



## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE EVERGREEN FIRE PROTECTION DISTRICT AUGUST 11, 2015

The regular meeting of the Board of Directors of the Evergreen Fire Protection District was held on August 11, 2015 at the Administration/Training Building, 1802 Bergen Parkway, Evergreen, Colorado.

**MEETING CALLED TO ORDER** Director Kling called the meeting to order at 5:34 pm.

**TIME OF REMEMBRANCE AND REFLECTION:** The pledge of allegiance was recited and a moment of silence was observed.

### **ATTENDANCE**

**DIRECTORS IN ATTENDANCE:** George Kling, David Christensen, Mike Gregory, John Anderson and Jeff de Disse

**ALSO IN ATTENDANCE:** Jay Griggs, Bob Walter, Frank Dearborn, Doug Saba, Ed Mills, Dave Montesi, John Putt, Mike Weege, and Carol Hucker.

**APPROVAL OF AGENDA:** Accepted as presented

**PUBLIC COMMENT:** None

### **APPROVAL OF MINUTES:**

- July 14, 2015 Regular Meeting Minutes: Approved as presented.

### **PRESENTATIONS:**

- June 2015 Quarterly Financial Report: Amanda Castle of Pinnacle Consulting joined the meeting by conference call. Year to date looking great. Property taxes are in at 96% to this date. The 2014 audit was filed with the state. Personnel costs in the communications division are over budget due to an employee departure and overtime to cover the vacancy. 2016 budget planning is underway. The majority of revenue is collected in the first 6 months. Expenditures are around the 50% mark for the year. Director deDisse made a motion to accept and place on file the June 2015 Financial Report; Director Christensen seconded; discussion ensued about the cost of overtime for training period in communications personnel expenses; motion carried.
- Ed Mills – FirstNet: A national communications initiative, FirstNet is public safety broadband network to provide a nationwide high speed data and voice network for emergency responders for increased collaboration. Mobile data traffic has grown 30 times where it was in the year 2000 with growth in new devices and connections in 2014 to 7.4 billion.

### **DIVISION REPORTS:**

#### **Administration / HR / IT:**

- Welcome John Putt as the new Communications Manager
- The division heads have been asked to start on the 2016 budget draft
- The financial audit was submitted and is officially complete
- The Project Wildfire Kickoff held here on 7/28 was very successful. Educates realtors and buyers on mitigation and insurance requirements. Thank you Doug Saba for your assistance.
- The new Rosenbauer Tender is in process of getting tooled, hose tested etc.
- The benefits analysis has been distributed.
- A handbook update is underway to fill some gaps that were discovered and to input the recent benefit changes.

#### **Communications:**

- Drive testing for the single dispatch channel has been completed. Report should be in soon.
- Three new part time dispatchers in training. Welcome Kevin Biegert, Dan Guajardo, and Tim Godfrey. Josh DeBell will be returning to part time.
- Beta testing a call taker program with FF Scott Gill for large scale events.
- The power outage along the 285 corridor and into the EFPD caused both Bear Mountain and Squaw Mountain tower sites to run off generator power. The systems worked perfectly. (John Putt and Jeff deDisse left the meeting for a power outage in dispatch.)
- Jefferson County Emergency Communications Authority: Pro QA and mapping upgrade.

- Collaborative training project
- July Calls: 2323 = 415; 3411 = 392; 911 = 168

**Fire Operations:**

- Academy has started with 15 new students plus 3 from Clear Creek.
- Two are deployed on wildland fires in California and Washington
- New radios being distributed at the next volunteer business meeting.

**Fire Prevention:**

- Health and Safety Day will be Saturday, September 19<sup>th</sup>. Contact Doug or Frank for your volunteer assignment.
- JeffCo's Community Safety Day will be Aug. 22<sup>nd</sup> 9-1. We will teach extinguisher training for the 5<sup>th</sup> year.
- El Rancho Brewery sprinkler to final next week. A major renovation planned at King Soopers.

**Emergency Medical Services:**

- MDT update - still working on best way to mount them.
- Atrus update – should be live in the next week
- Collections: State collections 2014 – total \$16,800  
State collections thru June 2015 are \$17,227  
Wakefield best year 2008 - \$18,267  
State Nov. 2012 – June 2015 = \$48,000  
Wakefield 2009-2011 = \$41,000
- Laws went into effect in Jan. 2015 to help the State with collections. On pace for \$33,000 in collections for EFR this year.
- Billing for traffic accidents – 2 as most are residents of district
- Life Saver Award was held July 22

**Maintenance Division:**

- The new tender has arrived; field testing began the week of August 3<sup>rd</sup>.
- Jefferson Como Fire Department has joined us for contract maintenance.
- Maintenance repair ticket system is live. Email maint.help@evergreenfirerescue.com
- Cistern leaks being identified and monitored monthly. Mostly tank valve issues.
- Contract Maintenance July 2015: 44.5 hours of labor performed; 89 hours collected

**Training/Community Education:**

- Nothing to report

**Strategic Planning Implementation:**

- Divisions have identified the areas of need and are compiling cost estimates.

**Regionalization Update:**

- IGA has stalled as the budget and cost components are not working for all agencies
- Judith Weshinsky-Price, the Executive Director, starts Aug. 24
- Aug. 10<sup>th</sup> was a visit from Jim Lake of the Charleston Consolidated Comm. Center to answer questions about our project. This all day event was open to dispatchers/managers/Chief's/CEO's

**Public News / Announcements:**

- Big Chili September 12<sup>th</sup> with a large attendance expected.

**AUGUST BOARD MEETING TOPICS:**

Topic	Initiated	Scheduled/ Completed	Recommendations / Actions
Energy Audit	April-14	Sept-15	Update on-going project
Revise Chiefs Review Process	Jun-15	Mar-16	
Budget Committee	Feb-15	TBD	Update quarterly with Financial report from Pinnacle

**UNFINISHED BUSINESS:**

- RFP for Solar Installation update: Energy, pressure and leak testing determined some significant leakage and areas for improved efficiencies. When we get the report back it is anticipated that 15-25% load reduction could be made which would reduce the solar load and cost. The RFP for

solar is on hold until we see the report on how many kw we can potentially reduce. Goal is to limit demand charges on the electric bills.

### **NEW BUSINESS:**

- 401a Proposal: First Amendment to the 2013 Restatement of the Pension Plan. Dave Montesi presented an amendment from the 401a Pension Board for consideration. This amendment is intended to address the funds in the forfeiture account that must be reduced to meet requirements for the IRS. At present there is \$87,088.58 in the account. Kirsten Stewart of Sherman Howard LLC advised that the funds be reallocated quickly to appease the IRS. Some of the methods that can be used for this require a bylaw change. The method the 401a Board has proposed is to leave \$10,000 in the fund to manage any expenses of the fund and the balance to be distributed in recognition of the employees based on longevity vested in the fund (2-30 years) with a single one time distribution to the retirement accounts. Director de Disse asked how we prevent this from happening again. Mr. Montesi explained that when the by-laws were rewritten it was indicated that the forfeitures at the end of each plan year may be requested back by the District Board at their discretion to be used to offset the expenses of the next year. Director Anderson asked where this money came from. Mr. Montesi explained that prior to 2011 when the 401a Board was established the money being deposited on behalf of the employees was not being managed. When an employee left the district prior to being vested in the retirement fund the employer matching funds were abandoned was allowed to remain but were not allocated. Director Anderson asked why the district shouldn't take all of the forfeiture funds back. Mr. Montesi replied that for at least 25 years the district has not increased the 7.5% pension amount, employees had a wage freeze in 2015 so this is a way to acknowledge the employees commitment to EFR and improve morale, and the volunteers have had many pension increases over the year and it's important to recognize the paid staff for longevity at very little cost to the district. Director Kling disputed the third point about the volunteer pension and commented that the volunteers use that argument when they want an increase that the employees get raises all the time. He said the volunteers have had a raise freeze for 18 years. That the 7.5% flat is pretty common. Director Christensen said he supports the proposal because of the wage freeze and improvement in morale. Director de Disse commented that the district can ask for it back and make the decision to distribute it to the employees yearly as it does with his employer. We have to be diligent every year to decide what has to be done with forfeited funds. Director Anderson stated that because of the lack of oversight and policy over time this money was accrued and he wants to be able to defend this to the taxpayers as to why the district mismanaged this. Director de Disse responded that mechanism is not unusual for forfeiture funds in his experience to do this because private companies don't want the money to come back in and have to account for it to the IRS. Director Anderson pointed out that is not the same with government entities. His concern was for the earnings of the fund and Mr. Montesi clarified that this fund makes no earnings; it is flat forfeiture only. Mr. Montesi read to the board from the Pension Plan about the use of forfeiture funds from the Vesting and Participants Account; 5.2(d): "No forfeited benefits of the trust shall be used to increase the benefits which any participant or beneficiary would otherwise receive, but shall be applied by the trustees to reduce the required employer contributions to the plan for the plan year following the plan year in which the forfeiture occurs." Director Kling stated that no matter what direction is chosen we have to fix something either the bylaws or the amendment. The plan as stated says the employees can't get it back and the district should have been asking for it back. Mr. Montesi suggested that he and Sylvia go back and see what the legal cost of this process has been and that his proposal next month to the district would be to ask to split the cost of this between the district and the pension fund. Director de Disse says the problem is the pension fund can't write a check to the district we can only lower the contribution next year. Director Kling suggested that the district ask for the 2014 forfeiture back to apply to 2015 since we are still within the year, the district pays the attorney fees, the \$10,000 remains in the fund to cover future legal or pension expenses and the balance be distributed to the employees based on the system that was discussed in the proposed amendment. The same thing would be done with forfeiture funds of 2015 applied to 2016. This will still require an amendment just not the one proposed at this meeting. Director Christensen clarified that it is at the discretion of the board to ask for the forfeiture back and may only apply those funds to the pension plan. Mr. Montesi stated that the forfeited funds from 2015 are not eligible for return to the district until the end of the year.

Director Anderson asked if the practice moving forward would be for the forfeited funds to revert to the employees or if it would be applied to future pension expenses as defined in the bylaws. Mr. Montesi suggested that the board consider not asking of the 2014 forfeiture back and wait until 2015 to begin and distribute the funds as the proposed amendment states. Director de Disse felt this would be a good way to budget for the coming years as opposed to trying to figure out how to realign the 2014 funds to the 2015 plan expenses at this time. What are the legal ramifications? Director Christensen felt that to show competent management the funds should come back to the district for consistency. Director Anderson gave the example that the district would not distribute salary savings to the employees if there were a sudden loss of employees leaving budgeted money unused. Just because it was allocated doesn't reduce fiduciary responsibility and control for it. After a straw poll the majority of the board determined that the proposed amendment should be revised before the board approves it. The board directed Chief Weege to request from the forfeiture fund the forfeited dollars from 2014 to be applied to the remaining 401a deposits for 2015; \$10,000 to be left in the account for legal expenses; the 2015 forfeiture dollars will be applied to the 2016 plan expenses and the remaining balance in the account will be distributed to the vested employees based on longevity of employment. Directors de Disse and Gregory expressed opposition to asking for the 2014 funds to be returned to the district. Mr. Walter requested to make a statement on behalf of the employees; that this is a great organization and it doesn't get great with the employees and the longevity of the people. Director Anderson agreed and commented that a system could be added that recognized longevity with performance. Chief Weege clarified the majority opinion and his directions.

- Colorado IGA for Fire Mutual Aid – for information only as revisions are still being made. This outlines mutual aid on a statewide level. The IGA will come back for approval at another meeting.
- Spending Authorization 2015-004: Bunker Gear 9 sets - \$18,450: Director de Disse made a motion to approve Spending Authorization 2015-0004; Director Christensen seconded; motion carried.
- Spending Authorization 2015-005: Digital Power Supply for the Buchanan Microwave - \$5,491.13: Director de Disse made a motion to approve Spending Authorization 2015-005; Director Gregory seconded; motion carried.

**PUBLIC COMMENTS:** Director Kling asked those in attendance if there were any comments they would like to make at this time. John Putt told the board that he is working on a report that will track calls to get within the 60-65 second range. The JCECA has paid for a new call recording system. Dave Montesi mentioned that medic Terry Wehnes had hip replacement surgery today.

**BOARD MEMBER COMMENTS:**

Director Kling: Thank you Dave and the 401a board for all of your work; thank you Bob for speaking up on behalf of the employees. We appreciate all of the work that everyone does on behalf of the citizens. We never get complaints and in our society that is noted and appreciated.

Director de Disse: Asked that John Putt John was asked to give the board a brief history of his work in fire and EMS. John was a member of Alpine rescue at age 12. His first rescue mission was the Wichita State plane crash. He was the first paramedic of the original Evergreen EMS service. He went to Denver General full time for 17 years and then eventually San Francisco and learned large complex fire management. John teaches mass casualty and incident management. He will be building this out to EFR and regional starting with dispatch for communications and management.

Director Christensen: Asked for a follow up on the request from Bear Mountain homeowners about AEDs. John informed the board that the Atrus program is about ready to launch and Dave updated them that he has registered about 18 residents in the Bear Mountain area to the AED located there. He will run a test and then they will announce it at their neighborhood picnic. Of the 65 public AEDs in the district it may take up to a year to get people registered to all of the AEDs.

Director Anderson: Thank you for the conversation and hard work on the 401a board. There are opportunities to effectively and appropriately reward employees. He pledged to look after the employees and do his best to support them.

Director Gregory: This organization is great and we should not forget that its greatness is largely due to its employees.

**MEETING ADJOURNED:** Director de Disse made a motion to adjourn the meeting; seconded by Director Christensen; motion carried. The meeting adjourned at 9:00 pm.

**NEXT MEETING DATES:**

Volunteer Pension Board Meeting August 11, 2015 at 5:00 pm in Training Rooms A & B  
Regular District Board Meeting Tuesday, August 11, 2015 at 5:30 pm in Training Rooms A & B

Respectively Submitted,  
Carol Hucker  
Recording Secretary