

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD

October 21<sup>st</sup>, 2008 (Tuesday)

A regular meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, October 21<sup>st</sup>, 2008 at 6:30 P.M., at the Mount Vernon Country Club, 24933 Club House Circle, Golden, Colorado.

The meeting was open to the public at 6:30 p.m.

#### I. ATTENDANCE

T. J Carney-Board President	Jeanette Kehoe-Business Manager
Richard Bartlett-Board Treasurer	Dave Stacjar-Firefighter
Julianne Courim-Board Vice President 6:40	John Kilpatrick-Firefighter 7:30
Patrick Smith-Board Secretary	Dick Scheurer-FFPD attorney
Steve Close-Board Assistant Secretary	Pati Stacjar-Firefighter
Alex Bittenbinda-self	Todd Foster-Firefighter
Brian Zoril-Chief	Brad Danek-Firefighter
Barbara Bogaert-self	
Brandon Foster-Firefighter	

A call came in at the beginning of the meeting and several members of the department went to the call.

#### II. ADMINISTRATIVE MATTERS

##### A. Approve Agenda

**Motion to approve by Close and seconded by Smith passed 4-0.**

**A Motion to excuse late arrival of Courim by Smith seconded by Close passed 4-0.**

##### B. Review and Approve Minutes of the September 16<sup>th</sup>, 2008 Regular Meeting (enclosed)

**Motion to approve by Smith seconded by Close passed 4-0.**

#### III. COMMUNITY FEEDBACK

**No feedback was given at this time.**

#### IV. LEGAL MATTERS

A. Discussion of BOD Powers when not acting as part of the Board

Bartlett provided information and Scheurer discussed issues related to campaign practices. While the Board is preempted from stating campaign position or using their positions to promote campaigns, individuals are allowed under the First Amendment certain rights as long as they state it is their own opinion and not in their capacity on the Board. Also Board funds cannot be used for campaigns.

- B. Special District's retention schedule reference and review with Board members  
Board members to review website prior to meeting  
[www.colorado.gov/dpa/doit/archives/rm/specialdistricts](http://www.colorado.gov/dpa/doit/archives/rm/specialdistricts)

Bartlett provided information related to the recent SDA conference and recommended further review prior to the next meeting and whether changes in policy were warranted. Scheurer suggested considering maintaining information electronically.

- C. Discussion of developing a conflict of interest SOG

Chief Zoril suggested, though not specific to Smith, concerns that in 2002-2003 a proposal was made in Board policy regarding Rick Hughes' roles on the Board and as a member of the Department. This proposal was never adopted by the Board. Conflicts were perceived by some in the government of the Board and government of the Department.

Carney suggested similar issues were addressed in the past with the duties of the administrator and if issues did exist they should be handled or resolved through formal means. In addition, if the SOG's were developed regarding current perceived conflicts, five members and family members may be impacted. Carney suggested furthering the matter was not a good idea. SOG's are developed by the operation with final approval, modification or denial from the Board. Carney suggested reviewing SDA items if further questions existed.

Close suggested that past members of the department including Norm Kirsch and Marv Miller and other recent Board members have been Board members and Department members at the same time and operated without conflict.

Bartlett suggested if a Board member were to respond and try to "take over" or usurp the authority of the person in command that would not be acceptable. If a Board member who is also a Department member were on scene to help with the operation and follow the normal chain of command that is acceptable. Whether any current conflicts exist is unclear.

Courim suggested SDA roles and responsibilities and the question of policy makers not crossing over to implementation and balancing individual and Board decisions. What Boards should and should not do is unclear in this area.

#### D. Snow Fence status

Chief Zoril is fine with the snow fence placement as long as it can be moved if it hampers the snow removal on the Foothills Lookout station property. Courim provided an email from the HOA resolving previous Board questions regarding the snow fence.

**Motion made by Smith and seconded by Close with adoption of HOA proposal with caveat if drifts are created on Foothills property the Chief would ask to have the issue resolved or the fence removed, passed 5-0.**

#### V. DEPARTMENT ISSUES

##### A. Update on Long Range Plan

Not finalized though a draft is closer and expected next month.

##### B. Update by station/apparatus project work groups

Demolition and framing are complete with the meter, plumbing, and electrical issues resolved. Some sheet rock is completed and the roof is nearly complete. Additional considerations are being planned for a garage in the back of the structure within the setback and approximately fifty to eighty feet to provide space for engines at Rainbow. Pictures of 580 are online and a planned delivery for December 3<sup>rd</sup> is expected. The Tahoe's are complete and look great. The Sheriff department is happy with helping the department. Chief Zoril will send a thank you letter and pictures to the Sheriff's department. The project was also four hundred dollars under budget. Chief is looking at options of selling 543 prior to maintenance issues. This must be balanced with ISO concerns. The Board should expect a truck proposal in the spring of 2009. Carney asked if the stations were meeting operational needs. Chief was in the affirmative. The next upgrades would be to Idledale with creating separate space between the kitchen and meeting room. Mount Vernon was working well and two wildland trucks were stationed there. Chief planned to advise Mount Vernon that we were using the facility. A proposed metal building was being considered for Rainbow and a possible upgrade to Grapevine though the current space is sufficient for two trucks. In the future the back of Lookout may be needed as well.

##### C. Business Manager and Fleet Status report

On queue after the call, Manager Kehoe discussed her weekly report and regular minutes of the member meetings being prepared for the Department members. 544 was planned to be back in service in approximately one week. Genesee Fire paid for the damage in full shortly after the accident. The pictures for 580 were being sent to Courim to be added to the website.

#### D. Chief's Report

##### 1. Discussion of Chief qualification SOG

Chief Zoril reviewed the updated SOG's that were unanimously accepted at the recent membership meeting. Carney questioned the language of "qualified" and "qualifications" and what they represent in the documents in particular in 12.9.2 It was agreed Chief Zoril would update the documents to represent the clear delineations between qualified and qualifications per Carney's request. In addition, deletion of the geographic limitation for Chief Officers was proposed and accepted by Department members. With the changes assured a motion was made to accept the changes as discussed.

**Motion by Close and seconded by Bartlett passed 4-1 with Carney dissenting.**

##### 2. Medical LOA of a member

A member requested a medical LOA from the period August 1, 2008 through January 1, 2009. Chief Zoril recommended granting based upon physician statement though Chief did not have enough information to render a full decision. Council advised not much downside for accepting the LOA.

**Motion made by Close and seconded by Smith passed 5-0.**

#### E. Approval of Purchase Requisitions for Department Supplies and Equipment

These were not in the packet though per Bartlett and chief Zoril the items requested were within the budget including 544 which was previously discussed and was being added under the durable budget until the work was completed.

**Motion to approve by Close and seconded by Smith passed 5-0.**

#### F. Status Report from Support Auxiliary

No report though Courim and Pati Stacjar provided updates on the program to benefit Aaron Sirbin. In addition, a phone list was being developed with Genesee to help develop the Genesee Auxiliary. The Holiday party was tentatively planned for December 9<sup>th</sup>.

### VI. FINANCIAL MATTERS

#### A. Review and approve Payment of Claims through the period ending October 21<sup>st</sup>, 2008 for Operations.

The Tahoe's were previously approved. The bank card center and Fire One expenses were reviewed of approximately twelve thousand.

**A motion was made by Smith and seconded by Close passed 5-0.**

B. Review handout for Taxes, Assessments, Fees, Tabor and other topics.

Pat Paul the District accountant provided a quarterly compilation of the District financials though this was not an audit and not a formal review. One question was whether or not to reclassify approximately sixty one thousand based upon changes in accounting from the balance sheet and District accounting. It was believed reclassifying capital expenditures would more clearly reflect the budget. Language would need to be developed to reflect the change. The budget and the expenditures for the lease of the truck does have explicit language that is 'subject to yearly budget approval' in order to meet requirements of Tabor. The amendment can be completed in December. Paul and Bartlett would check with State on any further requirements for reclassification of the budget. On page three of the analysis the negative amount was for the insurance for 544 and when the check is paid for final repairs this number will balance. Bartlett was also accounting for the lease and not debt service to be more fiscally responsible.

The fire pension should occur in the last part of year or for prior year. Colorado Trust was earning approximately 2.41% though was expected to be at approximately one percent in quarter three.

Questions were raised as to whether or not to keep restricted capital and Bartlett wanted to spend the money for Rainbow. Bartlett was asking Scheurer for a letter regarding this. No formal agreement for money for the structure for the Lookout station restriction appears to have been developed. Grant considerations would also be discussed and the auditors would also be communicated with. Kilpatrick suggested that he did believe that any agreement if in place was for no more than a tender at Lookout with a one bay station.

Bartlett will make statement changes and will resolve balance sheet and deferred revenue changes. Various items would be adjusted of to more accurately reflect the balances of the District. Collect-ability of past I-70 billings was discussed. Uncollectible balances would be written off the books to reflect a clearer picture of these balances. Moving from accrual to cash basis will give the District a better perspective on the balances of the budget. Approximately eighty eight thousand nine hundred was in accounts receivable deferred and will most likely stay this way. Comments from the accountants were to remedy this from the audit.

Bartlett also suggested information be reviewed from the SDA conference and that Clay brown can meet with the Board regarding budgets. Bartlett would announce the public discussion of the budget for the November meeting and hearing at that meeting. The Board must also meet established deadlines of the final budget in

December. The Board decided to have an information seminar meeting on Tuesday October 28, 2008 to discuss these issues further. Bartlett would publish the meeting. The District is already removed from Gallagher requirements though we are not “De-Bruced.”

**Motion for study session meeting by Carney seconded by Close passed 5-0.**

## **VII. ANNOUNCEMENT**

Carney asked that the Board support capital improvement to the water supply in Idledale. The water district there planned to pay for the upgrades through rate increase. A four hundred thousand gallon supply with non potable supplies of two hundred fifty thousand was proposed. A public meeting was proposed for November 11<sup>th</sup>.

In addition, a meeting between the Chairs of Highland Rescue Team Ambulance District, Genesee and Foothills was proposed for October 29, 2008.

## **VIII. Adjournment**

**A motion was made to adjourn the meeting at 8:20 p.m. by Smith and seconded by Close, passed 5-0.**

**Next regularly scheduled Board meeting is November 18<sup>th</sup>, 2008**

**Next regularly scheduled Pension Board meeting is November 18<sup>th</sup>, 2008**

**The following Directors have reviewed and acknowledged the minutes:**

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**Dick Bartlett**

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**T. J. Carney**

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**Steve Close**

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**Julie Ann Courim**

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**Patrick Smith**

