



# Foothills Fire Protection District

(In Case of Emergency Dial 911)

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD November 17<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, November 17<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. after a short break after the Pension Board meeting.

#### I. ATTENDANCE

T. J Carney-President

Julie Ann Courim-Vice President

Richard Bartlett-Board Treasurer

Patrick Smith-Board Secretary

Steve Close-Assistant Secretary

Brad Danek-Chief

Marv Miller-Community

John Kilpatrick-Firefighter

Rob Sontag-Firefighter

Jeanette Kehoe-Business Manager

Murry Wynes-Firefighter

Patrick Ahern-Firefighter

Bob Hildreth-Retired Firefighter

#### II. ADMINISTRATIVE MATTERS

##### A. Approve Agenda

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

##### B. Review and Approve Minutes of the October 20<sup>th</sup>, 2009 Regular Meeting

**Motion to approve by Director Close seconded by Director Smith with change to "hydrants" in the Business Manager report, passed 5-0.**

#### III. COMMUNITY FEEDBACK

None was provided.

#### IV. LEGAL MATTERS

##### A. Stewart and Stevenson Lawsuit

Two firms were researched by Director Carney both with an initial two thousand five hundred dollar (\$2,500) fee and a forty five percent (45%) fee would be required for any settled claim. Director Close suggested small claims court and that if filed the case would be held in Adams County. Expert fees would also need to be paid as well by the District. **A motion to table was made by Director Smith and seconded by Director Courim.**

##### B. Rancho Tranquilo Cisterns

The Rancho Tranquilo cistern was discussed and the Chief has been working with the homeowner. Apparently a tentative agreement was received for the homeowner to allow FFPD to utilize the water supply for fire operations. More information was needed to finalize any agreements regarding the matter so no final decisions were made.

##### C. Alpine MOU

Prior to the Alpine discussion Director Carney addressed questions from last meeting regarding contact with Denver Fire Department DFD on use of training facilities for two (2) personnel from FFPD at DFD trainings. A request for information was asked by the Board at the last meeting. No information was made available and a report regarding the matter was expected at the next meeting. This stems from an agreement with a legal settlement with DFD and FFPD regarding the Red Rocks complex. Apparently three (3) burn buildings were authorized as well.

Director Smith had questions regarding the Alpine MOU including specifics of any organized training in the agreement. In particular questions related to the language “a recommended training program can include but will not be limited to Rope Rescue, Emergency Vehicle Operations, Medical training, and Incident Command Systems.” Smith discussed concerns that a specific training program schedule be part of the MOU. After numerous discussions between the organizations at various levels including Smith and the former Chief for over a year this was still not part of the agreement. The attorneys of both Districts and the Alpine Board had apparently approved the most recent draft for approval. **Director Close made a motion to approve the MOU as drafted and Director Bartlett seconded, passed 3-2 with Directors Courim and Smith dissenting.**

#### V. DEPARTMENT ISSUES

##### A. Station & Apparatus updates

The Roof project at Idledale was planned to begin in a few days after the big snow storm delayed the roof repair. Apparently a bear had been damaging the old asphalt roof in several areas on the roof. Fifty percent (50%) of the fee was paid for materials for painting the Lookout station and over half of the station had been painted.

## B. Fleet status report and Chief's report

Apparently some of the truck committee members felt that they should have discretion to spend anywhere from two thousand five hundred (\$2,500) dollars to over four hundred thousand (\$400,000) dollars for truck replacement and equipment needs per comments from Truck Committee Chair Lieutenant Schreiner. Two letters were submitted by Schreiner including the desire to try and purchase a new 2009 engine at approximately three hundred fifty (\$350,000) thousand dollars. No discussions were provided regarding previous conversations about rebuilding engine one. The second letter presented by Schreiner asked for permission from the Board to obtain a truck for up to four hundred thousand dollars without bid. Various concerns against this from Board members and others present in the meeting were made. To summarize Director Carney asked if the need arose if we could establish a special meeting in several days of finding a desirable truck. Schreiner admitted that vendors clearly knew of the need to obtain approvals from Boards for large purchases. Approval was not granted for purchases outside Board action. A minimum of three bids would also be needed per the regulatory compliance and the Boards changes in policy at previous meetings. A special meeting would be held if needed to obtain a desired apparatus.

## C. Chief Report

On October 27<sup>th</sup> Rescue One was hit by a vehicle in the rear of the engine while positioned on the interstate. The damage was minimal and the driver's insurance will be paying for all repairs. The truck has remained in service. Further maintenance has been completed on Engine Three and Engine Four as well as two additional apparatus.

EVOC training was scheduled soon by Firefighters Ahern and Dave Stacjar. The Chief was able to save approximately three hundred (\$300) dollars per month in fuel. Seventeen candidates for the 2010 Academy were expected, however, Genesee wants a maximum of fifteen. Lieutenant Sliemers, Captain Goldman, Lieutenant Berens, and Firefighter Courim were commended for being helpful in reviewing the group.

## D. Business Manager Report

Manager Kehoe was not pleased with the payroll service provider apparently due to problems with Paychecks services. Manager Kehoe was looking at new service providers. Apparently the CPA was not able to help with these payroll functions.

## E. Status report from Auxiliary

Various emails have circulated regarding the proposed expenditures of two hundred (\$200) dollars per firefighter and that vouchers for the Fire store were possible, though these would be taxable. Five safety items were being considered to buy for members. The department could choose to pay for these items based upon safety needs with financial contributions from the auxiliary. The annual party was being planned for December 8<sup>th</sup> at Christies and RSVP's were to be placed with Manager Kehoe.

## F. Performance Reviews

An email was sent to the Board from a firefighter recommending a raise for staff member Gerald. The SOG's state that performance reviews will be completed each six months by the Chief. Director Smith asked if the requirements set forth in the hiring decision including the obtaining of various investigation certifications were obtained. The Chief assured the Board this had been done and additional certifications had been obtained in order to meet departmental needs. **A motion to approve a ten (10%) percent raise was made by Director Smith and seconded by Director Close.** In discussion, Carney stated that with sales tax estimates of approximately a flat to negative one point one to one point four (1.1%-1.4%) percent would impact financing of the District in the near term. This would result in a decline of approximately seven (\$7,000) thousand dollars per year. A five percent raise may be more in order and consistent with other organizations and would result in an expenditure in the first year of approximately one thousand seven hundred dollars (\$1,700). **After discussion the question was made to provide a ten percent pay increase for staff member Gerald, passed 3-2 with Directors Carney and Smith dissenting.**

## VI. FINANCIAL MATTERS

### A. Review and Payment of Claims through the period ending November 17<sup>th</sup>, 2009.

A review of expenditures included five thousand seven hundred sixty four (\$5,764) dollars for VFIS insurance payment. The CD and pension payments were documented as expenditures though were previously approved. A question was raised by Director Carney as to an expenditure of seven hundred sixty dollars and seventy nine cents (\$760.79) and Manager Kehoe was not sure what the expenditure was for. This would be reviewed for report at the next meeting. Expenditures of approximately five hundred (\$500) were for rope rescue materials. **Director Smith made a motion to approve the amounts payable, and seconded by Director Close, passed 5-0.**

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

None were presented. Next month possibly six to seven thousand (\$6,000-\$7,000) would be needed for equipment for fifteen (15) new firefighters.

### C. Review and Adoption of 2010 Budget

After an initial meeting of the Chief interview committee, Chair Carney decided to extend the advertisement, without review of any existing candidates, for a Chief to November 30<sup>th</sup>, 2009. Advertisements would be made in a variety of additional public places including a variety of sources thought to gather prospective applicants. This was thought to assure a vast array of potential candidates for the District to consider. According to Committee member Ahern apparently some discussion also included questions and concerns from committee members Ahern and community member Hobson as to in District and out of District applicants. The specifics of this discussion were not made public. Apparently four questions regarding the importance of command, management skills, experience, and residency were at issue.

Manager Kehoe inquired as to what involvement she needed to make regarding posting and accepting applications. This was being coordinated with Director Carney. In addition the salary planned for the position per the original committee was to be a minimum of sixty thousand dollars

(\$60,000) with three thousand five dollars (\$3,500) additional in benefits based upon studies of similar districts in the state using state wide SDA studies included in the committee research. Further questions were raised by Manager Kehoe as to her status as the matter was tabled at the past Board meeting.

A motion was made by Director Close to approve up to two hundred forty seven thousand dollars (\$247,000) for administrative budget in 2010. The motion failed without a second.

Additional discussions included allowing the new Chief to decide what expenditures and administrative positions if any were needed in the new structure. **A motion was made by Director Carney and seconded by Director Bartlett to allow up to seventy thousand dollars (\$70,000) per year for the paid Chief position, plus the two non-manager current existing paid positions and an additional thirty five thousand (\$35,000) for any additional positions or administrative expenditures as determined by the new Chief.** This was estimated to authorize one hundred eighty nine thousand (\$189,000) in salaries and the additional amount up to two hundred thirty eight thousand dollars (\$238,000) in salaries and benefits. This was expected to be an addition in administration of possibly thirty (30%) into the 2010 budget. This would be reduced if the fourth position (Business Manager) was eliminated. **The question was called and passed 4-1 with Director Smith dissenting.**

Schreiner suggested that a change in the SOG's be made and Chief Danek was to make any changes needed regarding the positions.

**Director Close made a motion to rescind the Board order from the September meeting leaving the decision to the new Chief regarding the administrative Business Manager position and seconded by Director Smith.** In discussion it was felt that the extension for a transition period to allow the Chief time up to six months be given to evaluate the necessity of the Business Manager position. **The motion passed 3-2 with Director Courim and Director Carney dissenting.**

**A motion was made by Director Bartlett and seconded by Director Carney to approve the draft budget.** Smith did have concerns regarding expenditures for maintenance and administration. **The motion passed initially 3-1 with Director Close out of the room at the vote though did return to affirm his approval for the draft budget passed 4-1, with Smith dissenting.**

## VII. New Matters

### A. 2010 Election Official

With the extension of up to six months for the position the Business Manager would serve as DEO for the election if needed per the job responsibilities and the item would be kept on agenda for a possible future election.

### B. Member letter to Board of Directors

Firefighter Sontag wanted his letter in the record and Director Carney planned to respond to the member's concerns directly.

C. Genesee inclusion/exclusion

Director Carney received a call from Bill Easterling at Genesee Fire Department regarding various properties in Genesee to determine inclusion and exclusion changes. A request was made to forward the issues to attorney Alexander and attorney Nemer to prepare documents regarding the situation for Board approvals. Apparently one property is in both Foothills' and Genesee's Districts that needs official designation with Jefferson County as to responsible agency coverage. Director Carney also advised the Board that the Canyon Courier had requested information on the budget process, Chief process, and copy of the Chief posting. Director Carney was responding directly to them regarding these matters.

Firefighter Ahern also asked as to the status of the Rainbow Hills station letter to the community. Director Carney thought he had sent this out to the public. He apologized and planned to send the letter to the public in the next few days. The letter would be sent via email and posted to the website by the Business Manager.

Manager Kehoe also gave an update as to No Man's Lands in and around the District and that Jefferson County was meeting to resolve and assign those areas in a meeting later in the week.

**VIII. Adjournment**

**A motion was made to adjourn the meeting at approximately 8:37 p.m. by Director Close and seconded by Director Smith, passed 5-0.**

The next regularly scheduled Board meeting is December 15<sup>th</sup>, 2009.

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

---

**Dick Bartlett**

---

**T. J. Carney**

---

**Steve Close**

---

**Julie Ann Courim**

---

**Patrick Smith**