



WINDSOR SEVERANCE FIRE RESCUE

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

REGULAR BOARD MEETING 100 N 7th St / Virtual Option (Zoom Info Below) Thursday, June 9, 2022 / 6:00pm

MEETING MINUTES

I. CALL TO ORDER

- I. Pledge of Allegiance

II. ROLL CALL

Board Directors Stevenson, Hansen, Thorn, and Medhurst. Director Rosen is absent and excused. Chief Kazian, Battalion Chief Vess, Fire Marshal Chief Friedrichsen, Ruthie Knief, Financial Accountant Dominic Filosa, and members of the public were present at the meeting.

III. BOARD OF DIRECTORS

- I. Discussion/Possible Action: Establishment of Board Officers

- i. Election of Officers

Attorney John Chmil stated to the Board that the positions are set by the Bylaws.

Director Stevenson makes a motion to make positions on the board be assigned as follows:

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

Director Stevenson turns the meeting over to Director Thorn.

- II. Presentation by WSFR Legal Counsel

- i. New Board Member Orientation and Special District Legal Overview

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.



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- 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 including web based meetings allowing public access. 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.
 - Meeting records: written and electronic formats and archive requirements.
 - Voting protocols including always casting a vote unless you have



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- 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 \$60,000 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.

IV. APPROVAL OF AGENDA

Director Stevenson submits a motion to approve the agenda as presented, Director Hansen seconds, all "Aye". Approved.



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V. REGULAR BOARD MEETING

I. Public Forum:

i. Public Comments

This portion of the meeting is provided to allow the public to present comments or concerns not listed/related on the agenda. The public may speak on any agenda item during the meeting at the onset of the agenda item. The public comment period will be limited to three (3) minutes. Respectful communication is welcomed; outbursts, interruptions, and personal attacks will not be tolerated. Interaction with the Board of Directors is inappropriate. If further discussion is needed, the topic or concern may be placed on a future agenda.

Public Comments - None

II. Consent Agenda – Discussion/Possible Actions:

The Consent Agenda is intended to allow the Board to spend its time and energy on the important items on a lengthy agenda. Administration recommends approval of the Consent Agenda. Anyone may request an item on this agenda to be "pulled" off the Consent Agenda and considered separately. Agenda items pulled from the Consent Agenda will be considered separately under Pulled Consent Items. Items remaining on the Consent Agenda will be approved by Board with one vote. The Consent Agenda consists of items of no perceived controversy and routine administrative actions.

- i. May 12, 2022, Regular Meeting Minutes
- ii. WSFR 2022 Board Bylaws

Director Stevenson submits a motion to approve the Consent Agenda as presented, Director Medhurst seconds, all "Aye". Approved.

III. Financial Report and Updates

- i. Discussion/Possible Action: Approval of May 2022 Monthly Financial Report/Bill Ratification

Account Manager from JVG, Dominic Filosa, report the following: Total Revenue for May was \$2,651,223, which was \$978,656 under budget; Tax Levy Revenue for May was \$2,519,809, which was \$978,686 under budget; Non-Tax Levy Revenue was \$131,414, which was \$49,665 over budget; Total Expenses for May were \$876,646, which is \$17,839 over budget; Personnel Costs under budget by \$18,674, driven by personnel wages and FPPA pension; Vehicles & Equipment over budget by \$23,664, driven by fuel costs; Managerial Expenses over budget by \$32,853, driven by increase Treasurer fees; Total Revenue Year-to-Date is \$7,058,115, which is over budget by \$48,120 driven by higher than anticipated plan review fees; Total Expenses Year-to-Date is \$3,862,409 which is \$133,374 under budget driven by lower than anticipated personnel wages and associated benefits costs; Total Cash is \$20,395,730, which is \$3,538,167 less than this time last year. This is



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primarily attributable the following: Station 4 Construction. Expenses: Personnel was at 78%, Operations at 13%, and Managerial at 9%; currently at 38% of budget.

Director Stevenson makes a motion to approve the May 2022 Monthly Financial Report/Bill Ratification, Director Medhurst seconds, all "Aye". Approved.

- ii. Presentation: 2021 WSFR Annual Comprehensive Financial Report– Haynie & Company

Abbie Irvine, partner with Haynie & Company, gave an overview of the audit and recommendations and presented the Board and command staff a with a breakdown for each section of the report. Areas that get a closer look is depreciation, FPPA pension, collectability of receivables (value). Had only minor adjustments. No difficulties experienced during audit process. The audit report is more comprehensive this year and talks about key changes and areas, basic financial statements, additional schedules, and has a statistical section. Focus areas were Capital Assets, cash, lease (long term debt). Net Position is something they like to monitor as it's a sign of financial stability. Impact Fees are new to the report. The report will be ready to be submitted by the end of June. Looking to be awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government of Finance Officers Association (GFOA). It may be several months before we get a score card. Haynie & Company will submit it to DOLA.

- iii. Discussion/Possible Action: Approval of 2021 WSFR Annual Comprehensive Financial Report

Director Hansen submits a motion to approve the draft WSFR Annual Comprehensive Financial Report as presented, Director Stevenson seconds, all "Aye". Approved.

IV. Station 4 - Project Status

Chief Kazian presented Wember's photo presentation to the Board. Still looking at the end of August for completion date. Chief is working hard to get Xcel to supply electricity as soon as possible. Director Medhurst asked Chief what is the biggest hurdle to complete. Chief said the stairs have been huge delay and the snow melt



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system has more pieces to get delivered. Biggest issue is weather delays and work force shortages.

V. District Update

i. Reports

1. WSFR Monthly Response Report

Chief Dawald stated that fires went up 31%, EMS up 13%, service calls up 32%, good intent up 27%, falls calls/alarms up 30% -- total call volume up 18% from last year. Reliability looks good – Station 1 is absorbing most of Station 4's calls. Increases in mutual & auto aid to our neighbors. Loveland's Station 10 could increase their mutual aid to us.

2. WSFR Division Reports

Museum had a big month – over 700 visitors last month. Smoke alarm program – 261 homes, 1820 alarms have been installed. About 60% through our goal for the grant program. Future Legends has some people playing on the soccer fields already.

ii. Personnel

1. CPSE Chief Fire Officer (CFO) Re-Designation Recommendation – Fire Chief Kazian

Chief Kazian was redesignated – fifth time.

2. Firefighter Hunter Cook Completes FRFC Academy 2022-1

Graduated last Friday and now has two weeks of post-academy here at WSFR. Chief Dawald said it's good to get the new blood in the crew – reinvigorates the crew.

3. FRFC 2022-2 Update

Chief Kazian said we have 5 slotted to attend in the fall academy. If any don't make it through the process, we won't have time to recoup another personnel.

4. Part-time Firefighter Process

Chief Kazian said we would like to have 15 part-time folks, looking at hiring 7-8.

iii. WSFR Activities and Events

1. WSFR Open House – Saturday, June 11, 10:00am – 2:00pm

Chief said the Board is welcome to attend. Chief Friedrichsen, Lt Jungemann, and firefighter Spykstra have been heading the event.

2. WSFR Family Picnic – Saturday, June 25, 3:00pm-7:00pm

Held at Eastman Park Pavillon.



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iv. Facilities & Apparatus

No new updates.

v. Other District Related Matters

1. Covid Update

Chief Kazian said we've had approx. five or six personnel out with the virus. Our protocol is five days in quarantine and five days symptom/fever free. Then you can come back to work wearing a mask.

VI. Staff Items

i. Discussion/Possible Action: Acknowledge Exclusion Petition and Set Public Hearing

We received a request for an exclusion of the Ochsner Trust property. It's a pie in PFA's District to which we respond. Filing has been done for the inclusion into PFA's District.

Director Thorn said our next regular board is July 14, 2022. Chief Kazian said this is the Ochsner Property; we have received the \$1,000 for the exclusion fee.

Director Thorn submits a motion to acknowledge the petition and to set the public hearing for July 14, 2022, for the Exclusion of the parcel in the application, Director Stevenson seconds, all "Aye". Approved.

VII. Board of Directors Items

Director Thorn said he's attending a conference to get ICS trained in Estes Park tomorrow.

VI. EXECUTIVE SESSION

- i. Possible Vote to go into Executive Session pursuant to C.R.S. §24-6-402(4)(b), to conference with the District's attorney for the discussion of legal matters pertaining to the inclusion and exclusion of property.
Executive session not needed.

VII. RECONVENE INTO PUBLIC SESSION

- i. Discussion/Possible Action relating to the legal matters of the inclusion and exclusion of property.



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VIII. ADJOURNMENT

Director Stevenson submits a motion to adjourn the May 2022 Regular Board Meeting.
Director Hansen seconds. All "aye". Approved.