

**MINUTES OF THE REGULAR MEETING OF THE  
ELBERT FIRE PROTECTION DISTRICT  
FEBRUARY 11, 2014**

The regular meeting of the Elbert Fire Protection District Board of Directors was held on February 11, 2014, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 p.m.

Attendance:      Directors in attendance were:

Lawrence Catlin  
Dennis Chamberlain  
Doug Rufenacht  
Tim Look  
Dale Rosburg

Absent:

None

Also in attendance:

Mike Harrower, Fire Chief  
Brandon Homer, Asst. Fire Chief  
Carolyn Homer, Administrative Assistant  
Robert L. Tibbals, Jr., Attorney

At 7:05 p.m., the regular meeting the Elbert Fire Board was called to order.

Executive

Session:

After brief review of documentation provided by Ms. Homer, Director Chamberlain moved for an Executive Session pursuant to C.R.S. § 24-6-402(3), and (4), Subsection (b), to discuss legal matters with the attorney for the District, who will be in attendance during the Executive Session. The motion was seconded by Director Rosburg and unanimously carried, with the Executive Session convening at 7:12 p.m. Whereupon by motion made by Director Chamberlain, seconded by Director Look and unanimously carried, the Executive Session was recessed and the regular meeting resumed. No decisions were made and no votes were taken in Executive Session.

Appointment

of Financial

Committee:

Directors Chamberlain and Rosburg expressed concerns regarding the status of financial matters, including documentation of accounts, budget matters, bank statements and past meeting minutes. Whereupon by motion made by Director Chamberlain, seconded by Director Look and unanimously carried, the Board appointed Director Rosburg to chair a committee consisting of himself, Carolyn Homer and Carolyn Garrett, to determine the status of financial matters for the District, including status of records necessary to complete a full update of such status.

Continuation  
of Meeting:

There next ensued discussion by the Board regarding review of minutes for the December special meeting and the January meeting, as well as review of District financial statements for January. Directors Chamberlain and Rosburg expressed concern that they were unable to fully review and understand documents presented at this meeting or within the past two days. The Board discussed continuing this regular meeting until next week to allow the Board the opportunity to review minutes and financial reports. Whereupon by motion made by Director Chamberlain, seconded by Director Rosburg and unanimously carried, the Board determined to recess the February regular Board meeting and the February Pension Board meeting this evening and continue same to Thursday, February 20, 2014, at which time all regular business of the Board would be taken up.

Thereupon, the meeting was recessed at 7:38 p.m., and continued to the time and date set forth above.

The regular meeting of the Elbert Fire Protection District Board of Directors was reconvened on February 20, 2014, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 p.m.

Attendance:      Directors in attendance were:

Lawrence Catlin  
Dennis Chamberlain  
Doug Rufenacht  
Tim Look  
Dale Rosburg

Absent:

None

Also in attendance:

Mike Harrower, Fire Chief  
Brandon Homer, Asst. Fire Chief  
Carolyn Homer, Administrative Assistant  
Robert L. Tibbals, Jr., Attorney

Rick Poston  
Joe Marchese  
Kim Homer  
Tom Gresham

At 7:05 p.m., the regular reconvened meeting the Elbert Fire Board was called to order.

Minutes: The Board first considered the minutes from the regular meeting of January 14, 2014. There ensued discussion about adding a statement regarding net ordinary income for fire and for ambulance. Upon motion made by Director Rosburg, seconded by Director Look, the minutes were approved as amended.

Public Forum: Ms. Kim Homer expressed her concern regarding perceived rudeness of the Board to Carolyn Homer and Brandon Homer at the first portion of the meeting, believing it was uncalled for. Ms. Lissa Look noted she had provided the Board with confidential packets of information and asked for consideration of that information in Executive Session later on. Mr. Tibbals offered that such Executive Session could be held later on during the meeting.

There next ensued discussion between Ms. Look, Ms. Carolyn Garrett and Carolyn Homer with respect to status of documentation for the work Ms. Garrett was performing in assembling a complete set of District financial documents which would be used for a proposed audit. Ms. Garrett said records were incomplete and that she had not been provided with everything she asked for. Ms. Homer stated she believed everything had been forwarded, but that certain District records were missing. There next ensued discussion regarding location of District records, with Assistance Chief Homer noting records were in several locations outside of the Fire Station. It was the consensus of the Board that all records which could be located should be returned to the District, reviewed and organized, as well as possible under the circumstances. Mr. Tibbals emphasized that Director Rosburg's committee, appointed at the prior session of this meeting, should be allowed to meet with Mr. Mayberry before any conclusions are drawn.

Correspondence: Chief Harrower noted he had received a letter from Elbert Water District, seeking confirmation of placement of hydrants and acceptance of the hydrants at the school and further stated he responded to such letter. Also presented, was a letter from the El Paso Emergency Authority requesting that the District pass off patient transports to AMR at District boundaries. Mr. Tibbals said the Board should take that matter under advisement.

Chief's Report: Chief Harrower stated the Elbert County Fire Chiefs were attempting to set up a uniform permitting review for oil and gas drilling, together with a uniform fee. He next reported the Chiefs postponed interagency drills for the next few weeks and discussed ECCA issues related to equipment upgrade and relocation. Chief Harrower then deferred to Tom Gresham who reported on School Board and Water Board issues, noting that meetings with those agencies had gone well with respect to the water system improvements and the school construction. Chief Harrower noted the proposed installation of seven additional hydrants more than anticipated.

Chief Harrower next noted participation with a group known as “Second Wind” to assist in addressing team suicide. The Chief then noted the members voted to dismiss the old web master and that a new web master had been appointed and that the new District website was up and running. Mr. Tibbals noted he had provided an updated transparency notice for posting on the website. Finally, the Chief noted Brush 231 is back in service and that door repairs had been accomplished in the Station.

Calls: A Chief Harrower reported total of 7 calls, 3 medical, 1 transport. He next reported that the District would be seeking to install heart monitors in District apparatus at a cost of \$8,000.00, seeking a grant to cover half the cost. He next reported the District would be converting its procedural guidelines to flash drives to be used in each ambulance and the 2 CPAP units had been secured for use.

Old Business: Chief Harrower noted that last year, while attempting to secure lease purchase of a tender, the finance agency (Bank of the West) requested an audit. The last District audit occurred in 2006 and there ensued discussion on the need for a formal audit, the expense of same and the time it would take. Mr. Tibbals suggested the Board table consideration until after Director Rosburg’s meeting with Carolyn Homer, Carolyn Garret, himself and Tim Mayberry, CPA.

Chairman Catlin inquired about the status of the heating system improvements. Director Look noted they were on hold awaiting an engineering review. There next ensued discussion regarding installation of the emergency siren. It was noted that the School District did not want it placed on school property and that there is now consideration of securing a digital siren, but the expense of that may be too great. The Board discussed status of ISO review and noted that a sticking point was need for a tender, which goes back to potential need for an audit.

Chief Harrower then presented the Board with minutes from the Members’ meeting. The Board thanked the Chief for providing that information.

Finally, Mr. Tibbals noted that the election process was proceeding and that he had secured the assistance of Ms. Geri Scheidt, who would help Chief Harrower in conducting election official duties. Mr. Tibbals also noted the ongoing concern with relocating ECCA equipment out of the Justice Center and the need to update ECCA equipment. The next ECCA meeting was scheduled for March 3, 2014.

Pension Board: The Board convened a Pension Board meeting and noted that information had been requested from FPPA regarding status of the District’s pension fund and member status. It was noted that there is not enough information available to consider adopting a 407-type pension lump sum buy-out. The regular meeting was then reconvened.

Executive  
Session:

At 9:46 p.m., Director Chamberlain moved for an Executive Session pursuant to C.R.S. § 24-6-402(3), and (4), Subsection (b), to discuss legal matters with the attorney for the District, who will be in attendance during the Executive Session. The motion was seconded by Director Rosburg and unanimously carried, with the Executive Session convening at 9:48 p.m. Also in attendance was Ms. Lissa Look. At 10:36 p.m., whereupon by motion made by Director Look, seconded by Director Rufenacht and unanimously carried, the Executive Session was recessed and the regular meeting resumed. No decisions were made and no votes were taken in Executive Session.

New Business:

After consideration of minute-taking process, upon motion made by Director Chamberlain, seconded by Director Look and unanimously carried, Mr. Tibbals was directed to act as recording secretary for this meeting and for future Board meetings for the purpose of establishing a more regular format and method.

The Board next considered issue of District records. Upon motion made by Director Chamberlain, seconded by Director Rufenacht and unanimously carried, the Board directed the members acting under their officers to collect all District records available and place them in the Fire Station for review and organization. If records were not available, that should be noted in writing.

The Board next considered whether to allow Ms. Garrett authorization to review bank records. Mr. Tibbals noted he had prepared a letter of such authorization allowing her to review bank records for the purposes of providing more complete financial information. Upon motion made by Director Rosburg, seconded by Director Look and unanimously carried, execution of this letter of authorization was approved.

As a final matter, the Board re-emphasized the need for Director Rosburg's committee of himself, Ms. Homer and Ms. Garrett to meet with Tim Mayberry to review the District's financial status and financial information needs. Mr. Tibbals stated he would set that meeting as soon as practicable and advise all participants of the time and date.

There being no further business to come before the Board, upon motion made by Director Look, seconded by Director Rosburg and unanimously carried, the meeting was adjourned at 10:48 p.m.

Respectfully submitted:

\_\_\_\_\_  
Recording Secretary to the Board

Approved:

Reviewed (N/A):

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

## **Certification of Executive Session Minutes**

I hereby certify that I am attorney for the Elbert Fire Protection District, that the District Board convened two Executive Sessions, one during the regular meeting of the Board, on February 11, 2014, and the second during the continued regular meeting of February 20, 2014, to discuss matters concerning attorney/client privilege, that I was present during both Executive Sessions and that all matters discussed therein concerned attorney/client privilege and that no further record of the Executive Sessions were kept, as permitted by law.

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Robert L. Tibbals, Jr.