

**CORTEZ FIRE PROTECTION DISTRICT
REGULAR BOARD MEETING
July 9, 2014**

CALL TO ORDER

President Orly Lucero called the meeting to order at 6:30 p.m. in the meeting room at Station #1. Roll call followed and the board members present were Lori Johnson, Kent Lindsay, Diane Fox, Sherri Wright and Orly Lucero. Administrative Assistant Wendy Mimiaga, Asst. Chief Charles Balke, Chief Jeff Vandevoorde and Heidi Trainor were present for the meeting.

APPROVAL OF THE AGENDA

Ms. Johnson asked to have a discussion under new business about how to approve items on the agenda, and how to have items added to the agenda. President Lucero asked to have Ms. Trainor, Audit, moved to public comment from new business. Ms. Mimiaga added that Perry Lewis, The Geeks, will not be able to attend the meeting due to a family emergency, and will need to be removed from old business.

APPROVAL OF MINUTES

The minutes from the regular meeting, held on June 11, 2014, and the workshop, held on June 18, 2014, were brought before the board for approval.

Kent Lindsay made a motion to approve the minutes for both the regular Board of Directors meeting held on June 11, 2014, and the workshop held on June 18, 2014, Sherri Wright seconded. The minutes for the meeting were approved on the following vote:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

BILLS AND ACCOUNTS

The board reviewed the list of bills and accounts and the financials included in the Board packet.

Ms. Johnson asked for a breakdown on the Farmers Telephone bill, \$3,187.05. Chief Vandevoorde explained that it included the installation of the new phones, and over one month, 48 days, for the phone bill. Ms. Johnson also had several questions on charges on the credit card, Alternate Force, \$1,043.75, which was for the tri-pod that was part of the provider grant, Sureglow, \$552.89, that was for the glow sticks that were purchased for Pub. Ed. For the July 4th celebration, Nielsen Kellerman, \$380.00, which was for calibration equipment, Wearvertex.com, \$473.10, for uniforms and J. Fargo's, \$130.06, for the Tri-State Board meeting. Mr. Lindsay asked about the \$33.38 charge to Shilo's Steak House, that was for the monthly Chamber of Commerce meeting. Ms. Johnson also inquired about the two additional invoices for Lanmark. The two additional invoices had come in after the Board packets were delivered, and were listed on the supplemental bills list. They were for color decals and business cards with the new logo.

Lori Johnson made a motion to accept the bills and financials including the supplemental list of bills, Diane Fox seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

PUBLIC COMMENT

Heidi Trainor addressed the Board regarding the 2013 Audit. The Audit was not completed in time for the July 9, 2014 Board meeting, but will be done by the end of the month. (*the Audit is due to the State Auditor's Office by July 31, 2014*) Ms. Trainor advised the Board to sign an extension letter, and then she will present the Audit to the Board at the August meeting, prior to submitting the audit to the State. With the extension letter, we have until the end of September to submit the audit.

Lori Johnson made a motion to sign the audit extension letter, Sherri Wright seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

Ms. Johnson added that she believed last year it was agreed that the agreement to do the audit should be with the Board, and not the Chief. Ms. Trainor explained that if there was a separate audit committee of the Board, that she would present the letter to them, but since there is not, it is up to the Board and the Chief as to who would sign the letter. It would be fine either way. Ms. Mimiaga added that when she received the letter, she conferred with President Lucero to review and to see whom he thought should sign the engagement letter. President Lucero had Chief Vandevoorde sign the letter. Ms. Johnson further inquired what an audit committee would entail. Ms. Trainor explained that it would be a sub-committee of the Board of Directors and act as an advisory committee to the Board. They would contract with the auditor, review the final audit, and then advise the Board on the audit. The sub-committee would do everything the Board does currently.

CORRESPONDENCE

Included in the packet was a thank you card and photo calendar from the foreign exchange students that stayed at Station One on May 28, 2014.

REPORT FROM THE ADMINISTRATIVE ASSISTANT

A report of the current financial accounts was included in the packet. The county treasurer's office distributed a total of \$249,831.00 to the district for the month of June, 2014. \$142,416.27 for the general mill levy, and \$107,414.73 for the additional mill levy.

The business money market account at 1st Southwest Bank had a balance of \$129,106.80 as of June 30, 2014 with Interest earned in June, 2014 of \$27.41. The annual percentage yield remained at 0.25%, and the interest paid year to date was \$159.95. The 3 year jumbo CD of \$257,092.42 at 0.60% earned \$131.23 on June 13, 2013. Total interest paid in 2014 is \$507.63 for an updated balance of \$257,600.05.

\$250,000 was deposited in a jumbo CD, at 0.98%, for 5 years at the First National Bank of Cortez on February 14, 2014. As of May 14, 2014, it has earned \$597.40. This CD is updated quarterly. The balance, as of May 14, 2014 is \$250,597.40.

The balance in the State Farm account, as of June 30, 2014, was \$742,875.91 with interest earned in June, 2014 of \$396.77, and year to date \$2,604.23. The interest rate remained at 0.65%. The total in the reserve accounts is \$1,380,180.16.

The jobless rate fell to 6.1% in June, adding 288,000 jobs. Interest rates are still unchanged, but the Federal Reserve will probably revisit the fed funds rate after the first of the year.

REPORT FROM THE ASST. CHIEF

Asst. Chief Balke went over his report that was included in the packet along with a list of the trainings, meetings and events he attended. Asst. Chief Balke reported that he and the Chief continue to work on the SOG's, Standard Operating Guidelines. Many are still in the draft and review stage. They are also working on updating all the job descriptions for all positions within the organization. Asst. Chief Balke is also working on the budget items for operations and training.

We have still not been awarded the AFG grant, but we have not yet been denied. We were notified that we have been denied the provider grant.

A graph of the monthly calls and response times for June, broken down by district, was included. The weighted average response time for the month of June, taking into consideration all districts, was six minutes, seventeen seconds.

President Lucero inquired about the firefighter testing. Asst. Chief Balke explained that it was for a fulltime position. The position will be filled by the end of the month. Chief Vandevoorde explained that one individual has accepted the position for the current opening. There are two additional people on the list, and we have one firefighter who is in the process of testing for the Farmington Fire Department. He will probably be leaving in the next couple of weeks, in which case we will contact the second person on the list. The number one person on the list, who has accepted the position, is Danny Barfield. Mr. Barfield was a part-time firefighter here in the past, and has been working as a full-time firefighter in Bernalillo, NM. He will be moving back to Cortez.

President Lucero thanked everyone for all their help and participation during the July 4th events.

REPORT FROM THE FIRE CHIEF

Chief Vandevoorde went over his report and list of meetings that was included in the packet. Chief Vandevoorde asked the Board to change the next two Board meetings due to conflicts. The August 13, 2014 meeting will need to be moved to August 20, 2014 as both the Chief and Asst. Chief will be out of town at the Fire Rescue International in Dallas, TX, and the September 10, 2014 meeting will need to be rescheduled to September 17, 2014 as the annual SDA conference begins on September 10, 2014.

Sherri Wright made a motion to reschedule the Board meeting in August from the 13th to the 20th, and September from the 10th to the 17th, Lori Johnson seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

Chief Vandevoorde thanked everyone who participated in the Blood Drive, and reported that it went well with thirteen participants.

It was reported that the Medicine Man should be re-opening shortly. He has put over \$200,000 into the building to bring it up to code. The Alarm test will be later in the week. Parking will most probably be an ongoing issue for the business.

The RFP, Request For Proposal, for architectural design services for the new fire/administration building has been submitted to the Denver Post, Durango herald and Bid Net International, and it is posted on the Cortez Fire website. We have already have several call from firms requesting the RFP.

There were 159 calls during the month of June, 125 EMS calls, 28 fire calls and 6 vehicle accidents for a total of 861 total calls for the year.

An emergency phone has been installed on the outside wall next to the door to Station One. When you pick up the receiver, it automatically dials dispatch. There have been several incidents throughout the country where people have gone to the fire station for help, but were unheard at the door, and subsequently died outside of the station. We are also a safe haven for baby drop off. If no one hears the door bell, they can call dispatch directly. It currently dials the 8441 number, but will be changed to dial 9-1-1.

Earlier today there was a call for a car that went over the embankment, about 600 feet, at Mesa Verde. The firefighters did a good job on the rope rescue to get the driver up to the road. We have been doing a lot of rope rescue training in house, and with Mesa Verde.

Also included in the Chiefs report was a list of the fire inspections conducted by Sean Canada, Cortez Fire Inspector.

Chief Vandevoorde talked with Perry Lewis at the Geeks regarding the last invoice. Mr. Lewis gave him a breakdown for the invoice and explained that the job is complete and this would be the last bill. He will now be coming out less frequently, and can train one of our individuals to update the system and check for viruses.

OLD BUSINESS

Tri-State – Justin Lindsay went over the agenda for the upcoming 76th Annual Tri-State Fireman's Association Conference July 31 to August 2, 2014. There are several trainings being offered including a two day Highway Safety training with Pete Bellows which firefighters will receive a certification for the class. This will be the first time firefighters will be able to earn a certification during a Tri-State conference. Chief Balke will offer a two day Officer Transition class, Hamatro (sp?), an extrication company, will be offering a two day extrication class, Care Flight will be offering a two day Landing Zone class, Dolores Fire will be offering a water shuttle class, and Corey Adamy will be offering a Haz-Mat class. The events and competitions will take place on both Friday and Saturday afternoons.

Lunch and Dinner will be provided both Friday and Saturday. The firefighters will be grilling for lunch on Friday, and still need some volunteers to help. The Awards Banquet and Dance will be held Saturday night at the American Legion.

The Memorial Service will be held on Saturday morning from 7:30 – 8:30 a.m. in Parque de Vida. There will be an Honor Guard comprised of individuals from each department in Montezuma County. The Cortez Fire Association will offer a 50/50 match to help pay for all the uniforms, and they will donate all the ceremonial axes, flags, etc. Justin Lindsay, Kevin Dunn and Cody Rogers will represent the Cortez Fire Protection District on the Honor Guard.

Mr. Lindsay also presented several maps and overviews showing where the events will be set up, the beer tent and the vendors, as well as a list of expenses, with a grand total, thus far, of \$6,245.00. There will still be additional expenses prior to the event. The fees for the dues and meal tickets are still coming in. Ms. Johnson asked if we come out in the black, do we donate the profit to next year's host. Mr. Lindsay replied that we will get to keep any profit that might be made, however, if it cost more than we take in, we will have to cover the expenses. Asst. Chief Balke added that the District has budgeted \$8,000 with the expectation that we will take in enough money to cover that expense.

The association will purchase the beer, and individuals can purchase a beer mug for \$10 for unlimited beer over the weekend. The Ute Mountain Casino will be sponsoring the Trophies for all the events. They will also be selling 76th Annual Tri-State tee shirts over the weekend. There will also be a 50/50 drawing. The winner of the drawing will receive 50% of the proceeds and the remaining 50% will be donated to Jeff Bryan, a local firefighter from Towaoc, to help offset some of the many medical expenses he has incurred due to an amputation.

Board Purchasing Approval – Ms. Johnson requested that this be on the agenda for discussion. Ms. Johnson explained that the City of Cortez purchasing department goes out to bid as required based on the amount of the purchase, then, if the purchase is over \$10,000, the purchase order must be approved by City Council prior to the actual purchase. Ms. Fox inquired if that was for unbudgeted items. Ms. Johnson replied that it is for all purchases, budgeted or not. Ms. Johnson further explained that within the purchasing policy, there must be a stipulation to allow for emergency purchases. The Board should come up with an amount for approval for purchases, however Ms. Johnson went on to explain that it should not tie people's hands to do their job.

Ms. Johnson explained that within the City, the Chief of Police can make a purchase up to \$1,000 with no approval, if it cost more than \$1,000, he has to go to the City Manager, Shane Hale, for approval. If it is over \$10,000 it must go to City Council. Ms. Fox asked if we have to have bids on all our purchases. Ms. Johnson explained that it would depend on the purchasing policy. Ms. Fox further commented that she did not want to feel like the Board was micro managing. Ms. Mimiaga added that in the CFPD bylaws it states that any purchase over \$25,000 must go to bid, which was lowered from the \$60,000, as stated by statute. (*...when receiving aid from a governmental agency or purchasing through the state purchasing program, C.R.S. § 32-1-1001(d)(I)*) Ms. Johnson continued that the Board should have a purchasing policy, and that it should also address the number of signatures required on the checks, explaining that just the other day Chief Vandevoorde had to run around town to have a small denomination check signed that needed to be sent out. Small checks, less than a determined amount, should only need one signature. The Board would then still approve the checks, after the fact, at the Board meeting. This would also help alleviate the Board from having to sign all the checks at the meeting, and they could be sent out in a timely manner. Chief Vandevoorde explained that the Board would have to approve the number of signatures on a check by resolution, as it will need to be on file at the bank. Mr. Lindsay added that the County Commissioners never signed checks. Everything was sent out and each week they would receive a print out of what checks were written, which they would then sign off on.

Ms. Johnson will pursue the information for a purchasing policy. President Lucero added that the purchasing policy will need to be compliant with the bylaws. Chief Vandevoorde explained that he and Asst. Chief Balke get several prices for most items they look to purchase since we do have a tight budget. There are some items where that is not an option, i.e. air packs, they all need to be the same, and work with other departments packs. Ms. Fox further added that she does not want to tie anyone's hands, but if they want to get informal bids, that is fine, it is a good business practice, but mandating that it is done is another issue. Ms. Wright added that \$10,000, the limit the City uses, could be a good amount, but that \$5,000 is too low. Chief Vandevoorde added that amount could work, but to keep in mind that most of the equipment that is needed and purchased is expensive. Ms. Johnson added these items are in the budget, so it is known in advance what will need to be purchased. Ms. Fox added that is what she needed to be clarified, are these budgeted or unbudgeted purchases. Ms. Johnson clarified that the way the

budget is presented, it is not broken down by item. Asst. Chief Balke added that along with the budget last year, a list of items, the justification list, was included with each item needed and the cost. Ms. Johnson added that the Board approves the budget, but not necessarily the items to be purchased within the budget.

The consensus of the Board was that \$10,000 was a good amount for pre-approval for the purchasing policy. More research will be done, and a sample policy will be sought.

NEW BUSINESS

Agenda Discussion – Ms. Johnson thought we had added Agenda Approval to the agenda at the workshop meeting. Ms. Johnson continued that she thought she had to argue to get an agenda item added to the agenda, and inquired who has the authority to add items to the agenda, thinking that any Board member could do so.

Ms. Fox stated that, with the School Board, you contact the secretary to have an item added to the agenda, as long as it is not a controversial issue. If it is, the Board is notified and there is a conversation about it. Ms. Wright added that an explication for the agenda item is also required. President Lucero asked that if a Board member request an item to be added to the agenda that they send a copy of the request to him.

Ms. Johnson added that she had made President Lucero aware that we were going to have an executive session at the next meeting, and that she had to request that Ms. Mimiaga add an executive session to this agenda three times, to discuss the expectations of the Fire Chief and personnel. President Lucero then contacted Ms. Johnson, and she still felt like she had to fight to get it on the agenda. Ms. Johnson stated that she feels like this is her meeting and if she wants an agenda item on the agenda it should be. If no one else wanted to have the executive session, it would fail for a lack of a second to the motion, or voted down.

President Lucero pointed out that agenda items can be removed or added when the agenda is approved. Ms. Fox stated that the nature of the meeting, the executive session, is what caused the concern. There should be better communication within the Board. Ms. Mimiaga added that she contacts each Board member prior to the meeting to see if they have anything to add to the agenda, however executive sessions have a multitude of legal requirements and restrictions that they should be discussed and affirmed with the Board President to make sure they meet the legal requirements.

President Lucero stated that the Board members should respond to Ms. Mimiaga if they have something to add to the agenda, and if there is a discussion about the topic added, it can be approved, corrected or deleted when the agenda is approved for the meeting.

Chief Vandevoorde added that it is better to have an item on the agenda, and remove it if need be, rather than add it at the meeting. If it is not on the agenda then a decision or action cannot be made.

Engagement Letter – Included in the packet was an engagement letter from Collins Cockrel & Cole to retain their legal services, along with their resume and fee schedule. It has been discussed by the Board on several occasions that we should have a law firm with a background in Special Districts, and more importantly Fire District, to call on when we have an issue. Chief Vandevoorde explained that we will still be working with Kelly McCabe as our local council. This firm has a more extensive background on issues regarding SDA and that affect us as a Special District and a Fire District. Ms. Fox added that it is in the District's best interest to have someone who is well versed in these issues, and added that she was impressed with the gentleman who facilitated the training for Board members for the Special District Association. *(Mr. Cockrel of Collins Cockrel & Cole)* Chief Vandevoorde added that the fee structure is not out of line, and less research time will be needed. There is no retainer fee.

Lori Johnson made a motion to engage the firm of Collins Cockrel and Cole for legal council for the Cortez Fire Protection District, Diane Fox seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

President Lucero will need to sign the engagement letter to send back to the firm. Ms. Mimiaga added that she has been talking extensively with Linda Glesne, one of the firms foremost fire district attorneys, about the District's needs, and that we will still be working with Mr. McCabe on certain local issues. They are very amicable with this, and do not want to interfere with Mr. McCabe's work, but are available to help the District where needed.

Job Descriptions – The current job descriptions for the Chief, Assistant Chief, and Administrative Assistant were included in the packet as requested by the Board. The job descriptions are currently being updated, so both the old description and the draft of the updated descriptions, if available, were both included. Ms. Fox commented that she had requested the job descriptions, mostly for the new Board members, to better understand the rolls and responsibilities of the Chief, and his staff. Ms. Wright asked if the Chief primarily handles the administrative work, and the Asst. Chief primarily handles the day to day operations. Chief Vandevoorde clarified that they both do administrative work, calls, command, depending on what is going on and where. Through the chain of command, Asst. Chief Balke will meet with the firefighters on a daily bases for a briefing.

Ms. Johnson brought up an issue on the draft description for the Chief under availability. It states that he will respond to all major emergency calls as outlined in the District's response policy. Ms. Johnson requested a copy of the response policy to better understand what the Board is directing him to do. Chief Vandevoorde explained that the policy is being worked on regarding changes due to the number of personnel on duty has increased from three to five. The response by the Chief and Asst. Chief is also determined by the number of calls at one time, the nature of the call and is location. They each know who needs to go to which call. It is hard to write it out in a policy. Ms. Johnson asked that the wording be changed. It was suggested to change it to "respond to all calls as needed" and change to read the same for the last bullet point under responsibilities. Ms. Johnson asked if there was anything the Chief was doing that is not included in the job description, but should be. Nothing was noted.

Ms. Fox reiterated that the Boards roll is not to tell anyone what to do, but just to be familiar with what it is they do, so that the Board can better do their job. It was decided that when the other job descriptions are completed, they will all be added to the Board Manuals.

EXECUTIVE SESSION

President Lucero stated that the board would go into an executive session at the request of the Board, pursuant to C.R.S. 24-6-402(4)(f) to discuss the expectations of the Fire Chief.

Diane Fox made a motion to enter an executive session, to include the Board and Chief Vandevoorde, to discuss the expectations of the Fire Chief pursuant to C.R.S. 24-6-402(4)(f), Lori Johnson seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

President Lucero stated that the board would enter into an executive session, at 8:15 p.m., pursuant to C.R.S. 24-6-402(4)(f) to discuss the expectations of the Fire Chief.

President Lucero brought the Board out of executive session at 8:57p.m. Upon adjournment of the executive session, President Lucero stated that the board did not adopt any policy, position, resolution, rule, regulation or take any formal action.

ADJOURNMENT

Having no further business to come before the board, Lori Johnson made a motion to adjourn the meeting, Diane Fox seconded. The motion passed as follows:

Fox	Lindsay	Wright	Johnson	Lucero
Yes	yes	yes	yes	yes

The meeting adjourned at 8:58 p.m.

Orly Lucero – President

Attest:

Kent Lindsay – Secretary/Treasurer