

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD May 19<sup>th</sup>, 2009 (Tuesday)

A regular meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, May 19<sup>th</sup>, 2009 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 6:45 p.m. due to preparation of teleconference phone.

#### I. ATTENDANCE

T. J Carney-Board President  
Richard Bartlett-Board Treasurer via phone  
Julianne Courim-Board Vice President  
Patrick Smith-Board Secretary  
Steve Close-Board Assistant Secretary  
Brian Zoril-Firefighter  
Brad Danek-Deputy Chief  
Brandon Foster-Firefighter  
Bob Schwartz-Firefighter

Jeanette Kehoe-Business Manager  
Dave Stacjar-Firefighter  
Pati Stacjar-Firefighter  
Todd Foster-Firefighter  
John Kilpatrick-Firefighter  
Stacy Dorian-Firefighter  
Damian Jay-Firefighter  
Hayato Seki-Firefighter  
Jon Schreiner-Firefighter

#### II. ADMINISTRATIVE MATTERS

##### A. Approve Agenda

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

##### B. Review and Approve Minutes of the April 21<sup>st</sup>, 2009 Regular Meeting

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

C. Review and Approve Minutes of the May 4<sup>th</sup>, 2009 Special Board Meeting (enclosed). **Motion to approve by Close seconded by Smith, passed 5-0.**

### **III. COMMUNITY FEEDBACK**

Presentation by Alpine Rescue

Moved to the June meeting and Director Courim stated she planned to discuss the water bill. Director Smith's comments and letter were deferred to the discussion at the June meeting.

Board letter to community

The letter has been drafted by Director Carney and additional substantive notes and other corrections are being prepared. The draft includes an executive summary, initial detailed expense spreadsheet from vendors, and a final review of budgeted items that would be posted hopefully by the end of the week. Some information from requests from the Board was to be added when received.

### **IV. LEGAL MATTERS**

Director Carney advised our attorney's of two items including open meetings law and the use of email circulation. This will be discussed in more detail in the June meeting. Secondly, the handling of the budget at Rainbow Hills and whether the budget needs to be modified based upon the special meeting discussions would be reviewed.

### **V. DEPARTMENT ISSUES**

#### **A. Update by station/apparatus project work groups**

An outline of the large expenditures for approximately one hundred thirty eight thousand was needed in order to review the Power Corp expenses. The Board still has questions as to the detailed entries of one hundred twenty hours for labor and the contractor was willing to negotiate his fee in this area. It was expected this may be the last or second to last bill from Power Corp.

#### **B. Business Manager and Fleet Status Report**

The Business Manager was out of town but a report was submitted. We are still waiting on a decision from Golden on the property around exit 259. Manager

Kehoe has made some calls and would make additional calls on property conveyance.

Firefighter Zoril stated that the equipment items of fifty thousand six hundred thirty eight dollars was exceeded by eight hundred dollars due to two hydraulic hoses purchased for the new 580 that were not part of the original contract. These offered additional safety and extrication capabilities for the truck. The original estimate of sixty six thousand seven hundred dollars accrued is in 2008 and not the 2009 budget. The expected cost for equipment is expected to be approximately fifty one to fifty two thousand dollars.

Grant proposals were being prepared for replacement of Engine 531. A proposal for three hundred seventy five thousand dollars was submitted for grants for various engines. A possible proposal would be to replace 531 with a grant, keep engine 543, or determine what budget is available to replace an engine using the approximately four hundred thousand allocated for truck replacement in 2009. 531 may simply be kept in reserve or a used truck purchased to meet needs of the District. It was felt best to wait to buy apparatus until the status of the grant request are completed.

Part of the decision on purchasing a new engine would be to try and improve ISO ratings for the District. Another possibility would be to obtain a tender with additional capabilities to improve ISO ratings. Officers Pati Stacjar and Schreiner are on the ISO committee. 560 and 570 could be used for engine designations and additional factors are being reviewed to improve ISO capabilities. Officer Pati Stacjar suggested adding these factors into the five year long range plan.

A FEMA grant proposal was being submitted with final response by the end of 2009. It was felt that waiting on spending money on a station would be best to determine if the station grant proposal was accepted. It appears receiving the grant monies will be very competitive. Director Bartlett would prefer a four bay garage, Lieutenant Schreiner would prefer at least a two bay garage, and Lieutenant Stacjar would prefer the grant cover paving of the driveway. Finally, a four bay garage FEMA grant request was planned for fire station improvements for approximately three hundred thousand dollars.

An initial bid of forty four thousand was received for paving though this was unsolicited by the Board. The Board was not prepared to spend money on the project and for the bid to be more accurate the company would need a soil sample. Director Close felt he could help determine the status of the soil from his contacts for little or no charge and would get back to the Board on options and any cost.

Additional headsets were felt to be a better expenditure than extrication equipment and help meet NFPA requirements. A focus of the future budget cycle was planned to consider improving compliance with NFPA standards. Providing examples to explain various expenses for the Board related to NFPA and ISO were recommended to the committee. Captain Foster had questions as to which equipment was needed and what the budget was for the equipment. Firefighter Dorian asked if this was a waste of time and how the time was being spent for testing and water shuttle concerns.

### C. Chief's Report and Fleet Status Report

This discussion was commenced in the first portion of the meeting to meet personal needs of the outgoing Chief. A Resignation letter was read by former Chief Zoril. Director Close and the Board thanked former Chief Zoril for his service.

Former Chief Zoril stated that due to a dismissal of a contractor the vendor the trailer removal was changed to May 20<sup>th</sup> with final removal no later than May 22<sup>nd</sup>.

Acting Chief Danek discussed the renaming of the department apparatus using NIMS standards. Director Carney thought that this was already being done per past discussions. Per Acting Chief Danek this has not been completed. Former Chief Zoril suggested that other organizations have been using standards developed in 1972. The suggestion was made that we need to renumber various apparatus. Firefighter Kilpatrick suggested it is important that the numbering be coordinated for old and new numbers.

Acting Chief Danek stated that he may be deployed out of the state periodically this summer as he is on a national deployment fire team. Captains Todd Foster and Adam Goldman would be serving in acting Chief capacities if necessary.

Finally, discussions regarding appointment of personnel to be Deputy Chief were made by Lieutenant Pati Stacjar and Acting Chief regulations may not be clear in the SOG's. The membership is reviewing the SOG's at present and may want to consider these factors.

A letter was sent to Jefferson County dispatch recently to help resolve a recurring problem of dispatching Foothills to wrong mile markers or toning the incorrect

district. Last week the situation occurred three times and one time Foothills was not toned to a call in our district.

Firefighter Seki will be resigning from the department as he is moving to Hawaii. The Board thanked him for his service.

**D. Status Report from the Auxiliary**

The Pancake breakfast will be held June 7<sup>th</sup> and firefighters should coordinate with the auxiliary to help with the event. The firefly will be published in later July and the slash pile will be held in August.

**E. No Man's land update**

No final updates were available for the Board to consider for action at the meeting.

**VI. FINANCIAL MATTERS**

**A. Review of detailed receipts of the Rainbow Hills station project.**

Additional receipts for the project were provided though Power Corp. Line items were not specific enough to make final recommendations for payments, as outlined earlier.

**B. Discussion of additional four bay garage at Rainbow Hills Station**

The issue was discussed and should be tabled until the grants are received so that expenditures do not jeopardize these grants.

**C. Discussion of new engine plans**

These items were discussed earlier in the meeting.

**D. Investment options for District funds**

Director Smith provided a letter outlining an investment policy and various companies that the Board may initially consider when exploring better options for investing short term cash of the District. Director Smith and Director Bartlett will

work on these options over the next month and present the ideas to the Board. Various disclosures were made to the public by Director Smith in the letter.

- E. Review and approve Payment of Claims through the period ending May 19<sup>th</sup>, 2009 for Operations.

A bill for four thousand and nine dollars and ninety five cents remained for Power Corp. and the Board was still waiting for final detailed expenses prior to final payment. This was requested last month and not received by the Board. This bill was not part of the one hundred twenty hours in question.

Twelve thousand and eighty five dollars was for MES Rocky Mountain. A bill from Collins, Cockrel, & Cole for four thousand six hundred and nineteen dollars was also discussed. Finally, a VFIS insurance payment of five thousand seven hundred sixty four dollars was discussed.

A bill from West Metro Fire for fleet maintenance of eight thousand eighty nine dollars and fifty six cents was considered for payment by the Board. It was felt by the Acting Chief the maintenance expenses were not related to Stewart and Stevenson. A bill by Padraig was submitted, however, additional information was needed to verify expenses.

Both Director Courim and Director Bartlett felt the Board should withhold payment for Power Corp and the attorney's fees should be postponed until itemized expenses were received by the Board. **A motion for Payment to MES of twelve thousand eighty five dollars, VFIS of five thousand seven hundred sixty four dollars, and West Metro expenses for maintenance of eight thousand seven hundred eighty nine dollars and fifty six cents was made by Smith and seconded by Close passed 5-0.**

- F. Approval of Purchase Requisitions for Department Supplies and Equipment

No requisitions were made.

## **VII. New Matters**

- A. Resolution for Board procedures

A proposal was given to the Board by Director Smith outlining proposed changes to amend responsibilities of Board members in the long range plan. In summary, the expenses over two thousand five hundred dollars would need to be given to

the Board for approval; the Board will obtain bids and obtain enforceable contracts and work orders on projects larger than two thousand five hundred dollars; will utilize the long range plan to help justify larger expenses; and subsequent to the Special Board meetings will provide as detailed information as possible to memorialize the financial authorizations with clear resolutions and modification of the budget as needed. Detailed changes would be added to the long range plan once accepted by the Board. Detailed analysis of expenditures of Rainbow Hills would also be completed.

**Director Smith made a motion to accept the resolution as drafted and Director Bartlett seconded.** In discussion a suggestion was made that Board members and others associated with the District could provide bids to the Board for consideration of services and contractual work. Costs, professional qualifications, and contractual agreements would be required. **The motion was passed 4-1 with Director Courim dissenting. An additional amendment was proposed by Director Carney and seconded by Director Bartlett** to raise the capital expenditure items for larger projects requiring multiple bids approved at the Board level to twenty five thousand dollars. The smaller expenditures requiring Board review prior to payment would still be two thousand five hundred dollars. **The motion passed 5-0.**

#### B. Discussion on change in structure

It was felt that the discussion should be held in abeyance until the structure committee had clear recommendations for structural change. The business manager reporting to the Chief and also maintaining financial responsibilities should be enhanced. The financial responsibility needed to assure accounting of the finances to the Board needed improvement. Directors Carney, Close, and Courim discussed issues of loss of control, the manager not in control of the operation, and the necessity to balance operational and financial responsibilities as concerns.

Firefighter Dorian expressed concerns that allowing the manger to have complete control and working directly for the Board would present problems as in the past administration. Director Carney stated he was not in favor of a paid chief or an increase in paid staff past the five members in order to stay within Fair Labor Standards Act guidelines. Director Smith stated that the Chief should be held accountable whether they are paid or not. Director Courim did not want to repeat history. Director Bartlett expressed concerns related to past administration inefficiencies. Director Carney suggested a committee to review the structure and provide direction to the Board. Director Courim volunteered to chair the

committee and Director Smith volunteered to serve on the committee. It was felt two other individuals should serve on the committee. Acting Chief Danek declined to serve on the committee. Director Carney would also look into additional legal considerations for any proposed changes.

### C. SOG's discussion

The membership apparently asked the Board to review the SOG's and that the officers and membership had requested this. Through discussion it appears the membership has not had an opportunity to review the documents other than a draft being placed on the website. Director Smith reviewed minutes for an officer meeting from late last year suggesting that the officers would read the minutes in two subsequent member meetings for further comment. According to the minutes of member meetings this was not completed. Director Smith suggested membership review the SOG's per the officer recommendations prior to them being given to the Board. In addition, last month the Board asked the Chief that the various changes made in the guidelines be shown from the old to the new amended changes. This would help prevent the Board members from reading nearly eight hundred pages of SOG's that may or may not have been changed. This request was not completed as of this May Board meeting.

Firefighter Kilpatrick expressed an opinion that past changes were not completed by the past administrator which has exacerbated the problem with SOG's. Some items were not approved while others were approved though not memorialized in the SOG's. The idea of a first and second reading may have been discussed when Kilpatrick was Chief though not added to the SOG's at that time. It was felt that no formal SOG proposal was in front of the Board at this time. Past Chief Zoril felt that the members had an opportunity to review the SOG's though some firefighters disagreed with this opinion. Director Smith also encouraged the officers and membership to review the rules and regulations and employee handbook as these documents must be in accordance with the SOG's. Completing only the SOG's will create conflict with these other working documents. This should be completed prior to the proposals being brought to the Board.

An additional discussion was held regarding the promotion of paid staff member Moilanen to Wildland Lieutenant by Acting Chief Danek. Additional consideration was given by Director Carney regarding the FLSA requirements of fewer than five paid staff and Director Courim discussed if the role would necessitate hours outside scheduled time. Acting Chief Danek stated that

Lieutenant Moilanen would complete these duties within scheduled time and would not be compensated for additional time. In addition, Acting Chief Danek has found nothing in the SOG's to prevent this promotion of a paid member. Lieutenant Moilanen would also need to complete his current roles. Director Carney planned to discuss the issue with the attorneys. One member was concerned about the promotion and elevated the issue directly to a Board member. Captain Foster and Acting Chief Danek suggested it was very important that members follow the chain of command especially since the Board is a final arbitrator for operational issues. Submitting issues directly to the Board may force Board members to dismiss themselves from hearing these disputes.

#### D. Statement by the Chair

Director Carney discussed an offer to provide legal services for those members affiliated with the department. A rate sheet was distributed regarding various discounted fees for services.

Additionally a plan was being researched for providing past retired members additional retirement benefits (such as dinners and award). A proposal prepared by past member Deb Gillis suggested a former Board approved certain expenditures. No details, however, were found in the minutes of this proposal looking back several years. So Director Carney was trying to ascertain if any past Board members had details of the discussion. Again apparently no recording exists of the meeting where this policy was supposedly established or no further details to help guide the Board.

### VIII. Adjournment

**A motion was made to adjourn the meeting at approximately 9:20 p.m. by Smith and seconded by Close, passed 5-0.**

Next regularly scheduled Board meeting is June 16<sup>th</sup>, 2009.

**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**