



# Foothills Fire Protection District

(In case of Emergency call 911)

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD October 20<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, October 20<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 6:30 p.m.

#### I. ATTENDANCE

T. J Carney-President  
Julie Ann Courim-excused  
Richard Bartlett-Board Treasurer  
Patrick Smith-Board Secretary  
Steve Close-Board  
Brad Danek-excused  
Jason Gibb-Firefighter  
John Kilpatrick-Firefighter

Dave Stacjar-Firefighter  
Pati Stacjar-Firefighter  
Eric Jorgenson-Attorney  
Jeanette Kehoe-Business Manager  
Murry Wynes-Firefighter

#### II. ADMINISTRATIVE MATTERS

A. **Motion by Close and seconded by Smith to approve excusing Director Courim for personal matters passed 4-0.**

B. Approve Agenda

**Motion to approve, with one item related to Don Cosby moved to the next meeting, and adding the election official and Board of Director meeting place items to new matters, by Close and seconded by Smith, passed 4-0.**

C. Review and Approve Minutes of the September 15<sup>th</sup>, 2009 Regular Meeting



# Foothills Fire Protection District

(In case of Emergency call 911)

**Motion to approve, with affirmation of the FPPA payments to be made on the 1<sup>st</sup> and the 15<sup>th</sup> of each month, and the payment of the check would be handled administratively, by Close seconded by Smith, passed 3-0.**

### III. COMMUNITY FEEDBACK

Firefighter Wynes suggested that twenty three dollars (\$23) per month be invested back in the department rather than for the use of the Mount Vernon Country Club space for meetings. After discussion it was decided to continue meetings at Mount Vernon as limited meeting space, limited parking, and the fact that Mount Vernon Country Club is more centrally located in the District.

### IV. LEGAL MATTERS

#### A. Stewart Stevenson lawsuit (Possible Executive Session)

Firefighter Dave Stacjar discussed concerns with the cut wire and splicing that was believed to be the result of Stewart Stevenson workmanship and the reason for the catastrophic failure of engine 543. It is estimated that the damages to the District at this time based upon the alleged poor maintenance service is approximately five thousand three hundred dollars (\$5,300). One option discussed was to file an action in court which may not be worthwhile due to litigation costs. A second consideration was discussed about bringing in potential expert witnesses of Firefighter Ahern, Firefighter Zoril and Firefighter Sontag. All these witnesses would potentially cost the District additional funds for expert witness fees and would deduct from any possible settlement. Attorney Jorgenson stated that if the matter was litigated the matter would need to be referred to another attorney for litigation and various contingency fees would be necessary. Firefighter Kilpatrick recommended going to Arbitration and Director Close recommended Mediation. **Director Carney stated he would make phone calls to attorneys to evaluate the situation and determine whether representation was appropriate. Bartlett moved to table further discussion to the November meeting and Close seconded, passed 4-0.**

#### B. Collection Policy Waiver

A question was raised as to whether there were two or six elements needed in the waiver policy. In 2009 a total of six claims were made and Director Carney asked why the policy was needed for such a low amount of collections. Manager Kehoe stated that in the past no clear justification for collections has been developed. The largest bill was for one thousand five hundred dollars (\$1,500). The discussion also



# Foothills Fire Protection District

(In case of Emergency call 911)

included what information we need from the billed individuals. Apparently financial documents need to be HIPAA compliant though no other detail was provided. Director Smith stated that a resolution by the Board would need to be drafted and accepted if the policy were to be implemented. This was not ready for the meeting. Director Carney added that a draft procedure was also needed to complete the process, and policies regarding HIPAA documentation and compliance were needed.

## C. Alpine Water Bill

A brief discussion reviewed the Alpine water bill and whether a percentage or specific dollar amounts should be paid by Alpine for water use at the Rainbow facility. It was felt even though the amount is very low a percentage of the minimum charge was an appropriate amount for Alpine to pay. **Director Close made a motion that Alpine should pay fifty (50%) of the minimum charge payable one year in advance with the lease payment prorated for any charges and seconded by Smith passed 3-0, as Close was not present at the final vote.**

## D. Alpine MOU

Several changes were made in the most recent document for the MOU proposal between Alpine and Foothills. The document provided to the Board had still not been reviewed by Alpine or their attorneys so no further discussion was appropriate at this time.

## V. DEPARTMENT ISSUES

### A. Station & Apparatus updates

Manager Kehoe stated that the Idledale roof needs repair before December snows. Chief Danek had apparently received at least one proposal that the repair for the roof would be approximately seven thousand dollars (\$7,000). Since the amount allocated was lower than the twenty five thousand dollars requiring bid and the fact money was available in the budget and line items for facilities **Director Close made a motion to approve no more than seven thousand dollars (\$7,000) for the repair on the Idledale station roof and seconded by Bartlett, passed 4-0.**

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

Manager Kehoe stated Engine Three repairs were approximately three thousand (\$3,000) dollars and Engine Four was being serviced for front end work.



# Foothills Fire Protection District

(In case of Emergency call 911)

## C. Chief Report

Manager Kehoe stated the three new recruits have completed their minimum requirements and had completed their orientation and were being allowed to serve as probationary members. When asked by Director Smith how many candidates were being considered or had applied for the 2010 academy Manager Kehoe stated twelve applications had been received and candidates were being considered for interviews.

## D. Business Manager Report

Grants for Wildland and Hydrants had been submitted and that a new copier may be needed soon as the current copier was not performing for the needs of staff. Additional items were included in the Manager's report though not discussed.

## E. Status report from Auxiliary

The Auxiliary voted to pay for member meeting meals through 2009 and would support the gift card program for firefighters within the approved guidelines as established in previous Board meetings.

## VI. FINANCIAL MATTERS

### A. Review and Payment of Claims through the period ending September 15<sup>th</sup>, 2009.

Further discussions were made regarding the payment to FPPA on the first and fifteenth of the month, or within the next most recent business day to be made by the Manager and Director Bartlett to insure timely payments. The authorization was given to Director Bartlett and manager Kehoe to be authorized and sign these checks twice monthly in the amount not to exceed fifteen thousand (\$15,000) dollars monthly and not over the monthly budgeted amount in 2010 thereafter. **Director Bartlett made a motion to approve the amounts payable, and seconded by Director Smith, passed 4-0.**

Fire One for Hose and ladder testing in the amount of five thousand twenty two dollars and seventy five cents (\$5,022.75), Tire Distribution Center for tires on Engine 1, Engine 2, Engine 3, Tender 2, and Tender 3 to meet NFPA requirements in the amount of four thousand three hundred forty five dollars and ten cents (\$4,345.10), West Metro Fire for fleet maintenance on Engine 3 in the amount of three thousand eighty two dollars and thirty one cents (\$3,082.31), and Genesee Fire



# Foothills Fire Protection District

(In case of Emergency call 911)

for the completion of the 2009 Recruit Academy in the amount of four thousand five hundred eighty two dollars and sixty eight cents (\$4,582.68) **were reviewed for payment with a motion by Close and second be Smith passed 4-0.**

Director Smith asked Manager Kehoe about the officer training status based upon the agreement with Denver Fire as apparently no classes have been provided or attended by membership. Manager Kehoe would coordinate with the Chief on the status of officer training. Payments for the burn building would also be discussed.

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

None were presented.

## C. 2010 Budget Update

Prior to the discussion by the Board regarding the budget Firefighter Wynes inquired as to possibly painting the Lookout station in the amount of two thousand dollars (\$2,000) to two thousand five hundred (\$2,500) dollars and whether the Board had received proposals to paint the station. The Board was not aware of or had been provided any proposals regarding the painting of the station. Firefighter Wynes had provided a proposal apparently to the Chief for review. The painter would apparently fix the siding especially where woodpeckers had damaged the building and would also paint the station. Firefighter Wynes was privy to the painters work and believed he would be able to complete the work satisfactorily. Money existed in the budget to paint and provide slight repair to the Lookout station. Firefighter Wynes would coordinate with the contractor to complete the work. **Smith made a motion to allow the expense of no more than two thousand five hundred dollars (\$2,500) to be used for repair and painting of the Lookout station and seconded by Director Close, passed 4-0.**

Manager Kehoe wanted to know that since no line item included her position if this was notice of her termination. The Board in the previous Board meeting accepted option 1 based upon recommendations from the structure committee that included firefighter opinions, community input, and various leaders in the fire community. **Director Close made a motion to transition the administration until the end of June 2010 seconded by Director Bartlett which was defeated 3-1 with Director Close dissenting.**

**In further discussions, Director Close made a motion to cancel the motion passed at the last Board meeting that was passed 4-0 and that instead the Board should**



# Foothills Fire Protection District

(In case of Emergency call 911)

**move forward to simply hire a paid Chief with no other changes. The motion failed as no Board member seconded the motion.**

In response to Manager Kehoe's question Director Carney stated no firm action had been taken by the Board regarding her position. In addition, Director Carney stated that Manager Kehoe can leave at will as can other employees Moilanen and Gerald as they are At-Will employees.

Firefighter Dave Stacjar raised questions that the Board assure the administrative budget is no more than twenty five percent of the 2010 budget and that response fees of forty thousand dollars (\$40,000) may not be achievable as current fees are twenty one thousand dollars (\$21,000) so far in 2009. Firefighter Stacjar wanted to know what the proposed response fees estimate were based upon.

Manager Kehoe discussed that approximately four thousand dollars (\$4,000) for tires in 2010 would be sufficient to meet NFPA requirements for next year.

Additional questions were raised by Firefighter Stacjar regarding the fleet maintenance increase. It was believed the increase was set aside for contingencies based upon input from Director Bartlett and Manager Kehoe.

Director Carney discussed questions regarding the line items for FPPA monthly contributions for 2010 as well as additional expenditures for trucks. Funds proposed for 2009 and not spent would remain in the general budget. A question remained as to whether or not the change needed to be reflected in Board action with an amendment to the budget by the end of the year.

Director Smith and others in discussion reviewed various items for 2010 including no payments to Board members, no truck bays, no truck replacement, administrative costs proposed for a paid Chief and 2 additional paid personnel, and the costs associated with the new attorney for comprehensive review and organization of the legal files.

Some questions were raised as to the increase in the training budget and further follow-up was needed on this.

## **VII. New Matters**

### **A. SOG Changes**



# Foothills Fire Protection District

(In case of Emergency call 911)

**A motion was made by Close and seconded by Bartlett to accept the SOG change proposed by the officers related to the requirements to drive an emergency vehicle subject 6.3, driving an emergency vehicle subject 6.3, training requirements subject 3.1, structure fire operations subject 8.18 and hydrant use subject 8.22, and passed 4-0.**

## B. Election Officials

It was decided to table the item to the next meeting by consensus as the Business Manager may not be in place at that time. As of now, the Business Manager is the designated election official as part of the job description.

## C. Board of Director meeting location

Further discussion included moving the location of the Board meetings. Discussions with Mount Vernon leadership and metro District would also be helpful in determining final resolution of the matter. The cost to the District each month is twenty three dollars (\$23). The matter was formally tabled until the March meeting as the new administration may have further discussion on the matter.

## D. Announcement

Director Carney added that the Chief interview committee had been selected. It is five people that were made up of two firefighters, a Board member, and two community members. Director Carney selected himself from among four Board volunteers to chair the committee. Director Carney asked for Chief Danek to serve though he deferred and chose firefighter Ahern to serve instead. Firefighter Dave Stacjar and community members Ed Daniels and Tom Hobson would complete the committee. Director Carney stated that interested parties should notify the District no later than November 13, 2009 at 5 PM to be considered for the position.

## E. Proposal for bay at Rainbow station

Director Bartlett discussed an initial proposal for a one bay steel building garage addition for the Rainbow station. The cost was initially estimated at between twenty and twenty five thousand dollars (\$20-25,000). Additional costs may be needed for concrete and further engineering and permit requirements. The matter was tabled with no decision or final bids in place for a decision by the Board.



# Foothills Fire Protection District

(In case of Emergency call 911)

## VIII. Executive Session

A. No session was needed regarding legal issues

## IX. Adjournment

**A motion was made to adjourn the meeting at approximately 9:02 p.m. by Director Close and seconded by Director Smith, passed 4-0.**

The next regularly scheduled Board meeting is November 17<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**