

RECORD OF PROCEEDINGS

**Meeting Minutes of the Estes Valley Fire Protection District
February 26, 2014 6:00 p.m.
Dannels Fire Station, 901 N. St. Vrain Ave., Estes Park, CO 80517**

Board: President Frank Theis, Vice President Mark Igel, Treasurer Doug Klink, Mike Kearney, Mike Richardson

Staff: Chief Scott Dorman, Secretary Landkamer

Also Attending: EPVFD firefighters Brian Faith, Justin Kearney, and Daryl McCown. Public attendee Frank Lancaster

Absent: none

The following minutes reflect the order of the agenda and not necessarily the chronological sequence of the meeting.

President Frank Theis called the meeting to order at 6:05 p.m.

Chief Dorman led the Pledge of Allegiance

Secretary Landkamer performed roll call – all here

CONFLICT OF INTEREST – Mike Kearney has one snow removal bill on tonight's approval of transactions.

PUBLIC COMMENT / BOARD COMMENT

Public comment: Frank Lancaster, Estes Park Town Administrator, addressed the board regarding the proposed 1% sales tax increase for the Town of Estes Park. Lancaster stated that the 1% tax raise had specific services tied to the tax as that is how it is written, and therefore wanted to find out how the fire board felt about not receiving their 7% of this new 1% tax increase. Legally, that money needs to be spent on what is specified on the ballot, and Lancaster said this is a special tax. If the EVFPD received their 7% of the proposed 1% tax increase, it would be an average of \$70,000 - \$88,000 per year. The Town's attorney suggested either modifying the current contract between the Fire District and Town to leave out the additional 7% of the 1% tax, or terminate the current agreement 6 months in advance and draft a new one for 2015 which specifically stated the EVFPD would not receive the additional 7% of the 1% new tax. If this tax ballot does not pass, Lancaster said there are no guarantees about the future funding for the EVFPD as there might need to be cutbacks if necessary, however it will be left up to the Town Board to decide. Lancaster said it would be unrealistic to say the Town would not fund the fire department as this is a critical service.

The EVFPD board members agreed that the EVFPD did not intend to pursue the additional collection of the 1% tax because the District would already benefit by road repairs and a new EOC location; both of which the additional sales tax would be used for. Treasurer Klink stated his concern about possibly excluding the EVFPD from tax collected from the multi-purpose event center, as heard. Treasurer Klink asked how the Town could pick and choose what sales tax revenue the EVFPD would receive. Lancaster commented that there was some discussion by one trustee in particular on the Town's board on the EMPAC and sales tax, but Lancaster said that would not be practical. Lancaster does not feel this would be an issue since as the Town grows, the EVFPD's revenue should grow as well, plus the EVFPD will be protecting these new buildings. Lancaster said we would not hear that recommendation coming from him. Treasurer Klink stated the EVFPD would like to have a seat at the table when the tax discussion comes up and would be more than happy, as public record, to show the Town exactly where the tax money was being used by the District. Mike Richardson stated he was also disappointed that the Town did not talk with the EVFPD first. Mike Kearney mentioned the Town is probably going to have difficulty in cutting back the fire protection or police department. Chief Dorman stated that the EVFPD would benefit from better roads and a new EOC, so he did not feel it was necessary to get the extra 7% of the 1% sales tax either.

Lancaster said the EVFPD's services will take a high priority and cutbacks, if needed, will happen with non-essential services first. Lancaster also agreed the communication was poor between the Town and the District and apologized for the error on his part to not contact and speak with the EVFPD before-hand.

The board agreed to wait until April to see if the tax passes or not. Lancaster suggested an MOU to modify the IGA to reflect the new 1% sales tax. President Theis stated the attorneys should handle this change in the agreement. President Theis is also concerned that the EVFPD does not have a lot of formal communication with the Town. President Theis also reminded the board and Lancaster that a lot of thought went into the 7% to the EVFPD, and it is now a good time to remind the Town trustees exactly what the citizens of Estes voted on.

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Lancaster suggested an update on the fire district to the town board, at the very least annually, as it is too easy to become out of sight, out of mind. The board agreed this would be a good idea as well and thanked Lancaster for coming to the meeting

Board comment: Mike Richardson asked about an invoice for board shirts and wanted to be sure it was paid.

APPROVAL OF AGENDA

Moved by Vice President Igel, seconded by Mike Kearney to approve the agenda as written. Motion carried unanimously.

APPROVAL OF MINUTES

Moved by Vice President Igel, seconded by Treasurer Klink to approve the 2-12-14 meeting minutes as written. Motion carried unanimously.

REPORTS

Fire Chief Report- Chief Dorman passed out a rough draft of a policy for part-time seasonal employees. Chief Dorman and Fire Marshal Marc Robinson came up with a policy that covers hiring these employees to the district. Chief Dorman asked the board to review it and it would be on the agenda at the next regular meeting. This would impact the WUI Coordinator position and others that might develop in the future. This covers what the season is, how long are they employed for, stating the benefits, advertising for the positions, rehiring procedures etc.

It was brought up by one of the officers at the department, that due to the flood, all of the past drafting locations in the Big Thompson Canyon no longer exist. Chief Dorman will meet with Kiewit project engineer to see if they can incorporate some draft site locations as they make repairs to HWY34. There is 1 dry hydrant there, but is not sure if the piping is still good.

Secretary Landkamer updated the board on House Bill 1164 which will change Special District election laws. After attending a webinar conducted by SDA, Secretary Landkamer stated that this bill creates an election code for special districts and adopts mail ballot procedures. This means the EVFPD now has the authority to hold a mail-ballot or polling place election. The role of the DEO is also clarified and now has the responsibility of keeping the permanent mail-in absentee voter lists in-house, instead of the county, which also includes overseas mailing lists.

Chief Dorman discussed Broken Arrow, which is driven by Metro area fire departments. Larimer County will be hosting this exercise on May 15 and Chief Dorman will contact Justin Weitzel to see if the EPVFD can be involved or observe the exercise. Chief Dorman stated that the county can also request trucks from the EVFPD but we would go only if we had available apparatus.

Chief Dorman gave an update on the board's request to destroy the board member conduct oath and conflict of interest board disclosure forms that had been previously signed by the board members. The EVFPD's legal counsel does not recommend destroying any record of the Board. It was advised that Chief Dorman should obtain the State Archivists schedule for records retention and this will be adopted by the board at the next meeting. According to this schedule, the district will follow the guidelines for all record retention and destruction.

Chief Dorman attended an unemployment appeal hearing via phone with one of the EPVFD's members. The Division of Unemployment failed to show up to the hearing or call in. The hearing officer will make a decision and the EVFPD can appeal this decision within 20 days of the outcome, if necessary. As stated according to law, volunteer firefighters are exempt from receiving unemployment payments. The Colorado Division of Employment received a claim from one of the firefighters in the EPVFD and found the EVFPD should be paying him unemployment. Chief Dorman stated this is a big concern because if volunteer firefighters are found to be employees of the EVFPD, it will void their volunteer firefighter pension. Currently, the EVFPD pays unemployment insurance for all volunteer firefighters but they will never receive any benefits.

Chief Dorman looked into pricing for advertising in the local newspapers. He found the prices to range between \$639.00 per ad per day for a full page, down to \$225.00 for a quarter page ad for 1 day.

Chief Dorman updated the board on the CRRF agreement which was signed with the Department of Fire Prevention and Control, to establish the hourly rate that the EVFPD would charge for use of the district's equipment and apparatus. This will go into effect on May 1, 2014 – April 30, 2017. These rates are provided by the government.

Treasurer Report- Treasurer Klink mentioned he was able to see pictures from Pierce and the manufacturing of the engine. The board asked to also be forwarded these pictures.

There was discussion of the bill payment to LN Curtis & Sons, who checks the district's breathing air compressors each year. The district currently has 2 breathing air compressors, and the EVFPD does not use the Bauer compressor so discussion was made regarding giving this compressor to a nearby fire department such as Glen Haven. It is costing the district an average of \$1,000 per year for inspections.

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Consensus was made by the board to offer this compressor to Glen Haven. Treasurer Klink also provided the January 2014 balance sheet(s) including, but not limited to: governmental funds and schedule of capital assets, statement of revenues, expenditures and changes in fund balance for general operations, Length of Service Award Program (LOSAP), operating reserve, Tabor and capital reserve. He also discussed the 2014 Property Tax and Sales Tax Reconciliation updates. Treasurer Klink will check with Rachelle why the property tax is appearing to be very low for January as it might be low due to the difference in the way we get paid by the county. The EVFPD received about \$22,700 less sales tax in 2013 than in 2012, so the gap is not as large as first thought. It is \$16,500 less than what was budgeted.

Moved by President Theis, seconded by Mike Kearney to accept Treasurer's Report including approval of all transactions. Motion carried unanimously.

OLD BUSINESS

Chief Dorman gave an update on the strategic plan. Chief emailed the updated draft from Steve Miller to all the board members and volunteers for comment. At the next meeting, these comments will be discussed. Chief Dorman will ask Steve Miller for the template he has been using for the strategic plan so specific information can be gathered prior to the next meeting. The financial section of the strategic plan will be drafted next and it was decided to have a work session on 3-12-14 to cover this section of the strategic plan.

Chief Dorman gave an update on district ID's for the EVFPD. Chief thanked Vice President Igel for giving him information on what he charged for his ID-making and Chief also stated he got information and pricing from a couple other vendors so as not to take just one bid from a board member. Secretary Landkamer contacted the YMCA of the Rockies and they offered to make the EVFPD ID's for free as a thank you for all the help and support they have given to the YMCA over the years. The YMCA's IT department offered to make the template for free as did Sue Doylen of Master Graphics.

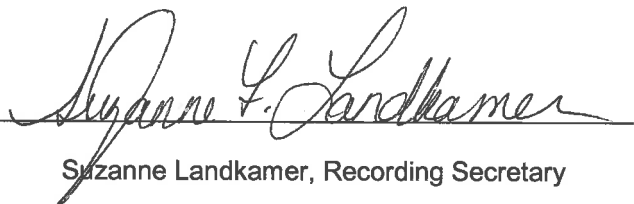
President Theis continued the Town funding discussion. President Theis submitted the letter to the newspapers on behalf of all the board members that stated the District's concern over the Town Administrator's previous sales tax comments in the editorial that was submitted the week prior. There was a consensus by the board that the EVFPD does not expect to receive 7% of the 1% sales tax should it pass. There was a consensus by the board to proceed legally after the election if the 1% sales tax passes.

NEW BUSINESS – none

Moved by President Theis, seconded by Mike Kearney to enter into executive session pursuant to Section 24-6-402(4)(f) C.R.S for purposes of discussing a personnel matter regarding Chief Dorman. Motion carried unanimously.

Executive Session ended at 9:20PM

A work session board meeting is scheduled for March 12, 2014 at 6:00p.m. at the Dannels Fire Station. Meeting adjourned at 9:20 p.m.


Suzanne Landkamer, Recording Secretary

"The Mission of the Estes Valley Fire Protection District is to provide the citizens of and visitors to the Estes Valley with superior fire prevention, fire protection and emergency services in a safe and efficient manner."

"The Mission of the Board of Directors of the Estes Valley Fire Protection District is to establish policy, goals, strategies and financial leadership that are the foundation for the long-term sustainability of the District."