

**Falcon Fire Protection District
Board of Directors Regular Board Meeting
August 19, 2020
Approved Minutes**

Call to Order

President Kerby called the regular meeting of the Board of Directors to order at 16:04 hours on Wednesday, August 19, 2020.

ATTENDANCE

Thomas Kerby, President
Joan Hathcock, Vice President – via Zoom conference
Michael Collins, Secretary – via Conference call
Ray Hawkins, Assistant Secretary

ALSO PRESENT

Joan Fritsche, Legal Counsel
Trent Harwig, Fire Chief, FFPD
Jeff Petersma, Deputy Chief, FFPD
Jon Webb, EMS Division Chief, FFPD
Joseph Cosgrove, Battalion Chief, FFPD
Gretchen Tetzlaff, Office Manager, FFPD
Other members of the Falcon Fire Protection District
Pete Gawda, The New Falcon Herald

ABSENT

Cory Galicia, Treasurer - Excused

Director Hawkins moved to excuse the absence of Director Galicia. Director Collins seconded the Motion. The Motion passed unanimously.

ADDITIONS/DELETIONS TO THE AGENDA

None.

APPROVAL OF AGENDA

Director Hawkins moved to approve the Agenda as written. Director Collins seconded the Motion. The Motion passed unanimously.

PUBLIC COMMENT

Director Collins wanted to give a big shout out to the crews today. They responded to two major structure fires, traffic accidents, a grass fire, and a cardiac arrest all within 5-6 hours.

CORRESPONDENCE

Chief Harwig advised he received a letter from Director Galicia who resigned from the Board effective immediately due to work commitments. His term expires in May, 2022.

Attorney Fritsche recommended a two-week period to accept letters of interest and advised the Board to form a two-person committee to consider candidates. The deadline to submit a letter of interest will be September 2nd with a notice of vacancy to be posted on the District's website, with the intent to appoint the new Board member at the September 9th Board meeting.

The Board determined that President Kerby and Director Hawkins would form the two-person committee.

APPROVAL OF THE MINUTES

Director Hawkins moved to approve the July 15, 2020 Regular Board Meeting Minutes as written. Director Hathcock seconded the Motion. The Motion passed unanimously.

RECESS TO PENSION BOARD

Trustee Kerby convened the Pension Board meeting at 16:12: hours. The Regular meeting proceeded concurrently. The Pension Board meeting adjourned at 16:20 hours and the business of the District Board continued after the Pension Board meeting adjourned.

Director Hathcock moved to recess to the Pension Board meeting. Director Hawkins seconded the Motion. The Motion passed unanimously.

REPORTS

Treasurer's Report

Chief Harwig reviewed the written July Treasurer's Report with the Board. The Chief noted 58% of the fiscal year is complete.

The General Fund Budget revenues received were at 89%. Specific Ownership Tax revenue is at 61%. Total General Fund expenditures across all categories were at 50%.

The Ambulance Fund Budget revenues received were at 47%. Collection fees were at 39%. Total Ambulance Fund expenditures were at 40%.

The Capital Improvement Fund revenues received were at 36%. Total expenditures were at 29%.

The Rural Water Fund expenditures for the month of July were at 21%.

Director Hawkins moved to accept the July, 2020 Treasurer's Report as presented. Director Hathcock seconded the Motion. The Motion passed unanimously.

Chief's Report

Deputy Chief Petersma advised there were 73 Reserve standby hours for the month of July. He expects the hours to start increasing, due to some of the recruits from the Academy being released to pull shifts.

Deputy Chief Petersma went over the statistics for July and the total calls were at 228.

EMS Division Chief Webb provided a written Transport Report to the Board and advised the crews transported 92 patients in the month of July and responded to 6 other patients who refused transport.

EMS Division Chief Webb also advised that the District has contracted with Ellicott Fire District to respond to some of their traffic accidents, in specific areas.

Attorneys' Report

A written Attorneys' Report was provided to the Board and Attorney Fritsche advised that the topics in the written report would be addressed under Agenda items.

UNFINISHED BUSINESS

Old Meridian Road and Hwy 24 Intersection Design

Chief Harwig advised that he hasn't heard from the contractor working on New Meridian Road yet. They are doing shoulder work, which will continue for approximately 12 months.

New Station 3

Chief Harwig advised he met with Mountain View Electric and Hammers Construction regarding the Administration building and found out the proposed transformer for Station 3 can be used for the new Station, the Administration building and the future Maintenance building. The transformer would need to be upsized to 3-phase 400 Amp service, but should only cost the District \$1,535. This would save the District \$12,000-\$15,000 for a new transformer for the Administration building.

Station 3 Parcel Plat Exemption Status

Chief Harwig advised the County Board of County Commissioners is scheduled to approve the Exemption Plat for the Station 3 Parcel on Tuesday, August 25th, which will combine the parcels into one approved parcel. The Development Plan still requires County approval before construction can commence on the new Station 3.

Fire Station Development Agreement, Lease and Purchase Option in the amount of \$2,200,000

Attorney Fritsche advised that the Lease Purchase Agreement is moving along and should be done within one or two weeks and can be entered into after Plat approval. Attorney Fritsche advised that the Bank would like to have separate lease purchase agreements for the new Station 3 and for the administration building renovation, requiring separate legal descriptions for each Lease. Attorney Fritsche advised looking into the County process to do a lot split or other land use approval for timing issues and cost.

Attorney Fritsche advised that she would like to set up a conference call with herself, the Farmers State Bank of Calhan, their attorney, Chief Harwig, and Chairman Kerby to discuss the possible issues with the Lease Purchase.

Administration Building

Chief Harwig advised that YOW Architects is working on a preliminary estimate for the Administration building renovation.

Exclusion from Falcon Highlands Metro District Station 3 Acquisition Parcel

Attorney Fritsche advised the Exclusion from the Falcon Highlands Metro District Station 3 Acquisition Parcel has been recorded.

Shiloh Mesa Exclusion

Attorney Fritsche had communication with property owners from the Quail Brush community, which is on the south side of Woodmen Road, about incurring additional taxes by being in the Fire District after annexation into the City of Colorado Springs. Attorney Fritsche advised that she participated in a conference call with City Council Member, Andy Pico and Assistant City Attorney, Fredrick Stein, to

address completing the Shiloh Mesa exclusion and processing the Quail Brush exclusion based on correspondence from homeowners to CM Pico and Chief Harwig. Mr. Stein revised the exclusion documents for Shiloh Mesa and submitted a Joint Plan to City Council for approval changing the District Court Petitioner from the City to the Fire District, without authorization from the Fire District, which was immediately disputed. CM Pico understands that exclusion is on hold until a property owner agrees to act as Petitioner and the property owners pay all costs of the District Court proceeding. Also discussed was the requirement of an accurate legal description for filing with the clerk and recorder, vs. a “map” for use by the City Fire Department.

NEW BUSINESS

Reschedule September Board Meeting from September 16th to September 9th

Director Hawkins moved to reschedule the September Board Meeting from September 16th to September 9th. Director Collins seconded the Motion. The Motion passed unanimously.

Inclusion Request; Crossroads North, a commercial development from the Equity Group
Chief Harwig advised that the District received an Inclusion Request from Crossroads North, a commercial development outside the boundaries of any Fire District. The owners could have included into the Falcon Fire District or the Cimarron Hills Fire District. They chose the Falcon Fire District due to it having a fixed Mill Levy and the property’s proximity to the Falcon Fire District. Cimarron Hills Fire District’s Mill Levy is not fixed.

Director Collins moved to accept the Petition as complete and to set the hearing on the Inclusion Petition for September 9th. Director Hawkins seconded the Motion. The Motion passed unanimously.

EXECUTIVE SESSION

Director Hawkins made a Motion to go into Executive Session, for the purpose of receiving advice from legal counsel on specific legal issues related to a traffic accident involving District personnel and property and potential claims arising therefrom pursuant to C.R.S. § 24-6-402(4)(b). Director Hathcock seconded the motion. The motion passed unanimously. Attorney Fritsche certified that the only matters discussed in Executive Session would involve attorney-client privileged communications, and therefore, the Executive Session need not be recorded. The Board went into Executive Session at 17:32 hours.

The Board resumed the Regular Board meeting at 17:39 hours.

PUBLIC COMMENT

None.

ADJOURNMENT

Director Collins moved to adjourn the Board meeting. Director Hawkins seconded the Motion. The Motion passed unanimously. The meeting adjourned at 17:41 hours on August 19, 2020.

I hereby attest to the accuracy of the meeting Minutes:

Michael Collins, Secretary

I attest that the Executive Session, which were not recorded, were confined to the topics authorized for discussion in Executive Session pursuant to C.R.S. § 24-6-402(4)(b), and constituted attorney-client communications.

Joan M. Fritsche, 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).

Thomas Kerby, President