

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT HELD February 16th, 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, February 16th, 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. though commenced at 6:45 p.m. after the Pension Board meeting.

I. ATTENDANCE

T. J Carney-Board President via phone at 6:33 p.m.	Dave Robinson-Self
Julie Ann Courim-Vice President	Jeanette Kehoe-Business Manager
Richard Bartlett-Board Treasurer	Patrick Ahern-Deputy Chief
Patrick Smith-Board Secretary	Jason Gibb-Firefighter
Steve Close-Assistant Secretary	Jon Schreiner-Firefighter
John Kilpatrick-Chief	Stacy Dorian-Firefighter
Steve Porter-Self	

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 January 19th, 2010 Regular Meeting

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

III. COMMUNITY FEEDBACK

No comments were provided by the public.

IV. LEGAL MATTERS

A. Training records as HIPAA compliant public record

The Chief ascertained from our attorneys and research that as long as the personal information such as social security number, birthday, and address, is

not made known, and that it instead relates to training levels and certifications this information would not be considered HIPAA related data and can be placed in a public forum. No Board action was needed and the matter was resolved.

B. Business Manager Email update from January meeting

The email related to a two hundred thirty dollar bill (\$230) for a response to help Steve Porter who was in attendance. According to the circumstances the individual slid off the road in his vehicle and Foothills responded to provide traffic safety and control though no medical services were provided. Jefferson County Sheriff's were on scene. Mr. Porter related his unwillingness to pay not so much to the bill but to his interpretation of the statute 32-1-1.102.1e "in furtherance of ambulance service." Since no ambulance was on scene Mr. Porter found it difficult to understand how furtherance of these services could be billed for. Apparently Mr. Porter and his wife were asked medical assessment questions though they denied injury. Deputy Chief Ahern stated we have an obligation to respond especially in relationship to the statute amendment made last year. **Director Close made a motion to pursue the collection of the bill from Mr. Porter. The motion failed without a second.** Director Close was involved in the pursuit of the bill last year with Representative Girou and that further discussions were planned to help clarify the language. During discussion Director Carney and Director Courim asked Mr. Porter as to the specific issue and bill if collection proceeded as to what his intentions would be. Mr. Porter felt he would be prepared to defend his position. **Director Bartlett made a motion to drop the matter and Director Carney seconded, passed 4-1 with Director Close dissenting.**

C. Election Resolutions

A polling place was established per the resolution 2010-001 by Director Courim and seconded by Director Smith, passed 5-0. In addition, a motion was made by Director Close and seconded by Director Smith as to the polling place location and that it would be communicated per the order to advise the public, passed 5-0.

D. Genesee Trail Road exclusion

The updates and legal opinions were presented to move the process forward and a motion was made by Director Close to approve and seconded by Director Smith, passed 5-0.

E. Recommendation for 2009 Fire Code adoption

The Chief proposed an adoption of the 2009 Fire Code. In particular the Chief felt that on any new or existing structures over the minimum

requirement of four hundred square feet would require a new sprinkler system to be placed throughout the structure. Director Carney maintained some of the historical concerns related to Fire Code discussions and the negative impact on homeowners. Some houses in the District are over ninety years old. As a personal example Director Carney stated that adding a large deck which he had completed in the past would have required him to outfit the existing structure with a complete sprinkler system. This would be cost prohibitive and not in the public interest. In addition, setbacks and driveways in some areas of the District would not allow for homeowners to be in compliance. Defensible space procedures have been discussed in the District to help homeowners mitigate their risk.

Director Smith also discussed a residence in the Chief Hosa area that was given another way of mitigating fire risk when he was Chief by providing a dry hydrant system that could also generate sufficient water flows to a residence. This option is another way of providing inexpensive high water flow especially if a homeowner does not meet the initial Fire Code requirements or the fire department does not complete timely reviews of the construction. It also provides innovative ways to help the fire department and homeowners work together to find the most efficient solutions.

Dave Robinson felt the matter before the County was not fully vetted and wanted to know what specific changes were made between the 2006 and 2009 additions of the Code. In particular fire flows and fees seemed to be some areas the County discussed. Director Bartlett asked if there was a liability if we did not shift to the new code and it was felt no liability existed as we did follow the previously approved Fire Code. Based upon a variety of issues and the need for more information **Director Smith made a motion to table to the next Board meeting and seconded by Director Bartlett, passed 5-0.** During the discussion the tape stopped so some portions of the meeting may not have been recorded.

V. DEPARTMENT MATTERS

A. Station updates

An Idledale firefighter was leading the efforts to clean up the Idledale station including purchasing futons, games, repairing insulation, coordinating the water to be turned on, and obtaining plans to help build separate facilities for male and female members. The plan was to have the additional quarters bid out and the work commenced by June 1st, 2010. The Lookout station was being prepared to be painted and cleaned. The Rainbow station has a new lock for the storage and files with a key pad privacy lock. No changes were made to the Mount Vernon and Grapevine stations.

B. Fleet Status report

Rescue One is back from repairs for the damage done by a driver on the interstate. The damages were approximately four thousand three hundred dollars (\$4,300), which were paid to the Department by the insurance company of the driver. While the repairs were being made it was discovered a new turbo and new head gasket were needed, though both were under warranty. Rescue Three is out of service to learn more why the battery is discharging.

C. Chief's Report

The Chief proposed a sick leave policy to include fifty days per year with an accrual up to two hundred and fifty hours. The Chief stated the accruals for some employees are not clear in the Handbook. **Director Bartlett made a motion to accept the proposal as written. The motion failed without a second.** Director Close mentioned that employees should not take the time as additional vacation, though the Chief would not allow that. Director Carney stated some organizations may use paid time off to resolve these types of issues.

Secondly, the storage room proposal for the Rainbow station was made to place the boxes from Rainbow and Lookout stations. The Chief proposed the work be done by Firefighter Todd Foster for an amount of fifteen thousand nine hundred fifty dollars (\$15,950) though did not include expenses for permits, soil samples, and engineering for the project. **Director Close made a motion to approve up to sixteen thousand dollars for the project and Director Carney seconded.** In discussion Director Courim asked why additional bids had not been gathered and the concern remained that we look at various options prior to investing in the project. Additional concerns were related to the disposable impact of the new structure and ability to add bays and training area. The Chief felt this project would not negatively impact these matters. U Store It and Iron Mountain were other possible avenues to review to assure the best decisions were made for the records and for storage. **Director Close modified his motion to table until the March meeting and Director Carney seconded, passed 5-0.**

A proposal was made by the Chief and members of the truck committee to purchase a new engine. **Director Close made a motion and Director Bartlett seconded to authorize three hundred sixty five thousand dollars (\$365,000) plus equipment for the engine purchase.** Firefighter Jon Schreiner wanted flexibility with the engine and equipment though Director Courim was concerned the amount would be well over what was budgeted and what was needed as happened in the past. The budgeted amount for the engine was three hundred sixty five thousand dollars (\$365,000). Directors Carney and Courim asked if the motion could be amended to include the purchase of equipment within the purchase to avoid any surprises in the future. Firefighter Schreiner and the Chief agreed to be within budget and use equipment from the Engine 4 after it was sold. **Director Close modified his motion and Director Bartlett seconded to**

authorize the budgeted three hundred sixty five thousand dollars (\$365,000) for the engine purchase including equipment, passed 5-0.

D. Business Manager's Report

One self nomination form had been submitted so far, from Director Bartlett.

The Deputy Chief and Manager are working on the database reporting system in order to improve efficiency.

E. Status Report from Support Auxiliary

No report was given and apparently no person is drafting the Firefly currently.

VI. FINANCIAL MATTERS

A. Review and Payment of Claims through the period ending February 16th, 2010

Previous financial actions of the Board were reviewed including payments for helmets, and pension payments. **A motion was made by Director Close and seconded by Director Bartlett to authorize five thousand six hundred seventy two dollars (\$5,672) for the quarterly VFIS payment, passed 5-0.**

B. Approval of Purchase Requisitions for Department Supplies and Equipment

To use the money received for the wildland PPE grant **Director Smith made a motion to approve the expenditure of nine thousand two hundred thirty eight dollars and ninety two cents (\$9,238.92) and seconded by Director Close, passed 5-0. The State will reimburse the District half of the amount once they receive the invoice.**

C. Board action from Pension Board meeting

A motion was made by Director Smith and seconded by Director Close to make retroactive to 1994 for approximately thirty five thousand dollars (\$35,000) in pension payments without interest for Mr. Hildreth subject to verification, passed 5-0.

A motion was made by Director Close and seconded by Director Courim to maintain in the record Firefighter Patrick Smith's entry date for all fire service and pension benefits on the department to be February 19th, 1981, passed 4-0 with Director Smith not participating.

VII. NEW MATTERS

A. SOG Change

Two of the items previously proposed to the Board were not presented again including dual organization volunteer accruals and additional requirements to meet active requirements as no consensus was met at the officer level. As to the officer structure **Director Bartlett made a motion to accept the new SOG seconded by Director Close, passed 5-0.**

The Chief proposed staffing changes at fire incidents in 8.18 for safe conditions to proceed. Director Close asked if the officers have looked at the SOG's and if the members have seen the new changes to the SOG's. The Chief had visited with the officers about the changes and would insure that the members were made aware of the changes. **A motion was made by Director Smith to accept the change and seconded by Director Bartlett, passed 5-0.**

VIII. ADJOURNMENT

A motion was made to adjourn the meeting at approximately 8:48 p.m. by Director Close and seconded by Director Smith passed 5-0.

Next regularly scheduled Board meeting is March 16th, 2010.

The following Directors have reviewed and acknowledged the minutes:

Dick Bartlett

T. J. Carney

Steve Close

Julie Ann Courim

Patrick Smith