

**CORTEZ FIRE PROTECTION DISTRICT
REGULAR BOARD MEETING
October 12, 2016**

CALL TO ORDER and PLEDGE OF ALLEGIANCE

President Orly Lucero called the meeting to order at 6:34 p.m. in the meeting room at Station #1. Roll call followed after the Pledge of Allegiance and the board members present were Rodney Branson, Kent Lindsay, Buck Woodman, Sherri Wright (via conference call) and Orly Lucero. Administrative Assistant Wendy Mimiaga, and Chief Jeff Vandevoorde were also present.

APPROVAL OF THE AGENDA

Kent Lindsay made a motion to approve the agenda for the October 12, 2016 Board of Directors meeting, Buck Woodman seconded. The agenda was approved on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

APPROVAL OF MINUTES

The minutes from the Fiscal Affairs meeting held on September 7, 2016, and the regular Board meeting, held on September 14, 2016, were brought before the board for approval.

Kent Lindsay made a motion to approve the minutes for both the Fiscal Affairs meeting held on September 7, 2016, and the regular Board of Directors meeting held on September 14, 2016, Rodney Branson seconded. The minutes for both meetings were approved on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

BILLS AND ACCOUNTS

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

Sherri Wright made a motion to accept the bills and financials including the supplemental list of bills, Buck Woodman seconded. The motion passed on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

PUBLIC COMMENT

Chief Vandevoorde introduced Mr. Darrin McCarty, the facilities manager at the Air Products Helium Plant in Cahone. Mr. McCarty explained that Air Products is a Fortune 500 company based in Allentown Pennsylvania. The plant in Cahone was the first of its kind to be built with brand new technology for helium extraction. The plant was commissioned and came on line June, 2015, and has been shipping helium out of the facility for a little over a year. The Air Products foundation has been able to secure money for donations to various responding fire departments. The Cortez Fire Protection District is a department whose equipment and expertise would be needed if something

were to happen at the plant. Mr. McCarty presented a check for \$2,500 on behalf of Air Products to the District, and stated they look forward to building a partnership with the surrounding fire departments and EMS. The Board, staff and all present firefighters each thanked Mr. McCarty for the generous donation to the District.

CORRESPONDENCE

Included in the packet was one inclusion from the Cortez Journal from October 4, 11, 2016, and thank you notes from Pastor Bruce Burkett and Tom and Lorna Gift and Family. Included was an article and photo of the newly graduated cadet class. Mr. Lindsay commented on how nice the graduation was and the number of people who attended. It was a nice event.

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 \$42,816.05 to the district for the month of September, 2016. \$28,170.39 for the general mill levy, and \$14,645.66 for the additional mill levy.

The balance in the State Farm account, as of September 30, 2016, was \$650,745.11 with interest earned in September, 2016 of \$240.64, year to date earnings are \$2,139.09. The interest rate remained at 0.45%.

The business money market account at 1st Southwest Bank had a balance of \$130,237.98 as of October 2, 2016, Interest earned in September, 2016 was \$26.75, year to date earnings are \$244.18. The annual percentage yield remained at 0.25%.

The 3 year jumbo CD of \$257,092.42 at 0.60% earned \$133.02 on September 13, 2016. Total interest paid on the CD to date is \$4,011.96 for an updated balance of \$261,104.38.

The \$250,000.00 CD deposited at the First National Bank of Cortez on February 14, 2014 for five (5) years with an interest rate of 0.98% has a current balance of \$254,942.22 as of February 12, 2016. The \$300,000.00 CD deposited at the Community Banks of Colorado for five (5) year CD at 1.15% has a current balance of \$303,260.96 as of March 23, 2016. Neither of these accounts produce a monthly statement, and only update on a yearly basis. There was no current update for either of these CD's.

It was reported that the total earned on the reserve funds for September was \$400.41 and the total in the reserve accounts was \$1,600,290.65.

The unemployment rate ticked up to 5.0% in September, adding only 156,000 jobs. The August numbers we revised upward to 167,000 from 151,000 and July revised down to 252,000 from 275,000, a net drop of 7,000 jobs. Average hourly earnings increased 0.2% in September, and are up 2.6% for the year. The Federal Reserve met in September, and is still expected to increase interest rates by the end of the year.

REPORT FROM THE ASST. CHIEF

Asst. Chief Shawn Bittle included a copy of his report and a list of meetings, events and trainings he attended. Asst. Chief Bittle was out of town at an arson investigators training with Justin Lindsay. Chief Vandevoorde reported that the Cadet class is now over, and that Asst. Chief Bittle did a great job. The class worked hard, and scored over 80%. Mr. Lindsay inquired about the 100 Club that was listed in the report. The Chief explained that it is known throughout the United States, and most communities have one. It is set up so that is

someone from emergency services or law enforcement are killed in the line of duty, they are able to write a check to the family right away. There had been a 100 Club here in Montezuma County in the past, and it was discovered that there was still money left over with the State. Asst. Chief Bittle and Pete Montano worked to get the money back here to Montezuma County and get the organization up and running again. You hope you never have to use it, but it is there to help the families when needed.

REPORT FROM THE FIRE CHIEF

Chief Vandevoorde went over his report and list of meetings that were included in the packet. The Chief reported that the firefighters collected for MDA, fill the boot fundraiser, and collected over \$1,000. The recruit class also helped with the fundraiser.

The department also participated in a Flag Burning Ceremony with the American Legion on September 16, 2016. We were able to burn one flag with them. They have invited us to participate in another ceremony.

The Chief reported that the District will be testing for fulltime, part-time and volunteer firefighters on Friday, October 28, 2016.

There were 165 calls during the month of September, 128 EMS calls, 33 fire calls and 5 vehicle accidents. The total number of calls to date, for 2016, is 1,452. The Chief continued that the District has been very busy lately, averaging eight (8) to nine (9) calls a day, including four (4) full arrests in one week. We have had a lot of back to back calls, and the crews have done a great job handling all calls and getting out quickly.

J.Fargo's will be hosting the third annual Tip-A-Firefighter fundraiser on Saturday, October 29, 2016 from 11 a.m to 4 p.m. We will also have the Trunk-Or-Treat afterwards from 5 – 9 p.m. Emergency services, the police and several local businesses will be participating.

Also included was the list of fire inspections for the month of September from Sean Canada.

Ms. Wright added that after the last meeting, and all the questions that were raised, she referred to the Cortez Fire Protection District By-Laws to see how to address the issues. *(The By-Laws are included in each Board of Directors Book and each Board Information Manual.)* Ms. Wright instructed the board to turn to the By-Laws, page 2, section 3.1, second paragraph, "the Board can act only through a majority vote of the Board members. Individual Board members have no power or authority to take any action..."*(et al)* and page 14, section 4.1, "The Personnel Policy Manual identified in Section 6.4, below, shall contain detailed and fair procedure for a District member to bring a matter concerning the District to the Board's attention through the chain of command....Members may not communicate directly with the Board or individual Board members on District matters..." *(et al)* Ms. Wright cited these sections of the By-Laws due to questions asked and things said at the last Board of Directors meeting, and noted that if a Board member has questions, they should meet with the Chief, but the Board is not to interfere with the daily operations of the District. The Board members can also talk with firefighters as long as it does not pertain to any District business.

NEW BUSINESS

First Reading of the 2017 Budget – A copy of the proposed 2017 budget, that was reviewed by the Fiscal Affairs Committee on September 7, 2016, was included in the packet. There were no additional questions from the Board regarding the proposed 2017 Budget.

Also included was a copy of the 'Notice of Budget' for the public hearing, to be held at the November 9, 2016 Board of Directors meeting, that will need to be posted and run in the legal section of the Cortez Journal, the paper of record.

Kent Lindsay made a motion to approve the Notice of Budget for posting, Sherri Wright seconded. The motion passed on the following vote:

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| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

Annual pay raise for the Fire Chief – The annual review of the Fire Chief was held during an executive session at the regular Board of Directors meeting on September 14, 2016. A 5% annual increase has been budgeted for all full time personnel, 2.5% cost of living increase, and up to 2.5% merit increase.

Sherri Wright made a motion approve a 5% annual pay increase for 2017 for the Fire Chief, Jeff Vandevoorde, Rodney Branson seconded. The motion passed on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

Purchase of the new Brush Truck – N RFP was put out for a new CET Type 5 Wildland Engine (Brush Truck) on July 26, 2016. The overall requirements, totaling 130, were listed in the RFP. We received five (5) bids for the truck from \$133,000 to \$190,000. The committee that put together the specs for the new truck reviewed all five (5) bids and ranked them based on price and if they met the requirements. The committee then reviewed their findings with the Chief and Asst. Chief, and all decided they would like to accept the bid from Pete's Equipment Repair, Inc. for a CET Type 5 Brush Truck for \$133,635.00. The money is budgeted under Capital Outlay. After meeting with the rep, we had two (2) changes that were made. A letter from the company requests that half of the purchase price is paid up front, \$68,815.00, with the remainder being paid upon delivery and acceptance of the vehicle. The Chief noted that we have the full amount budgeted in the 2016 budget, however, the truck will not be completed until next year.

Rodney Branson made a motion to accept the bid from Pete's Equipment Repair, Inc. for \$133,635.00 and approve the expenditure for half of the amount, \$66,815.00, Buck Woodman seconded. The motion passed on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

OLD BUSINESS

DOLA Energy Impact Contract – We have received the DOLA contract for the Energy Impact Grant, EIAF #8196 – Cortez FPD Station One Project, for \$2 million. Chief Vandevoorde explained the only changes we would like to make are the time frames as listed in Exhibit B, Section 4.3. This has been discussed with Ken Charles who says it will not be a problem.

Mr. Lindsay had a question regarding the attorney's notes on the contract that were included in the packet along with a copy of the contract. It stated that "The District must disclose any conflicts of interest or appearances of conflicts to the State ..." (*et al*) and what do they mean by 'conflicts,' could it get down to word of mouth or letters to the editor. It was explained that, by statute, as an example, if a sitting Board member also bid on any part of the project, this would be a conflict of interest and would have to be disclosed.

Mr. Lindsay also inquired about Exhibit B, section 2.2, Work Description, "...It will be LEED Certified and strive for a Gold rating." Mr. Lindsay commented that LEED certification is very expensive. The Chief explained that it is going to be even harder with the LEED criteria changing next year, but

that it says we will strive for LEED Gold. We may not make the Gold standard based on the costs, but will most likely achieve the Silver standard. It is part of the grant requirements that we have to be LEED certified.

Mr. Woodman inquired when we plan to start construction of the new station. The Chief replied that we are planning the begin in March, weather permitting, and it will take eight (8) to ten (10) months to complete once they break ground.

Mr. Lindsay asked if we could give local contractors a preference during the bidding process. The Chief said the project will be put out for public bid, and also sent to qualified bidders, but then it is up to the architect to decide who can do the job based on the specifications. It was also noted that the local qualified companies are already doing local large jobs so it is unclear if they will be available. This is why we have contracted with Pacheco Ross. They are very qualified to work with the contractors.

Mr. Lindsay also inquired if, after reviewing the budgets and costs, does it include the demo of the current station. The Chief replied that it does not. Mr. Lindsay asked if there was a way we could use the old building for training. The Chief explained that there are so many repairs that would need to be done, it would not be cost effective. The estimate to raise the building is around \$80,000. He had looked into just taking off the second story and using the bays for storage and maintenance, but even that would be too expensive.

It was approved at the last regular Board meeting, September 14, 2016, for President Lucero to sign the contract. Chief Vandevoorde will have President Lucero sign the revised contract from DOLA as soon as it is received with the stated changes. This will need to be signed before the contract with the architect.

Mr. Lindsay pointed out that, per legal, we need to approve a resolution authorizing approval of the grant and a commitment of matching funds.

Buck Woodman made a motion to authorize Resolution No. 5, Series 2016 to accept the DOLA Energy Impact Grant, EIAF #8196 and commit the \$1 million in matching funds from the District's reserve funds, Kent Lindsay seconded. The motion passed on the following vote:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

Pacheco Ross Contract – Chief Vandevoorde reported that we have received the contract from Pacheco Ross Architects. The contract has been sent to our attorney, and we have not received any changes.

Mr. Lindsay commented that the contract states we have to hire a commissioning agent for LEED certification. Chief Vandevoorde replied that they do that through the Cunningham Group in Denver, they have a LEED certified person.

Mr. Lindsay asked if we have also budgeted furniture and equipment for the new station. The Chief replied that those items are budgeted under soft goods. It also includes all appliances.

Mr. Lindsay also mentioned that the contract state the architect will coordinate with the owners consultant. The Chief explained that will be himself and President Lucero. Mr. Lindsay was concerned as to who would be watching out for our interest.

President Lucero also stated that perhaps we could have the owner's rep report to the Board on a monthly bases. The Chief stated that Pacheco Ross is also working with a local architect, that we have also met with, from Durango.

President Lucero was approved to sign the contract at the last regular Board meeting, September 14, 2016, upon review by the Board of Directors. There were no changes made to the contract by the Board.

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

Having no further business to come before the board, Buck Woodman made a motion to adjourn the meeting, Kent Lindsay seconded. The motion passed as follows:

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|---------|---------|---------|--------|--------|
| Branson | Lindsay | Woodman | Wright | Lucero |
| yes | yes | yes | yes | yes |

The meeting adjourned at 7:15 p.m.

Orly Lucero – President

Attest:

Kent Lindsay – Secretary/Treasurer