

LA VETA FIRE PROTECTION DISTRICT

La Veta Fire Station
100 Birch St
La Veta, Colorado
MINUTES

November 9th, 2023 @ 6:00pm

Present: Directors Schmidt, Alt, Brunner, Valdez, and Lacy, were in attendance
Staff: EMS Director Dave Mower and Fire Chief Ron Jameson.
Guests: Jim Littlefield, Brian Jameson, Trevor Holliday

Call to Order – Pledge - Roll Call

Secretary called roll – all present

Approval of Agenda

November 9th, 2023

Amendment: Alt wanted to move Item G to Administrator Report (Item 11)

Amendment: Brunner wanted to discuss what constitutes a meeting (Item H)

Schmidt stated that the attorney stated that an Executive Session cannot be held unless previously determined and put on the agenda. Schmidt challenged the attorney's position on this issue. Brunner quoted, "An Executive or closed session may only be called at a regular meeting of the Board by an affirmative vote by two thirds of the members." Alt stated that you can call an Executive session to discuss personnel matters. For purposes of the Agenda, Schmidt suggested that an Executive session is held to discuss personnel matters – 24-6-402 Subsection 4 Subsection F "Personnel Matters."

Made a Motion to Accept Agenda with Amendments: Lacy

Secondary Motion: Alt

All in favor – motion carries.

Minutes

September 16th, 2023

Made a motion to accept the September 16th Minutes: Alt

Secondary Motion: Lacy

All in favor – motion carries.

October 12th, 2023

Schmidt – only thing missing is a discussion towards the end of the meeting about receiving the applications for the Job Applications (Administrative Assistant) up until the 20th. Advertising started late September. The decision wasn't voted upon. Met on the 16th of September – ad went into the paper that week. Ad discontinued after 4th week. Valdez was under the impression that the advertisement would be open until the end of October.

Alt: Suggested that minutes were amended to reflect this discussion. (Discussion on September 16th.) Schmidt – under Old Business in October, Board discussed due date for applications with interviews to be held on the 23rd (due date was October 20th.)

Mower correction: Under the October Minutes, under the EMS Director's report, on the last line. Mower stated that no one else needed a key to the filing cabinet except for Mike Lacy, while he and Mower had a key to the office, until an Administrative Assistant is hired.

Made a motion to accept the October 12th Minutes: Valdez
Secondary motion: Lacy
All in favor – motion carries.

Public Forum

- None

Guests, Correspondence, and Presenters

- Schmidt sent the letter to Norma Mower
- Jameson sent a letter to the County Commissioners regarding CR-363 vacation. Director Alt requested a copy

Treasurer's Report

All Board Directors were furnished with a copy of this report.

- Director Alt gave a report on the finances from October. He addressed revenue and expenses for the month.
- Question: Valdez: is Sue Pezze doing extra work for the fuel receipts; will she continue to do? or will the Administrative Assistant pull on? Alt stated that Sue Pezze is doing the Fuel Rebates for the State, and the Administrative Assistant will take this on.
- Question: Valdez: What are we doing with the charges to increase revenue? Alt spoke to Brunner about the EMS revenue. We are holding back for everything to get set up with Systems Design West. Might make sense for us to submit our back log for EMS for 2023 and cut ties on December 31st. Alt has talked to Brunner about that. Brunner stated that bills have not been submitted since as far back as August. Bills are active, we just need to submit asap. Once we cut ties with the old company our ability to collect is gone. Alt stated he was waiting to see if the current billing company will be sending more dead accounts that they were going to write off. He got good news that they have exhausted all the accounts. Schmidt stated if the current billing company is active, let's get past bills billed and up to date. Brunner stated that Ray is still the main contact with Systems Design West (new billing company) and we need to get him off so we can get everything set up and going. Brunner stated the packet was almost ready to go, they just needed the bank info and signatures on all accounts. Brunner stated that for the new company Authorized Official is Mark Brunner, Delegate Official is Jim Alt, Other Contact is Sue Pezze, EMS Director is Eddie Ray. Need to decide on how to fill those positions with Systems Design West. Dave Mower as EMS Director. We Need to change or keep the same for Authorized Official, Delegate Official/Treasurer and Other Contact.
- Motion to accept the Treasurer's Report: Schmidt moved to accept,

Second: Lacy
All in favor – Motion passes

Proposed Budget

All Board Directors were able to see the Proposed 2024 Budget and one was posted on the website.

- Alt: We Can't certify the Mill Levy until you have an approved budget. December meeting will need to have a Resolution for Budget, Resolution for Appropriation and Mill Levy. Brunner stated we will have to post the Hearing on the Budget.
- Schmidt: Stated to everyone that Alt, Mower, Jameson and himself came up with the budget. Schmidt requested the Proposed budget be put on the website for everyone to see prior to the hearing.

Fire Chief Report

All Board Directors were given a copy of the report.

- Jameson: 6 members on Roster will not make the 36hrs of training this year. Schmidt: If you don't make the 36hrs, then what? Jameson stated they will no longer be members of the fire department. They get notices and it is posted in the station. Valdez: What if they want to stay on? Jameson stated that there are 2 more training courses this year and he would work with them. Valdez: Are they turning in their equipment? Jameson: They will have to. B. Jameson stated it depends on if they are in good standing with EMS/EMT. They will have to just turn in the fire equipment.

E64 toolboxes will be \$2500 for this year.

- Schmidt stated we need to do a motion on the Purchase of Toolboxes up to \$2500. Brunner asked what this would entail. Jameson stated it would be two 6' toolboxes on each side. Taking toolboxes from R4 and mounting them on top. Black Steel. Moving the pump and hose to the end of bed. Jameson will enlist Chaparral construction to help move the equipment.
- Motion to expenditure for toolboxes to be used on E64 up to \$2500.00: Alt, Second: Valdez. All in Favor: Motion Passes
- Schmidt: Asked what the cost would be on a digital sign out by the flagpole. Jameson stated if the board likes the idea, he will start getting prices. Schmidt stated that we would like to make it public that the funds for the sign were donated.
- Jameson stated that the new gear would have an extra charge of \$100 to get the LVFPD emblem and their names on each bunker coat. If the District can't pay for this, everyone who was at the meeting stated they would pay to get the gear personalized. Schmidt stated that some had offered to forego their incentives to put it in a fund for the PPE. Jameson stated that he would rather pay the \$100. Valdez: What happens if the person moves? B. Jameson stated that it will be name panels that can be removed. Only on the

Structure fire coats that the names will be on. This will be something that will be on next year's budget.

- Motion to put the \$1000 for emblems and name patches to be put on the Structure Gear on the 2024 Budget made by Valdez: Second; Schmidt, All in Favor, Motion Carried
- Mower stated that Jameson and himself talked about giving job shirts as a gift for the volunteers. Jameson stated that in the past the board gave them cash or a gift. Schmidt stated that the incentive checks are going to have to be enough for this year.
- Schmidt asked if we need a motion to purchase the new dual-purpose foam. \$2,205.91 for One 55-gallon drum. Jameson stated we will need 150 to 200 Gallons.
- Motion to purchase the one 55-gallon drum at \$2,205.91 made by Valdez. Second by Alt All in favor, Motion passes
- Schmidt: What is the process to get the Tower for training, 16x32 on ground, 27' tall. Jameson stated that it's through a grant and they would do all the funding and construction. Schmidt will ask around to see if the city would be willing to let us use some of the property around the station. It would be another added plus for the district.

EMS Director's Report

All Board Directors were given a copy of the report.

- Mower did have one resignation from the EMS side that was not on his report. He doesn't know why. It just happened. The individual just left their gear with a note. (at this point, Mower had not identified the individual as a female or male)
- Alt asked if we carry hot packs to raise veins for IV. Mower stated we do, but you must watch the heat on the skin. You need a barrier. With the vein light you can see the vein and eliminates the need for that. (The Vein light was not approved yet)
- Brunner suggested that the scene lights are not needed because the FD has 6 of them. He would rather see Dr. Elias on the RETAC instead. These were Brunner's exact words.
- Motion that we authorize a total of \$1,047 for Grant request for EMS Vein light probe, a total of \$270 for Airway & intubation and the balance of \$2,183 to be assigned to cover the cost of the Medical Director. Made by Schmidt. Second by Alt. All in favor. Motion passed.
- Regarding Resignation:
- Mower stated there was an issue with a construction roadblock on Hwy 12. An individual in a specific vehicle went through the roadblock with lights and sirens. The vehicle and individual were identified by CDOT employees. Mower tried to speak to the individual and he adamantly denied that he was involved in this. CDOT was going to turn this over to State Patrol to charge this individual. State Patrol recommended we just handle this here. We are authorized to give a permit for individuals to have lights and sirens on personal

vehicles and drive Emergency vehicles. We can also revoke the permit. Mower left it as a learning experience. A couple of days later a box with the individual's equipment was left at his door at station 1. Jameson spoke with the CDOT and they confirmed that the description fit the individual's truck. Before they could speak with him, the individual had learned from Ray about the problem. This is also a concern. The individual was given the opportunity to explain. He stated that he had left for San Luis Valley early in the morning and didn't get back till late. He has resigned, but he still has a permit for his vehicle and to operate an emergency vehicle. Jameson and Mower feel we need to revoke that permit. The other concern is he went through an EMT class and should have a training agreement. Alt stated that he paid his own way.

- Motion to accept his resignation and revoke his permit from the LVFD made by Schmidt. Seconded by Valdez. Brunner suggested we table this till we find out why he left. Schmidt stated that this guy resigned. We should not get involved in his personal decisions. If the board doesn't want to do this, he will withdraw his motion. Brunner stated that personally he would rather talk to him first and find out what is going on. Jameson stated that on the employer side, you accept the resignation immediately just so you cover your business. Alt stated it's common that you have an exit conversation. It also begs the question of what's his thinking, what's wrong here. Schmidt Withdrew his motion.

Administrator's Report:

- Alt recommended we consolidate the FNBT accounts.
- Motion to consolidate the checking account numbers 771505, 714020, 715824, & 714577 at FNBT made by Lacy. Seconded by Brunner. Brunner asked how they will be kept separate. Alt stated that it will be all checking. Brunner asked what is the Alternative Account? Valdez asked if Sue Pezze would know what the account was. Brunner, can you keep this account amount as an Alternate. Alt stated he would like to just roll it all into checking. Alt will ask Sue Pezze. All in favor. Motion Carried
- Alt stated he needs the response and training records from FD and EMS for Incentive checks.

Old Business

- A. Motion to amend Section 9A of the LVFPD bylaws to include this statement "Directors may not currently be or within their term of office seek to become members in any capacity of the LVFPD as defined within sections 4 and 5 (CORRECTED TO BE SECTION 4 OF ARTICLE 5 ON DECEMBER 14, 2023) of the SOP of the LVFPD. Second by Valdez. Brunner asked; 9A is Director qualifications and Terms. This doesn't contradict our SOPs on qualifications and terms. It doesn't fit here. I don't see why the Bylaws need to change. Schmidt stated he just wants the Bylaws to say what the SOP says. 3 in favor, 2 against. Motion Carried.
- Alt asked who would make the changes in the SOP and Bylaws. Schmidt stated that there is not an online SOPs version. Someone will have to type that in and change the page. There is not an electronic version of the SOPs. At some point we need to get someone to type out an electronic version to make one. Chimenti has made changes, Jameson will follow up with her. We need to reissue the SOPs with all the changes.

- B. Update on RETAC meeting with the County Commissioners; Schmidt asked if anyone needed him to go over that again. Alt stated we are up to speed.
- C. Schmidt has spoken with both Bart Miller (attorney) and Ann Terry (SDA Executive Director). They would like to schedule a web conference with the board so we can speak to both at the same time about our issues. Miller stated that nothing has changed on employees. Brunner stated we still don't have anything in writing from Miller. Everyone is all for the conference with them. Brunner suggested we ask them to be at our next board meeting.
 - Motion to schedule a Web meeting with Ann Terry and Bart Miller at the December 14th, 2023 Board Meeting or as close as possible to this date made by Brunner. Second by Alt. All in favor. Motion Carried.
- D. Brunner spoke to Ernie on the lock and the roof. The lock will be replaced under warranty, if not he will replace it personally. Waiting on vendor for timeline. On the roof leak he asked about the snow melt system. Brunner told him it's not that problem. Brunner will send the contractor the pictures and documents.
- Website: Valdez stated it is way behind. Lacy stated he can ask Grace to update the website. Alt stated we need to do some planning before we turn her loose. Jameson has new pictures of volunteers. Get with him and we can get this updated.
- Any updates on Firehouse Grant. Schmidt stated he has not heard anything.

New Business

- A. Hiring of Administrative Assistant is moved to Executive Session
- B. Approval of RETAC Grant Application; Schmidt; Already discussed We don't have the actual application with Spanish Peaks, but we are now on it.
- C. Ballot issue. Schmidt stated we should target the general election for 2024 for us to come up to speed with all deadlines and what needs to be done. Brunner; we need to go after enough money to fund the EMS Director/District Chief. Schmidt asked what he meant. Brunner; hire a full-time employee 40 hours a week, nights, everything. Valdez; the volume of EMS calls does not justify that position. Brunner stated he saw Ray working 60 hours a week doing the job, setting up training. We need to look forward to having a full-time person. Schmidt; are you talking about Admin EMS combo. Brunner; EMS Director/District Chief. Valdez asked Brunner if he wanted to get rid of Jameson and Mower. Brunner stated no. What he is talking about is having someone full time in the future. He is talking about a salary that was paid for someone to be here 50 hrs a week and be here for the community. Schmidt stated that we are getting off track. I am asking how many mills to increase. Alt suggested we lay out a timeline. What is it that we really need? Make a list of what we need to help justify what mill levy we are asking for. Brunner; we need to say this is what we need to fund for in the future. Schmidt; I think we are all in agreement that we need more money. Which is how many mills that would be? I have spoken with Miller about his firm helping us with a timeline on all of this. We can ask them to develop a timeline to put a question on the ballot for the General Election for 2024. Then they can tell us how much time we have to decide what is on the list and how much money we need. Alt; in essence we are looking at the future. We need a 5yr plan. Brunner stated

we need more than 5 yrs. Jameson stated we need 10 to 20 yr plan. Schmidt; we need to get a number and spread it around as much as we can. It's going to be a hard sell to double the mill levy to just get started. We need to have a list of why we want to double the mill levy. Schmidt: do we want to target the 2024 General election for an increase in mill levy? Then the next step is whether we want to have the attorney to help or ask the SDA. We have had problems with the SDA before. They don't charge us, but we can try. Or do we want to get the attorney to give us a timeline? I have talked with SDA and I will try again to get them to send us a schematic to see what we need. Brunner; we have done this with the SDA, but when we wrote the ballot question, we had to pay for someone to legally write it up.

- E. Discuss a Full-Time EMS Director; Brunner stated nothing right now.
- F. Status on letter against vacating CR-363 to the county commissioners. Alt; this is loosely in conjunction with the Blaine family donation. Jameson stated this was a letter to the county commissioners requesting that they do not abandon the road over the mesa. County Road 363. We did vote on this to oppose the county to abandon CR 363. Jameson; That easement is only a 16 foot easement. To do road maintenance on it is virtually impossible. They need to close it or work out a deal with the easement to make it larger so it can be maintained. Brunner; What was the part with the Blaine Family. Littlefield: Stated that it was not a "quid pro quo". Coincidentally, they were giving that donation to the fire district. The Blaine family said it would really be helpful to us and other land owners in that part of the county to utilize this road in an emergency situation. This is the 3rd time certain people have tried to get that vacated. Ron Jameson asked if the county could blade it once a year. We used it in the Spring Creek Fire. Mower stated We have used it in East Peak fire too. Alt asked if they could circulate that letter. Schmidt stated he would have to find it, but would get it.
- H. What Constitutes a meeting. Brunner; "just looking at the [STA-SDA](#) book, I did want to go on record that I did not attend the interviews tonight because they were not handled properly". Brunner read the CRS chapter 3d. under open to the public. So, any kind of gathering convened to discuss public business in person, electronic or any other means of communication. Open meeting requirements apply to formal meetings of the board and study sessions. Requirements do not apply to staff meetings where quorum of the board is not present, chance meetings or social gatherings where the public business is not the central purpose. Hiring or interviewing a person is public and you cannot do that. Schmidt; Hiring is interviewing is not public business. Brunner; I would like to go on record that what that was is an illegal meeting. Alt read the statutes again. "It's a matter of semantics." Brunner stated that if you asked questions, and they give information it's a discussion. I know in the past we have been sued for splitting hairs. As a board we have to be super careful not to split hairs. If there is any grey area, we need to do what is right. Valdez stated we need to do that in all areas. Schmidt; We can run this by Miller or we can start posting every single meeting we have. Lacy; I would error to the cautious side. Schmidt; On that same thing, we are also on the same predicament on the employee business on who ought to be a Director and who isn't. If someone who wants to make a deal out of it. If they want to sue us over it, then Mark and Jim should not be on the board, then everything we have done could be called into question. Brunner; you now have Miller and Terry who agree that is not the case. Schmidt; They agree that there is a certain way to figure all of that out. I figured we would just forget it because we have dealt with it in the big picture with the Director not being able to be a member and it will work itself out over time.

Schmidt; how would you like to proceed on the meetings law? Brunner stated he would like to ask Miller what the best course is. Schmidt; we need to abide by whatever the board decides to do.

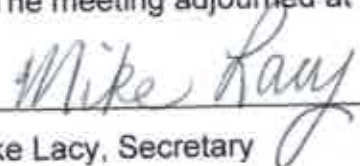
Executive Session entered at 9:53pm – Hiring of Administrative Assistant

- Motion to retire to an Executive Session for personnel matters. Identified the person that needs to be discussed which is the Administrative Assistant and that is under 24-6-402.4.f. CRS by Brunner. Second by Valdez. All in favor. Motion Carried

Executive Session ended at 10:23pm

- Motion to hire Susan Blake as our new Administrative Assistant, made by Valdez, Second by Lacy. 2 for, 3 against, Motion Denied.
- Motion to hire Tressan Passarelli as our new Administrative Assistant made by Alt, Second by Brunner, All in favor. Motion Carried.
- Schmidt stated we need to determine the terms of her employment. Brunner, stated we need to set hours. Alt stated we need to give her as many hours as she needs up to the end of this year. Brunner suggested starting January 31st hours would be no more than 25 hours a week. Wage is set at \$20 per hour. Schmidt stated that time off would need to be approved by the board. Alt stated we need to make it easier than that. Mickey stated we need to come up with something to request a time off. We also need a time sheet. Alt, stated maybe an email requesting time off. Schmidt stated we can get a form from the town that has the time frame she is requesting off. Valdez asked if she would get paid for lunch. Schmidt stated that she would have a time sheet to sign out and in on. Alt asked if the town had a time sheet we could use. Schmidt stated we need a time sheet that would have 4 slots. Lacy asked where she would be working. Valdez asked if we want to let her get a feel for it. Alt asked when she starts. Valdez stated she hoped that she would give her current employer that professional notice. Valdez stated if she says immediately, then that's a red flag for employment. Schmidt stated that he would draw up a contract. Alt stated one other thing we should include is an acceptance date. We don't want to let everyone else know, until we have an acceptance from Passarelli.

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* **MSA:** The meeting adjourned at 10:39pm



Mike Lacy, Secretary