

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
STEAMBOAT SPRINGS AREA FIRE PROTECTION DISTRICT
HELD
June 18, 2018

A regular meeting of the Board of Directors of the Steamboat Springs Area Fire Protection District (referred to hereafter as "Board") was convened on Monday, the 18th day of June 2018, at 5:00 P.M., at Centennial Hall, 124 10th Street, Rooms 113/114, Steamboat Springs, Colorado.

ATTENDANCE

Directors in Attendance Were:

Eric Schmidt, President/Chairman
Karl Gills, Vice-President
Tom Ihrig, Treasurer
Randall Hannaway, Secretary

Also in Attendance Were:

Mel Stewart, Fire Chief; City of Steamboat Springs Fire Department
Jennifer Bock, Esq.; City Staff Attorney; City of Steamboat Springs
Ben Beall, Board Member; Friends of the Yampa
Dan Cudahy, CPA; McMahan and Associates, LLC (via teleconference)
Kammy Tinney, Irene McCaffrey, and Chelsey Green; Pinnacle Consulting Group, Inc. (via teleconference)
Matthew Court, Esq.; Ireland, Stapleton, Pryor & Pascoe, P.C. (via teleconference)
Dino Ross, Esq.; Ireland, Stapleton, Pryor & Pascoe, P.C. (via teleconference, joined during the Executive Session)

Chairman Schmidt called the meeting to order at 5:01 P.M.

Chairman Schmidt declared that a quorum of the Board was present, with four of four Board members in attendance. There is one vacancy on the Board.

ADMINISTRATIVE MATTERS

Agenda: A proposed agenda was distributed for the Board's review and approval. Following review and discussion, the agenda was approved, as amended.

Disclosure of Potential Conflicts of Interest: Chairman Schmidt inquired whether there were any conflicts to

disclose by Board members present, which have not already been adequately disclosed. There were no such conflicts to disclose.

Public Comment: Mr. Beall and Attorney Bock addressed the Board with additional information, and related concerns, regarding the proposed Public Art Donation and Maintenance Agreement previously approved by the District Board. Attorney Bock reported that the City does not believe that the District needs to be a party to the Agreement due to the various rights, responsibilities, and obligations of the City outlined in the 2009 Amended Contract for Services between the City and the District. Attorney Bock reported that, notwithstanding this belief, she provided redlines of further suggested revisions to the Agreement to legal counsel for the District that retains the District as a party to the Agreement. Attorney Court reported that he respectfully disagrees with Attorney Bock's position that the District does not have to be a party to the Agreement, noting that the District maintains an ownership interest in the Ambulance Barn on which the mural will be installed.

Following discussion, upon motion duly made by Director Hannaway, seconded by Director Ihrig and, upon vote, with Director Schmidt voting "Nay", and Directors Ihrig, Gills, and Hannaway voting "Aye", the Board approved one hour of District legal counsel time to further negotiate and, if appropriate, finalize a Public Art Donation and Maintenance Agreement, and authorized President Schmidt to sign the final Agreement on behalf of the District.

Minutes: The Board reviewed the minutes of the April 16, 2018 regular meeting. Following review and discussion, upon motion duly made by Director Ihrig, seconded by Director Hannaway and, upon vote, unanimously carried, the Board approved the minutes of the April 16, 2018 regular meeting, as amended.

The Board reviewed the minutes of the April 30, 2018 special meeting. Following review and discussion, upon motion duly made by Director Gills, seconded by Director Ihrig and, upon vote, unanimously carried, the Board approved the minutes of the April 30, 2018 special meeting, as presented.

The Board reviewed the minutes of the May 16, 2018 special meeting. Following review and discussion, upon motion duly made by Director Hannaway, seconded by Director Ihrig and,

upon vote, unanimously carried, the Board approved the minutes of the May 16, 2018 special meeting, as presented.

The Board reviewed the minutes of the May 21, 2018 regular meeting. Following review and discussion, upon motion duly made by Director Gills, seconded by Director Hannaway and, upon vote, unanimously carried, the Board approved the minutes of the May 21, 2018 regular meeting, as amended.

Presentation and Acceptance of 2017 Audit: Mr. Cudahy reviewed with the Board the final draft of the District's 2017 Audited Financial Statements, a copy of which was included with the agenda packet. Mr. Cudahy provided an overview of the procedures used to audit the financial statements, including working with staff representing both the City of Steamboat Springs and the District. Mr. Cudahy informed the Board that an unmodified opinion will be issued, with no audit adjustments to the year-end financial statements, no conflicts with management, and no deficiencies noted in the audit.

Following review and discussion, upon motion duly made by Director Ihrig, seconded by Director Hannaway and, upon vote, unanimously carried, the Board approved the 2017 Audited Financial Statements, and authorized Pinnacle Consulting Group, Inc. to file the 2017 Audited Financial Statements with the Office of the State Auditor no later than July 31, 2018.

Mr. Cudahy left the meeting at this time.

DEPARTMENT
MATTERS

Chief's Report: Chief Stewart reviewed the Fire Chief's written report, dated June 6, 2018, which includes activities of the Fire/Rescue, Training, and Fire Prevention Divisions.

Notable Events. Chief Stewart reported that the total call volume for May decreased by 1 call compared to May of 2017. Year to date call volume has increased 4.4% over the same period of time as compared to 2017.

The department hosted members of the U.S. Forest Service for lunch on May 15, 2018 to discuss joint response to wildland fires.

The department had a third party perform annual pump testing on all of the pumping apparatus.

Deputy Chief Cerasoli met with each shift to provide an update on the status of the fire department and upcoming events.

Fire department personnel have been performing hose testing throughout the month.

Fire Prevention/Public Education. Chief Stewart reported that Fire Prevention activity for May 2018 was up 50% compared to May 2017. Year to date department fee and inspection revenue is 19% lower as compared to May 2017.

A fire investigation was completed on a carpet cleaning van fire that occurred on May 30th.

Trainings. Chief Stewart reported that the department fire training in May focused on fire scenarios command structure, wildland fire training and pack test, and swift water rescue.

The department emergency medical services training in May focused on pediatric trauma.

Chief Stewart reported that a special training on behavioral emergencies was hosted by the department and that it was presented by Dennis Edgerly.

Public Education Events. Chief Stewart reported that the department provided a HeartSaver CPR/AED class on May 2nd and May 16th for the Routt County Sheriff's Office and provided fire extinguisher training for Ace Hardware.

The department also participated in the Home and Garden show at the Art Depot and hosted a 2nd grade class from Soda Creek Elementary and the Discovery Learning Center for a tour and safety talk.

Continued Discussions with City Representatives Regarding Current and Future Services: Chief Stewart addressed the Board regarding the City's scheduled evaluation of the department's staffing and operational needs in a continued effort to determine where improvements might be made to obtain optimum levels of efficiency, noting that Matrix Consulting Group, Inc. would be conducting staff surveys June 26th-28th.

Chief Stewart reported that the City is moving forward with a Request for Proposal ("RFP") for an engineering and architectural firm specializing in fire stations to evaluate sites and preliminary designs for a new station.

Chief Stewart reported that City Council held a Work Session June 12th to discuss assets, grant funds and facilities, and is meeting with the City's Director of Human Resources and Director of Finance to discuss how employee benefits would be transitioned to the District in the event of a future unification between the City and the District. Director Gills expressed his concern that the District was not notified of this Work Session and inquired when the next working group meeting with the District representatives and City Council Subcommittee would be coordinated. Chief Stewart reported that City Council will be discussing the draft Pre-Inclusion Agreement at the July 17th meeting, and noted that the election calendar created by Ms. Tinney was included in City Council's packet.

FINANCIAL
MATTERS

Review and Consider Approval of June Claims: Ms. McCaffrey reviewed with the Board the claims for the period ending June 30, 2018, totaling \$57,873.43.

Following review and discussion, upon motion duly made by Director Ihrig, seconded by Director Gills and, upon vote, unanimously carried, the Board approved payment of the claims for the period ending June 30, 2018, in the amount of \$57,873.43.

Review and Accept Cash Position Statement, CD Yield Information, and unaudited Financial Statements: Ms. McCaffrey reviewed with the Board the Cash Position Statement for the period ending June 18, 2018, with accompanying CD yield information, and Budget to Actual report for the period ending May 31, 2018. Ms. McCaffrey reported that two CDs mature in July and August and noted recommendations for the Board's consideration regarding the maturing CDs will be provided at the regular meeting in July.

Following review and discussion, upon motion duly made by Director Gills, seconded by Director Ihrig and, upon vote, unanimously carried, the Board accepted the Cash

Position Statement for the period ending June 18, 2018, with CD Yield information, and Budget to Actual report for the period ending May 31, 2018.

LEGAL MATTERS

Attorneys' Report: Attorney Court reviewed with the Board the June Attorneys' Report.

Chief Stewart left the meeting at this time.

Executive Session: Pursuant to § 24-6-402(4)(b) of the Colorado Revised Statutes, Director Hannaway moved that this regular public meeting of the Board of the Steamboat Springs Area Fire Protection District adjourn and, upon an affirmative vote of at least two-thirds of the quorum present, that the Board reconvene in Executive Session to receive legal advice regarding potential actions to address the effects of the Gallagher Amendment. Director Ihrig seconded the motion. The vote carried unanimously. Ms. Tinney, Ms. Green, and Ms. McCaffrey were invited to attend the Executive Session.

Attorney Court certified for the record that, pursuant to § 24-6-402(4)(b) of the Colorado Revised Statutes, all of the executive session discussion will constitute an attorney-client privileged communication and will not be recorded.

The Board went into Executive Session at 6:29 P.M.

Attorney Ross joined the Executive Session via teleconference at 7:02 p.m.

The Board did not engage in substantial discussion of any matter not enumerated in § 24-6-402(4)(b), C.R.S. The Board did not adopt any proposed policy, position, resolution, rule, regulation, or formal action. The Executive Session was adjourned at 7:43 p.m. on a motion by Director Gills, seconded by Director Hannaway and passed by the affirmative vote of all members.

The Board reconvened in regular session at 7:43 P.M.

Following discussion, upon motion duly made by Director Hannaway, seconded by Director Ihrig and, upon vote, unanimously carried, the Board authorized legal counsel to engage George K. Baum for public education efforts

and, authorized President Schmidt to sign the final agreement with George K. Baum in an amount not to exceed \$7,500.

DIRECTOR'S
ITEMS

There were no Director's Items brought before the Board for consideration.

COMMUNITY
MATTERS

There were no Community Matters brought before the Board for consideration.

OTHER BUSINESS

Consider Board Member Attendance at the 2018 Special District Association Annual Conference: Ms. Tinney provided information regarding the Special District Association Annual Conference scheduled to be held September 12th-14th in Keystone, Colorado.

Following review and discussion, upon motion duly made by Director Gills, seconded by Director Ihrig and, upon vote, unanimously carried, the Board authorized any interested Board members to attend the Special District Association Annual Conference scheduled to be held September 12th-14th in Keystone, Colorado.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Hannaway, seconded by Director Ihrig and, upon vote, unanimously carried, the meeting was adjourned at 7:48 P.M.

Respectfully submitted,

By: _____
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MINUTES OF THE
JUNE 18, 2018 REGULAR MEETING OF THE STEAMBOAT SPRINGS
AREA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS, BY THE
DIRECTORS SIGNING BELOW:

Eric Schmidt

Tom Ihrig

Randall Hannaway

Karl Gills

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

Matt Court, 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).

Eric Schmidt, President