

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PEYTON FIRE PROTECTION DISTRICT HELD JULY 9, 2013

A Regular Meeting of the Board of Directors of the Peyton Fire Protection District (referred to hereafter as "Board") was held on Tuesday, the 9th day of July, 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

Following discussion, upon motion duly made by Director Brown, seconded by Director Stoddard and, upon vote, unanimously carried, the absence of Patrick Palacol was excused.

Also In Attendance Were:

Nathan Hale, Lieutenant; Peyton Fire Protection District

Randy Mason, Firefighter; Peyton Fire Protection District

Dan Kupferer; Land Development Consultants, Inc.

John and Patsy Clowers; District Residents

PLEDGE OF ALLEGIANCE

Pledge of Allegiance: Director Gomes led the Pledge of Allegiance with the Board. A moment of silence was held for the deceased firefighters of the Yarnell Arizona fire.

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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. Mr. Gomes declared a conflict of interest with regard to the Special District Management Services, Inc. Agreement.

ADMINISTRATIVE MATTERS

Agenda: Mr. Gomes reviewed the proposed agenda for the District's Regular meeting.

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

Minutes: The Board reviewed the Minutes from the June 11, 2013 Regular Meeting and the June 27, 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 June 11, 2013 Regular Meeting and the June 27, 2013 Special Meeting were approved, as presented.

Manager's Report: Mr. Gomes reviewed the Manager's Report dated July 9, 2013 with the Board. A copy of the report is attached hereto and is incorporated herein by this reference.

At this time, due to potential conflict of interest, Director Gomes recused himself and turned over Board President duties to Director Stoddard for the following agenda item.

Management Services Agreement with Special District Management Services, Inc. ("SDMS"): The Board discussed the Management Services Agreement with SDMS for the period beginning August 1, 2013 and ending December 31, 2013.

Following discussion, upon motion duly made by Director Stoddard, seconded by Director Brown and, with Directors Beary, Stoddard and Brown voting "Yes" and Director Gomes abstaining, the Board approved the Management Services Agreement with SDMS for the period beginning August 1, 2013 and ending

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December 31, 2013 and authorized Directors Beary and Stoddard to execute the agreement and determined to allocate \$10,000 regarding the cost of services. At this time, Director Gomes returned to the position of Board President.

PUBLIC COMMENT **Public Comment:** There was no public comment.

GUEST SPEAKER **Proposal for Eagle Scout Project:** There was nothing new to discuss.

FINANCIAL MATTERS **Claims:** The Board considered the approval of the payment of claims for the period ending July 9, 2013 in the amount of \$9,933.11.

Following review and discussion, upon motion duly made by Director Stoddard, seconded by Director Beary and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending July 9, 2013, as presented.

Unaudited Financial Statements: The Board reviewed with the Board the unaudited financial statements for the period ending June 30, 2013.

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

2012 Audit: The Board discussed the status of the 2012 Audit.

Following discussion, upon motion duly made by Director Brown, seconded by Director Beary and, upon vote, unanimously carried, the Board authorized the execution and filing of a sixty (60) day audit extension.

Energy/Mineral Impact Fund Grant Application: Discussion was deferred to the July 29, 2013 Special Board Meeting.

OFFICER REPORTS/ ANNOUNCEMENTS

Fire Chief: A Chief's Report was not submitted as Chief Omdahl has been out of the area on business.

President: There was nothing new to report.

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

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Secretary: There was nothing new to report.

Treasurer: There was nothing new to report.

Director: There was nothing new to report.

LEGAL MATTERS

District Bylaws: Director Beary presented and discussed with the Board a completed policy requiring two Director's signatures on all checks and noted that he will upload the revised policy to the District's website.

District Real Property Land Survey: The Board proposed a property acquisition to Mr. and Mrs. Clowers. The Clowers reported that they will present their decision at the next regular Board meeting on August 13, 2013.

Following discussion, upon motion duly made by Director Beary, seconded by Director Brown and, upon vote, unanimously carried, the Board authorized Mr. Kupferer and Mr. Gomes to negotiate the following on behalf of the District: 1. vacating of the El Paso County right-of-way located at the east property boundary; 2. vacating the right-of-way that extends from sixty (60) feet north of the county's fence on the south side of Railroad Street to the northern boundary of the right-of-way; and 3. abandonment of the interest of the property owner to the east of the station his claim to one-half of the Borst Street right-of-way.

OPERATIONS

Water Tender No. 3661: It was noted that Barnhart Pump Company is awaiting parts for the water tender. Water Tender No. 3661 will be delivered to Peak Custom Fabrication once Barnhart Pump Company completes their work.

Porta Tank Life System for Water Tender No. 3660: Discussion was deferred.

Requirements and Cost to Outfit Water Tender No. 3660: Discussion was deferred.

Emergency Lighting for Water Tender Nos. 3610, 3641, and 3642: Discussion was deferred.

OTHER BUSINESS

Strategic Planning Follow-Up Items: Director Beary reported to the Board that he will continue to work on a draft of the strategic planning follow-up items.

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Policy Regarding Donation Use: The Board discussed the District's policy regarding donation use.

Following discussion, upon motion duly made by Director Beary, seconded by Director Stoddard and, upon vote, unanimously carried, the Board determined to add the following language to Policy No. 4; District Funds and Reserve Policy: If donations are received from private sources, unless otherwise specified by the donor, the amounts received shall be applied toward firefighter morale, welfare and recreation items or events. Such funds shall be accounted for separately from the District's General Fund.

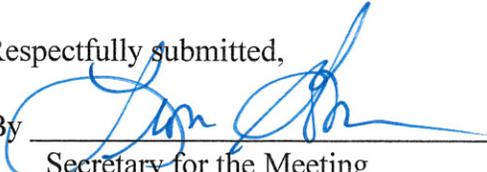
Boundary Map: Discussion was deferred.

Future Agenda Items: At this time, there are no items to add to the future agenda.

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ADJOURNMENT

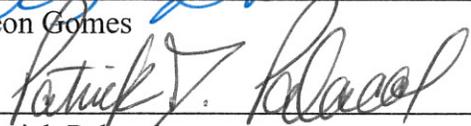
The President adjourned the meeting as there were no others business matters before the Board.

Respectfully submitted,
By  _____
Secretary for the Meeting

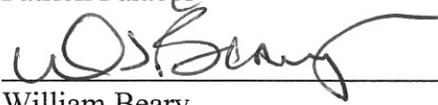
THESE MINUTES ARE APPROVED AS THE OFFICIAL JUNE 11, 2013 MINUTES OF THE PEYTON FIRE PROTECTION DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:



Leon Gomes



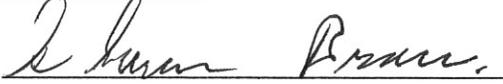
Patrick Palacol



William Beary



David Stoddard



Sharon Brown

PEYTON FIRE PROTECTION DISTRICT

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District Manager's Report

July 9, 2013 Regular Meeting

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

Administrative Matters (Section I)

F. Review and discuss Management Services Agreement with Special District Management Services, Inc. from August 1, 2013 through December 31, 2013.

This matter will be presented to the Board as an action item without my recommendation due to my relationship with SDMS. The Board will also receive an analysis of the time booked by the District Manager compared to total time booked since the inception of the SDMS Management Services Agreement that ends on July 31, 2013.

Financial Matters (Section IV)

A. Review and Approve Payment of Claims

I will present the Claims List for invoices received since the June 11, 2013 Regular Meeting for Board approval and the checks for Directors' signatures.

B. Unaudited Financial Statements

The unaudited financial statements for the period ending June 30, 2013 will be presented for the Board's review and acceptance.

Legal Matters (Section VII)

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

Background: The Board authorized Mr. Beary to develop the policy changes related to this matter.

Recommended Board Action: The Board adopts the amendment to the PFPD Bylaws Section 9 (j) 2 so that it reads: *All manual checks and manual bank transactions will require two (2) authorized signatures.*

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

Background: The land survey was presented to the Board at the June 11, 2013 Regular Meeting. The survey clearly confirms that the property lines that appeared in the El Paso County GIS map are the legal property lines.

Dan Kupferer of Land Development Consultants, Inc. will be at this meeting to present some additional surveys that were done relative to the County rights-of-way. Mr. Kupferer will also seek the Board's direction on negotiating with El Paso County to vacate some or all of the rights-of-way. In addition, we should use this opportunity to negotiate with the property owner to the east of the District property to request the abandonment of his interest in Borst Street right-of-way.

John Clowers has told me that he and his wife, Patsy Clowers, plan to attend this meeting. The survey indicates that Lot 9 belonging to the Clowers is situated between Fire Station 2 and the fence north of the station and the fence straddles Lot 8 also belonging to the Clowers. Mr. Clowers has asked that the Board present to he and Mrs. Clowers its intent and request regarding the acquisition of additional property.

Recommended Board Action (County Rights-of-Way): Authorize Dan Kupferer and Leon Gomes, District Manager, to negotiate on behalf of the District: 1. Vacating of the El Paso County right-of-way located at the east property boundary; 2. Vacating the right-of-way that extends from 60 feet north of the county's fence on the south side Railroad Street to the northern boundary of the right-of-way; and 3. Abandonment of the interest of the property owner to the east of the station his claim to one-half of the Borst Street right-of-way.

minutes

Recommended Board Action (Real Property Owned by John & Patsy Clowers): Present to Mr. & Mrs. Clowers its plans for use of the District site and desire to acquire specific lots owned by them.

Operations and Maintenance (Section VIII)

A. Water Tender 3661

The signed quotes have been delivered to Barnhart Pump Co. and Peak Custom Fabrication per the Board's action at its June 23, 2013 Special Meeting. The District has received a Certificate of Liability Insurance from Peak Custom Fabrication.

B. Porta-Tank Lift System

Director Palacol has taken the lead on this item and he will be asked to update the Board on this matter.

Recommended Board Action: Director Palacol will make a recommendation to the Board on this matter.

C. Update on Requirements to Outfit 3660 to Full Operational Status

Chief Omdahl will address this matter with the Board.

D. Emergency Lighting for 3610, 3641, and 3642

Chief Omdahl and I will provide our update.

Other Business (Section IX)

A. Strategic Planning Update

Director Beary will provide an update on the draft PFPD Strategic Plan.

Current Boundary Map

This matter remains on hold until the final disposition of the property survey and associated property line changes.

Non-Agenda Matters

New Radios: The handheld radios were returned to Digitcom Electronics. Chief Omdahl has been working directly with Motorola Solutions. They have agreed to exchange the handheld radios that were originally delivered for radios that meet the District's requirements at no additional cost to the District.

Station 1 Roof Replacement: Sunrise Buildings completed the roof replacement and the final payment has been released.

Respectfully submitted,



Leon Gomes
District Manager for the Peyton Fire Protection District