

MINUTES OF THE REGULAR BOARD MEETING OF THE  
ELBERT FIRE PROTECTION DISTRICT  
July 8, 2014

The regular meeting of the Elbert Fire Protection District Board of Directors was held on July 8, 2014, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 pm.

Attendance:                      Directors in attendance were:

Lee Sherman  
Doug Rufenacht  
Dale Rosburg  
Ric Poston

Absent:

Tim Look

Also in Attendance:

Mike Harrower, Fire Chief  
Brandon Homer, Deputy Fire Chief  
Carolyn Homer, Administrative Assistant  
Robert L. Tibbals, Jr., Attorney  
Wanda Randall, Community Member  
Robert Randall, Community Member  
Dustin Jaramio, Department Member  
Kim Homer, Department Member  
Joseph Marchese, Department Member  
Ryan Knox, Department Member  
Essie Patrick, Department Member

At 7:00pm, the regular meeting of the Elbert Fire Board was called to order.

Agenda:                      The Board considered the proposed agenda. Chairman Sherman requested that "Minute Inconsistencies" be moved to the first item of Old Business instead of the last item. A motion was made by Director Poston, and unanimously carried, that the agenda be approved as amended.

Minutes:                      The Board next considered the minutes from the regular meeting of June 10, 2014. Numerous changes were discussed to the minutes and all changes were made to the original copy that was signed by all present board members. A motion was made by Director Rosburg, and unanimously carried, the minutes were approved as amended.

Financial:                      Ms. Homer presented the financial statements. Ms. Homer pointed out that the Balance Sheet reflected current reconciled balances for the Checking and

Impact Fee account through the end of May and for Colotrust through the end of June. With respect to the Profit and Loss Budget To Actual, a payment was received for medical billing for \$601.78; to date have received \$2,100 more from Elbert County SOT than the entire year budget, it was discussed that was probably because more people are buying vehicles and such. She noted that another \$25 election expense came up but that it should be the last one. She also noted under Ambulance Expense that the \$1,202.69 charge was mostly attributed to the purchase of new assembly batteries because of recalls and also included was the monthly cylinder rental. The Station Maintenance was associated to the purchase of the new sign for the building. Finally, Ms. Homer noted that the variances in the Budget to Actual are off by small numbers because the financial statements are not for a full month, because of the timing of the Board meetings. Overall, the Profit and Loss Financial Statement shows a Year To Date Profit of \$45,924.35.

Chairman Sherman asked why the amount reflected as income under Federal Firefighting Member Income and Federal FF Pay are not the same since the amount shown under Federal Firefighting Member Income is supposed to be the amount received for the members that worked the incident. Ms. Homer agreed and said that she would research it and report back at the next meeting.

A motion was made by Director Poston, and unanimously carried, that the financial reports were accepted dependent on the outcome of Ms. Homer's research of the Federal Firefighting Income/Expense and the bills were approved.

Ms. Homer stated that the Bank of the West requested a resolution from the Board stating that the signers on all accounts at the bank would be the Chair of the Board, the Secretary/Treasurer, and the Administrative Assistant.

Director Poston moved, and was unanimously approved, that for all Bank of the West accounts that the signers on the accounts would be the Chair of the Board, the Secretary/Treasurer, and the Administrative Assistant.

Public

Comment:

Chairman Sherman opened public comments. Ms. Randall inquired as to the billing status and was told that it would be discussed during Old Business. She also inquired as to whether or not Director Look had obtained a new email as requested previously, it was stated that it was unclear whether or not Director Look had indeed obtained a new email.

A motion was made by Chairman Sherman, and unanimously carried, that until it was verified that Director Look had indeed obtained a new email that no further Board correspondence be emailed to him, that Director Look would need to obtain the information from the station.

Mr. Patrick, a member of the Department, wanted to lodge a complaint against Director Poston because of an incident that occurred after the Members

meeting where Mr. Patrick felt that Director Poston insulted him. Director Poston explained that after having received corrected information the following morning he knows that 'he misspoke' and that he apologized to Mr. Patrick for the incident. Chairman Sherman inquired if Mr. Patrick would accept the apology and he stated that no he would not accept the apology. Whereupon discussion took place as to the procedure for member disputes and it was determined that although Director Poston is a Board Member, he is also a Department Member and because the incident took place in association to the Member meeting that it should be handled through that procedure. The procedure is to lodge a complaint with the Captain, who will then discuss with the other officers for a decision and then if the member does not agree with the resolution, they can then bring the issue to the Board through the Chief.

Deputy Chief Homer asked if the Pledge of Allegiance could be said at the beginning of each Board meeting. It was agreed that moving forward that the Pledge of Allegiance would be said at the beginning of each meeting.

Correspondence:

Chief Harrower gave to Director Rosburg and Chairman Sherman a personnel form to fill out. Director Look still needs to complete the form also, was absent.

Chief's Report:

Chief Harrower reported that there were 22 calls in the last month; 16 medical; 6 fire, with 6 transports.

Chief Harrower announced that Elbert had a community garage sale that the Department participated in and also BBQ'd hamburgers and hot dogs for community members.

Deputy Chief Homer reported that the District had applied for a grant for \$3,850 from the State of Colorado. He also stated that the El Pomar grant that was discussed at the June Board meeting needed a resolution from the Board to approve the seeking of the grant.

Director Rufenacht moved, and unanimously approved, that the district apply for a grant from El Pomar for \$20,000 for wildfire activities.

Deputy Chief Homer stated that there needed to be an MOU established with the Boy Scout Ranch, JbarCC Ranch and Harmony Ranch in order to access water on the land as necessary for any fires that may come up. Mr. Tibbals stated that he would prepare the appropriate MOUs for Deputy Chief Homer to put into place with the appropriate people/organizations.

ECCA Report:

Mr. Tibbals reported that the ECCA Board was awaiting the results from the engineer review of the antenna located at the old bomb range site. He also noted that the first payments from the requested increase last year were starting to be received.

Attorney's  
Report:

Mr. Tibbals noted any legal matters he had he would discuss as part of the appropriate agenda item.

Old Business:

a. Minute Inconsistencies: Ms. Homer reported that when she reviewed the minutes of the April 8, 2014, minutes where the Board approved the completion of the 2013 Audit Exemption report she found nothing in the minutes to reflect the discussion that had taken place. She also stated that there were no minutes of the 'Work Session' in May where the Board reviewed the new Accounting Policies & Procedures. Mr. Tibbals stated that he would draft up some minutes, although they would be short, from the 'Work Session.'

Director Rufenacht moved, and was unanimously approved, to alter the April 8, 2014, minutes to reflect that the board agreed to have the 2013 Audit Exemption completed, while leaving the option open to have a full audit if it was determined necessary in the future.

b. Lease Purchase of Tender: Deputy Chief Homer reported that with the review completed by Mr. Tibbals that the lease purchase agreement with First Financial was signed and sent. This triggers the ordering of the new tender with a delivery of 6 to 12 months.

c. Medical Billing Reports: Ms. Homer provided the Board with the requested three quotes from medical billing companies. The first company, EMS Billing Solutions, required a \$200 set-up fee, had ongoing fees of 8% of revenue received, and that all items would be billed within 5 days from the date of service and did all kinds of medical billing, not just ambulance billing. The second company, Quad Billing, did not have a set-up fee, had ongoing fees of 7-8% of revenue received, and that all items would be billed within 48 hours of service but focused on ambulance billing. The final company, Carolyn Homer, did not have a set-up fee, had ongoing fees of 5% of revenue received, and that all items would be billed within 5 days from date of service.

Discussion took place around the fact that the current billing company was at least 5-6 months late in billing for calls and that as far as could be determined the bills were being sent to individuals and not to insurance companies, at least initially. In addition, Ms. Homer reported that based on the research she had completed it appears that the District has lost its contract with both Medicare and Medicaid and will have to pay to get the contract back with Medicare. Director Sherman asked if the Board had any concern about Ms. Homer doing the medical billing considering she is the sister of the Deputy Chief. The Board responded that no, that it was understood that she is a professional and that decisions were being based on what was best for the District, not because of whom Ms. Homer was related.

Director Poston moved, and unanimously approved, that Ms. Homer would take over the medical billing for the District and would go back for a minimum of three months and re-bill for medical all calls and that Mr. Tibbals would work with Ms. Homer to obtain a list from the current medical billing company of what and whom has been billed and showing outstanding so that they can be paid as appropriate but be notified that effective immediately they would no longer be retained to continue the medical billing for the District. Deputy Chief Homer stated that with the change in billing companies that it is an optimal time to change the way the District bills for ambulance service. Currently the District bills a base rate, supplies, and mileage for each transport. Deputy Chief Homer stated that most Districts are billing based on the type of transport plus a loaded mileage rate and recommended that the District also move to this type of billing. It was determined that Deputy Chief Homer and Ms. Homer will do research as to what other Districts are billing at and make recommendations at the 'Work Session' on July 23, 2014.

d. Rampart Helicopter Agreement: Deputy Chief Homer stated that he had conversations with Deputy Keth Mathina about how the District would go about accessing the services of the helicopter if necessary. He found out that the cost of the helicopter was \$1,850 per hour, which would be approximately two drops. He also stated that he found out that Douglas County Dispatch was automatically dispatching the helicopter in situations where they felt it was necessary and not waiting for the individual Fire District to request for it to be dispatched, which is causing some questions and concerns about the Fire District being charged for something that they did not request.

Discussion took place that if there was a fire where the department determined that the helicopter was needed, the process would be to contact at least one Board member as soon as possible and let them know and then as time permitted to notify the rest of the Board of the situation. In addition, Mr. Tibbals stated that he would find out about the legality of the Douglas County Dispatch ordering the helicopter without Department request and then having the Department pay for the helicopter.

New Business:

a. Fee Schedule: Deputy Chief Homer stated that the District needed to establish a basic fee schedule and post it so that all the work that the Department does for the community, i.e. inspections, plan reviews, etc., could be paid for. Ms. Homer said she would work with Deputy Chief Homer to obtain other District's fee schedules and make a recommendation at the next meeting.

b. M1 Policies: Chief Harrower discussed Ms. Gifford and Mr. Tibbals opinion about M1s and how they should be handled, especially when they are handed off from the Sherriff's Department. Mr. Tibbals provided a policy statement about the process to Chief Harrower.

c. Bylaws Review: Deputy Chief Homer stated that the last bylaws that were Board approved are 1995. As such, the Board needs to review and approve a new set of bylaws.

Moved by Director Rosburg, and unanimously approved, that a 'Work Session' be done on July 23, 2014, at 6:00 pm, to specifically review and update the bylaws.

d. IBC/IFC 2006: Deputy Chief Homer discussed the International Building Code/International Fire Code (IBC/IFC) of 2006 to be adopted by the District to stay current with current county standards and also to be able to assure ISO that the District is keeping up with current IBC/IFC standards.

Chairman Sherman motioned, and was unanimously approved, to adopt the 2006 IBC/IFC as the standard for the District.

There being no further business to come before the Board, a motion was made by Director Rosburg, and unanimously approved, the meeting was adjourned at 8:37pm.