



DEER MOUNTAIN FIRE PROTECTION DISTRICT

REGULAR BOARD MEETING MINUTES

6181 COUNTY RD. 28, COTOPAXI, CO 81223

May 15, 2019 at 6:00 PM

CALL TO ORDER: The meeting was called to order by JR Niblett at 6:00 PM.

DIRECTORS PRESENT: JR Niblett, Elaine Foster, Crystal Warner, Patrick Smith & Sarah Killough

PRAYER: Led by Patrick Smith

PLEDGE of ALLEGIANCE: Led by JR Niblett

CHANGES TO AGENDA: JR Niblett inquired if there were any changes to the posted agenda. No changes requested.

MINUTES: Motion by Crystal Warner to accept the April 17, 2019 Regular Board Meeting Minutes.

Second by JR Niblett.

Discussion: Elaine Foster noted grammar and errors in the first six pages. Suggested that time is needed to correct. Changes will be sent to edit minutes. Additionally, Sarah Killough requested that it be noted the author of the opinion stated in the last two pages.

Vote: Tabled

Motion by Elaine Foster to not accept the April 17, 2019 Regular Board Meeting Minutes and allow time for corrections.

Second by Sarah Killough.

Discussion: None.

Vote: Unanimous - motion carried.

PUBLIC COMMENTS: Facilitated by JR Niblett

1. Rob Adams comments: He wanted to make clear that published information about his contract for \$100,000 to build the new fire station was not accurate. There is no contract. He went directly to the author of the information to provide facts that he was not making money on the building. Rob is doing everything to keep the numbers down. A retraction was published. Rather than attack with inaccuracies and gossip, the proper method is to gain correct information. The spreading of false information will only destroy relationships.
2. Alexandria Guthrie comments: She requested more board information in a timely matter. She is seeking the meeting agenda to be made available (i.e. added to the website or hard copy posted outside building) a couple of days prior so that the community has information. She also requested minutes in a more timely fashion.
3. Sarah Killough comments: Minutes cannot be published until board vote and approval. She noted that the Regular Meeting agenda is finalized 24 hrs prior and changes can be made at the beginning of the meeting at the request of a board member. A Special Meeting agenda must be finalized 72 hrs prior and cannot be changed. She acknowledged the good points of providing timely information to the community.
4. Becky Girdler comments:
 - Bingo on May 17. The progressive jackpot is up to \$520. Note the next Bingo is on June 7.
 - Memorial Day Breakfast on May 27 from 7 to 10:30 AM. The cost is \$8.
 - Pet Clinic on Wednesday, June 12 from 2 to 4 PM.

TREASURER'S REPORT: Sarah Killough reported

Checking account balance as of April 1, 2019	\$ 290,217.10
Month of April income	\$ 8,009.27
Expenses for April	\$ 52,164.10
Balance at the end of April	\$ 246,062.27
Total funds available	\$ 316,529.58

Motion by Sarah Killough to accept the treasurer's report.

Second by Elaine Foster.

Discussion: None.

Vote: Unanimous - motion carried.

- Bills Report: Sarah Killough reported

Checking account balance as of May 1, 2019	\$ 246,062.27
Income thus far in May	\$ 50,673.03
Expenses thus far in May	\$ 23,949.49
Current balance	\$ 272,785.81

Motion by Sarah Killough to accept the bills report and pay bills.

Second by JR Niblett.

Discussion: Question from Patrick Smith - Is the security invoice included? Answer: Yes, included and paid in April.

Vote: Unanimous - motion carried.

- Proposed Budget 2020: Sarah Killough reported

Motion by Sarah Killough to put the proposed budget before the public for review.

Second by Patrick Smith.

Discussion: Clarification that purchase of the type 3 engine is offset by the capital lease income. Thanks to the budget committee for a job well done. All but approximately \$300 has been budgeted. Budget approval anticipated at the June 19, 2019 meeting. The proposed budget will be posted on the website. The public can call anyone on the budget committee to provide feedback.

Vote: Unanimous - motion carried.

- Spending money before approval: Elaine Foster

Motion by Elaine Foster to reinstate the purchase request forms and requirement of written bids.

Second by Sarah Killough

Discussion: Suggested getting three bids on purchases. In the past, a prior purchase limit of \$500 was in place.

Suggested that dollar amount is low.

Public input by Paul Rasmussen: In reference to vehicle maintenance, the past policy of purchase request forms was restrictive. Vehicles were not a priority. It was the control of the money that was the priority. Without vehicles, there is no way to get firefighters to a fire. This put the community at risk. Parts to maintain vehicles are time sensitive. Waiting for board approval was taking too long.

Original motion retracted because the problem that needs solution is one of bookkeeping. The board does not want to get in the way of timely maintenance on vehicles.

New motion by Patrick Smith that the Purchase Request Forms be used on anything purchased. To maintain fire vehicles, a limit of \$1500 is set where prior authorization is not required.

Second by Elaine Foster.

Vote: Unanimous - motion carried.

Paul Rasmussen thanked the board for streamlining the process. Patrick Smith will provide purchase request forms.

CHAIRMAN'S REPORT: JR Niblett

- Approve new application(s) - There were no new applications this month.

- EMT-I School - Last month, JR Niblett requested \$5,000 for this training. The cost was the difference in what PCC wanted and the program expense of \$8,375. Motion by JR Niblett to not spend this money and cancel the training.

Justification is that the school is too far behind. EMT-I students would have to put in the equivalent of two semesters of coursework into less than three months. This information comes from the instructor, administration and chancellor at PCC. EMTs will not attend. The problem is with the instructor, Jay DeMay. He has been fired.

Second by Patrick Smith.

Discussion and public input: Board apologizes for their lack of involvement in the past six months.

- Joe Watts comments: EMT staff were provided support, time and tools from the department. Concerns about the instructor's lack of direction were brought before the board, month after month, with no board action.

- Jeremy Warner comments: He approached Elaine Foster in October 2018 with concerns about the EMT-I school instruction and instructor. These concerns were not investigated. The problems persisted and he withdrew from class.
- Alexandria Guthrie comments: PCC may have liability in this inadequate instruction and the educational treatment of students with learning disabilities. She agrees that the board should not spend more money on the program.
- Paul Rasmussen comments: Due to the board's poor decision making and shielding the instructor, Jay DeMay, the EMT-I students have greatly suffered and struggled. The district loses.
- Written opinion by Sarah Anderson (at the request of JR Niblett read into the record by Crystal Warner) - see attachment #1
- Written opinion statement provided by Robert Themel - see attachment #3

Elaine Foster believes that board was misled and apologizes. JR Niblett withdraws motion and presented a new motion that the \$13,375 will not be spent. He requests to hold \$2,000 to pay co-trainer (Sharon) for what she has already done. An invoice will be presented. Sarah Killough indicated that the funds are already allocated, therefore this motion is unnecessary and withdrawn.

Budget changes per suggestions by Joe Watts. Motion by Sarah Killough to make changes on the proposed budget in the following amounts: \$3,000 added to building repairs fund, \$8,000 added to Station 3 capital outlay and, \$11,151.29 reduced from the medical training fund.

Second by Patrick Smith.

Vote: Unanimous - motion carried.

Motion by JR Niblett to stop EMT-I school completely.

Second by Patrick Smith.

Vote: Unanimous - motion carried.

- Generator - update by JR Niblett

The generator for Station 1 has not yet been purchased or installed. It was noted that new wiring will not be needed. Note that the second generator is on order and will one will need wire.

- Pump Rescue 11 - update by JR Niblett

The pump has come in. Thank you to Otis and others for installation. Pump is now in service.

- Talk to lawyer about money recovery - update by JR Niblett

Motion by JR Niblett to talk to a lawyer to recover funds from the former EMT-I instructor.

Second by Patrick Smith.

Discussion: None.

Vote: JR Niblett- yes; Elaine Foster- abstain; Crystal Warner- yes; Patrick Smith- yes; Sarah Killough- abstain

Motion carried.

STATION REPORTS:

Fire training hours & runs - update by Joe Watts

- Fire had 9 runs
- 126 training hours

EMS training hours & runs - update by Joe Watts

- EMS had 21 runs
- 96 training hours

Joe Watts inquired about the debit card and the need for additional cards. At this time, Joe Watts has the only card. A list of personnel needing debit cards will be provided to Sarah Killough. It was noted that \$200 is available in the account.

Joe Watts indicated that the high angle class fell through. Mark Anderson came up to assist. Another training opportunity will be scheduled after the first of the year.

COMMUNICATIONS REPORT:

- Website: Patrick Smith made a motion to eliminate the old website, close the payment and move to the new website. Second by JR Niblett.

Discussion: In order to compare, Sarah Killough suggests the proposed contract for the new website is linked to the elimination of the old website. Last month, a web builder was purchased for a new website. The cost was \$300. She understood that a web builder to be a piece of software. The new website is built and an invoice from the web builder, Jeremy Warner was received. Patrick Smith indicated that the move to a new, modern website was because the old website was not secure. The new website had board approval at a prior meeting.

Vote: JR Niblett- yes; Elaine Foster- abstain; Crystal Warner- yes; Patrick Smith- yes; Sarah Killough- opposed.
Motion carried.

Patrick Smith made a motion to accept the contract for the new website. Contract is with Jeremy Warner at \$300 per year to maintain the new website.

Second by JR Niblett.

Discussion: In the proposed budget, the cost is \$645 year. A \$179 fee has already been paid to GoDaddy. DOLA must be notified about the new website. Sarah Killough cautioned that paying an individual for contract services (with a form 1099) must have expertise in the field. JR Niblett reviewed the new website contract that will be dated April 17, 2019.

Public input from Jeremy Warner: He will provide the board information on the accurate monthly hosting fee.

Vote: JR Niblett- yes; Elaine Foster- abstain; Crystal Warner- yes; Patrick Smith- yes; Sarah Killough- yes.
Motion carried.

- Sign: Patrick Smith

The sign has been damaged with a firearm and the message is now frozen. Quote to replace sign is for \$6,470. (Note that the sign is actually two, one on each side.) These funds are not available. Until further notice, messaging will have to be managed with the website and painted signs. Patrick Smith will seek out someone who might be able to repair the sign.

INSURANCE REPORT: Crystal Warner had no update.

- Station 3 dirt work - update by JR Niblett

Rob Adams indicated the cost to be under \$10,000. The work is mandated by Fremont county. The board has already agreed to \$2,700. Following the budget meeting, \$8,000 has been allocated. This board has assured the Fremont County Commissioners of this work completion. Note that the berm has been removed in front of the doors.

Motion by JR Niblett to have Rob Adams move forward on the work as soon as possible.

Second by Patrick Smith.

Discussion: None.

Vote: Unanimous - motion carried.

VICE-CHAIRMAN'S REPORT: Elaine Foster

- Secretary's contract

One change to the contract that was distributed last meeting was item #11. Compliance with Laws now reads "The Contractor agrees to comply with the law to the best of her ability." JR Niblett indicated that Anita Gregg passed the background check. Note that contractor's payment is \$100 per meeting. Two copies of the contract were signed.

Motion by Elaine Foster to approve the contract.

Second by JR Niblett.

Vote: Unanimous - motion carried

Sarah Killough noted that all contracts and legal documents should be archived.

- June 10 workshop

Motion by Elaine Foster for an allocation of \$150 for the June 10 workshop.

Second by Patrick Smith.

Discussion: None.

Vote: Unanimous - motion carried.

COMMITTEE REPORTS: JR Niblett

- Station 4 Patrick Smith

Initial funds are in the budget and a deposit made on the building. Written permission from the company has been provided in order to delay the final payment until the remaining funds are budgeted. The engineer working on the drainage requested revisions in the following areas: Corrected station number and description of what kind of medium would be used for the seep drainage. Revisions have been sent to Don Moore at Fremont County. Via email, he has recommended to the Planning Department that the project move forward. A set of plans has been provided to Rob Adams, who is volunteering his expertise. Still waiting on the engineered plans from Eagle Carports. Thank you to Cody Park Property Owners Association for the donation of \$10,000 towards this station. Note that the check has not yet been received.

- Mill Levy JR Niblett

Motion by JR Niblett to withdraw the last resolution (made April 17, 2019) in reference to the additional 9 mil increase. Second by Patrick Smith.

Discussion: JR Niblett inquired with the county. DMFPD is currently getting \$203,586 from the mil levy. The other \$22,000 is special ownership tax income.

Vote: Unanimous - motion carried.

Motion by JR Niblett to increase by 2.508 mils - bringing the total mils to 10.5 mils. The increased income is \$57,519. After discussion, the motion was withdrawn.

DMFPD anticipates getting \$260,000 (though not guaranteed) next year, without the special ownership tax income. The objective is not to draw large amounts of funds from the public. The board would like to keep the ambulance and EMS service working. The deficit on the ambulance alone is \$75,000. If there is not a wildland fire season, then these services will end. Tallahassee gets \$136,000 and they are at 10 mils. Note that half of their land is BLM and in DMFPD about 10.8% is BLM land. Wet Mountain (Custer County) is at 5.8 mils. They have business support and take in more than \$600,000. Additionally, their EMS is separate.

Public comment by Rob Adams: Getting both fire and ambulance service at \$26 a month is inexpensive.

Public comment by Paul Rasmussen: Has paid \$4200 in property tax in Parker, north of Denver. The medical response there was no better than here.

Public comment by Joe Watts: Recommends a cushion for the department. Since staff is currently getting only minimum wage, raises are in the future. Staff will go elsewhere if the department cannot pay them. Recommendation of increasing to 3.5 mils.

Comment by Sarah Killough: Scheduling for the minimum is problematic. Another mil levy increase would be at least two years in the future.

Question by Elaine Foster: Do you think a 3.5 mil increase would pass? Public response: With the initial thought of doubling the mils, the public would likely not support the increase. Many who live here are retired and living on a fixed income. Just like any household, the department must live within a budget. Comparing this rural area to Vail or metro Denver does not make sense. People move to rural areas because it is less expensive. It should stay that way.

The cost to put a question on the ballot is \$8,400. The board must let the county know by June 1, if there will be a ballot question from DMFPD. Moving to 3.5 mils would bring in another \$25,473 per mil.

Motion by JR Niblett to have a mil levy increase of 3.5 mils.

Second by Elaine Foster.

Vote: Unanimous - motion carried.

Patrick Smith suggests a meeting of the citizens to explain the mil increase.

OLD OR UNFINISHED BUSINESS

- Golden Acres - JR Niblett

Update on inclusion of Golden Acres should be wrapped up in two weeks. Residents there will be included in next year's tax base.

Request for NEW BUSINESS:

- Resignation of Sarah Killough - see attachment #3

Because of the stipulation that people have to be paid as soon as possible following a resignation or termination, Sarah Killough will be submitting a bill for the June board meeting attendance.

ANNOUNCEMENTS by JR Niblett

The next regular board meeting will be held on June 19, 2019 at 6:00 PM.

ADJOURNMENT

Motion to adjourn by JR Niblett.

Second by Patrick Smith.

Vote: Unanimous and meeting adjourned at 8:27 PM.

Respectfully submitted,
Anita Gregg, secretary

- **Resignation of Sarah Killough**

It is with regret that I must resign my position on the Deer Mountain Fire District Board effective June 19, 2019, the next meeting date.

I am having problems justifying the conflicts going on with this board and employees of the District. When I left, last year, things seemed to be moving along OK. Since I have been back, there has been nothing but conflict and I will not work under these circumstances. I have enough personal problems in my life; I don't want to try to handle those this board is having. I would like to recommend that my replacement as treasurer be someone who has experience with running the finances of a successful business.

I wish to thank the citizens of this district for the trust they have put in me, but at this time I am not able to continue serving.

Thank you, Sarah Killough