



WINDSOR SEVERANCE FIRE RESCUE

100 N. 7th Street • Windsor • Colorado • 80550
970-686-2626

REGULAR BOARD MEETING Public Attendance by Virtual Meeting Only Thursday, June 11, 2020 / 7:00pm MINUTES

Please click the link below to join the webinar:

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I. CALL TO ORDER at 19:01

- a. Pledge of Allegiance

II. ROLL CALL

Board directors Stevenson, Hansen, Gillingham, Pearson and Rosen were present. Also present in person or over the video conference was Fire Chief Kazian, Chief Friedrichsen, Chief Blackwill, Captain Dykstra, Captain Williams, Battalion Chief Chapman, HR Manager Lucy Zamarripa, Accountant Amanda Castle, Legal Counsel John Chmil, Life Safety Specialist Matthew and Special Services Technician Hays were also present in person or remotely.

III. BOARD OF DIRECTORS

- a. Discussion/Possible Action: Establishment of Board Officers
 - i. Election of Officers

Director Pearson submits a motion to approve Board positions as discussed with Director Pearson as President, Director Rosen as Secretary, Trent Hansen as Treasurer, Mark Stevenson as Vice President and Lindsey Gillingham as At Large member, Director Stevenson seconds. All "aye". Approved.

- b. Presentation by WSFR Legal Counsel
 - i. New Board Member Orientation and Special District Legal overview



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1. John Chmil-General Counsel

- Education for Board Members on Special Districts and their similarity and differences to other local government groups under Title 32.
- The mission of the District to provide fire protection and emergency services and Ability to execute property tax to collect revenue.
- *Colorado Open Meetings Law*-all public entities must conduct their meetings and formal action under public review. This includes the posting (physical and electronic) of formal action 24 hours or more prior to upcoming meetings following Title 32's specific notice requirements. This applies to regular and special board meetings.
- *Colorado Open Records Act*-all records created and maintained by the District are open to review by the public. This includes emails among members or members and staff. If three or more members of the Board, a quorum, are conducting discussion and business of the District, that is considered a violation of the Open Meetings Law.
- Both statutes allow the public to levy a civil suit in District Court against the District for violating these laws and if the District is found in violation, the District must pay for the Claimant's attorney fees.
- No single Board member can act unilaterally or independently of the Board. Board authorization by a majority of the Board can allow for a member to take on a specific responsibility on a case by case basis (e.g. in a committee, negotiation of property sales)
- Members have a Duty of Loyalty to the public WSFR serves to balance financial management and operational needs of the District.
- Excused and unexcused absences.
- Executive Sessions (exception to the *Open Meetings Law in Section 2.6 A-H*) that usually cover discussion of personnel issues, real-estate contract negotiation, discussion of legal advice and other instances where confidentiality is required. Brief discussion of the procedural requirements to legally engage in an Executive Session.



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- Meeting records: written and electronic formats and archive requirements.
 - Voting protocols including always casting a vote unless you have a conflict of interest on the issue being voted on.
 - Ethics rules including accepting gifts from the public, direct financial conflicts of interest and not simultaneously serving as Board members and as a volunteer or paid employee of the District
 - Compensation of Board members: \$100 per meeting up to a total of \$2,400 per year.
 - Protocols and term lengths related to Board Member vacancies.
 - Budget restrictions including TABOR.
 - Term limits: cannot serve more than two consecutive terms of office (e.g. a hiatus of four or more years between board member terms is considered non-consecutive).
 - Limited immunity from negligence claims under Colorado's Governmental Immunity Act unless the courts rule that the District or Board Members were acting recklessly.
 - Power of eminent domain: ability to condemn public and private property for District use to maintain its mission.
 - All construction projects over \$65,000 must be bid as an RFP.
 - Regular board members are also default members of the District's Volunteer Pension Board. Brief discussion of volunteer fire fighter compensation under Pension fund requirements.
 - Do's and Don'ts of Board Membership including the biggest role of the Board as a high-level management group rather than micromanaging the actions and staff employed by the District.
 - Discussion of the role of the Agenda, "action" versus "discussion" items that are included on it and public address protocols of Board meetings.
2. Chief Kazian: discussed more details on communication between the Board and the public (e.g. taking public comments under advisement versus engaging in discussion). Also discussed email exchange and executive session protocols.
 3. Director Hansen: Do we need to strictly adhere to these formal rules or can we learn as we go? John Chmil: the rules are used to move through the meeting in a professional manner. The Chair is the person who



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dictates the formality of each Board Meeting. The meeting minutes should reflect that there was efficient and proper formal action conducted by the Board.

4. Director Pearson added to discussion about the format of the Agenda and the efforts of staff to take the guess work out of running a meeting, discussion and specific working for motions.

IV. APPROVAL OF AGENDA

Director Gillingham submits a motion to approve the Agenda, Director Stevenson seconds. All "aye". Approved.

V. REGULAR BOARD MEETING

- a. Public Forum:
 - i. Public Comments: none
- b. Consent Agenda – Discussion/Possible Actions:
 - i. May 14, 2020 Regular Meeting Minutes

Director Rosen submits a motion to approve the Consent Agenda, Director Pearson seconds. All "aye". Approved.

- ii. Chief Kazian: discusses the protocol to accept or remove items from a Consent Agenda.
 - c. Financial Report and Updates: Amanda Castle
 - i. Discussion/Possible Action: April's Budget vs Actual Report
 1. Amanda Castle:
 - Discussion of the financial tracking and reporting protocols of the District to the Board on a monthly, quarterly and annual basis.
 - COVID-19 revenue impacts including tax payment deferrals to the District occurring later in the year based on recent county and state legislation. Currently a \$500,000 deficit between projected and collected revenues. Tax payment deadlines may be extended to the end of 2020.
 - No oil and gas wells that the District currently collects revenue from are owned by companies that have or will file bankruptcy



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imminently.

- District is experiencing savings related to canceled events, training and the efforts of staff to reduce their spending.
- Although revenue is being collected slower than past years, Amanda Castle is confident in the District's financial position.
- Capital expenditures: currently slightly over \$2 million. Future spending is being closely evaluated.
- Debt service fund (debt service paid via Mill Levy): taxes have been fully collected. An interest payment in June 2020.

2. Chief Kazian:

- On 6/10/2020, the District received \$3 million in tax revenue.

3. Board Discussion:

- Director Hansen: 2020 property taxes may get paid at the end of 2020? Amanda Castle: Potentially, depending on local, county and state legislation. The tax source that most likely would fall into this category is oil and gas royalty revenue.
- No action needed from the Board.

ii. Discussion/Possible Action: Ratification of May 2020 Checks

1. Amanda Castle:

- Discussion of the protocols for Bill.com

Director Pearson submits a motion to ratify the May 2020 checks, Director Rosen seconds. All "aye". Approved.

iii. Presentation: 2019 WSFR Financial Audit - John Cutler and Associates (JCA)

1. Amanda Castle:

- Highlights of this report were discussed.
- "Clean opinion on financial statement" given to the District. No audit adjustments were required. No management letter comments were given by John Cutler and Associates either.
- Discussion of the audit review process used by the District and John Cutler and Associates.
- Financial Statements: two sets given (statement of net position and statement of activities). Both are given to illustrate short- and long-term financial positions.
- Net position (2018-2019) \$18 million: \$7 million invested in



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capital, \$630,000 for TABOR restricted funds, \$32,000 restricted for watershed project and \$10 million for unrestricted balance (capital and operations funding).

- Expenses: \$7.5 million
- Program revenues: \$580, 000,
- General revenue: \$9.4 million, which is an additional \$2.5 million in revenue compared to 2018.
- Total assets of almost \$15 million, long term liabilities of \$12 million and \$3 million in the general fund balance.
- Capital fund established in 2019 after a transfer of \$6.5 Million from the General to the Capital fund.
- General fund: total revenue \$9.6 million, total expenditures \$8.1 million in 2019.
- The District also has \$10 million dollars in cash and investments which are in fully insured PDPA and FDIC accounts.
- Discussion of “Notes” section.
- 2009 Bond (\$779,000): early debt service payment submitted December 2019 (\$439,000). The taxpayers will be saved \$70,000+ in non-accrued interest since the District plans to pay off the debt a year early.

iv. Discussion/Possible Action: Approval of 2019 WSFR Financial Audit

1. Chief Kazian: proposes to the Board to postpone board approval of the audit until July 2020 so it has an opportunity to review the report.
2. Director Hansen: Who is the auditing firm? Amanda Castle and Chief Kazian: discussion of the JCA’s qualifications and the reasons for choosing them over previous contracted audit firm (e.g. experience working with special districts the size of WSFR).

v. Discussion/Possible Action: Board Bank and Credit Card Authorization

Director Gillingham submits a motion for Matt Pearson, President of Windsor Severance Fire Protection District, to be authorized as a signatory on the Bank of Colorado, Wells Fargo Bank, C Safe and Elan Services, Director Rosen seconds. All “aye”. Approved.

Director Pearson submits a motion that Trent Hansen, Treasurer of Windsor Severance Fire Protection District, to be authorized as a signatory on the



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Bank of Colorado, Wells Fargo Bank and C Safe, Director Gillingham seconds. All "aye". Approved.

Director Stevenson submits a motion to remove James Abbott as an authorized signer of all Windsor Severance Fire Rescue accounts including but not limited the Bank of Colorado, Wells Fargo Bank, C Safe and Elan Services, Director Rosen seconds. All "aye". Approved.

- vi. Discussion/Possible Action: FY2020 Budget update
1. Chief Kazian: Discussion of current and potential future (2020-2022) financial position of the District. Current realized savings of 5.4%/\$450,000 in savings after staff honed their budgets. A projected \$1.2 million will be rolled over into future budgets for use on postponed projects Roughly \$400,000-500,000 is earmarked for the Operations/Maintenance budget and \$700,000 is designated for the Capital fund.
 2. Director Stevenson: what savings are projected versus actual realized savings in this budget? Chief Kazian: District trying to balance savings and paying for expenses over the long term, so they don't all become necessary expenses simultaneously at some later date. Some savings are realized (e.g. canceled training and conferences) while others will be negotiated with staff as the year progresses.
 3. Amanda Castle: discussion of municipal loan opportunities to fund spending to maintain the fiscal sustainability of the District. Current loan rates are around 3.25%.
 4. Directors Pearson and Rosen: Supportive of the District's efforts to be fiscally proactive and sustainable in the long-term.

d. Recognition

i. Chaplain Dan Judge Retirement from WSFR

1. Chief Kazian: discussion of Chaplain Dan Judge's service to the District and his retirement ceremony on June 15th at 1500.

e. Organization Update

i. Board of Directors Report

1. Discussion: Status- Impact Fee Study
 - Chief Kazian: working with BBC to understand the current



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standing on impact fees. A formal presentation by the BBC is projected to occur in August 2020 meeting.

- John Chmil: Discussion of purpose and scope of the impact fees. An impact fee study is conducted to legally justify the levy of fees on new development due to increased impacts to the district including collecting revenues to pay for capital rather than personnel expenses. Calculated based off of square footage of new residential and commercial buildings and is paid by developers.

ii. Administrative Captain Report

1. Reserve Testing Status: Jeff

- Application process ends on Monday 6/15.
- Currently there are ten candidates that meet the application requirements of the District. Many are recent graduates of the AIMS spring 2020 Fire Academy. NTN testing certification is allowed required by the end of June 2020.
- Interviews will occur the week of July 6th.

iii. Training Captain Report: Mark Williams

1. Discussion of his role at WSFR to provide information to new Board members.
2. First responsibility: Maintaining CFAI accreditation requirements.
3. Second responsibility: Maintaining ISO requirements.
4. Third responsibility: Maintaining District-specific training requirements for career, part-time and volunteer staff.
5. Discussion of Board Report data and key points regularly covered.
6. "Current" events related to training: water rescue training and search training at the Timberline Church property off WCR17 and Crossroads.
7. The availability of AIMS Community College for training maybe be less compared to previous years due to COVID-19.

iv. Battalion Chief Report: Travis Chapman

1. LT. Promotional process at the end of June 2020
 - Three step process to develop an eligibility list will involve written and practical skills assessment by internal and external partners at the end of June.
2. IGA with PFA for mechanic services: a maintenance division contract to



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service apparatus not a part of the motor pool (e.g engines and ambulances).

v. Fire Marshal Report: Sandi Friedrichsen

1. Overview of LSD report format and key highlights (e.g. 85 public events including birthday parades and some remote community training). In-person Safe Sitter training will be restarted in June.
2. Station 1 sprinkler system renovation: Victaulic donated a dry valve to reduce costs.
3. Station 3 Nitrogen system: fully operational after a broken valve was replaced.
4. Intersand Plant: numerous inspections have been conducted to facilitate the start of operations by the end of July. The site has been offered to provide tours and training for crews, especially in the 140 foot commodities tower on site.

vi. Operations Chief Report: Mike Blackwill

1. WSFR Monthly Response Report:
 - Discussion of report format, notable highlights including benchmarks versus baselines and data accuracy.
 - EMS turnouts: averages above baseline but not as good as benchmark
 - Traffic Accident response: reasons for delayed response-police usually dispatched first and fire/ems deployed after request from law enforcement.
 - Fire/Wildland/HAZMAT: delays could be attributed to PPE donning, travel times to rural versus urban locations and staffing on additional apparatus (e.g Heavy Rescue).
 - YTD call volume: less than 2019 likely due to COVID-19 impacts.
2. Career Testing Update
 - Posting in July 2020 to hire three more career staff for Station 4.
3. Larimer County Hazard Mitigation Process
 - Presentation of Larimer County area hazards and how county, local and special districts are planning to mitigate their impacts.

vii. Fire Chief Report: Kris Kazian

1. COVID-19 Update
 - Discussion of precautions and planning.



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- Anti-body testing: third test set will be collected later in summer.
 - Reimbursements: FEMA (\$20,000 for COVID-19 expenses) and DOLA (\$5,000 to offset the 25% not covered by FEMA).
 - 2. Safer Grant Update
 - Has been submitted. Final decision on awards in September.
 - 3. Graduation Recognition
 - a. Lieutenant Jordan Spight
 - b. Chief Michael Blackwill
 - Both were awarded Fire and Emergency Services Bachelor's Degrees from Colorado State University.
 - viii. Museum Report: Kris Kazian
 - 1. Currently closed to public visitors but have been participating in birthday parades.
 - ix. WSFR Activities and Events
 - 1. Status of Community Events in Windsor and Severance: finalized/scheduled events are minimal due to COVID-19.
 - 2. Birthday Party Parades: total projected 250 parades by June 28.

Break at 21:31, return at 21:36.

f. Staff Items

- i. Discussion/Update: WSFR and FPPA reconciliation
 - 1. Jeff Dykstra:
 - All affected members have been paid as of the 6/12/20 paycheck.
 - 2. Chief Kazian: supportive and thankful of Captain Dykstra's and Amanda Castle's efforts to complete the reconciliation process.
- ii. Station 4
 - 1. Discussion/Update: Project Status
 - Dan Spykstra:
 - Discussion of his role on Station 4 project as Owner's Rep.
 - Current events related to project including submittal deadlines, touring outside fire facilities and WSFR Stations 2 and 3 to collect design ideas. Drafting will start in July 2020.
 - Chief Kazian: discussion of the front-end work and planning so a formal presentation during a regular board meeting can occur



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later in the summer. The District is looking into any and all options to maximize operational needs with the funding allotted.

- Director Gillingham: How are each of the stations used to host group events? Chief Kazian: using Zoom and other programs to keep crews in their response districts. Some events require in-person attendance (e.g. trainings).
 - Director Gillingham: Do you have a facilities manager? Chief Kazian: No, not one formally. Currently Jim Hayes works to coordinate the maintenance of buildings and apparatus.
 - Chief Kazian: Does the Board want a Special Board Meeting about this project? Director Pearson: seems like staff and the design team have done good work to inform the Board.
 - Chief Kazian: Anything widely out of the scope of the original project will be brought up to the Board Members during a special board meeting.
 - Dan Spykstra: most designs start with wants and scales down to needs within budgeted cost. Project planning for Station 4 will have all design and construction teams working closely together to maximize operational needs within the allotted budget.
 - Director Hansen: how do you determine where to put a station and how a new station will stay sustainable over the long term? Chief Kazian: analysis of call types, call volumes, response times and the characteristics of new and existing development. District is also trying to balance the costs of building now during current economic conditions versus building later when the economy might be better, but construction costs are also higher.
 - Dan Spykstra: the construction industry has shown great interest in the project. The District received 15 bids for the Construction Manager at Risk RFP.
2. Discussion/Update: DOLA Grant Application
- Chief Kazian: Planning to submit this grant to help partially fund the cost of Station 4 (\$1,000,000).
 - Director Gillingham: has the District started collecting letters of support for the grant? Chief Kazian: No, the grant submission process has not opened up yet.
 - Director Hansen: Is the DOLA grant state or federal? Chief Kazian: DOLA is a state program (Department of Local Affairs).



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- iii. Apparatus Updates: Travis Chapman
 1. Discussion/Update: Water Tender & Ladder Truck
 - Construction of both apparatus has not been delayed.
 - Ladder Truck pre-build meeting: a group of staff will travel to Appleton, Wisconsin June 23-27, 2020.
 - iv. Discussion: Welcome Lucy Zamarripa to HR position
 1. Lucy Zamarripa: Discussion of roles and responsibilities as HR Manager for WSFR and Platte Valley Fire Districts, previous experience in the private sector (manufacturing), nine years of experience in HR and educational goals (attaining a Master's degree in Organizational Leadership). Currently has a bachelor's degree from Colorado State.
 - v. Discussion: Future De-Gallagher Election
 1. Chief Kazian:
 - He strongly recommends that the District De-Gallagher since not doing so would neutralize the funds collected from the Mill Rate increase since the future Gallagher rate will be very low (5-6%).
 - No formal action needed from the Board needed now.
 - A formal presentation and action will be presented at the July 2020 Regular Board meeting.
 - The Board will need to vote in July to let the District notify Weld County to add this as an item to a coordinated election.
 - September 4, 2020: certified, formal ballot language must be submitted to the county. A special Board meeting will need to occur in August to develop ballot language. After this point, WSFR cannot violate Fair Campaign laws by allowing on-duty staff to spend their time or District resources to promote De-Gallagherization.
 - Two models: De-Gallagher (maintain residential assessment rate at 7.15%) and De-Gallagher Plus (minimum assessment rate of 7.15% plus any additional legislative tax rate increases). Chief Kazian recommends the De-Gallagher Plus model.
 2. John Chmil: discussion of this process with other special district clients, legal precedents and related events occurring in the state legislature.
 3. Amanda Castle: other special districts, including many metropolitan districts, have already De-Gallagherized. She echoed other's concerns that COVID-19 has had significant financial impacts on the operations of special districts like fire and school districts.
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g. Board Member Items: none

VI. ADJOURNMENT 22:30

Director Pearson submits a motion to adjourn the June 2020 Regular Board Meeting.
Director Rosen seconds. All "aye". Approved.