Loveland Fire Rescue Authority Board Meeting Minutes
Wednesday, December 18, 2019
410 E. 5th Street, Loveland
1:30 p.m.

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

Members Absent:
Director Richard Ball, City of Loveland Council Member

Staff Present:
Mark Miller, Fire Chief
Emily Powell, Legal Counsel to the Authority
Greg Ward, Division Chief
Ned Sparks, Division Chief
Michael Cerovski, Division Chief
Kristen Cummings, Business Services Coordinator
Cheryl Cabaruvias, Administrative Analyst
Andrea Wright, Human Resources Manager
Greg White, Legal Counsel to the Rural District
Linda Glesne, Legal Counsel to the Rural District
Tim Smith, Battalion Chief
Mark Lyons, Fire Captain
Craig Willard, Fire Lieutenant
Tyler Chesser, Fire Engineer
Paul Brown, Fire Engineer
Anthony Distefano, Firefighter

Visitors:
Jacki Marsh, Mayor, City of Loveland
Kammy Tinney, Pinnacle Consulting Group

Call to Order:

Chairman Swanty called the Loveland Fire Rescue Authority ("LFRA") Board meeting to order on the above date at 1:34 p.m.
Approval or Amendment of Agenda:

Attorney Powell suggested an agenda amendment to postpone adoption of Resolution R-109 until the January 2020 Board meeting, and to add an agenda item to formally adopt the previously approved Hazard Mitigation Plan and Disaster Recovery Plan by Resolution.

Motion made by Vice Chairman Fogle to amend the agenda as proposed. Seconded by Director Legits; motion carried unanimously.

Awards and Presentation:

Chairman Swanty recognized Attorney Greg White for this being his last Board meeting, as he is retiring after serving the Rural District for 41 years.

Swearing In:

None

Public Comment:

No public comment.

Consent Agenda:

1. Consider a Motion to Approve the Minutes from the November 20, 2019 Loveland Fire Rescue Authority Regular Board Meeting

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

Regular Agenda:

2. Conduct Election of Loveland Fire Rescue Authority Board Officers

Motion made by Director Legits to re-elect all Board Officers as a slate to their current positions for 2020. Seconded by Director Adams; motion carried unanimously.

3. Consider a Motion to Approve Resolution R-108, Establishing a Policy for Requests for Public Records and Assessing Charges for the Production of Public Records

Attorney Powell stated that the new Public Records Request policy is more streamlined than the Authority's previous version, and some changes were made to conform to current law.

Motion made by Vice Chairman Fogle to approve Resolution R-108 as presented. Seconded by Director Legits; motion carried unanimously.

4. Consider a Motion to Approve a Land Donation Agreement with Gerrard Excavation

Chief Miller and Attorney Powell reviewed the proposed land donation agreement with Gerrard
Excavation, including matters related to fees, Fire Station 10 design restrictions, and build time requirements. Division Chief Ward will be the project manager for Station 10 construction. Vice Chairman Fogle asked how the station will be funded, and Chief Miller stated he would be bringing funding options to the January Board meeting. Vice Chairman Fogle asked how the station will be staffed, and Chief Miller stated that initially one of Station 6's two crews will move to Station 10, and that additional hiring will not occur initially but has been worked into the Strategic Plan. Director Adams asked if the property has water, and Chief Miller stated that it does, but still needs to have a tap installed.

Motion made by Director Legits to approve the land donation agreement. Seconded by Director Adams; motion carried unanimously.

5. **Consider a Motion to Approve the LFRA Retirement Committee Proposal to Change the Interest Rate Charged on Loans Against Retirement Accounts**

Lieutenant Willard informed the Board that currently LFRA members can take loans from their retirement accounts of up to $50,000, and pay it back at an interest rate of prime plus 0.5%. The Retirement Committee is proposing that the repayment rate carry interest of prime plus 2.0%. Outside of the prime rate, the additional goes back into the member's retirement account. Raising this rate would allow members to pay themselves back so that in the long run they are losing less of their retirement fund by taking loans. This is the Pension Committee's formal recommendation.

Motion made by Vice Chairman Fogle to approve the increase of the interest rate on retirement loans as presented. Seconded by Director Legits; motion carried unanimously.

6. **Chief's Report**

Chief Miller reported that Summit Fire & EMS Authority had a line-of-duty firefighter fatality, and that a chief from South Metro fire also passed away following a battle with cancer, and is considered a line of duty death, as well. LFRA will be sending a crew to cover one of South Metro's stations during the funeral, and LFRA Chiefs will be attending the funeral.

On December 10, 2019 there was a commercial structure fire that resulted in a citizen fatality. ATF assisted with the investigation and ruled it to be an accidental fire. Crews had the victim extricated from the building within a couple minutes.

LFRA has five new hire firefighters that will start on February 17, 2020 to fill open vacancies. They will then have their fire academy and be on-duty in June, 2020. There were 250 applications for these positions.

Kammy Tinney and Linda Glesne will be replacing Attorney White as the Rural District's management and legal representation.

In looking ahead for items to be covered at the beginning of 2020, the Authority will be working on Station 10's design, timeline and financing options, continuous wage adjustments to not get behind, and Strategic Plan revisions.

The Fire Rescue Advisory Commission ("FRAC") is proposing a study to analyze the benefits and drawbacks to keeping LFRA as an authority, or seeking to become a fire protection district. Attorney Powell stated that there are financial, legal and political benefits and drawbacks to both options. She stated that districts cannot collect sales tax; only property tax and specific ownership tax. She suggested that if a district were to form, either the current Rural District
would expand its jurisdiction to cover all of the City, or a whole new district would be created to
cover both the Rural District and City. Vice Chairman Fogle stated that if the Authority became a
district, a mill levy increase would likely be necessary to fulfill the current budget requirements,
and it’s hard to convince voters of a tax increase if they don’t see the benefit in it. The Board
gave consensus to support FRAC’s study, and Vice Chairman Fogle and Director Ball will also
serve on that committee.

Chief Miller stated that the Rural District’s mill levy increase sunsets in 2022, and that the Rural
District will need to consider a mill levy increase or extension election in 2020 to maintain that.
Vice Chairman Fogle suggested that the election wait until Station 10 begins construction to
garner support of Johnstown voters.

Chief Miller stated that ICMA and FPPA will hold informational meetings for all employees to
look at defined benefit versus defined contribution retirement plans, as well as an employee
benefits attorney from Ireland-Stapleton. Director Adams asked that a recording of the
presentations be made available to the Board.

Chief Miller announced that the LFRA Appreciation Event will be February 29, 2020 from 5:30
p.m. to 8:30 p.m. at the Embassy Suites.

7. Other Business for Board Consideration

Kristen Cummings reminded the Board that at the October Board meeting, there was a vote to
adopt the Hazard Mitigation Plan and Disaster Recovery Plan that was presented by Loveland’s
Office of Emergency Management. She distributed Resolution R-110 to formally adopt those
plans.

Motion made by Vice Chairman Fogle to adopt Resolution R-110. Seconded by Director Legits.

Director Adams stated he did not feel comfortable voting on this item since it was not
specifically included on the agenda at least 24 hours in advance, and the City requires that
specific action items be posted on the City Council’s agenda at least 24 hours in advance.
Attorney Powell stated that the Authority’s agenda includes the opportunity to amend the
agenda at the time of the meeting, which the Board has done, and she is not aware of anything
in state statute that would prevent being able to vote on an item that is added to the agenda at
the meeting; however, Attorney Powell would review the LFRA By-Laws to see if there was a
local bylaw preventing Board action on an agenda item added to the agenda as part of the
Board-approved amendments. Motion rescinded by Vice Chairman Fogle.

Director Adams announced that the Blue Angels will be performing at the Airport in October,
2021. He also stated that the 2020 City budget was adopted, and two weeks ago the high-speed
fiber network construction began.

Chairman Swanty recognized the Loveland Firefighters’ IAFF Local 3566 for participating in the
Philo Club’s food drive for those in need.

Chief Miller stated that LETA is buying a building west of Scheel’s for their new facility, and
Larimer County will be leasing a floor of that building.

Chief Miller stated that Dr. Mike McKenna will be resigning from the Rural Board, and that Bob
Boggio will complete his term that ends in May.

8. Executive Session, if Needed

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None

9. **Possible Action on Any Matter Discussion in Executive Session**

None

With no further business to come before the Board, Chairman Swanty adjourned the meeting at 2:43 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.

Jeffrey M. Swanty, Chairman

Kristen Cummings, Secretary