

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 February 21, 2024, such meeting duly posted for public notice.

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

Directors present: N. Dowden/K. Tarvainen/J. Abendschan/J. Hinton

Directors absent: C. Behnken

Also present: PJ Langmaid/C. Piepenburg via Zoom/R. Dunn/D. Arkowski/fire department personnel/community members/Attorney Linda Glesne

Roll Call: Director Behnken was absent; **a motion was made and seconded to excuse Mr. Behnken's absence; motion carried unanimously.**

Minutes **A motion was made and seconded to approve the board meeting minutes for the January 17, 2024 regular board meeting; upon a vote the motion carried unanimously.**

Financial Reports Treasurer Hinton reported that the district has total assets of \$1.78 million, and \$2.66 million in total assets. All finances are in good order. **A motion was made and seconded to approve the financial reports; the motion carried unanimously.**

Operations Report A written report was prepared by Chief Langmaid and given to all directors. A copy is attached to the minutes.

Finance and Administrative – Admin. Officer Rachel Dunn:

- Notable revenues last month were ambulance receipts-\$7,785, tax revenues-\$53,936.
- Notable expenditures – Workers Compensation.
- Restocked uniform items.
- Monthly hours worked – 8291.7.

Logistics

- ADA accessibility widget for website.
- Joint Academy supplies.
- Radios reprogrammed to accommodate new comm plan.

Ground Support

- Routine maintenance.
- A cab chassis being painted.
- Gavin traveled to FL for Tender final inspection – a few items were noted. A \$3,000 change fee due to extra painting required. Tender is in Colorado and will be paid for on delivery.

Facilities Unit

- Finished training room.

Resources Unit

- Brooke left 2/14/24 for new job.
- Onboarded 6 new employees.

Operations

- Training hours – 1400 hours in January.
- Fire Academy began January 15th, 10 members from MFD, 5 from BFFR, 1 PPSC student.
- Crews worked on required EMS and HR computer-based training and medical burn training.
- Two working fires – one in Monument and one in BFFRPD.

An agreement between BFFRPD and Pikes Peak State College covering the fire academy training will be made available as soon as Attorney Glesne completes work on it.

Chief Langmaid addressed an extensive review that he prepared of 2023 Planning Department reviews, with copies sent to board members and invited questions.

He also brought up the matter of best practices for budget control, noting ambiguity regarding

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spending authority. Historically, if an expenditure is included in the budget, staff has authority to proceed. If not included in the budget, staff must seek approval. He cited the tender payment as an example, an item that was budgeted as a cash purchase, but now has some question about final disposition; i.e., will it be paid in cash, or will a short-term loan be required? This discussion segued into policies and procedures differentiation and authority for these divisions. Chief Langmaid recommended that any policy making authority be stripped from the department and that all authority be given to the board, with clarification on authority for developing procedures. A work session will be scheduled to investigate these matters and devise a workable system.

Chief Langmaid distributed the 2023 Annual Report and 5-Year Review to the board. The chief reviewed goals that were detailed in the 5-Year Review, illustrating successful accomplishment of the goals.

Old Business All board personnel were given large 3-ring binders that contain district policies – with approvals pending -- and documents pertinent to the administration of district business and operations.

Treasurer Hinton referred to proposed policies in the binder, noting specific language in some and his recommendations on some financial policies and questioned process surrounding others. Attorney Glesne has reviewed all proposed policies. In reviewing the proposed policies, the directors expressed concerns that there may be ambiguities between policies and questions of content versus intent. It was suggested that adoption of the policies be tabled pending more clarity, further review by Attorney Glesne, and a work session to intensively analyze the documents. The chief will electronically send copies of the five policies under consideration to all board members and Attorney Glesne. It was also proposed that some policies be sent to the auditor for clarification of items identified as capital expenditures.

Directors were asked to review a suggested new policy – Policy 11, New Director Onboarding – which directs that when a new director is sworn in they will receive the 3-ring binder plus other pertinent documents. **Upon a motion and a second, the board approved adoption of Policy 11, New Director Onboarding, as written; motion carried unanimously.**

Payment of Tender The amount due for the truck, including the change fee, is \$349,849.50. An additional charge of \$1,600 for interest was added by Front Range Apparatus, which was not included in the original contract, and the board objected to this charge. **A motion was made to approve payment of the tender vehicle for \$349,849.50, to include the change fee but not including any interest charge, with the funds being drawn from the capital improvement fund; the motion was seconded; after a brief discussion on the logistics of paying for the vehicle, a vote was taken, and the motion carried unanimously.**

New Business An inclusion of property was presented to the board for approval. **Upon a motion and second, the board approved Resolution 2024-01, for the inclusion of property owned by Leslie and Katrinda Johnson, at 5221 Roundup Ridge, 80908, into the Black Forest Fire/Rescue Protection District; a vote was taken and the motion was approved unanimously.**

Board Member Reports None.

Correspondence None.

Public Comments Ms. Smith questioned future plans for equipment acquisitions and was informed that the long-range planning that is in place will address smaller vehicles.

Future Meetings The next regular meeting will be March 20, 2024.

Executive Session **A motion was made and seconded to adjourn into executive session, per State Statute 24-6-402(4)(f), CRS, pertaining to employee matters, related to establishing goals/expectations and setting review of Fire Chief; the motion passed unanimously at 8:40 p.m.** Chief Langmaid requested that the executive session be held in public, in an open session, which is permitted by the statutes. The chief expressed the desire to have the discussion concerning his performance be held in public. The chair accepted this request and **made a motion for a 10-minute adjournment, motion seconded, a vote was taken and the motion carried unanimously.** The board adjourned for a 10-minute break at 8:40 p.m. The board reconvened in open session at 8:49 p.m. with Attorney Glesne joining the meeting via Zoom.

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Chair Dowden spoke, noting that PJ Langmaid has been the chief of the department since June of 2020, and questioned whether the board has been clear on their expectations with respect to his performance. Mr. Dowden stated he has not been clear and direct regarding expectations, and wishes to provide clarity and boundaries for rules of engagement and performance to promote the chief's ability to succeed. An annual evaluation of the chief has not been provided previously by the board, but this will be done in the future. The goal for this segment of the board meeting is to clarify which subjects do or do not require board consultation before the chief proceeds with actions. Some examples given were staffing agreements with other departments, development of a fire academy, or the presentation of outside communications to the board.

Additionally, the board's responsibility to the district extends beyond financial oversight and includes objectives such as whether the board wants the department to be an elite force or to focus on a capable force that performs well. Expressing concern about the designation of an elite force, Mr. Dowden stated each firefighter is highly qualified and experienced and, based on the definition of the word elite, questioned whether the BFFD firefighters are more elite than the City FD? The word elite was questioned as possible hyperbole.

Discussion continued and related information concerning items contained in a budget book prepared in October 2023, the ability of the BFFD to respond to Land Use property notifications, interactions of the Land Use Committee and the HBA, and emails to and from Chief Langmaid. Director Abendschan objected to the conversation, stating that he was uncomfortable with the tone of the discussion, and was unaware of the specifics of the discussion and did not have copies of documents that were being referenced. Assistant Chair Tarvainen stated that she also did not have the referenced documents and was unaware of what the board was attempting to accomplish in this discussion. Attorney Glesne reminded all that the agenda had noticed an executive session and its subject matter, and that Chief Langmaid had allowed for the discussion to be held in open session. She advised that if some directors are unprepared for or uncomfortable with tonight's discussion that it could be continued at a future meeting. **A motion was made and seconded to suspend the discussion concerning goals, expectations, and a review for Chief Langmaid to a future meeting date; upon a vote the motion carried unanimously.** Chief Langmaid was asked to verify that the email system is working properly concerning communications with board members.

Adjournment There being no further business, the board adjourned at 9:27 p.m.

Respectfully submitted,

Donna Arkowski
Recording Secretary