

MINUTES OF THE REGULAR BOARD MEETING OF THE
ELBERT FIRE PROTECTION DISTRICT
June 9, 2015

The regular meeting of the Elbert Fire Protection District Board of Directors was held on June 9, 2015, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 pm.

Attendance: Directors in attendance were:

Lee Sherman
Ric Poston
Sean Mulvihill
John Wood

Also in Attendance:

Brandon Homer, Fire Chief
Carolyn Homer, Administrative Assistant
Mike Harrower, Department Member
Kim Homer, Department Member
Joe Marchese, Department Member
Irene Brown, Community Member
Wanda Randall, Community Member
Bob Randall, Community Member
David Greher, Attorney, Collins, Cockrel & Cole

At 7:01pm, the regular meeting of the Elbert Fire Board was called to order.

Agenda: The Board considered the proposed agenda. A motion was made by Director Wood, and unanimously carried, that the agenda be approved.

Guest: Chief Homer introduced David Greher with Collins, Cockrel & Cole. Mr. Greher stated that the firm was established in 1978, that Collins & Cockrel helped write the Special District guidelines at the State, and the firm has over 250 Special District clients. Chairman Sherman asked if Mr. Greher had any concerns about the size of the District and Mr. Greher stated that he understands the size of the District budget and that his firm represents a variety of sizes of Districts. Mr. Greher stated that his fee is \$330/hour, but that he would do as much as possible to utilize paralegals and associates whose rates are not as high. As an example one paralegal has been with Collins, Cockrel & Cole for 25 years and is known as a 'Special District guru'. Chairman Sherman asked if he would be willing to cap the fees the firm would charge for the election and Mr. Greher stated that it might be a possibility but that he feels that it would be better to focus on providing the essential information and instructing staff as to the

needs so that they could do as much of the work as possible to reduce costs. Mr. Greher also stated that the counties have costs associated to elections of approximately \$3,000 to \$4,500, and he estimates the cost for legal fees associated to the election to be between \$7,500 and \$12,000. This would make the high end cost be \$16,500.

Chairman Sherman asked if it would be reasonable for the minutes and agenda to be sent to Mr. Greher to determine if he needs to attend the meeting. Mr. Greher stated that yes he could review them and have a discussion with Chief Homer to provide feedback and that he would be willing to call into the meetings as appropriate, instead of coming to the meeting (to be more cost effective). He would be available for the meeting if the Board requested and if he isn't available he has ten colleagues that could step in as appropriate. Mr. Greher estimated that to review the Board packet it would take between one half hour and an hour.

Minutes:

The Board next considered the minutes from the regular meeting of May 12. A motion was made by Director Poston, and unanimously carried, the minutes be approved with changes. Next the Board considered the minutes from the May 26 work session. A motion was made by Director Wood, and unanimously carried, the minutes be approved with changes.

Financials:

Ms. Homer presented the financial statements. Ms. Homer stated that the name of the Impact Fee bank account has been changed to Improvement Fee as per the request at the last meeting. Ms. Homer presented a Balance Sheet that reflects reconciled bank balances for the Improvement Fee and Colotrust accounts, but that the Operating statement has not been received to date. A discussion took place as to when the statements normally come in, somewhere between the 5th and the 10th of each month. Ms. Homer noted that there is no longer Accounts Payable since the statement is through the date of the meeting.

Ms. Homer presented the Profit and Loss for June, indicating that the department received a donation from Boy Scouts of America. The SOT from Elbert County has already exceeded the annual budget by over \$2,000. Ms. Homer stated that the training is for CPR training of the members. She pointed out that the insurance cost reflected is the renewal of the Board bond. The amount in the Truck Service & Testing line item is for pump testing on various trucks. Ms. Homer pointed out that since the District received money from Volunteerfirefighter.org it was decided to pay the person who did the new website an additional \$600 making the payment closer to the actual cost. Finally, she pointed out that the expenses in fire trucks acquisition was associated to the costs for Chief Homer to go pick up and drive back the new truck. The expenses were reimbursed by the manufacturer of the truck because of the delay in production. Ms. Homer stated that the year to date surplus is \$15,702.02 through the end of June.

A discussion took place about the possibility of color coding the variance column of the financials for better understanding. In addition it was discussed if it still made sense for the Board to receive the financials on the day of the meeting versus a week before. It was decided that it is less confusing to get the statements on the date of the meeting so that they tie directly to the bills approved at the meeting.

A motion was made by Director Mulvihill, and unanimously carried, that the financial reports be accepted and the bills be approved.

Public Comment: None.

Correspondence: None.

Chief's Report: Chief Homer announced that there were 12 calls; 8 medical, 2 transports, 1 smoke investigation, 3 motor vehicle accidents, and 2 alarms. Chief Homer announced that there were two new members, one a paramedic from North Metro and one a paramedic from Texas who is working on getting a Colorado license. Insurance approved the proposed cadet program, so now the members are working on getting rules in place to start the program. Chief Homer stated that he contacted the insurance company about the roof and an adjuster came out to look at the damage. The adjuster recommended that the department do their own maintenance on the roof to stop leaks, but stated they would replace the end caps at a cost of \$1,200. Since there is a \$1,000 deductible, Chief Homer told them not to file a claim. Chief Homer stated that the adjuster stated that the roof replacement was done poorly. A discussion took place around options to address the issues with the roof, which is only eight years old.

ECCA Report: Lieutenant Marchese stated that ECCA discussed work needed on the Elizabeth tower, but that does not affect the department. He stated that the GIS is up and running with Douglas County, so the department can request maps and they will be sending CD's containing all the maps for the District. Lieutenant Marchese stated that ECCA will be meeting with the Chiefs around radio programming and how ECCA can assist with the costs.

Unfinished Business: a. Attorney Review: Chief Homer provided a summary of the various attorney options available to the District. Chairman Sherman stated that if Mr. Sparks was chosen, then would need to utilize Butler and Snow for the election, while the other two options can do the legal services for everything the District needs. Chairman Sherman stated that he was concerned that Folkestad, Fazekas, Barrick, & Patoile, PC doesn't do a lot of work with fire districts and that Ms. James was new to the firm. Chief Homer reminded the Board that Collins, Cockrel & Cole has partners who have been Presidents of the Colorado Special District Association (SDA), that one is currently the Vice Chair of SDA, and that many of the other partners have vast experience with special districts and specifically fire districts. He stated that although Collins, Cockrel & Cole is more expensive that they could provide everything quickly and accurately. Director

Mulvihill asked if it made sense to put a cap on the costs for the attorney and Ms. Homer stated that the Board would need to approve a budget for all election expenses and that everything could be tracked and monitored through that line item. Chief Homer recommended that the Board designate an additional \$5,000 for election expenses.

A motion was made by Director Mulvihill, and unanimously carried, to engage Collins, Cockrel & Cole as the attorney of record for the District. A motion was made by Director Mulvihill, and unanimously carried, to allocate an additional \$5,000 for election expenses. Chief Homer will have Chairman Sherman sign a letter of engagement with Collins, Cockrel & Cole.

b. Mill Levy: Chief Homer provided a key election date schedule. Chief Homer told the Board that department, members, and the Board could pay for and actively promote a “Yes” vote for the election up to September 4, then they can only provide factual information about the mill levy, but not sway anyone on how to vote. He stated that training and materials are currently being designed. In addition, the bi-annual newsletter will be going out by the end of the week which will start the discussion about the need for a mill levy increase. Director Mulvihill suggested that it might be good to put a question and answer on the website associated to the election. Director Wood asked if the Board should schedule additional meetings to discuss issues with the election and Chief Homer stated that he would discuss the option and need with Mr. Greher. It was determined to have a meeting on June 23 at 7pm to discuss the election with Mr. Greher. In addition, Chief Homer would ask Mr. Greher for an election ‘road map’ by the 12th after which the Board would provide a list of questions for Mr. Greher by June 16th.

New Business:

a. Action Item Review: 1) Options for the tornado siren, at community meeting, Chief Homer; 2) Election Roadmap, by June 12, Mr. Greher; 3) Questions for Mr. Greher, by June 16, Board.

b. New Board Member: A motion was made by Director Mulvihill, and unanimously approved, to appoint Irene Brown to the Board for the remainder of the vacated term, until May 2016. Chairman Sherman will give the oath to Ms. Brown after the meeting.

c. Action for New Treasurer: A discussion took place about who should be the Treasurer. A motion was made by Director Poston, and unanimously carried, to appoint Director Mulvihill as the Treasurer/Secretary in addition to maintaining the Vice Chair position.

d. Director Mulvihill stated that he had previously discussed providing Chief Homer with a monthly stipend because of all the time he puts in for the position. A discussion took place as to when the stipend should take effect. A motion was made by Director Mulvihill, and unanimously carried, to provide a

\$500 per month stipend to Chief Homer for the time he spends doing department business.

There being no further business to come before the Board, a motion was made by Chairman Sherman, and unanimously approved, the meeting be adjourned at 9:09pm.

Respectfully submitted:

Recording Secretary to the Board

Approved:

By: _____

By: _____

By: _____

By: _____

By: _____

Reviewed:

By: _____

By: _____