



MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE
SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT

April 18, 2017

A meeting of the Board of Directors of the South Adams County Fire Protection District was held at 6550 E. 72nd Avenue, Commerce City. Chairman Ken Koger called the meeting to order at 6:25 p.m.

The following Directors were present by roll call: President/Chairman Ken Koger, Treasurer Alex Fairfield, Secretary Craig Machuga, Vice President Randy Buckalew and Director Robert Harpin.

Also present were: Deputy Chief Dave Bierwiler; Deputy Chief Monzingo; Training Chief Lee Whitner; Dino Ross, Attorney for the District; and Diane Roemer, District Administrative Assistant.

Guests: Roger Japp and Jamey Buckalew with Northglenn Ambulance; Mollie Fitzpatrick with BBC Consulting; Chris Kramer with Commerce City Urban Renewal; and Sam Giilan.

Public Comment:

No comments.

Minutes:

Treasurer Fairfield made a motion to approve the March 21, 2017 minutes, Director Buckalew seconded. The motion carried.

Executive Session:

Director Machuga made a motion to go into an executive session pursuant to C.R.S. § 24-6-402(4)(b), conference with an attorney to receive legal advice on matters involving boundary realignment issues. Treasurer Fairfield seconded. The motion carried. Special counsel Ron Fano joined the executive session by telephone. Attorney Ross left the meeting room.

The regular Board meeting was reconvened at 6:45 p.m.

Chief Vincel announced that this will be that last Board meeting at this location.

He has a proclamation for the Board to sign which reads:

Acknowledgement of the last Board meeting:

“This proclamation recognizes the date and time of the last board meeting held in the Stat. #3 Board room, 6550 E. 72nd Ave. Commerce City, CO 80022.



The first District Board Meeting was held here in this building on Thursday, the 8th day of July in 1976, with the following Board members present: Harlow Leeper, Bob Hutchings, Frank Williamson, Herb Hast Jr., and Bob Robbins.

The last District Board meeting was held on the 18th day of April in 2017. The District Board are as follows: President Ken Koger, Vice President Randy Buckalew, Treasurer Alex Fairfield, Secretary Craig Machuga and Board Director Bob Harpin.”

The Board signed the proclamation and a picture was taken of the Board.

Special Reports:

Chris Kramer is the community development director for the City of Commerce City. He informed the Board about the City’s plans for the old Mile High Greyhound Park. Mr. Kramer gave the Board a history of the Park, stating that it originally opened in the late 1940’s, closed in 2008, and sat vacant until 2011 when the Urban Renewal Authority of the City of Commerce City purchased it.

In 2016 a Master Development Agreement was signed by the Real Estate Generation, LLC, the Urban Renewal Authority and Commerce City. It is anticipated that there will be residential and commercial uses on the property. There may be a hotel, a regional mixed use facility that will hold a 100-year event, the Boys and Girls Club, and an educational component.

Tax increment financing (“TIF”) will be used to develop the land. This means that a portion of the tax revenue that normally would go to other local governments that also would tax the area would be diverted to the Urban Renewal Authority to funds bonds and other costs of building the development.

House Bill 15-1348, the Urban Redevelopment Fairness Act, now requires the City to negotiate with each of the local governments the amount of TIF revenue that would be diverted to the Urban Renewal Authority.

The Urban Renewal Authority Board understands that fire protection is needed for the new development and has determined that all of the District’s TIF revenue that would normally be diverted to the Urban Renewal Authority will instead be returned to the District. Mr. Kramer informed the Board that the District would receive approximately \$116,000 per year in TIF revenues. Attorney Ross reviewed the proposed TIF revenue agreement with the Board, confirming that 100% of the TIF revenue would be returned to the District. Attorney Ross noted that normally he would be concerned with the provision that waives the District’s right to notice of modifications of the urban renewal plan; however, in this case there is not as great a concern because the District will continue to receive 100% of the TIF revenue even if the urban renewal plan is modified or renewed at some point in the future. Board discussion followed.



Director Buckalew made a motion to sign the agreement, Secretary Machuga seconded. The motion carried.

Mollie Fitzpatrick with BBC Consulting gave a presentation to the Board on a bill passed in 2016, HB16-1088, regarding impact fees which can now be imposed on new development for fire services.

According to the bill, impact fees can only be assessed on new development and can only be used for capital expenditures, such as new stations, station improvements, and apparatus. They cannot be used for staffing, but can be used to purchase certain types of equipment for staffing.

Ms. Fitzpatrick calculated that the District has twenty-five million dollars in assets, of which forty-four percent is attributed to commercial property. Her calculations indicate an impact fee of \$732 for a single family residence, \$337 per multifamily dwelling unit and \$0.46 per square foot for nonresidential development.

Chief Vincel informed the Board that on a 250,000 sq. ft. commercial building, the District would receive approximately \$115,000 in impact fees. According to Commerce City, approximately 500 homes are being built each year, which would be \$366,000 in impact fees per year paid to the District.

The impact fees must be kept in a separate account in order to track the funds.

Ms. Fitzpatrick recommends updating the impact fee study every five years.

According to the bill, the City will impose the impact fees on behalf of the District. In order to impose impact fees, the City must voluntarily agree to enter into an intergovernmental agreement with the District, which would outline the amount of the impact fees and the process. Attorney Ross noted that the District and the City can negotiate specific terms to be included in the intergovernmental agreement, such as adjustments to one or more classes of impact fees, and any area(s) where the impact fees would not be assessed.

Chairman Koger informed the Board that the fire commission has held a meeting and prepared a list of where the money will go. This list needs to be presented to City Council at its next meeting in May.

Secretary Machuga made a motion to proceed with the impact fees study, Director Buckalew seconded the motion. The motion carried.

Northglenn Ambulance

Roger Japp informed the Board they are still working with Image Trend to resolve a few glitches.



District Construction Projects:

Chief Vincel informed the Board that John Sattler sent him an email regarding the District projects. Chief Vincel reviewed the email with the Board:

Station #1:

The work has been completed. The remodel looks really good. Chairman Koger stated the reception for the funeral was at Station #1 on Monday and the toilets backed up. Chief Vincel will get in touch with DCS regarding the problem, or have the association call in a company to fix the problem.

Chairman Koger inquired about the Station #1 project being \$15,800 over budget. Chief Vincel stated that Mr. Sattler identified an administrative billing error at DCS. Part of the Station #2 project was incorrectly billed to the Station #1 project. It is being taken care of.

Director Buckalew inquired about all the vending machines at Station #1. Chief Vincel stated that he was unaware of the machines. He will look into the matter.

Station #2:

Estimated completion of Station #2 is 120 days from permitting, so the estimated completion date will be mid- July. Treasurer Fairfield would like the work at Station #2 monitored, due to the overage at Station #1. Chief Vincel informed him that Bob Kreutzer is in charge of monitoring the remodel.

Headquarters Building:

Chief Vincel informed the Board he is coordinating with DCS regarding the move-in date for the headquarters building, which now is around June 1st. The delay was due to DCS failing to order the furniture on time.

The next Board meeting will be at the new headquarters building, but it will be “bare bones” for that meeting, as the furniture will not have been installed.

Treasurer Fairfield would like to walk through the building prior to the Board meeting next month.

Chief Vincel informed the Board there will be an armed security guard at all Board meetings. The cost is \$1,500 per year.

Chief Vincel informed the Board he is checking into a cleaning company for the headquarters building. The first estimate was \$12,000 for cleaning; however, he has located a lower bid of \$100 per week, including cleaning the bathrooms and the offices.

The safety glass and the interior shades are due to be delivered this week.

Board Action Items:



Chairman Koger discussed the utilities agreement with United Properties. Attorney Ross informed the Board that Kelley Duke is comfortable with this agreement. This agreement allows the District to do anything with the surface, as long as it does not interfere with the utility use. The District receives no compensation under this agreement.

Treasurer Fairfield made a motion to approve the utilities agreement, Secretary Machuga seconded. The motion carried.

Treasurer's Report:

The Treasurer's Report is included with the Board packets.

Chief Vincel informed the Board the 2017 Budget is on track. He stated that he reviews the monthly financials with Chiefs Bierwiler and Monzingo and the accountants.

Bills for March 2017

Treasurer Fairfield asked for a motion to pay the bills totaling \$795,281.25. This total includes bills paid under \$5,000 signed by the Chief, March 15th totaling \$27,018.13, bills paid March 31st \$16,409.92, bills paid April 12th \$18,867.55, and bills over \$5,000 which were signed by the Board \$732,985.65.

Secretary Machuga made a motion to pay the bills, Director Harpin seconded. The motion carried.

Financial Report:

The Financial report is included in Board packet.

Board of Directors Report:

Treasurer Fairfield stated that he wants to make sure the District is looking at ways to tighten the Budget now instead of later. He also is concerned about the number of vehicles the District owns. Chief Vincel stated that he instituted a new SOG regarding the use of the vehicles specifically addressing who is allowed to take one home.

Chief Vincel informed Treasurer Fairfield that the District is in good shape regarding the number of vehicles.

Treasurer Fairfield stated that he is also concerned about District apparatus being dispatched to calls outside the District's jurisdiction that they had not been dispatched to in the past. Chief Monzingo informed the Board that the new dispatch system will dispatch the closest unit. This means that other fire departments also are being dispatched to locations within the District's jurisdiction when they have the closest unit. On balance, the engines are not being dispatched any more than previously.

Treasurer Fairfield is concerned about the increase in fuel costs.

Chief Monzingo stated that he is diligent in keeping the crews in their primary area at their assigned station, they do not drive around unnecessarily.



Director Harpin asked if all staff vehicles are being used. Chief Vincel informed him they are all being used; he stated that one Impala is a staff vehicle which is signed out for usage. Chief Monzingo informed Director Harpin that they are going to use the old Tahoe for training and they may sell Rescue 28.

Legal Comments:

Attorney Ross informed the Board that the index to the Document Retention and Destruction schedule does not correctly identify sections in the schedule. His office is working on an expanded table of contents that is more detailed.

Legislative tracker:

Attorney Ross informed the Board that the cancer legislation that creates a Trust which provides coverage to active fire fighters who get cancer has sailed through the general assembly. It is now on the Governor's desk for his signature. This optional Trust would lower the cost of a fire district's worker's compensation insurance.

There is a bill in the legislature stating that any public works projects above \$50,000 would have to use 25% of apprentices for the job.

Attorney Ross stated that Kelley Duke continues to negotiate the antenna site lease with Verizon. Attorney Ross reviewed the primary "deal points" with the Board. Verizon would be willing to pay \$1,000 per month escalating at 3% each year. The initial term would be for five years, and it would automatically renew for an additional three five year terms for a total of 20 years. Attorney Ross stated that the agreement is very restrictive regarding what Verizon can install; any modifications Verizon desired would have to be approved by the District. Verizon would be prohibited from interfering with other communications of the District, and would need to give the District notice if they need to come onto the property, unless there was a true emergency. Verizon or the District would have to give 180 day notice to cancel the contract.

Board discussion followed. The consensus of the Board was for Attorney Duke to continue working on the contract with Verizon.

Chief Report:

Chief Vincel informed the Board that Brett Anderson with Adams County Fire Protection District is at St. Anthony's hospital with terminal bladder cancer. Chief Vincel went to visit him today.

Chief Vincel would like to thank Chief Monzingo for his work on the new engines. They were delivered to Front Range Fire today, and the trucks look fantastic. They should be in service the middle of June.



Chief Vincel instituted a new program called “breakfast with the Chief”. He has been going to each station and visiting with the crews. He has received good feedback.

Chief Vincel met with Adam County Fire Protection District regarding a possible joint IT department between the two districts.

Deputy Chief Bob Monzingo:

Chief Monzingo informed the Board that he and the other Chiefs have been working on the overtime situation. His solution is to hire three contract firefighters with an eight-month contract. At the end of the contract to the District they may renew their contract for a longer period. The goal is to have 14-firefighters on each shift, including one Battalion Chief and 13 firefighters.

Chief Bierwiler informed the Board there are thirteen firefighters assigned to each shift. Those thirteen are assigned to four, three-person companies, one for each station, and a supervisor. Time off requests can impact each shift.

Chief Bierwiler stated that the cost to hire a full-time firefighter is approximately \$6,000 per month, including benefits. A contracted firefighter with no benefits would cost the District approximately \$4,450 per month.

Hiring one contracted firefighter for each shift at \$4,450 per month till the end of the year would cost the District \$106,000, a savings of \$200,000.

Chief Vincel stated there are three options for dealing with man power. One is hire these additional contract employees. The second is to continue to juggle staff to make things work. The third option is to drop the level of service and not staff all stations at all times. The Board had stated that they did not build Station #4 to sit empty; they also stated that the ISO requires four stations to keep the current rating of “two”.

Treasurer Fairfield stated he was concerned that the contract firefighters would not have benefits, and asked if they would be covered under the District’s workers’ comp. Attorney Ross informed him they would not have medical benefits, but they would be covered under workers’ comp, and if they work more than 1600 hours per year, they would be eligible to participate in the statewide defined benefit pension plan administered by the Colorado Fire and Police Pension Association (FPPA).

Discussion followed regarding hiring contract firefighters and revenue projections for the District. Chief Witner agreed with Chief Vincel regarding hiring contract firefighters, as it will give them the training and experience they are looking for.

Treasurer Fairfield made a motion to hire three contracted firefighters. Director Machuga seconded.



The motion carried. The votes were as follows: Director Buckalew- Yes, Treasurer Fairfield –Yes, Chairman Koger- Yes, Director Machuga- Yes, and Director Harpin-No.

Chief Monzingo informed the Board that most of the surplus extrication equipment is going to be donated to Timberline Fire Department. He also stated that he would like to donate or sell the old Rescue. Board discussion followed. The consensus of the Board was that the District should first see if it can sell it.

Chief Monzingo and Garry Aranda are going up to Front Range Fire tomorrow to bring the engines here.

Deputy Chief Dave Bierwiler:

Chief Bierwiler met with the PIO of Denver Fire today. They have worked together on a couple of occasions. He also meets monthly with regional public information officers to share information.

Training Chief Lee Whitner:

Chief Whitner informed the Board it has been a very busy four months for her. She has a training calendar she has been working on, she has provided three trainings on traffic incident management, first in response and spring and summer responses.

Chad Ray has Target solutions up and running and anticipates that by May all crews will be using it.

Chief Witner is keeping all personnel up-to-date on their certifications. All personnel except first-year firefighters and promoted lieutenants will be going through the driver operator program for certification.

Chief Witner hosted the Adams/Jeffco hazmat team training last week at Suncor. Firefighter Metish did a great job setting this up.

The first promotional lieutenant testing for career employees will be in May.

The first safety committee meeting will be May 11th. There will be District representatives from training, admin and fire prevention.

Chief Witner has received her incident safety officer certification. The Battalion Chiefs will also get this certification.

Fire Prevention Report:

Chief Vincel informed the Board that Fire Marshal Randall Wiegum and his team have been doing a lot of trainings, integrating as a team, doing inspections, reviewing policies and procedures. They also attended the international code council trainings.



Fire Prevention performed eight fire investigations in March, including an incendiary fire in which five juveniles were arrested for first degree arson. The team will be using ImageTrend to track investigations and inspections. There are about 1,900 occupancies to be transferred to Image Trend.

Volunteer Fire Department:

Chief Vincel is instituting a couple of things, including volunteers incentive stipends being calculated quarterly to total \$3,200.

Chief Witner is working on a plan for the volunteer stipends.

Chief Vincel stated the volunteers in the first quarter have logged 3,047 hours.

Director Harpin would like to schedule a study session to discuss staffing. Board discussion followed.

Executive Session:

Director Fairfield made a motion to go into executive session pursuant to C.R.S.24-6-402(4)(b) to receive advice from legal counsel on Impact Fees Director Buckalew seconded. The motion carried.

Attorney Ross stated for the record that the executive session constituted privileged attorney-client communications and would not be recorded.

The Board went into executive session at 10:05 p.m.

Chairman Koger asked for a motion to come out of executive session at 10:55 p.m. Director Fairfield made the motion, Director Machuga seconded. The motion carried.

Director Fairfield made a motion to approve the proposal differential for Station #4, Director Machuga seconded. The motion carried.

Adjournment:

As there was no further business, Chairman Koger adjourned the Board meeting at 11:00 p.m.

SUMMARY OF ACTIONS TAKEN BY THE BOARD



RESOLVED: To approve the minutes of the March 21st, 2017 meeting.

RESOLVED: To approve the Treasurer's report for March 2017.

RESOLVED: To pay the bills for March 2017, totaling \$795,281.25

RESOLVED: To approve the Utilities Easement Agreement

RESOLVED: To proceed with the Impact Fee Study

X

Ken Koger
Board President 3/21/2017

X

Craig Machuga
Board Secretary 3/21/2017



I hereby attest that the information communicated during the Executive Session, which was not recorded, constituted privileged attorney-client communications.

Dino Ross, Esq.

I hereby attest that the Executive Session was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b).

Ken Koger, President/Chairman