



**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE EVERGREEN FIRE PROTECTION DISTRICT
APRIL 12, 2011**

The regular meeting of the Board of Directors of the Evergreen Fire Protection District was held on April 12, 2011 at the Administration/Training Building, 1802 Bergen Parkway, Evergreen, Colorado.

ATTENDANCE

DIRECTORS IN ATTENDANCE: Charles Dykeman, David Christensen, George Kling, Charlie Simons

EXCUSED DIRECTORS: Jeff deDisse.

ALSO IN ATTENDANCE: Chief Garry DeJong, Brent Worthington, Frank Dearborn, Bob Walter, Mike Novick, Frank Dearborn, Vicky Gits, Jeff Ashford, Mike Weege, Chris Johnson, Wayne Shephard, Evan Fosler, Robert Gottsman, Tony Shepperdson and Sylvia Ross.

MEETING CALLED TO ORDER President Kling called the meeting to order at 7:02 P.M.

TIME OF REMEMBRANCE AND REFLECTION: The pledge of allegiance was recited and a moment of silence was observed.

APPROVAL OF AGENDA: The agenda was approved as amended; under New Business, President Kling added FPPA Compliance discussion.

PUBLIC COMMENT: Mr. Robert Gottsman made a public comment. He had several questions which he would like addressed. He asked about our arrangements with neighboring districts in regards to mutual aid on fires. Chief DeJong replied that we have mutual aid agreements with our neighboring districts and on the Squaw Pass fire we received help on overhaul. He continued that knowing that there was going to be a need for extensive overhaul operations, we used county funds through the WERF (Wildland Emergency Relief Fund) agreement and they provide coverage for cost of a hand crew or for aircraft assistance. We got a hand crew from Buena Vista. He also wanted to know how many current volunteer firefighters we have. We currently have 75 volunteer firefighters. He also asked if the repeater that will be installed at the Rec Center will give off any radiation. Chief DeJong explained that the radiation is minimal; but if you want an exact answer he would have to ask our consultants that are helping us with this project. Director Kling added that those radios we have on those towers put out about 2 watts; so its minimal. Mr. Gottsman made a final comment: He is concerned about the economy and the culture of our country that its always about spending more and that the District's spending policy seems to be going towards spending more. He added that he sees we are doing a great job in controlling our spending but what he is hearing at the Board meetings is pushing for more spending. He wanted to make this comment since we are working on our strategic plan. Director Kling replied that the money we have spent has been in reaction to the old Master Plan which is being updated. For example, there are taxpayers in the Upper Bear Creek area who would like to be protected like the rest of the district and that is why we are purchasing a new engine to be placed at Station 5. Our spending policies are based on the District at large not just one segment of the community. He feels that the District is doing a pretty good job of balancing the community and staff requests.

APPROVAL OF MINUTES: March 8, 2010 Meeting Minutes; Approved as presented.

PRESENTATIONS: Finance Director, Brent Worthington presented the February 2011 Finance Report to the Board.

DISTRICT CASH AND INVESTMENTS

First Bank	\$ 89,173
C-Safe General Fund	\$ 327,832
Strategic Capital Fund	\$ 1,519,485
Capital Projects	\$ 198,485
Debt Service	\$ 83,086
Apparatus Replacement	\$ 1,581,424
Tabor Reserve	\$ 120,111
Charitable Donations	<u>\$ 4,431</u>
Total	\$ 3,924,117

Variance Analysis: General Fund Revenues are at 108.5% of budget, and 109.8% of last year. General Fund Expenditures are at 73.4% of the budget, 86.1% of 2010 YTD. EMS Revenues are at 112% of Budget, and 126.7% of 2010 YTD. EMS Expenditures are at 69.6% of Budget, 113.3% of last year. It's important to remember that variance analysis becomes far more meaningful and informative as we get deeper into the year; in the first 2 or 3 months, large expenditures, while included in the budget, can magnify the variances.

Contract for the portfolio manager is getting amended by our attorneys. As soon as our lawyers are satisfied we will execute that contract. Secondly, the 2010 Audit fieldwork commenced April 11, 2011. Today Mr. Worthington spoke with the auditors about absorbing the EMS fund into the General Fund. EMS accounts are set up somewhat like a business; as a generating revenue fund. Since our EMS fund is not a true enterprise fund, but a proprietary fund, marked primary by the fact that our EMS fund is heavy subsidized by the General fund, it would be beneficial for accounting purposes for the General fund to absorb the EMS fund. The impact on operations would be zero; it would streamline the accounting side. We would still account for EMS separately; it would become a division just like the other divisions within EFR. This adjustment would be best made through the audit process. Finance Director Worthington would like to ask the board to consider making a motion at tonight's meeting to make this change. A true enterprise fund has the ability to issue bonds without taxpayer approval. A true enterprise fund can only be subsidized up to 10% to even be considered a true enterprise fund; therefore it is very unlikely that our EMS fund will ever be a true enterprise fund, but if our business changes it could go back to an enterprise fund. A discussion ensued. It was agreed that Mr. Worthington would present a formal resolution at the May board meeting to make this change, but that staff could move forward with this change in the meantime to take advantage of the auditors help in making this change. The rest of the Board agreed.

Director Dykeman made a motion to accept and approve the February 2011 Financial Report as presented and authorize Mr. Worthington to move forward on the changes presented for final approval to occur at the May Board Meeting; Director deDisse seconded the motion; the motion passed unanimously.

CHIEF'S REPORT

Administrative / HR

- Handbook revisions –
 - Discussion with EVFD Board members continuing.
 - Drafts of proposed vacation policy and antiviolenence policy being finalized.
 - Copies of policies and any explanatory documents will be emailed out by the end of the week. Plan is to discuss and adopt these policies at the May Board meeting.
- Hiring process for Community Educator / Fire Inspector position is underway. Resume reviews underway and setting up interviews. There were 47 total applicants; 10 of which will move on to the essay portion of the hiring process.
- New Hire process being evaluated and updated by HR.
- Review of the facilities manager position underway prior to posting. Currently Chris will be working part-time to cover issues that come up while the job description review is underway.

Apparatus Equipment and Facilities Maintenance

- Medic 42 is back and going through the registration and inspection process. Will be in service very shortly. Once that is completed, Medic 22 will go out for the remount.
- Brush 8 components and chassis have started to arrive. The building process is well underway. Hopeful to have in-service in mid to late April for Wildland season. We are waiting for the skid unit.
- All of the red engines have had their equipment standardized in number and arrangement.
- Station #1 has major issues with the water main. Main portion of repairs have been completed. Waiting on a few parts to complete interior fill stations in the back of the bays.
- Working on a training prop for vehicle fires. Being plumbed for LPG gas and be reusable.

Communications

- New flooring will be scheduled when product arrives, est. April 20th, so remaining electrical work and flooring install now scheduled around the first of May.
- Dispatch area has been cleaned in preparation for new flooring and in conjunction with the walls being painted.
- 1 dispatcher will be attending a conference in late April in Las Vegas.
- 5 dispatchers will be attending a Wildland communications class this Friday.

Emergency Medical Services

- SOGs are being reviewed and updates proposed.
- In-house Narcotics and policies now in place. This reduces our out of service time in replacing these medications.
- First Responder portion of Academy compete.
- Dave Montesi and John Lock have worked very hard for our FREE CPR day on April 16th.
- Proposed changes to billing being evaluated to improve cost recovery and efficiency in the process. Information from the completed survey helped in our proposed changes.
- EFR will be hosting an EMT-Basic Course for SAC. Looks like we will host a class in May/June. This is being finalized.
- 10 personnel attended MCI training and drill this past weekend. This was beneficial in finalizing our SOG and MCI plan and preparation for drills, both internal and county wide.

EVFD

- 2011 Probe Academy currently with 16 Recruits.
- Working with HR on the Handbook issue.

Finance

- Investment recommendation made in financial report. Working on finalizing documentation with UMB.
- Working on the restatement of the 401a plan – similar to the 457 plan restatement approved last month. Much more detailed and more compliance issues. Working with the ERISA attorney, will keep the board updated.
- Final Preparation for the audit this next week.

Fire Prevention

- Working hard on keeping up with Fire Danger signs and the Fire Ban.
 - Looking at additional fire danger sign options for increased public awareness.
- Initial preparations for this year's Safety Day and Pancake Breakfast.
- Working with HR on the Community Educator / Fire Inspector hiring process.

Fire Operations

- Obviously huge focus on Wildland preparations and training.
 - Upcoming interface training in district
 - Pack tests underway
 - Upcoming interface drill in Douglas county

- Finalizing CRRF agreement with CSFS and getting the appropriate documentation into apparatus
- Several people working on task book qualifications
- Working on a community education event regarding Wildland fires and mitigation benefits.
- Slash weekend dates are finalized through Jeff Co Emergency Management. The dates for our slash weekend is: July 16 & 17.
- Training building working on specifications and information.
- SOGs being reviewed and revised as needed.

IT

- Working on maintenance and some upgrades. Will be working on some storage issues in the near future.
- Revisiting a new responder call-in system and new logging system. The beta system is working well.
 - Working on other enhancements with GPS

Training

- IQS database moved to IQS Web – very close to having our system completely updated, getting final updates from responders.
- Finishing up last quarter of 2010 NFIRS reports. Mike Mendelsohn assisting with 2011.
- Trent Searcy, Jeff Genender and Kevin Gilbert attended FDIC last month. Working on presentation and ways to implement ideas into trainings.
- Additional Wildland training in Frisco in June.

Special Comments / Other

- Dave Diflumeri welcome back celebration May 20th – Stagecoach Grill
- EPAD golf tournament May 23rd.
- Radio System update –
 - Working on identifying frequencies for VHF system ongoing. Have tremendous NCR support.
 - Discussion on the frequencies continues in a positive direction. Director Simons asked the Chief to explain the process since its taking so long. Chief DeJong explained because by Dec. 31, 2012 everyone must be narrowband. Many organizations are holding on to their frequencies until the 800 mhz system are put into place. As the frequencies are being released, organizations are taking them as there are no rules on how the frequencies are distributed or taken plus once we get a frequency we want we have to explain to the FCC that says I'm getting this frequency from this organization, this is how it will impact us along with all the studies that go along with it. Next month we should have a good idea as to what our frequencies will be and do some on air monitoring by the end of April.

- Strategic Plan re-write drafts underway.
 - Reviewing the comments from the ISO evaluation to see how that feedback may influence the strategic plan.
- Drafts currently being worked on.
- The District has received an extension on the IGA from Denver Mountain Parks. Nothing has changed; no operational or physical impacts. This document needs to be signed by the Board President and Secretary.

BOARD MEETING TOPICS

APRIL 2011

Active Topics Discussed:	Discussed:	Update	Recommendations
Feasibility Report on training/burn bldg.	Apr-09	Apr-11	Working on specifications and information.
Mandated HR Trainings (Harassment/Violence)	May-09	Nov-10	Will be presenting potential changes to Staff Handbook including HR training issues.
New Security Card System	Feb-10	Jan-11	Almost completed, working with IT to finish the installment.
Schedule another Strategic Planning Mtg.	Mar-10	Feb-11	Meeting with each division manager scheduled; was discussed at Feb Exec Staff Meeting ; draft in 3 months
Handbook Revisions	Nov-10	Mar 11	Discussion/changes on the anti-violence and vacation accrual policies underway with the Handbook Committee.
Fire Danger Signs - High School Project	Sep-10	Jan 11	Minimal interest from High School; recommend opening up the project for other outside interest. Dir. Christensen working on Clear Creek HS.
ISO Article	Dec 10	Feb 11	Finishing clarification with ISO on the 5/6 issue.
Board Retreat – Senate bill #1052	Jan 11	?	Additional discussion will come in the following months.
Review of Vacation accrual & Sell Back Policy	Jan-11	April 11	Handbook committee meeting held; update at April Board Meeting
EMS Billing Bundling Charges	Jan 11	Apr 11	EMS charge bundling is recommended for increase collections as Medicare and other commercial insurances are now paying on bundled charges instead of a la carte.

UNFINISHED BUSINESS:

- Vacation Sellback/Accrual Rates Update: Information on the proposed policy will be emailed for all employees to peruse the policy and have an opportunity for them to discuss and ask questions at the next board meeting. Tony Shepperdson made a comment, that in the past, this subject has been part of the benefit analysis so he doesn't understand why this came up as a separate issue. Director Kling agreed that it should have been part of the benefit analysis done previously.
- Training/Burn Building Update: Captain Wayne Shephard presented to the Board an update on the burn training building. Since the department is tasked with protecting billions of dollars worth of structural value here in Evergreen, to put up a structure here, which may cost about a million dollars to protect billions is a good investment. The firefighters need that type of ongoing training to get the skills necessary to keep themselves safe while fighting a structure fire. Going to the Denver Training Center once a year is not sufficient. We have a great building for classroom type activities but we have no place to practice the firefighting skills they learn in the classroom. They should know what they are doing on scene; they need a lot of practice to hone in their skills. Director Simons asked about using other fire department's burn buildings to train. Captain Shephard replied that doing that type of training depletes our resources both in apparatus and personnel that need to go down the hill. The amount of time it takes for that type of training is huge compared to what could be done on our own property; there would be more time for actual training time. Even down the hill a firefighter only gets a few minutes in the burn building during evolutions; which is not sufficient and most active firefighters go to this type of training only once every three years due to the fact this it takes so much of their personal time to get this training whereas if there was a facility here it could be incorporated into their Monday night trainings; again, which would give them more time practicing on actual fires than "going down the hill." Also if our firefighters wanted to go down the hill at every opportunity presented, we could not accommodate that – and that is a big problem and a big risk to the District. The fire department only requires them to go to a burn training once every three years. Firefighting is a high risk activity and so skills like: Ventilation, search and rescue, forcible entry, salvage, overhaul, fire attacks, hose management, etc. are important. Now the firefighters have to pretend they are in a building and they use cones to haul hose around to practice; they need realism in their trainings. More discussion ensued along with several comments in support of the burn training building by several firefighters who stated they need more training to fight commercial fires: long narrow hallways, stairs, multiple levels; this is where the department skills are lacking because there is nowhere to practice. A discussion ensued regarding having neighboring departments who would use the facility to help with some of the costs. Captain Shephard explained that the cost fluctuations are due to the fact the estimate received previously did not include the labor to erect the structure. Our cost would be closer to one million. A question was asked about current funds in our strategic capital account. Director Kling replied that we do have in our strategic capital \$500,000 for two years dedicated to this project for a total of one million dollars. We are at a point where we need to add money to continue this project. Director Kling, along with the other Board Members, would like to see a math analysis on this project before dedicating funds for the design of the building. The Board needs to make some tough choices with how District funds are spent. They know we need the building but the question is: can we afford the building. It was agreed that a cost/math analysis would be done and then presented to the Board. Chief DeJong will reach out to neighboring departments who

have built their own training facilities and ask how they put their proposals together for presentation to their Board/decision makers.

- 401a Pension Board Election Update & Meeting Dates: The election will close on Friday; there are six candidates on the ballot. The schedule for the meetings will be worked out once the ballots are counted and we know who the two paid staff members are that will be part of this board.

NEW BUSINESS

- Soda Creek Fire Debrief: The Chief explained that the fire was started by a slash burn that was conducted on the Friday before; it was a legal slash burn; they had the appropriate burn permits. The individual followed all the rules: He called in letting us know he was burning and called in when the fire was out. Obviously there were coals that were still burning and with the wind over the weekend started the fire. Over 60 personnel were on scene. Mutual aid was requested. A discussion ensued regarding burn permits and the conditions on the day the individual burned the slash.
- Engine 5 Update/Discussion: The Chief presented to the Board that there is an opportunity for EFR to purchase a used engine instead of buying a new one. Would the board entertain EFR procuring a used engine. Director Dykeman would like to see a cost analysis and how the used engine would fit in with the needs of the District. After some discussion it was agreed by the Board that EFR could move forward in looking at the opportunity to purchase a used engine. If the used engine is deemed as a viable option for the District, then that discussion will be presented to the Board.
- New Brush 8 & Plan for current Brush 8: The new Brush 8 should be in service by the end of April; the old Brush 8 will be auctioned off.
- EMS Bundling/Billing: A packet will be emailed to the Board regarding the bundle billing which is the more effective and common way to get better reimbursement rates from insurance companies. We will go from having ancillary charges to having these charges "bundled" or part of the ALS or BLS charge. Even with the recommendations which will be presented, our ambulance transport rates will still be below what our neighbors charge. A new fee schedule which will include fire prevention fees will be presented to the Board for approval at the next board meeting.
- FPPA Compliance: Director Kling asked Chief DeJong for an update. Chief DeJong replied that the paperwork to convert his FICA benefits to the FPPA defined contribution plan has been submitted. Since the Board was unfamiliar with what paperwork the Chief was talking about he explained that there is a Colorado State Statute that requires all paid fire chiefs to participate in this FPPA plan unless there is an approved qualified pension. That was never discussed when he was hired. As the department was looking for information on a separate issue, we found out that the District was not in compliance with this statute; that is when the Finance Director and Director deDisse were brought into the discussion with the FPPA. To get the process rolling, we had to submit paperwork to apply/enroll; that paperwork has been submitted as a way to start the contribution, get a refund for all the money paid into Social Security, and begin the correct payroll deductions. Director Simons asked if there was a specific statute that states this as a requirement or is this something the FPPA just likes to have. Chief DeJong answered that it is a state statute. There also is a mandatory Death & Disability plan through the FPPA that state fire chiefs have to participate in as well. Director Kling is very disappointed in how the Board was informed of this especially since we are already in the roll out phase and as a result has called Kirstin Stewart, the ARISA attorney. She is under the impression that since we are out of compliance now that we should wait to get more information; Linda Alexander is of the other opinion; there is a

discrepancy that the District needs to fully identify. Director Kling does not understand why the Chief would have enrolled himself without using those resources and also questions why since this is part of his benefit and performance package why he is involved in the process and furthermore the topic has to be put on the agenda by a Board member to get this information. Director Simons agreed; he feels the Board has been blindsided. The Chief replied that his understanding was that Director deDisse was relaying that information. Director Simons continued that Director deDisse was relaying the events as they transpired but to go ahead and file papers he feels is irregular. Chief DeJong replied that Director deDisse was aware that he was going to enroll and therefore was following directions he received from the FPPA as well as following the advice of Linda Alexander, our attorney. Director Christensen asked what the implications are to the District. The Chief replied that there is a percentage dollar implication; there is a difference of 1.8% between the FICA percentage and the FPPA percentage (this is a percent of his salary). The FPPA plan is like a FICA replacement plan; the contributions are 1.8% more than what is required by FICA. On the Death & Disability side there is a 2.6% cost of which the FPPA allows for negotiations between the District and the employee of how that is going to be covered. Director Simons is dumbfounded that this issue has not come up in the last four years. Director Kling commented that he has asked in the past about auditing our existing processes to advert finding and fixing these types of issues as they come up. He was told at that time that there is nothing else out there; once we fix this we're done. And then when there is an issue which he feels is noteworthy of bringing to the Board, like this one, the issue is unilaterally corrected; we can't get staff evaluations done in a couple of months but this is resolved in a few weeks with barley any notifications. Director Simons agreed that the whole board should have been notified before any action took place and that if a mistake was made this Board it will rectify it. After further discussion, the Board would like receive more information and direction from the attorney's and the FPPA. Chief DeJong apologized to the Board and added he was honoring what one Board member said.

BOARD MEMBER COMMENTS: Director Simons addressed the firefighters that this community is extremely proud and grateful of this fire department. Director Dykeman agreed. Director Simons added that it is a perfect time to have a community meeting regarding wildfires. Chief DeJong agreed. Director Kling also acknowledged that he to gets accolades regarding our fire department and that his involvement in the Board doesn't compare to what each firefighter does for this community. Director Christensen also endorsed the community forum, and made comments regarding the burn/training building and how to be properly trained is so important.

MEETING ADJOURNED

Director Dykeman made a motion to adjourn; Director Christensen seconded the motion; the motion carried; the meeting adjourned at 9:52 PM.

NEXT MEETING DATE

District Board Meeting, Tuesday, April 12, 2011 at 7 pm in Training Rooms A & B

Respectively Submitted,

Sylvia Ross

MAY 2011

Active Topics Discussed:	Discussed:	Update	Recommendations
Feasibility Report on training/burn bldg.	Apr-09	June-11	Working putting a cost/math analysis together. Chief DeJong to inquire how neighboring fire departments put their proposals together to present to their decision makers.
Schedule Meeting w/Neighboring Districts to discuss Burn Bldg	May 11	?	Invite neighboring boards and their officer corps to discuss how they might help EFR with this project; give us their ideas; have a round table discussion with this Board and our officer corps.
Mandated HR Trainings (Harassment/Violence)	May-09	Nov-10	Will be presenting potential changes to Staff Handbook including HR training issues.
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ISO Article	Dec 10	Feb 11	Finishing clarification with ISO on the 5/6 issue.
Board Retreat – Senate bill #1052	Jan 11	?	Additional discussion will come in the following months.
EMS Billing Bundling Charges/2011 Fee changes	Jan 11	May 11	Presented to the Board at the May Board Meeting

Recording Secretary