



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

December 11, 2018

A meeting of the Board of Directors of the South Adams County Fire Protection District was held at 6050 Syracuse St, Commerce City. President Alex Fairfield called the meeting to order at 6:15 p.m.

The following Directors were present by roll call: President/Chairman Alex Fairfield, Vice President Sam Gillan, Secretary Craig Machuga, Director Debra Bullock and Treasurer Ernie Anderson.

Also present were: Fire Chief Kevin Vincel; Michelle Ferguson, Attorney for the District; and District Staff Diane Roemer, Administrative Assistant, Emma Connors, Receptionist, and Kevin Kellar, IT.

Guests:

Jamey Buckalew and Melissa Kalnin with Northglenn ambulance; Eric Weaver and Rick Gonzales with Marchetti and Weaver, and Patrick Gallagher with Gallagher Construction.

Public Comment:

Patrick Gallagher with Gallagher Construction stated that he would like to discuss with the Board, the length of time it takes for the District to complete plan reviews. He said he was treated well by the District, but that it took thirteen weeks to get approval on his plans. He also stated his opinion that such time delays could impact the amount of new construction in Commerce City.

Chief Vincel explained to Mr. Gallagher that the District voters approved a new mill levy in the November 2018 election, and the District will use some of those funds to hire two more fire prevention personnel in the near future to help with the plan reviews.

Public Hearing for the proposed 2019 Budget and the proposed Amended 2018 Budget:

Chairman Fairfield opened the Public Hearing on the proposed 2019 Budget and the proposed Amended 2018 Budget.

It was stated for the record that the Notice of Public Hearing for the proposed 2019 Budget and the proposed Amended 2018 Budget had been duly published and posted in three locations in the District. Attorney Ferguson also stated for the record that no written comments had been received by the District prior to today's Public Hearing.

There were no public comments.

Chairman Fairfield closed the public hearing.

Minutes:

Chairman Fairfield asked for a motion to approve the minutes of the November 13st, 2018 Board meeting. Director Anderson made a motion to approve the minutes; Director Machuga seconded the motion. The motion carried.

Additions or Changes to the Board Agenda:

There were no additions or changes to the agenda.

Special Reports:

Chief Vincel informed the Board that Bob Kreutzer has been in contact with the contractor which will be doing the stripping in front of Station #4.

Chief Vincel stated the 2018 projects have all been completed.

Northglenn Ambulance:

Melissa Kalnin would like to thank the District for the presence of the District's honor guard at the funeral of one of Northglenn Ambulance's EMT's. Northglenn ambulance and the family really appreciated the District being there for them.

In November, Northglenn Ambulance ran 1,150 calls, 633 of them for the District. There were no mutual aid calls in November.

Northglenn Ambulance's average response time was 4.5 minutes.

Board Action Items:

Chairman Fairfield asked the Board for a motion to approve Resolution 2018-12-01, adopting the 2019 Budget, Resolution #2018-12-02 setting the District's the mill levies, and Resolution #2018-12-03, appropriating sums of money.

Director Machuga made a motion to approve all three resolutions. Treasurer Anderson seconded the motion. The motion passed.

Chairman Fairfield asked the Board to approve Resolution #2018-12-04 amending the 2018 Budget.

Director Machuga made a motion to approve Resolution #2018-12-04. Director Gillan seconded the motion. The motion passed.

Chairman Fairfield asked the Board for approval of the professional consulting services agreement with DCS, regarding the fleet maintenance facility expansion project at a cost of \$106,572.00.

Director Machuga made a motion to approve the professional consulting services agreement with DCS regarding the fleet maintenance facility expansion at a cost of \$106,572.00. Director Gillan seconded the motion. The motion passed.

Chairman Fairfield asked the Board for approval of the professional consulting services agreement with DCS regarding the HQ parking expansion project at a cost of \$42,568.00.

Director Machuga made a motion to approve the HQ parking expansion project with DCS at a cost of \$42,568.00. Director Bullock seconded the motion. The motion passed.

Chairman Fairfield asked the Board for approval of a consultant agreement for civil engineering services with Collins Engineers regarding the HQ parking expansion project at a cost of \$50,250.00.

Attorney Ferguson informed the Board that legal counsel reviewed the agreement and that Collins Engineers agreed to a number of our concerns; however, there was one change that Collins Engineers would not accept. Essentially, as written, if the District were sued as a result of work performed by Collins Engineers, the District would have to defend against any claim and seek reimbursement or indemnification from Collins, rather than have Collins assume defense of such claim from the beginning. The result is the District will incur additional time and expenses to defend the claim and then seek indemnification, but the agreement as written does not alter the District's right to seek indemnification from Collins Engineers. As such, Attorney Ferguson stated this is a business decision for the Board as to whether it is comfortable signing the agreement as written.

After discussion, the Board decided to accept the contract as written.

Director Machuga made a motion to approve the contract with Collins Engineers for a total of \$50,250.00. Director Anderson seconded the motion. The motion passed.

Chairman Fairfield asked for approval of the Intergovernmental Agreement for Emergency Services Automatic Aid by and between 10 fire departments from the northern part of the greater Denver Metro area.

Director Anderson made a motion to approve the IGA for Emergency Service Automatic Aid. Director Bullock seconded. The motion passed.

Treasurer's Report:

The Treasurer's Report is included in the Board packet.

Chief Vincel introduced Eric Weaver with Marchetti & Weaver to review the 2019 Budget.

Mr. Weaver informed the Board the District's revenue is doing well. He clarified that the Amended 2018 Budget was necessary because the impact fee revenue was not originally included in the 2018 Budget. There was discussion regarding the Impact Fees and the 2019 Budget.

Mr. Weaver stated the District has seen a huge growth in the past couple of years and that the District's revenue from taxes will increase next year due to the new mill levy.

Chief Vincel stated that Marchetti & Weaver do an awesome job for the District.

Mr. Weaver informed the Board that he will certify the mill levy so the District can begin receiving the funds.

Bills for November 2018:

Treasurer Anderson asked the Board for approval to pay the November 2018 bills, totaling \$749,432.67. Secretary Machuga made a motion to pay the bills for November 2018. Director Bullock seconded the motion. The motion carried.

Legal Report:

Attorney Ferguson informed the Board that due to a family emergency attorney Kelley Duke will be out of the office for the rest of this year and thanked the Board for being flexible in allowing her to cover the meeting in Ms. Duke's place. The Board extended its concern and prayers to Ms. Duke.

Attorney Ferguson stated that her firm helped the Colorado State Chiefs and SDA prepare a set of interrogatories about the possible Constitutional conflict between the Gallagher Amendment and the TABOR Amendment. These interrogatories were presented by the State Chiefs to Governor Hickenlooper, who in turn submitted them to the Colorado Supreme Court. She further stated that the Supreme Court has declined to consider the interrogatories. The Supreme Court did not provide much in way of an explanation for why they did not consider the submission. Attorney Ferguson stated that the 2019 Session of the Colorado Legislature will once again have an opportunity to address the Gallagher problem from a legislative standpoint, but no one knows what different forms that may take at this juncture.

Discussion followed regarding the Gallagher issue.

Fire Chief Report:

Chief Vincel informed the Board that he will not be using the remainder of his vacation this year. He has been very busy with the mill levy election, the budget process, and various other tasks.

Chief Vincel reviewed many of the accomplishments made by the Board in 2018, including the budget process, the mill levy election, ordering of two new engines, and the Board election, among other things.

Chief Vincel stated that having a public relations person has really helped to get the District recognized.

Chief Vincel informed the Board that he is changing how the Divisions will present reports next year. Fire Prevention, Training, Human Resources and Public Relations will alternate each month in presenting a report to the Board. Director Bullock suggested having each Division head prepare a report for the Board each month. After discussion, the Board agreed to have the Division heads alternate each month with their report.

Chief Vincel informed the Board that Chief Monzingo is working on implementing the priority dispatch system with ADCOM.

Chief Vincel informed the Board there has not been any discussion regarding the feasibility study on merging with Adams County Fire District, however talks should resume after the first of next year.

The North Area Automatic Aid Agreement that the Board approved tonight, is still being considered by a few other area departments.

Chief Vincel informed the Board he will have a Zoom video tomorrow at 3:00 p.m. on the State of the Department.

The District is accepting applications for Fire Prevention officers. There have been six applications turned in thus far. The closing date is December 15th, 2019.

The applications for firefighters has been opened internally to the District's volunteers. The closing date is December 18th, 2018.

Public Relations is working with Northglenn Ambulance to hold a toy drive for the community. There will be boxes placed at several stations for donations. The toys and gifts will be delivered December 24th.

Deputy Chief Monzingo:

No report was presented. Deputy Chief Monzingo was on vacation.

Board of Directors Report:

Treasurer Anderson would like to wish everyone a Merry Christmas and Happy New Year.

Director Bullock also wished everyone a Merry Christmas. She also inquired about another display case for the front lobby for more memorabilia for the District. Chief Vincel informed Director Bullock to contact Public Relations Manager Carabajal with her request.

Director Bullock would like to schedule a day to tour the training center and the stations. Chief Vincel informed her to contact one of the Battalion Chiefs to schedule a tour.

Director Fairfield would like to echo Northglenn Ambulance's appreciation of having the District's honor guard at the EMT's funeral. Director Fairfield stated he appreciates everyone in the District for everything they do.

Director Machuga wished everyone a Merry Christmas.

As there was no further business, Chairman Fairfield adjourned the Board meeting at 7:50 p.m.

Director Fairfield made a motion to enter into an executive session pursuant to C.R.S 24-6-402(4)(e) and (f), to determine positions relative to matters that may be subject to negotiations and to discuss

personnel matters. Director Gillan seconded the motion, the Board voted unanimously to enter into executive session at 7:55p.m.

SUMMARY OF ACTIONS TAKEN BY THE BOARD

RESOLVED: To approve the minutes of the November 13st, 2018 meeting.

RESOLVED: To approve the Treasurer’s report for November 2018.

RESOLVED: To approve Resolution #2018-12-01: To adopt the 2019 budget

RESOLVED: To approve Resolution #2018-12-02: To approve to set the mill levies

RESOLVED: To approve Resolution #2018-12-03: To appropriate funds of money

RESOLVED: To approve Resolution #2018-12-04: To amend the 2018 budget

RESOLVED: To approve the professional consulting services agreement with DCS regarding the HQ parking expansion project for a cost of \$106,572.00

RESOLVED: To approve the professional consulting services agreement with DCS regarding HQ parking expansion project at a cost of \$42,586.00

RESOLVED: To approve the consultant agreement for Civil Engineering Services with Collins Engineers regarding HQ parking expansion project at a cost of \$50,250.00.

RESOLVED: To approve the IGA for Emergency Services Automatic Aid

RESOLVED: To pay the bills for November 2018, totaling \$749,432.67

X

Alex Fairfield
Board President 12/11/2018

X

Craig Machuga
Board Secretary 12/11/2018