Loveland Fire Rescue Authority Board Meeting Minutes
Wednesday, July 28, 2021
410 E. 5th Street, Loveland and Via Video and Audio Conference
1:30 p.m.

Members Present:
Chairman Jeff Swanty, Director of the Loveland Rural Fire Protection District ("Rural District")
Director Steve Adams, Loveland City Manager
Director Richard Ball, City of Loveland Council Member
Director Dave Legits, Rural District President

Members Absent:
Vice Chairman John Fogle, City of Loveland Council Member

Staff Present:
Ned Sparks, Interim Fire Chief
Greg Ward, Division Chief
Andrea Wright, Human Resources Manager
Kristen Cummings, Business Services Coordinator
Cheryl Cabaruvias, Administrative Analyst
Emily Powell, Legal Counsel to the Authority
Dan Engelhardt, Fire Lieutenant
Robert Carmosino, Fire Captain
Carie Dann, Battalion Chief

Visitors:
Kammy Tinney, District Manager, Rural District
Matt Elliott, City of Loveland Budget Manager

Call to Order:
Chairman Swanty called the Loveland Fire Rescue Authority ("LFRA") Board meeting to order on the above date at 1:33 p.m.

Approval or Amendment of Agenda:
None.
Awards and Presentation:
None

Swearing In:
None

Public Comment:
Marjorie Kennedy, a 21-year resident of Loveland, addressed the Board regarding her concern about the private use of fireworks on the Fourth of July by intoxicated people, causing a public safety issue. She stated that in 2015 there was a house fire on her street that was caused by fireworks. She asked the LFRA Board to support amending the City's Fire Code to disallow fireworks within the City limits, as the cities of Fort Collins and Colorado Springs have done.

Consent Agenda:

1. **Consider a Motion to Approve the Minutes from the Loveland Fire Rescue Authority June 30, 2021 Regular Board Meeting**

2. **Consider a Motion to Adopt Resolution R-132, Adopting the 2021 Larimer County Multi-Jurisdictional Hazard Mitigation Plan**

3. **Consider a Motion to Approve the Fourth Amended Intergovernmental Agreement for the Establishment of Larimer Emergency Telephone Authority**

Motion made by Director Legits to approve the consent agenda. Seconded by Director Adams; motion carried unanimously.

Regular Agenda:

4. **Conduct a Public Hearing and Consider a Motion to Adopt Resolution R-135, Adopting a Supplemental Budget Regarding the Appropriation of Monies to and the Expenditure of Monies from the General Fund and the Fleet Replacement Fund and the Capital Projects Fund for the Loveland Fire Rescue Authority, State of Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021**

Motion made by Director Adams to open the public hearing on the proposed Resolution R-135. Seconded by Director Legits; motion carried unanimously. Attorney Powell certified for the record that notice of the public hearing had been published in the newspaper as required by law. No public comment was received prior to the public hearing, and no members of the public present at the hearing desired to provide comment. Cheryl Cabaruvias stated that these appropriations are related to paying for training and equipment for three new firefighters, and restoring funding from the Station 10 loan that had previously been allocated for apparatus back into the Capital Projects Fund because construction bids were higher than anticipated.
Motion made by Director Ball to close the public hearing. Seconded by Director Legits; motion carried unanimously.

Motion made by Director Adams to adopt Resolution R-135. Seconded by Director Ball; motion carried unanimously.

5. **Conduct a Public Hearing and Consider a Motion to Approve Resolution R-134, Adopting the LFRA 2022 Fiscal Year Budget**

Motion made by Director Ball to open the public hearing on the proposed Resolution R-134. Seconded by Director Adams; motion carried unanimously. Attorney Powell certified for the record that notice of the public hearing had been published in the newspaper as required by law. No public comment was received prior to the public hearing, and no members of the public present at the hearing desired to provide comment. Interim Fire Chief Sparks stated that based on new information that came from a meeting with City Budget representatives the day before, there would need to be changes made to the budget.

Motion made by Director Adams to table this agenda item until the regular Board meeting scheduled for August 25th. Seconded by Director Ball; motion carried unanimously.

Motion made by Director Adams to close the public hearing. Seconded by Director Ball; motion carried unanimously.

6. **Consider a Motion to Approve a Contract for Construction of Fire Station 10**

Division Chief Ward stated that all Station 10 construction bids were received. LFRA pre-qualified seven companies, and six of those chose to bid. The bids ranged from $6.1 million to $7.4 million. Golden Triangle, the company that built Station 7, came in with the lowest bid. Attorney Powell stated that the Contract for Construction template that was used is the one that was used for Station 7, and is LFRA’s standard form, but has not been reviewed by Attorney Powell.

Director Adams pointed out that the liquidated damages per day dollar amount was missing on the contract. Division Chief Ward said he would check the bid documents for that amount.

Motion made by Director Adams to approve the Contract for Construction as amended to add the liquidated damages amount. Seconded by Director Legits; motion carried unanimously.

7. **Consider a Motion to Approve Resolution R-133, Amending the Fire Chief Hiring Process and Timeline**

Andrea Wright stated that Attorney Powell helped update the Resolution adopting the Fire Chief hiring process to reflect the amended process timeline. The original timeline had been developed before an executive search firm had been selected. Prothman did initial interviews July 7th through 13th. The Search Committee would meet on August 3rd to develop a finalist list, and that list would be proposed to the Board at a Special Meeting on August 6th. On August 17th there would be a public reception to meet the candidates, and on August 18th there would be panel interviews.

Motion made by Director Ball to approve Resolution R-133. Seconded by Director Legits; motion carried unanimously.

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8. Chief's Report

Chief Sparks shared an email from Loveland citizen, Karen Harris, also requesting an amendment to the City’s Fire Code regarding fireworks.

Chief Sparks stated that Steve Adams and Alan Krchmarik were able to secure funding to build a new Station 3 that will be on a lot currently owned by Water and Power. This capital project is a top priority in 2022. It will be a building owned by the City of Loveland and not LFRA, and will be a one-company house.

Division Chief Ward presented conceptual drawings of the new Station 10. He also stated there is currently an LFRA crew in Montana working the American Fork Fire near Billings. Their deployment is nearly finished, and LFRA will be swapping in a new crew made up of two LFRA firefighters and one firefighter from Berthoud Fire Protection District. He stated that in the previous week there was also a request from the State for mutual aid in Brush, CO to assist with a coal fire at the Pawnee Power Plant. LFRA’s crew was there for four days, and the State will reimburse LFRA for expenses.

Chief Sparks announced that he intends to retire at the end of the year after 38 years of service.

Rural District Manager Kammy Tinney stated that the Fire Chief position had 20 applications, and 12 qualified candidates were interviewed. She said that candidate binders would be delivered later in the week to HR Manager Wright.

9. Other Business for Board Consideration

None.

10. Executive Session pursuant to C.R.S. 24-6-402(4)(b) to receive advice of legal counsel regarding the Fire Chief hiring process and employment of a new Fire Chief

Motion made by Director Legits to go into executive session pursuant to C.R.S. § 24-6-402(4)(b) to receive legal advice regarding the Fire Chief hiring process and employment of a new Fire Chief. Seconded by Director Ball; motion carried unanimously. Attorney Powell certified for the record that the executive session constitutes privileged attorney-client communications and would not be recorded. Executive session began at 2:27 p.m.

Upon motion duly made and seconded, the Board came out of executive session at 2:40 pm.

11. Possible Action on Any Additional Matters Discussed in Executive Session

None.

With no further business to come before the Board, Chairman Swanty adjourned the meeting at 2:40 p.m.

The foregoing minutes, having been approved by the LFRA Board of Directors, constitute the official minutes of the meeting held on the date stated above.
I hereby attest that the information communicated during the executive session, which was not recorded, constituted privileged attorney-client communications.

Emily J. Powell, Esq.

I hereby attest that the executive session, which was not recorded, was confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b).

Jeffrey M. Swanty, Chairman