

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

October 16, 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 Erie Station, 50 Bonanza Drive, Erie, Colorado, on October 16, 2006, and was called to order by Judy Rusk at 1900 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, Anne Freeman, Scott Lyle, Randolph Winsett. Stephen Walker was absent.

Also present were: Steve Pischke, Donna Mullison, Mark Lawley, Twink Dalton, Wade Carlson, Jesse Hodgson, LuAnn Penfold, Hub Albrandt, Chad Rademacher, Lee Brown, Randy Norris, Ed Seibert, Vicki Mattox, John Bretz, William Humphries, Sean Flagg, Charleen Junk, Ned Sparks, Richard Macomber,

D. Approval of Agenda.

Chief Pischke stated that agenda item V.C. is intended to be regarding discussions with CWH, just for clarification. No need for an executive session tonight to Chief Pischke's knowledge. Randy Winsett moved to approve the agenda, as written. Anne Freeman seconded such motion, and it was thereafter unanimously approved.

E. Chief's Report.

Chief Pischke stated there were no additions to his submitted activity report.

II. CONSENT AGENDA

A. September 18, 2006 Regular Meeting Minutes.

Randy Winsett moved to approve the September 18, 2006 regular meeting minutes, as written. Scott Lyle seconded such motion, and it was thereafter unanimously approved.

III. PUBLIC/MEMBER PARTICIPATION

Sean Flagg stated he was here as the representative of the Professional Firefighters Local 3214 and would like to speak regarding the CWH contract. Judy Rusk asked that he speak during the agenda item.

IV. ACTION ITEMS

A. September, 2006 Financial Statements.

Randy Winsett moved to approve the September, 2006 financial statements. Scott Lyle seconded such motion, and it was thereafter unanimously approved.

B. Town of Mead Annexation Issue

Mayor Richard Macomber of the Town of Mead made a presentation to the Board regarding a 1998 IGA between the Town of Mead and Mountain View Fire. Concerns regarding a new development that the developer will only annex to the Town of Mead if he is allowed to be in the Berthoud Fire Protection District. Developer states the homes will receive a better ISO in Berthoud's District. The IGA states that properties annexed into the Town of Mead must be annexed into the Mountain View Fire Protection District. Mayor Macomber asked for assistance to get the developer to remain in Mountain View's District. Chief Pischke stated that the ISO rating in Berthoud is a 3, Mountain View is a 5, but obtaining the 3 in Berthoud is reliant upon the mutual aid agreement with Mountain View. Mountain View's Fire Station 3 in Mead is closer than any of Berthoud's fire stations to this development. Chief Pischke stated that the District's attorney is the same as Berthoud's attorney. This creates a conflict of interest in this matter. For six months Chief Pischke has asked attorney Dick Lyons to address this issue, but nothing has been done. Perhaps that is due to this conflict of interest. Judy Rusk stated she would like to speak with Dick Lyons (who is out until approx. Oct. 23) regarding this matter. Judy Rusk thanked Mayor Macomber for bringing this to our attention. We can't deal with these things unless we know about them.

Chief Pischke asked if staff was to follow up. Judy Rusk stated she would speak with the attorney directly. Scott Lyle discussed this issue being a private matter between the Town of Mead and the developer. Judy Rusk stated it is complicated due to the IGA between Mountain View and the Town of Mead requiring all annexations to the Town of Mead must also be included into Mountain View Fire. Discussion regarding developers' options for annexations, or work through the counties, etc. Randy Winsett stated a decision must be made for future annexations, etc. Chief Pischke stated Mountain View has offered alternatives to resolve this issue. We spoke with Dick Lyons about Berthoud receiving taxes for one year or one and one-half years, or any number of ways, so there is no huge impact at one time on any specific District. Judy Rusk will speak with Dick Lyons regarding these options, etc.

V. REGULARLY SCHEULED ITEMS

A. Consortium Presentation.

Chief Pischke introduced Division Chief Ned Sparks of Loveland Fire. Chief Sparks gave a history of his background, Loveland Fire's history, and history of the formation of the Northern Consortium. Consortium's primary focus is on training; i.e. new firefighters; officer training. The Board asked for a general overview of the Consortium programs. Chief Sparks gave an overview of the new firefighter academies, as well as professional development/fire officer programs.

Chief Pischke stated the officer training classes/programs provided are some of the top programs in the State. They have always been on the cutting edge and we have supported and will continue to support the Consortium. Randy Winsett asked if they are planning to expand

to include more than the current seven entities. Discussion. Initially the Consortium was put together to share training staff, facilities, etc. One training person from each entity serves on a board governing the Consortium. For an entity to be considered to be added to the Consortium, it must show what it can add in the areas of staff, training facilities, etc. Some classes are open to outside departments at a cost. Chief Sparks stated they strive to give the best training to get quality firefighters and officers.

B. Stifel, Nicolaus Update.

Chief Pischke introduced Vickie Mattox and John Bretz regarding the proposal sent to the Board members. Mr. Bretz stated the District has 390 days in next election cycle. He stated they had to become creative in beginning now during an existing election cycle. Mr. Bretz reviewed the District assessment, which would include gleaning information regarding the leadership of the District, leaders within the District, i.e. towns/cities, District administration, etc., and how they all interact and work together. This information would be helpful at this point as the District is looking for a new Chief. The leadership choice that is made will have an impact with the voters. Historically 70% of the population participates in this information gathering.

Each Board member should come up with 10 community activists that can be called and polled with questions regarding the District, to include leadership, etc. Stifel, Nicolaus spoke with Chris Hornig of CWH regarding this as well. He indicated he would work with the pollsters as well. It would be good to get this completed in November of this year. The cost is reasonable for the information you will glean, which can help not only with the election, but with the Chief selection process.

Anne Freeman asked if we should poll past voters. John Bretz stated they will do this in the spring time next year, not now. He stated that at this point it is important to illustrate to community leaders and employees that you are trying to get all information necessary. "Let's take care of our own house prior to going outside for information," is the motto behind the proposal. Judy Rusk stated past surveys have been taken, but nothing ever done about them. This type of information gathering would be helpful.

Randy Winsett spoke regarding phase 2, regarding the 50 persons/names needed. We have representatives on the Board from Niwot, Erie, Brownsville who can supply names, but need persons in the Dacono area to participate. Board asked Mayor Carlson if he had input regarding this. Jim Bretz stated not to be afraid to ask some of the naysayers. You need this information as well.

Scott Lyle opened discussion regarding the proposal. Anne Freeman stated this information gathering would be very helpful at this time. Judy Rusk stated it is very important to get information from our District personnel, as well as information from the citizens, both pro and con regarding the last election. Chief Pischke stated that at this point in time it is confusing to get political information during the current election cycle. Judy Rusk stated that starting at the end of November to get internal information is a good idea. Scott Lyle moved to accept the Stifel, Nicolaus proposal. Anne Freeman seconded such motion, and it was thereafter unanimously approved. Scott Lyle asked if the cost of the proposal was covered in the budget. Donna Mullison stated that in the summer when the budget was reviewed and budget cuts, etc. were made, a proposal for the budget for the remaining year was put together for the Board. Within the proposed budget, funds were allocated for election information, as well as a Chief selection process. The estimated cost of this proposal is covered in these projections.

Scott Lyle asked if we could get names of past volunteers to participate in the information gathering. Chief Pischke asked Donna Mullison if we have that information, and Donna indicated

that we do have that information. Anne Freeman stated we should be considerate of the number of people being asked.

C. Recruitment Update.

Chief Pischke stated the Board asked for this matter to be an agenda item. The Board has received certain information from CWH. Judy Rusk stated that the Board must come to an agreement of qualifications, values, salary, etc. so we can put together information for an advertisement. Second thing that happens is that CWH will do the initial screenings. The information the Board would get would be blind (unknown candidates—no names) and will stand on anonymous merit.

Sean Flagg made a presentation to the Board, as the President of the Professional Firefighters Local 3214. They are asking the Board put the hiring of CWH on hold. First, the major concern is employees are looking for the Board to secure the future of the department. The department area grows smaller and smaller due to annexations to other cities, towns. Rocky Mountain Fire talks just began. We must look at all options with other departments, i.e. consolidations, etc., and perhaps at least wait until after the October 18th meeting with area departments to make a decision regarding the new Chief selection process. The new Chief selection process being held during the election process could be a huge distraction. A new Chief could be a huge roadblock to our goal to pass a mil levy and bond. Taxpayers/voters have stated the District is not fiscally responsible. The District could show them that they have saved money by not hiring a Chief until after the election has occurred. We have a very good staff. The District has made huge strides to go forward under its current leadership. The last four months have been better than the last few years. Local 3214 requests the Board to make a motion to appoint an interim Chief, and go forward during this time until the election has occurred next November.

Judy Rusk stated responsibilities were split due to strengths of individuals. Judy Rusk has had conversations with other Board presidents with concerns regarding the meeting October 18th. If anything happens regarding those talks/negotiations, it will be going forward at a very slow rate to make sure all concerns are taken into consideration. One of the concerns was a question regarding Mountain View's support, respect, etc. of the volunteers and they don't want their own agency's volunteers impacted negatively. Obviously rumors are raising concerns. She has heard from some volunteers and career personnel that things have improved within the District. We must prove this to other Districts prior to having the ability to share personnel, etc. with other Districts. Judy Rusk stated that having an administrative chief, operations chief, and chief budget officer is going well, but it is unknown how long they can tolerate the huge work load.

Anne Freeman stated that we are looking for a CEO of a company, the District. We want everybody's involvement to find an innovative person to lead this District. CWH is the right investment for this District. The right leader could lead you perhaps much better than you can see. May not be good to have three people leading the District indefinitely. We can get people to understand we are doing this for long term security, even though we are spending a significant sum of money to do so. Sean Flagg stated we need one leader. Find one from within. You will save nearly \$200,000 in the next year by waiting to hire a Chief, if necessary, until after the election. What if the mil levy does not pass? You have said the staff is great, then give them a shot. Make goals, benchmarks. See what they can do. Staff is known. Others are not known.

Judy Rusk stated that was why we want to work with CWH. Other chiefs in the past were selected without this type of expertise. CWH has the expertise to find out more information, screen better, etc. Judy Rusk stated we have two potentially good chief candidates internally. If one is selected, there would be a group within the District that will be upset. If the process is set for internal and external candidates, and an internal candidate is selected, such selection would validate the process and show everyone that the best candidate was selected. Randy Winsett stated internal candidates would have a lot of information to bring to the process. We want District personnel involved in the selection. Discussion regarding Randy's experience with internal selections. Help us put together the philosophy needed to select the right leader. Judy Rusk stated the Board

understands concerns regarding cost and having someone from the outside that doesn't know the District.

Scott Lyle stated the employees are asking the Board to put off a decision until at least Wednesday. He stated that no one has the expectation that any combined Districts, etc. will happen overnight. But, we can get an idea of where everyone is at and the possibilities available. With the election coming up, is it necessarily prudent to have staff working so hard to find a chief when we will then have a double duty with the election as well? Time could be given to the election, rather than such a huge workload to do both at the same time. Perhaps put off selection of a chief until after the election. Select an interim chief at this point. Judy Rusk stated if that is the choice, we will need an Executive Session tonight regarding a personnel issue. Anne Freeman stated that if we don't look for a chief, our formal opposition will come out in the election stating we don't have a leader and it would impact adversely. Scott Lyle stated would have to select one interim chief in this case. Randy Winsett would like to have someone take the position prior to the election rather than later, given what may occur. Randy Winsett is strongly in favor of going forward for a new chief process.

Mayor Carlson stated that as part of the annexation in Dacono, developers are told they WILL be part of Mountain View Fire. Period. Vicki Mattox is known to Dacono. She was part of a team that helped Dacono pass a \$12 million bond issue two years ago. She was great. You have heard from staff, he stated was previously a businessman in a multi-million dollar corporation for over 30 years. One of the things he learned was that the staff/employees are your best resource for information, for suggestions, for criticism. Listen carefully to them. They are out there doing business and know what they are talking about. You want to pass a bond issue, etc. Your previous one failed all over the District miserably. You need to consider very carefully the people that you have on board when you start the new process. The City of Dacono appreciates being a part of MVFPD. Mayor Carlson took a lot of political heat by staying with Mountain View Fire instead of going with Frederick-Firestone Fire. We get good quality service, and are very happy. Current staff is a big reason why we are very happy with Mountain View's service. We have great faith in their ability and willingness to explore how to make things happen. You have a happy group in Dacono. Don't know how happy we will be if you change leadership. You may regret that. You have the ability to have home grown people who are knowledgeable about the District and carefully nurtured the District and given the Board good advice over and over again. Keep a seamless transition. Keep on board a chief that is known to this District. You are missing a good opportunity. Mayor Carlson has employed headhunters. Every person he brought on board from a headhunter, he regretted. A person from out of state, is a transit. Buy into a chief that is here now. You are wasting money if you spend it on a headhunter and you will regret it. Stay with a known factor. Take recommendations from the employees. Dacono buys into keeping someone currently on staff in the chief position. My outlook is that if you change horses in the middle of the stream of the election process, it will mitigate against you.

Anne Freeman stated that the Board has not stated that we don't want someone home grown. We need to explore all options for the best interests of the District. Everyone has a different point of view. We now have three people in different roles. If we select one person, we may alienate part of the department. Wade Carlson stated you will have the same circumstances with a new outside chief. Anne Freeman stated a process will allow the candidate to stand on his merit.

Randy Winsett asked why Dacono hired a person from California for police Chief, when there was a wonderful home grown candidate available. Mayor Carlson stated the person selected was the best possible candidate. Discussion was held regarding Dacono's process. Thereafter, Mayor Carlson left the meeting. Randy Winsett stated that we hope persons within the department apply, and we will be able to select the best candidate. Mayor Carlson stated they had no candidates within their police department who applied. Randy Winsett stated he is committed to the process they have begun with CWH.

Randy Winsett moved to have this subject continued until the special meeting October 28th. Anne Freeman seconded such motion, and it was thereafter unanimously approved.

Chad Rademacher stated that he was disappointed regarding how this situation was handled. A Mayor from one of our communities obviously left upset. Randy Winsett stated that meetings with Mayor Carlson are difficult. We can't walk on eggshells, we must do what is best for our District.

Randy Winsett stated Mayor Carlson has given his opinion, but others in Dacono have their opinions as well.

Sean Flagg stated the Mayor of Firestone had certain views of the District. We don't have their area any longer. It is serious if the Mayor of another City is upset. It is our job to try to please everyone. Judy Rusk stated Dacono is getting more protection then they pay for. She indicated she wasorry Mayor Carlson feels the way he does. Scott Lyle stated that part of Mayor Carlson's frustration is his reliance on the good working relationship with the staff of the District. He obviously likes our personnel. That is a positive situation. Randy Winsett does not like threats, and Mayor Carlson tends to do that. Judy Rusk stated Mayor Carlson is passionate, but we need to continue on a path we determine that is best for the District. We can look at what the research company says Wednesday night. Randy Winsett stated we can play what ifs all night.

Judy Rusk stated she would be delighted if someone internal got the job. There would be a short learning process. Sean Flagg, asked that the Board give someone internal a chance and see if they can do it. It is a concern if the Mayor of Dacono is not happy. Can we rely on him to campaign for the District in a mil levy/bond election?

Anne Freeman stated we need to worry about our taxpayers. Judy Rusk stated not all of the District has the same views as the Union. Anne Freeman stated we cannot be bullied. It is not professional.

Randy Winsett stated that as a town leader, if Mayor Carlson would not support our fire department in an election based on the Board's decision on a chief selection process, that would not be a very good leader. He made some good points, therefore we are now going to take some time to digest all the information. Judy Rusk stated everyone needs to be there on October 28th for the meeting.

VII. REPORTS

A. Station Reports.

None.

Judy Rusk asked about the paint on the parking lot at the Brownsville Station. Can it be taken off before the neighbors get really unhappy. Can we use chalk the next time? Chief Pischke stated he is obtaining all information regarding this situation prior to any decisions being made. Judy Rusk stated Station 5 was used for the CPAT test and set up was completed using paint.

Judy Rusk took a cell phone call from Dr. Walker and asked that he make sure to attend the October 28th meeting, but since this meeting was nearly over, there was no need for him to drive to Erie from Niwot to attend tonight's meeting.

Chief Lawley stated we will get Station 5 taken care of.

B. Staff Reports.

(1) Operations/Training

Chief Albrandt gave an overview of the Colorado Firefighters Academy in Telluride. 16th year MVFPD has taught at the academy. Took an instructor crew of 7. We have been a focal point for the past 16 years, and thanked Chief Junk and the Board for allowing them to go. They have indicated they want us back next year as well. Mountain View does have a name out there and we do a good job.

Chief Junk gave an update regarding plans for our own volunteer academy in 2007. Meeting for instructors was held October 11th. There are approximately 34 people who will assist with training. Everyone is very excited about this new program. Nothing improves your department better than teaching. Judy Rusk stated career/volunteer interaction is priceless. Chief Junk stated teams were formed, which include volunteers and career together, and they will be working on lesson plans, etc. Two additional days for live fire burns, Oct. 22 and 29. Harassment training is in November. December is pretty slow. Training Division will be finishing the 2007 training calendar in December and finalizing academy plans. First meeting with new recruits will be the first Saturday in January. We have received very positive feedback. We will use the new Longmont Training Center. When the Consortium is in town, we would like to invite the Board to attend and view. Chief Junk will send out date information.

Judy Rusk suggested that when you do the orientation of the District with new recruits, bring a Board member in. Chief Junk will send information regarding the meeting to the Board members. Chief Junk stated there will probably be approximately 10 people in the academy. This is a good number for our first academy in a long time.

Chief Lawley stated there was one fire this month; an arson fire, and the people have been caught. Crews did a good job.

(2) EMS

Twink Dalton reported that we have had 82 calls since the last Board meeting. A great deal of education; 40 hours of CMEs have been offered during that time. 16 hours were ALS, including 4 persons from the outside. We are finishing the First Responder class. 7 of the initial 10 students are taking the final exam. We are currently offering the second session of EMT-IV class. We have 9 people in that class. We have been very busy.

(3) Fire Prevention

LuAnn Penfold had nothing to add to the report contained in the packet. She will address any questions. She corrected an address contained in her report under new construction. She used Chuck Boyes last week for two days, and now he is on his way to Florida for the winter.

(4) Admin

Chief Pischke stated that this morning the District was in court regarding a refusal pay for transport issue. The Court found in favor of MVFPD. Former employee litigation depositions will be going on the next couple of weeks. Chief Pischke was asked to attend a deposition tomorrow as the District's representative to assist our attorneys. As we go through the process, Chief Pischke will keep the Board advised.

(5) Volunteer/Reserve Program.

Chief Pischke stated that Chief Junk gave the update earlier regarding persons involved in the academy. Chief Junk stated Randy Norris and Cindy Brown have been working on the First Responder class. Cindy Brown is revising the entire program. Cindy Brown is presenting an orientation tonight for applicants. Chief Pischke stated we are getting excellent help from our employees. Great job!

(6) Career Firefighters.

Ed Seibert gave an update regarding the CPAT process. He distributed an informational memo describing the CPAT process. CPAT is the physical agility process for new candidates. Ed gave an overview of the program. The entire membership was invited to participate to validate the test. Over 50 persons participated, as well as others who gave time/efforts to set up, etc. Ed thanked Chief Pischke and everyone for supporting this program. Due to strict guidelines of CPAT, paint was used to delineate the course, as it must be exactly the same for each participant. It took all day to set up for the event. The benefit outweighs the paint on the ground.

Judy Rusk asked how everyone did. Ed stated it went very well; good information for everyone.

Chief Pischke stated that this lends credence to our peer fitness program. The CPAT will go hand in hand with our peer fitness program. Judy Rusk stated most of these tested items have to do with fire. How about EMS? Discussion regarding stages of the test and how it tests EMS as well as fire.

C. Other Reports.

NONE.

VII. EXECUTIVE SESSION

NONE.

VIII. BOARD MEMBER ITEMS

Randy Winsett thanked crews involved with the barricaded subject issue. Chief Lawley stated crews were B-Shift and A-Shift, as the incident began on one shift and the next shift was called out to clean up.

IX. ADJOURNMENT

There being no further business to come before the meeting, Randy Winsett moved to adjourn the meeting. Scott Lyle seconded such motion, and it was thereafter unanimously approved to adjourn the meeting at 2047 Hours.

Respectfully submitted,

President Date

Secretary Date

Minutes1016.06