

**Meeting Minutes of the Estes Valley Fire Protection District**

**May 29, 2013 6:05 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, Jack Rumley

**Staff:** Chief Scott Dorman, Secretary Landkamer

**Also Attending:** Firefighters CPT Derek Rosenquist, CPT Bruce Walters, Fire Marshal Marc Robinson, 1<sup>st</sup> Assistant Chief Daryl McCown. Public attendees Linda Glesne and Steve Szczerba.

**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 board members present**

**CONFLICT OF INTEREST - none**

**PUBLIC COMMENT / BOARD COMMENT**

Public comment: None

Board comment: President Theis stated he was approached by an individual that took part in a training that was offered by CPT Derek Rosenquist. The individual was extremely happy with the training he received and complemented the EVFPD for having such a great program.

**APPROVAL OF AGENDA**

Moved by Jack Rumley, seconded by Treasurer Klink to approve agenda as listed. Motion carried unanimously.

**APPROVAL OF MINUTES**

Moved by Vice President Igel, seconded by Mike Kearney to approve the 5-8-13 meeting minutes. Motion carried unanimously.

Linda Glesne, a representative from the law firm 'Collins Cockrel & Cole' provided the board with a brief presentation on her law firm. Linda gave the board members information packets on her firm which included an example letter of engagement. This law firm specializes in Special Districts and 99% of their work is local government related. Currently, the firm only represents 1 private client and Glesne stated that they mostly represent emergency services and people who provide fire service in the state of Colorado. This firm was formed in 1978 and Glesne has personally worked there for 11 years. Glesne stated they provide a proactive, partnership approach and will provide as much or as little service as desired. This firm represents over 300 special districts although the Upper Thompson Sanitation District was not on their current list provided in the board packet, the Upper Thompson Sanitation District does currently use this firm's services. Jim Collins of 'Collins Cockrel & Cole' is also the Executive VP of SDA and has a strong relationship with Anne Terry of the Special Districts Association as well. President Theis asked if Glesne would be the primary contact and she stated if that is what the board desired, yes. She also stated that she monitors associates such as Bob Cole, who was a firefighter and now specializes in fire districts. Treasurer Klink asked about the firm's rates as they were not included in the packet of information provided and Glesne stated she would email him a fee schedule rate sheet. Glesne also said they will use associates to handle smaller tasks as that would save the district money and that they would charge time to come to Estes Park in person.

Vice President Igel said he has received positive comments about their law firm from other people. President Theis asked if there was a protocol in place when dealing with clients as to a line or chain of command and Glesne stated they will follow whatever the board requests. President Theis also asked if the firm has helped any districts that were in transition. Glesne reported that they have helped districts in that position before and gave Wheatridge Fire as an example of a district that started out all volunteer with only a paid Chief and training captain, but eventually transitioned into a non-volunteer shift program. Cimarron Hills was also given as an example where there was much controversy in the community. Chief Dorman asked Glesne how closely she followed legislative issues and she stated that they helped with the clean-up bill in legislation and that SDA will bring proposals to her firm and will help to write legislation, however they do not lobby. Glesne sends updates to clients to keep them informed of any major changes or collective bargaining issues that would impact firefighters. Chief Dorman also asked about the firm's involvement in elections and Glesne stated they have a paralegal representative, Micki

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Wadhams, that would help run the election and be on-site if needed. The firm currently has 3 paralegals trained in elections at the firm that Wadhams supervises. The board thanked Linda Glesne for coming to Estes Park to present her law firm to the board this evening.

### REPORTS

Fire Chief Report- Chief welcomed Fire Marshal Marc Robinson to talk briefly about the Safety Fair that was held last week. Robinson stated the EVFPD had a dive truck, ladder truck, Squad 3, Brush 9 and the life safety trailer at the event. Robinson reported that he had 43 children go through the trailer which involved discussing smoke alarms, carbon monoxide, exits, and escape plans. As the student exited the trailer, they received an activity book. Marc also thanked all the volunteers from the fire department that showed up to help. Next year, Marc said he will work on better signage and a clock for the trailer to help people see where the trucks are located and when the next trailer activity will start. President Theis asked about a display table for wildland mitigation at the Safety Fair. Robinson stated the EVFPD did have a table there that unfortunately was not manned but will make sure someone is there throughout the duration of the fair next year. Robinson also told the board that he has started working with the schools to try to incorporate fire safety into the curriculum and said it might take some time. Treasurer Klink asked about Spanish fire safety literature and commented that there is a large Spanish-speaking community with many children that needed the Spanish version of the hand-outs. Robinson agreed and Chief Dorman commented that NFPA has Spanish literature on their site.

Chief Dorman talked about the Pro-Cycle Challenge coming through Estes Park on August 24. Chief stated that tens of thousands of spectators will be in Estes Park that day and the EVFPD needs to position apparatus and volunteers to man them. Chief Dorman is currently working at both a county and local level with this planning.

Chief Dorman stated that the Sunrise Rotary Club of Estes Park gave the EVFPD a \$4,000.00 grant to replace the mattresses in the upstairs sleeping quarters at Dannels Fire Station. Currently, mattresses that were donated from the Estes Park Center YMCA of the Rockies are being used and are very old and are no longer providing needed support to the firefighters.

The Chief met with representatives from the RMNP and Congressman Jared Polis yesterday at Dannels Fire Station. The Chief discussed the fire mitigation efforts and took the Congressman on a tour of the recent slash collection site on Elm Road. They also toured the Woodland Heights fire area and could see how much has already been rebuilt. Jack Rumley and Mike Kearney talked about the fact that there were only about 6 sites that had not started to rebuild yet which was only about 25% of the fire area.

Chief Dorman reported on last weekend's slash collection. 68 people brought 96 loads of slash on Saturday and 27 people brought 42 loads of slash on Sunday, with 10 people returning both days. There was 250 cubic yards of slash collected so far.

The Chief talked about the Town of Estes Park outsourcing their payroll starting July 1, 2013 to a company called Paylocity. Chief has a meeting set up with Paylocity the week of June 10<sup>th</sup> to go over details surrounding their service. Treasurer Klink asked about any other connection the EVFPD has with the Town's payroll services and the Chief said the district's health insurance is also still run through the Town and that is why it is important to keep our services at the same location. The Chief will ask approval from the board to go into a contact with Paylocity after he meets with them next month.

Treasurer Report- Treasurer Klink discussed the transactions of the EVFPD. Vice President Igel stated he did have one conflict of interest in regard to a \$42.00 check that was written to him for payment of constructing a small board member sign. Mike Kearney also had a payment for snow removal. President Theis asked about the Apex roofing bill and the Chief stated that there was a small leak in the roof of Dannels Fire Station and that the roof needed re-caulking and gutter repairs. Secretary Landkamer was also asked to provide the board with only the vendor information and total bills, not to include individual check numbers.

Treasurer Klink provided the April 2013 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 2013 Property Tax and Sales Tax Reconciliation updates. Treasurer Klink then briefly talked about the new 2013 truck purchase. As of today, the EVFPD has \$1,167,729.00 in available cash and after the fire truck purchase and pension contribution, the Operation Savings would be down to \$127,462.00.

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

### OLD BUSINESS

Board Identification was addressed by the board. Vice President Igel worked on the change to the EVFPD Board Bylaws which now includes section 6.12. This new section states that new board members will be issued a District ID card, issued a unique access code or key to Dannels Fire Station, and will be issued District garment/s (coat, shirt, vest, etc). At the end of the elected term, the Board Member will

return the ID card and any keys to the District, and any unique access codes will be removed from service by District staff.

### NEW BUSINESS

Chief Dorman presented the recommendation from the Type 3 Engine Committee to the board. The committee received 5 bids from 5 different vendors for the Type 3 Wildland Urban Interface fire engine. The 5 bids were from Front Range Fire Apparatus – Pierce Fire Apparatus, CFB – Custom Fab and Body, Rosenbauer, HME, and Smeal. The staff and the Type 3 engine committee recommends purchasing the new 2014 Freightliner 4x4 Type 3 WUI fire apparatus based on the specs and contract requirements from Front Range Fire Apparatus for a total cost of \$317,864. It was also recommended that the district pay 90% of the bid price within 30 days of the signing of the contract in order to receive a discount resulting in a \$6,437 savings to the district and citizens. Chief Dorman also stated that the additional \$14,000 grant for wildland tools and equipment that Captain Rosenquist obtained for the district was used for the purchase of equipment for the new truck and the \$6,725 restricted and \$9,550 unrestricted donations made by Windcliff would also be used for equipping the new engine and the purchase price. President Theis stated it might be a bit risky putting that much down since the new engine will not be delivered for 8 – 9 months and that is a long time to be without that large amount of money. Treasurer Klink stated that if the district put only 30% down, we would not receive that larger discount plus Pierce is a large corporation owned by Oshkosh and is very reputable. Chief Dorman commented that currently, the district has a Pierce truck which is Brush 9. Steve Szczerba, a Front Range Fire representative, was at the meeting and stated Pierce has been in business for 100 years and is a very stable company.

Treasurer Klink stated that the district's attorney, Dick Lyons, reviewed the contract and found 2 things that needed to be addressed before the contract could be signed; this contract was under Wisconsin law and not Colorado law, and there was some identification issues to be worked out. Captain Bruce Walters said the district has very specialized apparatus on this engine and was exactly what the volunteers needed the truck to have. Jack Rumley thanked the committee for doing an excellent job.

Moved by Vice President Igel, seconded by Jack Rumley to accept the bid from Front Range Fire with the 2 contingencies, for a purchase price of \$317,864 with 90% down. Motion carried unanimously.

Chief Dorman presented the board with a draft of the Intergovernmental Automatic Mutual Aid Agreement between the Loveland Fire Rescue Authority and the Estes Valley Fire Protection District. Chief stated that the EVFPD and the LFRA assist each other with incidents in the Big Thompson Canyon and this would be a good way for the district to protect homes and property in the canyon. Currently, the EVFPD has a mutual aid agreement with Loveland so Estes Park needs to call them to respond. Under the new agreement, they would automatically get paged to the incident. This works both ways so Estes Park Fire would then automatically get called to aid LFRA as well. Both the EVFPD and LFRA have few emergency divers and this would benefit both agencies. President Theis commented that it is mostly Estes Park residents that drive in the canyon to go down to the valley and Estes Park as a community drives the canyon the most. Vice President Igel would like to see numbers of calls each year that are in the Big Thompson Canyon and see how many medical, MVA's, fires and dive calls are paged to what area of the canyon. Chief Dorman suggested the IGA to include fire and dive calls, but no MVA as a possible solution if needed. Currently, the EVFPD has an IGA with the RMNP for structure fires and an auto aid agreement with Pinewood Springs. President Theis would like to see some additional data at the next meeting as well as some missing Exhibits that were not included in the agreement.

Treasurer Klink talked about the attorney presentation from Linda Glesne and asked for board feedback. President Theis stated his experience with attorney Dick Lyons has been very professional and he helped establish the EVFPD. President Theis stated the board should be cautious when making such a big decision and feels the district is solidly represented by Dick Lyons right now. Chief Dorman commented that there are 3 main law firms in the state of Colorado that provide services for special districts. The 3 firms are Dick Lyons, Collins Cockrel & Cole, and Ireland Stapleton, and Chief thought Dick Lyons might be retiring in the next year or so. Treasurer Klink and Vice President Igel voiced some concerns relating to the work done for the district by Dick Lyons that involved errors in the bylaws and other documents drawn up by Attorney Lyons. Chief suggested contacting Lyons directly with these questions and concerns and thought it best if the board wanted to move forward with obtaining new council, to contact all 3 law firms before coming up with a decision for next year's budget. Jack Rumley asked if the district was under a current contract with Dick Lyons and Chief responded that the contract was only in place for the formation of the district and now the district is currently not under contract. President Theis stated the district is in no hurry to seek new council and that this process should not be rushed. It was decided that the Ireland Stapleton law firm would be contacted and asked to come to the next board meeting to present a short presentation on their services they could offer to the EVFPD.

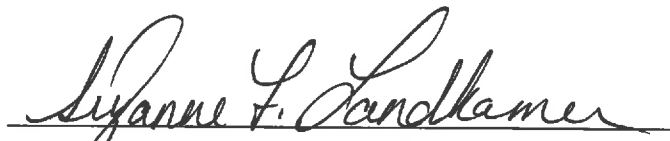
Vice President Igel inquired why the EVFPD board meeting start time was 7:00PM and if it would be better to move the meeting time to 6:00PM. Secretary Landkamer stated she needed to follow the SDA guidelines and file the time change with the appropriate entities first. It was decided that the new meeting time would be 6:00PM on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday's of each month at Dannels Fire Station.

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Next regular board meeting scheduled for June 12, 2013 at 6:00p.m. at the Dannels Fire Station.

Meeting adjourned at 8:05 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."*