

INDIAN HILLS FIRE PROTECTION DISTRICT

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BOARD MEETING MINUTES

Wednesday, April 25, 2012

The Minutes are intended to reflect the discussions that occurred and decisions that were made by the members; they are not intended to be a transcription of the meeting.

MEETING ATTENDED BY:

Fire Protection District Board Members: Paul Pettit — President; Bret Roller — Treasurer; Marc Rosenberg — Secretary; Ron Walton; Kelley Lehman

Fire Department Members: Emery Carson — Chief; Scott Case; Bruce Riley

Non-Members: Karen Nelson — Board Recording Secretary

Community Members: Scott Kellar, Beth Matson, Ron Matson

Absent: Anita Fritz (excused)

MEETING CALLED TO ORDER AT: 19:31 Hrs.

INTRODUCTIONS AND ANNOUNCEMENTS:

MINUTES:

Mr. Rosenberg made a *motion* to waive the reading of the March Minutes, which was seconded by Ms. Lehman and passed unanimously.

Discussion followed and the following changes were made. Page 3, fourth paragraph, first sentence to read: “Mr. Carson continued with his report by stating that the airpack/airmask test *is scheduled*, along with a hose test, which *are* all part of the District’s ISO rating.” Page 3, seventh paragraph, third sentence to read: “Mr. Rosenberg then said that an Evergreen Fire/Rescue representative had recertified *some of* the Department’s fire extinguishers.” Page 4, first paragraph, third sentence to read “Mr. Rosenberg recommended that members *be familiar with* CDL driving when the new truck arrives.” Page 5, sixth paragraph, fourth sentence to read: “Fire Trucks Plus was in possession of the new tanker.”

Mr. Rosenberg made a *motion* to accept the March Minutes as amended, which was seconded by Ms. Lehman and passed unanimously.

TREASURER’S REPORT:

Financial Reports

Discussion began with the cover page of the financial reports. Mr. Pettit drew attention to a bullet item regarding account #5250 (Insurance). He said that the account was the only one that appeared to be out of line in the report.

Conversation moved to the Executive Summary. Mr. Pettit stated that accounts appeared to be on track except for Professional Services (account #5700), specifically legal fees (account #5710), which is at 94% of budget year-to-date. He noted that Ms. Nemer's charges are all lumped together and relayed that he had requested from Ms. Fritz a breakout of costs related to the Noble property vs. election expenses.

Moving to the Profit Loss Budget Performance spreadsheet, Mr. Walton asked about account #5115 (Janitorial Expense). Was the \$120 monthly expense for more than one month? He was told "yes."

Turning to checks, Mr. Pettit asked Mr. Roller about a reimbursement for an appraisal of the fire department (\$1,200). Mr. Roller responded that he had paid for it personally in order to meet the deadline for loan documents. Mr. Roller further explained that the appraisal on the District's current property had been required to get the loan for the Noble property. An environmental soil assessment at a cost of \$1,800 had also been required. Mr. Rosenberg affirmed that the lender would not wait. Mr. Roller commended Ms. Tholen for being so on top of the entire situation.

Check #11773 sparked a question by Mr. Rosenberg regarding whether Mr. Kerby's medical treatment had been concluded. Discussion followed. Conversation moved to check #11779 to Gemsbok Consulting for \$150 for a payroll subscription fee. Mr. Roller explained that the expense was for an update to the payroll software.

Discussion moved to the Credit Card purchases. A question was raised about a \$294 expense for Zuni Sign Company. Mr. Carson explained that the cost was for fire ban signs for the District.

Mr. Rosenberg made a *motion* to approve checks #11766-11788, plus automatic payments, credit card expenses, and bank fees. Mr. Walton seconded the motion, which passed unanimously.

DEPARTMENT/OFFICERS' REPORTS:

Fire Marshal — Randy Rudloff

Not present; no report submitted. Mr. Carson noted that Mr. Rudloff has been busy ensuring that the cisterns in the District are up to standards. Mr. Carson shared that twin 10,000-gallon tanks had been installed at the end of Cameyo Rd. Mr. Pettit asked if the land owner was responsible for them. "Yes," answered Mr. Carson. In addition, Mr. Carson said that the District had received a number of calls from residents requesting Mr. Rudloff's help on property mitigation issues. As an aside, Mr. Pettit shared that he had noticed a lot of mitigation going on in O'Fallon Park recently.

Chief's Report — Emery Carson

Mr. Carson distributed two Chief's Reports. He began with item #1 on the report dated April 23 regarding the District's name being put on a wait list with the Jefferson County Sheriff's Office for a Ford Expedition or Expedition EL if one comes available.

Discussion turned to item #2 regarding Chief Davis's memorial service. Mr. Carson said that the service for the former Platte Canyon Chief, who had died of cancer on April 18, would be held Saturday, April 28.

Mr. Carson then stated that Fire Rescue International would be held August 1-4 in Denver (item #3). An attachment outlined the schedule of events and educational seminars. Moving to item #4, Mr. Carson shared that an individual had been identified who could help with grants at no cost to the District. Ms. Mesmer had brought in some \$500,000 in grants for Elk Creek in one year, he said.

Last on the report was a summary of calls to date for the month. There had been only three, Mr. Carson said, adding that it had been "eerie slow."

He then moved discussion to item #1 on the report dated April 3 regarding a job well done on the recent Sawmill fire. Conversation then segued to the Lower North Fork fire. Mr. Carson explained how the erratic winds had made the initial goal to just get people out. Mr. Case explained that the winds had been so powerful the first day that the fire was covering a distance in 30 minutes that normally would have taken two hours. As an aside, Mr. Carson said that the scheduled slash dates for the District are too late this year — August. Mr. Roller shared that his site on Pleasant Park would be open soon.

Discussion moved to item #2 regarding apparatus 341. Mr. Carson said that a mechanic at Evergreen Fire/Rescue is investigating a fuel gauge problem whereby the gauge only registers $\frac{3}{4}$ full when completely full. On a related note, Mr. Carson stated that the airlift suspension on apparatus 383 has been disconnected so that it is always inflated (item #3), and more LED lighting is planned for apparatus 357 (item #4).

Turning to item #5, Mr. Carson said that the SCBA air packs and compressor will soon be inspected. He also mentioned that he is moving the Officers' meeting to the second Monday of every month (item #6). Mr. Carson then stated that a meeting had been held with Tristate Fireworks on April 11. The Department will use this vendor if permitted to shoot fireworks this summer, he said. Mr. Roller asked about the lead time needed to order. "ASAP," answered Mr. Carson, who explained that they could be stored. He said that he's working with the Jefferson County Sheriff's Office to see if plans call for the Stage 2 fire ban to stay in place long term. The fireworks will cost approximately \$6,000, Mr. Carson continued, adding that Ms. Witt can still help with money-making efforts during the morning events on the Fourth of July if the fireworks don't happen.

Additional conversation occurred regarding an email from the US Census. Mr. Carson explained that Mr. Young had apparently completed the documentation in the past. Mr. Carson said that he had forwarded the survey to Ms. Fritz to complete the financial sections as he was hoping to avoid having to use Ms. Nemer's services.

Mr. Carson also mentioned that there was a new chief with Elk Creek who was very educated and experienced. The neighboring chiefs want to start meeting once a month, which would be good, Mr. Carson expressed.

Fire Captain — Marc Rosenberg

Mr. Rosenberg began by saying that apparatus 357 had gone on its first fire call to the Sawmill fire. A few minor issues had been discovered with the truck and subsequently been fixed as a result, including adjusting the gas can and installing a new gate valve. In addition, Mr. Rosenberg said that more LED lights would be added to the truck to illuminate sites.

Ten structural headlamps had been ordered from Safewear, Mr. Rosenberg continued, saying that they were \$27 apiece and would arrive by the following Monday. As previously mentioned, Mr. Rosenberg said that a representative from Evergreen Fire/Rescue had inspected about half of the Department's fire extinguishers. The other half had been inspected by the same company that Evergreen uses at a cost of \$232, Mr. Rosenberg said. Three of the large canister models would need to be replaced.

Grant money of about \$570 would be forthcoming from the SDA for safety equipment, Mr. Rosenberg relayed. An additional \$1,000 was needed for a new gas detector since the sensors were bad on the existing model. Ms. Lehman asked how the device was used. It was explained that the detector was used to identify gas leaks.

Ms. Lehman made a *motion* to authorize the purchase of a gas detector at a cost not to exceed \$1,000. Mr. Walton seconded the motion, which passed unanimously.

Mr. Rosenberg said that the new detector would come with a three-year warranty and is state of the art. It could be received within a week, he added. Mr. Roller asked how long the Department had been operating without it. Mr. Rosenberg answered that the detector had been out of service for two weeks. Mr. Matson spoke up to ask if the Department has a petty cash account. Mr. Rosenberg explained that it does but cannot use funds for that level of expenditure. Mr. Roller further explained that any expense over \$500 requires Board approval.

Mr. Rosenberg concluded his Fire Captain report by saying that four Department EMTs had helped out at the recent 9News Health Fair.

OLD BUSINESS:

Property Update

Mr. Roller said that some unexpected issues had been encountered with the Noble property. The District was essentially stuck with one lender option, although the deal is still a good one, he added. Environmental/soil testing had been required and the inclusion of the existing fire station as collateral had been necessary to get the loan ratio into an acceptable range, Mr. Roller explained.

Mr. Rosenberg spoke up to say that if the District eventually decides to sell the Noble house, Mr. Tamburello had offered free listing services. Mr. Roller then explained that what Mr. Rosenberg was referring to was one idea that was being considered: redefine the boundaries

and sell the house. Mr. Matson asked how much land there was. "1.78 acres," answered Mr. Carson, adding that the present station sits on a ½ acre.

Mr. Roller continued by saying that the closing was scheduled for May 15, although the Nobles had been offered an extension. Discussion followed about the financial details of the deal. Mr. Carson shared that he had received an email asking for details about both properties. Mr. Rosenberg said that it had been handled. Mr. Roller requested that all such inquiries/correspondence be forwarded to him or Mr. Rosenberg.

Mr. Matson asked what the price had been for the property. "\$289,000," responded Mr. Rosenberg, who further explained that the Aztec property had been considered but required all services to be installed as well. Further discussion followed about the many costs that would have to be incurred to make the Aztec property work for the District. Mr. Pettit suggested that the District could rent the house. Mr. Roller agreed that there were lots of options.

Mr. Matson asked about the property down the road being considered for a substation. It was explained that costs would be roughly \$70,000-\$80,000 to purchase the land and put up a two-stall building. No sewer or water service would be installed. Mr. Roller reminded that the Harris property project had been passed on to Mr. Carson. Mr. Rosenberg expressed remorse that the District hadn't been able to deal directly with Wells Fargo on the Noble property financing. Mr. Roller expressed his gratitude at having such a good attorney to work with on the project. Mr. Rosenberg agreed that it had been a great move to go with Ms. Nemer.

Communications System

Mr. Pettit began by explaining that as a result of applying for the frequencies, four potential interference entities had been discovered. He said that Ms. Nelson had spoken with representatives from all four entities as well as APCO. Letters of concurrence had been drafted and sent out to all four by Ms. Nelson as well, Mr. Pettit continued. Once the letters are returned, the District will be able to get its license. A letter of understanding had been received from the County to move ahead on the Smokey Hill site.

Mr. Pettit said that he realized he had misspoken at the last meeting regarding the link transmitter that was needed between Smokey Hill and Mr. Lindo. In March, he had said that the link would cost \$1,600. But he had since discovered that the price was per piece, doubling the cost. As such, he hadn't ordered the equipment. The frequencies would need to be reprogrammed, Mr. Pettit continued.

Mr. Rosenberg shared that the Critchell site had gone down during the Lower North Fork fire. He also added that Mr. Hall was no longer in business for himself but working for the County instead. Mr. Roller advised not ordering the link transmitter equipment now since the election was so soon. He asked about the status with having Pericle do a full study. Mr. Walton said that he'd like to see Mr. Pettit see the project through regardless of what happens at the elections. Mr. Pettit agreed that he'd like to see the project finished.

Mr. Kellar spoke up to say that Pericle would have to start at the beginning or else it would be like poking in the dark. Mr. Roller reminded that the Board had talked about having an

uninvolved party — Pericle — do an assessment. And then Mr. Pettit hadn't done that, Mr. Roller said. That was the worst news he had heard all week, he angrily stated. Mr. Pettit responded that when Mr. Hall had elected to not build out the Smokey Hill site, it had put the District on the wrong road. Mr. Pettit reminded that he was just now securing the frequencies. There was a problem with hiring yet another company to “jump in.” He just wanted to build the original system that had been specified. Mr. Pettit further explained that if the District wants its own frequencies, it has to tie in to the Smokey Hill site. He was only trying to get the District back to where it was before the frequencies had been lost as a result of delays caused by an uncooperative land owner on Mt. Falcon, where the original transmitter had been.

Mr. Roller vehemently responded that the Board had agreed to have Pericle do a test. The radio system had never been right under the direction of Mr. Pettit, he declared. Mr. Pettit responded that he had not called Pericle because he had not wanted to spend \$10,000. Mr. Roller asked Mr. Kellar what the costs might be. Mr. Kellar responded that he didn't know. Mr. Pettit said that Pericle would have to do a complete drive test. And with the license so close . . . The reality is the current problems are not my fault, Mr. Pettit stated.

A lengthy rehashing of past fact and fiction regarding the history of the communications system ensued, led by Mr. Roller, who reminded that the Board had agreed to go with Mr. Hall. “Mr. Hall failed on Smokey Hill,” Mr. Pettit pointed out. Mr. Roller lashed out by accusing Mr. Pettit of rewriting history and aligning himself with vendors such as Mr. Grazi, who had “stolen” District equipment in the past.

Mr. Pettit ignored such remarks but reminded that the Board had made the initial decision to build out the Smokey Hill site. And it had been Mr. Hall who had failed to do so when Mr. Roller was in charge of the project.

“Enough,” stated Mr. Walton, urging the Board members to focus instead on the decisions that needed to be made. Mr. Rosenberg expressed that he thought perhaps Pericle should be consulted and do a survey. But Mr. Pettit should continue to proceed with procuring the frequencies, Mr. Rosenberg added. Ms. Lehman asked if Pericle could run the tests at this point. The two have nothing to do with each other, Mr. Roller responded. Pericle can look at the sites.

Mr. Walton asked if a site survey had ever been done. Mr. Pettit answered that it had been done by an engineering firm hired by the Communications Authority eight years ago for eight districts. Mr. Roller responded that it was outdated. There were new sites and systems now. A professional was needed. A fortune had been spent, he continued. Mr. Hall was as close as the District got . . . and it didn't work, Mr. Roller admitted. Mr. Pettit said that an outside engineering firm had done the study for the Communications Authority. Mr. Walton asked if Smokey Hill had been included in the study. “Yes,” answered Mr. Pettit.

Mr. Kellar explained that the system had to link to dispatch. And Smokey Hill links to Jeffco, he said. “So we're back to the original plan,” Mr. Walton observed. “No one knows the truth,” responded Mr. Roller. A new person is needed; someone who has no dog in the fight, Mr. Roller expressed. They may say Mr. Pettit is right, Mr. Roller added.

Mr. Walton made a *motion* to approve an expenditure to finish building out the Smokey Hill site and have Pericle do a drive test, contingent on the District getting frequencies.

Further discussion followed about Pericle doing some testing vs. the testing that was done some years ago. Mr. Kellar expressed that any change of infrastructure in a system will cause other changes. Mr. Rosenberg reminded that Mr. Hall supposedly did a drive test. Had the District received the results? Mr. Roller responded that Mr. Hall had said that the system was fine; it was the radios that were the problem. Mr. Kellar explained that Mr. Hall must have done a radio check.

Pericle has a receiver/transmitter for testing, Mr. Pettit said. If the District gets its own frequencies, there has to be a tie to Smokey Hill, he emphatically stated. The District can't break away from Inter-Canyon without a dispatch site [Smokey Hill], Mr. Pettit explained. He said he would call Mr. Singer at Pericle but estimated a cost to the District of upwards of \$10,000 to do a computer analysis to see if the drive test matches up. Mr. Walton asked if Mr. Pettit could have a cost available to discuss at the next Board meeting.

Mr. Roller responded that there was a very good chance that Mr. Pettit wouldn't be there the following month. As such, he advised that the project be passed off to someone else. "Let the professionals do it," he said. Ms. Lehman asked if the District was at risk of losing the new frequencies. "No," answered Mr. Pettit, who explained that the District had 18 months to build. He then clarified how the communications system currently works vs. how the new system would work.

Mr. Roller said that it had been a quick and cheap link to Inter-Canyon. But it hasn't been as good as hoped, he admitted. Mr. Rosenberg explained that one problem is that the departments "step on each other" when they both have calls. Mr. Matson asked how long Inter-Canyon was willing to share the frequencies. Mr. Rosenberg said that there was no time limit. Mr. Matson advised treating the project as a brand new development and advised getting three proposals. Mr. Rosenberg responded that it had already been done with Grazi, Frontier Communications, and Mr. Hall. "That's what we agreed to do," Mr. Roller said. "Start new."

Mr. Kellar asked if there was a missing infrastructure piece. Mr. Pettit responded that he just wants to buy the link for dispatch. All the other equipment is ready to go. Mr. Hall had disassembled it, he added. Mr. Rosenberg volunteered to call Mr. Singer and get an assessment in process.

Mr. Walton withdrew his motion.

Mr. Rosenberg suggested that perhaps Mr. Kellar could work with him. It was noted that Evergreen is in the process of putting a \$1 million communications system in place now with Pericle.

NEW BUSINESS:

Insurance Issues

Mr. Carson said that he had discovered that some of the District's apparatus was undervalued in terms of insurance replacement. He passed out a handout showing current

apparatus coverage vs. new amounts. Mr. Roller asked Mr. Carson how he had come up with his figures. Mr. Carson responded that they were based on replacement cost. Mr. Roller asked if Mr. Tribbett had provided an estimate for increased coverage. Mr. Carson answered “no” but said that premiums would probably increase a couple thousand dollars. Mr. Rosenberg said that he thought the decision to increase coverage was a “no brainer.” Mr. Roller agreed.

On a related note, Mr. Carson shared that Ms. Kniss had slipped on ice in the station parking lot and ended up with an infected elbow, which was resulting in a worker’s compensation claim. She had not notified him immediately, Mr. Carson said. Mr. Roller asked about the policy. Mr. Rosenberg said he thought the injured party had to provide written notice within 48 hours. Mr. Roller asked if perhaps signs should be posted as a reporting reminder.

Mr. Carson returned conversation to the apparatus insurance and said that he would email out Mr. Tribbett’s estimate once he received it.

Mr. Rosenberg made a *motion* to increase the insurance coverage of the Department’s apparatus to proper replacement value. Mr. Roller seconded the motion, which passed unanimously.

Apparatus Update

Mr. Rosenberg said that the ambulance would be completed the first week of May. Forty items on the “to do” list had been completed; 20+ were left. He said that he had a good rapport with Mr. Batista. It would be June before the tanker would be complete, Mr. Rosenberg added. Mr. Carson expressed that he thought it would be later than June. Mr. Roller asked how the District would get the apparatus. Mr. Rosenberg responded that Fire Trucks Plus would bring it out. “Good progress,” Mr. Roller said. Mr. Rosenberg added that Mr. Batista had said that he would never build a new truck again.

By-Laws

It was decided to table the topic until the new Board of Directors was in place. One issue to be addressed was whether command officers can/should hold positions on the Board since the subject is not presently addressed in the current by-laws.

Ambulance Policy Regarding Financial Hardship

Mr. Carson raised the issue of whether the Board wanted to consider a financial hardship exemption for citizens encumbered by ambulance transport bills in order to avoid sending them to collections. Ms. Nelson explained that she had a resident who had recently been transported and had since encountered financial hardship as a result of him being disabled and his wife losing her job. The case was discussed at length, in addition to several other similar cases of patients who were uninsured.

The Board was somewhat split on its opinion regarding collections. But ultimately it was decided to stay the present course. It was unanimously agreed that community members need to be educated about ambulance service and why payment is expected. It was suggested that an article could be included in *Smoke Signals*. A written policy would be helpful as well.

Election Verifications

Mr. Rosenberg said that he had spoken to Ms. Nemer and found out that he and someone else needed to be at her office on May 9 at noon to verify the election results. Mr. Roller suggested asking one of the firefighters who is usually around at that time.

Discussion then followed about the potential need to swear in new Board members before the next Board meeting in the event that any decisions need to be made in the gap of time between the elections and the next Board meeting. After the election, there will not be a quorum until the new members are sworn in. It was suggested that a Special Meeting could be held on May 9 for that purpose. Mr. Pettit reminded that a Special Meeting could be scheduled at any time with 72 hours notice. It was decided to wait and see if such a meeting was necessary.

EXECUTIVE SESSION:

Mr. Pettit made a *motion* to call an Executive Session per CRS 24-6-402(4)(F) to discuss personnel issues. Mr. Rosenberg seconded the motion, which passed unanimously. Mr. Pettit called the Executive Session at 21:40. All meeting attendees left the room except for Board members and Ms. Nelson. Recording commenced using the District's recorder.

REGULAR SESSION:

Mr. Pettit called the regular Board meeting back to order at 21:58.

Mr. Rosenberg made a *motion* to authorize the expenditure of having the February 29, 2012 Executive Session transcribed. Ms. Lehman seconded the motion, which passed unanimously.

Mr. Rosenberg made a *motion* to release a copy of the Executive Session transcription after review to Mr. Schoenbein or the State if so requested. Ms. Lehman seconded the motion, which passed unanimously.

MEETING ADJOURNED AT: 22:01

There being no more business to discuss, Mr. Rosenberg made a *motion* to adjourn the meeting, which was seconded by Mr. Walton and passed unanimously.

President:

Secretary:

MOTIONS MADE AND PASSED:

- To waive the reading of the March Minutes. *Motion made by Mr. Rosenberg; seconded by Ms. Lehman; unanimous.*
- To accept the March Minutes as amended. *Motion made by Mr. Rosenberg; seconded by Ms. Lehman; unanimous.*

- To approve checks #11766-11788, plus automatic payments, credit card expenses, and bank fees. *Motion made by Mr. Rosenberg; seconded by Mr. Walton; unanimous.*
- To authorize the purchase of a gas detector at a cost not to exceed \$1,000. *Motion made by Ms. Lehman; seconded by Mr. Walton; unanimous.*
- To increase the insurance coverage of the Department's apparatus to proper replacement value. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*
- To authorize the expenditure of having the February 29, 2012 Executive Session transcribed. *Motion made by Mr. Rosenberg; seconded by Ms. Lehman; unanimous.*
- To release a copy of the Executive Session transcription after review to Mr. Schoenbein or the State if so requested. *Motion made by Mr. Rosenberg; seconded by Ms. Lehman; unanimous.*
- To adjourn the meeting. *Motion made by Mr. Rosenberg; seconded by Mr. Walton; unanimous.*

MOTIONS MADE AND NOT PASSED:

- To approve an expenditure to finish building out the Smokey Hill site and have Pericle do a drive test, contingent on the District getting frequencies. *Motion made by Mr. Walton; withdrawn by Mr. Walton.*