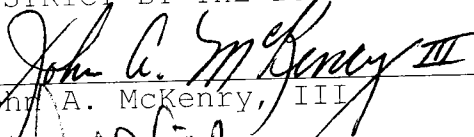
There being no further business to come before the Board at this time, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

Respectfully submitted,


By *Mark J. Kenna*
Secretary for the Meeting

RECORD OF PROCEEDINGS

THESE MINUTES APPROVED AS THE OFFICIAL OCTOBER 17,
2000 MINUTES OF THE FOOTHILLS FIRE PROTECTION
DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



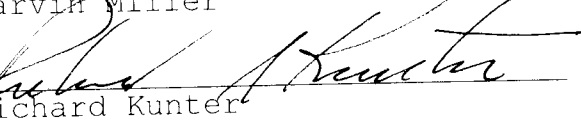
John A. McKenry, III



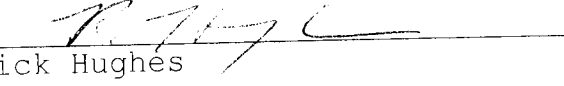
Jack Kintner



Marvin Miller



Richard Kunter



Rick Hughes

FOOTHILLS FIRE PROTECTION DISTRICT

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Lakewood, Colorado 80228-1837
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OCTOBER 18, 2000

RESIDENTS AND PROPERTY OWNERS
OF FOOTHILLS FIRE PROTECTION DISTRICT

**RE: 2001 BUDGET HEARING AND IMPACT OF "Tax Cut
2000" (Amendment 21)**

The public hearing to consider adoption of the 2001 Budget for the Foothills Fire Protection District (the "District") will be held on November 21, 2000, at 6:30 P.M., at the Mount Vernon Country Club. We welcome (and encourage) your attendance.

The proposed Constitutional Amendment 21 is referred to by its supporters, and even by its opponents, as "Tax Cut 2000." It will appear on the November general election ballot as "Amendment 21." Simply stated if passed, a \$25.00 tax credit per taxable parcel will be given to each taxpayer in year one and will be increased by \$25.00 per year, ad infinitum (\$25.00, \$50.00, \$75.00, etc.).

We have studied impacts of this Amendment on the District's ability to continue to provide cost effective fire protection and rescue services. We have also read reports and studies regarding the impacts that will be experienced by other Colorado communities.

The governments most affected by Amendment 21, ironically, are the smallest, most responsive units of government in the State. These special service districts are managed, in general, with little overhead cost, provide direct services to their constituents, and work closer to the concerns and needs of their constituents than all other levels of government.

We have concluded that if Amendment 21 passes in November, there will be one of two results for Colorado special districts, in general: either a district will cease to be able to operate, since the refunds mandated by Amendment 21 eventually will exceed tax revenues; or frequent elections and costly accounting methods will be needed for a district to continue providing services.

The District currently operates and maintains fire protection and rescue services to approximately 2,468 parcels. This service is financed with an 8.000 mill levy which generates \$459,224 a year in property tax revenue, of which approximately \$100,000 per year is restricted to cover debt service.

If Amendment 21 is passed, by the second year there will not be sufficient revenue to provide full service to the residents and property owners of the District.

	Annual Tax Revenue	Annual Tax Credit	Annual Debt Service	Net Tax Revenue
Year One	\$459,224	(\$ 61,700)	(\$ 98,437)	\$299,087
Year Two	\$459,224	(\$123,400)	(\$ 95,435)	\$240,389
Year Three	\$459,224	(\$185,100)	(\$ 97,185)	\$176,939
Year Four	\$459,224	(\$246,800)	(\$ 98,545)	\$113,879

After analyzing the effects Amendment 21 is likely to have on the District, we have concluded that if Amendment 21 passes the District will cease to be able to provide fire protection and rescue services to our community for 8.000 mills per year.

A simple statewide majority will determine the fate of Amendment 21. In other words, even if all electors in the District vote NO, if a majority of those voting statewide vote yes, Amendment 21 will pass, and the District and all other Colorado special districts will be subject to its requirements.

The Board believes that each of the residents and property owners in the District should study the proposed Amendment very carefully to try to determine its possible long term impact on the District and its ability to provide services.

Whatever the outcome of the vote on Amendment 21, the Board and the Department will continue to attempt to provide you with the best possible services it can under the then present circumstances.

BOARD OF DIRECTORS and FIRE CHIEF
FOOTHILLS FIRE PROTECTION DISTRICT

John A. McKenry, III, President (303-697-9888)
 Richard S. Kunter, Treasurer (303-526-9249)
 Marvin D. Miller, Director (303-526-9207)
 Jack Kintner, Director (303-526-0177)
 Rick Hughes, Director (303-526-1425)
 Ed Daniels, Fire Chief (303-526-9651)