

# INDIAN HILLS FIRE PROTECTION DISTRICT

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## BOARD MEETING MINUTES

Wednesday, July 28, 2010

*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; Richard Westerlage

***Fire Department Members:*** Don Schoenbein — Chief; Emery Carson — Assistant Chief; Steve Bruns — Fire Captain; Jason Jenkins

***Non-Members:*** Randy Rudloff — Fire Marshal; Anita Fritz — Bookkeeper; Karen Nelson — Recording Secretary

***Guests:*** Raule Nemer and Dana Retterer (Toussaint Nemer & Coaty); Mark Hall (First Responder Communications)

### **MEETING CALLED TO ORDER AT: 19:33 Hrs.**

### **INTRODUCTIONS AND ANNOUNCEMENTS:**

Mr. Pettit began the meeting by asking for introductions around the table. He noted that Mr. Walton would be arriving late because of his work schedule. Mr. Pettit said that Mr. Walton's work schedule would be changing and he would, therefore, be able to fulfill his duties as a Board member.

### **MINUTES:**

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

Discussion followed and the following changes were made. Page 12, sixth paragraph, fifth sentence to read: "Mr. Pettit pointed out that Mr. Walton's work schedule had changed since his *election*." Page 13, sixth paragraph, second sentence to read: ". . . Mr. Rosenberg had telephoned me [*Mr. Young*] on February 25 and we discussed this matter." Page 14, third paragraph, fifth sentence to read: "So even though Ms. Nemer's rate is *higher* (\$225/hour, Mr. Pettit interjected), Ms. Fritz had worked largely with Ms. Retterer."

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

**GUEST SPEAKERS:**

***Raule Nemer and Dana Retterer, Toussaint Nemer & Coaty***

Mr. Pettit gave a brief history of Mr. Young's tenure as the attorney for the IHFPD and then expressed that there had been concerns about him. Mr. Rosenberg affirmed that the problems had come to a head regarding communication surrounding election issues. Mr. Pettit asked if any other Board members chose to comment on the issue. None did. As a result of dissatisfaction with Mr. Young, Ms. Nemer had been invited to submit a proposal to the Board. Mr. Pettit asked if everyone had received the handouts, which included a proposal for legal services as well as a sample memo that the firm had recently sent out to its Special District clients.

Ms. Nemer thanked the Board for the invitation. She explained that her firm served as counsel for a number of Special Districts, all of which have different concerns and needs. The Board can decide the nature of the relationship with her firm, Ms. Nemer continued, explaining that some Special Districts have counsel attend all Board meetings whereas others just have her review the Minutes. Regardless, there are certain issues that affect all Special Districts, and the firm proactively sends out memos informing of such issues, like when statutory notices are due or information regarding upcoming elections, Ms. Nemer said. She drew attention to the sample memo she distributed that contained information regarding the proposed amendments 60 and 61 and proposition 101.

Ms. Nemer then inquired if there were questions for her. Mr. Westerlage asked about help with pension management. Ms. Nemer responded that all fire departments have pensions and explained that the budget season begins with a memo being sent out to Special District clients in August inquiring about what level of involvement is desired from her firm. Some clients want help with the entire process, she explained, while others just want a review. Mr. Westerlage asked what kind of background information would be needed to help with the Department's budget. Ms. Nemer answered that copies of past audits as well as narratives from the audits would be useful. Key points could be gleaned from the Minutes. It's important for her to understand the trigger point issues for the District as well as know the rules and regulations governing both the Department and District Board, she said.

Discussion turned to the topic of having an item on the November ballot proposing an elimination of term limits for Board members. Ms. Nemer said that proposed verbiage had been written and sent to Mr. Pettit for review. Conversation then moved to the topic of a proposed mill levy increase. Ms. Nemer agreed that the November ballot probably wasn't a good time to take the issue to voters. It was going to be a long ballot, she explained, and the more that is asked for, the more voters want to impose restrictions. Ms. Nemer then said that her firm had helped Special Districts go to their electorate to increase mill levies and had only lost one ballot measure out of an approximate 20.

Conversation then segued to the costs the District would have to pay to have the term limits measure on the ballot. Ms. Nemer answered that she didn't know because she hadn't received Intergovernmental Agreement (IGA) information yet. Ms. Fritz said that the Department had never participated in a County ballot before. The cost, Ms. Nemer

interjected, would be based on a percentage determined by the number of voters in the District. Ms. Fritz asked when Ms. Nemer would receive the IGA information. Ms. Nemer predicted in the next week or two. Mr. Pettit stated it would be at the end of August. Ms. Nemer then explained that the County would send a form for the Department to complete and then notify with a price. Mr. Pettit shared that the Board had talked about putting the term limits issues on the May ballot, but then the election had been cancelled.

Mr. Pettit then asked Ms. Nemer what Ms. Fritz's duties would be as the designated election official for the November election. Ms. Fritz would largely serve as a contact person, Ms. Nemer said. She then shared that passage of ballot issues was largely a result of the active participation of the people in a District. If the supporters politick, they win. If they sit back, they don't. She advised moving forward with the term limits ballot measure and said that if it didn't pass, the District could try again at another time. Discussion returned to election costs. Mr. Pettit said that there was money in the budget. Ms. Fritz said that it depended on the cost.

Mr. Pettit then asked Ms. Retterer about her role with the firm. Ms. Retterer responded that she did special project and budget work. Ms. Fritz said that Ms. Retterer's proactiveness was appreciated. Mr. Pettit asked who would read the Department's Minutes. Ms. Nemer responded that she would. She clarified that all of Ms. Retterer's work is reviewed by an attorney. The work is standardized for multiple districts, Ms. Nemer continued, explaining the economy in that practice. The sample memo that had been distributed, for example, had cost each District less than one hour of her time, she said. Consulting with an attorney at her firm on an individual issue, on the other hand, will be expensive. She quoted standard rates at \$300 per hour, which were reduced to \$225 per hour for Special Districts. Ms. Nemer shared that she truly admired the volunteerism of Special Districts. Plus, she added, there were never collections issues.

Mr. Rosenberg made a *motion* to dismiss Mr. Young as legal counsel for the IHFPD, which was seconded by Mr. Roller and passed unanimously.

Mr. Rosenberg then made a *motion* to hire Toussaint Nemer & Coaty as legal counsel for the IHFPD. Mr. Westerlage seconded the motion, which passed unanimously.

Mr. Pettit asked what the procedure was for Ms. Nemer to get the files from Mr. Young. Ms. Nemer said that she would call and then pick them up. If a cost was to be incurred, she would contact the Department. Mr. Roller said that he'd like to contact Mr. Young on the Board's behalf. In that case, Ms. Nemer said, she would wait until the following week to contact Mr. Young. She then requested that the Board advise her on how it would prefer to communicate with her. With some departments, she talked with all Board members as well as the chief, Ms. Nemer said. With others, there was a contact person. Mr. Pettit advised having a couple of Board members authorized to communicate with Ms. Nemer.

As an aside, Mr. Westerlage asked whether agreements to merge the Department and Board had ever been concluded. Was there a working agreement? Mr. Carson remembered that a document had been signed. Mr. Pettit explained that a letter of intent had been signed to dissolve the fire department and merge it under the District. Discussion followed about the 501(c)(3) designation and whether documents were ever signed finalizing the merger of the

two entities. Ms. Nemer said she would recommend the organization being one entity for reasons of governmental immunity among others and said the 501(c)(3) designation can be maintained as a support group. Mr. Roller interjected that a contract and working documents exist. Mr. Westerlage said that he didn't think so.

Mr. Pettit asked Ms. Fritz to get a contact list to Ms. Nemer, including Board members, the chief, and assistant chief. Ms. Nemer closed by saying that at times she would send out confidential messages or documents that should not be subject to the open record. In those cases, she recommended reading and erasing such information or maintaining them in a separate file.

***Mark Hall, First Responder Communications***

Discussion began with the announcement that the lease with Olinger had finally been signed and that the first payment of \$10 had been sent. Plans now call for building the Mt. Lindo site and interfacing with Inter-Canyon. Mr. Hall said that he had met the past Sunday with Mr. Roller, Mr. Carson, and Mr. Schoenbein to discuss the logistics for building a solid footing for the antenna. The concern is that potential twisting could occur at the base if guy wires are not installed, Mr. Hall explained. The solution, he continued, is a beefier tower or a telephone pole. He also expressed concern with a 25-foot tower, stating that he'd like the height to at least be at road grade. Regarding the pad, Mr. Hall said he was thinking a 10 x 4-ft. size. And a no-maintenance commercial enclosure was recommended rather than a Tuff Shed.

Mr. Pettit asked about costs. Mr. Hall said the enclosure ran \$5,500 but was bigger than needed. He then explained how the Mt. Lindo system would work, with both repeaters running in receive mode but only one running in transmit mode. There would be a 36-hour battery backup. A portable generator could be taken up to the site in the event of need. A brief discussion then followed concerning FCC licensing issues and the need to procure a voting module. The proposal needed to be finalized, Mr. Hall added, since the last one was dated July 2007. He said that he would prepare a new estimate. Mr. Pettit reminded that the project had been approved in scope years ago and encouraged pushing forward.

Mr. Pettit then asked about the brand of antenna. "Comtelco," answered Mr. Hall. Conversation followed, whereby Mr. Hall explained that the antenna would be an Omni semi-directional with a fiberglass shell. Mr. Westerlage asked if there would be a telephone pole. Mr. Hall responded that it was an option, mentioning that it would be tough to drill at the site. Mr. Pettit recommended calling Sturgeon Electric to quote on the job rather than waiting on Xcel.

Conversation turned to the agreement that would need to be in place between Inter-Canyon and Indian Hills regarding maintenance of the site. Mr. Roller read sections of the rough draft. Mr. Pettit suggested that there be the same vendor for both Departments. Mr. Roller then explained how sharing of the equipment would work. Mr. Westerlage asked if the system was being set up this way because of sharing frequencies. "Yes," answered Mr. Roller.

Mr. Hall then mentioned that the voter module would be at the Critchell site. The system would broadcast off of three sites. Mr. Pettit wondered if a separate card would be required

at the County. It would just be a console change, Mr. Hall said. Indian Hills would now point to Inter-Canyon. Mr. Carson asked if Inter-Canyon had put any money into its system lately. Mr. Hall affirmed that it was better. Mr. Pettit shared that the last time he had been at Smokey Hill, Inter-Canyon was operating off of a mobile radio on top of a cabinet. There was no repeater. Mr. Hall admitted that he hadn't been to the site and would add that to his to-do list. A second repeater can be put there as a failsafe to make the system more robust, he said. Mr. Pettit agreed that it would be a better use of the equipment to do so.

Mr. Hall then asked Mr. Rudloff if there had been recent outages with Inter-Canyon. Mr. Rudloff responded that there hadn't been any in about a year. Mr. Roller suggested that Inter-Canyon may have upgraded already. Mr. Hall said that he'd check. Mr. Westerlage reminded that the system was designed to have a repeater at Mt. Lindo as well as Smokey Hill. And was the Mt. Falcon site going away? "Yes," answered Mr. Hall. Mr. Pettit noted that the Mt. Lindo site was at 2,307 meters elevation. Mr. Westerlage proposed that Mr. Hall be the single source for both Inter-Canyon and Indian Hills. Mr. Bruns asked if Mr. Hall had a non-compete agreement with Frontier. "No," answered Mr. Hall. Mr. Carson shared that the goal was to be on the air by September 15.

Conversation returned to the options available for constructing the antenna and base. Mr. Westerlage expressed concern about moving forward without a written proposal. Mr. Hall responded that he would provide the Board with a full proposal. Mr. Pettit suggested scheduling a Special Meeting in two weeks to review the new proposal. The Communications Authority, he continued, would probably be dissolved as a result of this project by the end of the year. He said that he had advised Golden Gate to build its own site.

A decision was made to schedule a Special Meeting for Thursday, August 5 at 7 pm to approve the final radio system proposal. As the meeting progressed, reviewing the Darley truck status, discussing the specs for the used Spartan truck, and reviewing the IGA for the election were also added to the agenda.

Conversation turned to concrete requirements for the Mt. Lindo site build. Mr. Westerlage asked if a permit was required. Only for the electrical, answered Mr. Rosenberg. Mr. Roller inquired about a spec sheet for the concrete and metal. Discussion followed regarding the hole required for a base for an antenna vs. installing a telephone pole mount. Mr. Hall recommended a site survey.

#### **DEPARTMENT/OFFICERS' REPORTS:**

##### ***Fire Marshal — Randy Rudloff***

Present. No report was distributed. A decision was made to deviate from the order on the agenda in order to accommodate Mr. Rudloff, who began by saying that he was in the midst of training and would be spending every weekend in August in Glenwood Springs in order to get a certain number of leads to fulfill training requirements.

Regarding Indian Hills District news, Mr. Rudloff said that a three-house subdivision on Algonquin Rd. and a cistern on Cameyo Rd. had been approved. An inspection had occurred at Geneva Glen camp. Inspections would be finished in the community during the following week, he said. All in all, it was pretty quiet in the community, Mr. Rudloff concluded. Mr.

Westerlage asked if there was any pertinent legislation coming up. Mr. Rudloff reminded that sprinkler systems would be required for all new residences beginning in 2012.

## **TREASURER'S REPORT:**

### ***Monthly Reports***

Discussion began with the Department Summary section of the Executive Summary. Regarding account #200 (EMS), Ms. Fritz pointed out that a reimbursement check had been received for the recent training expenses. However, it appears in the income section of the reports since it's considered improper accounting to offset expenses with income. Mr. Carson asked if the truck payment appeared under account #160 (Fleet & Equipment). "Yes," responded Ms. Fritz.

Conversation moved to the Profit Loss Budget Performance Spreadsheet. Ms. Fritz drew attention to account #6050 (Rescue Training) being at 101% for year to date and reminded that grant money in the amount of \$3,150 had been received, bringing the account to 76% year to date. Regarding account #6400 (Communication Expense), Mr. Pettit asked about the \$10/month lease payment for the Mt. Lindo site. Ms. Fritz asked where the payment should be reflected. It was decided to rename account #6420 Repeater Maintenance/Lease.

Moving on to Checks, it was noted that check #11230 to SCI Management for \$10 was for the lease payment. Ms. Fritz noted that check #11231 didn't appear on the report but had been written to the Postmaster for \$5.60 for the cost of mailing the lease payment by certified mail. Questions surfaced about check #11241 to Day Plumbing & Heating for \$270.50 to repair a leak in the air line of the middle bay. Mr. Schoenbein explained that it broke in several places and required 30-40 feet of pipe to be replaced.

Mr. Rosenberg made a *motion* to approve checks #11228-11255 plus automatic payments and bank fees. Mr. Westerlage seconded the motion, which passed unanimously.

### ***Pension***

Mr. Westerlage stated that he had received an email regarding the state match on the Department's pension. Mr. Carson said that he had handled the paperwork the past two years. Mr. Roller asked who was in charge of the FPPA. Discussion followed. Mr. Schoenbein said that he would handle the issue. Ms. Fritz said that the state match would be sent at the end of November and had to be paid in full by the end of December. Mr. Westerlage expressed that there needed to be one point of contact.

## **DEPARTMENT/OFFICERS' REPORTS:**

### ***Chief's Report — Don Schoenbein***

A report was distributed and various items were discussed. Mr. Schoenbein began with item #1 regarding the fire corp. (volunteer auxiliary group). Mr. Schoenbein said that four community members had been in attendance at the first meeting. Plans were to hold a flea market and craft fair as part of the Department's open house on September 18. A small stall would run \$25 while a large one would be \$45, Mr. Schoenbein shared. All proceeds would benefit the Department to help pay for the fireworks or help Mr. Adams.

Discussion moved to item #2. Mr. Hember had undergone neck surgery, and a fruit basket had been sent to him. Also, Mr. Gilbert's workers' compensation claim had been settled and

closed. The total paid was \$365,000, Mr. Schoenbein said, for medical expenses and lost wages. The claim would probably affect premiums, Mr. Schoenbein said.

Next, Mr. Schoenbein shared that he had met with West Metro the previous week to discuss patient transfer fees (item #3). He reminded that whoever transports the patient to the hospital gets to bill. West Metro's proposal was to charge IHFPD \$300 for each paramedic intercept. If payment is collected from the patient, the fee will be waived, he continued. The bottom line is that the Department is better off if it doesn't have to hand off patients, Mr. Schoenbein said. Indian Hills's EMTs should be able to handle 90% of the cases and having members with an EMTi certification will further help. He estimated that handoffs to West Metro occur eight to ten times a year.

Mr. Carson noted that West Metro has high billing rates. Mr. Schoenbein added that West Metro has an 80% collection rate compared to Indian Hills's 40-45% rate. Mr. Pettit asked if a formal agreement was needed. "No," responded Mr. Schoenbein, who added that an IGA may be needed. As an aside, he said that the Department had received the first payment from the collections agency in the amount of \$400.

Conversation moved to item #4 regarding the Darley update. Both Darley and Brindlee Mountain have parties potentially interested in purchasing the truck, Mr. Schoenbein shared. Regarding the Darley party, the Department would have an answer by that Friday since the truck was wanted by August 9. Ironically, Elk Creek is the department that has expressed interest in the truck through Brindlee, but it doesn't have the money to pay for it right now. The price was still at 349,000. Mr. Westerlage proposed taking delivery of the truck if it didn't sell by that Friday, and he requested that the topic be put on the agenda for the upcoming Special Meeting.

Regarding station maintenance (item #5), Mr. Schoenbein said that four estimates had been requested for painting the exterior. He said he'd also like to replace the flooring in the next year. Mr. Pettit reminded that the acoustics were terrible with linoleum. Mr. Bruns suggested a rubberized floor for the weights. Mr. Roller asked when the station exterior had been painted last. Mr. Carson estimated five years ago. Mr. Roller suggested a no-maintenance exterior. Discussion followed.

Conversation moved to item #6 regarding an update on purchasing a used tender. Mr. Schoenbein passed out a handout detailing five possible trucks. He said that he had looked at 14,000-15,000 tankers online. Most are standard transmission but automatic is required, he said. Also, a conversion will be required. Discussion focused largely on a well-maintained 1991 Spartan pumper that featured a top-grade body, low mileage, and 500-hp engine for an asking price of \$95,000. It was noted that a new tanker would replace apparatus 349 and 371. The Spartan truck is a foot longer than apparatus 341, Mr. Schoenbein said, and would require conversion to four wheel drive. Other trucks in the handout were discussed but dismissed for various reasons.

Mr. Rosenberg asked how big the tank could be on apparatus 349 if retrofitted. Mr. Schoenbein responded "2,000 gallons." It was noted that the Spartan had a 2,500-gallon tank. The hoses could be removed from apparatus 349. Further conversation occurred

regarding what equipment could be salvaged from apparatus 349. Mr. Pettit noted that converting apparatus 349 to four wheel drive and retrofitting it would cost too much money.

Mr. Schoenbein said that he wanted to address a point that Mr. Roller had raised at the last meeting whereby he claimed that a tanker was only used roughly twice a year. That figure could be 20-30 times a year in the future, Mr. Schoenbein pointed out. Mr. Rosenberg asked if it made sense to spec out a new truck if the Darley sold. Mr. Schoenbein said that the Spartan was a good truck and practically matched the initial specs that the Department had come up with. Mr. Schoenbein explained that he was trying to do more with less. Consequently, he'd like to get a truck that people would be comfortable driving and get rid of apparatus 349 and 371. He proposed contacting the company and getting the complete specs for the Spartan.

*(Mr. Walton arrives at 21:58.)*

Mr. Roller agreed that Mr. Schoenbein should pursue the truck. Mr. Pettit noted that a vehicle like the Spartan would be a 20-year addition to the Department's fleet. Mr. Carson pointed out that although there are cheaper trucks, they don't meet the Department's needs. Mr. Pettit requested that that reviewing the Spartan specs be put on the agenda for the upcoming Special Meeting.

Mr. Westerlage questioned how the truck could be delivered. Mr. Schoenbein said that it would be sent to Tuttle for the conversion (a six-week process). Mr. Rosenberg volunteered to drive it since he has a CDL. Ms. Fritz wondered if the truck should be brought to Indian Hills first to finish out the fire season. It was decided not to do that since the fire season is almost over.

Mr. Rosenberg took the floor to speak about a recent meeting he had attended about the upcoming Big Chili event on September 12. He explained that the Kiwanis take 30% of the proceeds. Plans called for Singer Tab Benoit and DJ Pete McKay to be in attendance, Mr. Rosenberg shared. The crowds had been down the previous year, but more than 5,000 were expected to attend this year's event.

Other issues that had been discussed at the meeting were problems with people having no cash and the possibility of moving the event into downtown Evergreen. The latter idea, Mr. Rosenberg said, had been dismissed because the road is a state highway and therefore can't be closed for the event. The Department is signed up to participate, Mr. Rosenberg continued, and chili cooks are needed. Mr. Schoenbein interjected that two people from the auxiliary had expressed interest in cooking. New Belgium Brewery was willing to participate but was already committed for this year. The current vendor, Tommy Knocker, charged \$5 a glass for beer or \$95 per keg, Mr. Rosenberg said.

Also, it was noted that someone from the Department was needed to participate in the Fireman's Challenge. Both Steve Bruns and Jason Jenkins were discussed as possibilities. The Big Chili was in its eighth year, Mr. Rosenberg continued, with the Kiwanis handling it for the second or third year.

Mr. Schoenbein concluded his report by summarizing the calls for the month (item #7), which totaled nine.

***Assistant Chief's Report — Emery Carson***

Mr. Carson began by sharing that apparatus 341 had gotten a nail in a tire, which would need to be fixed that week. He explained that he would call Inter-Canyon to cover while the apparatus was being fixed. Next, Mr. Carson said that slash collection was scheduled for August 14-15.

Mr. Schoenbein noticed that he had forgotten to mention the spaghetti dinner fundraiser for Mr. Adams, which was scheduled for August 21 and would be held at the Mountain View Church across the street from Inter-Canyon station 3. Also, Firefighter Appreciation Night at Lakeside Amusement Park was scheduled for August 13, Mr. Schoenbein reminded.

***Fire Captain's Report — Steve Bruns***

Present; no report submitted.

***Rescue Captain's Report — Bob Fager***

Not present; no report submitted.

**NEW BUSINESS:**

***Term Limits Ballot Issue***

Mr. Pettit said that he had signed the paperwork announcing the Department's intent to participate in the upcoming November election. The deadline had been July 23, he noted. The Department could still drop out of the election, but had needed to submit the paperwork to have the option of participating. Verbiage for the ballot needed to be sent to the county by September 3. Mr. Pettit then read a sample paragraph that Ms. Nemer had prepared.

Mr. Roller expressed his concern that Mr. Pettit had moved forward with the term limits issue without getting approval from the rest of the Board members. Mr. Pettit explained that he had received a notice from the County asking if the Department was going to participate in the election. The deadline to send in a response had been July 23. Mr. Roller reminded that the Board was not a dictatorship, adding that all Board members have phone numbers and could have been reached for discussion. Mr. Pettit justified that he had contacted Ms. Nemer for sample ballot language because the deadline was the end of August/beginning of September.

Mr. Roller reiterated his concern that Mr. Pettit had contacted Ms. Nemer without Board approval. Decisions had been made by some without including all, he said. Mr. Pettit admitted that he had wanted to discuss the topic, adding that he was not trying to go around anyone. The Department can't opt in on an election but can opt out. He had wanted to be prepared, he said.

Mr. Walton spoke up to say such issues are handled by requiring dual control at his work. He advised that any Board member call another so as not to be making a decision alone. A follow-up email can then go out to other Board members, Mr. Walton said.

Mr. Pettit apologized if he had overstepped. Mr. Walton interjected that Mr. Pettit had just left out a step. Mr. Roller expressed that Mr. Pettit had skipped a step. He pointed out that Mr. Pettit had conversed with Ms. Nemer before without Board approval. Mr. Roller said that he was worried about a pattern. Mr. Pettit responded that he was just trying to be prepared for the meeting. Mr. Roller recounted that this was the third time Mr. Pettit had consulted with an independent attorney without approval from the rest of the Board. "Second time," corrected Mr. Pettit. Discussion followed whereby it was determined that Mr. Pettit had received the agreement of Mr. Rosenberg before contacting Ms. Nemer the first time regarding issues surrounding the May election. Mr. Walton proposed having three Board members approve such a decision in the future. Conversation followed about the fact that it's against Special District policy to make such decisions outside of scheduled meetings.

Mr. Roller asked if Ms. Nemer would bill for her time spent drafting the ballot verbiage. Mr. Pettit answered that he didn't know. He explained that he had asked Ms. Retterer to provide sample language to be discussed at that evening's meeting. In essence, Mr. Roller said, Mr. Pettit as a sole Board member had entered into a contract. Mr. Walton tried to turn conversation to how to proceed on such issues in the future. Mr. Roller said that Mr. Pettit could have asked Ms. Nemer at the meeting that evening to draft the ballot language. Mr. Roller again expressed his concern about being sidestepped. No one can authorize an expenditure without approval being reached in a meeting, he said.

Mr. Walton turned the conversation to who should be authorized to talk to the attorney. The Board could let Ms. Nemer know that any Board member can contact her. But internally, Mr. Walton advised, just have one or two contacts. Discussion followed about who the two people should be. Mr. Rosenberg proposed Mr. Pettit and Ms. Fritz. Mr. Roller requested that all Board members be copied on communications in either direction. Conversation followed regarding policy vs. legality surrounding the issue.

Mr. Walton made a *motion* to move forward with putting a term limits issue on the upcoming ballot. Ms. Fritz asked if it would be wise to wait to know what the fees were first. Mr. Walton withdrew his motion.

Mr. Roller changed subject to say that he'd like to have the carpets in the station cleaned.

Mr. Roller made a *motion* to authorize up to \$300 to have the carpets in the station cleaned. Mr. Walton seconded the motion, which passed unanimously.

#### **MEETING ADJOURNED AT: 23:03**

There being no more business to discuss, Mr. Westerlage 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 June Minutes. *Motion made by Mr. Rosenberg; seconded by Mr. Westerlage; unanimous.*
- To accept the June Minutes as amended. *Motion made by Mr. Rosenberg; seconded by Mr. Westerlage; unanimous.*
- To dismiss Mr. Young as legal counsel for the IHFPD. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*
- To hire Toussaint Nemer & Coaty as legal counsel for the IHFPD. *Motion made by Mr. Rosenberg; seconded by Mr. Westerlage; unanimous.*
- To approve checks #11228-11255 plus automatic payments and bank fees. *Motion made by Mr. Rosenberg; seconded by Mr. Westerlage; unanimous.*
- To authorize up to \$300 to have the carpets in the station cleaned. *Motion made by Mr. Roller; seconded by Mr. Walton; unanimous.*
- To adjourn the meeting. *Motion made by Mr. Westerlage; seconded by Mr. Walton; unanimous.*

**MOTIONS MADE AND WITHDRAWN:**

- To move forward with putting a term limits issue on the upcoming ballot. *Motion made by Mr. Walton; withdrawn.*

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