



Loveland Rural
Fire Protection
District

Fire & Rescue Authority Board Meeting Minutes Wednesday, August 26, 2015

Members Present:

Board Chair Jeff Swanty
Fire Chief Mark Miller
Rural Board President Dave Legits
Division Chief Ned Sparks
BSC Roylene Sterkel

BC Greg Ward
City Manager Bill Cahill
Assistant City Attorney Tree Ablao
Public Safety Admin. Dir. Renee Wheeler

Members Absent:

Mayor Cecil Gutierrez
Rural Board Secretary Greg White

Visitors:

FM Global Representative Tipton Cook
Public Affairs Officer Scott Pringle
Attorney Emily Powell
Attorney Dino Ross
Human Resources Director Julia Holland
BC Michael Cerovski
Captain Greg Gilbert
Lt. Shawn Williams

Call to Order:

Chairman Swanty called the Fire & Rescue Authority Board meeting to order on the above date at 1:05 p.m.

Public Comment:

None

Consent Agenda:

- 1. Consider the minutes from the Loveland Fire Rescue Authority Board for the July 29th, 2015 Regular Board Meeting.**
- 2. 2015 Second Quarter Budget Report – Budget Biz**
City Manager Cahill moved to approve the Consent Agenda. Rural Board President Dave Legits seconded the motion and it carried.

Awards and Presentations:

Public Affairs Officer Pringle introduced Tipton Cook with FM Global. Mr. Tipton presented Loveland Fire Rescue Authority a \$2,000 grant check to help purchase smoke alarms for our community.

Regular Agenda:

3. Executive session Pursuant to C.R.S. 24-6-402(4)(b) and € to Receive Advice of Legal Counsel and to Discuss a Matter Subject to Negotiation.

Chairman Swanty moved that the LFRA Board go into executive session, as authorized in CRS §§24-6-402(4) (b), (4)(e), and 4(f). City Manager Cahill seconded the motion and it carried.

This executive session will concern the following matters as authorized by the following sections of the Colorado Open Meetings Law:

- Personnel matters pursuant to CRS § 24-6-402(4) (f) specific to a proposed contract for the fire chief; and
- Determining strategy and instructing negotiators relative to the personnel matter pursuant to CRS § 24-6-402(4) (e); and
- As needed, to receive legal advice as authorized in CRS §24-6-402(4)(b) with respect to the personnel matter and negotiation strategy and a legal services proposal between the City and the LFRA.

The Board went into executive session at 1:15 p.m. The executive session was concluded at 2:05 p.m. on August 26, 1015.

4. Consider Approval of the Employee Conversion Documents.

Attorney Ross asked if the Board was comfortable with the Employee Conversion Documents that they reviewed in the Joint Boards meeting on August 18th.

Councilor Fogle made a motion to adopt the Conversion Documents effective January 1, 2015. Rural Board President Legits seconded the motion and it carried.

Attorney Powell handed out final documents that need to be signed and notarized at the end of the meeting.

5. Overview of the Fire Code Appeals Process.

Assistant Attorney Tree Ablao gave an overview of the LFRA Rules and Regulations related to the process for a Fire Code Appeal. At an earlier board meeting the Board voted to include three people on the Appeals Board to include the Chairperson, one Rural board member and one City board member. Any person(s) who appeals the Fire Chief's determination to the LFRA Board must submit a written notice of appeal within 15 days of the Chief's determination to the Board secretary. The Board secretary will notify the Board Chairman of the appeal and he will schedule a public hearing. A Notice of Public Hearing will be published no less than 15 days for the hearing date.

City Manager Cahill suggested that the Appeals Board should be appointed today so that it's

not decided on each occasion in order to be able to set the appeals hearing within the 30 day window. Councilor Fogle volunteered to be one of the three to set on the Appeals Board. Rural Board President Legits accepted the appointment also. The Appeals Board would consist of the Board Chairman, Councilor Fogle and Rural Board President Legits.

City Manager Cahill moved to appoint Swanty, Fogle and Legits as the Appeals Board. Rural Board President Legits seconded the motion and it carried.

6. Review Briefing Papers and Correspondence.

Chief Miller asked Human Resources Director Julia Holland to speak about the **employee conversion as it relates to HR's responsibilities**. Holland said that the biggest hurdle has been tax filing issues and she and Public Safety Administrator Wheeler have been working with the IT department and Finance to resolve the issues. She is working on getting the Health Trust set up for a multiple employer plan. There will need to be a joint bank account set up with Chief Miller, City Manager Cahill and the City Finance Director set as designates.

Chief Miller said that the legal costs for the mitigation process have exceeded our expectations and we will definitely be over **budget** in that area. He has talked to Attorney Powell about how much more time she needs to complete their processes. She has indicated their firm has about 20 hours of additional time needed. LFRA staff will review some policies and AR's to help keep the attorney's time to a minimum. PSAD Wheeler said that we also are going to have insurance overages that are out of our control. We may need to look at the funds allocated for the station notifications to help us stay within budget. BC Cerovski has been looking at possible cuts that can be made.

Chief Miller talked about the motor cycle accident that **Mark & Cindy Lyons** were involved in when they were in South Dakota. He said that Cindy will probably be in a wheelchair for up to 8 weeks. He will be attending the TVEMS Board meeting on Thursday to thank them for transporting Cindy back to MCR from Rapid City. TVEMS took it upon themselves to offer two EMT's and a reserve ambulance to make the 10 hour trip at no cost to the Lyons or LFRA.

Chief Miller shared information about an article in the **Fire Chief's magazine** regarding "lab to scene" that quoted BC Starck and a Wyoming Firefighter.

Chief Miller said that **Anadarko** will be paying some streets and fire CEF's in the approximate amount of \$16,500, but he not sure what the split will be between the two departments.

7. Board Member New Business/Feedback.

None

8. Any Other Business for Board Consideration.

Council Fogle moved to approve the minutes from the Joint Meeting held on August 18, 2015. City Manager Cahill seconded the motion and it carried.

No further items were discussed and Chairman Swanty adjourned the regular meeting at 2:25 p.m.

Minutes submitted by Secretary Sterkel