

**RECORD OF PROCEEDINGS**

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FOOTHILLS FIRE PROTECTION DISTRICT  
HELD  
FEBRUARY 20, 2001

A regular meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, the 20th day of February, 2001, at 6:30 P.M., at the Mount Vernon Country Club, 24933 Club House Circle, Golden, Colorado. The meeting was open to the public.

ATTENDANCEDirectors In Attendance Were:

John A. McKenry, III, Chairman  
Marvin Miller  
Jack Kintner  
W. R. "Rick" Hughes  
Richard Kunter

Also In Attendance Were:

Kammy K. Tinney and Deborah D. McCoy, Special District Management Services, Inc.

Richard A. Scheurer, Esq.; District counsel

Ed Daniels, Chief, Jacob Sliemers, Assistant Chief, Rob Sontag, Department Administrator, John Findling, Jon Schreiner and Jay McKean; Foothills Fire and Rescue

Carole Lomond; City and Mountain Views

ADMINISTRATIVE  
MATTERS

Minutes: The Board reviewed the minutes of the January 16, 2001 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.

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Appointment of Secretary: Ms. McCoy tendered her resignation as Secretary to the Board. Upon motion duly made by Director Miller, seconded by Director Kintner and, upon vote, unanimously carried, the Board appointed Kammy K. Tinney as Secretary to the Board.

Payroll services proposal: The Board inquired as to the reasoning behind the request. Ms. Tinney reported that the option of direct deposit for employees is provided in the Member Handbook and that Mr. Sontag would like to exercise that option. Upon review of the fees and charges from Wells Fargo and Mr. Sontag's credit union, it was determined that the charges were approximately \$150 per month for the service. The Board requested that a proposal for including the Directors' checks be provided. Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the proposal for payroll services from Paychex.

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**FINANCIAL  
MATTERS**

Disbursements: The Board considered approval of the payment of claims through the period ending February 20, 2001, totaling \$41,737.10, for operations. The Board discussed the bill from AmeriGas for the Grapevine Station. Mr. Sontag was directed to check on the usage and possible leak. Following review and discussion, Director Kunter moved to approve payment of the claims through February 20, 2001, Director Miller seconded the motion and, upon vote, the motion unanimously carried.

Financial Statements: The Board next reviewed the revised unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending December 31, 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,

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unanimously carried, the revised unaudited financial statements were accepted as presented.

Grants: EMS Grant. The Department applied for the grant jointly with Highland Rescue. The grant requires a 50% matching contribution from the District. Mr. Sontag distributed a copy of the grant application for review. Upon motion duly made by Director Miller, seconded by Director Hughes and, upon vote, unanimously carried, the Board approved the required matching contribution of \$9,635.

Gaming Impact Grant. The deadline for the application is approaching. The Department will be presenting the application to the Board for approval in the near future.

Other grants. It was noted that additional grant money is available through federal acts passed in 2000. Approximately \$3 million is currently available and a total of \$100 million has been allocated.

Requests for federal wildfire grants require matching funds based on population. If the population is above 15,000 the matching requirement is 30%, if the population is under 15,000 the matching requirement is 10%.

The Department is currently working on identifying items to request. They will present the list to the Board at the next meeting.

LEGAL MATTERS

Intergovernmental Agreement with the City and County of Denver: Chief Daniels has asked John Curtis to work with Assistant Chief McMillan of the Denver Fire Department. He reported that Chief Gonzales will be retiring. The Chief feels the discussions with Denver are likely to be extended.

Lawsuit filed by LMWD: Attorney Scheurer reported that the judge has issued an order requiring counsel to appear before issuing his decision on

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the motion to dismiss. No date has been set at this time. Mike Rosenberg is counsel for the District's insurance company and he will keep Attorney Scheurer updated.

Communications Authority: Director Hughes was unable to attend the last meeting and there was no report.

Easement for Sky Meadows cistern: The easement for the cistern on Deadman Gulch Road has been executed by Sky Meadows. There was discussion regarding the District's responsibility for the initial fill and maintenance of the water level in the tank.

Following discussion, upon motion duly made by Director Miller, seconded by Director Kunter and, upon vote unanimously carried, the Board approved the agreement and authorized execution by the Chairman, contingent upon Attorney Scheurer preparing a cover letter stating that Sky Meadows will fill and maintain the water level in the cistern and will take the steps necessary to reasonably maintain the condition of the cistern.

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DEPARTMENT  
ISSUES

Chief's Report: Status of new vehicles. #530 is in service. Some warranty items are being worked out. #570 is not in service. It is at the Idledale station with major plumbing problems which have damaged the fittings. The Department is negotiating with the manufacturer in regard to whose negligence caused the problems, the manufacturer or the Department. The truck may need to be taken back to California for repairs. The initial estimate for repairs received from Greg Bayse with Fleet Management Services is \$10,000 to \$12,000. The Department is working to determine the total cost of repairs through the manufacturer. The manufacturer is working on contracting with a repair facility in Colorado. Mr. Sontag will follow up on the status of the arrangement.

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**Truck #561.** The shims have been fastened and the truck is in good shape.

**Resignation of Jeff Reynolds as Assistant Chief of Training & Safety.** Mr. Reynolds has resigned as Assistant Chief of Training & Safety. The Department will seek candidates to fill the position.

**International Fire Code.** Jefferson County is expected to adopt the International Fire Code in May 2001. The Chief feels that the District should consider adoption of the same code as the County. The Board directed staff to add this item to the agenda for further discussion and requested that counsel review as well.

**Cistern repairs.** Mr. Tomford has been working on obtaining a second bid but has yet to receive. The Board reviewed the bid that has been received. Upon motion duly made by Director Kunter, seconded by Director Hughes and, upon vote, unanimously carried, the Board approved the repairs for an amount not to exceed \$10,476. Any additional costs to repair must be presented to the Board for approval.

**Member Handbooks and Operational Guidelines.** Mr. Sontag reported that two members have not received their copies and three receipts are still outstanding. He will continue to follow-up.

**Usage at Geneses Fitness Center.** Mr. Sontag distributed a written report of member usage of the facility. Mr. McKean addressed the Board and reviewed the report. He noted that an orientation will be scheduled at the Center for Department members.

**Other. Bids for new air compressor system.** Mr. Schreiner distributed a summary of the bids received for a replacement compressor. Mr. Schreiner recommended acceptance of Bid #1 from Rocky Mountain Industrial Equipment based on the level of service they provide, references, the mid-range pricing and the fact that they have a

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maintenance provider in the Denver area.

Rocky Mountain Industrial Equipment will assist in the sale of the old compressor for approximately \$2,500 with a 20% fee to the dealer. They expect to sell the air bottles as well for approximately \$300 each.

Following discussion, upon motion duly made by Director Kunter, seconded by Director Kintner and, upon vote, unanimously carried, the Board approved the purchase of the Eagle Cadet air compressor from Rocky Mountain Industrial Equipment, for \$28,445.

Mr. Schreiner will work with Mr. Sontag to order the equipment. Delivery is expected within three weeks from the date of purchase.

Fire Marshal's report. The Board reviewed Mr. Tomford's written report.

The Board discussed Mr. Tomford's request for reimbursement of tuition for attending the Jefferson County Sheriff's Department Academy. The activities of a Fire Marshal are considered to fall under law enforcement. Chief Daniels indicated that the Department will support Mr. Tomford in providing a flexible schedule while he attends the Academy.

Following discussion, upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the reimbursement of 25% of the tuition now and 25% upon completion, with a three year clause that if Mr. Tomford should leave the Department as Fire Marshal to pursue a career in law enforcement, he must reimburse the District.

Purchase orders: Knox Box padlocks and key switches. The current system is flawed, with some trucks having keys, and some not having keys. Some of the keys work on all of the current boxes and some do not. The survey conducted by Mr. Tomford includes commercial and residential gated communities. Mr. Tomford will encourage the

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commercial properties to fund their own upgrades. The intent is to make the entire District more Knox capable and less dependent on using invasive actions to enter properties, i.e., cutting chains off of gates.

The Knox Boxes will not be installed at the Denver Parks until an IGA is in existence. It was noted that the Chief's signature was missing on the purchase order.

Upon motion duly made by Director Miller, seconded by Director Kunter and, upon vote, unanimously carried, the Board approved the purchase requisition, as presented, in the total amount of \$2,611.00.

**Gas detectors.** The Chief reported that he believes the missing detectors may have been stolen. The Board directed that a police report and insurance claim be filed.

Following discussion, upon motion duly made by Director Hughes, seconded by Director Kunter and, upon vote, unanimously carried, the Board approved the purchase requisition, as presented, in the total amount of \$3,990.00.

**Mobile radio.** Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the purchase requisition, as presented, in the total amount of \$475.

Support Auxiliary: Ms. Braun was out sick and there was no report.

Call response by Department Administrator: Mr. Sontag distributed a draft amendment to the Operational Guidelines regarding the Administrator's response to calls, for review by the Board. Director Miller reported that he had discussed further the implications of FPPA mandatory membership with FPPA representatives. FPPA would not require mandatory contributions if it is determined that the administrator's duties

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are make up a larger percentage of the responsibilities. Mr. Sontag would prefer FPPA membership for his retirement plan with an 8% employee contribution and an 8% matching employer contribution. Attorney Scheurer has reviewed the rules of the Fair Labor Standards Act as well. Further review is needed as it applies to the revised Operational Guidelines. Director Kunter noted that any changes will need to be incorporated into the District's rules and regulations. Further discussion is needed and will be reviewed at the March meeting. UPON MOTION DULY MADE BY DIRECTOR KUNTER, SECONDED BY DIRECTOR MILLER AND, UPON VOTE, UNANIMOUSLY CARRIED, THE BOARD APPROVED THE REVISED OPERATIONAL GUIDELINE, SUBJECT TO FINAL REVIEW BY COUNSEL. Department publicity: Ms. Lomond addressed the Board. She is preparing an article regarding recruitment for the Department. She asked for a group photo of the Board and the request was granted.

OTHER  
BUSINESS

Department Letterhead: Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board authorized the expenditure of an amount not to exceed \$600 for letterhead for Department correspondence.

Patches: Upon motion duly made by Director Kunter, seconded by Director Miller and, upon vote, unanimously carried, the Board authorized the expenditure of an amount not to exceed \$1,245 for the purchase of 300 patches.

Mr. Sontag has received a quote for embroidered shirts to be made available for purchase by the members. The cost is approximately \$200 for an initial order.

Response billing: Director Miller inquired as to the status of the response billing. The invoices have not been entered or forwarded to SDMS. Mr. Sontag requested authorization to pay someone \$2.00 per form for data entry. The Board approved the request.

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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 Kathryn Finney  
Secretary for the Meeting

THESE MINUTES APPROVED AS THE OFFICIAL FEBRUARY 20, 2001 MINUTES OF THE FOOTHILLS FIRE PROTECTION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

John A. McKenry, III  
John A. McKenry, III

Jack Kintner  
Jack Kintner

Marvin D. Miller  
Marvin Miller

Richard Kunter  
Richard Kunter

Rick Hughes  
Rick Hughes