

# INDIAN HILLS FIRE PROTECTION DISTRICT

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## **BOARD MEETING MINUTES**

**Thursday, August 22, 2013**

*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; Marc Rosenberg — Secretary; Kelley Lehman — Treasurer; Ron Walton; Scott Kellar

***Fire Department Members:*** Emery Carson — Chief

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

***Guests:*** Richard Toussaint, Toussaint, Nemer & Coaty

**MEETING CALLED TO ORDER AT: 19:10 Hrs.**

### **MINUTES:**

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

Discussion followed and the following changes were made: Page 5, seventh paragraph, first sentence to read: "Mr. Rosenberg made a *motion* to call an Executive Session at 21:38 per CRS § 24-6-402(4)(f) to discuss personnel issues." Page 6, seventh bullet point to read: "To call an Executive Session at 21:38 per CRS § 24-6-402(4)(f) to discuss personnel issues."

Mr. Rosenberg made a *motion* to accept the July Minutes as amended. Mr. Kellar seconded the motion, which passed unanimously.

### **POTENTIAL BOND ISSUE:**

Mr. Kellar began by briefing attendees on the progress that had been made by building committee members in the previous weeks regarding the potential construction of a new station. He explained that if the District wants to move forward with a bond issue for the November election, it needs to inform the County and prepare ballot information. Specific deadlines were discussed. At present, the District is looking at a \$1.5 million bond issue to fund the construction of a new station, Mr. Kellar explained. Discussion followed about whether the Board was prepared to move forward with the project and the costs that would be inherent in doing so.

Mr. Toussaint passed out documents to be considered if the Board intends to pursue the bond issue. He first discussed the proposed TABOR question that would appear on the ballot and noted that the dollar amounts in the document need to be finalized and the language submitted to the County by September 6. Mr. Toussaint also explained the option of asking for a mill levy increase with a termination date. Extensive conversation followed about the differences between a mill levy increase and a bond issue. It was also clarified that while a bond issue would not require a second election, a mill levy increase would if a multi-year financial obligation is used to fund the project.

Next, Mr. Toussaint reviewed examples showing how homeowners' taxes would potentially be increased based on different mill levy figures. Detailed conversation occurred regarding financial options. Mr. Toussaint advised that if the Board is going to move forward with the bond issue this year, a resolution and intergovernmental agreements need to be signed. He also provided some cost estimates regarding the election and associated legal expenses, and explained the importance of selling the idea to the community. Brief brainstorming occurred regarding various ways to educate community members about the ballot issue.

Discussion moved to who might function as the designated election official and what costs might be for an outside individual to perform the function. Mr. Toussaint advised that a designated election official needs to be selected that evening since it is part of the election resolution. He also advised that the District needs to set a maximum interest rate for the TABOR question and appoint one or more Board members to be authorized to make election-related decisions in the time before the next Board meeting.

Further conversation occurred about financial issues surrounding the bond issue, including how to keep the money separate in the budget if the bond issue passes, what options might exist for early payoff, how to handle donations made toward the project, and options to reduce the bond amount.

After discussion, it was agreed to move forward with the bond issue and appoint Ms. Retterer of Toussaint, Nemer & Coaty as the designated election official for the District.

Mr. Rosenberg made a *motion* to accept Resolution #8/13-1 as presented by Mr. Toussaint. Mr. Kellar seconded the motion, which passed unanimously.

The document was signed by Mr. Pettit and Mr. Rosenberg.

Ms. Lehman made a *motion* to accept two intergovernmental agreements with Jefferson County. Mr. Rosenberg seconded the motion, which passed unanimously.

The documents were signed by Mr. Pettit and Mr. Rosenberg.

Ms. Lehman made a *motion* to authorize Mr. Kellar to be the Board representative with the attorneys to finalize the ballot question and other election-related documents as necessary and to sign election-related documents on behalf of the Board. Mr. Walton seconded the motion, which passed unanimously.

**FIRE TRUCKS PLUS LAWSUIT:**

Mr. Toussaint stated that a default judgment had been awarded in Colorado but that the judge had still not signed the documents. Once signed, Mr. Toussaint explained that the case has to be domesticated in California in order to get a judgment there. He said that his firm was working on finding counsel to help in California.

**TREASURER'S REPORT:**

***Financial Reports***

Discussion moved to the financial reports. Regarding the Profit Loss Budget Performance spreadsheet, Ms. Fritz explained that she had discontinued use of account #5315 (Recording Secretary) and moved remaining dollars into a new account (#5412 Salaries Expense – Board Secretary) since Ms. Nelson is now an employee.

Brief conversation occurred about the auto-renewal charges for both Adobe Converter and Trend Micro and the need to discontinue both since the auto-renewal is more expensive.

Mr. Walton made a *motion* to approve checks #12108-12128, excepting check #12110, plus automated payments, credit card expenses, and bank fees. Mr. Rosenberg seconded the motion, which passed unanimously.

***Legal Bills***

Discussion turned to the legal bills and the fact that the account for legal fees is significantly over budget. It was agreed that legal costs associated with the Fire Trucks Plus lawsuit, Noble property, and election issues need to be broken out. After conversation, Board members agreed to continue monitoring legal fees on a monthly basis.

***Budget Process***

It was announced that the budget committee would comprise Ms. Lehman, Mr. Rosenberg, Mr. Carson, and Ms. Fritz. A draft of the 2014 budget would be presented at the next Board meeting in order to meet the October 15 deadline.

**DEPARTMENT/OFFICERS' REPORTS:**

***Fire Marshal — Randy Rudloff***

Not present. No report submitted.

***Chief — Emery Carson***

A report was distributed and various items were discussed. Mr. Carson began by stating that the Mack chassis had been transported to Rosenbauer. The contract had been signed with an anticipated completion date of no later than February 2014.

Mr. Carson announced that the District had not been awarded the mitigation grant. He said that he would apply again the following year. In terms of grants, Mr. Carson said that a stair chair is now in service and one of the med vaults has been installed, both of which were received through the EMTS grant.

Mr. Carson stated that plans are progressing to move dispatch to Evergreen. He said that he is going to a Jefferson County emergency communications authority meeting on September 19 to work on getting funding for the move.

Conversation moved to the Firewise initiative. Mr. Carson announced that a group is meeting on Monday, August 26 to assemble informational packets to be distributed to community members. Mr. Carson also said that he had a recommendation for a vendor to chip and haul slash in the community. Bear Creek Landscaping will provide mobile pickup, chipping, and haul-away services for \$235 per hour. Mr. Kellar stated that the South Platte Coalition had committed to October 15-16 and October 22-23 as dates for Indian Hills. It was agreed that the service needs to be promoted to the community, including the proper way to stack slash.

Mr. Carson concluded his report by summarizing the calls for the month, which total ten to date.

***Assistant Chief — Marc Rosenberg***

Present; no report submitted.

***Fire Captain — Scott Case***

Not present; no report submitted.

***EMS Captain — Bob Fager***

Not present; no report submitted.

**OLD BUSINESS:**

***Building Committee Update***

Conversation briefly returned to the new station. Mr. Kellar shared that the next step was to hire a firm to produce conceptual drawings, specs, and a price schedule that could be bid out.

Mr. Walton made a *motion* to authorize funds not to exceed \$25,000 to hire a contractor to produce conceptual plans, drawings, and pricing for a new station. Mr. Rosenberg seconded the motion, which passed unanimously.

***Noble Property***

Mr. Carson stated that the lot line adjustment project was moving slowly. The County keeps throwing wrenches into the process, he added. Mr. Carson expressed that he was hoping for completion by the end of October.

***Radio Update***

Mr. Pettit stated that the hardware part of the project had been completed. Mr. Grazi would be at the Mt. Lindo site the following Wednesday to change the frequencies and move the link.

**NEW BUSINESS:**

***Medicare Policy***

Mr. Rosenberg made a *motion* to accept the District Policy for Collecting Ambulance Fees from Medicare Patients Whose Transports Do Not Meet Medicare's Definition of Medical Necessity. Mr. Walton seconded the motion, which passed unanimously.

**EXECUTIVE SESSION:**

Mr. Pettit made a *motion* to call an Executive Session at 21:28 per CRS § 24-6-402(4)(f) to discuss personnel issues. Mr. Kellar seconded the motion, which passed unanimously. All meeting attendees left the room with the exception of the Board members. Recording commenced using the District's recorder.

Mr. Pettit made a *motion* to adjourn the Executive Session at 22:26. Mr. Kellar seconded the motion, which passed unanimously.

**REGULAR SESSION:**

Mr. Pettit made a *motion* to call the regular session back to order at 22:27. Mr. Kellar seconded the motion, which passed unanimously.

**CHIEF REVIEW:**

Mr. Walton made a *motion* to retain Mr. Carson as Chief for another year and increase his work week to 40 hours, increase his salary to \$42,000 annually, and increase his vacation time from two weeks to three. Mr. Kellar seconded the motion, which passed unanimously.

It was agreed that the changes would go into effect on August 26 and that Mr. Carson would keep a time sheet to document hours.

**ADJOURNED AT: 22:42**

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

*President:*

*Secretary:*

**MOTIONS MADE AND PASSED:**

- To waive the reading of the July Minutes. *Motion made by Mr. Rosenberg; seconded by Mr. Kellar; unanimous.*
- To accept the July Minutes as amended. *Motion made by Mr. Rosenberg; seconded by Mr. Kellar; unanimous.*
- To accept Resolution #8/13-1 as presented by Mr. Toussaint. *Motion made by Mr. Rosenberg; seconded by Mr. Kellar; unanimous.*
- To accept two intergovernmental agreements with Jefferson County. *Motion made by Ms. Lehman; seconded by Mr. Rosenberg; unanimous.*
- To authorize Mr. Kellar to be the Board representative with the attorneys to finalize the ballot question and other election-related documents as necessary and to sign election-related documents on behalf of the Board. *Motion made by Ms. Lehman; seconded by Mr. Walton; unanimous.*

- To approve checks #12108-12128, excepting check #12110, plus automated payments, credit card expenses, and bank fees *Motion made by Mr. Walton; seconded by Mr. Rosenberg; unanimous.*
- To authorize funds not to exceed \$25,000 to hire a contractor to produce conceptual plans, drawings, and pricing for a new station. *Motion made by Mr. Walton; seconded by Mr. Rosenberg; unanimous.*
- To accept the District Policy for Collecting Ambulance Fees from Medicare Patients Whose Transports Do Not Meet Medicare's Definition of Medical Necessity. *Motion made by Mr. Rosenberg; seconded by Mr. Walton; unanimous.*
- To call an Executive Session at 21:28 per § CRS 24-6-402(4)(f) to discuss personnel issues. *Motion made by Mr. Pettit; seconded by Mr. Kellar; unanimous.*
- To adjourn the Executive Session at 22:26. *Motion made by Mr. Pettit; seconded by Mr. Kellar; unanimous.*
- To call the regular session back to order at 22:27. *Motion made by Mr. Pettit; seconded by Mr. Kellar; unanimous.*
- To retain Mr. Carson as Chief for another year and increase his work week to 40 hours, increase his salary to \$42,000 annually, and increase his vacation time from two weeks to three. *Motion made by Mr. Walton; seconded by Mr. Kellar; unanimous.*
- To adjourn the meeting. *Motion made by Mr. Walton; seconded by Mr. Rosenberg; unanimous.*