

**MINUTES OF THE REGULAR MEETING OF THE
ELBERT FIRE PROTECTION DISTRICT
MAY 13, 2014**

The regular meeting of the Elbert Fire Protection District Board of Directors was held on May 13, 2014, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 p.m.

Attendance: Directors in attendance were:

Lawrence Catlin
Doug Rufenacht
Tim Look
Dale Rosburg

Absent:

Dennis Chamberlain

Also in attendance:

Mike Harrower, Fire Chief
Brandon Homer, Asst. Fire Chief
Carolyn Homer, Administrative Assistant
Robert L. Tibbals, Jr., Attorney
Member of the public, as identified by their signature on the attached sheet

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

Executive
Session:

At the recommendation of Mr. Tibbals, Director Rufenacht 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 Look and unanimously carried, with the Executive Session convening at 7:02 p.m. Whereupon by motion made by Director Rufenacht, seconded by Director Look and unanimously carried, the Executive Session was recessed and the regular meeting resumed at 8:12 p.m. No decisions were made and no votes were taken and no further record of the Executive Session was kept.

Minutes:

The Board next considered the minutes from the regular meeting of April 8, 2014. Whereupon motion made by Director Look, seconded by Director Rufenacht, the minutes were approved as read.

Financial:

The Board next considered financial statements provided by Ms. Homer, who explained that \$70.00 in revenue for burn permits were received, as were a substantial amount from property taxes. Ms. Homer noted expenses for ambulance testing and also stated election expenses were split between the fire and medical funds. It was noted the final expenses for the election should be just over \$1,100.00, whereas \$4,000.00 was approved by the Board.

She also noted continuing issues with medical transport income and payment of the semi-annual lease purchase amount of \$11,000.00. She further noted payment of the election judges and that invoices from Bound Tree were being held until the billed amount is subject to a credit offset. Whereupon motion made by Director Rosburg, seconded by Director Look, and unanimously carried, the financial reports were accepted and bills were approved.

Public Comment: Chairman Catlin announced that the public comment portion of Board meetings was not being used to discuss agenda items. Whereupon motion made by Director Rosburg, seconded by Director Look, and unanimously carried, the public comment portion of this meeting was suspended for this month.

Correspondence: Chief Harrower reported correspondence from Master Magnetics regarding their plans for construction of additional facilities. He noted the District would provide a response to the Elbert County Planning Office when requested.

Chief's Report: Chief Harrower also announced the water system improvements had been completed with seven hydrants in place.

Chief Harrower further reported that the fire department committees were continuing their work reviewing equipment needs, improvements to the Station and other department matters and reports will be delivered to the Board next month.

Chief Harrower reported there were 8 calls in the last month; 6 medical; 2 fire, with no transports.

As DEO, Chief Harrower reported the Election results were posted in four places throughout the District, in Kiowa and in El Paso County and final matters with respect to filing would be accomplished.

Deputy Chief Homer reported working for pricing for tender purchase. First Financial offered a lease purchase, if three years of organized financial records were provided. Deputy Chief Homer noted that Carolyn Homer provided an additional prior year's records, so as to meet that request. The price of the tender was \$199,148.00, with 3.1% interest rate on the lease purchase. It would take 7 to 12 months from date of order to delivery. Deputy Chief Homer further noted that to meet the ISO requirements, a 3,000 gallon tender was required.

ECCA Report: Mr. Tibbals noted that ECCA was still engaged in the process of upgrading infrastructure and negotiating with the County to secure additional tower space.

Attorney's
Report:

Mr. Tibbals noted he had and would discuss legal matters in accordance with issues set on the Agenda.

Old Business:

a. Financial Committee/Reports: Ms. Homer reported that she continues to work on providing financial information in a understandable format. The Board thanked her for her continuing efforts.

b. Election: Chief Harrower stated the election work was completed as noted above and that filing of final paperwork would occur as it was received, prior to the June 5, 2014 deadline.

c. Records: Chief Harrower reported that Ms. Gardner had returned all records and that the records review request by Ms. Look was completed.

d. Medical Billing Reports: Deputy Chief Homer noted that he continues to have a poor experience dealing with Fidelis, the medical billing company. Both he and Ms. Homer noted that bills were not being sent out for significant periods of time and that Fidelis was not securing information from the District. After brief discussion, upon motion made by Director Look, seconded by Director Rufenacht and unanimously carried, the Board directed Mr. Tibbals, Ms. Homer and Deputy Chief Homer to conference with the appropriate Fidelis officials to straighten out these issues.

New Business:

Chairman Catlin announced that due to certain legal issues relating to election matters, he, as Chairman, would not be swearing in the two candidates elected as Directors for the District.

Mr. Tibbals noted these two newly-elected Directors could secure administration of their oaths from the County Clerk and Recorder, the Clerk of the District Court or any other official authorized to administer oaths, including any notary public. He further noted that when the oaths were provided to Chief Harrower, as DEO, Chief Harrower could file the oaths and the bond with the Division of Local Government; upon completion of that, the new Board members, Mr. Ric Poston and Mr. Lee Sherman would be able to participate as Directors at the next regular Board meeting.

There being no further business to come before the Board, upon motion made by Director Rufenacht, seconded by Director Rosburg and unanimously carried, the meeting was adjourned at 9:20 p.m.

Respectfully submitted:

Recording Secretary to the Board

Approved:

Reviewed:

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 an Executive Session during the regular meeting of the Board, on May 13, 2014, to discuss matters concerning attorney/client privilege, that I was present during the Executive Session and that all matters discussed therein concerned attorney/client privilege and that no further record of the Executive Session was kept, as permitted by law.

Robert L. Tibbals, Jr.