

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD April 20<sup>th</sup>, 2010 (Tuesday)

A regular meeting of the Board of Directors of the Foothills Fire Protection District (referred to hereafter as "Board") was convened on Tuesday, April 20<sup>th</sup>, 2010 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	Dave Robinson-Self
Julie Ann Courim-Vice President, @ 7:00 p.m.	Jeanette Kehoe-Business Manager
Richard Bartlett-Treasurer	Scott Mefford-Chief Genesee
Patrick Smith-Board Secretary	Dave Stacjar-Self
Steve Close-Assistant Secretary	Bob Swartz-Self
John Kilpatrick-Chief	Mrs. Zoril and Michelle Zoril

#### II. ADMINISTRATIVE MATTERS

##### A. Approve Agenda

**Motion to approve by Director Close and seconded by Director Smith, as amended, passed 4-0.**

##### B. Review and Approve Minutes of the March 16<sup>th</sup>, 2010 Regular Meeting

**Motion to approve by Director Close and seconded by Director Smith, passed 4-0.** Director Courim was excused and planned to arrive shortly after the beginning of the meeting.

##### C. Review and Approve Minutes of the March 30<sup>th</sup>, 2010 Special Board Meeting

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

### **III. COMMUNITY FEEDBACK**

Mrs. Zoril was concerned that neither the Chief nor the Board had acknowledged the service by her father in law, Joseph Zoril. Mrs. Zoril stated she had contacted the Chief directly about the recent passing of Mr. Zoril and apparently no recognition or response was completed by him. Mrs. Zoril was deeply upset and felt the service by Joseph Zoril to the community for over thirty years should have been recognized in some way. Mrs. Zoril read a letter discussing many of her concerns. Mrs. Zoril then left the meeting. No other community feedback was provided. Director Carney stated he would draft a letter related to the passing of Mr. Joseph Zoril. Apparently none of the Board members were aware of the recent passing of Mr. Zoril.

### **IV. LEGAL MATTERS**

#### Limited Automatic Aid Agreement with Limited Resources

The Chief asked that the Board adopt the agreement with Evergreen Fire District to provide limited Auto Aid agreements between the Districts. Director Smith inquired as to whether or not a discussion occurred between the parties to provide additional apparatus such as engines or other resources instead of only one water tender. In the discussions Evergreen Fire did not wish the Foothills District to provide these services and did not wish to engage in unlimited auto aid.

Secondly, the Chief mentioned in a previous meeting he felt seeking an agreement to obtain a ladder truck from Evergreen in the agreement would improve the Foothills District ISO ratings. Apparently the Chief determined the District did not need to add the request for a ladder truck in the agreement as he felt it was too far away, approximately two and a half miles, and did not lower the District's ISO. Director Close also asked if Cody Park was covered by mutual aid and if this agreement would help or hinder service there. The Chief stated that since mutual aid exists between the organizations, service would not be impacted either way.

### **V. DEPARTMENT MATTERS**

#### A. Station updates

The Lookout station painting project has been completed in time for a birthday party. The Idledale Station remodel is still being bid out to complete and the station is functioning, though personal items are still there. It is hoped by the Chief with the weather changing the items will be removed. Grapevine and Mount Vernon stations have no changes.

#### B. Fleet Status Report

All trucks are in service. Engine one had discolored transmission fluid which may have been caused by oil in the fluid which was discovered during a truck check and was subsequently changed.

#### C. Chief's Report

The enclosed Docutek proposal is approximately one hundred twenty dollars (\$120) per box or eleven to fourteen thousand dollars (\$11000-\$14,000) to complete the scanning and storage. The Chief will have more information for the Board during the May meeting. Dave Robinson inquired as to what kind of quality insurance would be available if there was an error and the items were not scanned correctly. More information was needed from the Chief related to the matter.

The Chief provided updates about the proposed secondary access road in Cody Park and an offer from Foothills Fire & Rescue to the homeowners to clear the trees in the area for access. The proposed agreement maintains that during the tree cutting the homeowners must be in attendance and The District would reimburse the two homeowners up to one hundred dollars (\$100 each) at each end of the access points for the purchase and placement of a locked gate. The fire department would have no key for access and would only use the access point (cutting the chain) in case of an emergency.

The new IFC International Fire Code is being adopted by the County and Jefferson County is asking the Districts to also adopt the new fire code. The differences in the 2009 and 2006 codes were presented by Lieutenant Dave Gerald.

Some of the changes included additional requirements for the safety of firefighters. The Board of Appeals is not to be held liable for the code decisions for parties. New construction would not be approved unless approved by the fire department as currently the code does not require this. To conduct hot works, such as welding, in the District would require a permit. Changes were made for

tents and canopies: removing the square footage size for tents and the term “canopies” was eliminated from the code.

The new code requires lock down plans that must be in place and reviewed by the fire department. Automatic sprinkler systems in type R construction would be required if a livable space, room, or deck were above the newly proposed addition. Director Smith inquired as to whether the new code required the entire house to have a sprinkler system installed if an addition, like a deck, in particular above a lower room would be required. Apparently this would be required under the new code, not just for the addition. Also, The IRC International Residential Code asks that new construction receive sprinklers.

Portable extinguishers must be at specific heights off the ground for commercial structures. Smoke alarms were added and required in all new construction. Fire department involvement for all new construction location, visibility, and signage was required. Appendix B fire flow requirements were changed for homes under thirty six hundred square feet (3600 sq. ft.) needed to flow water from whatever source for one hour at one thousand gallons per minute (1000 gallons/min/hr).

**Director Carney made a motion to adopt the proposal made by the Chief as outlined by Lieutenant Gerald, which was seconded by Director Bartlett.** Per Director Carney, he was not necessarily in disagreement with the proposal though was concerned that our history as a Board has not been interpreting the policy and code this way, and asked what assurances were in place to remedy these factors. Director Courim inquired as to what policies were in place for consistency and what obligations the Board would then be subject to by adopting the services. Dave Robinson also stated that two main questions remained for providing consistency in policy and consistency with the building department policies and procedures.

The four hundred square foot (400 square foot) requirement was not discussed in terms of what impact this may or may not have for homeowners wishing to develop and or remodel their properties. Dave Robinson stated that the Fire Chief or designee has more latitude than the building department. **Director Courim asked for an amendment to the resolution including interpretations from Lieutenant Dave Gerald on practices and policies with the code as part of the agreement which was seconded by Director Bartlett. With further discussion as to the Appendices the motion passed 4-1 with Director Carney dissenting and the adoption includes only Appendices B, C, E, F and G. An additional discussion as to details and consideration for homeowners was planned for a future meeting.**

The new engine is being built and initial reviews have been made by truck committee members for the build out.

Alpine Rescue is planning training with the District for June and July to benefit both Districts.

#### D. Business Manager's Report

The field work has been completed for the audit.

The Green flag contract is up for renewal. The District generally purchases between one hundred and two hundred accounts for collection billing. If the billings do not go to collection we receive the entire amount. If the bill is sent to collections then we receive fifty percent of the amount collected. Currently we spend twelve hundred dollars every two years for the contract. Manager Kehoe suggested obtaining sixty accounts at a cost of less than seven hundred dollars for a two year contract. The contract does not need a motion for approval as it is within manager discretion. Director Carney recommended that individual names be removed from the billings when discussed by the Board as they are a public record and may be subject to HIPAA requirements.

#### VI. Financial Matters

A total expenditure of nine thousand two hundred thirty eight dollars and ninety two cents (\$9238.92) for wildland PPE as part of a grant received was discussed. The district will pay the full amount and then the grant received of four thousand three hundred seventy two dollars (\$4372) would be reimbursed to the District. The expenditure for annual testing of AED's of two thousand six hundred and five dollars (\$2,605) was requested. The expenditure for FPPA was previously approved. **A motion was made by Director Close and seconded by Director Smith to approve the wildland PPE and AED expenditures, passed 5-0.**

**No purchase requisitions were presented to the Board.**

It appears additional funds from the budget of about eight thousand dollars may be available. Director Bartlett is waiting for the final audit numbers in order to allocate these funds to truck expenses. Director Carney questioned restricted interest if it is being removed and maintained his questions to the allocation of funds in accounting documentation. Director Bartlett addressed these matters.

#### VII. NEW MATTERS

##### A. Insurance billing and collection policies

During the discussion of billing mutual aid residents Director Bartlett suggested that if the patient is not willing to pay and we are asked to come into another District through a mutual aid agreement we would need to bill to the mutual aid

entity under the agreement. This is different than to simply bill for services to the patient or individuals who are directly involved.

Director Carney is concerned that another mutual aid entity is dictating our billing to those in their Districts when requested by a mutual aid entity.

Lieutenant Pati Stacjar stated the in District resident should not be “double taxed” or billed for services within the District.

The Chief feels that a small card sent to District members in an envelope requesting donations and then relying on contributions for funds to support those injured in the District was a solution. This generates goodwill with customers we serve.

Director Carney asked if Director Smith felt in his dual Board role (Highland as well as Foothills) that in District taxpayers were voicing concerns about billing residents. Director Smith responded in the affirmative that in District residents do not feel they should be charged individually for non-fire services and yet they believe the services should still be provided.

Director Carney stated that our taxpaying residents are concerned about the tax money we spend for Interstate 70 responses to non taxpayers.

Genesee Chief Mefford is concerned with billing for their residents for Foothill’s rescue services within their District. If their residents are out of their District they have no control or wish to influence Foothill’s policy there.

Director Carney suggested that serious thought be given to what is desired by both Districts. Also Director Smith requested the Chief discuss the matter with Linda Alexander to obtain a legal opinion on billing some parties and not others. Billing Foothills residents, the dispute process, and interpretations for billing “for supporting EMS services” when Highland is no longer on scene are all questions Director Smith wanted addressed.

Two billing disputes were provided to the Board. A letter was provided to Chief Kilpatrick for incident 5486, car into ditch. Foothills Fire was on scene for approximately thirty minutes, cleared by CSP and Highland Rescue and Foothills Fire did respond to scene, but there were no injuries. The CSP officer was almost hit by another car after we were cleared by CSP. The bill in question was for two hundred twelve dollars and fifty cents (\$212.50). The disputing party asked the Board to absolve them of the bill and submitted a donation for fifty dollars in consideration for waiving the remainder of the bill. EMS members from

Highland apparently stated to them they would not be billed. The Board suggested sending a letter to the disputing party with our on scene times for her additional consideration.

A second call, number 5366, for an incident where a vehicle hit an elk was discussed. The vehicle was totaled and no injuries were reported by the disputing party. The disputing party stated they did not call for services and should not be billed for services since there was no medical provided. The disputing party left the scene with another party with the vehicle still in lanes of traffic so the person could make a flight at the airport. The Board suggests that a hardship form be sent with an updated bill. Providing the disputing party with the facts from the call for their consideration should also be sent.

When items billed for services to those we respond to are questioned the disputing party, they can dispute the bill under the law including charges for rescue and safety services. Billing should be sent to the person involved and an attempt to collect for services should be conducted. If that fails the item can be brought to the Board if the disputing party requests. Decisions will be made at that time for further action including collection proceedings.

Director Smith asked the Business manager that no patient or billed party identity information be brought to the open Board meeting and that these billings and or patients' information be held private to meet HIPAA requirements.

- B. Director Close asked for clarification for an email to be sent to Representative Cheri Gerou to update the law related to billing for medical, scene safety and rescue services by fire service entities. Director Close prepared an email and asked if the Board should send this or if it would be more appropriate for him to send it. Director Courim also requested that Director Close not include any attachments. It was agreed Director Close would send the communication without the attachments.

## **VIII. Executive Session**

**A motion was made to go into executive session to discuss personnel matters at 8:55 p.m. (no request was made for an open meeting), by Director Bartlett and seconded by Director Courim, passed 5-0.**

**The regular Board meeting resumed at 9:54 p.m. after the executive session for personnel matters for the first quarter review of 2010 for the Chief was completed.**

**IX. ADJOURNMENT**

**A motion was made to adjourn the meeting at approximately 9:55 p.m. by Director Close and seconded by Director Smith passed 5-0.**

Next regularly scheduled Board meeting is May 18<sup>th</sup>, 2010.

**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**