

**MINUTES OF THE REGULAR MEETING OF
BOARD OF DIRECTORS OF THE
MOUNTAIN VIEW FIRE PROTECTION DISTRICT**

May 15, 2006

I. OPENING OF REGULAR MEETING.

A. Call to Order.

The regular meeting of the Board of Directors of the Mountain View Fire Protection District was held at the Administration Office, 9119 E. County Line Road, Longmont, Colorado, on May 15, 2006, and was called to order by Judy Rusk at 1733 Hours.

B. Pledge of Allegiance.

All persons in attendance participated in the pledge of allegiance.

C. Roll Call.

The meeting was attended by the following Board members: Judy Rusk, Louis Rademacher, Randolph Winsett, Stephen Walker (late, entered at 5:40 p.m.) and Mark Chambers.

Also present were: Scott Lyle, Anne Freeman, John Devlin, Steve Pischke, Donna Mullison, Twink Dalton, Chad Rademacher, Sean Flagg, Chris Lawler, Chris Robillard, Chris Clark, LuAnn Penfold, Bill Humphries, Roger Rademacher, Denise Rademacher, Wade Carlson, Jennifer Nay, Joe Rusk, Mark Lawley, Nathan Friend, Mike Stratton, Ed Seibert, Bill Schmanski, Chuck Gabbard, Starr Aldrich, Mike Reasoner, Mike Arellano, Dan Purcell.

Judy Rusk presented plaques of appreciation to Louis Rademacher, 1988 through 2006 as a board member; and Mark Chambers, served 2004 through 2006.

Board members introduced themselves to each other and the audience.

Judy Rusk presented Christopher Robillard his volunteer firefighter retirement plaque.

D. **SWEAR IN:** Donna Mullison gave oath to Scott Lyle and Anne Freeman. Official oaths were signed and thereafter a brief recess for congratulations and "changing of the guard".

E. **Election of OFFICERS:** Donna and Judy stated historically Randy Winsett nominated Judy Rusk as President, had done a great job. Dr. Walker seconded such nomination. Scott Lyole made motion, Randy 2nd. Unanimous.

Randy Winbsett nominated Dr. Walker. Scott Lyle seconded. Randy moved, Scott 2nd. Unanimous.

Randy Winsett nominated Anne as Secretary, Dr. Walker seconded. Randy move to elect, Walker 2nd. Unanimous.

Randy nominated Scott Lyle as treasurer, Anne 2nd. Randy move to elect, 2nd Walker, unanimous.

Scott move to nominate Randy Winsett as assistant secretary/treasurer, Anne 2nd. Dr. Walker move, Anne 2nd, unanimous.

F. Approval of Agenda.

Chief Devlin asked that the agenda be revised to place item IV.D. as item IV.B., and the remainder of the action items shall proceed thereafter, and there is no need for an executive session. Randy Winsett moved to approve the agenda, as amended. Scott Lyle seconded such motion, and it was thereafter unanimously approved.

Chief's Report.

Chief Devlin stated he had nothing further to report.

II. CONSENT AGENDA

A. April 17, 2006 Regular Meeting Minutes.

Randy Winsett moved to approve the April 17, 2006 regular meeting minutes, as written. Scott Lyle seconded such motion, and it was thereafter unanimously approved.

III. PUBLIC/MEMBER PARTICIPATION

Wade Carlson, Mayor of Dacono stated he would like to speak to the Board under the Dacono Station action item.

IV. ACTION ITEMS

A. Election Results.

Chief Devlin reviewed the results from the canvassing Board. Scott Lyle and Anne Freeman were elected to the Board. Both ballot questions were defeated in every portion of our District.

Chief Devlin distributed a memo with attached projection of our Capital Reserve Fund through 2010 to all Board members. Discuss projections, decline in revenues in Boulder County due to limited growth. Chief Devlin stated we are financially stable. Fund balances stay solvent in the Capital Reserve fund to 2010. Discuss how to allocate funds to Capital Reserve, comes from surplus in general fund budget. Spreadsheet reflects the following needs: Station 6 lease/purchase, four engines will be paid of in 2009; command vehicle lease/purchase will be paid off in 2009 and the ambulance lease/purchase will be paid off in 2008.

General Fund reserve was discussed. At this time we have approx. \$1.1 million. The Direction Chief Devlin needs from Board is a dollar figure the Board feels adequate to transfer from general fund to capital reserve to allow us to come up with amounts that need to be cut from general fund to make this happen. Staff feels there is a need to acquire a tax increase.

We anticipate 1% increase from Boulder County over the next two years, but after that perhaps we will receive a negative amount due to limited/no growth. Important as we discuss that at no time have we stated that there would be any layoffs at this time. It is prudent on our part to show current needs, as well as infrastructure now and in the future. Chief Devlin stated he could not draw any information from the election results, other than they were not supported. Very little that we can do internally to impact our financial situation. I have asked staff to work on areas listed in the memo to the Board regarding potential cuts. We cannot control the assessed value within the District. We are seeing the assessed value and property taxes from Boulder declining, and that will continue. Once Erie is built out on the Boulder County side, there will be no more growth in our District in Boulder County. Only way to better our service deliver, we will need more fire stations. Windsor/Severence ballot question was defeated. Boulder Rural's 3.8 increased passed by 9 votes. That is their second increase in two years. They are of the opinion it is the last one they will get. Frederick/Firestone's ballot question was supported. North Metro's increase was passed. They used a marketing/bond company to help with the election and the cost for the same is built into the bond issuance. We did not do this so as not to add the cost for the taxpayers.

A true analysis of our situation could be had by hiring a company to do that. Chief Pischke stated that contracting with a bond company or investment firm could perform surveys, etc. to obtain information as to why our last election failed. Upon receipt of the information, a game plan is devised should the Board decide to go ahead and put another question on the ballot at a future election. Once the Board decided to go forward with the election, the PAC would take care of the election support. Another option would be to hire the bond/investment company to obtain all information, put together a game plan, and thereafter implement the plan and the cost would be added to the bond issuance if the same passed. This is allowed by the election laws, as shown by North Metro Fire's recent election. We have until the middle of July to decide whether to place question(s) on the November election. The companies that do the surveys would need to be contacted within the next couple of weeks in order to obtain information prior to the middle of July.

Judy Rusk, the \$1.1 million in the general fund reserve includes the state TABOR requirement of 3% for emergencies, which if used must be repaid in 90 days. Most of our tax monies are not realized until April, therefore we need to keep a reserve to pay the bills for the first quarter of the year. Otherwise, we would have to borrow to pay the bills until the tax monies are received. Also, the bond part of the election was intended to roll lease/purchases for the capital construction projects and to construct new stations in the North and South of the District, as well as replace the old Dacono Station, which is greatly in need of repair, etc.

Scott Lyle asked about the monies for the Dacono Station project. Chief Devlin stated that we had previously borrowed the \$2.2 million under a lease/purchase. The projections for the Capital Reserve include paying off the lease purchase on this project rather than oing forward. Repayment is scheduled for June 1, 2006. Chief Pischke stated that this is one of the most significant cuts staff is proposing at this time. Chief Devlin stated that the Board stated that the project was on hold until the outcome of the election. That is why it is listed as an action item this evening.

Chief Devlin stated that last year we were able to come in under budget and transfer \$220,000 from general fund to the capital reserve fund. Staff would like direction to put together a recommendation cutting approx., \$250,000 from the general fund to allow that amount be placed in the capital reserve fund for payments for lease/purchase payments, as well as any other capital needs. Nothing is budgeted for purchase of any capital purchases at all from 2006 to 2010. If we need to purchase a new engine, that would be \$350,000-\$400,000, should the need arise. We have a fleet replacement plan, but you never know when something may happen, therefore we need the capital reserve as our contingency plan.

Judy Rusk would caution audience that when looking at the proposed program cuts, there are other ways to cut the budget—reallocations, realignments, etc. Chief Devlin stated there is no plan for cuts to salaries, staff, etc. at this time. We need to change the way we do business to work within

the parameters we have received from our taxpayers. Judy Rusk stated this a challenge to all of us to find better and smarter ways to do business across the board. We don't have the time and energy to place blame. Must work together.

Chief Pischke stated the Chief mentioned the vehicle replacement plan we have. That does not mean we have been able to put money away to purchase items needed, as we have not. It is a guide for replacement.

Scott Lyle asked about what steps the District took previously with bond counsel, etc. Chief Devlin stated we had received counsel from Wells Fargo. The District did not want to incur the extra cost for their help. We went with the grass roots approach in 2004 and 2006, but we were defeated both times. Chief Devlin asked that if/when we decide to go again, RFPs should be sent out to companies. Chief Devlin stated he thought it cost \$35,000-\$40,000. Chief Pischke stated there were PAC costs that took care of some of these fees.

Scott Lyle moved to allow staff to look into proposed issues/list of areas for cost savings and bring back information at the next Board meeting, with a target goal of \$225,000-\$250,000. Dr. Walker seconded such motion, and it was thereafter unanimously approved.

Chief Devlin stated, in regard to continuing needs of the District, Douglas Bruce eliminated the District's abilities to have an annual election. Our only options for the remainder of this year and next year are the November elections. If the Board decides to put a question on the November, 2006 ballot, the Counties must be contacted by mid-July. That is only to let the Counties know we plan to have a question on the ballot. The actual ballot language would not have to be certified until some time in August and/or the question could be pulled if the Board decides to wait.

B. April, 2006 Financial Statements.

Chief Devlin distributed the financial statements. He reviewed the revenues, 48.46% has been received to date. He reviewed the expenditures bottom line. Everything other than elections are within parameters. We are currently under budget with 69.89% remaining. The benchmark for the end of April is 66.67% remaining. Board members took time to review distributed material.

Scott Lyle asked about the Tri-Area revenue reduction. Chief Devlin explained history. Randy Winsett asked about the painting bill. It was used to repaint the white/orange ambulance to match the fleet. It was a budgeted expense. Randy Winsett asked about the Leadership Class. It will continue through June, per Donna Mullison.

Dr. Walker asked about overtime in EMS and Firefighting. What is happening with that? Chief Pischke stated that we are in a position that since we are minimum staffed every day, if anyone calls in sick, on vacation or injured, we must call in overtime. That will exacerbate itself because of heavy vacation schedule. We will be faced with anywhere of 1-3 OT positions every day. That is why it is on the memo for possible options for reducing the amount. Denise Rademacher stated EMS OT is higher as they are cross-trained can fill in for many positions. Scott Lyle asked if firefighting OT is over budget? No. Chief Devlin stated the only way to reduce is to look at service delivery.

Randy Winsett moved to approve the April, 2006 financial statements. Dr. Walker seconded such motion, and it was thereafter unanimously approved.

C. Dacono Station.

Wade Carlson, Mayor of the City of Dacono, initiated discussion regarding the Dacono Station. Do not take it personally if he is critical. This is business. May, 1994 became a Board member with MVFPD. At that time it was a goal to get a new station for Dacono. When I left in 1999,

still desperately needed a new station in Dacono. Wade served as an election judge in recent election, at the Dacono Station. That building has outlived itself. It must go. It is not serving the community. It is in the wrong place. Dacono has 21 projects that are in some stage of development. Those projects are primarily west of Colorado Blvd. (WCR 13) to the Interstate. Of those 21, estimated that 3082 individual homes. Six projects are in construction now, two have turned dirt this week (Legacy Park and Eagle Meadow). Boulder County has had a decline. SW Weld County is the fastest growing county in the US (info from demographics from the State of Colorado). Legacy Park will add 856 homes in SW Weld County. Rooftops drive retail development, but in Dacono it is a case of stores first, homes later.

Mayor Carlson came from a meeting today with 13 developers for a status of development in the City of Dacono. Each developer felt that a turnaround was happening in Dacono, prospects are bright. Sweetgrass saw a trend emerging upwards. Within five years, huge growth is predicted. A new Station in Dacono is imperative. Response times will be very much affected without a new station. Wade is very supportive, great advocate of MVFPD. Have served us well. He took a lot of heat when deciding to go with MVFPD rather than other entities. Good decision then, as well as now. I want you to stand up and take the brunt of criticism and go forward with making a way to build the Dacono Station. There has got to be a way. I want us to be right up there with the latest technology. Doom and gloom should have been heard during the campaign. Show the people what will happen should the question not pass. Senior citizens voted due to limited funds, not because they don't like the services. You did not sell your bonds. Lots of crap put in the newspapers pulled out of the air that affected a lot of people. You must educate the people, the taxpayers. You must be prepared to give all the details, why you need it, what you are going to do with it. You did not do that. Where were the MVFPD people? Dacono is moving forward.

Our sales tax in March, 2006 16.4% OVER 2005. In April 15.3% over 2006. In May, 28.4% over 2006. Furniture Row, in Dacono, 95,000 sq. ft. scheduled to open doors in July, 2006. Developers stated today they are receiving every week people inquiring about their project. A group has contacted the City for a business park on the Interstate. Dacono Gateway, regional mall, is once again in contact with Dacono. It is really happening in Dacono. Do everything you can to get the new station in Dacono within one year. Do not stop this project. Please make it happen, it is absolutely necessary for the safety and well being of the people. Educate the people—go door to door, do whatever you can. Thank you. Don't put any more money into the old station on Forest—it is a wreck.

Dr. Walker initiated discussion regarding the Gallagher amendment and how it affects our assessed values/tax revenues. Discuss possibility of Dacono taxing abilities. Mayor Carlson stated Dacono is a home rule city. We would welcome sitting down with MV representatives to see what the City of Dacono can do to help get the new station in place.

Judy Rusk stated that right now, with budget as it stands, it would be fiscally irresponsible to go forward with the Dacono construction project. Current station is on land MV does not own. That station is a nightmare. Chief Devlin stated we do own a site in Dacono for the new station. That was included in the lease purchase, and we will continue to own the same even if we pay back the lease/purchase construction funds.

Randy Winsett asked if any developers have indicated they would help with construction of a fire station. Mayor Carlson stated those discussions have not been held up to now. Developers up front money for \$3.9 million for infrastructure for water, only. I would be willing to go to developers and ask for a plan to develop the Station.

Chief Delin recommended we table this matter this evening, but we have reached the end of the bid process, and if we decided to go forward later, we would have to go through a new bid process. There is no prepay penalty on the lease purchase, and can be paid off at any time. By tabling it, we would have time to meet with the City of Dacono as well as other financial

institutions to research options. Chief Pischke stated at this time we would have to say no to going forward since the bid due date is at hand, but a new bid process

Anne Freeman moved to table the Dacono Station agenda item until next month, and to make sure all legal requirements are fulfilled to terminate the current bid process. Randy Winsett seconded such motion, discussion

Chris Lawler asked the career membership not to take it personal. It was not a reflection of service. Quote in paper said “they do a great job”. We have become experts with two people on an engine, always making do. Take back to all crews that we are so good at what we do.

Judy Rusk said we were not in dire straights, wanted to put questions on ballot prior to getting in a bind, and thereafter not have to come back to taxpayers for quite some time. We provide great service.

Mike Arellano stated there were different voices of volunteers/reserves in the election. If you want to know what is really going on with the volunteers, ask the people that are currently volunteers. Do rely on information from the newspaper.

Chief Pischke stated that he met with Mayor Carlson and he did indicate that we did not do a good job of educating the people. In something of this magnitude, we need professional help in getting out the word. We should give that due consideration. Many people said we do such a good job, didn’t see why more money was needed.

Chris Lawler would like to understand the estimate of growth and how that could/should help with more tax base and therefore more money to operate. Judy Rusk stated that growth is coming, but not here yet. Taxes are paid in arrears. Taxes aren’t paid until projects are finished, and you cannot count this until it is a reality. Chief Devlin stated it takes 1,000 houses to get a fiscal impact vs. a commercial development. We don’t see much commercial development. Have heard of some coming in, but until it actually happens, we can’t plan on it.

Chief Devlin discussed tax incentives, etc. given by Towns/Cities. Fire Marshal Penfold stated she has seen a lot of plans for residential in Erie, but very little commercial. No commercial in Mead either.

Chris Lawler—staff over the next month put together a plan for the Board for changes to the operating budget. After that is approved, that the information will be communicated in detail to all members of MVFPD. Judy Rusk—if you have creative solutions to problems, let us know. We have two volunteers who have offered to take over the volunteer program. We need to do something to increase volunteers and volunteer participation. Incentives are not allowed by IRS. That will be a savings to the budget, but it was not cut for savings, but because IRS rules did not allow it. Lawler asked that this amount not be absorbed in the general fund, but used for volunteers in some way. Judy Rusk asked for suggestions.

Dr. Walker initiated discussion regarding Fire Corps. Chief Devlin has a staff report on that tonight.

Chief Devlin recommended that one or two presentations be made at the next Board meeting from bond counsel regarding elections. Chief Pischke stated we should look at a special meeting to give the companies more time if it is approved.

Randy Winsett stated that the vote was needed. Donna re-read the motion. It passed unanimously.

Judy Rusk read a thank you note received regarding the recent Pioneer Mulch Fire.

D. Set Miller Exclusion Hearing.

Chief Devlin stated it is an enclave in the City of Longmont. Judy Rusk asked if the annexation has been completed. Donna Mullison stated that it is required prior to submission to MVFPD for exclusion. Randy Winsett moved to set the exclusion hearing for the proposed Miller Exclusion for June 19, 2006, 7:15 p.m., Erie Station, 50 Bonanza Drive, Erie, CO 80516. Dr. Walker seconded such motion, and it was thereafter unanimously approved.

E. Handbook Clarifications – drug/alcohol testing 1st Reading

Chief Pischke stated that at the last Board meeting clarification was received from the Board regarding the current drug/alcohol testing. We have since reworded the handbook information stating that AOG 0010 will be updated with further details. No action is required tonight. The second reading will occur at next month's meeting.

V. REGULARLY SCHEUED ITEMS

A. Community Presentations – update.

Chief Devlin stated this was a carry over from last month regarding election presentations. Nothing new to add.

VI. REPORTS

A. Station Reports.

None.

B. Staff Reports.

(1) Operations/Training

Chief Pischke stated Wed. May 24th graduation for our volunteers from their academy. 6:00 p.m. at Boulder Rural Fire. We have five people graduating.

Saturday, June 3rd we have four people graduating from the Northern Consortium Career Academy, 10:00 a.m., Loveland Realto Theatre. We will e-mail a reminder.

(2) EMS

Twink Dalton referred to the report included in the Board packet. 112 EMS incidents, 64 transports. Since April Board meeting, 88 EMS incidents responded to. 16 hours of CME, three people finish assistant instructor course. Volunteers thereby receiving more training/interaction.

(3) Fire Prevention

LuAnn Penfold distributed her April report and reviewed the same. Judy Rusk stated that LuAnn is doing a remarkable job for only one person in her division.

(4) Admin

Chief Devlin gave an update on the Fire Corps and CERT programs. He attended a recent meeting. They are looking at how to address the programs available for volunteerism for any governmental agency. The counties, as central clearing houses, are going to avail themselves to any grant money available. We will regionalize the grant funding approach. Status of Fire Corps – we are a registered entity in program. OEM through sheriff's departments are doing background checks and initial screening. They will take applications (standard application county-wide), process them, and referred to MVFPD if their availability meets our needs. Next meeting is May 30th. This has turned into a very big project. Our role will be to identify our needs, participate in the process. Fire Corps is not designed for hands-on firefighting, not operational in nature.

Starr Aldrich asked if either program would inhibit a retired firefighter collecting pension from volunteering? Chief Devlin stated that it would be approved, as these programs do not give a pension, and the volunteer would not be doing any on-line firefighting. There are issues regarding insurance and liability which we are researching. Donna Mullison gave an update on worker's comp for volunteers. They don't have different schedules for different types of rate structures, only one whether one-line or other.

Chief Pischke introduced our new captain, Jennifer Nay. She is currently on B Shift training.

C. Other Reports.

None.

VII. BOARD MEMBER ITEMS

Randy Winsett initiated discussion regarding SDA conference for new Board members. They cover about everything you can get into serving on a Special District Board. Invaluable information, especially for new board members. In Keystone, three days, . One day workshop in Fort Collins on Wednesday, June 21st. Let Donna Know if you would like to attend either or both.

LuAnn Penfold stated she was on Brighton's Board for 12 years. Regional workshop information is invaluable.

Dr. Walker – review some of what went on at the election. The detractors have major concerns and they have spoken loudly. One of the concerns is that the Board is mismanaging the District's funds. One of the points has to do with EMS transport, part-time medical director, etc. Important to hear these issues. Must be knowledgeable enough to articulate well why/how the District is operating the way it is. Dr. Walker asked Twink Dalton, EMS Director, to address the EMS Service and the use of a contract Medical Director.

Twink Dalton addressed the medical director issue. We pay for his services which gives the District and its EMS employees his presence. A volunteer EMS Director is available only at the

hospital, etc. They are very protective of their off duty time. We chose to contract with a director who devotes a certain number of hours to our District and comes to the District. We communicate with him nearly every day. Twink functions as his liaison. EMS employees are allowed to call the medical director whenever necessary. We pay for this privilege. The other absolute benefit is to have Dr. Kanowitz attend State meetings for input, etc. regarding State-wide EMS issues.

Chief Devlin stated that the stability of the program is very worthwhile, as with volunteer medical directors tend to have a greater turnover rate.

Chief Devlin addressed the EMS transport question. He gave a history regarding the decision. One way to offset some of the cost of transport was to cross-train personnel to allow additional staffing for firefighting, as well as serve as EMS personnel for medical treatment and transport. This also allowed our taxpayers to realize a quicker response for EMS transport. As the District grows, revenue will increase and will pay for more of the EMS costs. We could change how we provide service, but response times will be lengthened. No private company will staff, i.e. Niwot Station, due to call volume. If we did not staff the Niwot Station, those residents must rely on Pridemark coming from Longmont or Boulder, depending on availability. Response times could be as much as 30 minutes.

Dr. Walker asked about write-offs regarding Medicare and Medicaid. This is mandated by Federal Law and we are required to write off all but a small, basic charge Medicare and Medicaid allows. There is no way to recover those monies per Federal law. Prior to MVFPD providing transport, our taxpayers were required to pay a fee to a private ambulance company, which fee is larger than the fee charged by Mountain View Fire. Chief Pischke stated that Medicare and Medicaid allow more money if billings are completed appropriately. Our EMS Director and Medical Director have the required information to ensure MVFPD receiving the most reimbursement allowed.

Judy Rusk stated that running with more than one ambulance company is a nightmare, i.e. more than one set of protocols, etc. Running with our own paramedics ensures a District-wide standard of care, and standard protocols, etc. We don't have to wait long periods of time for response/transport by providing it in-house.

Chief Devlin stated private companies do not make money on 911 transports, only on facility to facility transports, and many companies do not want to, and in fact are getting out of, emergency transports. Our large service area is a factor.

Dr. Walker asked LuAnn for any input, based on her background on Brighton's Board. They have the same problems that we have re staffing, volunteers, etc. LuAnn Penfold added that prior to transport many business owners were concerned in Boulder Tech Center regarding long response times, 16-30 minutes. Now that we provide transport, they are happy with the shortened response times.

Dr. Walker stated we need to be proactive in educating the voters.

VIII. EXECUTIVE SESSION

None.

IX. ADJOURNMENT

There being no further business to come before the meeting, Randy Winsett moved to adjourn the meeting. Dr. Walker seconded such motion, and it was thereafter unanimously approved to adjourn the meeting at 2008 Hours.

Respectfully submitted,

President Date

Secretary Date

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