

RECORD OF PROCEEDINGS

MINUTES OF A CONTINUED SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PEYTON FIRE PROTECTION DISTRICT HELD MAY 23, 2013

A Continued Special Meeting of the Board of Directors of the Peyton Fire Protection District (referred to hereafter as "Board") was held on Thursday, the 23rd day of May, 2013, at 6:30 p.m. at the Peyton Fire Protection District Fire Station, 13665 Railroad Street, Peyton, Colorado 80831. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Leon Gomes
William Beary
David Stoddard
Sharon Brown

Also In Attendance Were:

Charles Omdahl, Fire Chief; Peyton Fire Protection District

Nathan Hale, Lieutenant; Peyton Fire Protection District

Megan MacAleese; Probationary Firefighter Candidate

PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Gomes led the Pledge of Allegiance with the Board.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Gomes noted that conflicts were filed for applicable Directors at least 72 hours prior to the meeting. Mr. Gomes also noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting.

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ADMINISTRATIVE MATTERS

Agenda: Mr. Gomes reviewed the proposed agenda for the District's Continued Special Board meeting.

Following discussion, upon motion duly made by Director Brown seconded by Director Beary and, upon vote, unanimously carried, the Agenda was approved.

Minutes: The Board reviewed the Minutes from the April 16, 2013 Special Meeting and the May 2, 2013 Special Meeting.

Following discussion, upon motion duly made by Director Beary, seconded by Director Brown and, upon vote, unanimously carried, the Minutes from the April 16, 2013 Special Meeting and the May 2, 2013 Special Meeting were approved.

Appointment of Probationary Firefighter: The Board discussed the appointment of Megan MacAleese as a Probationary Firefighter.

Following discussion, upon motion duly made by Director Beary, seconded by Director Stoddard and, upon vote, unanimously carried, the Board approved the appointment of Megan MacAleese as a Probationary Firefighter.

Manager's Report: Mr. Gomes reviewed the Manager's Report dated May 23, 2013 with the Board. A copy of the report is attached hereto and is incorporated herein by this reference.

PUBLIC COMMENT

Public Comment: There was no public comment.

GUEST SPEAKER

Proposal for Eagle Scout Project: Discussion was deferred.

FINANCIAL MATTERS

Claims: The Board considered the approval of the payment of claims for the period ending May 23, 2013 in the amount of \$5,200.52.

Following review and discussion, upon motion duly made by Director Stoddard, seconded by Director Brown and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending May 23, 2013, as presented.

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Unaudited Financial Statements: Director Gomes distributed and reviewed the unaudited financial statements for the period ending April 30, 2013.

Following discussion, upon motion duly made by Director Brown, seconded by Director Stoddard and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending April 30, 2013.

2012 Audit: Mr. Gomes reported to the Board that he has obtained the requirements from the Auditor for field work to begin and that he will submit all the requested documents to the Auditor for the preparation of the 2012 draft audit.

OFFICER REPORTS/ ANNOUNCEMENTS

Fire Chief: Chief Omdahl presented his report to the Board. A copy of the report is attached hereto and is incorporated herein by this reference.

President: Director Gomes reported on his continued participation in the Special District Association Leadership Academy. He also reported that the Special District Association confirmed that he and Chief Omdahl will do a session titled "Recruiting and Retaining Volunteer Firefighters" at the 2013 Special District Association Conference.

Vice President: Due to Director Palacol's absence, there was nothing new to report.

Secretary: There was nothing new to report.

Treasurer: There was nothing new to report.

Director: Director Brown reported to the Board that the Peyton Fire Protection District Community Barbeque is scheduled for June 8, 2013 from 10:00 a.m. until 12:00 p.m. at the Peyton Fire Protection District Fire Station.

EXECUTIVE SESSION

Real Estate Negotiation and Personnel Matters: EXECUTIVE SESSION: Pursuant to Sections 24-6-402(4) (a) and (f), C.R.S., upon motion duly made by Director Stoddard, seconded by Director Beary and, upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 7:04 p.m. for the purpose of discussions relating to the purchase, acquisition, lease transfer or sale of real, personal or other property and for discussing personnel matters, all as authorized by Sections 24-6-402(4) (a) and (f) C.R.S.

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Furthermore, pursuant to Section 24-6-402(2)(d.5) (II)(B), C.R.S., no record will be kept of those portions of the executive session that, in the opinion of the District's attorney, constitute privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

The Board reconvened in regular session at 7:32 p.m.

LEGAL MATTERS

November 5, 2013 Election: Discussion was deferred to the October 2013 Board meeting.

Intergovernmental Agreement ("IGA") with Peyton School District for Water Use: Discussion was deferred.

Water Purchase Agreement with 4-Way Ranch Metropolitan District (4WRMD): The Board discussed the proposal from 4WRMD and the proposed Water Purchase Agreement.

Following discussion, upon motion duly made by Director Stoddard, seconded by Director Beary and, upon vote, unanimously carried, the Board approved the proposal from 4WRMD to purchase water from 4WRMD at \$4.50/1,000 gallons and authorized Director Gomes to sign the Purchase Order and the Letter of Understanding on behalf of the District.

District Bylaws: The Board discussed amending the District's Bylaws to require two Director's signatures on all checks.

Following discussion, upon motion duly made by Director Stoddard, seconded by Director Beary and, upon vote, unanimously carried, the Board directed Director Beary to prepare an amendment to Section 9 (j) 2 of the District's Bylaws so that it reads: *All manual checks and manual bank transactions will require two (2) authorized signatures.*

Mountain View Electric Association June 13, 2013 Board of Directors Election: The Board discussed authorizing Director Gomes to cast the mail-in ballot on behalf of the District in the Mountain View Electric Association June 13, 2013 Board of Directors Election.

Following discussion, upon motion duly made by Director Beary, seconded by Director Stoddard and, upon vote, unanimously carried, the Board authorized the Director Gomes to cast the mail-in ballot on behalf of the District in the Mountain View Electric Association June 13, 2013 Board of Directors Election.

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District Real Property Land Survey: The Board discussed the status of the District's Real Property Land Survey and the potential need to acquire additional real property.

Following discussion, upon motion duly made by Director Beary, seconded by Director Stoddard and, upon vote, unanimously carried, the Board authorized Mr. Gomes to negotiate with the owner of the real property north of the fire station for the acquisition of additional real property on behalf of the District.

OPERATIONS

Water Tender No. 3661: Director Gomes reported on recent discussion with a representative from Peak Custom Fabrication to assess the need repairs to Water Tender No. 3661. He further reported that he is awaiting proposals from Peak Custom Fabrication for the tank baffle reattachment and from Barnhart Pump Company for the repair or replacement of the pump.

Repainting Brush Truck No. 3641: Mr. Gomes reported to the Board that, after obtaining cost estimates from Arthur's Auto Collision & Paint, The Body and Fender Shop to repaint Brush Truck No. 3641, he and Chief Omdahl agree that the repainting of Brush Truck No. 3641 is not needed due to the costly estimates but instead to place the District logo and to identify lettering on Brush Truck No. 3641.

Porta Tank Life System for Water Tender No. 3660: Discussion was deferred due to the absence of Director Palacol.

Requirements and Cost to Outfit Water Tender No. 3660: The Board reviewed and discussed the requirements and cost to outfit Water Tender No. 3660 to bring it into full operation.

Following discussion, upon motion duly made by Director Gomes, seconded by Director Brown and, upon vote, unanimously carried, the Board authorized Chief Omdahl to purchase pumper qualification equipment for Water Tender No. 3660 in an amount not to exceed \$20,000 to be allocated from the following Budget line items: Supplies & Equipment, Election, and Unreserved Fund Balance.

Proposal from Sunrise Buildings: The Board discussed the proposal from Sunrise Buildings for Station No. 1 roof replacement for an amount not to exceed \$3,700.

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Following discussion, upon motion duly made by Director Beary, seconded by Director Stoddard and, upon vote, unanimously carried, the Board authorized Director Gomes to execute the proposal from Sunrise Buildings for Station No. 1 roof replacement for an amount not to exceed \$3,700.

Proposal from Digitcom Electronics: The Board discussed the proposal from Digitcom Electronics for emergency lighting for Truck Nos. 3610, 3641 and 3642. Following discussion, Chief Omdahl and Director Gomes reported that they will obtain proposals from other vendors for the proposed emergency lighting work.

OTHER BUSINESS

Strategic Planning: Director Gomes reported that strategic planning from Pueblo Fire Chief, Chris Riley, is scheduled for Tuesday, June 11, 2013 at 9:30 a.m. at the Flacon Fire Station No. 1. It was noted that Notice of Work Session will be prepared and posted for the strategic planning session.

Boundary Map: Discussion was deferred.

Future Agenda Items: The Board determined to discuss the following items at the June 2013 Board Meeting:

- Policy regarding donation use
-

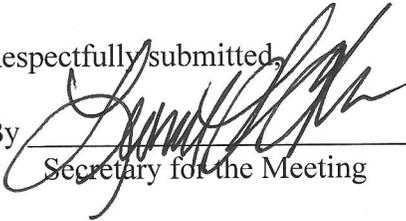
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ADJOURNMENT

The President adjourned the meeting as there were no others business matters before the Board.

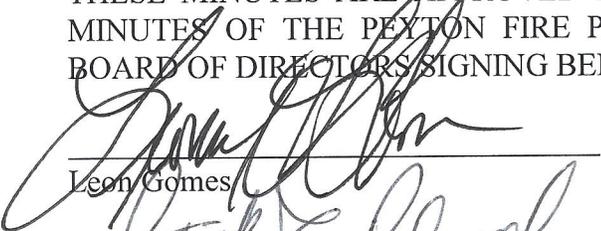
Respectfully submitted,

By

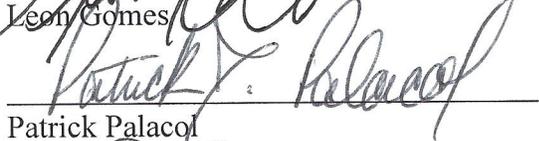


Secretary for the Meeting

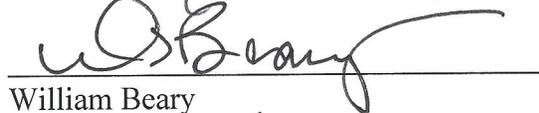
THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 23, 2013 MINUTES OF THE PEYTON FIRE PROTECTION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Leon Gomes



Patrick Palacol



William Beary



David Stoddard

Sharon Brown

PEYTON FIRE PROTECTION DISTRICT

Administrative Offices

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 · 800-741-3254
Fax: 303-987-2032
www.peytonfiredistrict.com

District Manager's Report

May 23, 2013 Special Meeting

The Manager's Report is provided to the Board as a way of communicating the progress of pending matters, completed research, and recommendations for action items in the current agenda.

Administrative Matters (Section I)

E. Appointment of Megan MacAleese as Probationary Firefighter

Chief Omdahl will present the application of Megan MacAleese.

Financial Matters (Section IV)

A. Review and Approve Payment of Claims

I will present the Claims List for invoices received since the May 2, 2013 Special Meeting for Board approval and the checks for Directors' signatures.

Executive Session (Section VI)

I have two matters to discuss:

- A. Real Estate Negotiation** (§24-6-402(4) (a) C.R.S.) which is related to agenda item VII. F.; and
- B. Personnel Matters** (§24-6-402(4) (f) C.R.S.)

Legal Matters (Section VII)

A. Term Limit Exemption Ballot Question

This matter was originally placed on the March 2013 Agenda and has been postponed due to a desire to have all Directors present when this item is acted upon. Since Pat Palacol has already notified me of this planned absence from this meeting, I am recommending that we defer this matter until it would need to be acted upon for the May 2014 Special Districts Election.

Recommended Board Action: Defer this matter until the October 2013 Board Meeting.

B. Intergovernmental Agreement with Peyton School District for Water Use

I would like to defer this matter until the completion of the water cistern installation. Peyton SD Superintendent is agreeable to our continued use of the Peyton High School water cistern under the June 2009 agreement letter. The District will have access to water to replenish the two existing cisterns if necessary under the Water Purchase Agreement discussed in Agenda Item VII. C.

Recommended Board Action: Defer this matter until the completion of the Fire Station water cistern installation.

C. Water Purchase Agreement with 4 Way Ranch Metropolitan District

Background: Chief Omdahl and I (as District Manager) were tasked with negotiating an Intergovernmental Agreement with the Woodmen Hills Metropolitan District (WHMD) to obtain treated wastewater from WHMD for PFPD's fire suppression needs. A meeting was held with Gene Cozzolino, WHMD Director of Water & Wastewater Operations, on May 2, 2013. Mr. Cozzolino had some public health concerns with the use of the treated wastewater. In addition, PFPD's use of the wastewater would require the approval of four Metro Districts that have rights to the wastewater.

Mr. Cozzolino provided us with alternative solution to purchase water from the 4-Way Ranch Metropolitan District (4WRMD). He also serves as the Director of Operations for this District. There is a fire hydrant where water may be obtained in that District located near Stapleton and Eastonville roads which is just outside of the PFPD.

Mr. Cozzolino secured a verbal agreement with 4WRMD to sell up to 40,000 gallons of water per year to PFPD for \$4.50 per one thousand gallons. The maximum expenditure per year is \$180.

They are requesting that we provide a purchase order to them. 4WRMD does not want to go through the expense of an Intergovernmental Agreement and they are agreeable to a Letter of Understanding in its place.

Recommended Board Action: Accept the proposal to purchase water from 4WRMD and authorize the Board President to sign the Purchase Order and Letter of Understanding on behalf of the District.

D. Amend District Bylaws to Require Two Signatures on All Checks

Background: The current bylaws require two signatures on checks in amounts greater than \$10,000. Checks that are less than or equal to \$10,000 may be signed by one authorized signer. This is a policy that the Board adopted when the District Treasurer was generating checks and there were very few checks that exceeded the \$10,000 threshold. It gave the Treasurer the ability to generate and sign checks but it created a situation where there was little oversight by the Board.

Now that SDMS is preparing checks for signatures at the Board Meeting along with the claims list, it would be appropriate to require two signatures on all checks. This policy has been adopted by most, if not all, Districts that are managed by SDMS. This change would promote the Board's fiduciary responsibility.

Recommended Board Action: Direct the Secretary or District Manager to draft an amendment to the PFPD Bylaws Section 9 (j) 2 so that it reads: *All manual checks and manual bank transactions less than or equal to \$10,000 will require only one (1) signature. Manual Checks and Manual Bank Transactions above \$10,000 will require two (2) signatures.*

Authorized

E. Authorize Board President to Cast Ballot on Behalf of District in the Mountain View Electric Association Board of Directors Election

Background: The District received a mail-in ballot for the June 13, 2013 MVEA Board of Directors Election in Districts 3 and 5. An authorized representative of PFPD may cast a ballot on behalf of the District.

Recommended Board Action: Authorize the Board President to cast the mail-in ballot in the Mountain View Electric Association June 13, 2013 Board of Directors Election.

F. Real Property Land Survey and Potential Need to Acquire Additional Real Property

Background: Land Development Consultants, Inc. (LDC) completed its field work in connection with the real property survey at the District's fire station on May 10, 2013. I met with the field crew during their survey and they confirmed that the north property line is where it is indicated on the El Paso County GIS map. This places the District's septic system and possibly its well on the adjacent property. It also currently eliminates the possibility of placing the water cistern in its planned location.

The Board should consider negotiating with adjoining property owner to acquire at least the property that goes back to the existing fence line. There is also the likelihood that the District will want to negotiate with El Paso County to have them vacate their easements east and south of the fire station property not to include any existing roadways. The easement on the west side of the District property should remain as-is since the property to the north of the fire station would be land-locked without it.

The Board can act on the easements at a future Board Meeting since they do not prevent the District from installing the water cistern.

f. **Recommended Board Action:** Authorize the District Manager to negotiate with the owner of the real property north of the fire station for the acquisition of additional real property on behalf of the District.

Operations and Maintenance (Section VIII)

A. Water Tender 3661

I met with a representative from Peak Custom Fabrication to assess the needed repairs to 3661. He said that it appears that only the center baffle needs to be reattached. It appeared to him that previous repairs had been done with steel wire which causes a corrosive effect between it and the stainless steel tank. His company would reattach the baffle using stainless steel wire that is proper application for this use. He will also redirect the water inlet that is currently sending water directly to the baffle and likely placing stress on it.

I am awaiting proposals from Peak Custom Fabrication for the tank baffle reattachment and from Barnhart Pump Company for the repair or replacement of the pump.

B. Repainting of Brush Truck 3641

Background: Estimates for repainting 3641 were obtained from Arthur's Auto Collision & Paint and The Body and Fender Shop. Their estimates were \$4,453.86 and \$5,596.81 respectively which exceeds the \$4,000 allowance for repainting 3641. In addition, neither shop would be able to repaint the rear of the utility box, and neither shop would be able to repaint the back of the cab and the front of the utility box without removing the utility box. Ed Schmidt at Arthur's Collision & Paint suggested having vinyl sign shop apply vinyl panels to these areas which would be at an unknown additional cost.

Recommended Board Action: I have discussed this finding with Chief Omdahl and I concur with his recommendation that we not have 3641 repainted due to estimated costs, and place the District logo and identifying lettering on this apparatus.

C. Porta-Tank Lift System

Director Palocol has taken the lead on this item and he will not be at this meeting.

D. Requirements to Outfit 3660 to Full Operational Status

Background: With 3660 being functional as a tender and a pumper, there are some outstanding equipment requirements to make it a fully functional pumper. The requirements and cost estimates provided by Chief Omdahl are included in your E-Packet.

Recommended Board Action: Chief Omdahl will make a recommendation to the Board on this matter.

E. Station 1 Roof Replacement

Background: While I was at the fire station on May 10, 2013 handling District business Lt. Hale pointed out rain water leak in the Station 1 hallway. There is also another leak in the Board office area.

I called and met with Shane Colclasure of Sunrise Buildings to have him assess the extent of the leak and the cost of repairing the roof. He found that there were several areas of the roof where the plywood under the roofing materials had rotted resulting in water pooling and leaking into the building.

Mr. Colclasure said that although he could repair the roof he recommended covering the roof with a metal roofing material. He could not guarantee the results of any repairs made to the roof. I asked him to provide me with estimates for both repair and replacement.

Recommended Board Action: I plan to be prepared to make a recommendation on this matter at the Board Meeting since I am awaiting the quotes from Sunrise Buildings.

Other Business (Section IX)

A. Strategic Planning

The Board's Strategic Planning has been scheduled as a Work Session on Tuesday, June 11, 2013 from 9:30 AM to 3:00 PM at Falcon Fire Station 1.

B. Current Boundary Map

I asked Dan Kupferer at Land Development Consultants, Inc. to place a higher priority on estimating and completing the survey than on this matter. I will revisit this with him after the Board has received his completed survey.

Non-Agenda Items

New Radios: The new handheld and mobile radios were delivered to the District. Chief Omdahl discovered that the handheld radios were not programmed as expected. The Chief, Director Palacol, and I met with Walt Garbo of Digitcom at the fire station to discuss this issue. Mr. Garbo took the handheld radios to have them programmed per our specs. One issue that remains is that the new radios may not have the scanning capabilities that our other handheld radios have which is a concern to Chief Omdahl.

Respectfully submitted,



Leon Gomes
District Manager for the Peyton Fire Protection District



PEYTON FIRE PROTECTION DISTRICT

P.O. BOX 98

PEYTON, COLORADO 80831

PEYTON FIRE DEPARTMENT CHIEF'S REPORT May 2013

DISCUSSION ITEMS:

Haz-mat class

TRUCK UPDATE:

3661

APPLICATIONS:

1 Megan MacAleese

Peyton Fire Department

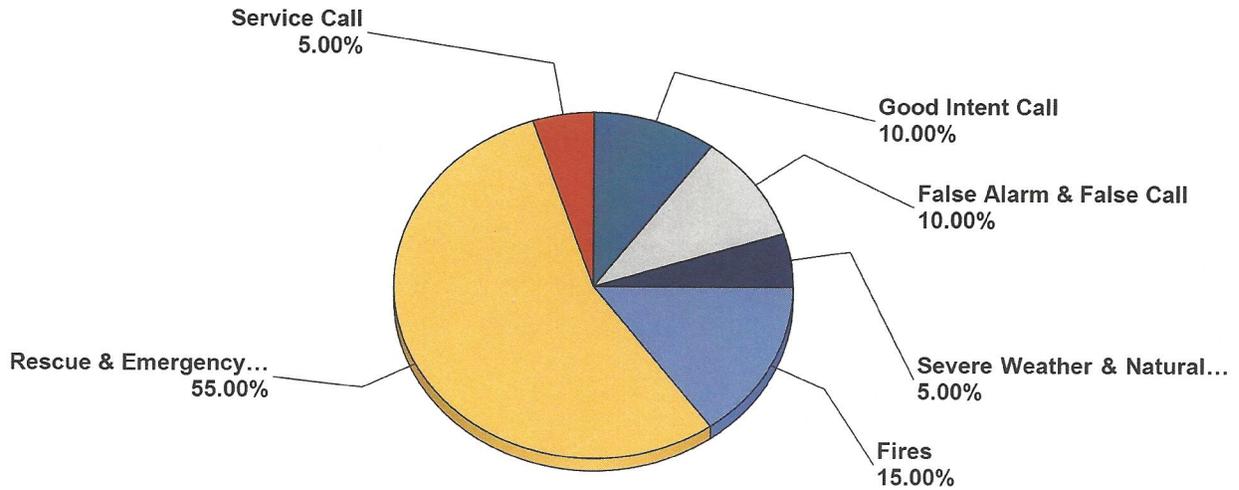
Peyton, CO

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Breakdown by Major Incident Types for Date Range

Start Date: 04/01/2013 | End Date: 04/30/2013



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	3	15.00%
Rescue & Emergency Medical Service	11	55.00%
Service Call	1	5.00%
Good Intent Call	2	10.00%
False Alarm & False Call	2	10.00%
Severe Weather & Natural Disaster	1	5.00%
TOTAL	20	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	5.00%
113 - Cooking fire, confined to container	1	5.00%
142 - Brush or brush-and-grass mixture fire	1	5.00%
300 - Rescue, EMS incident, other	1	5.00%
311 - Medical assist, assist EMS crew	1	5.00%
321 - EMS call, excluding vehicle accident with injury	5	25.00%
322 - Motor vehicle accident with injuries	4	20.00%
571 - Cover assignment, standby, moveup	1	5.00%
611 - Dispatched & cancelled en route	2	10.00%
700 - False alarm or false call, other	1	5.00%
745 - Alarm system activation, no fire - unintentional	1	5.00%
813 - Wind storm, tornado/hurricane assessment	1	5.00%
TOTAL INCIDENTS:	20	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.