RECORD OF PROCEEDINGS

West Metro Fire Protection District
Regular Board of Directors' Meeting
Tuesday, October 18, 2011

I. CALL TO ORDER: The regular meeting of the West Metro Fire Protection District Board of Directors was called to order by Board President Pam Feely at 7:00 p.m. This meeting was held in accordance with the applicable statutes of the state of Colorado, at West Metro Fire Protection District Headquarters, at 433 South Allison Parkway, Lakewood, Colorado.

II. ROLL CALL:

President Pam Feely:	Present
Vice President Mike Munden:	Present
Secretary Manny Chavez:	Present
Treasurer Randy McConnell:	Present
Director James Kullhem:	Present
Director Joseph Margotte:	Present
Director Ted Waller:	Present

Also present were Fire Chief Don Lombardi, Acting Deputy Chief Dan Pfannenstiel, Richard Lyons, Esq., Lieutenant/Paramedic Michael Frainier, representing IAFF Union Local #1309, Ms. Linda Gregory, District Chief Mike Berg, Firefighter Paul Cernick, Captain Pete Anderson, District Chief Scott Rogers, Ms. Michelle French, Mr. Dick Igel of the Civil Service Committee and the Recording Secretary Ms. Kathy Miller.

III. PLEDGE OF ALLEGIANCE:

Those present recited aloud the Pledge of Allegiance. President Feely then asked those in attendance to remain standing and observe a moment of silence to honor all fallen firefighters.

IV. PUBLIC COMMENT:

President Feely stated that the following people signed up to address the board of directors at this time:

1. Jack Shafer: Mr. Shafer announced the passing of Chief John Bybee, a 30-year veteran who was instrumental in the negotiations to combine the Lakewood Fire Department and Bancroft Fire Department.

2. Bill Coxen: Mr. Coxen honored two retired firefighters who have passed: Calvin Clark and Berry Halverson.

3. Ann Schmidt: Ms. Schmidt recognized the contributions of Mert Riggs who was the Volunteer Chief of the Lakewood-Mountair Fire Department in 1938.

V. SWEARING IN CEREMONY: President Feely administered the Oath of Office as Fire Chief to Don Lombardi.

VI. REVIEW OF MINUTES:

MOTION: It was moved by Director Chavez and seconded by Director Margotte to approve and accept the minutes of the West Metro Fire Protection District board of directors' meeting held on October 4, 2011, as written. The motion was voted upon and adopted unanimously.

VII. REPORTS:

A. Updates and Reports, Fire Chief Don Lombardi:

Chief Lombardi thanked the board for their confidence in appointing him the Interim Fire Chief.

1. Finance Division Update – 2012 Budget Presentation, Ms. Gregory

a. Distributed the 2012 Budget book. Areas reviewed included:

- This is still a work in progress; the Union contract and the Assistant Chiefs policy needs to be finalized.
- Additional information, as areas are changed, will be forwarded to the board.
- The budget timeline is listed under Budget Calendar.
- The Budget Message will be prepared after all changes have been made.
- The tax levies and resolutions have not yet been included.
- Interest rates have dropped on investments.
- Approximately 73% of the General Fund is from property taxes; which have decreased for 2012.
- Expenditures in the General Fund have been reduced by over $600,000.
- All Fund Balances were reviewed.
- The increase in the Internal Service Funds reflects moving personnel from COD to the Training Center.
- The GO Bond Mill Levy will be set at 1.213.
- This working budget projects accessing reserves by $500,000.00.
- The Division Budget Summaries reflects the efficiencies made in each area.
- Please contact Chief Lombardi or Ms. Gregory on any area or concerns you have.

b. US&R: Chief Lombardi distributed a handout from Captain Tyus regarding the full scale exercise held at the Fort Carson military base on October 7 – 8, 2011.

B. Operations Report, Acting Deputy Chief Dan Pfannenstiel:

1. **Review of Recent Activities:** Acting DC Pfannenstiel provided an update on current activities, the recent exercises and the upcoming training for the District.

2. **Training Division Update – Citizen's Fire Academy Graduation**
   Graduation was on October 15, 2011; Kim Adams was the top recruit.

C. Other Matters: None at this time.

D. Report of Legal Counsel, Richard Lyons, Esq.: Mr. Lyons distributed a power point presentation regarding Hiring a Manager/Chief Under Open Meetings & Open Records Acts and a Memorandum regarding the search process for a new fire chief. He suggested that the board review sections 2 and 3 in the Memorandum and set an agenda item in the near future to discuss those areas.

E. Report of the President, President Feely:

MOTION: It was moved by Director Kullhem and seconded by Director Chavez to move the November 1, 2011, board meeting to Wednesday, November 2, 2011, due to fact that November 1, 2011 is Election Day. The motion was voted upon and adopted unanimously.

1. **Letter of Resignation from Chief McBee**. President Feely read the resignation letter received from Chief McBee stating he was resigning effective October 18, 2011, at 5:00 p.m.

2. **FPPA Representative:** President Feely announced that she had been appointed to the FPPA Board of Directors effective October 18, 2011.

F. Treasurer's Report, Treasurer Randy McConnell: No report at this time.

G. Report of the Union, Lieutenant Mike Frainier: Lieutenant Frainier stated that a fundraiser for the Foundation will be held at Chili's on November 1, 2011.

H. Report of Committees:

1. **Civil Service Committee:** Director Chavez recognized Director Igel who attended the board meeting and reported on the meeting held on October 13, 2011:

   a. Chief McBee reported on the US & R training in Colorado Springs.
   b. Chief McBee informed the Civil Service Committee that he was resigning effective October 18, 2011.
   c. The Lieutenant's test went well; 13 individuals passed the test and the Committee received positive feedback from the assessors.
   d. The Lieutenant's Eligibility Register will run from October 1, 2011 to September 30, 2013.

e. The overtime budget for SME's has been reduced.
f. The Captain's test has been scheduled for March, 2012.

2. **Health Trust Committee:** Director Munden reported on the October 5, 2011 meeting:

   a. There was a problem with recent checks; which has been corrected and all fees were reimbursed.
   b. Claims through August 31, 2011: Actives are at 112% and Retirees are at 75%.
   c. The Health Trust budget is currently looking at a loss of $586,000. 2012 renewal rates for insurance for actives and retirees will increase approximately 15% to 21%.

VIII. OLD BUSINESS:

A. MOTION: It was moved by Director Kullhem and seconded by Director Waller to approve a one year Leave of Absence for Firefighter/Paramedic Paul Cernick in accordance with Administrative Procedure 1213. The motion was voted upon and adopted unanimously.

B. MOTION: It was moved by Director Kullhem and seconded by Director Chavez to approve and adopted the Standard of Cover and Risk Assessment to continue the accreditation process. The motion was voted upon and adopted unanimously.

IX. NEW BUSINESS: None at this time.

X. BOARD BRIEFS:

A. MOA for Red, White and Blue Fire Protection District to become a participating agency in COTF1, Captain Rod Tyus.

XI. OTHER MATTERS: None at this time.

XII. EXECUTIVE SESSION: At 8:14 p.m., it was moved by President Feely and seconded by Director Munden for the board of directors to enter into an Executive Session pursuant to C.R.S., Section 24-6-402(4)(e) for developing strategy for negotiations and instructing negotiators pertaining to the Union contract and for purposes of discussing the resignation letter received from Firefighter Tomaschett. The motion was voted upon and adopted unanimously.

MOTION: At 9:40 p.m., it was moved by Director Chavez and seconded by Director McConnell reconvene the October 18, 2011, meeting of the West Metro Fire Protection District board of directors meeting. The motion was voted upon and adopted unanimously.

President Feely announced that during the Executive Session no votes were taken, nor were any motions made.

MOTION: At 9:40 p.m., it was moved by Director Chavez and seconded by Director Waller to accept the Board's negotiators' recommendation regarding the 2012 pay scale. Director Kullhem stated that he would support the majority position but that he would be voting against the motion. Director Munden requested a roll call vote and Ms. Feely directed that the vote on the motion be by roll call, whereupon the following votes were cast.

Roll Call Vote:

President Feely	Aye
Vice President Munden	Nay
Director Kullhem	Nay
Treasurer McConnell	Nay
Director Margotte	Abstain
Director Waller	Aye
Secretary Chavez	Aye

The motion failed due to a tie vote.

Director Chavez commented that the failure of the motion may result in the negotiations proceeding to mediation under the current Agreement.

XIII. ADJOURNMENT:

MOTION: There being no further business to be presented to the board of directors of the West Metro Fire Protection District, it was moved by Director Chavez and seconded by Director Munden to adjourn this meeting. The motion was voted upon and adopted.

The meeting concluded at 9:45 p.m.

Recording Secretary: /s/s Kathy Miller
/s/ Manny Chavez