

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
LOVELAND RURAL FIRE PROTECTION DISTRICT
HELD

January 8, 2020

A special meeting of the Board of Directors of the Loveland Rural Fire Protection District (referred to hereafter as "Board") was convened on Wednesday, the 8th day of January 2020, at 3:00 P.M., at the Loveland Fire Rescue Authority Fire Station No. 1, 410 East 5th Street, Loveland, Colorado.

ATTENDANCE

Directors in Attendance Were:

David Legits, President
Robert Boggio, Jr., Vice President (appointed during meeting)
Barry Gustafson, Treasurer
Jeff Swanty, Director
Leroy Anderson, Director

Also in Attendance Were:

Chief Mark Miller, Chief Ned Sparks and Chief Michael Cerovski; Loveland Fire Rescue Authority ("LFRA")
Kammy Tinney, Amanda Castle and Traci Miller; Pinnacle Consulting Group, Inc.
Linda Glesne; Collins Cockrel & Cole
Greg White; City of Loveland Resident and retiring District Administrator and General Legal Counsel

Chairman Legits called the meeting to order at 3:00 P.M.

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

ADMINISTRATIVE MATTERS

Agenda: Ms. Tinney distributed for the Board's review and approval a proposed agenda for the special meeting. Following review and discussion, upon motion duly made by Director Gustafson, seconded by Director Swanty and, upon vote, unanimously carried, the agenda was approved, as amended.

Acknowledge Resignation of Director Mike McKenna: Chairman Legits reported to the Board that Mike "Doc" McKenna has resigned from the Board of Directors. The Board expressed their gratitude to Mr. McKenna for his years of service to the District.

Chairman Legits noted that the resignation of Mr. McKenna creates a vacancy on both the Loveland Rural Fire Protection District Board and the LFRA Pension Board. Chairman Legits noted that Mr. Mick Leighton has expressed interest in serving on the LFRA Pension Board. Following discussion, upon motion duly made by Director Swanty, seconded by Director Anderson and, upon vote, unanimously carried, the Board appointed Mr. Mick Leighton to serve on the LFRA Pension Board.

Minutes: The Board reviewed the minutes of the December 4, 2019 regular meeting. Following review and discussion, upon motion duly made by Director Anderson, seconded by Director Gustafson and, upon vote, unanimously carried, the Board approved the minutes of the December 4, 2019 regular meeting.

Consider Appointment of Interested Candidate to Fill Board Vacancy: Chairman Legits reported that Mr. Boggio has expressed interest in serving on the Board. Ms. Tinney reported that Mr. Boggio's eligibility to serve on the Board is confirmed and inquired if the Board had any questions for Mr. Boggio.

Following discussion, upon motion duly made by Director Anderson, seconded by Director Swanty and, upon vote, unanimously carried, the Board appointed Bob Boggio to fill the vacancy on the Board until the next regular election in May 2020.

Ms. Tinney administered the Oath of Office to Mr. Boggio. The Board welcomed Director Boggio to participate in the meeting. The Oath of Office will be duly filed following the meeting and Mr. Boggio's vote was not necessary to carry any Agenda item.

Resolution Establishing Regular Meeting Dates for 2020: Ms. Tinney noted Board discussion at the December meeting regarding possible changes to the regular date, time and location of the District Board's meetings in 2020.

The Board determined to conduct regular meetings on the first Wednesday of each month in 2020, at 3:00 p.m., at LFRA Fire Station No. 1, Loveland, Colorado, and further determined to post notice of public meetings at LFRA Station Nos. 1 and 8, and on the LFRA website.

Following review and discussion, upon motion duly made by Director Boggio, seconded by Director Anderson and, upon vote, unanimously carried, the Board adopted the Resolution Establishing Regular Meeting Dates, Time and Location and Designating Locations for Posting for 2020, as presented.

May 2020 Regular Election: Ms. Tinney reviewed with the Board the proposed Resolution and provided an overview of the steps necessary to conduct the May 2020 Regular Election.

Ms. Tinney reported that the Call for Nominations is required to be published between January 26th and February 20th. Ms. Tinney noted that, at the Board's discretion, additional notice in the Reporter Herald and on the District's webpage can be coordinated. Ms. Tinney reviewed the terms of office up for election, noting that there are two, three-year terms of office up for election. Ms. Tinney reviewed the timeline for Self-Nomination and Acceptance forms to be submitted to the Designated Election Official. The deadline to receive Self-Nomination and Acceptance forms is Friday, February 28, 2020. If there are not more candidates for Director than positions to be filled as of March 3, 2020, the election will be cancelled, and candidates will be deemed elected by acclamation.

Following review and discussion, upon motion duly made by Director Swanty, seconded by Director Anderson and, upon vote, unanimously carried, the Board adopted the Resolution Calling the May 2020 Regular Election, as presented, to be conducted as a mail ballot election, and appointed Kammy K. Tinney as the Designated Election Official.

Director Boggio and Director Gustafson requested that Ms. Tinney provide them with Self-Nomination and Acceptance forms.

Community Comments: There were no members of the public in attendance.

FINANCIAL
MATTERS

Ratify Payment of Claims: Mr. White reviewed expenditures with the Board for the period December 1, 2019 through January 8, 2020, totaling \$555,503.73. Following review and discussion, upon motion duly made by Director Swanty, seconded by Director Boggio and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period December 1, 2019 through January 8, 2020, totaling \$555,503.73.

Ms. Castle discussed with the Board the use of Bill.com and explained the payables process conducted by Pinnacle Consulting Group, Inc. Following discussion, upon motion duly made by Director Swanty, seconded by Director Boggio and, upon vote, unanimously carried, the Board authorized Pinnacle Consulting Group, Inc. to setup a Bill.com account on behalf of the District and designated Ms. Tinney to approve the monthly payables per the process outlined to the Board.

Financial Statements: Ms. Castle reviewed with the Board the unaudited Financial Statements prepared by Haynie & Company for the period ending November 30, 2019. Following review and discussion, upon motion duly made by Director Swanty, seconded by Director Boggio and, upon vote, unanimously carried, the Board accepted the unaudited Financial Statements for the period ending November 30, 2019, as presented.

Ms. Castle reported that Haynie & Company is finalizing the December 2019 financial statements and will provide all financial documents to Pinnacle Consulting Group, Inc. when the process is complete.

Discussion Regarding 2019 Audit: Ms. Castle reported to the Board that a Request for Proposal to complete the 2019 Financial Audit has been sent to several firms and suggested Board consideration of the engagement of John Cutler & Associates in amount not to exceed \$7,000 pending receipt of the final proposal.

Mr. White provided the Board a summary of his experience and lack of performance by the District's current auditor and recommended that the Board consider hiring a new firm to complete the 2019 audit.

Following discussion, the Board determined that it would prefer to review the proposal prior to engaging an auditor. Ms. Castle will provide the Board with written proposals

and a recommendation at the February Board meeting.

DEPARTMENT/
PERSONNEL
MATTERS

Chief Miller's Report: Chief Miller reported on the following items:

2020 Schedule of Rates, Fees and Charges. Chief Miller reported that City Council approved the 2020 Schedule of Rates, Fees and Charges at its meeting on January 7, 2020, noting that the rates are comparable to previous years. Following discussion, upon motion duly made by Director Swanty, seconded by Director Boggio and, upon vote, unanimously carried, the Board accepted the 2020 Schedule of Rates, Fees and Charges.

Impact Fee Update and Discussion. Chief Miller reported to the Board that Impact Fee revenue is the second highest revenue stream to the District. Chief Miller noted that the Authority assesses the lowest dollar amount Impact Fee in the Northern Colorado region. Chief Miller will attend the City Council meeting in February 2020 and request approval to increase the rate by 5%, 7%, or 10% to be more competitive within the region. Approval will also be needed from the Larimer County Board of County Commissioners and the Town of Johnstown.

Station No. 10 Update. Chief Miller reported that the Donation Agreement was signed in January 2020. The Authority has 18 months to obtain a building permit.

Strategic Plan Revisions. Chief Miller reported that the LFRA Board approved amendments to the current staffing matrix outlined in the Strategic Plan.

Chief Sparks' Report: Chief Sparks reported on the following items:

Community Safety Division Report. Chief Sparks reported that the 2018 International Fire Code (IFC) adoption is still in process. Ratification from Larimer County is necessary.

Chief Sparks reported that sprinklers were successfully installed at The Lovelander Hotel, located in downtown Loveland, on December 30, 2019.

Chief Sparks reported that the department responded to a fire in a commercial building located on West 8th Street,

resulting in one fatality. The investigation into the cause of the fire and the fatality is in process.

Chief Ward's Report: Chief Cerovski reported on the following items:

Station No. 7 Update. Chief Cerovski reported that construction continues on Station No. 7. Concrete work and window installation are in progress. The anticipated move-in date is February 29, 2020 with a grand opening to follow in March.

Operations Division Report. Chief Cerovski reported that there are issues throughout Larimer County where property records and building numbers do not match. The process to update the records is timely and costly, and the Authority will seek solutions at a later date as the issue becomes more problematic.

Chief Cerovski reported that a county-wide CAD system was implemented in January 2020. The identifying number for LFRA is "4".

LEGAL
MATTERS

Approval of Notice of Substitution of Counsel: Attorney Glesne reported that a Notice of Substitution of Counsel must be filed with the Court. Mr. White provided his consent for Attorney Glesne to file the Notice of Substitution with the Court.

Consideration of Updates to Records Retention and CORA Policies: Attorney Glesne reported that the Districts' Records Retention Policy previously adopted by the Board states that the Board Secretary is the official custodian of record and with the appointment of Ms. Tinney as Secretary to the Board, there is no need to revise that portion of the District's policy.

Attorney Glesne reported that the research and retrieval fee associated with the Colorado Open Records Act increased in 2019. Mr. White noted that the Board has not received a CORA request within the last 10 years. It was the consensus of the Board to maintain the previously adopted CORA Resolution with a research and retrieval fee of \$30 per hour and there is no need at this time to adopt a new policy.

Discussion Regarding 2020 Coordinated November Election:
Attorney Glesne discussed with the Board various scenarios and options for placing a mill levy issue on the November 2020 ballot and distributed to the Board a memorandum regarding those options for review.. Attorney Glesne reminded the Board that there is a regular election in May 2020, noting that the District could include language on the ballot regarding eliminating the sunset provision on a portion of the District's mill levy, an increase to the District's mill levy, or De-Gallagherizing the District's mill levy. It was the consensus of the Board to hold the election in November 2020 to allow adequate time for education to the voters.

The Board discussed the issues to address on the November ballot including retaining the current 2.9 mill levy, removing the sunset clause, increasing the District mill levy and de-Gallagherizing. Chief Miller suggested that additional revisions to the 10-year financial projections would be helpful to the discussion. The Board requested that updated to the 10-year financial projection be provided for review and discussion at the next Board meeting.

COMMUNITY
MATTERS

Director Swanty expressed gratitude on behalf of the Philo Organization for the District's help in collecting food and winter items for the community.

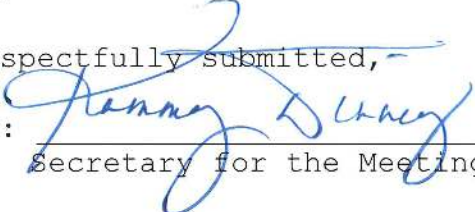
OTHER
BUSINESS

Appreciation for Mr. White: Chief Miller informed the Board that the District will hold an appreciation dinner for Mr. White on January 31, 2020.

LFRA Challenge Coin: Chief Miller distributed to the Board and consultants the newly redesigned LFRA 2020 Challenge Coin and explained the meaning of the design.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned at 5:15 P.M.

Respectfully submitted,
By: 
Secretary for the Meeting