

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BLACK FOREST FIRE/RESCUE PROTECTION DISTRICT

The Board of Directors of the Black Forest Fire/Rescue Protection District held a regular board meeting on December 9, 2020, via Zoom technology, such meeting duly posted for public notice.

A quorum present, the meeting was called to order at 7:00 p.m. by Chair Nearhoof.

Directors present: R. Nearhoof/N. Dowden/J. Hinton/D. Hoffpauir/J. Abendschan

Directors absent: None

Also present: Attorney Linda Glesne/Chief Langmaid/DC Rebitski/D. Arkowski/fire department personnel/OCN reporter Natalie Barszcz/Community Members

Meeting Protocol: The attorney for the District, Linda Glesne, will be joining the meeting later in the evening, by Zoom. At that time, the meeting will adjourn into executive session and all attendees except the Directors will be moved to the Zoom "waiting room." When the executive session has concluded, everyone in the waiting room will rejoin the meeting. During the Public Comment portion of the meeting, speakers will be given three minutes to make comments.

Roll Call: All Directors were present.

Minutes A motion was made and seconded to approve the board meeting minutes for the November 18, 2020 regular board meeting; upon a vote, the motion was carried unanimously.

Financial Reports Treasurer Hinton reported there is \$1.245 million on hand and the reserve accounts are funded. All transactions for the month were reviewed and are in order. A new credit card system has been implemented, and large purchases have been made for bunker gear and helmets. The District is right on track for budget expenditures and income is within a few points of expected. **A motion was made and seconded to approve the financial report; the motion carried unanimously.**

Chief's Report Given by Chief Langmaid. A written report was prepared by Chief Langmaid and sent to all directors. A copy is attached to the minutes.

Administrative:

- Finance – Moving to a new credit card system to allow for more flexibility and accountability.

Logistics:

- Facilities – working on some issues within the stations.
- Fleet – major repairs on the Rosenbauer Type 1, and SVI Type 1 is out of service due to persistent pump issues. An extension of the SVI warranty has been requested.

Operations:

- Covid has infected several employees and family members.

Planning

- Requests have been received about cisterns, as well as questions from developers. We continue to work with Classic Homes on planning. Efforts are focused on wildland fire danger and persistent drought hazard.
- Succession planning is one of the most important aspects of planning in the District as we focus on hiring the right people.
- Responding to a question about the installation of MDCs, Chief Langmaid stated they should be installed in the vehicles in the next few weeks.

Old Business The 2021 budget has been discussed at several meetings and a budget hearing. There have been a few minor changes, including earmarking more funds for capital improvements in the event opportunities should become available. **A motion was made and seconded to adopt Resolution 2020-13, an amended budget for the Black Forest Fire/Rescue Protection District; upon a vote the motion was carried unanimously.** The mill levy certification will be signed and submitted to the County Commissioners the following day.

New Business An extension of the resolution for a disaster declaration was considered, noting the

RECORD OF PROCEEDINGS

continuing effects of the covid-19 pandemic on District operations and the potential need for further disaster declarations. **A motion was made and seconded to adopt Resolution 2020-14, to continue a Disaster Declaration for the Black Forest Fire/Rescue Protection District to December 31, 2021; upon a vote, the motion was carried unanimously.**

Reports on Workshops and Meetings None.

Correspondence Chief Langmaid reported a thank you letter had been received from the City of Colorado Springs FD in response to assistance provided by the BFFR/PD on the Bear Creek fire. In response to a question from the floor, BFFR/PD assisted with three fire fighters at the fire for six hours and backfilled a City fire station while its members were on the fire. This is considered mutual aid between participating departments and no remuneration is involved.

Public and Local 4502 Comments Mr. Richard Painter addressed the board regarding the location of the District's cell tower, which is adjacent to his home. Mr. Painter cited issues with fire department personnel using his driveway, and Chief Langmaid stated that situation has been rectified; personnel will not drive vehicles on the Painter property, and if they need access, they will ask Mr. Painter beforehand. Mr. Painter noted there were other matters, such as driving on the land next to the road and cutting the rope fence in that area. It is unknown if fire personnel did this, or a contractor working there. A possible contractor will be contacted in this regard.

Concerning the guy wires for the tower, this has been discussed, and the fact that they are engineered for the tower and buried deep in the ground, it is considered impractical to move them. The tower will not be converted to a free-standing tower, and one wire will remain anchored on Mr. Painter's property. Mr. Painter claims his ability to use his property has been encumbered because he cannot expand the footprint of his house and build a garage due to the location of the guy wire. He also claims his property was surveyed and there is a problem with the District lease from Darwin Wooley for this land. Chief Langmaid, noting that the three-minute limit for public comment has been exceeded, suggested this matter be continued at a future meeting. Future scheduling of this matter will be considered.

Upon the arrival of Attorney Glesne, **A motion was made to adjourn into executive session, per Statute 24-6-402(4)(b), for discussions with legal counsel concerning a land conveyance matter; the motion was seconded; upon a vote, the motion carried unanimously.** The board adjourned into executive session at 8:10 p.m. Zoom participants not included in the executive session were moved to the waiting room.

The Board reconvened in public session at 9:08 p.m. Attorney Glesne provided a legal certification as legal counsel for the Black Forest Fire District, stating it is 9:08 p.m. and the Board has been in executive session for advice of legal counsel, and they have not strayed from that topic, and the Board has now reconvened in public session to continue their discussions. No vote was made during the executive session.

Mr. Joel Helzer was in attendance regarding a petition he had presented to the Fire District to exclude 22 parcels of property from the Black Forest Fire District. He stated he was aware of requirements for this matter, including public notice period and a public hearing. He was advised that upon advice of counsel, a work session will be scheduled concerning the exclusion process. The date of the work session will be publicly posted and emailed to Mr. Helzer. After the policies and fees for the exclusion process have been determined, they will be forwarded to Attorney Glesne for final approval. At the January board meeting, the Board will approve a final resolution in this matter. After that time, a hearing date will be scheduled for Mr. Helzer's petition.

Future Meetings The next regular meeting will be January 20, 2021, at 7:00 p.m.

Adjournment There being no further business, **and upon motion duly made, seconded, and unanimously carried,** the board adjourned at 9:14 p.m.

Respectfully submitted,

Donna Arkowski, Secretary