

MINUTES OF THE REGULAR BOARD MEETING OF THE  
ELBERT FIRE PROTECTION DISTRICT  
May 12, 2015

The regular meeting of the Elbert Fire Protection District Board of Directors was held on May 12, 2015, at Elbert Fire Station No. 1, 24310 Main Street, Elbert, Colorado, at 7:00 pm.

Attendance:                      Directors in attendance were:

Lee Sherman  
Doug Rufenacht  
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  
Tom McAndrews, Community Member  
Irene Brown, Community Member  
Wanda Randall, Community Member  
Bob Randall, Community Member  
Larry Catlin, Community Member

At 7:00pm, 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.

Director Update:                      Director Rufenacht read a letter of recognition, but stated that he gave notice to the Board of Directors via email a couple of weeks ago. Chairman Sherman gave his and the department's thanks for Director Rufenacht's service. Director Rufenacht's resignation will be effective at the end of the meeting. Director Rufenacht stated that he would be interested in assisting the District in the future, maybe on a committee.

Chairman Sherman stated that after receiving notice from Director Rufenacht, he received interest from one individual in filling the vacancy, Ms. Irene Brown. Ms. Brown has previously attended meetings and knows the needs and history of the department. Ms. Brown read a letter of interest that laid out some of her background. Chairman Sherman stated that he felt that Ms. Brown's business

background and her community activities will be helpful to the District. The Board will vote on the position next month.

Minutes:

The Board next considered the minutes from the regular meeting of April 14. A motion was made by Director Poston, and unanimously carried, the minutes be approved as presented.

Financials:

Ms. Homer presented the financial statements. Ms. Homer presented a Balance Sheet that reflects reconciled bank balances for all accounts. Chief Homer stated that the name of the Impact Fee bank account should have the name changed as fire districts aren't allowed to have impact fee accounts. Chief Homer stated that other districts call the account either Inspection or Improvement Fee accounts. A motion was made by Director Poston, and unanimously carried, to change the name of the Impact Fee account to Improvement Fee account.

Ms. Homer presented the Profit and Loss for May, indicating that the amount under community training income is associated to the Community CPR program. The SOT from Elbert County has already exceeded the annual budget by over \$700. Ms. Homer stated that the station maintenance reflects the net costs associated to the station cleanup that took place last month. She pointed out that office supplies reflected the printing of the annual report, which was higher than originally estimated, causing the line item to go over the budget. Ms. Homer also stated that the credit in ambulance supplies and expenses is due to one of the AED's being returned. The credit in the miscellaneous expense line item reflects the payment of expenses from the conference in Estes Park. Ms. Homer pointed out that the first payment on the lease of the new fire truck was paid. Ms. Homer stated that the uniforms/gear expense is associated to the new wildland gear that will be reimbursed through a grant. Ms. Homer stated that she mistakenly put the budget for the gear in fire supplies and expenses, but put the actual expense in uniforms/gear so she will need to adjust the budget to reflect where the actual expense was allocated. Finally, she pointed out that the expenses in fire trucks acquisition was associated to the adjusted down payment for the new truck. The down payment was reduced because of the delay in production. Ms. Homer stated that the year to date surplus is \$287.15 through the end of May.

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

Public Comment:

Mr. Catlin asked if the department was planning on making a public announcement about the new ISO rating. Chief Homer stated that the announcement would be made in the newsletter that will be going out in June. Ms. Randall asked in what format the newsletter would be sent out in, electronic or by mail, and stated that if it was going to be by mail that the department should speak with the Library District to determine how to access bulk rate mail. She also suggested that maybe the ISO rate change could be

added to the press release about the new tender. Director Poston stated that every community member would need to contact their insurance carrier to notify them of the adjusted ISO rate and determine how it will impact their individual insurance rates.

Mr. Catlin also asked about the status of getting the tornado siren installed that was donated a couple of years ago. Chief Homer stated that the proposal was to have it installed on the new school, but the school decided that they did not want to take on the responsibility of the siren on the building. He stated there had been a problem finding poles and a place to install it that has the required three phase power. Ms. Brown stated that maybe the department should speak with Mountain View Electric to see if could provide the poles and electricity as part of a community service project.

Finally, Mr. Catlin asked about the status of the donated aluminum water tank and Chief Homer stated that they have not been able to access it to take it to scrap.

Correspondence:

None.

Chief's Report:

Chief Homer announced that there were 17 calls; 7 medical, 1 smoke investigation, 5 fires, 1 alarm, 1 lock out, and 1 mutual aid. Chief Homer also announced that the new tender is in the station and invited anyone who hadn't had a chance to look at it yet to look at it after the meeting. The department members and some Board members attended the town cleanup, where they accomplished a lot, including improving the drainage. Chief Homer thanked everyone who attended and helped. Through conversations with staff at Castle Rock Fire, Chief Homer will be obtaining radios they are surplus worth approximately \$30,000, but they will need to be reprogramed. Chief Homer stated that with all of the recent rain he has noticed that the roof is leaking through the insulation over some of the bays, so he will be contacting the insurance company about the possibility of filing a claim. There is a \$1,000 deductible, so it will have to be determined if it is worth filing a claim. The department has been discussing with the VFW the possibility of leasing the VFW building for department member resident's use while only paying for utilities and insurance. Mr. McAndrews from the VFW was present to answer any questions that the Board might have about the possible agreement and brought some bills for review, as desired. Mr. McAndrews also stated that the terms would be month to month. Chief Homer stated that he has reviewed the proposed agreement and has calculated the cost to be approximately \$200 per month. Chairman Sherman suggested that the decision be kept at the Chief level, but that if anyone has any concerns they can bring them to the Board. Finally, Chief Homer reminded the Board that May 30 is family night for the department and it will start at 6:30, with more information to follow closer to the date.

ECCA Report:

ECCA met to approve the agreement with Douglas County, which will allow the update of the Elbert County addresses. In addition, they approved the agreement with Sky One which will provide messages of severe weather to the individual departments. The next regular meeting is in June.

Unfinished Business:

a. Mil Levy: Chief Homer stated that a department newsletter will be going out in June, which will announce the receipt of the new tender and the change in the ISO rating. Chief Homer has had two meetings with the Ben Kelly Air Park residents who have stated that they would support a mil levy increase because they are hoping to get a substation in their community. Although Chief Homer has informed them that even if the mil levy passes there are no guarantees that they can be the first to get a substation, they have identified a common building that already has all the utilities, except septic. They would also need to get the building re-zoned as special use, which they stated they would check into and determine what needs to happen to get it re-zoned. Chief Homer announced that on June 20 from 7am-11am Ben Kelly Air Park is having their annual fly in breakfast and invited the Board to attend. Chairman Sherman stated that he was aware that the Elbert Community Committee is trying to get an article about Elbert Days in the Prairie Times and he will see if the department could tie into that article or get another one about plans. Captain Harrower reminded the Board that they need to review and approve the wording for the question on the ballot. In addition, he announced that the county offices can print the labels for the registered voters for the department.

New Business:

a. Action Item Review: 1) Election deadlines, by next meeting, Chief Homer; 2) Change name of Impact Fee Account, by next meeting, Ms. Homer; 3) Options for the tornado siren, by next meeting, Chief Homer; 4) Move wildland gear budget to proper category, by next meeting, Ms. Homer; 5) Get with Prairie Times to set interview with Chief Homer, by next meeting, Chairman Sherman.

b. Attorney Review: Chairman Sherman stated that since the attorney review was not on the agenda last month, he would like to revisit the topic to assure that all rules are followed. Chairman Sherman summarized the discussion from last month about the need to have an attorney at every meeting and that the discussion that if a legal issue arose at a meeting it could be tabled until the next meeting when an attorney could be present or consulted as to best course of action, but that it may be different attorneys' depending on the issue. Director Poston clarified that the District did decide to cut ties with Mr. Tibbals and to set aside monies saved from legal fees for use as needed. It was stated that just because the District released Mr. Tibbals from the monthly retainer, doesn't mean that he cannot be utilized in the future if desired. Director Rufenacht stated that he felt it was unwise to release the lawyer from retainer considering everything the department has going on right now. Director Mulvihill stated that the District needed to identify an attorney to use on an as needed basis soon. A motion was made by Director Poston, and carried with a majority vote, to immediately remove Mr. Tibbals as legal counsel for the District and set the

money aside for any possible future legal needs. Mr. Tibbals was asked to return any District information that he has to the department by the end of the week.

Chief Homer stated that he is working on getting meetings set up with various attorneys to see what they are willing to do and their fees so that he can report back to the Board. As such Chief Homer recommended that the Board schedule a special meeting to discuss attorneys on May 26 at 7pm. The Board agreed to hold a meeting to discuss attorneys.

c. Audit Proposal Review: Ms. Homer stated that she sent out five RFP's to various audit firms to complete an audit for 2014 and only received two proposals back. One proposal from Mayberry & Company for \$4,500 and one from Ryan, Gunsauls & O'Donnell, LLC (RGO) for \$6,500. Ms. Homer stated that she had previously worked with RGO and knew the partner, so she talked with them and told them that the District could only afford \$5,000, and as such they agreed to reduce the cost to \$5,000. In addition, Ms. Homer pointed out that Mayberry & Company is the company who completed the audit exemptions for the District for the last eight years and is also tied to the firm that completed the last audit in 2006. A discussion took place about which firm should be chosen to complete the audit. It was determined that the best option for the District is to engage a firm that is completely independent and does not have any history to get a fresh opinion on the financial status of the District. A motion was made by Director Poston, and unanimously carried, to engage Ryan, Gunsauls & O'Donnell, LLC, to complete the 2014 audit for a maximum of \$5,000 as soon as possible.

d. A motion was made by Director Mulvihill, and carried with a majority vote, to accept the resignation of Director Rufenacht effective immediately.

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 9:02pm.

Respectfully submitted:

---

Recording Secretary to the Board

Approved:

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

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

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

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

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

Reviewed:

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

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