

## RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
STEAMBOAT SPRINGS AREA FIRE PROTECTION DISTRICT  
HELD  
October 8, 2018

A special meeting of the Board of Directors of the Steamboat Springs Area Fire Protection District (referred to hereafter as "Board") was convened on Monday, the 8<sup>th</sup> day of October 2018, at 5:00 P.M., at Centennial Hall, 124 10<sup>th</sup> Street, Rooms 113/114, Steamboat Springs, Colorado.

### ATTENDANCE

#### Directors in Attendance Were:

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

#### Also in Attendance Were:

Mel Stewart, Fire Chief; City of Steamboat Springs Fire Department  
Gary Suiter, City Manager; City of Steamboat Springs  
Kammy Tinney and Chelsey Green; Pinnacle Consulting Group, Inc. (via teleconference)  
Dino Ross, Esq., and Matt Court, Esq.; Ireland, Stapleton, Pryor & Pascoe, P.C. (via teleconference)  
Joe Oakland, President; Steamboat Springs Professional Fire Fighters, International Association of Fire Fighters Local 44772

Chairman Schmidt called the meeting to order at 5:04 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, to include discussion in Executive Session and Director's Items.

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. Oakland addressed the Board noting that he reviewed the TABOR notices of local jurisdictions conducting a November election and Steamboat Springs Area Fire Protection District is the only local jurisdiction that did not include Pro or Con statements as part of the notice. Ms. Tinney, in her capacity as Designated Election Official, responded that no pro or con comments were received and therefore none were included in the TABOR notice. Mr. Oakland offered the support of the Steamboat Springs chapter of the IAFF for a potential May 2019 inclusion election. Attorney Ross provided input regarding timing and a general overview of the Fair Campaign Practices Act and issue committee involvement.

LEGAL MATTERS

Preparation for October 15, 2018 Public Hearing - Joint Presentation: Attorney Ross provided additional information regarding the process of excluding property from the proposed inclusion, and citizen comments that the exclusion process should be handled by the Routt County Board of County Commissioners versus the District Board, and that the District must also seek a determination by the Board of County Commissioners as to whether the proposed inclusion constitutes a material modification to the District's Service Plan.

Executive Session: Pursuant to § 24-6-402(4)(b) and (e) of the Colorado Revised Statutes, Director Gills moved that this special 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, determine positions relative to negotiations, develop strategy for negotiations, and instruct negotiators. Director Ihrig seconded the motion. The vote carried unanimously. Ms. Tinney and Ms. Green were invited to attend the Executive Session.

Attorney Ross 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 6:27 P.M.

The Board did not engage in substantial discussion of any matter not enumerated in § 24-6-402(4)(b) and (e), C.R.S. The Board did not adopt any proposed policy, position, resolution, rule, regulation, or formal action. The Executive Session was adjourned at 7:05 p.m. on a motion by Director Hannaway, seconded by Director Ihrig and passed by the affirmative vote of all members.

The Board reconvened in regular session at 7:05 P.M.

COMMUNITY  
MATTERS

October 4<sup>th</sup> Meeting with City Representatives Regarding Community Response: Director Gills and Mr. Suiter reported that the parties should expect an organized citizen campaign against the proposed inclusion. City Council must decide if they intend to move forward with the proposal in order to address fire and related emergency services in the City's 2019 Budget and will discuss further at their October 9<sup>th</sup> and October 16<sup>th</sup> meetings. Director Gills distributed and reviewed with the Board a further revised presentation outline.

Requests/Petitions to Exclude Property from the Proposed District: Ms. Tinney provided a list of those requests and petitions to exclude property from the proposed inclusion of real property into the District submitted by the close of business on October 5, 2018. There are 445 properties included on the list. An additional six requests were submitted after the October 5th deadline.

Discuss Joint Presentation by City and District Representatives: Director Gills requested comments to the outline of his upcoming presentation by Wednesday for discussion with those presenting on Thursday.

OTHER BUSINESS

Discuss Deferring Regular Business Scheduled for October 15, 2018 Regular Meeting: Ms. Tinney suggested deferring regular business scheduled for the October 15, 2018 regular meeting to the previously scheduled October 29, 2018 special meeting in order to allow the Board to focus

on the presentation and public input at the October 15, 2018 public hearing. Payables for October will be submitted for approval to Directors Schmidt and Ihrig, with ratification of approval included with the October 29, 2018 meeting agenda. It was the consensus of the Board to defer regular business scheduled for October 15, 2018 to the special meeting scheduled for October 29, 2018.

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DIRECTOR'S  
ITEMS

Revision to Pre-Inclusion Agreement: Director Gills suggested that the Board consider proposing an amendment to the Pre-Inclusion Agreement that includes funding for a third ambulance in 2020 versus the current schedule to add a third ambulance in 2022, and that reduces the proposed mill levy from 9.000 mills to 8.000 mills to fund the proposed services. Board discussion followed.


May 2019 Election Information: Ms. Tinney reported that Chief Stewart has prepared an FAQ regarding the May 2019 election and requested the information be posted on the District's website. Ms. Tinney has some concern that posting the information prior to the October 15<sup>th</sup> public hearing may cause further confusion to citizens. The Board agreed and directed that the information be posted following the October 15<sup>th</sup> public hearing.

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ADJOURNMENT

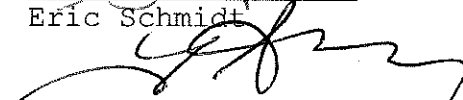
There being no further business to come before the Board, upon motion duly made by Director Hannaway, seconded by Director Gills and, upon vote, unanimously carried, the meeting was adjourned at 7:30 P.M.

Respectfully submitted,

By:   
Secretary for the Meeting

THESE MINUTES ARE APPROVED AS THE OFFICIAL MINUTES OF THE OCTOBER 8, 2018 SPECIAL MEETING OF THE STEAMBOAT SPRINGS AREA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS, BY THE DIRECTORS SIGNING BELOW:

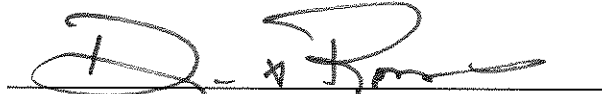
  
Eric Schmidt

  
Tom Ihrig

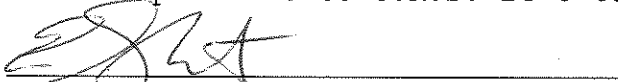
  
Randall Hannaway

  
Karl Gills

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

  
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) and (e).

  
Eric Schmidt, President