



**MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE EVERGREEN FIRE PROTECTION DISTRICT
APRIL 13, 2010**

The regular meeting of the Board of Directors of the Evergreen Fire Protection District was held on April 13, 2010 at the Administration/Training Building, 1802 Bergen Parkway, Evergreen, Colorado.

ATTENDANCE

DIRECTORS IN ATTENDANCE: Jeff DeDisse, Charles Dykeman, George Kling, George Goldbach, Charles Simons.

ALSO IN ATTENDANCE: Chief Garry DeJong, Brent Worthington, Linda Alexander, Vicky Gits, Dave Christensen, Paige Maslow, Sean Wood, Jeff Ashford, Wayne Shephard, Frank Dearborn, Nick Boukas, Eva Whitehead, Robert Gottsman, Evan Soibelman, Bill Maron, Mike Weege, Bryce Lipson, Sylvia Ross.

MEETING CALLED TO ORDER

President Dykeman called the meeting to order at 6:30 P.M.

EXECUTIVE SESSION

Director DeDisse made a motion for the board to go into executive session to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators for the purpose of discussing the Project Manager position per Colorado State Statute Section 24-6-402(4)(e) CRS. Director Simons seconded the motion. The board went into executive session at 6:32 PM.

BACK IN SESSION

The meeting was back in session at 6:56 PM.

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

APPROVAL OF AGENDA One item was changed. Under old business, the spending policy update was removed. Other than that change the agenda was approved as corrected.

PUBLIC COMMENT:

- Evan Soibelman will make a public comment at the end of the meeting.

APPROVAL OF MINUTES:

March 9, 2010 Meeting Minutes: Approved as presented.

PRESENTATIONS

February 2010 Financial Report: Finance Director Brent Worthington presented the February financial report.

District Cash & Investments:

| | |
|------------------------|----------------|
| General Fund | \$ 474,690.86 |
| EMS Checking | \$ 591,501.71 |
| Strategic Capital Fund | \$1,444,707.80 |

| | |
|-----------------------|--------------------|
| Capital Projects | \$ 194,845.42 |
| Apparatus Replacement | \$ 754,380.82 |
| Tabor Reserve | \$ 119,925.80 |
| Charitable Donations | <u>\$ 4,425.31</u> |
| Total: | \$3,581,477.72 |

General Fund Revenues are at 174.2% of budget; however, this variance is distorted due to the uneven nature of the District's Property Tax receipts; this month the District received one of its biggest tax deposits of the year. General Fund Expenditures are at 89.2% of the budget. EMS Revenues are at 88.4% of budget. EMS Expenditures are at 61.5% of Budget. These variances are not necessarily indicative of trend; as we progress through the fiscal year, the trends will assert themselves.

The audit process has started and quite a bit of time has and will be spent assisting the auditors and preparing for the audit itself.

Director Kling asked a question on page one under General Fund Office Management why is the percentage so high (163.3%); is it because we moved some expenditures to other divisions? Brent believes that is the case but will check on that number and will send Director Kling an email.

Director Goldbach made a motion to accept the financial report as presented; Director Simons seconded the motion, the motion passed.

CHIEFS REPORT

Administrative / HR

- Job postings have been completed for the following positions:
 - Community Educator / Fire Inspector – Resume Reviews
 - Mechanic – Resume Reviews
 - Communications Specialists – Testing being scheduled
 - Part – Time Paramedics – Testing complete, interviews being scheduled
- Working on Chief's review and feedback process. Drafts have been forwarded for your review and comments. This topic is on Old Business.

Apparatus Equipment and Facilities Maintenance

- Tanker is in service at station #1. Final graphics should be completed in approximately 30 days.
- Chassis from A-21 is being prepped for Pump 1. This retrofit will take place after completion of the ISO water exercise.
- Bar code project has been initiated. Working on group classifications and categories.
- Painting at stations 1 and 3 completed by Chris Schleef and several volunteers coordinated by Keith Haugrud.

Communications

- Mapping contract with Geo Comm – finalizing the field work and final review. Sent off to Geo Comm for updating the draft. Have not yet received an updated timeline.
- Research into an updated security card system will begin. At the end of 2010, current system will not be functional or supported by vendors. Will look into incorporating the

new state credentialing requirements. Ongoing process, also looking into different options. Starting to get quotes back.

- SOGs and Training manuals in final stages of completion.
- Have revised the structure in Communications to one supervisor. Transition underway. Supervisor will assist in the dispatcher hiring process.

Emergency Medical Services

- SOGs under final review for completion.
- Total cost for Life Pak 15's at \$89,000.00. \$31,000.00 under budgeted amount in the strategic capital budget.
- Dave Diflumeri's deployment scheduled for 5/13 now looking like Southern Iraq. Support system set up within EFR to assist family.

EVFD

- Down to 15 probes, all have successfully past the State First Responder test. Getting into Rescue, followed by Haz Mat and the Wildland.

Finance

- Exposure issues identified have been resolved at First Bank.
- Auditors scheduled for the first week of May for field work.

Fire Prevention

- Free CPR day being setup in conjunction with EMS. May 15th.
- Working with Jefferson County Planning and Zoning on driveways, bridges and gates.
- Trying to finalize quotes for final repair of alarm system for Station 2 campus.

Fire Operations

- 5= attendees going to Salida in April for Wild land training.
- 8 firefighters attended Douglas County Wildland exercise.
- Training building update, under old business.
- Final preparation for ISO.
- ISO – evaluation brought up the need for some resource adjustments in regards to apparatus at stations.
 - Supertanker to station #1. Tanker 12
 - Tender #2 to station #7. Tender 7
 - SCAT #7 to station #6. Scat 6
 - Reserve #6 to station #5. Engine 5
 - Brush #5 to station #8. Brush 8
- Significant amount of time will be spent on Wildland preparation – refreshers, Pack Tests, more advanced classes.

IT

- PM, repair and maintenance underway.
 - Received back up servers and storage devices.
 - Working on new platform for email/exchange servers as well as the SQL server.

Training

- 2010 Probe academy underway. 1 additional member was transferred to Grand Junction down to 15.
- IQS database updated. Back to old version.

- Working on continual changes to Haz Mat class.
- Working on July Renewals.

Special Comments / Other

- Have been meeting with neighboring districts in regards to Mutual / Auto aid agreements as well as cooperative training. Finalizing agreements with our neighbors.
 - Jefferson County is working on an All Hazards Mutual Aid Agreement; this document if approved may serve well in cleaning up this process and only needing to have a small portion of the documents currently necessary.
 - Same option discussed with Clear Creek County parties. Interest is there, waiting to see how the Jeff Co process goes.
- Have started the process of reviewing the Annual Operating Plan with both Clear Creek and Jefferson Counties. Initial meetings went smoothly. No major operational changes. Only significant verbiage change is making the AOPs SB09-20 compliant. Clarification of roles of Fire Chief and Sheriff.
- Radio System update – to be discussed under old business.
 - Working on identifying frequencies for VHF system ongoing.
 - City of Denver having final reading and vote on the acceptance letter from DHS/UASI. Once accepted by City of Denver, we will complete the IGA process.

OLD BUSINESS

Cutler & Associates Multi-Year Contract: Finance Director Worthington presented the auditor contact to the board. This is a three year contract period with one year renewal options; all subject to an annual appropriation. It is the same document the board received at the last board meeting. Director Goldbach asked about the cost of a single audit. A single audit would be undertaken if the District receives federal money in excess of \$500,000. Would our radio grant fall underneath this audit requirement? Director Worthington and Chief DeJong will check on this and get back to the Board. A motion was made by Director Goldbach to approve the contract as presented; Director DeDisse seconded the motion; the motion passed unanimously.

Future Chief Review Process update: Director Simons opened the discussion asking for some explanation of the process and documents Human Resources Manager, Eva Whitehead has presented to them. Director Dykeman suggested scheduling a work session so that all the board members can be updated and educated on the process. Director Simons agreed. Director Goldbach has already made some suggestions and will turn the paperwork into Eva. The document that she put together is a working document and needs to be tweaked but before that can happen, each director needs to understand it. It was agreed that a work session would be scheduled after the board's individual comments have been received by Eva.

Program Manager Recommendation: Chief DeJong discussed the RFP and committee process. After reviewing the proposals and meeting with the two finalists, the committee and the Chief's recommendation is to award the contract to Pericle Communications Company. Director Goldbach made a motion to accept the committee and Chiefs recommendation; Director Kling seconded the motion; the motion passed unanimously. Director Dykeman thanked the Chief and the committee for their hard work.

Training Building Update: Fire Operations Chief Wayne Shephard made a presentation to the Board and the participants regarding a training building that would be constructed where the current smoke house is located across from the maintenance bays. This is a training building

not a burn building; this building would burn gas; this would not be a class A burn building. The reason for this presentation is to get the board thinking about this project, see some conceptual designs and get an idea of the estimated cost of building a training building. The complete presentation is attached. When the presentation was completed several board members made comments of which included, that the aesthetics of the building should be in keeping with surrounding area, that the building must meet the training needs of EFR, and that if it was approved the building would be used. The next step is for the committee to come up with specific details: needs/desires, possible roadblocks, and estimated construction and maintenance costs to the board. Wayne estimates that this will take a couple of months.

Special Legislation Guidance: Attorney Linda Alexander addressed the board regarding the special legislation that will be voted on the state wide ballot in the November 2010 election. All the Directors have copies of the proposed legislation. There are three pieces of legislation which are all citizen driven that could have serious repercussion on the District if passed and all government entities. It is also her responsibility to advise the board on what it can and cannot do in regards to the legislation.

- Amendment 60: Amendment 60 proposes limiting how property taxes are raised and reversing recent tax laws which increased taxes. Amendment 60 would restore TABOR tax limits, cut current mill levy rates in half by 2020, set expiration dates for tax rate and revenue increases and apply 10 year limit on future property tax increases. It would also allow citizens to petition districts to lower taxes and put an initiative on the ballot with the district footing the bill for the election. This will also invalidate previous debrusings, which means we would have to ask our electors to allow us to collect and retain excess revenue over what our current mill levy is.
- Amendment 61: Amendment 61 would require local governments to get voter approval for loans, to repay debt within 10 years and prohibits borrowing by state government. This would limit our ability to acquire assets. It would also require state or local governments to specify on the ballot the asset that would be purchased.
- Proposition 101: proposes to add a new article to title 39 tax code of the Colorado Revised Statutes - revising the current vehicle, income and telecommunications taxes and fees. This would decrease our specific ownership tax line item on our budget.

All three of these have serious implications on the ability of governmental entities to collect and retain tax dollars; these are intended to restrict governmental spending by further restricting the Districts ability to tax. These limit taxation; which means decreased revenues for the District. If passed these would take into effect on January 1, 2011.

Because the amendments and proposition have been certified they fall under the Fair Campaign Practices Act; therefore the District cannot make any monetary contributions in support or against any of these three items; however board members can have their personal opinions. There are five things that are implicated in the Fair Campaign Practices Act one of which is the restriction of governmental entities to spend governmental funds for or against any initiative, but it does not prohibit you to answer questions as long as you preempt the answer with that you are speaking for yourself and not the district or the board. It also does not prohibit discussion of the initiatives. Everyone still has their first amendment right. Board members and employees cannot engage others in the discussion but can answer a question and give an opinion as long as you preempt it with saying that this is your opinion; in other words a board member or employee can not solicit the conversation. If the District decides to make a

presentation on the issues whether through a flyer or other media it must be balanced, it has to have both the pros and cons listed. There cannot be any judgment statements. The board does not have to take a position; if the board wanted to take a position it would have to pass a resolution.

Director Kling made a comment stating that the District needs to be prepared if these initiatives pass, the District can't wait until November to make future plans based on election results; we need to start now and prepare for what may come down the road. The process of preparing for those possible outcomes will assist the board in the decision to take a position on the initiatives. Essentially we will need to have two versions of the 2011 budget; how else can the Board make any decision if there is nothing to base that decision on? Finance Director Worthington agrees.

The Chief recommended that the board schedule a work session the first part of June to address the new legislation and the Chief review process. Scheduling the work session will be discussed at the May board meeting.

Board Meeting Topics for Review: Sylvia Ross updated the board on the topics. Director Kling would like topics, notifications and action items that our attorneys advise the district about for instance: legalized marijuana policy, government workers educational assistance policy, etc. get added to this list.

NEW BUSINESS

NEAT: There will be a dedication ceremony on May 24, 2010 at 4pm.

Public Hearing: Resolution 2010-0005 to Amend the 2010 Budget: Director Dykeman called the hearing to order at 8:32 pm. He asked for any public comments. Robert Gottsman asked what the change was due to. Chief DeJong responded that the majority of the money was slated for our new communication processes. Finance Director Worthington added that this money that was appropriated in 2009 but was not spent in 2009 and will be carried over to the 2010 budget. Motion to approve the resolution was made by Director Simons and seconded by Director Goldbach; the motion passed unanimously. The public hearing was closed at 8:35 pm.

COMMENTS:

Director Goldbach addressed the board and participants by saying that it has been a hard to sit on the director side of the table when he is used to being on the other side. He thanked a few people and especially the volunteer firefighters for whom he has a great admiration for.

Captain Evan Soibelman addressed Director Goldbach. He first gave a synopsis of Director Goldbach fifty year history in the fire service, then he spoke specifically on how Director Goldbach made a difference to the volunteers at EFR especially at a time our department was going through some rough times. He thanked him to helping the department through these rough times and apologized for having to endure taking a beating from those that didn't know much or anything about the fire service. He thanked him to make the tough decisions and for never wavering from his ideals and morals. He concluded by thanking him for his service to the community and to EFR.

Chief Garry DeJong then presented Director Goldbach with an award in appreciation for his fifty years and his contributions to the fire service. He spoke about how Director Goldbach has been a mentor for him and he thanked him for his support.

BOARD MEMBER COMMENTS:

Director DeDisse thanked Director Goldbach for his service on the board and to EFR.

Director Simons also thanked Director Goldbach for his years of service to EFR and for making the tough decision to not run for the board.

Director Kling thanked Director Goldbach for his service, for being a mentor to him and for being a great asset to this organization.

Director Dykeman also thanked Director Goldbach for his service.

MEETING ADJOURNMENT:

A motion was made by Director Goldbach to adjourn the meeting; Director Kling seconded the motion; the meeting was adjourned at 8:50 pm.

NEXT MEETING DATE

Volunteer Fire Pension Meeting at 6:30pm in Training Rooms A & B

May 11, 2010 at 7pm in Training Rooms A & B.

ACTION ITEMS

- Schedule Work Session for Chief Review & New Legislation
- Board Meeting Topics for review – Sylvia Ross

Respectively Submitted,
Sylvia Ross
Recording Secretary