

# INDIAN HILLS FIRE PROTECTION DISTRICT

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## **BOARD MEETING MINUTES**

Wednesday, June 23, 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; Richard Westerlage

***Fire Department Members:*** Don Schoenbein — Chief; Emery Carson — Assistant Chief; Bob Fager — Rescue Captain

***Non-Members:*** Anita Fritz — Bookkeeper; Karen Nelson — Recording Secretary

***Guests:*** Mary McNabb — Auxiliary

***Absent:*** Ron Walton (unexcused)

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

### **MINUTES:**

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

Discussion followed and the following changes were made. Page 3, first paragraph, sixth sentence to read: "It was noted that Mr. Rosenberg was *a user* of the Rec Center." Page 3, fourth paragraph, second sentence to read: "He shared that *some* Department members still had mixed feelings about orchestrating the event . . ." Page 4, third paragraph, fourth sentence to read: "*Mr. Schoenbein* also passed around a handout containing specs for a used tanker/tender that could be considered for purchase."

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

### **TREASURER'S REPORT:**

#### ***Monthly Reports***

Mr. Pettit commented that he thought most accounts looked pretty good for the middle of the year, although a few are over budget. Ms. Fritz added that the reasons for accounts being

over budget are spelled out on the first page of the financial report. Mr. Pettit said that he didn't have any questions because everything was self-explanatory.

Discussion moved to Checks. Mr. Pettit asked if check #11197 to ADX/Red Comet for \$111.25 was for all of the hoses. Mr. Schoenbein responded that it was for inspection of the Department's 19 fire extinguishers, which occurs once a year. Mr. Pettit asked if that included all extinguishers in the building and apparatus. "Yes," answered Mr. Schoenbein. Mr. Rosenberg suggested contacting Evergreen Fire/Rescue to do the work next year since there was someone on staff who could do the inspections for free. Mr. Schoenbein said that he would and then stated that inspection of the fire extinguishers in the two ambulances had been missed and that the company would be returning to check them out. Ms. Carson asked if the check should be held until the work was completed. Mr. Schoenbein answered "no."

Mr. Pettit turned conversation to check #11218 to Evergreen Fire/Rescue for \$605.12. Specifically, he asked for clarification on replacing the plug and socket on apparatus 341. Ms. Fritz noted that it was an invoice from March. Mr. Schoenbein recalled it was for the remote control that lifts the cab. Mr. Pettit then asked about check #11219 to Foothills Auto & Truck for \$28.43 for a tire and car wash. Mr. Schoenbein explained that it was for the liquid that was used to wash the trucks.

Ms. Fritz stated that even though the bond renewal wasn't due until August, she had paid it (check #11226). Mr. Pettit then asked about check #11227 to Xerox for \$280.46. Was the bill coming every two months? Ms. Fritz said that it was supposed to be paid monthly, but added that the company was inconsistent with its billing. Nothing had been double paid, she noted.

Mr. Rosenberg asked about check #11202 to Cricket for \$41.87. Are two phone bills being paid? Mr. Fager explained that the Cricket bill was for internet access. Ms. Fritz added that she was catching up for two months.

Mr. Rosenberg made a *motion* to approve checks #11196-11227, excepting checks #11203-11215, plus automatic payments and bank fees. Mr. Roller seconded the motion, which passed unanimously.

Mr. Westerlage asked if he was correct in assuming that the financial reports should be distributed a week before the meeting in order to have more time to review them. Mr. Pettit agreed that it would be desirable but explained that Ms. Fritz had thought the meeting was the last Wednesday of the month rather than the fourth Wednesday in June. Ms. Fritz added that the reports had also been delayed because of Fathers' Day and because of the time it had taken her to put together the financial analysis for the truck.

Mr. Westerlage asked if there was a problem getting the reports a week before the meeting. Ms. Fritz said that there was a problem getting the check summary a week in advance. Mr. Pettit reminded that it had been decided that Ms. Fritz would close out the checks on the Friday prior to the meeting and have the financial reports available on the Monday prior. Ms. Fritz said that all financial reports aside from the check summary could be available a week before the meeting if desired. The benefit of having an extra week to pay checks was being able to avoid having late bills. Mr. Roller agreed and remembered having late charges every

month in the past. Mr. Pettit said that he would be okay with receiving the financial reports at the beginning of the week prior to the meeting. Mr. Westerlage agreed, adding that he didn't think Board members could make responsible decisions regarding reviewing financial information when receiving the reports at the meeting.

Ms. Fritz said that the solution is to implement a purchase order system. Board members should be approving expenditures rather than checks. That way, Ms. Fritz continued, she could be authorized to pay checks as long as there was an approved purchase order. Mr. Pettit pointed out that a purchase order system had been discussed before. Mr. Roller recalled that trying to implement a system had not gone well. Ms. Fritz then shared how such a system could work. Mr. Roller asked if there was a hybrid system that the Department could go back to. Mr. Fager shared that his understanding was that captains could approve expenditures up to \$500 and the chief could approve up to \$1,000. But, Ms. Fritz pointed out, the Board is not approving such expenditures until after the checks are drawn.

Recurring expenses would not require a purchase order, said Ms. Fritz. Mr. Rosenberg recommended moving to an electronic purchase order system. Ms. Fritz said that she can email purchase orders directly out of QuickBooks. Mr. Fager expressed confusion over when a purchase order would be required. Ms. Fritz answered that guidelines can be set up and gave him an example. Mr. Roller reminded that it was public money that the Board was overseeing and, thus, different than a private company. He recommended that the chief approve expenses up to a certain dollar amount with a purchase order. The majority of expenses are low dollar, he pointed out. Every purchase should have a purchase order for accountability and tracking, expressed Mr. Rosenberg.

Mr. Fager expressed concern that Ms. Fritz was the only one who had access to purchase order numbers. Ms. Fritz corrected him to say that Mr. Schoenbein would be able to assign purchase order numbers. Further discussion followed about how a purchase order system could work for the Department. Mr. Pettit reminded that a purchase order system is simply to keep track of and control purchases. Mr. Roller said that the benefit would be that as soon as Ms. Fritz receives an invoice she can pay it. She wouldn't need to wait for a meeting to get approval from the Board. The other benefit, Mr. Rosenberg shared, was for tracking and planning purchases. Such a system would also allow for an open purchase order list, said Ms. Fritz.

Mr. Roller then proposed that he, Mr. Westerlage, and Ms. Fritz form a committee to figure out a workable purchase order system. Ms. Fritz reminded that this was the first time the Department had a paid chief to help implement and oversee such a system. Mr. Fager agreed that a problem in the past was that it sometimes took a couple of days to get a purchase order and having a paid chief might change that. Mr. Roller reiterated that he didn't want to rush into a decision that evening but would come back to the Board the following month with a proposal.

Mr. Fager asked how he and Mr. Bruns would get a purchase order number to approve purchases up to \$500. Mr. Schoenbein agreed that there had to be an accessible tracking system. Discussion followed about electronic options. Ms. Fritz said that she thought Mr. Schoenbein should be assigning purchase order numbers. Mr. Roller suggested tabling the issue until the committee had time to discuss it. Mr. Pettit interjected that one other issue

that needed to be addressed was signing the checks. At what level is a second signature required? Mr. Roller invited Mr. Fager to meet with committee members to express his concerns. Mr. Pettit concluded by saying that he thought the chief needed to be included in the committee. “Absolutely,” agreed Mr. Roller.

### **DEPARTMENT/OFFICERS’ REPORTS:**

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

Not present. No report was distributed.

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

A report was distributed and various items were discussed. Mr. Schoenbein began with item #1 regarding Dan Adams. Mr. Schoenbein gave an update on Mr. Adams’ medical condition and shared that he would be the grand marshal for the parade. In addition, a poker run was being held as a benefit for him the following weekend. Mr. Schoenbein encouraged participation on Mr. Adams’ behalf. Mr. Roller asked if anything else could be done for Mr. Adams. “Not right now,” responded Mr. Schoenbein. Mr. Roller requested that the Board be kept posted.

Discussion moved to item #2 regarding the EMT grant. A total of \$3,150 (\$1,050 per person) would be refunded for the recent training. Mr. Schoenbein said that the amount was what was expected.

Mr. Schoenbein continued with his report by saying that a decision had been made to host an Indian Hills Fire/Rescue open house on September 18 (item #3). The concept being discussed was a half-day event for the community with a barbeque and demonstrations. It would give community members an opportunity to determine if they would like to be part of the organization, he said.

Conversation turned to item #4 regarding the mailing of the summer issue of *Smoke Signals*. A few tweaks would be made regarding future mailings since a bulk mailing contact had been established, Mr. Schoenbein said. A permit would be required. The cost of mailing would be reduced from 44 cents to 9.7 cents per copy, Mr. Schoenbein said. The next edition, he said, was planned for the end of August so that the open house could be promoted. He requested copy by early August for the edition. Mr. Schoenbein said that he also thought the cost of printing could be brought down as well. Mr. Pettit shared that he liked the format of the newsletter.

Regarding the Darley update (item #5), Mr. Schoenbein said that there had been no activity from Darley or Brindlee. He then segued into item #6 regarding apparatus needs. Mr. Schoenbein drew attention to an attachment outlining the current apparatus needs of the Department. The information had been provided to Ms. Fritz to help her compile a financial forecast. He expressed that he believed the first need was for a new tanker/tender for the reasons outlined in the handout. Second on the list is a wildland ATV, Mr. Schoenbein shared. Mr. Pettit asked if this was similar to what the Department already had but with a cab on it. Mr. Schoenbein answered “yes, a side-by-side” and explained the benefits of such a setup. Mr. Pettit asked if it was six wheel drive. Mr. Schoenbein responded that there are four- and six-wheel-drive models. Discussion followed about the stability of such vehicles.

Mr. Schoenbein concluded his report by summarizing the calls for the month. He drew attention to the fact that there had been three calls to one address. An advisory had been put in place to have police respond first to that location because of aggressive behavior on the part of the citizen. The concern, he continued, is that the citizen is just trying to get drugs. Since the advisory, Mr. Carson noted, the citizen has not placed another call.

Mr. Schoenbein said that he also had information regarding the Rec Center usage. He shared that he had spoken with Mr. Dejong with Evergreen Fire/Rescue. Members with Evergreen have an ID card that they swipe. But not enough people with IHFPD use the Rec Center. In fact, Mr. Rosenberg is the only user currently. Consequently, Mr. Schoenbein recommended that Mr. Rosenberg buy a punch card and get reimbursed. Mr. Pettit clarified that the benefit was available to every member. Mr. Schoenbein concurred.

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

Mr. Carson reminded that the Fourth of July was coming soon and asked Mr. Roller if he had made progress getting people organized to help. Mr. Roller said he had some people to help but was waiting for details about specific tasks that needed to be done. Mr. Rosenberg interjected that people were needed to help with setting up the station the Saturday night before. Mr. Roller said that he had a couple of people to help with the breakfast. He reminded that he had asked at the Department's business meeting for details about specific needs and wanted people to be thinking about ways to cut down on labor in the future. Ms. Fritz said she could help clean up after the breakfast and collect donations. Mr. Schoenbein reminded that supporter T-shirts had been ordered.

Mr. Rosenberg took the floor to say that he thought perhaps sponsorship could be obtained for next year. The more media attention the better, added Mr. Pettit. Mr. Schoenbein said that notice of the celebration had been sent to all of the TV stations, the *Post*, the *Courier*, and the *High Timber Times*. Ms. Fritz asked if there was a charge to be in the parade. "No," answered Mr. Rosenberg.

Mr. Westerlage asked Mr. Carson if he had a cost on the barricades, port-a-potties, and rent-a-cops. "No," answered Mr. Carson. Mr. Westerlage inquired whether it would cost more than last year. "No, or not by a lot," responded Mr. Carson. Mr. Westerlage asked about other expenses. Mr. Schoenbein noted that Evergreen Security was being used this year. Mr. Carson said he had ordered what was used last year, so there shouldn't be much change in price.

Mr. Roller said he had been tasked with contacting businesses for setting up booths and gave an update. Mr. Pettit asked for details on the band and sound system. Mr. Carson responded that the Department would pay somebody. As a result, Mr. Pettit wouldn't need to do the sound. Mr. Rosenberg added that the \$100 needed to pay the soundboard person was being offset by saving \$250 by having the Metro District donate its trailer for a stage.

Mr. Carson changed topic to state that the new door to the station was in place and had been primed. It would be painted by the weekend. The inside would match the interior paint color and the outside would match the outside paint color. Also, slash collection had taken place on Fathers' Day weekend and had been very slow. Mr. Schoenbein reminded that there hadn't been a weather event [heavy spring snow] like last year.

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

Not present; no report submitted.

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

Present; no report submitted. Mr. Fager stated that while class was over, a field internship still remained that entailed at least 150 hours. He shared that he had been in meetings to figure out how to implement the certifications by the end of the year. New equipment would need to be purchased and the ambulances would need to be recertified, he said. Mr. Pettit requested a list before budget meetings in the fall. Mr. Fager responded that he hoped to have equipment purchased before the end of the year. Mr. Schoenbein added that the goal was to get purchases made by September. Mr. Pettit asked about money in the budget for the purchases. Mr. Schoenbein responded that it hadn't been budgeted for because it wasn't expected when the budget was put together last year. The list is pretty set, explained Mr. Fager, who added that the ambulance had to be inspected. Mr. Schoenbein said that the ambulance is currently being certified at the BLS level and will need to be upgraded, resulting in two inspections this year. The goal is to have the ambulances functioning by September, he said. Costs and inspection schedules were discussed.

Mr. Fager explained that a license would need to be obtained from the DEA as well since the ambulances will carry narcotics. Plus, a locker would be required for apparatus 383 as well as a wall safe to store controlled substances at the station. Mr. Roller asked if temperature was a variable with such drugs. The temperature in the bay should be fine, answered Mr. Fager. Certain details still need to be worked out, such as inventorying the controlled substances. Mr. Roller asked about the requirements. Mr. Fager said that he didn't think there was a requirement but that many departments inventory daily, which isn't feasible for Indian Hills.

Conversation turned to the possibility of reinstating a contact fee to defray the cost of members' time when the call doesn't result in transport. Both Mr. Rosenberg and Mr. Roller agreed that knowing a call might result in a fee is a good deterrent. Mr. Roller proposed using subjective guidelines. When the Department spends hours of time and uses hundreds of dollars of equipment, it needs to be reimbursed, he said. Mr. Pettit said there were several issues to be considered: if the call is in District, a resident is already paying taxes. If a call is on the highway, the patient may not be a resident.

Mr. Rosenberg recommended treating the issue on a case-by-case basis. Mr. Pettit said that a policy was needed. He asked Mr. Schoenbein for suggestions. Consistency is paramount, Mr. Schoenbein said. He reminded that the contact fee had been eliminated because of a lack of consistency in enforcing it. He explained that city departments pay a visit to a troublesome resident to warn about unnecessary calls. Mr. Pettit pointed out that during a call is not the time to address the issue. All agreed. Mr. Schoenbein further explained how such situations can be handled. Mr. Roller stressed the need for a policy.

Conversation returned to whether or not to have a contact fee. If patients are passed off to West Metro for transport, no bill is sent from Indian Hills because insurance companies will only pay one transport fee. Mr. Schoenbein stated having ALS-certified members will eliminate the need for passing off patients and one way that the training will pay off. Mr.

Roller suggested that the issue wasn't really a Board issue and asked that the Department write a policy.

*(Mr. Pettit called for a break at 20:42. The meeting reconvened at 20:53.)*

### **OLD BUSINESS:**

#### ***Communications System***

Mr. Roller stated that there had been no contact with Olinger's attorney in the last month. He reiterated why the delays were occurring. Ms. Fritz asked for an estimate of project costs once approval is obtained. Mr. Pettit estimated \$20,000-22,000, which he said he thought was high. Mr. Roller said that the project would have to be re-quoted since so much time had passed. Mr. Pettit clarified that the system design had changed somewhat since the Department was now joining up with Inter-Canyon on some of the sites.

Mr. Roller cited an estimate of \$22,777.50 from Frontier plus another \$5,000 for the building. Mr. Rosenberg estimated \$30,000 with inflation. Mr. Roller reminded that the backup generator also wasn't included or new batteries. He explained the reason the generator was needed. Mr. Pettit also mentioned that a switch panel would be needed at a cost of \$700-800. Mr. Roller suggested that the price would be much lower. Mr. Pettit pointed out that the difference was a manual vs. automatic transfer switch. And a manual transfer switch would be adequate, he added. Conversation followed about the pricing and operation of such switches. Mr. Roller concluded that it would cost \$30,000-32,000 to wrap up the project.

#### ***Apparatus Decision***

Ms. Fritz began by distributing a handout with budget projections for the next four years based on property tax decreases of 10-30%. Mr. Roller explained that it was a financial tool that he, Ms. Fritz, and Mr. Schoenbein agreed was needed to try to make smart decisions about future apparatus purchases. Mr. Pettit asked that the financials be put aside for the moment in order to make an immediate decision about what to do with apparatus 343. Mr. Carson recommended leaving it at Darley until the end of August. If there is no purchase interest in the truck at that point, then the Department can take delivery then, he added. At that time, Department members would be back from vacation and participation in training on the new apparatus would be good. Mr. Rosenberg asked if anyone from Darley had indicated that it couldn't be left there. After discussion, Board members unanimously agreed to leave the apparatus at Darley.

Discussion turned to the handout that Ms. Fritz had distributed. Ms. Griggs with Gemsbok had advised Ms. Fritz to expect up to a 30% decrease in property taxes beginning in 2012. Ms. Fritz explained that she had based all numbers on this year's budget with a 4% inflationary increase in most expenses each year. She further explained why she changed various numbers in the budget. Ms. Fritz then drew attention to the Operating Surplus/Deficit line and clarified that the goal would be to operate with that number at zero. Right now, the District is dipping into savings to get through the next five years, she said. Ms. Fritz then explained how she had calculated the reserve funds (property taxes vs. expenses plus reserves).

Mr. Westerlage interjected that he didn't think a 30% decrease was realistic since mountain property wasn't depreciating like city property. He said he would work with the 20% decrease figures, which would bring the Surplus/Deficit with Capital Lease line total to roughly \$200,000. Using the reserve funds as an offset would allow the District to operate adequately for the next five years. Also, Ms. Fritz pointed out, the lease would be paid off at that time. So, Mr. Westerlage asked, what can the Department spend? Ms. Fritz responded that there's no real answer.

The other pieces of the equation, Ms. Fritz said, are the two amendments (60 and 61) that will be on the upcoming November ballot. If they pass, the Department will not be able to get any kind of lease or loan without taking it to a public vote at a November election. Discussion followed about the two amendments. Ms. Fritz questioned whether the Department should try to get a loan now for future purchases. Mr. Pettit agreed that if the District wants to get a brush truck or similar, it might make sense to purchase one soon to avert the problems that the potential passage of the amendments might cause. Mr. Schoenbein clarified that two budgets would need to be done for 2011 regardless since there was no way of knowing if the amendments would pass. If money is available in reserves and the Department takes a loan, it could be paid off if desired.

Conversation turned to the lease agreement for apparatus 343. Ms. Fritz said that she had found out that the Department's lease contact had retired. The individual who had been hired to take over as the lease contact was out of the office until the end of July. Mr. Carson advised that Ms. Fritz talk directly with Mr. Self. Questions followed about whether the lease can be paid off if the apparatus sells and whether the funds could be used for another purpose if the collateral were changed. Mr. Roller pointed out that that would have been the benefit of getting a revolving line of credit, which had been proposed at one time. Mr. Carson again advised that Mr. Self be contacted and updated as to the plans the Department had for potentially selling apparatus 343 and buying additional fleet. Ms. Fritz said she would follow up with Mr. Self.

Discussion then returned to what the Department could afford to spend for additional apparatus right now. Ms. Fritz said that the conservative position would be to not buy anything until something was sold. She also said that the communications system would require \$35,000 of the reserves, since it wasn't a line item in the budget. Conversation followed about what the economy might do in the future. Plan for the worst and hope for the best, advised Mr. Roller, noting that the Board would be derelict in its duties to ignore the possibility of a further downturn.

Mr. Roller then expressed that there is money in the budget that can be cut. For example, a \$2,500 awards banquet could be a \$0 potluck, he said. Ms. Fritz agreed, saying that Ms. Griggs had advised going through the budget line items and cutting where possible. No decisions could be made that evening, concluded Mr. Pettit.

Mr. Carson raised the point that if the amendments pass, the Department may have to pay for dispatching, haz-mat, and other expenses. Discussion followed about who might be behind the amendments and how they could be challenged in court. Mr. Pettit said that he agreed with Ms. Fritz that there would be a PR war surrounding the amendments. How the amendments are advertised will have a huge affect on their potential passage. Mr. Rosenberg

interjected that because the fire and police associations are so large, he didn't think the amendments would pass. Mr. Schoenbein said that if the amendments do pass, the Specific Ownership Tax line item would go away.

If the amendments pass, the Department is not expected to maintain the same level of service as is provided now, Mr. Roller pointed out. Mr. Westerlage suggested countering the cuts with costs for services if the amendments pass. Mr. Carson responded that couldn't be done. Fees cannot be charged without a vote from the people, explained Mr. Schoenbein. Discussion followed whether a "fee" was considered a tax. "Fees" are addressed in both amendments, Mr. Schoenbein noted. In summary, Mr. Pettit agreed that two budgets would need to be prepared to address the possibility of the amendments passing. Mr. Pettit said the amendments could be discussed in more detail at a future meeting. He also said that he'd like specific details about an oil burner by budget time.

Discussion then returned to what can be done now regarding apparatus plans for the Department. Mr. Roller said that because of the District's rather large reserves, the Department can respond to equipment needs regardless of what happens with apparatus 343. It was agreed that the immediate need was for a tanker/tender. Mr. Pettit asked if a dollar amount could be assigned. Mr. Roller advised having the chief find a used truck he likes and then come back to the Board with a proposal to buy it. Mr. Pettit asked if Mr. Roller had a dollar limit in mind. Discussion followed with prices ranging from \$35,000-150,000. Regarding specifications, Mr. Pettit said he did not want to purchase a two-wheel drive and convert it to four-wheel drive. Mr. Rosenberg said he didn't want a capacity of less than 2,500 gallons. Various specification requirements were bantered about.

Mr. Schoenbein then took the floor. He began by saying that there are precious few 4 x 4 tankers available at any price. The best deal, he continued, would be to find a tanker and convert it to a four-wheel drive. He said 2,000-3,000 gallons was the range to look for. But, he cautioned, if it gets too big members won't want to operate it, a problem the Department currently has with apparatus 371. Mr. Schoenbein expressed concern about getting too big and said he didn't want to compromise on safety by having the tank too big. Ms. Fritz asked if a two-wheel-drive apparatus could be considered now with an option to upgrade it to four-wheel drive later. Mr. Schoenbein suggested moving now, reminding that if the amendments pass, this conversation would not be able to occur a year from now. If the Department has the money now, it should be used now, he said.

Mr. Pettit reiterated that the chief should bring a proposal to a future Board meeting. Mr. Roller expressed concern that costs could get out of hand. He said the Board should decide it's ready to move so that when something becomes available it can be purchased. Mr. Rosenberg suggested that a Special Meeting could be held if necessary to authorize purchase. Ms. Fritz suggested that everyone take time to look over the financials to decide how much money can be comfortably spent. Mr. Pettit agreed that the numbers needed to be digested but said that he thought the District needed to look for a tender now regardless. He also expressed preference that the water capacity not be under 2,000 gallons. Discussion followed about desired water capacity and what capacity the Department's current apparatus has.

Mr. Fager said that he didn't think the new truck should be modeled after apparatus 371. Just because it has 3,500 gallons doesn't mean its replacement needs that capacity, he

continued. Mr. Fager said that he didn't think the Department could use 1,800 gallons of water before Evergreen or Inter-Canyon responded. Mr. Carson disagreed. Mr. Schoenbein reminded that the Department's biggest vulnerability is wildfire and that staffing for the worst-case scenario would require slurry bombers. Practicality is required, he emphasized. Mr. Schoenbein then clarified exactly what type of truck he was looking for and reiterated that there were very few used 4 x 4s. He agreed that he'd like a truck with 2,000 gallons but reminded that the difference between 1,800 and 2,000 gallons is less than a minute of flow time.

Mr. Pettit then said that he thought a committee needed to be put in place that could make a decision to approve the purchase of a truck if Mr. Schoenbein found a good fit. Mr. Westerlage said he didn't care for the committee idea. Mr. Pettit said he understood that but reminded that Special Meetings can only be scheduled during a regular Board meeting, which posed a problem for rapid approval of a purchase. Discussion then followed about the rules governing how Special Meetings have to be scheduled and whether one would even need to be held to approve a truck purchase

After conversation, Mr. Roller stated that he thought every Board member needed to have input into the purchase of a truck. Mr. Rosenberg proposed that if Mr. Schoenbein identifies a truck that would meet the Department's needs, each Board member could meet with him individually within a 24-hour time frame. Ms. Fritz asked if the Board could authorize Mr. Schoenbein to put a deposit on a truck. Discussion followed about the logistics of such a possibility. Mr. Westerlage suggested that a motion be made to authorize Mr. Schoenbein to spend up to \$60,000. "Contingent on Board approval," added Mr. Fager. It will have to come to a full meeting at some point, stated Mr. Pettit. Further discussion followed about the possibility of authorizing Mr. Schoenbein to place a deposit. Mr. Rosenberg stated that he thought a fire department would work with another department on a purchase. Mr. Schoenbein clarified that most of the trucks are offered for sale through a broker.

Mr. Schoenbein then posited another option: trading in apparatus 341 for a two-wheel-drive tanker that could be converted to four-wheel drive. The Department would get \$100,000-125,000 for the trade in, which would offset the \$140,000 cost of the tanker plus \$35,000 for the conversion, leaving a net cost of \$40,000-60,000. Mr. Carson asked how good the four-wheel-drive conversions are. Mr. Roller said that he would not back that option because at this time he refuses to believe that a tanker can't be found for less money. He said that he won't approve spending that kind of money for a truck that's going to move water once or twice a year. Mr. Schoenbein reminded that the net would only be \$40,000-50,000. Still, Mr. Roller said, the opportunity cost of giving up apparatus 341 has to be considered.

Discussion again turned to the logistics of changing regular monthly Board meetings, scheduling Special Meetings, and canceling Special Meetings to accommodate a meeting that might be required for a potential apparatus purchase. Ms. Nelson said that she couldn't believe there wasn't some provision to schedule a Special Meeting outside of a regular monthly Board meeting. Mr. Roller agreed. Mr. Pettit recollected that it had been done at times even though it wasn't supposed to be.

Mr. Schoenbein expressed confusion about the goal moving forward. Was it the bottom line? Discussion followed about the Department's current apparatus and the pros and cons

of the various options that had been raised. Mr. Schoenbein shared his concern that if he didn't find something soon, it could be years before a truck could be purchased. Mr. Roller disagreed. Mr. Schoenbein said that if the net amount was the same, why did it matter? Mr. Roller responded that the net wasn't the same since the Department would lose apparatus 341. Mr. Schoenbein then asked what apparatus would the Department get rid of if it took delivery of apparatus 343. "371 and 349 immediately," answered Mr. Rosenberg. Mr. Roller reminded that that wasn't the discussion.

Mr. Schoenbein said that the overall apparatus schedule had to be taken into account. Mr. Roller said that the Department didn't need to get rid of any trucks to get another one. The plan was to buy a truck for a reasonable price and get rid of apparatus 371 before the new truck is delivered. If the Department takes delivery of apparatus 343, he continued, then another decision has to be made. The whole point was not to change the fleet but to replace the truck that is falling apart. Mr. Roller said that he had moved forward under those assumptions. He concluded by reiterating that he would not vote to spend a lot of money on a tanker right now. Mr. Schoenbein said that he's trying to look strategically at the situation and he viewed Mr. Roller's opinion as short-sighted. Mr. Roller said that it's how he feels about the situation right now.

Ms. Fritz asked how long it might take to sell apparatus 341 if necessary. Because a trade-in idea, she continued, is immediate cash. It's hard to say, admitted Mr. Schoenbein, who said that he didn't see why it's any different to put \$50,000 on a 25-year-old truck vs. \$50,000 net . . . ." Mr. Fager pointed out again that in the second scenario, the Department would be losing \$50,000 plus a \$100,000 asset. Mr. Schoenbein responded that such an option had been put on the table at a past Board meeting. He asked that he be given the purchase parameters and said that he would find something. Mr. Roller said that he thought the parameters had already been given. Mr. Pettit clarified that the parameters were to find a tender. And if the Department had to take delivery of apparatus 343 in a month or two, it would be dealt with. At this point, he continued, the Department would keep apparatus 341 until after the Darley was delivered and it was determined what would happen with the rest of the fleet.

Mr. Carson explained that any truck that the Department would buy would probably require a conversion on the front anyway. Discussion followed about the technical details surrounding a potential conversion. Mr. Rosenberg suggested that a decent two-wheel drive might be a good option. Mr. Roller agreed but said that in that case, the price of the two-wheel drive would have to be even lower. There are more alternatives in two-wheel drives, Mr. Pettit said. Mr. Westerlage asked when apparatus 371 had last been used. Mr. Carson responded that it had been sent out on some calls, but not any recent structure fires. Mr. Westerlage pointed out that Mr. Roller's argument was that the use didn't justify the expenditure. Mr. Roller said that he was also looking at the situation from the position of what would need to be given up in terms of future purchases if that much money is spent on a truck.

Mr. Pettit asked more about the conversion information. Mr. Schoenbein responded that the company he was considering had its closest conversion shop in Tulsa. Mr. Fager asked what a conversion would cost. "Mid-30s," answered Mr. Schoenbein. Mr. Pettit then asked about

the warranty. Mr. Schoenbein said the warranty was for one year or 50,000 miles. Mr. Rosenberg responded that it was a crazy warranty.

Mr. Rosenberg said that he thought Mr. Schoenbein needed to be given some guidance to move ahead. Mr. Pettit asked Mr. Schoenbein if he needed more information. Mr. Schoenbein answered that he thought he understood. Mr. Fager asked if Mr. Schoenbein was authorized to buy anything at this point. "No," answered Mr. Pettit. Discussion followed about whether a motion was required. It was decided that no motion was needed.

Ms. Fritz reminded that the second item on Mr. Schoenbein's handout regarding apparatus needs is an ATV that could potentially be purchased if the Department spent \$50,000 rather than \$60,000 on a tender. She also said that she thought a wildland ATV would be a pretty cool item for an area like Indian Hills when there are fires that are difficult to get to. It carries water, she added. Her point, she said, was that \$10,000 may not sound like a lot, but it could buy the next item on the list. Mr. Pettit agreed that he would be in favor of that item if a reasonable price tender could be found.

Mr. Carson reminded that it would be best if purchases could be made by the end of the year because of the potential of the amendments to pass. Mr. Pettit asked if there had been enough apparatus discussion. Mr. Westerlage said that there's still the basic problem of apparatus 341 and apparatus 343. Mr. Pettit said that nothing could be decided until a decision was made regarding the Darley since everything hinged on that. But regardless, he continued, the Department needs a tender. All concurred. Discussion followed regarding whether sale from the metal and parts from apparatus 371 could be enough to pay for a wildland ATV.

### **NEW BUSINESS:**

#### ***Additional Items***

Before moving on to the next agenda item, Mr. Pettit asked for clarification of who was authorized to sign checks presently. Ms. Fritz said that she would find out. Mr. Pettit said that he didn't think all Board members needed to be able to sign checks. Ms. Fritz recommended three. Discussion followed about who could presently sign checks. It was decided that only Mr. Pettit and Mr. Westerlage could.

Mr. Pettit next expressed concern about Mr. Walton's absence from the meeting that evening. Mr. Pettit noted it would be unexcused since no one had heard from Mr. Walton. Mr. Pettit then stated that he would like someone to talk to Mr. Walton. Several offered to do so. Mr. Pettit pointed out that Mr. Walton's work schedule had changed since his election. Mr. Rosenberg agreed that Mr. Walton needed to be approached. Mr. Pettit said that Mr. Walton had been sworn in, but noted that if he misses three meetings in a row that are unexcused he can be removed from his position. Mr. Roller interjected that he thought a full Board was needed. Mr. Rosenberg said that he would try to call Mr. Walton the following day. Ms. Fritz shared that Mr. Walton worked 4 pm-4 am.

Conversation turned to a mattress that had been deposited next to the dumpster in the rear of the station. Mr. Pettit said that he believed a member had left it because there were a bunch of cushions in the dumpster that had been dropped off the previous weekend. He said that he thought it should be brought up to the membership that while they could bring

trash down, it shouldn't be abused. Mr. Roller said that the practice had occurred before. Discussion followed about how the mattress might be disposed of. Mr. Westerlage noted it was an extra charge for disposal of such items. It was agreed that an extra fee would be paid to get rid of the mattress but that the subject needed to be discussed at the next business meeting. Mr. Schoenbein said that he would send out an email about it.

Mr. Fager suggested that it could have just been a community member who left the mattress. Mr. Carson requested that Mr. Schoenbein include mention in his email to not put any trash in the Department dumpster in the next week because all space would be needed for the Fourth of July garbage. Mr. Schoenbein agreed.

Discussion returned to the mattress that had been dumped. Mr. Westerlage said that it was considered a theft of services to leave such items. Mr. Pettit elaborated that he had found the mattress the previous Saturday while setting up for Mr. Schoenbein's surprise party. He said he had found the cushions inside the dumpster and the mattress outside it. Ms. Nelson asked if the dumpster was normally locked. Mr. Pettit responded "yes." Mr. Schoenbein said that someone would have to know where the key is to deposit items in the dumpster.

### ***Letters from Mr. Young***

Mr. Pettit asked if everyone had received a copy of the letters from Mr. Young. Mr. Roller clarified that everyone had received two letters: one by mail and one by email. Mr. Pettit said that one letter was an introduction of Mr. Young and the other is a criticism of the Board and the Minutes. Mr. Roller asked if he could start the discussion. He said that he had received an angry phone call from Mr. Young, where Mr. Young had advised that the Board fire him, get someone new, and move on if a new attorney was desired. Mr. Rosenberg asked when Mr. Roller had received the phone call. "Probably June 6," estimated Mr. Roller. Mr. Westerlage advised making a decision rather than having a discussion.

Ms. Nelson explained that Mr. Young gets final copies of the Minutes and surmised that receiving the Minutes may have precipitated the phone call. Mr. Roller said that what Mr. Young was so angry about was the discrepancy in the Minutes and Board member reaction to what Mr. Young claimed was the discrepancy in the Minutes. Mr. Roller then advised that he thought a lot of discussion could be avoided if the Board had already decided to get a different attorney.

Mr. Pettit said that he didn't want to respond to Mr. Young until the issue had been discussed. But, he said, he had to bring up the sentences in the letter that said: "Mr. Rosenberg had telephoned me [Mr. Young] on February 25 and we discussed this matter. Later that day, in the evening, Randy Evans called me to inquire about the same thing." Mr. Pettit said that he thought Mr. Rosenberg had left a voice message. Mr. Rosenberg responded that Mr. Young had talked to Mr. Evans prior to speaking with him [Mr. Rosenberg]. Mr. Pettit again noted that the letter suggested that Mr. Young had talked to Mr. Rosenberg that morning. "No," responded Mr. Rosenberg, adding that he had left a message. That's erroneous, said Mr. Pettit.

Mr. Roller read further from the paragraph that insinuated that Mr. Rosenberg had indeed left a message. Mr. Roller then steered conversation back to the fact that if the Board wants to change attorneys, time doesn't need to be spent dissecting and analyzing Mr. Young's

correspondence. Mr. Pettit said he wanted to discuss certain points and brief conversation followed regarding Mr. Young's time spent talking to Mr. Evans. Mr. Rosenberg suggested moving on with a decision regarding new counsel.

Mr. Rosenberg made a *motion* to move forward with hiring the firm of Toussaint, Nemer. Mr. Roller seconded the motion. Discussion followed.

Mr. Roller asked Ms. Fritz for her opinion regarding billing rates, quality of service, etc. Ms. Fritz responded that she liked working with Ms. Retterer, a paralegal and Ms. Nemer's assistant. Ms. Fritz said that Ms. Retterer was responsive and proactive; she had been the one to send information regarding the upcoming amendments. Her billing rate, Ms. Fritz continued, was roughly \$90/hour. So even though Ms. Nemer's rate is higher (\$225/hour, Mr. Pettit interjected), Ms. Fritz had worked largely with Ms. Retterer.

Ms. Fritz then said she didn't really know any other attorneys but said she was getting questionable response from Mr. Young at times, but then it picked back up once the issues were raised. Ms. Fritz said that it's nice to work with someone who's proactive because the District doesn't always know the questions to ask. Mr. Young will answer the questions asked, Ms. Fritz continued, but the District doesn't always know what should be asked.

Mr. Roller asked Mr. Schoenbein if he'd had any dealings with Mr. Young. Mr. Schoenbein answered that he'd only met Mr. Young at one meeting. Mr. Pettit said that he'd talked to Collins, Cockrel and Cole. The firm had more than 200 clients that were Special Districts. Their rates were a little higher, Mr. Pettit added, and the firm had been slow to respond to him when he'd called about having the firm attend a meeting to provide an introduction. Mr. Pettit said that he thought the firm could serve the District's needs, but since IHFPD is so small, he expressed concern that the service wouldn't be as good as what could be obtained from Toussaint, Nemer. In addition, Toussaint, Nemer is located right in Evergreen. Mr. Pettit said that the firm handles a lot of Special Districts in the area but not Evergreen Fire Department. About 80-85% of the firm's business is Special Districts, Mr. Pettit shared. Ms. Nemer has always had the answers and been very fair in previous dealings, he said.

Mr. Rosenberg admitted that he had been confused by the information Mr. Young offered at the meeting to discuss the election. Mr. Pettit agreed that he had left that meeting confused as well. Ms. Fritz said that she thought the District had to pay for research on the issue. She contrasted that to research Ms. Retterer had done for free to get an answer to a question she didn't know.

Mr. Roller asked if Mr. Rosenberg would like to amend the motion to start the process of getting Toussaint, Nemer to the next Board meeting to avoid leaving the District without representation. Mr. Rosenberg agreed but added that Mr. Young would see the Minutes and probably quit anyway. He may or may not, responded Mr. Roller. Mr. Rosenberg withdrew his initial motion.

Mr. Rosenberg then made a *motion* to ask Ms. Nemer and Ms. Retterer to attend the Department's next Board meeting regarding consultation to be hired on as the District's next attorney. Mr. Roller seconded the motion and suggested that it was a good move because it would allow the Department to hire the firm or continue the search depending on how

discussions go. At that time, a decision could be made to set the date for Mr. Young to be released of his duties. The motion passed unanimously.

Mr. Pettit made one final comment to say that he did not agree with Mr. Young's request to amend the Minutes. Mr. Rosenberg said that the Minutes could not be amended. What we said, we said, agreed Mr. Pettit. Mr. Roller said that Mr. Young came close to suggesting that the Board had slandered him. Mr. Rosenberg said that he felt the letter was very unprofessional and reminded that Mr. Young worked for the District, not the other way around. Mr. Roller agreed, adding that the phone call was unprofessional as well. However, he admitted to understanding the frustration and could put himself in Mr. Young's position and relate to his response. It's time to resolve the issue now, he continued, and a step has been made in the right direction.

Mr. Pettit said that he would call Ms. Nemer and invite her to the next meeting. He said that he didn't know if Ms. Retterer would come. Mr. Roller said that she ought to, since this was a job interview for the firm. Mr. Rosenberg agreed. Mr. Pettit said that he would request that both attend the meeting. He said that there were issues regarding the next election that he would like to move forward on. All agreed that it was time to move on.

Discussion returned to how the situation with Mr. Young could have gone differently. It was suggested that Mr. Young could have shown up at a meeting if he had concerns about the Minutes. Mr. Pettit said that it was his understanding that Mr. Young was not supposed to charge for the last meeting he attended. Mr. Roller said that he wasn't forgiving the behavior, but he could understand it.

#### **MEETING ADJOURNED AT: 22:30**

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

*President:*

*Secretary:*

#### **MOTIONS MADE AND PASSED:**

- To waive the reading of the May Minutes. *Motion made by Mr. Rosenberg; seconded by Mr. Westerlage; unanimous.*
- To accept the May Minutes as amended. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*
- To approve checks #11196-11227, excepting checks #11203-11215, plus automatic payments and bank fees. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*
- To ask Ms. Nemer and Ms. Retterer to attend the Department's next Board meeting regarding consultation to be hired on as the District's next attorney. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*
- To adjourn the meeting. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; unanimous.*

**MOTIONS MADE AND WITHDRAWN:**

- To move forward with hiring the firm of Toussaint, Nemer. *Motion made by Mr. Rosenberg; seconded by Mr. Roller; withdrawn.*

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