Loveland Fire Rescue Authority Board Meeting Minutes  
Wednesday, March 31, 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 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  
Kristen Cummings, Business Services Coordinator  
Cheryl Cabaruvias, Administrative Analyst  
Andrea Wright, Human Resources Manager  
Emily Powell, Legal Counsel to the Authority  
Dino Ross, Legal Counsel to the Authority  
Michael Cerovski, Division Chief

Visitors:  
Pamela Johnson, Reporter Herald  
Jonathan Heroux, Piper Jaffrey

Call to Order:  
Chairman Swanty called the Loveland Fire Rescue Authority ("LFRA") Board meeting to order on the above date at 1:37 p.m.

Approval or Amendment of Agenda:  
Attorney Powell made the recommendation to combine both executive sessions into one executive session, since both fall under C.R.S. § 24-6-402(4)(b) to receive advice of legal counsel. The Board consensus was to make this amendment to the agenda.

Awards and Presentation:
None.

Swearing In:

None

Public Comment:

None

Consent Agenda:

1. Consider a Motion to Approve the Minutes from the Loveland Fire Rescue Authority February 24, 2021 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 a Public Hearing and Consider a Motion to Adopt Resolution R-127, Adopting a Supplemental Budget Regarding the Appropriation of Monies to and the Expenditure of Monies from the General 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 Vice Chairman Fogle to open the public hearing on the proposed Resolution R-127. 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. Chief Miller stated that this Resolution is to appropriate funds from the General Fund to train new divers for the Dive-Rescue program.

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

Motion made by Vice Chairman Fogle to adopt Resolution R-127. Seconded by Director Adams; motion carried unanimously.

3. Consider a Motion to Approve Resolution R-126, Authorizing Fire Station 10 Financing Transaction

Attorney Ross stated that Station 10 financing would be structured the same way that the Station 7 financing was, with a lease-purchase agreement. The Station 10 financing will also pay off the remainder of the Station 7 financing balance, so that there will only be one financing transaction outstanding. The Board will need to approve the Resolution Authorizing A Lease Purchase Agreement Financing, which includes authorization of the Site Lease, Lease, and other financing documents. The annual rental fee is not to exceed $717,000, and once the loan is paid in full, the Site Lease terminates. This is not a multi-year obligation, so it meets TABOR
requirements. If approved by the Board, the closing will be on April 9, 2021.

Motion made by Vice Chairman Fogle to adopt Resolution R-126 and authorize the execution of all associated documents to close on the Station 10 lease-purchase financing. Seconded by Director Legits; motion carried unanimously.

4. Chief’s Report

Lynn Minor, the wife of retired Fire Chief Dick Minor, passed away a year ago. Chief Minor commissioned a sculpture made by artist Ann LaRose to be displayed on the first floor of the Development Center. There will be a small dedication ceremony on April 5, 2021. There will also be a challenge coin made in honor of Chief Minor and in memory of Lynn.

Chief Miller read a letter to the Board notifying them of his intent to retire on July 1, 2021. In his 41 years of fire service, he has served as Loveland’s Fire Chief twice. He stated that his six priority projects to complete before he leaves include: construction beginning for Station 10, getting impact fee increases approved in Johnstown and Larimer County, having a plan for Station 3, completing the 2022 budget, continuing work on the IGA between the Rural District and Front Range Fire Rescue, and completing a pay analysis evaluation process (similar to a step plan). He stated there would be a need for a special meeting with the Board in the near future to approve a resolution establishing the Fire Chief hiring process and designating a search committee, approving the job description and pay range, and approving an RFP for an executive search team.

Vice Chairman Fogle made a motion to accept Chief Miller’s retirement, with gratitude. Seconded by Director Legits; motion carried unanimously. The Board members each expressed their gratitude for Chief Miller’s service and praised him for a job well done.

5. Other Business for Board Consideration

None.

6. Executive Session pursuant to C.R.S. 24-6-402(4)(b) to Receive Advice of Legal Counsel Regarding Matters Related to the Volunteer Firefighter Pension Fund and Regarding a Citizen Complaint

Motion made by Vice Chairman Fogle to go into executive session pursuant to C.R.S. § 24-6-402(4)(b) to receive legal advice related to the Volunteer Firefighter Pension Fund and related to a citizen complaint. Seconded by Director Legits; motion carried unanimously. Executive session began at 2:19 p.m. Attorney Powell certified for the record that the executive session constitutes privileged attorney-client communications and would not be recorded.

Upon motion duly made and seconded, the Board came out of executive session at 3:22 pm.

7. 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 3:25 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. Swaney, Chairman

Kristen Cummings, Secretary

I hereby attest that the information communicated during the executive session, which was not recorded, constituted privileged attorney-client communications.

Emily J. Powell
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. Swaney, Chairman